

SECTION 1 – MAJOR APPLICATIONS

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

15 PANGBOURNE DRIVE
STANMORE HA7 4QX

Item: 2/01
P/0384/07/DFU/LW

Ward CANONS

USE OF PART OF GROUND FLOOR OF DWELLING HOUSE AND REAR GARDEN FOR CHILDMINDING FOR UP TO 9 CHILDREN AND 3 STAFF, FROM 9AM TO 2PM ON WEDNESDAYS, THURSDAYS AND FRIDAYS.

Applicant: Theresa Elf

Statutory Expiry Date: 16-APR-07

RECOMMENDATION

Plan Nos: Ground Floor Plan received 19.02.2007, Site Plan

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

2 The use hereby permitted shall be carried on only by Theresa Elf and shall be for a limited period being the period of one (1) year from the date of this permission, or the period during which the premises are occupied by Theresa Elf, whichever is the shorter.

REASON: To reflect the particular circumstances of the applicant, to safeguard the neighbouring residents and to permit reconsideration in the light of the circumstances then prevailing.

3 The number of children cared for, at any one time, shall not exceed nine (9), and the number of staff servicing the use at any one time shall not exceed three (3) unless otherwise approved in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety.

4 The use hereby permitted shall take place outside 09.00hours to 14.00hours, Wednesday to Friday inclusive, with the exception of Public Holidays, unless otherwise approved in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

5 The use hereby permitted shall only occur within the areas of the dwelling indicated on the approved drawing 'Ground Floor Plan received 19.02.2007', unless otherwise approved in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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:

D4 Standard of Design and Layout

C3 Nursery Provision in Residential Premises and Areas

T13 Parking Standards

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1)** Nursery Provision in Residential Premises and Areas (C3, T13)
- 2)** S17 Crime & Disorder Act (D4)
- 3)** Consultation Responses

INFORMATION

This application is referred to the Committee for decision at a request of the Nominated Member.

a) Summary

Statutory Return Type: Change of Use

Council Interest: None

b) Site Description

- The site is located on the southern side of Pangbourne Drive, Stanmore.
- Site is occupied by a detached residential dwelling with attached car port to the western flank wall.
- Hard surfaced front garden with carriage drive could accommodate up to five cars
- The site slopes down from Pangbourne Drive to the rear, with a considerable change in level on the front forecourt.
- The site is bounded to the east by the rear gardens of No.s 2, 4, 6, 8 and 10 Dalkeith Grove and the west by No. 17 Pangbourne Drive.

c) Proposal Details

- To use the rear living space on the ground floor (37m²) as a day nursery for up to 9 children with 3 employees, including the owner of the dwelling.
- The use would operate Wednesday, Thursday and Fridays from 9am to 2pm.
- The proposal does not involve any building work or external alterations.

d) Relevant History

None

e) Applicant Statement

- Use has Ofsted approval for up to nine children and three staff.
- Proposed use will be a small pre-nursery childminding group.
- The driveway will be clear and allow at least five cars to drive through.
- Parents do not come into the house, they just drop off their children and leave the premises, it is a case of 'drop and go', the entire process takes no longer than two minutes and is the same at collecting time.
- The house is detached with solid walls made from masonry bricks and is situated in a long, wide road.
- Whilst we are in the garden the noise will be kept to a minimum.

f) Consultations:

None

Notifications:

Sent:
22

Replies:
3

Expiry: 19-MAR-2007

Summary of Response:

Concerned about effect of noise from the children when outside; increase parking and traffic; loss of property values; increase disturbance.

APPRAISAL

1) Nursery Provision in Residential Areas

Policy C3 outlines factors to be considered in relation to change of use of part of a dwelling house to a day nursery, these are discussed below.

a) The effect on the amenities of neighbouring residents, particularly in relation to noise disturbance and privacy;

The dwelling house is a detached building with a large rear garden, the front garden of the site is currently primarily hard surfaced. The use involves part of the ground floor of the dwelling, and the rear garden for play. As such, the main impacts on amenity are considered to occur at the front of the site during delivery and collection of the children, and the rear garden areas during play times. As the house is detached there will be limited noise transfer through the walls to the adjacent properties.

It is noted that the proposal is within a generally quiet residential street, and parking is available in the front garden, as well as on the street. However it is considered that on street parking by people dropping of children would probably be most likely as there is adequate space for parking on both side of the street without due impact upon highway safety. The additional traffic associated with the proposal is not considered to increase the traffic flow to a level that would have any material effect on residential amenity. The noise resulting from the delivery and collection of the children will occur mostly during the drop off and pick up times of the use. However given the distance to the surrounding dwellings and with the noise occurring mainly at the street frontage, it is not considered that use would create an undue noise disturbance

for the surrounding dwellings, despite being a generally quiet street.

The use of the rear garden by up to nine children, is also considered acceptable given that the sound of children playing is not unusual in a residential area and the surrounding dwellings (with the exception of No. 17) are located some 20m from the boundary lines of No. 15. In addition the use is proposed for three days only at a time when many local residents may well be at work.

Conditions are recommended to ensure that the use can only operate for one year, with the current owner of the dwelling, so that the Council can further assess the impact of the use at that time.

b) The scale and intensity of the use of the property and the character of the locality;

The proposed use is considered to be of a scale consistent with a residential area. It is located on part of the ground floor of the dwelling, which allows the use to occur without reducing housing stock, in accordance with the policy.

The use would only operate for three days a week, and will commence and finish outside peak morning and afternoon traffic times. This would ensure that this use would have minimal impact on the character of the area, and would remain of a scale consistent with a residential area. The use of only part of the dwelling for the nursery would also ensure the use would remain subordinate to the residential use of the dwelling, in compliance with the policy.

There are no other known nurseries in residential dwellings within the vicinity of the subject site and as such the proposal is not expected to increase the intensity this type of use in the local area.

c) The provision of a safe environment for children and visitors delivering and collecting children at the premises;

The site benefits from a circular drive on a wide street with the potential for parking along both sides of the street. Given the age of the children being looked after it is considered unlikely that parents will probably drop them off at the kerbside and as such the main issue relates to vehicles and parking. The on street parking in the vicinity of the site is considered adequate, with space provided for parking along both side of the street. It is therefore considered that the delivery and collecting of children can occur in safe manner, without a detrimental impact on traffic safety or flow.

d) The provision of adequate parking spaces provided in a visually acceptable manner;

The front garden area of the site could allow for the parking of up to five spaces, and these would most likely be used by staff, although it is noted that this would reduce the effectiveness of the circular drive. However there is considerable availability on street parking within the vicinity of the site, and the nearby traffic island at the junction with Heronslea Drive, also offers parking opportunities. It is therefore considered that parking on either the driveway or in

the street would be unusual or materially different from the existing situation.

e) The effect on highway safety and movement;

The width of Pangbourne Drive, availability of parking, the times of the use, and the modest number of cars generated by the use are considered to ensure that the use would not have a impact on highway safety or movement.

2) S17 Crime & Disorder Act

The proposal is not considered to have any impact with respect to this legislation.

3) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- Majority of concerns addressed in body of report.
- Property values not a valid planning consideration.

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.

**33 MOAT DRIVE, HARROW
HA1 4RY**

**Item: 2/02
P/0607/07/DFU/GL**

Ward HEADSTONE SOUTH

SINGLE STOREY SIDE TO REAR EXTENSION AND DEMOLITION OF EXISTING GARAGE

Applicant: B Taylor
Agent: P & W Associates
Statutory Expiry Date: 25-APR-07

RECOMMENDATION

Plan Nos: Site Plan; MOATD33/P/1; MOATD33/P/2; MOATD33/P/3;
MOATD33/P/4

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

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

REASON: To safeguard the appearance of the locality.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s) shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION -
HOUSEHOLDER APPLICATION:

The decision to grant planning 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:

SD1 Quality of Design

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

Supplementary Planning Guidance: Extensions: A Householders' Guide

2 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.

"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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com.

Please quote Product code: 02 BR 00862 when ordering.

3 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.

4 INFORMATIVE:

The applicant is informed that the works detailed in the Certificate of Lawful Proposed Development P/82/06/DCP will need to be carried out and completed prior to the commencement of the implementation of this permission, otherwise separate planning permission would also be required.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Design, Amenity (SD1, D4, D5)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

This application is reported to Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- Site is located on the southern side of Moat Drive and contains a two storey semi-detached dwelling located generally towards the front of a long, rectangular plot.

- The site has no other previous planning permissions, although it does have a Certificate of Lawful Proposed Development for a loft conversion including a roof alteration and rear dormer, this has yet to be constructed.
- The dwellings on either side of No. 33 appear to be as originally constructed within no visible extensions, and no planning histories.
- There are no protected windows within either neighbouring dwelling. No. 31 to the northeast is the attached dwelling and is as originally constructed, thus no flank windows. The dwelling to the southwest No. 35 has two windows within the flank wall they serve a bathroom and landing

c) Proposal Details

- Single storey side to rear extension.
- The side extension would be constructed in place of the existing flank garage and extend to the boundary with the unattached neighbouring dwelling, 35 Moat Drive.
- The side extension would link to a 3m deep single-storey rear extension spanning the entire width (8m) of the application site
- The extensions would have a pitched roof 2.5m high at the eaves and 3.5m high at the pitch giving a mid-point height of 3m
- The rear extension would only be glazed at rear and also have four Velux-style windows in the pitched roof.
- A further Velux-style window is proposed for the side extension on the front elevation.

Revisions to Previous Application:

Following the previous decision (P/2376/06/DFU) the following amendments have been made:

- Side extension projects to site boundary
- Flat conversion no longer proposed

d) Relevant History

P/82/06/DCP	Certificate of Lawful Proposed Development: Loft Conversion incorporating hip to gable and rear dormer roof extension	GRANT 10-FEB-06
P/472/06/DFU	Single storey side to rear extension and conversion of dwelling into 2 self contained flats	REFUSE 13-APR-06

Reasons for Refusal

- The proposed ground floor unit would not be fully accessible and would fail to make adequate provision for people with disabilities, therefore conflicting with the policies of the Harrow Unitary Development Plan.
- The proposed forecourt layout would not make satisfactory provision for parking and access and would as a consequence be detrimental to parking and safety conditions on the adjoining highway.

P/1200/06/DFU	Conversion of house into two self-contained flats including single storey	REFUSE 31-JUL-06
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side to rear extension

APPEAL
DISMISSED
12-FEB-2007

Reason for Refusal

Parking is insufficient for two flats and therefore the development would give rise to conditions prejudicial to highway safety and the free flow of traffic in Moat Drive.

P/2376/06/DFU Conversion of dwelling house to two flats together with single storey side to rear extension. REFUSED
29-JAN-2007

Reasons for Refusal

Parking is insufficient for two flats and therefore the development would give rise to conditions prejudicial to highway safety and the free flow of traffic in Moat Drive.

e) Applicant Statement

- None

f) Consultations:

- None

Notifications:

Sent:
2

Replies:
0

Expiry: 23-MAR-07

Summary of Response:

N/A

APPRAISAL

1) Design, Amenity

The extensions conform to the requirements of Paragraphs B1-B6; C1-C3 and C7 of the Supplementary Planning Guidance and are therefore considered acceptable.

The proposed glazing would not give rise to overlooking.

The front wall of the extension would remain set 1m behind the main front wall. The use of materials to match the existing property and a street-facing window is considered acceptable as its relationship with the front of the main dwelling retains the character and amenity of the street. The current space in the forecourt is considered adequate for parking and would easily contain the vehicle that would be displaced by the loss of the garage.

2) S17 Crime & Disorder Act

The proposal is a normal householder extension and is not considered to have any adverse impacts on the security and safety of the locality.

3) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- None

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.

**140 WEMBOROUGH ROAD
STANMORE HA7 2EG**

**Item: 2/03
P/0219/07/CCO/LW**

Ward BELMONT

RETENTION OF 4 AIRCONDITIONING UNITS ON REAR ELEVATION WITH
ACOUSTIC ENCLOSURE

Applicant: Pravin Patel
Statutory Expiry Date: 21-MAR-2007

RECOMMENDATION

Plan Nos: 1131/1 Rev C, /2 Rev C, Acoustic Box Details received on 24.01.2007,
Environmental Noise Assessment Document Reference
100783.ENA.09.06

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

1 Unless the acoustic box hereby permitted is installed on the site no later than one month from the date of this permission, and thereafter retained in accordance with plan no. 1131/2 Rev C, the air conditioning units hereby permitted shall be removed.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents.

2 The acoustic box hereby permitted shall, at all times, operate in accordance with the submitted details given in the Environmental Noise Assessment (September 2006) from Acoustics Plus Ltd.

REASON: To avoid noise nuisance and to safeguard the amenity of residents.

3 The development hereby permitted shall not increase the background LA90 noise level at the nearest residential façade during operation.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents.

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:

SD1 Quality of Design

EP25 Noise

D4 Standard of Design and Layout

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Impact on Character and Appearance (SD1, D4)
- 2) Impact on Amenity and Noise (SD1, D4, EP25)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is referred to the Committee for decision given the planning history of the site.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- The property is located on the northern side of Wemborough Road, just west of the junction with Weston Drive.
- Site is occupied by a two storey detached dwelling, which has been substantially extended.
- Site is bounded to the west by and at rear by the gardens of No. 1 –9 (odds) Honister Gardens, and by a detached house to the east No. 138 Wemborough Drive.

c) Proposal Details

- Retention of four air-conditioning units on the rear wall of the dwelling at ground floor level.
- Three of the four air conditioning units have been sited in accordance with previous approval; one unit has been placed in a different location.
- Erection of an acoustic box (800mm x 2200mm x 1350mm) around the four air conditioning units.

Revisions to Previous Application:

- Previous approval (P/1093/06/DFU) showed three units on top of each other going up the wall, and one unit to the right, creating an L-shaped configuration on the rear wall.
- This proposal shows two rows of two units, creating a rectangular shape of the four units.

d) Relevant History

P/2903/05/DFU	Retention of 2 storey and single storey front, side and rear extensions, rooflight and external alterations.	REFUSED 09/02/2006 ALLOWED AT APPEAL
P/1093/06/DFU	Resiting of four air-conditioning units	GRANTED

	from side to rear elevation.	27/10/2006
P/3323/06/DDP	Details of acoustic enclosure pursuant to condition 3 of planning permission P/1093/06/DFU relating to the provision of four air conditioning units at the rear.	REFUSED 17/01/2007

Reason for Refusal:

The proposed acoustic enclosure shown on the drawing received 22-NOV-2006, is not consistent with the dimensions and layout of the air-conditioning units approved by planning permission P/1093/06/DFU, and no details of a cross section of the enclosure and its mounting details have been provided as required by the Condition.

e) Applicant Statement

- Refer to Environmental Noise Assessment (Sept 2006), document reference 100783.ENA.09.06, prepared by Acoustics Plus Ltd.

f) Consultations:

None

Notifications:

Sent:	Replies:	Expiry:
6	1	24-JAN-07
6	1	14-MAR-07

Summary of Response:

Objection – Air con units could be sited at the front, rather than the rear; air con units should not operate after 6.00pm; only one hour at any time during summer; level of noise is monitored by an independent third party at the cost of the applicant; reinstatement of shrubs and trees should be a condition.

APPRAISAL

1) Impact on Character and Appearance

Four air conditioning units have previously been approved in the current location, on the rear wall of the dwelling house. However the approval showed a different layout from what was subsequently constructed on site. Specifically the previous approval (P/1093/06/DFU) showed three units going up the wall, with one unit to the right, in an L-shaped configuration, whereas the units are placed on site in a rectangular configuration, with two units alongside two units.

The difference in the layout is not considered to have a significant impact on the character or appearance of the dwelling, and given that they are lower in height and therefore less visible it is considered that the new layout is an improvement on the previously approved layout.

2) Impact on Amenity and Noise

The amended layout has reduced the height the units would have reached up the rear wall, so that they now remain below the windowsill heights of the ground floor. This has improved the visual amenities for the surrounding plots.

The proposed acoustic box, which has not yet been erected on the site, has been designed to reduce the noise level of the air conditioning units. The acoustic box is considered to have an acceptable design and would ensure that any noise emissions from the air conditioning units would remain within the relevant noise standards. Conditions are recommended to ensure this remains the case in the future.

3) S17 Crime & Disorder Act

The proposal is not considered to have any impact with respect to this legislation.

4) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- The units have previously been approved in this location, the previous refusal referred to the discharge of condition for the acoustic enclosure and was refused as the enclosure was not a consistent size for the previously approved air conditioning layout.
- The suggested conditions for operating hours and independent monitoring are not considered reasonable or relevant, given that the acoustic box proposed would ensure the noise level of the air condition units would remain at an acceptable level for a residential area.
- Landscaping not relevant to this application.

CONCLUSION

For all the reasons considered above, and weighing up the development plan polices 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.

**GUNFLEET, SOUTH VIEW ROAD
PINNER HA5 3XZ**

**Item: 2/04
P/0303/07/CFU/RV2**

Ward PINNER

SINGLE STOREY REAR EXTENSION

Applicant: Mr & Mrs P Godfrey
Agent: Anthony J Blyth & Co
Statutory Expiry Date: 04-APR-2007

RECOMMENDATION

Plan Nos: PMB/06/152 (received 31/01/07), 99/384/02 Rev B (received 07/03/07)
& Design & Access Statement

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces of the extension/building (which is to include windows of timber and the render to be white) have been submitted to, and approved in writing by, the local planning authority and thereafter this development shall be built with the approved materials.

Reason: To safeguard the appearance of the locality and the property.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION -
HOUSEHOLDER APPLICATION:

The decision to grant planning 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:

- SD1 Quality of Design
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- C2 Provision of Social and Community Facilities
- EP31 Areas of Special Character
- EP33 Development in the Green Belt
- EP34 Extension to Buildings in the Green Belt

Supplementary Planning Guidance: Extensions: A Householders' Guide

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:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com.

Please quote Product code: 02 BR 00862 when ordering.

4 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) Impact on Character of Area (SD1, D4, EP31, EP33, EP34)
- 2) Character and appearance of Conservation Area (SD1, SD2, D4, D14, D15)
- 3) Neighbouring Amenity (D5, SPG)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Householder Development
Green Belt: Yes
Conservation Area: Pinner Hill Estate
Area of Special
Character
Council Interest: None

b) Site Description

- The site is located within the Metropolitan Green Belt and the Pinner Hill estate Conservation Area.
- Detached two-storey house with a double garage to the side that has been linked to the house at the rear, with a first floor extension above.
- It is set of an angle to the road and is sited some 13-20m from the road.
- To the northwest of the subject site is Oakwood and Beechburn is located to the east of the subject site.

c) Proposal Details

- Single storey rear extension.
- The extension would be 3.8m deep and 5.9m wide and would be sited on the northwest side at the rear
- Maximum height 3.6m, with a flat roof incorporating a "lantern" rooflight
- Predominately glazed

d) Relevant History

LBH/8050/1	Erection of detached house and garage reconsideration of outline application.	GRANTED 02-04-73
LBH/8050/02	Erection of detached dwelling house & garage: Details pursuant to outline permission	GRANTED 03-10-75
WEST/478/00/FUL	First floor side extension	REFUSED 23-10-2000 ALLOWED APPEAL 28-03-2001
P/2352/06/DFU	Single storey rear extension	WITHDRAWN

e) Applicant Statement

- Design of the conservatory has been prepared to match with the materials and details of the existing house
- Access to and from conservatory has been designed in accordance with Part M of the building regulations

f) Consultations:

- **Historic Building & Conservation:** This building already had a first floor side extension. It is proposed to attach this single storey rear extension to the same section of the building that has been extended. The previous application for this has been revised.

The rendered external walls and larger windows with a more vertical emphasis are welcomed since this creates a more lightweight appearance. Also, setting the width in by 20cm on both sides rather than just one now helps to create greater subservience to the original building. Raising the parapet helps to obscure the glass roof.

It would be preferable if the depth of this extension was reduced due to the disruption 3.8m would have to the original footprint. However, the proposal is acceptable.

Materials - a condition is imposed to require the use of timber windows and white render to match the existing in accordance with Policy 3d of the Pinner Hill policy statement: 'extensions will be required to match the existing house, in design and materials'

- **CAAC:** The proposed design matches the dwelling's architectural style. There are concerns that it may project too far out and may be better tucked into the corner of the rearward projection but this is not a huge problem.

Advertisement:	Character of Conservation Area	Expiry: 08-MAR-07
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Notifications:

Sent:	Replies:	Expiry: 28-FEB-07
4	0	

Summary of Response:

N/A

APPRAISAL

1) Impact on Character of Area

The site is located within an Area of Special Character, and as such importance is placed on the protection and preservation of the architectural, historical and natural features of the area.

This proposal is considered to protect and enhance the features of the subject site, being both architectural and natural. No trees would be removed from the site in order to facilitate the extension. The appearance of the extension would be generally in keeping with the original architecture and character and appearance of the dwelling and the extension would have no material effect on the setting, skyline or openness of the site. The rendered external walls and larger windows with a more vertical emphasis are considered to be appropriate as it would create a more lightweight appearance.

In relation to the extensions to buildings within the greenbelt, Policy EP34

outlines assessment criteria, listed and discussed below: -

a) Minimise Adverse Environmental Impact on the green belt character and be appropriate in terms of bulk, height and site coverage in relation to total site area.

The importance of the subject site is in its greenness and openness and any extension would need to maintain these features. The proposal has an acceptable increase in building footprint, although a larger increase in floor area, which is considered acceptable. The increase in footprint is considered acceptable and will not impact on the space around the dwelling. The increase in size over and above the original building is as set out below.

	Original	Existing	% Over Original	Proposed	% Over Original
Footprint (m ²)	174m ²	174m ²	0%	197m ²	13%
Floor Area (m ²)	292m ²	347m ²	19%	371m ²	27%

It is considered that the resulting footprint would not be disproportionate to the original building and would not have an impact on the open character of the site. The foot print of the proposed extension is considered to be proportionate to the size of the plot and represents an acceptable increase in site coverage, that would ensure retention of the open nature of the site.

b) Will not result in disproportionate additions over and above the size of the original dwelling.

The proposed conservatory is considered to be acceptable given the size of the original dwelling, and is considered to be subservient when compared to the existing mass of the dwelling. The extension is of light weight materials and is set-in from both sides of the existing dwelling creating a visual break with a result that it would appear subservient to the original building.

c) Contributes to the reduction of any existing environmental problems on the site.

There are no known environmental problems on the site.

2) **Character and appearance of Conservation Area**

The site is located within the Pinner Hill Estate Conservation Area. The Conservation Officer had made the following comments, "This building already had a first floor side extension. It is proposed to attach this single storey rear extension to the same section of the building that has been extended. The previous application for this has been revised.

The rendered external walls and larger windows with a more vertical emphasis are welcomed since this creates a more lightweight appearance. Also, setting the width in by 20cm on both sides rather than just one now helps to create greater subservience to the original building. Raising the parapet helps to obscure the glass roof.

Materials

Condition is imposed to require the use of timber windows and white render to match the existing in accordance with policy 3d of the Pinner Hill policy statement: 'extensions will be required to match the existing house, in design and materials'

In summary the proposed extension from a conservation view point would create a more lightweight appearance and be of greater subservience to the original building, while the raising of the parapet helps to obscure the glass roof. Subject to materials matching with the existing. In general the extensions would appear subservient to the original architecture and therefore would appropriately preserve the character or appearance of the building or the conservation area.

3) Residential Amenity

The existing boundaries to the northwest and east of the dwelling are tree lined with mature trees and substantial shrub growth and any development on site would not impinge on properties adjoining these boundaries. Each of the adjacent dwellings are located at a considerable distance from the flank boundaries. Therefore it is considered that the proposed extension would have no material impact on local residential amenity.

The proposal would not impinge on the private amenity space, which would remain adequate for the future occupiers of the dwelling.

4) S17 Crime & Disorder Act

There are no material planning concerns regarding this application and the above Act.

5) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- N/A

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.

**259 STATION ROAD
HARROW HA1 2TB**

**Item: 2/05
P/3601/06/DFU/SW2**

Ward GREENHILL

CHANGE OF USE OF RETAIL SHOP (CLASS A1) TO ADULT GAMING CENTRE
(AMUSEMENT ARCADE - SUI GENERIS)

Applicant: Ablethird Ltd
Agent: Picton Jones & Co
Statutory Expiry Date: 02-MAR-07

RECOMMENDATION

Plan Nos: Ground floor as existing and proposed received 05-Jan-07, Location
Plan, Site Plan

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

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

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents.

3 The use hereby permitted shall not be open to customers outside the following times:-

a) 09.00 – 22.00 hours, on any day of the week
without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

4 Storage shall not take place anywhere within the application site except within the building(s).

REASON: To safeguard the amenity of neighbouring residents.

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:

SD1 Quality of Design
D4 Standard of Design and Layout
EM17 Change of Use of Shops - Secondary Shopping Frontages
EM26 Amusement Centres

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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Design, Amenity and Change of Use (SD1, T13, EM17, EP25)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

This application is being reported to Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Change of Use
Council Interest: None

b) Site Description

- Three storey terraced building fronting Station Road within Harrow Metropolitan Centre
- Ground floor currently vacant with permitted A1 use (part of secondary retail frontage) with residential above.
- 257 is a hairdressers, A1 use and No. 261 is vacant with A1/A2 use.

c) Proposal Details

- Change of use of a shop (class A1) to a gaming centre (amusement arcade), a Sui Generis use

d) Relevant History

P/1805/05/DFU	Change of Use: Retail (Class A1) to Restaurant (Class A3)	GRANT 08-SEP-05
P/0337/07/DFU	New Shop Front	See Plans List 2/06

e) Applicant Statement

- Extensively refurbish the premises to provide Adult gaming centre offering amusements with prizes, ancillary snack bar, prize bar and retail service counter. Existing windows would display porcelain, fancy goods and limited edition statuettes.
- Found in centres around the UK, licensed
- Open from 9.00am to 10.00pm, customers entering and leaving the premises in ones and twos throughout opening hours, CCTV

Item 2/05: P/3601/06/DFU continued....

- Complementary to the retail frontage
- Caters for the needs of the public,
- Well below the 50% total required in the policy,
- Conveniently located to a 300 space car park,
- Serviced from a road behind 245 –249 Station Road
- Existing shop front would be retained and the retail appearance will not change. Would not create significant wedges of non-retail uses.
- Planning permission has already been granted for A3 usage (P/1805/05/DFU)

f) Consultations:

None

Notifications:

Sent:
10

Replies:
1

Expiry: 31-Jan-07

Summary of Response:

Two other amusement arcades in the area, hope there will not be a succession of such premises to be opened, alter the character of the town centre

APPRAISAL

1) Design, Amenity and Change of Use

The unit is currently an A1 retail unit. The proposed change would be to a Sui Generis use, an amusement arcade. Policy EM17 states that the length of secondary frontage in non-retail use at street level in the centre should not exceed 50% of the total. It is acknowledged that there has been previous permission granted for the change of use from A1 to A3 in 2005 which expires in 2010. Although the total non-retail frontage is 52.13% this proposed change would not affect this figure as a non retail use has already been approved and could still be implemented. The proposed change of use is considered acceptable.

The proposed opening hours are between 9.00am and 10.00pm. It is acknowledged that the site is within a town centre location with residential accommodation above. The residents living above the site and neighbouring properties are subject to associated noise from the general area. The proposed use of the shop is not considered to worsen the noise disturbance that the occupiers would already experience. Further, there have been no objections regarding noise from the residents above the unit. A condition is suggested to minimise the noise disturbance on the boundary that may occur as a result of this use.

2) S17 Crime & Disorder Act

The proposal is a standard change of use which would not have any adverse impacts on the security and safety of the locality.

3) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- Covered 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.

**259 STATION ROAD
HARROW HA1 2TB**

**Item: 2/06
P/0337/07/DFU/SW2**

Ward GREENHILL

NEW SHOPFRONT

Applicant: Ablethird Ltd
Agent: Mr R A Gillard
Statutory Expiry Date: 02-APR-07

RECOMMENDATION

Plan Nos: AG002HAR

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

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:

SD1 Quality of Design

D4 Standard of Design and Layout

EM17 Change of Use of Shops - Secondary Shopping Frontages

EM26 Amusement Centres

C12 Community Protection and Emergency Services

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>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) New Shop Front (SD1, T13, EM17, EM17, EP25)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

This application is being referred to Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Minor Development; all other
Council Interest: None

b) Site Description

- Three storey terraced building fronting Station Road within Harrow Metropolitan Centre
- Ground floor currently vacant with permitted A1 use (part of secondary retail frontage) with residential above.
- 257 is a hairdressers, A1 use and No. 261 is vacant with A1/A2 use.

c) Proposal Details

- New shop front including level access.

d) Relevant History

P/1805/05/DFU	Change of Use: Retail (Class A1) to Restaurant (Class A3)	GRANT 08-SEP-05
P/3601/06/DFU	Change of Use: Shop (Class A1) to Arcade (Class Sui Generis)	See item 2/04 on this agenda

e) Applicant Statement

- Visually the shop would enhance the street scene, reuse the existing entrance for ease of access for disabled persons
- Inwards opening doors, full retail display windows, all glazing complying with regulation 14, level access, surface will be firm durable and non slip with undulations no exceeding 3mm
- Each door will have a minimum of 800mm clear opening to comply with 2.13 table 2 of building regulations document M
- Glazing within the door will start at 800mm from the base providing clear unobstructed vision through the doors for both pedestrian and disabled wheelchair bound persons.
- Opening hours will be from 9am-11pm.

f) Consultations:

None

Notifications:

Sent:

6

Replies:

0

Expiry:28-FEB-07

Summary of Response:

APPRAISAL

1) New Shop Front

Station Road forms part of Harrow Metropolitan Centre. The parade of shops has varying facades with illuminated and non-illuminated signage above. The nature of the area is mainly A1 with residential accommodation above. The proposed shop front will consist of glazed panels with natural soft wood material frames. The shop front dimensions are considered to be identical to the existing shop and improves circumstances by providing level access

The character of the streetscene is maintained by the introduction of this new shop front. The proposal is considered to be acceptable.

2) S17 Crime & Disorder Act

The proposal is a standard alteration which will not have any adverse impacts on the security and safety of the locality.

3) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- None

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.

**13 - 15 WHITCHURCH LANE
EDGWARE HA8 6JZ**

**Item: 2/07
P/2917/06/CFU/RB3**

Ward CANONS

REDEVELOPMENT : THREE STOREY BUILDING TO PROVIDE FIVE GROUND FLOOR RETAIL UNITS, SIX FLATS ON UPPER FLOORS, ACCESS (REVISED) (RESIDENT PERMIT RESTRICTED)

Applicant: P Ward Ltd
Agent: Jeffrey Howard Associates
Statutory Expiry Date: 02-FEB-07

RECOMMENDATION

Plan Nos: 1854/13B, 14B, 15 (elevational details), 15 (site plan)

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- (a) the building
- (b) the ground surfacing
- (c) the boundary treatment

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

REASON: To safeguard the appearance of the locality.

3 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.

4 The existing access(es) shall be closed when the new access(es) hereby permitted is / are brought into use, and the highway shall be reinstated in accordance with details to be submitted to, and approved by, the local planning authority. The development shall not be used or occupied until the reinstatement works have been completed in accordance with the approved details. The works shall thereafter be retained.

Item 2/07: P/2917/06/CFU continued....

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

5 The development hereby permitted shall not be occupied or used until the details for the storage and disposal of refuse/waste as shown on the approved plans have been completed. The details shall thereafter be retained.

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.

6 The development hereby permitted shall not be commenced until surface water attenuation/storage works have been provided 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 prevent the increased risk of flooding.

7 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedule of plants, noting species, plant sizes and proposed numbers/densities.

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

8 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(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 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.

9 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to 'Lifetime Homes' Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Homes' standards in accordance with the policies of the Harrow Unitary Development plan.

10 No demolition or site works in connection with the development hereby permitted shall commence before:-

(a) the boundaries

of the site are enclosed by a security fence to a minimum height of 2 metres. Such

fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

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:

SD1	Quality of Design
SD2	Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens
D4	Standard of Design and Layout
D5	New Residential Development – Amenity Space and Privacy
D7	Design in Retail Areas and Town Centres
D8	Storage of Waste, Recyclable and Re-Usable Materials in New Developments
D14	Conservation Areas
T13	Parking Standards
T15	Servicing of New Developments – Council's Adoptable Standards
SH1	Housing Provision and Housing Need
SH2	Housing Types and Mix
H18	Accessible Homes
EM8	Enhancing Town Centres
C17	Access to Leisure, Recreation, Community and Retail Facilities

2 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.

3 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.

4 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>

5 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.

"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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com.

Please quote Product code: 02 BR 00862 when ordering.

6 INFORMATIVE:

The relevant traffic order will impose a restriction making residential occupiers of this building ineligible for residents parking permits in the surrounding controlled parking zone.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of Area and Adjacent Conservation Area (SH1, SD1, SD2, D4, D7, D14, EM8)
- 2) Residential Amenity (SD1, SH1, D4, D5)
- 3) Parking/Highway Safety (T13, T15)
- 4) Housing Provision, Need and Accessibility (SH1, SH2, H18)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings/Minor Retail
Site Area:	1365m ²
Habitable Rooms:	18
Floor Area	270m ² retail

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Car Parking:	Standard:	Maximum 11-13 (Residential 8, Retail 3-5)
	Justified:	See report
	Provided:	0
Council Interest:	None	

b) Site Description

- Site fronts onto Whitchurch Lane, a main London Distributor Road, close to the crossroads junction with High Street and Station Road, Edgware
- Within designated secondary shopping parade 1-19 Whitchurch Lane in Edgware District Centre
- Occupied by single and two-storey buildings with 2 x A1 and 1 x A5 uses at ground floor level, car parking area at rear
- Building adjacent to the south west of the site is a three-storeys with flat roof, commercial on ground floor and residential above
- Site adjacent to a two-storey Victorian shopping parade at No's 1-12 Whitchurch Lane within Edgware High Street Conservation Area to north-east
- Rear boundary backs onto rear gardens of houses in Mead Road

c) Proposal Details

- Demolition of existing buildings on the site
- Re-development to provide three storey building providing 5 retail units on ground floor with 6 x 2 bedroom flats on the upper floors
- Service access to the rear is provided at the north-east end of the site with service area and garden area of some 180m² behind building
- Pedestrian access is provided through centre of the building linking to stair and lift access to flats at rear, plus screened balcony
- Refuse storage for each shop unit at the rear, and for the flats at the side adjacent to the access

Revisions to Previous Application:

Following the refusal of the previous application (P/62/05/CFU) the following amendments have been made:

- The height of the proposed building has been reduced from four to three storeys
- The design of the current scheme incorporates changes to the front and rear elevations which include corner quoins, raised brick panel features, alterations to fenestration, in particular reduction in number of second floor rear windows facing Mead Road
- Wheelchair accessible external lift provided at rear to service upper floor flats
- Obscure glazed 1.8m high screen adjacent to balcony
- The proposed depth of the building has been slightly increased so that the distance to the rear boundary is between 10m and 11m whereas previously this distance was 11.5m
- Clearly defined pedestrian entrance through centre of building
- The previous proposal included eight parking spaces at rear whereas the

Item 2/07: P/2917/06/CFU continued....

proposal now shows no spaces and the scheme is now 'Resident Permit Restricted

d) Relevant History

P/62/05/CFU	Redevelopment: part 3/part 4 storey building, ground floor retail units, 8 flats on upper floors, access and parking	REFUSED 08-MAR-2005
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Reasons for Refusal

1 The proposed development, by reason of excessive size, bulk and unsatisfactory design, would be visually obtrusive and overbearing, would not respect the scale, massing and form of the adjacent properties, and would be detrimental to the visual and residential amenity of the adjoining properties, the appearance of the streetscene and the character and appearance of the locality and the adjoining Conservation Area.

2 The proposed development, by reason of excessive height and bulk would give rise to actual and perceived overlooking of the rear of properties on Mead Road and their gardens, with a resultant loss of privacy, to the detriment of the amenities of the occupiers.

P/1610/05/CFU	Redevelopment: 3 storey building, 5 ground floor retail units, 6 flats on upper floors, access and parking (resident permit restricted)	WITHDRAWN 20-FEB-2006
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e) Applicant Statement

The applicant has provided a Design and Access Statement, which offers information on the following points:

- Description of the site context and the surrounding built form and character
- Justification for the building type within the context of the surroundings
- Design merits of the scheme
- Pedestrian and vehicular access and accessibility for disabled people
- Landscaping and outdoor amenity space
- Crime prevention and safety

f) Consultations:

- **Engineering Services:** A condition is suggested requiring information from the applicant on surface water attenuation/storage works prior to the commencement of development.
- **Environment Agency:** No objections

Advertisement:	Character of Conservation Area	Expiry: 18-JAN-07
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Notifications:

Sent: 59	Replies: 8	Expiry: 04-JAN-07
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Summary of Response:

Overlooking of rear gardens and properties along Mead Rd leading to a loss of privacy; overshadowing and a loss of light to rear gardens and houses along Mead Rd; noise and pollution resulting from the increase in vehicles using the site; lack of parking provision and increase in parking pressures in the area; poor design producing dull and un-interesting facades and inadequate residential space standards; loss of commercial use on the site; inadequate outdoor amenity space and refuse facilities; the retail units on the ground floor provide inadequate sanitary provision; inadequate provision of accessible WCs for both the retail and residential units.

APPRAISAL

1) Character and Appearance of Area and Adjacent Conservation Area

At present the site consists of a car parking area and one and two storey buildings which do not have any architectural merit or make a positive contribution to the character of the area. Therefore the principle of their demolition can be accepted provided the proposed scheme is satisfactory.

It is considered that this revised proposal provides a satisfactorily designed replacement scheme.

As the current proposal reduces the number of storeys to three, it is in keeping with the scale of the adjacent flat roofed building to the southwest, although it would be slightly higher because of the pitched roof.

The proposal would be sited some 5m from the adjacent two storey Victorian parade at No's 1-12 Whitchurch Lane, which is in the Edgware High Street Conservation Area. Although higher, the building would not dominate the parade but would enhance the character of the Conservation Area in comparison with the existing collection of unrelated buildings on the site which are of no architectural merit.

In these ways the proposal is considered to be compatible with the character of the surrounding area and compliant with policies D4 and D14.

The proposed retail use at ground floor level with residential on the upper storeys is would be an appropriate mix of uses within this designated shopping parade that would contribute to the vitality of the Edgware District Centre.

Steel gates for security purposes would be provided across the entrances to the vehicular access and the pedestrian entrance. These would have an acceptable appearance in the streetscene.

A residents bin store is shown in the north east flank wall of the building, with refuse storage for the retail units provided behind the units themselves. This would provide an adequate means of refuse storage.

The proposal includes a landscaped area to the rear of the building with new planting and this integral feature of the scheme is considered to contribute to

the design quality of the proposal. Full details of this are required by condition.

The materials for the development would include brickwork, grey Redland Cambrian Slate for the roof, and the windows would be double glazed with aluminium framing. These materials are considered to be appropriate in principle and in keeping with the character of the surroundings, but a condition is suggested to secure the final details.

2) Residential Amenity

As previously stated, the distance to the rear boundary of houses in Mead Road would be between 10m and 11m whereas the previously refused submission (P/62/05/CFU) proposed 11.5m for this distance. The distance between the proposed rear elevation windows and those of the houses themselves along Mead Rd would be between 21m and 25m. It is worth noting that the proposal would have a greater separation distance to these properties than an existing 2 storey building on the site which projects to within 5m of the rear boundary, and the adjacent three storey buildings at no's 16-19 Whitchurch Lane and nearby three and four storey buildings at Chichester Court.

The reduction in height from 4 to 3 storeys has given rise to a reduction in overall visual bulk, which would improve the outlook of the neighbours backing onto the site in comparison with the previous scheme and adjacent buildings to the south west. Additionally, the improved design and further articulation of the rear elevation, and the incorporation of suitable landscaped gardens means that the proposal would not be unduly detrimental to the visual amenity of these neighbouring occupants. It is considered that the proposed development would not result in any overshadowing of nearby houses in Mead Road.

In terms of overlooking, a single window would serve the second floor bedrooms at the rear of the building, and an obscure glazed 1.8m high screen would prevent overlooking from the first floor balcony and most first floor rear windows.

Overall it is considered that the proposals would not have an adverse effect on nearby residential amenity in terms of a loss of light, privacy or outlook and in these ways the proposal complies with policy D5.

In terms of deliveries to the retail units, servicing would be available at the rear of the building, but in addition could be from the lay-by on the main road in front of the premises.

Given also that no parking is now proposed at the rear of the building, it is considered that the proposal would not generate a high level of noise and disturbance to neighbouring residents beyond the rear boundary of the site. As currently part of the site is used as a vehicle parking area, it is considered that the proposal would overall reduce noise levels. In this respect the proposals would be beneficial to neighbouring amenity.

3) Parking/Highway Safety

The site is in Edgware District Centre, which is shown as having high public transport accessibility in the HUDP (2004). It is therefore considered that the provision of car free housing for the residential component of the scheme is appropriate in this location, subject to the scheme being Resident Permit Restricted.

It is similarly considered that on site parking is not required for the retail element due to the location of the site within the District Centre.

There are currently two points for vehicular access from the London Distributor Road to the site, and the proposal would reduce this to one, to the benefit of the free flow of traffic. The layout would provide an adequate turning space to allow vehicles to exit the servicing area facing forward.

4) Housing Provision, Need and Accessibility

The proposal would clearly comply with the intention of policies SH1 and SH2 to secure additional housing in the borough.

The proposal is considered to comply with many of the Lifetime Homes standards that are listed in Supplementary Planning Document "Accessible Homes". In relation to this the proposal includes an external, accessible lift to the residential units and a designated ceiling hatch for a future platform lift. Additionally the applicant has supplied a written statement to verify that all entrances will be a minimum width of 840mm. In these respects the proposal is considered to be acceptable and compliant with policy H18.

5) S17 Crime & Disorder Act

There are not considered to be any implications in terms of this Act.

6) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are: The response to consultation has mainly been addressed in the body of the report. Responses to outstanding matters are as follows:

- Loss of commercial use:
There is no loss of commercial use on the site. Currently no's 13 and 13A are a computer shop in A1 use, no 14 and 14A is a hairdressers in A1 use, and no 15 is a hot food take-away in A5 use.
- Inadequate sanitary provision of the ground floor retail units:
The full assessment of sanitary provision is considered to be a matter for Health and Safety to determine.
- Inadequate provision of accessible WCs for both retail and residential units:
Supplementary Planning Document "Accessible Homes" (p28) states that a wheelchair accessible, entrance level WC should be provided in new houses with three or more bedrooms. As the proposal relates to two-bed units, this is not considered to be a requirement. Additionally the requirement in policies D4 and D7 for new development to be accessible to all does not extend to the provision of wheelchair accessible WCs in

retail units.

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.

**496-500 NORTHOLT ROAD
SOUTH HARROW HA2 8HA**

**Item: 2/08
P/0263/07/DFU/RM2**

Ward ROXETH

VARIATIONS OF CONDITION 5 OF PLANNING PERMISSION WEST/617/95/FUL, CONDITION 6 OF PLANNING PERMISSION WEST/211/99/FUL, AND CONDITION 7 OF PLANNING PERMISSION P/1864/04/CFU TO ALLOW OPENING FROM 10:30 TO 00:30 THE FOLLOWING DAY ON SUNDAYS TO THURSDAYS AND BANK HOLIDAYS, AND FROM 10:30 TO 01:00 THE FOLLOWING DAY ON FRIDAYS AND SATURDAYS

Applicant: Golden Sip Ltd
Agent: Apcar Smith Planning
Statutory Expiry Date: 26-03-07

RECOMMENDATION

Plan Nos: Environmental Noise Assessment Report (29-01-07), Site Plan

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

1 The use hereby permitted shall not open to customers outside the following times: -10.30 hours to 00.30 hours the following day on Sundays to Thursdays and Bank Holidays and 10:30 to 01:00 the following day on Fridays and Saturdays, without the prior written permission of the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residents.

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:

EM24 Town Centre Environment

EM25 Food, Drink and Late Night Uses

EP25 Noise

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1)** Residential Amenity (EM24, EM25)
- 2)** S17 Crime & Disorder Act (D4)
- 3)** Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Other
Council Interest: None

b) Site Description

- The site is located on the north western side of Northolt Road in the Alexandra Parade.
- Site occupied by a mid terrace three storey building.
- Ground floor is in use as a restaurant (A3) and the upper floors are occupied by residential units.
- Service road to the rear.

c) Proposal Details

- Variation of various conditions to allow later opening hours
 - Current opening hours are from 10:30 to 23:30 Monday to Sunday at all three premises.
 - Proposed opening hours are 10.30 to 00.30 the following day on Sunday to Thursday and 10:30 to 01:00 the following day on Friday and Saturday.
 - The hours permitted under the Licensing Act (2003) are 08:00 to 00:30 the following day on Sunday to Thursday and 08:00 to 01:00 the following day on Friday and Saturday.
 - The proposals would bring the closing times in line with the Licensing Panel restrictions.

d) Relevant History

No. 496 Northolt Road

WEST/590/94/FUL	Change of use: A1 to A3 on ground floor, new shop front and single storey rear extension 496 Northolt Rd	REFUSED 28-11-94
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Reasons for Refusal

WEST/617/95/FUL	Change of use: A1 to A3 on ground floor, new shop front and single storey rear extension 496 Northolt Rd	REFUSED 28-11-94 ALLOWED ON APPEAL 07-06-1996
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Reasons for Refusal

The proposed change of use would result in increased noise, disturbance and general activity to the detriment of the amenities of neighbouring residents. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the adjoining highway.

Item 2/08: P/0263/07/DFU continued....

Allowed on Appeal

CONDITION 5: The premises shall not be used except between 10:30 and 23:30 hours without the prior written permission of the local planning authority

P/1864/04/CFU	Change of use: A1-A3 on ground floor, single storey rear extension, new shop front 500 Northolt Road	GRANTED 14-10-04
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CONDITION 7: The use hereby permitted shall not be open to customers outside the following times: 10:30 to 23:30 hours

REASON: To safeguard the amenity of neighbouring residents.

P/297905/DVA	Variation of Condition 5 of Planning Permission on appeal t/app/m5450/a/95/261745/p7 (relating to 496 Northolt Rd) to permit opening 08:00hrs to 01:30hrs Sunday to Thursday and 08:00hrs to 02:30 hrs Friday to Saturday	REFUSED 16-03-06
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Reasons for Refusal

The proposed variation of condition to allow extended opening hours would give rise to additional noise, activity and disturbance at unsocial hours, detrimental to the residential amenity of neighbouring occupiers.

No. 498 Northolt Road

WEST/684/98/FUL	Change of use: Retail to private members club, single storey rear extension and extension to platform, door in rear 498 Northolt Rd	REFUSED 08-12-98
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Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s).

WEST/211/99/FUL	Change of use: Retail to private members club, single storey rear extension with entrance platform and new shop front 498 Northolt Rd	REFUSED 10-05-99 ALLOWED ON APPEAL 16-09-1999
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Reasons for Refusal

Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s) and the amenity of neighbouring residents.

Allowed on Appeal

CONDITION 6: The use hereby permitted shall not be open to customers outside the following times: 10:30 to 23:30 hours

P/1864/04/CFU	Change of use: A1-A3 on ground floor, single storey rear extension, new shop front 500 Northolt Road	GRANTED 14-10-04
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CONDITION 7: The use hereby permitted shall not be open to customers outside the following times: 10:30 to 23:30 hours

REASON: To safeguard the amenity of neighbouring residents.

P/2980/05/DVA	Variation of condition VI of Planning Permission on appeal t/app/m5450/a/99/1024045/p9 (relating to 498 Northolt Rd) to permit opening 08:00hrs to 01:30hrs Sunday to Thursday and 08:00hrs to 02:30 hrs Friday to Saturday	REFUSED 22-03-06
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Reasons for Refusal

The proposed variation of condition to allow extended opening hours would give rise to additional noise, activity and disturbance at unsocial hours, detrimental to the residential amenity of neighbouring occupiers.

No. 500 Northolt Road

P/1864/04/CFU	Change of use: A1-A3 on ground floor, single storey rear extension, new shop front 500 Northolt Road	GRANTED 14-10-04
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CONDITION 7: The use hereby permitted shall not be open to customers outside the following times: 10:30 to 23:30 hours

REASON: To safeguard the amenity of neighbouring residents.

P/2981/05/DVA	Variation of Condition 7 of Planning Permission P/1864/04/CFU (relating to 500 Northolt Rd) to permit opening 08:00hrs to 01:30hrs Sunday to Thursday and 08:00hrs to 02:30hrs Friday to Saturday	REFUSED 22-03-06
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Reasons for Refusal

The proposed variation of condition to allow extended opening hours would give rise to additional noise, activity and disturbance at unsocial hours, detrimental to the residential amenity of neighbouring occupiers.

e) Applicant Statement

- Application premises comprise of three separate units, 496, 498, 500 Northolt Rd, all occupied by the Golden Sip. Granted permission on different occasions
- Residential units above are owned by the applicant and occupied in connection with the Golden Sip
- Access road to the rear
- Neighbouring A3, A4 & A5 uses have closing hours ranging from between 00:00 and 03:00.
- Reasonable amount of late night activity in vicinity, A5 takeaways open until 00:00, 00:30 and 01:00
- High volumes of traffic throughout the day and night
- Previous application to extend hours until 02:30 refused on the basis of additional noise, activity and disturbance at unsocial hour, detrimental to residential amenities of neighbouring occupiers.

- f) **Consultations:**
Licensing:
Highways:
Environmental Health:

Notifications:

Sent:	Replies:	Expiry: 21-02-07
19	1	

Summary of Response:

Increased numbers of people using the bar; late night drinking causing excessive noise; proposal will generate increased traffic; taxis queuing in Northolt Rd; acoustic consultants data incorrect; combination of late night uses may result in more anti social and violent behaviour.

APPRAISAL

1) Residential Amenity

HUDP Policy EP25 undertakes to minimise noise and disturbance through, *inter alia*, controlling times of operation. Policy EM25 seeks to ensure that proposals for food & drink and late night uses do not have a harmful effect on residential amenity and in assessing applications regard will be had, *inter alia*, to the location of the premises, the proximity of residential property, the type of use proposed, soundproofing, parking/servicing and fume extraction.

The premises are located on Northolt Road and are served by local bus routes. In such a location the degree of ambient noise and general disturbance may be expected to be greater than surrounding residential areas both during the daytime and, albeit to a lesser degree, also during evenings and weekends. Consideration must also be given to the living conditions of the occupiers of flats/maisonettes above ground floor level in this parade and that opposite. The original application for a change of use on part of the site (496-498 Northolt Rd) was allowed on appeal. The inspector in that instance noted that there are other Food, Drink and Late Night uses such as the takeaway restaurants that do not have conditions to restrict the hours of operation. The agent for the applicant has noted that the neighbouring A3, A4 & A5 uses have closing hours ranging from between 00:00 and 03:00. Previous applications to extend the opening hours to 02:30 were refused permission, as the use would give rise to additional noise, activity and disturbance at unsocial hours, detrimental to the residential amenity of neighbouring occupiers. Many of the surrounding A3, A4 and A5 uses in the surrounding parade do not have restrictions on the hours of use.

The existing opening hours are from 10:30 to 23:30 Monday to Sunday all three premises. The proposal to open between 10.30 hours and 00.30 hours the following day on Sunday to Thursday and 10:30 hours and 01:00 hours is intended to match the hours allowed under the Licensing Act 2003. The current Premises Licence under the Licensing Act 2003 is for hours between 08:00 to 00:30 Sunday to Thursday and 08:00 to 01:00 Friday and Saturday. This application is in line with these hours.

It is acknowledged that there would be an increase in activity as a result of an extension of the opening hours requested. It is considered that due to the existing activity generated by the other Food and drink uses in the vicinity that this would be acceptable.

Noise emanating from the premises is controlled by other conditions from the previous permissions. These conditions are considered acceptable to ensure that any negative noise or vibration impact on the occupiers of the neighbouring residences is mitigated.

It is considered that due to the location of the premises on a busy road and in an existing shopping parade and taking consideration of similar opening hours at neighbouring properties, the proposal to vary the conditions would be acceptable.

2) S17 Crime & Disorder Act

It is considered that the design of the proposal would not lead to an increase in perceived or actual threat of crime. Should subsequent nuisance result to neighbouring residences with regards to anti-social behaviour then there would be no planning restrictions over the use.

3) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:

- Not considered to cause an unacceptable disruption to highways
- Other concerns addressed in the above 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.

36 PARK DRIVE, HARROW

Item: 2/09

P/3023/06/DFU/SW2

Ward HEADSTONE NORTH

PART SINGLE, PART TWO STOREY SIDE TO REAR EXTENSIONS, SINGLE STOREY FRONT AND REAR EXTENSIONS.

Applicant: REDFERN DEVELOPMENTS

Statutory Expiry Date: 18-DEC-06

RECOMMENDATION

Plan Nos: 36PDH-1D, 2E, 3C, 4C, 5C, 6E, 7D, 8

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

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

REASON: To safeguard the appearance of the locality.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plan no TOO-6/2 Rev C shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

4 The window(s) in the flank wall(s) of the proposed development shall:

(a) be of purpose-made obscure glass,

(b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

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:

SD1 Quality of Design

- D4 Standard of Design and Layout
D5 New Residential Development - Amenity Space and Privacy

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:

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>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Quality of Design (SD1) Standard of Design and Layout (D4) Amenity Space and Privacy (D5)
- 2) S17 Crime & Disorder Act
- 3) Consultation Responses

INFORMATION

This application is being reported to Committee due to 2 petitions that were received.

This application was deferred at Committee on 28th February 2007 for a Member Site Visit that took place on 3rd March 2007

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- Semi detached dwelling on the east side of Park Drive on the corner with Farm Avenue
- Set back from the highway with large forecourt
- Currently a single storey garage to the side of the site

Item 2/09: P/3023/06/DFU continued....

- Proposed rear garden depth 17m

c) Proposal Details

- Single and two storey side to rear extension
- Single and two storey rear extension

Revisions to Previous Application:

Following the previous decision (P/1742/06/DFU) the following amendments have been made:

- Alterations to the roof over the two storey side extension
- Reduced the depth of the single storey rear extension to 2.999m
- Reduced the height of the single storey side extension to 3m at the mid point of the pitch
- Removal of ground floor flank windows
- Amendments to the proposed block plan to show correct site layout.

d) Relevant History

P/1742/06/DFU	Part single, part two storey side to rear extensions, single storey front and rear extensions	WITHDRAWN 02-OCT-06
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e) Applicant Statement

- None

f) Consultations:

- None

Notifications:

Sent:	Replies:	Expiry:
51	49	29-NOV-06

2 Petitions have been received relating to this application one with 203 signatures received 28th Nov 06, the other with 55 signatures

Summary of Response:

Create precedence, detriment to character of the area, exploitation of estate has gone far enough and should stop. Based on greed, overcrowding, destruction of community, safety, diminishes small houses for families, disfigures the harmony of the visual aspect of the housing complex, changing nature of original buildings, intensification. Building of HMO is inappropriate, undesirable people, increase incidents of road rage, out of character, parking and congestion, possible change of use, no refuse bins detailed, remove bay window, overlooking, sewerage disposal pipes/emergency escape has not been detailed. Damage to health, violate the ideals of the Garden Village Estate, destruction of the leafy, open suburban environment. Too big, effect enjoyment of neighbouring property, noisy, affect light, flooding, contravene restrictive covenants.

APPRAISAL

1) Quality of Design Standard of Design and Layout Amenity Space and Privacy

The proposed two-storey side extension would have a set back of 1m from the main front wall of the property. The two-storey element would be sited 1m from the boundary with Farm Avenue and would include a hipped subordinate roof over. The main bulk of the proposed extension would be set a substantial distance away from the protected windows at the front of properties along the north side of Farm Avenue. One window is proposed at first floor level serving an en-suite. As this is not a habitable room there are no overlooking issues relating to this flank window. Further, the window would be sited more than 20m from the protected front windows of No. 40 Farm Avenue thereby mitigating any possible perceived overlooking implications. A condition is suggested to create high level obscurely glazed flank windows to protect the amenities of surrounding occupiers. The proposal complies with the requirements of the Harrow Supplementary Planning Guidance, Extensions: A Householders Guide paragraph B.1. The proposed two-storey side extension would be a subordinate feature and would be in compliance with the requirements of the Harrow SPG.

A single storey side element would be sited within the boundaries of the dwelling and would rap around the two-storey element. The single storey side extension creates a 1m set in from the boundary for the two-storey side extension. It would have a mono pitched roof and would be 3m at the mid point height. The single storey side element would have windows in the flank elevation that would serve cloakrooms. These windows would be shielded from the streetscene by the boundary treatment however a condition is suggested for the windows to only open at high level and be obscurely glazed. The proposed windows do not serve habitable rooms therefore reducing the opportunity for overlooking.

The proposed two storey rear extension would be sited away from the boundary with the adjoining neighbour (4.5m) and would not infringe the 45° sightline as taken from the first floor rear corner of the neighbouring dwelling, thereby reducing the overall impact on the neighbouring occupiers. Similarly the bulk of this extension would be sited a substantial distance away from the protected windows of the properties on the north side of Farm Avenue. The proposed two-storey rear extension would include a hipped subordinate roof over and would be 500mm from the side extension therefore creating a subordinate feature. The two-storey rear extension complies with the requirements of the Householder SPG and is therefore considered acceptable.

The single storey rear extension would abut the boundary with No. 34 Park Drive. The rear of these semi-detached dwellings includes a bay window. The bay feature would be retained at first floor level and the rear extension would rap around it. The proposal details a rear extension 2999mm deep which is within the 3m maximum for a property of this kind. The mono pitched roof would have a mid point height of 3m mirroring all other single storey extensions

at the property thereby unify the appearance of the proposed extensions.

Although issues relating to the development being out of keeping with the surrounding area have been brought to light the proposed extensions are fully compliant with the Harrow SPG, Extensions: A Householders Guide and as such are not considered to have any overbearing or obtrusive impact on the character of the area.

2) S17 Crime & Disorder Act

The proposal is a standard alteration which will not have any adverse impacts on the security and safety of the locality.

3) Consultation Responses

Apart from the points raised in the above sections, other issues raised are:

- Greed, destruction of community, sewerage systems, impact on health and exploitation are not material planning considerations.
- Restrictive covenants, the type of occupants and road rage are not a Material Planning Consideration
- This application does not include a House of Multiple Occupation, and as such this aspect has not been considered.
- The Council cannot seek the provision of refuse bins as part of a standard householder application
- All other material Planning Considerations addressed in the report above.

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.

Item: 2/10
LAND R/O 28 BELLFIELD AVENUE, P/3446/06/DFU/KMS
HARROW

Ward HARROW WEALD

TWO STOREY DETACHED DWELLINGHOUSE, PARKING AND ACCESS VIA
TEMPLARS DRIVE

Applicant: MRS A M LEWIS
Agent: JAMES ROSS ARCHITECTS
Statutory Expiry Date: 13-FEB-07

RECOMMENDATION

Plan Nos: 28BELLFD, 20421/10A, 20421/11D, 20421/12E, 20421/13D, 20421/14B

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

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

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- (a) the extension/building(s)
- (b) the ground surfacing
- (c) the boundary treatment

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

REASON: To safeguard the appearance of the locality.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A to E in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot and availability of:-

- (a) amenity space
- (b) parking space

and to safeguard the amenity of neighbouring residents.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plan no 28BELLFD, 20421/10A, 20421/11C, 20421/12D, 20421/13C, 20421/14B shall be installed in the flank wall(s) of the development hereby

permitted without the prior permission in writing of the local planning authority.
REASON: To safeguard the amenity of neighbouring residents.

5 The window(s) in the flank wall(s) of the proposed development shall:
(a) be of purpose-made obscure glass,
(b) be permanently fixed closed below a height of 1.8m above finished floor level,
and shall thereafter be retained in that form.
REASON: To safeguard the amenity of neighbouring residents.

6 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedule of plants, noting species, plant sizes and proposed numbers/densities.
REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.

7 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(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 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.

8 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Homes Standards, and thereafter retained to those standards.
REASON: To ensure provision of 'Lifetime Homes' standards in accordance with the policies of the Harrow Unitary Development Plan.

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:

SD1 Quality of Design

Item 2/10: P/3446/06/DFU continued....

- SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens
- SH1 Housing Provision and Housing Need
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- D15 Extensions and Alterations in Conservation Areas
- H18 Accessible Homes
- 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:

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>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character of area (SD1, SD2, D4, D5, D14, D15)
- 2) Amenity of neighbours (SD1, D4, D5)
- 3) Accessible homes (H18)
- 4) Parking (T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application was deferred from the meeting of 29th March 2007 for a Committee Site Visit which took place on 14th April 2007

a) Summary

Statutory Return Type: Minor Dwellings

Council Interest: None

b) Site Description

- 28 Bellfield Avenue is a 2-storey detached dwelling with gabled roof dating from the post-war period
- property has an extensive rear garden (c.1150m²)
- existing development along Bellfield Avenue comprises predominantly of detached dwellings dating from the inter-war period interspersed with post-war infill development
- existing development in Templars Drive comprises 2-storey detached dwellings dating from the post-war period. Templars Drive was created out of the rear gardens of 30-36 Bellfield Avenue

c) Proposal Details

- erection of 2-storey detached 5-bedroom dwelling house and detached garage towards rear of existing garden
- proposed dwelling would be sited c.11-12m from existing rear boundary and 5m from southern side boundary
- proposed dwelling would comprise ground floor family room, drawing room, breakfast room, kitchen, wc and utility room, four 1st floor bedrooms (2 with en-suite bathrooms) and 1st floor bathroom, and one loft floor bedroom with en-suite bathroom
- proposed dwelling would have a footprint of c.136m² with a gabled roof rising to an overall height of 9.1m (eaves height: 5.1m)
- access to the site would be via a new crossover at the south end of Templars Drive
- existing dwelling would retain c.342m² rear amenity area. Proposed dwelling would have c.400m² side and rear amenity area

Revisions to Previous Application:

Following the withdrawal of P/2250/06/DFU the following amendments have been made:

- distance between southern flank boundary and flank wall of dwelling increased from 1.5m to 5m and single storey element adjacent to southern boundary deleted
- rear elevation re-designed to give a more symmetrical appearance around the central rearward projection

d) Relevant History

P/545/06/DFU	2-storey detached house with off-street parking and access from Templars Drive	WITHDRAWN 04-APR-06
P/2250/06/DFU	2-storey detached 5 bedroom dwelling house with integral garage and access via Templars Drive	WITHDRAWN 11-NOV-06

e) Applicant Statement

- character of area dominated by 2-storey detached dwellings with pitched roofs and gables built with traditional materials
built form of proposed dwelling influenced by adjoining dwellings in

- Templars Drive. Architectural design follows traditional vernacular
- all TPO trees to be retained along with 2.5m high privet hedge to southern boundary
site to be accessed from Templars Drive. Parking layout designed to permit entrance and exit in forward gear

f) Consultations:

- **Transportation:** no objections
- **CAAC:** This would constitute and perpetuate backland development which we are opposed to in principle. The large mature gardens should be maintained. There is concern that trees would be lost. Templars was deliberately excluded from the conservation area because it is backland development so infill in the conservation area is not part of the conservation area ethic. The proposed design is significantly different in style and has not addressed its context. The steep pitch to the roof for instance is not in character, it creates too much bulk

Notifications:

Sent:	Replies:	Expiry:
78	71	11-JAN-07

Summary of Response:

bulk and prominent location, character of conservation area, loss of amenity to neighbours, visible from green belt, loss of privacy, loss of view, noise and disturbance, increased traffic, application for smaller structure in nearby garden recently refused, precedent for further backland development

APPRAISAL

1) Character of Area

The proposal site lies at the south end of Templars Drive and forms part of the extensive rear garden to 28 Bellfield Avenue. It is within the recently designated Conservation Area. In terms of its impact on the character and appearance of the conservation area, the proposed dwelling is considered to be acceptable. It would follow the existing building line along Templars Drive and would therefore not be visible from green Belt land, and would have no impact on the Bellfield Avenue streetscene. Its overall bulk would also be similar to that of other nearby properties. On this basis, it is considered that the proposed development would properly relate to surrounding buildings and spaces and would not adversely affect the streetscape or the open character of the conservation area. The chosen architectural style, which would utilize traditional materials and incorporate end gables is considered to appropriately reflect the existing style of development in the vicinity. As such, the proposed development would preserve the character and appearance of the conservation area in accordance with policies D14 and D15 of the Harrow Unitary Development Plan.

Although the curtilage of the proposed dwelling would be formed out of an existing garden, this is not an uncommon feature of the existing pattern of development in the locality. Indeed, the whole of the existing Templars Drive

and Warburton Close developments were formed through the subdivision of the original gardens of nos. 30-42 Bellfield Avenue. As such, it is considered that the proposed development would respect its local context and would comply with policy D4 of the harrow Unitary Development Plan.

2) Amenity of Neighbours

The submitted plans show that the proposed dwelling would be sited a minimum of 10.5m from the east (rear) boundary, 12m from the west (front) boundary, 1.2m from the north boundary and 5m from the south boundary. It is considered that these separation distances would be sufficient to avoid an overbearing impact in relation to any neighbouring property and to prevent problems of undue loss of light/overshadowing. The 12m distance to the rear boundary is also considered appropriate in terms of the proposal respecting the established pattern of development along the eastern side of Templars Drive.

With regard to privacy, it is considered that the separation distances from the front and rear boundaries would be sufficient to prevent undue overlooking of neighbouring properties. Overlooking from the flank elevations would not arise as no 1st floor windows are proposed in the dwelling's south whilst those in the north flank are shown as being obscure glazed. Conditions prohibiting the future insertion of additional doors and windows in the flank elevations and requiring the north flank windows to be permanently obscure glazed are recommended in order to safeguard the amenity of neighbouring occupiers.

The proposed dwelling would have a side to rear amenity area of c.400m² which is considered sufficient in terms of meeting the reasonable needs of future occupiers without giving rise to undue noise and disturbance to neighbours. It is likewise considered that the reduction in size of 28 Bellfield Avenue's amenity area to c.240m² would be acceptable.

3) Accessible Homes

The submitted plans show compliance with Lifetime Homes standards.

4) Forecourt Treatment and Parking/access

The proposed development would generate maximum parking requirements for 1.8 spaces under current UDP parking standards. The submitted plans show that such provision could be achieved on-site without giving rise to conditions prejudicial to pedestrian and highway safety as the design of the hard surfaced forecourt would enable entrance and exit to be achieved on forward gear. Access would be via a c.4.6m wide double gateway leading directly onto Templars Drive. In terms of traffic generation, it is not considered that the erection of a single dwelling house would put a significant strain on the local highway network. The Councils highways engineer has raised no objections to the proposed development.

The submitted plans show the storage of refuse/recycling bins adjacent to the southern flank wall of the proposed building. Given that the bins would be screened from the street by the proposed dwelling and from the neighbouring garden by the existing 2.5m high privet hedge, this location is considered to be

suitable.

In order to enhance the appearance of the completed development in the streetscene, it is recommended that the areas of the forecourt not required for pedestrian and/or vehicular access be given over to soft landscaping. The council's standard landscaping conditions are therefore recommended.

5) S17 Crime & Disorder Act

It is considered that the proposed development would not give rise to significantly increased opportunities for crime and disorder.

6) Consultation Responses

Apart from the points raised in the above sections, other issues raised are:

- Loss of view: not a material planning consideration
- Refusal of application for outbuilding in neighbouring garden: not relevant to this application
- Precedent for further backland development: any future applications will have to be considered on their own merits in accordance with the relevant development plan policies and other material considerations pertaining at the time of such an application
- Other matters: dealt with above

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.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None