

SECTION 1 – MAJOR APPLICATIONS

JOHN LYON SCHOOL, MIDDLE ROAD **Item: 1/01**
HARROW, HA2 0HN **P/0202/07/CFU/DC3**

Ward HARROW ON THE HILL

REPLACEMENT SPORTS PITCH WITH SEMI UNDERGROUND CAR PARK (47 SPACES) AND 6X8M HIGH FLOODLIGHT COLUMNS, & 2 NEW VEHICLE ACCESSES TO LOWER ROAD

Applicant: The John Lyon School
Agent: Kenneth W Reed & Associates
Statutory Expiry Date: 11-MAY-2007

RECOMMENDATION

Plan Nos: 1336/100, 1336/102, 1336/103, 1336/104, 1336/105, 1336/106, 1336/107, 1336/108, UKS3488, UKS3488/1, Design & Access Statement 29/11/06.

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 3 months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:

- i) A variation of the Section 106 Agreement dated 23rd June 1995 (the Principal Agreement) to allow the development subject of this report outside the building envelope shown in red on drawing number 977/31/B referred to in the Principal Agreement.

2. A formal decision notice, subject to planning conditions noted below will be issued upon the completion by the applicant of the aforementioned legal agreement.

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 development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

REASON: The developer of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.'

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

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

4 The development hereby permitted shall not be occupied or used until all the works detailed in the application have been completed in accordance with the permission granted unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the character or appearance of the Conservation Area.

5 The development hereby permitted shall not commence until details of a scheme to provide minimum 2 car parking spaces have been submitted to and approved in writing by the Local Planning Authority. Such spaces shall be provided and designed to BS 8300 specifications to enable it / them to be used by people with mobility impairments, and the space(s) shall be marked out accordingly. The development shall not be occupied or used until the spaces have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure suitable parking provision for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

6 The development hereby permitted shall not commence until details of a scheme to provide external paths forming access routes at least 1.2m clear wide, non slip & well lit; paths no steeper than 1:20 unless designed as a suitable ramp; dropped curbs at crossing points and path intersections.) in order to facilitate access for disabled people, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure adequate provision of facilities for use by disabled people in accordance with the policies of the Harrow Unitary Development Plan.

7 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.

The boundary treatment shall be completed:

a: before the use hereby permitted is commenced

b: before the building(s) is/are occupied

c: in accordance with a timetable agreed in writing with the local planning authority

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

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

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

(a) the frontage.

(b) the boundary.

of the site is enclosed by a close boarded 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.

9 The access carriageway shall be constructed to base course in accordance with the specification and levels agreed before works commence on the building(s) hereby permitted, and the carriageway and footways completed before any building is occupied in accordance with details to be submitted to, and approved by, the local planning authority. The development shall thereafter be retained.

REASON: To ensure that the traffic generated by the building operations will not interfere with the free flow of traffic on the public highway and that the road and footway shall be of an adequate specification for the anticipated traffic.

10 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.

11 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.

12 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.

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13 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.

14 The use hereby permitted shall not commence until the car parking, turning and loading area(s) shown on the approved plan number(s) 1336/103 have been constructed and surfaced with impervious materials, and drained in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces shall be permanently marked out and used for no other purpose, at any time, without the written permission of the local planning authority.

REASON: To ensure the satisfactory provision of parking areas, to safeguard the appearance of the locality and in the interests of highway safety.

15 Development shall not commence until details of on site drainage works have been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No works which result in the discharge of foul or surface water from the site shall be commenced until the on site drainage works referred to above have been completed.

REASON: To allow consultation between all sewerage and drainage authorities and also ensure sustainable impact upon the sewerage and drainage asset.

16 The playing surface floodlighting hereby permitted shall only be used on any day from the hour before sunset to 20.00 hours.

REASON: To safeguard the amenity of neighbouring residents.

17 The design materials and exterior finish and light fittings of all columns shall be submitted to and approved by the Local Planning Authority prior to the first taxable occupation of the site.

REASON: To safeguard the amenities of the locality.

18 The maintained illuminance level shall not exceed 150 lux and the fittings be so arranged that the increase of illuminance on the carriageway of Lower Road shall not be more than 2 lux.

REASON: In the interest of highway safety and the amenity of the locality.

19 The underground car park hereby permitted shall be used only for the purpose of staff car parking and for no other purpose without the prior written consent of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

20 The underground car park hereby permitted shall not be used outside the hours of 07:00 - 22:00 Monday to Friday and 08:00 - 20:00 on weekends and public holidays without the prior written consent of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

21 The development hereby permitted shall not commence until the following:

- 1) A Tree Impact Assessment;
- 2) A Tree Constraints Plan;
- 3) An Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development does not result in undue damage to existing trees on site and to ensure compliance with BS: 5837 "Trees in Relation to Construction - Recommendations" (2005).

21 Prior to the use of the permitted car park and/or layby commencing 33 existing car parking spaces adjacent to Old House and Old Field House shall be removed and reinstated as landscaped areas to the satisfaction of the Local Planning Authority .

REASON: To improve the character and appearance of the locality.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

SD1 Quality of Design

SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens

D4 Standard of Design and Layout

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

D16 Conservation Area Priority

D23 Lighting, Including Floodlighting

SEP5 Structural Features

SEP6 Areas of Special Character, Green Belt and Metropolitan Open Land

EP25 Noise

EP30 Tree Preservation Orders and New Planting

EP31 Areas of Special Character

EP44 Metropolitan Open Land

EP45 Additional Building on Metropolitan Open Land

ST1 Land Uses and the Transport Network

T6 The Transport Impact of Development Proposals

T13 Parking Standards

R4 Outdoor Sports Facilities

R5 Intensive Use Pitches

R13 Leisure Facilities

Access for All: Supplementary Planning Document (April 2006)

Supplementary Planning Guidance: Designing New Development (March 2003)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

4 INFORMATIVE:

There may be public sewers crossing this site, so no building will be permitted within 3 metres of the sewers. The applicant should contact the Area Service Manager Mogden at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure.
Tel:- 0645 200800.

5 INFORMATIVE:

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (ie those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 0541 545500.

(Please note that any reference in this informative to "planning supervisor" has no connection with any Planning Officers within Harrow's Planning Services or with the Town and Country Planning Act 1990.)

6 INFORMATIVE:

Notwithstanding the note on your submitted plan(s), this decision has been made on the basis of measurements scaled from the plan(s), unless a dimensioned measurement overrides it.

7 INFORMATIVE:

The applicant is reminded of the duties set out in the Disability Discrimination Act 1995 with regard to employment and service provision. An employer's duty to make reasonable adjustment is owed to an individual employee or job applicant. However, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. Failure to take reasonable steps at this stage to facilitate access will therefore count against the service provider if or when challenged by a disabled person from October 2004. The applicant is therefore advised to take full advantage of the opportunity that this application offers to improve the accessibility

of the premises to people with mobility and sensory impairments.

8 INFORMATIVE:

Before implementing the planning permission hereby granted, or the works indicated in your certificate of lawful proposed development, the applicant is advised to contact the Council's Highways Crossings Officer on 020 8424 1799 or by email to john.almond@harrow.gov.uk to find out whether the construction of the crossover is acceptable in highway terms.

9 INFORMATIVE:

In aiming to satisfy the Community Safety condition(s) the applicant should seek the advice of the Borough Crime Prevention Design Advisors (CPDA). They can be contacted through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of this / these condition(s).

10 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)** Standard of Design and Character of Area (SD1, SD2, D4, D10, D14, D15, D16, SEP5, SEP6, EP30, EP31, EP44, EP45).
- 2)** Neighbouring Amenity (D23, EP25)
- 3)** Parking, Access & Highway Safety (ST1, T6, T13)
- 4)** Provision of Recreation & Sports Facility (R4, R5, R13)
- 5)** Existing S.106 Agreement
- 6)** Access for All (SC1, D4, C7, C16)
- 7)** S17 Crime & Disorder Act (D4)
- 8)** Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major Development all other
Conservation Area	Harrow on the Hill Village

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Area of Special Character: Yes
Site Area: 1329m² + layby = 2000m² total
Car Parking: See Report
Council Interest: None

b) Site Description

- Existing hard-surfaced sports pitch surrounded by approx 3.5m high transparent metal fence;
- Sports pitch approximately 1251.5m²;
- Sports pitch setback from Lower Road by 6m;
- Located in designated Metropolitan Open Land
- Part of Harrow on the Hill Village Conservation Area;
- Area of Special Character;
- Harrow Welsh Congregationalist Church directly adjacent to sports pitch across Middle Path;
- Harrow School Buildings directly up the Hill from sports pitch;
- Adjacent to Cricket Ground;
- Residential buildings directly across Lower Road;
- Lower Road designated London Distributor Road.

c) Proposal Details

- Removal of existing sports pitch & surrounding fence;
- Construction of undercroft car park to provide 47 car parking spaces;
- To remove 33 existing spaces by the Old School and Oldfield House;
- Total footprint of new building to be approximately 1334.5m² excluding access & lay by;
- Multipurpose sports pitch to be located on roof of car park;
- 3.6m high painted open mesh fence with painted metal uprights around sports pitch;
- Open mesh planted screen at car park level;
- 6x8m high flood lights emitting 144 Lux;
- 6 kickboards/goalposts on sports pitch;
- Lights to be used for school use only and will operate no later than 7:30 pm;
- New access & exit crossovers to be created off Lower Road to Car park
- Creation of 7m wide by 46m long lay by area off Lower Road for dropping off & picking up school children;
- Removal of 3 mature trees;
- Building to be dug into hill at a depth of 3m.

d) Relevant History

LBH/32000	Single/two storey school building	GRANTED 08-AUG-1990
WEST/44731/92/FUL	Three 10m high floodlights to games court	REFUSED 24-JUN-1992
WEST/754/93/FUL	Part 2, part 3-storey side extension to provide additional laboratories	GRANTED 26-APR-1994
WEST/696/94/CAC	Conservation Area Consent: Demolition of bowling sheds,	GRANTED 16-JAN-1995

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	workshop and temporary classrooms	
WEST/695/94/FUL	Part single, 2, 3, & 4 storey building to provide sports hall, swimming pool & library and ancillary areas, alterations to existing building & parking	GRANTED 26-JUN-1995
WEST/95/97/FUL	Part single, 2, 3, & 4 storey building to provide sports hall, swimming pool & library and ancillary areas, alterations to existing building & parking for school and associated use and local residents.	REFUSED 23-MAY-1997

Reasons for refusal:

1. Car parking cannot be satisfactorily be accommodated 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 highways would be detrimental to the free flow and safety of traffic on the neighbouring highways and the amenity of neighbouring residents.

2. The proposed increased use of the sports hall would generate additional levels of traffic and associated noise, disturbance and on street parking would be detrimental to the amenities of the neighbouring residential occupiers and damaging to this part of the conservation area.

WEST/387/02/FUL	Two-storey temporary classroom building (TO BE REMOVED BY 30 th JUNE 2005)	GRANTED 28-JUN-2002
WEST/560/02/FUL	Insertion of 2 windows in flank elevation of top storey of science block	GRANTED 05-AUG-2002
P/782/04/DFU	Art building: enlarged & additional windows to north & west elevation, awnings, canopy at west	GRANTED 20-MAY-2004
P/3420/06/CFU	Three storey side/rear extension to provide additional classrooms; alterations	GRANTED
P/0415/07/CFU	Demolition of single storey building and elements of music school; construction of single and two storey extensions to form dinning hall.	WITHDRAWN
P/0417/07/CCA	Conservation Area Consent Application: Demolition of single storey building and elements of music school	WITHDRAWN

e) Applicant Statement

- Existing all weather sports pitch is located between the Lyon Building and Lower Road;
- Sports pitch been in current location since 1970's;
- Surface of pitch is breaking up and even and is now beyond repair;
- Main sports ground is at Sudbury Hill and school site provides little amenity space for sporting and social outdoor activity;
- The proposal provides the ultimate in quality ball court design and construction and is ideal for football, basketball, hockey and short tennis;
- The perimeter is designed for 2 square close goal to allow for ball retrieval and heavy duty grid to support various fixtures and fittings;
- The proposal includes noise dampening features at the panel fixing points;
- Lighting to provide level of 144 Lux and a uniformity of 0.61 with minimal overspill to neighbouring properties;
- Lights will be for school use only and will only operate up to 7.30 pm;
- Lights are to be mounted on 8m high poles;
- Fencing at 3m high is lower and more transparent than the existing which is 3.5m high and a 1m solid kickboard;
- The school operates a green travel plan and is continually updating and refining the service to cater for as many pupils as possible;
- Lower Road already used by parents to drop off & pick up their sons who flout the yellow line restrictions in force along this section of road;
- Middle Road already congested at peak times causing aggravation to parents, teachers and neighbours;
- In attempt to rationalise the situation it is proposed to create a lay-by off Lower Road;
- Lay-by to be 7m one way drop off and collection zone for cars and mini buses;
- It is hoped that this lay-by will relieve traffic congestion on Lower Road and reduce illegal waiting of cars;
- New pedestrian route will be created to the heart of the school from this area;
- There are no major trees of note or any shrubs;
- Proposal to plant semi-mature trees & dense hedge along fence line;
- Existing sports pitch is 3m above road level there is potential to create a car park beneath;
- Because the land is on a hillside the entrance can exploit the full 3m difference in level thus the car park would be hidden where it is dug into the landscape;
- In order to further conceal the building we are proposing a mesh screen trellis and planting strip to hide;
- Car park providing 47 spaces would substantially house all cars operated by the teaching staff;
- Car park would reduce traffic on the Hill because access to the car park is off Lower Road;
- Disabled parking can be made available in the underground car park, although the gradients on the slope do not permit sensible wheelchair access from this area to the centre of the school;

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- Disabled parking already available in Middle Road from where the main parts of the school can be reached;
- We believe that the development is based on a thoughtful design process and a sustainable approach to access;
- The outcome is based on a good and thorough understanding of the local physical and built environment and a thorough analysis of school needs;
- The impact of the development is minimal yet it has significant benefits to offer in terms of transport, parking and safety.

f) Consultations:

Greater London Authority: No response

Metropolitan Police:

- Numerous security measures to be incorporated into scheme (see report)

English Heritage: Programme of archaeological work to be submitted to & approved by local planning authority

Highways: No objection

Engineering & Drainage Services: Surface water to be attenuated.

CAAC: No objection

Harrow Hill Trust:

- Clarification needed on lighting plan;
- Concern with light spillage and hours of use of sports facility;
- Car park are needs to be secured in evening times;
- Confusion over total reduction vs increase in off street parking – plans are unclear;
- Effectiveness of proposed drop off point questionable.

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

Sent:	Replies:	Expiry: 02-MAR-07
43	43	

Summary of Responses:

Proposal will exacerbate existing traffic problems, proposed crossovers will be dangerous for pedestrians, environmental pollution for extra traffic on the road, floodlight overspill will result in loss of neighbouring amenity, loss in property value, increase in noise pollution, lights from sports pitch would be dangerous to drivers on Lower Road, noise and disturbance from construction would result in pollution & loss of neighbouring amenity, cars exiting the car park would be dangerous, school already has ample sports facilities & access to sports fields, School already has car park for 32 vehicles & there is no need for more, proposal will have adverse effect on the appearance of the Hill & greenery, the development is not necessary & is a commercial aim, Council should revisit the undertakings given when the school applied for the sports hall, proposal will adversely effect the character & appearance of the landscape, Lights would consume excessive amount of power, bus stops on either side very close to the proposed crossover points, lay by not big enough to alleviate traffic

problems with parents dropping off & picking up children on mass, Middle Road is wider than Lower Road & more suitable for car park, existing s.106 Agreement with the Council restricts the development on the site, Any renegotiation of legal agreement would make a mockery of 1995 agreement for sports hall.

APPRAISAL

1) Standard of Design & Character of Area

Although the majority of John Lyon School is located in the Roxeth Hill Conservation Area, the existing sports pitch is located on the periphery of the Harrow on the Hill Village Conservation Area. It is also designated Metropolitan Open Land (MOL) and Area of Special Character.

Given its locality, careful consideration needs to be given to the new car park and sports pitch insofar that it must preserve or enhance the character and setting of the surrounding area.

The existing sports pitch appears to have been created by a cut & fill operation at the time it was constructed. This leaves a grass covered slope rising from Lower Road and has the existing sports pitch on an elevated position when viewed from the Lower Road.

The proposed new sports pitch would respect the existing level/height and general position of the existing sports pitch, however this would be built on top of an underground car park, which would be dug into the existing grass covered mound. In addition to this a 7m wide by 35m long lay-by for parents to pick up & drop off children would be constructed to the front.

The impact on the character conservation area is considered to be modest. The significance of the proposal site in regards to the Harrow on the Hill Village is considered to be relatively minor. The conservation area is characterised by the hill and its numerous Victorian residential buildings and complemented by the open playing fields of the Harrow School. The proposal site, particularly when viewed from the street is, in the main, built up and is not considered to add to the open green character of the conservation area like the adjoining cricket playing fields at Harrow School do.

It is acknowledged that the addition of a lay-by will increase hard surfacing to the site, however the proposal seeks to minimise any impact by incorporating planted mesh screens to the front and side elevations where the car park building would otherwise be visible. To further soften the built form the proposal incorporates a 30m long landscaped and planted verge affronting the public highway providing a buffer between the street and the new car park and lay-by.

With regards to the MOL it is considered that a new sports pitch together with reducing surface car parking satisfies criteria under policies EP44 & EP45 of the HUDP.

It is considered that a new sports pitch is essential for the proper functioning of the school, and that the car park will reduce existing traffic problems (see below).

Members may be aware that an unauthorised building stands within the school grounds. The school has been requested by letter to make a date by which the building will be removed and advised that in the absence of an acceptable reply that authority for enforcement action may be sought.

The gross footprint of the existing sports pitch is 1256m², the gross footprint of the new sports pitch with underground parking is 1335m², meaning an overall increase of 79m² in built footprint. This increase is not concentrated in the one area, but evenly spread through the footprint of the existing sports pitch with a 2.9m rearward extension, 1.5m side extension facing Middle Path. Conversely the new pitch would be setback 1.4m from the existing front footprint, and further inwards by 0.75m on the side facing the Harrow School playing fields.

Further to the above the proposal is not considered to result in an adverse effect on the Area of Special Character. Firstly the proposal would not result in the loss of features that contribute to the area of special character. Secondly there would be no loss of architectural or historic features of significance. Thirdly there would be no noticeable effect on the skyline and lastly no adverse impact on the character of the area. The existing sports pitch is not considered to contribute to the character of the area or warrant protection due to its significance.

There are several trees with protection orders (TPO's) on the site, which include a newly planted row of saplings (TPO 157).

3-trees have been earmarked for removal these include a Cherry and Ash.

In order to ensure that the loss of these 3 trees is mitigated and to protect remaining trees during construction the applicant will be required by way of condition to submit a comprehensive tree impact assessment plan, a tree constraints plan and an arboricultural method statement in line with BS:5837. These will need to be submitted to and approved in writing by the LPA before any before the commencement of any development.

It is considered that although in a conservation area, MOL & area of special character the significance this site plays in each of these designations is considered minimal and as such the proposal is considered to satisfy relevant HUDP policy criteria.

2) Neighbouring Amenity

Concerns were raised by several objectors with regard to light emissions from the proposed 6x8m high masts. However, it is considered that the proposed masts meet the criteria under policy D23 of the HUDP.

The lights will emit a lighting level of 144 Lux and a uniformity of 0.61 which falls within recommended lighting levels, with minimal spill. To ensure any glare or spill is contained, a condition is attached to this report requiring details to be submitted to and approved by the LPA prior to commencement of the development.

The lights are proposed so to give the school the opportunity to utilise the sports pitch outside of normal school hours, however in order to minimise any impact on neighbouring amenity the school proposes not to use the pitch any later than 7:30pm. To ensure this is the case a condition is attached to this report restricting hours of use.

Concerns were raised that the level of noise from the new car park for 47 cars would have a noticeable impact on neighbouring properties. Although no residential properties residential properties directly adjoin the proposal site, Lower Road is a busy road with constant traffic movement, activity and associated levels of noise. The car park will be used mostly during school hours and to ensure noise from the use of the car park does not adversely affect neighbouring amenity a condition restricting the hours of use of this building has been attached to this report.

It is therefore considered that there will be no loss of neighbouring amenity as a result of the proposed development.

3) Parking, Access & Highway Safety

The proposed car park underneath the proposed sports pitch is considered to have several benefits. Firstly it would result in fewer cars associated with the school being parked on Middle Road as staff would have a place to park off the public highway.

The school intends to remove cars from the existing main playground area and relocate the parking to underneath the proposed sports pitch creating additional play space/amenity space for the students.

Secondly the proposed lay-by would create an area off the public highway where cars can pull over to drop off school children, where currently they stop illegally on Lower Road holding up traffic.

It is acknowledged that the lay-by will not stop parents from dropping off children on Middle Road, but those who use Lower Road as a drop off/pick up point there will be an improvement on the current situation.

The highways authority have not expressed any objections to the proposed development and acknowledge that it would result in an improvement on the existing scenario.

Concerns raised by objectors regarding the proposal exacerbating the traffic problems & highway safety are not considered warranted and are not backed up by comments from the highways authority.

The level of lighting from the floodlights is considered suitable and will not adversely affect highway safety. A condition attached to this report will ensure any glare from the lights will not spill over to the public highway.

4) Provision of Recreation & Sports Facility

The provision of an improved multipurpose sports field is supported in principle. Currently the existing sports pitch is in a dilapidated state and in need of repair.

The school's main sports fields are located off site; therefore the boy's day-to-day physical activity and sports opportunity is limited to the use of the existing on site sports pitch.

The proposed pitch would be used for football, basketball, hockey & short tennis. It is considered this aspect of the proposal complies with policies R4, R5 & R13 of the HUDP where the Council support the provision of this type of outdoor sporting facility.

As mentioned earlier the sports pitch would also include 6x8m high floodlights to allow use of the sports facility up until 7:30 in the evening. This allows for after school use of the pitch making full use of the modern sports facility whilst not causing undue loss of amenity for neighbouring residents.

5) Existing S.106 Agreement

There is an existing s.106 Agreement for the John Lyon School relevant to planning permission WEST/695/94/FUL which (amongst other things) limits the number of pupils at the school to 525 and restricts the development envelop of the school.

Obligation 1 of the Second Schedule of the s.106 states:

"No development ... shall take place outside the building envelop hereby agreed and shown edged in red on drawing number 977/31/B save that future development may be granted planning permission in the areas edged in blue on the drawing upon application being made to the Council."

On drawing number 977/31/B the sport filed is clearly outside of the developable area as per the s.106 Agreement dated 23 June 1995.

6) Access for All

The proposed appears to comply with Part M of the Building Regulations 2004, however a few minor points will need to be addressed via condition. Mostly notably a minimum of 2 spaces will need to be designated for disabled parking and dropped curbs provided at crossing points and path intersections to allow ease of movement around the site.

7) S17 Crime & Disorder Act

Feedback from the Metropolitan Police identifies measures the school can adopt to make the proposal compliant to secured by design and safer places principles. These can be easily incorporated into the development by way of

condition.

8) Consultation Responses:

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

- Loss in property value is not a planning consideration;
- Construction noise and activity is a temporary activity & not a planning consideration;
- Lights consuming an excessive amount of power – details of lighting will be submitted to the LPA via a condition. Council will encourage the developer to implement power saving measures to ensure an energy efficient development;
- Bus stops on either side very close to the proposed crossover points – The proposal will not affect the bus stops;
- Middle Road is wider than Lower Road & more suitable for car park – Council cannot dictate to applicants where they must locate their proposals, further Middle Road is considered to be a worse place to locate a car park.

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.

**JUBILEE HOUSE, MERRION AVENUE
STANMORE, HA7 4RS**

**Item: 1/02
P/1220/07/CFU/DT2**

Ward CANONS

TWO AND PART THREE STOREY EXTENSION TO OFFICE BUILDING TO PROVIDE THIRTY FIVE FLATS INVOLVING ALTERATIONS TO EXISTING ELEVATIONS, NEW LANDSCAPING TREATMENT, ENHANCED CAR PARKING LAYOUT AND CYCLE STORAGE PROVISION

Applicant: AAG (HQ) Ltd
Agent: Preston Bennett Planning
Statutory Expiry Date: 24-JUL-2007

RECOMMENDATION

Plan Nos: 1430/EX/01, 1430/EX/02, 1430/EX/03, 1430/EX/04, 1430/PA/01, 1430/PA/02, 1430/PA/03, 1430/PA/04, 1430/PA/05, 1430/PA/06, 1430/PA/07

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within three months (or such period as the Council may determine) or the date of the Committee Decision on this allocation relating to:-
 - i) Prior to the commencement of development, submission to and approved by the Local Planning Authority of a scheme which:-
 - a) provides affordable housing in accordance with a scheme to be agreed with the Local Planning Authority (for future management by a RSL) that includes an acceptable and appropriate proportion of social rented units to shared equity units.
 - b) ensures that the affordable housing units are available for occupation in accordance with a building and occupation programme to be submitted and approved by the Local Planning Authority prior to the commencement of works on the site;

All affordable housing units shall be provided in accordance with the definition of affordable housing set out in the 2004 Harrow Unitary Development Plan
 - ii) Payment of a planning administration fee of £500 within 14 days of the execution of the agreement.

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

Item 1/02: P/1220/07/CFU continued....

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 details that show how the principles and practices of the Secured by Design Award Scheme are to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

3 The standard for all main entrance door sets to individual dwellings and communal entrance door sets throughout the development hereby permitted shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets'.

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

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

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

5 The housing development hereby permitted shall include the provision of 100% Lifetime Homes and 10% wheelchair housing.

REASON: To ensure that the development will be accessible to people with disabilities, in compliance with London Plan and UDP policies.

6 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.

The boundary treatment shall be completed:

a: before the use hereby permitted is commenced

b: before the building(s) is/are occupied

c: in accordance with a timetable agreed in writing with the local planning authority

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

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

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

(a) the frontage.

(b) the boundary.

Item 1/02: P/1220/07/CFU continued....

of the site is enclosed by a close boarded 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.

8 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.

9 The development hereby permitted shall not commence until details of the provision for attenuation against externally generated noise and vibration have been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

10 The development hereby permitted shall not commence until a scheme for:-

- (a) The storage and disposal of refuse/waste
- (b) and vehicular access thereto

has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

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

REASON: To ensure that adequate drainage facilities are provided.

12 The development of any buildings 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.

13 Details of Cycle Parking - Before the first taxable occupation of the development hereby approved, details of secured cycle parking shall be submitted and approved in writing by the Local Planning Authority and shall be retained as such thereafter.

REASON: In the interests of green travel, the safety and security of future occupiers

and to prevent obstructions on the footpath.

14 Notwithstanding the information provided in the drawings hereby approved, before the first taxable occupation of the dwellings, details of revised fenestrational treatment of the building on the London Road and Merrion Avenue elevations shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as such thereafter.

REASON: To enhance the visual amenity of the building and in the interests of the character and appearance of the area.

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

SH1 Housing Provision and Housing Need

EP20 Use of Previously-Developed Land

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

2 INFORMATIVE:

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

3 INFORMATIVE:

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

4 INFORMATIVE:

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

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

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

"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.

5 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) Standard of Design and Layout (D4, EP7, EP8, EP25)
- 2) New Residential Development - Amenity Space and Privacy (D5)
- 3) Affordable Housing (H5)
- 4) Parking and Access (T6, T13)
- 5) Accessible Homes (H18)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major Dwellings
Site Area:	0.57ha
Habitable Rooms:	96
Density:	175 hrph 62.5 dph
Car Parking:	Standard: 48 (maximum)
	Justified: 28
	Provided: 28 (plus 61 spaces for office use)
Council Interest:	None

b) Site Description

- The site is a three storey long, rectangular office building on the east side of Merrion Avenue adjacent to Stanmore London Underground Station (a Locally Listed Building)
- Parking for the existing office usage is on the forecourt of the building on the Merrion Avenue frontage and on the hard standing area that continues around it to the rear of the site
- The building dates from the 1960's, it is flat roofed and functional in appearance, constructed as a series of banded concrete columns with brick piers and vertical glazing. The only feature of note is the faceted glass and concrete façade on the main entrance. The existing building footprint is approximately 15,000 sq feet per floor and the linear building has an overall footprint of 100m x 12m.

c) Proposal Details

- Permission is sought for a two and part three storey extension to provide thirty five flats (11 x 1 bed, 22 x 2 bed and 2 x 3 bed flats) on top of the existing block.

d) Relevant History

None recorded

e) Applicant Statement

- Proposal complies with HUDP Housing policies and with the London Plan and national guidance (PPS1 and PPS3).
- Brownfield site in an area with a good public transport network and has Stanmore District centre less than half a mile to the west. The commercial and residential mix maximises the sustainable nature of the site, providing the opportunity to live and work in the same area.
- Scheme will replace existing uninsulated brick and concrete exterior with high performance thermal cladding, to be combined with a low maintenance polymer render system and timber rainscreen. The new exterior treatment will reduce carbon emissions by increasing the thermal coefficient and reducing energy consumption.
- Proposed extension will respect the modernist form of the building in design and appearance. The additional floors will graduate upwards from the existing footprint and are set back on the fourth floor by between 1.5 and 2.5m, while the fifth floor is limited to a small area at the northern end of the building, more to provide articulation and definition on the main elevations.
- Two new vertical core elements are introduced at the front façade to provide additional points of access to the building and to provide further articulation of the existing façade on the Merrion Avenue site frontage.
- 122 parking spaces are provided within the site for the existing office use. Of these, 28 spaces would be made available for the residential scheme.

f) Consultations:

Engineering Services: requested that storm water run off be attenuated.

CAAC: The extra height is unlikely to impact greatly on the conservation area. However, in the wider sense proposals should respect the context of the site, which is predominately residential, of 2 to 3 storey grain, and as such we would prefer to retain the existing height so as to appropriately fit in with the domestic scale of surroundings. We would also note that there is opportunity for more amenity and tree planting to surround the building.

London Underground Ltd: As the building is alongside LUL land the proposed alterations must be carried out in accordance with LUL's criteria entitled 'Special Conditions for Outside Parties working on or near the railway'.

Advertisement: | Major Development | Expiry: 16-MAY-07

Notifications:

Sent:
82

Replies:
8

Expiry: 17-MAY-07

Summary of Response:

Too many high density flats are being built that are altering the character of the area. They are over developments of sites in an area that has a two storey, human scale. Extension will result in worsening traffic and parking conditions and create too much pressure on the local infrastructure. The proposed extension will inflate the existing bulk, scale and massing of the building, making it appear visually obtrusive. The outcome will be that an urban scale building will emerge that will have an incongruous effect on its suburban setting. The proposed extension will cause loss of light and overshadowing to properties on the opposite side of the road at Merrion Court.

APPRAISAL

1) Standard of Design and Layout

The proposed extensions would have a limited impact on the existing streetscene and on the wider townscape of the locality. Certainly, the effect of the extensions on the Kerry Avenue Conservation Area, the substantive part of which is located over 50m north of the site across the dual carriageway, would be negligible. Nor would the proposed extension have any adverse effects on Stanmore LU Station, a locally listed building that is also in the conservation area. Jubilee House is a much larger building but it is set back from the front building line on London Road, by a substantial distance.

Indeed, the building is very much an entity in its own right that does not relate to the surrounding built form of either the conservation area to the north of the site or the two storey housing to the south and west of it. The proposed extensions are set back at fourth storey level and confined largely to the northern end of the building at fifth storey level, both to provide greater articulation of the building as a whole and to prevent the site from having an unacceptable, over dominant relationship with the surrounding area. As such therefore, no conflict would arise with the advice in HUDP Policy D4 on the context, scale and character of development or with HUDP Conservation policies, in that the scheme would not have an adverse effect on the character and appearance of the Kerry Avenue Conservation Area or the adjacent listed building.

2) New Residential Development – Amenity Space and Privacy

The proposal would not have any harmful effect on the properties on the opposite side of Merrion Avenue or on the same side of the site to the south. The distance of separation between windows of existing rooms in the two storey sheltered housing on the west side of Merrion Avenue and proposed windows in the scheme would be some 40m, this distance is considered to be too great for any overlooking and loss of privacy to occur for either existing or proposed living rooms. It is concluded therefore that no conflict with Policy D5 would arise.

Regarding the properties to the south of the building, no additional living room windows are proposed, except for two windows to rooms of flats in the rear wing at fourth floor level. However a distance of 16m sets these flats back from

the flank (south facing) wall of the building. Again, the distance is too great for any overlooking concerns to become a factor.

A small, screened amenity area is proposed here, details of which would be submitted as part of a landscaping condition to be discharged.

3) Affordable Housing

The applicants had originally proposed in their statement that the affordable housing provision be offered for shared ownership tenure solely. This would be contrary to the advice in Policy H5, on the need for a range of tenures in residential development in residential development, which is set at a 35%; 15% arrangement of social rented units to shared equity units (which is also consonant with the London Plan). In view of this, it was agreed that an appropriate share of affordable units be provided as an obligation in the S106 Agreement, the proportion to be assessed according to the circumstances and characteristics of the site and the locality.

4) Parking and Access

Given that public transport is readily accessed from the site, the parking provision of the extended building is satisfactory, as is access. No conflict would therefore occur with the advice in HUDP Policy T13.

5) Accessible Homes

Two wheelchair sized lifts are provided to service the proposed residential levels of the building. The stairway has been designed to be accessible to a non-ambulant disabled person. A condition requiring the proposed extension to be designed to 100% Lifetime Homes standard and 10% of the units to be designed to wheelchair standard is also recommended.

6) S17 Crime & Disorder Act

The proposal would not be in conflict with the advice in 'Secured By Design' or 'Safer Places'.

7) Consultation Responses:

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

- As dealt with 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.

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

**LAND O/S MOSQUE, 20-34 STATION RD
HARROW**

Item: 2/01
P/1234/07/DAD/GL

Ward GREENHILL

INTERNALLY ILLUMINATED ADVERTISEMENT PANEL ON REAR OF
REPLACEMENT PUBLIC TELEPHONE KIOSK

Applicant: BT
Agent: J C Decaux UK Ltd
Statutory Expiry Date: 20-JUN-2007

RECOMMENDATION

Plan Nos: Site Plan; PP-00206535; 0045/005; 006; 007; 008; 009

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

1 The period of this consent shall be five years from the date of this consent, following which the advertisement shall be removed and the site reinstated.

REASON: To comply with the provisions of the Town Country Planning (Control of Advertisements) Regulations 1992.

2 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

3 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

4 No advertisement is to be displayed without the permission of the owner of the site, or any other person with an interest in the site entitled to grant permission.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

5 Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6 Any structure or hoarding erected or used principally for the purpose of

displaying advertisements shall be maintained in a safe condition.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

7 The maximum luminance of the sign shall not exceed the values recommended in the Institution of Lighting Engineers' Technical Report No. 5 (Second Edition).

REASON: In the interests of highway safety and amenity.

8 All illumination shall be non-intermittent unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the amenities of the locality.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

- SD1 Quality of Design
- ST3 London-wide Highway Network
- D4 The Standard of Design and Layout
- D24 Telecommunications Development
- D27 Free-standing Advertisements
- T6 The Transport Impact of Development Proposals
- T9 Walking

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Design, Amenity (SD1, D4, D24, D27)
- 2) Transport Impacts (ST3, T6, T9)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is referred to the Committee as a petition opposing the development has been received

a) Summary

Statutory Return Type: Advertisements
Council Interest: None

b) Site Description

- Application site is a public footway outside the Mosque currently under construction at 20-34 Station Road, Harrow approximately 15m south of junction with Rosslyn Crescent
- Site is currently occupied by two public telephone kiosks

- Station Road is a London Distributor Road

c) Proposal Details

- Internally-illuminated advertisement panel on rear of replacement public telephone kiosk
- Kiosk to be 2.664m high, 1.338m wide and 0.205m thick, with telephone apparatus and hood projecting a further 0.6m
- Advertisement panel to be 1.338m wide and 1.908m high above 0.756m base

d) Relevant History

None

e) Applicant Statement

- Work is part of nationwide programme to upgrade and replace existing kiosks
- Existing 2 kiosks to be replaced by one incorporating advertisement panel
- New designed kiosk will be more accessible to people with disabilities
- New kiosk will incorporate advertisement panel, revenue from which will contribute to maintaining viability of payphone service
- New kiosk occupies a smaller area of footpath than existing
- Advertisement would be similar that those on bus stops and would not harm amenity of affect the character of the area

f) Consultations:

Highways Engineers: No objection subject to luminance condition to avoid distraction to drivers on the highway. Site plan in use is out of date and shows a layby that was reinstated as footway some time ago.

Notifications:

Sent:
4

Replies:
2 and 1 Petition with
221 Signatures

Expiry: 25-MAY-07

Summary of Response:

Pakistan Society of Harrow: Kiosk would be near main entrance and would impede access; kiosk could be a hazard to children attending evening school who may also find advertisements amusing; advertisement contents may be repugnant to the values of Islam; worshippers may find display of nude, naked and semi-nude bodies on advertisement panel offensive; location of kiosk could give impression that panel has been erected with permission of the Mosque management; request removal of kiosk.

Harrow Central Mosque and Islamic Centre (221 signatures): Advertisement panel could impede access to Mosque and to properties in adjoining street; positioning of board will not be safe; advertisement panel will impede construction activity at the Mosque.

Association of Senior Muslim Citizens: Advertising panel will obstruct Mosque entrance and view of Mosque.

APPRAISAL

1) Design, Amenity

The proposed advertisement panel would be mounted on a free-standing public telephone kiosk located towards the rear of the existing footway on Station Road. The replacement of the existing telephone kiosks does not require a specific grant of planning permission as this is permitted development under Part 24, Class A of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995, as amended. This application, therefore relates solely to the display of the illuminated advertisement on the rear of the telephone kiosk.

Policy D27 of the UDP states that in considering applications for free-standing advertisements, the Council will take account of the visual amenity of the area, the cumulative effect with other street furniture, the degree of obstruction to pedestrians, the impact on public safety and whether any illumination would impact on residential amenity.

The proposed advertisement panel would not detract from the visual amenity of the area, as it would be incorporated into a replacement telephone kiosk. There would be no additional street furniture. The kiosk and advertisement panel is considered not to cause obstruction to pedestrians or to have a detrimental impact on public safety. The illumination would not have any impact on residential amenity, and therefore the advertisement is considered acceptable on amenity grounds.

2) Transport Impacts

Station Road is a London Distributor Road which has reasonable heavy levels of traffic. The only concern raised by the Highways Engineers with respect to road traffic is the potential for an illuminated advertisement to be a distraction to drivers. Conditions requiring the levels of illumination not to exceed the values recommended in the Institution of Lighting Engineers' Technical Report No. 5 (Second Edition) and to be non-intermittent have been attached to minimise this potential distraction.

The kiosk containing the panel would be located at the rear of the pedestrian footway, where two kiosks are presently located, and which is approximately 8m wide at this point. It is considered that the size and location of the panel would not be an obstacle for pedestrians and other users of the footway. According to the approved plans for the Mosque currently under construction, the panel would be approximately 8m from the main entrance. Although concerns have been raised that this proximity could impede access to the Mosque, the separation between the existing kiosks and the proposed Mosque entrance would not change and is considered sufficient.

3) S17 Crime & Disorder Act

No issues arise.

4) Consultation Responses:

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

- Advertisement panel may display images offensive to Islam – The content of advertisements is not a material planning consideration and is the subject of other legislation and legal processes, including regulation by the Advertising Standards Authority
- Advertisement panel will impede construction activity at the Mosque – Panel will be on a telephone kiosk on land outside the control of the Mosque. Currently there are two kiosks at the same location, and therefore not a material planning consideration
- Other issues addressed in appraisal

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.

**105 HEADSTONE ROAD
HARROW, HA1 1PG**

**Item: 2/02
P/1186/07/DFU/BM**

Ward GREENHILL

NEW SHOP FRONT INCLUDING SHUTTERS

Applicant: Eric Silver
Agent: Crescent
Statutory Expiry Date: 18-JUN-2007

RECOMMENDATION

Plan Nos: Unnumbered drawing showing Existing and Proposed Elevations and Plans received 23 April 2007

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.

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

D25 Shopfronts and Advertisements

C17 Access to Leisure, Recreation, Community and Retail Facilities

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 applicant is reminded of the duties set out in the Disability Discrimination Act 1995 with regard to employment and service provision. An employer's duty to make reasonable adjustment is owed to an individual employee or job applicant.

However, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. Failure to take reasonable steps at this stage to facilitate

access will therefore count against the service provider if or when challenged by a disabled person from October 2004. The applicant is therefore advised to take full advantage of the opportunity that this application offers to improve the accessibility of the premises to people with mobility and sensory impairments.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (SD1, D4, D25)
- 2) Access (C17)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is referred to the committee for decision because the applicant is a Council Member.

a) Summary

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

b) Site Description

- Regular shaped site
- Property is a two-storey commercial terrace buildings
- Existing use of the ground floor of the building is for a chemist accessed directly from street level (924mm wide).
- Access to the first floor is gained from a separate door to the left of the existing shop front.
- Off-street parking is provided forward of the building line perpendicular to the row of shops
- 3 existing advertisements are located on the property:
 - a 5, 684mm wide x 860mm high illuminated (light box) fascia sign,
 - a box sign hanging from a metal frame attached perpendicular to the first floor (with a warning light) ; and
 - an illuminated free standing pole sign located forward of the shop within the parking area (with a warning light).
- Commercial properties adjoin either side of the site.
- None of the shops have roller shutters.

c) Proposal Details

- New laminated safety glass to replace existing
- New entry door to replace existing enlarged to 1,000mm wide.
- New electronically operated perforated roller shutter.
- Concurrent application lodged for new acrylic panel on existing fascia sign light box.

d) Relevant History

LBH/826/1	Erection of an Illuminated Box sign	GRANTED 29-MAY-1974
LBH/826/2	New Shop front	GRANTED 17-OCT-1974
LBH/826/3	Instillation of an Illuminated Fascia sign	GRANTED 17-OCT-1974
LBH/826/4	Erection of Display of Illuminated double sided Pole sign on forecourt	REFUSED 11-FEB-1977
LBH/826/5	Erection and Display of illuminated advertisement pole sign	GRANTED 15-SEP-1977
P/1186/07/DAD	Internally illuminated fascia sign	Awaiting decision

e) Applicant Statement

- None

f) Consultations:

- None

Notifications:

Sent: 4 Replies: 0 Expiry: 24-MAY-2007

Summary of Response:

N/a

APPRAISAL

1) Character and Appearance of the Area

The proposed enhancement of the shop front is appropriate for this commercial property located within an existing commercial strip in the town centre of Harrow. The proposal would enhance the character and appearance of the shops on Headstone Road. No changes are proposed to the size or location of advertising structures. Similarly the proportion of glazing would remain largely unchanged consistent with the adjoining shop fronts. In this respect, the proposal is considered compliant with Policies SD1, D4 and D25 of Harrow Unitary Development Plan (HUDP).

The location of the new roller shutter mechanism and casing would be integrated into the fascia sign such that, it would not be obtrusive on the shop front or street scene. Although the addition of a roller shutter in this location is not desirable in policy terms (for aesthetic and amenity reasons) it is acknowledged that due to the sensitivity of the use, this security measure is necessary. In addition such a feature is not out of keeping with shops and other and other commercial premises in and around the town centre.

2) Access

The proposed shop front would include a new door measuring 1m width with level access from the street. This would enable easy access for all. It would be an improvement to the current situation on site and it is acceptable as it would

Item 2/02: P/1186/07/DFU continued....

comply with Policy C17 of HUDP. Pedestrian movement along the footpath would not be impacted by the proposal. Similarly the proposal would not impact vehicle access or parking.

3) S17 Crime & Disorder Act

There are not considered to be any implications with regards to this act.

4) 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.

**105 HEADSTONE ROAD
HARROW, HA1 1PG**

**Item: 2/03
P/1188/07/DAD/BM**

Ward GREENHILL

INTERNALLY ILLUMINATED FASCIA SIGN

Applicant: Eric Silver
Agent: Crescent
Statutory Expiry Date: 18-JUN-2007

RECOMMENDATION

Plan Nos: Site Plan, Unnumbered drawing showing Existing and Proposed Elevations and Plans received 23 April 2007

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

1 The period of this consent shall be five years from the date of this consent, following which the advertisement shall be removed and the site reinstated.

REASON: To comply with the provisions of the Town Country Planning (Control of Advertisements) Regulations 1992.

2 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

3 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

4 No advertisement is to be displayed without the permission of the owner of the site, or any other person with an interest in the site entitled to grant permission.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

5 Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

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:

- D25 Shopfronts and Advertisements
- D26 Advertisements and Signs on Buildings

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)** Character and Appearance of the Area (SD1, D25, D26)
- 2)** S17 Crime & Disorder Act (D4)
- 3)** Consultation Responses

INFORMATION

This application is referred to the committee for decision because the applicant is a Council Member.

a) Summary

Statutory Return Type: Advertisements
Council Interest: None

b) Site Description

- Regular shaped site
- Property occupied by one of five attached two-storey commercial terrace buildings
- Existing use of the ground floor of the building is for a chemist accessed directly from street level (924mm wide).
- 3 existing advertisements are located on the property:
 - a 5, 684mm wide x 860mm high fascia sign and light box (the subject of this application)
 - a box sign hanging from a metal frame attached perpendicular to the first floor (with a warning light) ; and
 - an illuminated free standing pole sign located forward of the shop within the parking area (with a warning light).
- The existing lettering on the fascia sign is red on white acrylic panel.
- Facia signs in this strip of shops are of a similar size.

c) Proposal Details

- New acrylic panel in white finish with emerald green pharmacy lettering, emerald green cross, blue NHS logo and black vinyl pharmacist name.
- Retention of existing light box.
- Concurrent application lodged for new shop front.

d) Relevant History

LBH/826/1	Erection of an Illuminated Box sign	GRANTED 29-MAY-1974
LBH/826/2	New Shop front	GRANTED 17-OCT-1974
LBH/826/3	Instillation of an Illuminated Fascia sign	GRANTED 17-OCT-1974
LBH/826/4	Erection of Display of Illuminated double sided Pole sign on forecourt	REFUSED 11-FEB-1977
LBH/826/5	Erection and Display of illuminated advertisement pole sign	GRANTED 15-SEP-1977
P/1186/07/DFU	New shopfront including shutters	Awaiting Decision

e) Applicant Statement

- None

f) Consultations:

- None

Notifications:

Sent: 4 Replies: 0 Expiry: 24-MAY-2007

Summary of Response:

N/a

APPRAISAL

1) Character and Appearance of the Area

The proposed advertisement is appropriately located within the existing fascia sign structure and light box. The proposal would have no impact on the character and appearance of the shops on Headstone Road. In this respect, the proposal is considered compliant with Policies SD1, D25 and D26 of Harrow Unitary Development Plan (HUDP).

2) S17 Crime & Disorder Act

There are not considered to be any implications with regards to this act.

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.

**19 MEPHAM GARDENS, HARROW
HA3 6QS**

**Item: 2/04
P/1105/07/DDP/SW2**

Ward HARROW WEALD

APPROVAL OF DETAILS OF MATERIALS PURSUANT TO CONDITION 5 OF
PLANNING PERMISSION P/2378/06/DFU FOR PART TWO, PART THREE
STOREY BLOCK OF FIVE TERRACED HOUSES WITH PARKING DATED
15/12/2006

Applicant: Warden Housing Association

Agent: Sophie Ungerer

Statutory Expiry Date: 25-JUN-07

RECOMMENDATION

Plan Nos: (PL)-700, (PL)-710F, (PL)-716E, (PL)-717B, (PL)-718A, (PL)-719A

GRANT approval for the details described in the application, subject to the following conditions;

CONDITIONS

1 Notwithstanding the details indicated on the submitted drawings, the external brickwork used for houses 1,3 and 5 shall be Stratford Red Dragface and for houses 2 and 4 shall be Atlas Smooth Red

REASON: To safeguard the appearance of the locality.

INFORMATIVES

1 INFORMATIVE:

Hard surfacing: Concrete block Permeable paving, Concrete textured paving, Resin Bound paving.

2 INFORMATIVE:

Boundary Treatment: Vertical self-weathering western red cedar stackable boarding, New close boarded cedar fence with trellis, Chain link fence, Existing timber fence.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Materials (SD1, D4)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is being reported to Committee at their request.

The application was deferred from Committee on 6th June 2007 to request alternative roof treatments

a) Summary

Statutory Return Type: Minor Development, all other

Council Interest: None

b) Site Description

- Site was a D1 Scout Hut (Class D1) surrounded by open amenity space
- Surrounded by mature trees with a green to the front of the site
- The surrounding dwellings are 2 and 3 storey single family dwelling houses with a consistent building line
- There is an existing drive/vehicular access to the front of the site that would be retained

c) Proposal Details

- Materials schedule for the approval of details relating to Condition 5 – see Applicant's Statement.

d) Relevant History

P/2378/06/DFU Part two, part three storey block of five terraced houses with parking. GRANTED
15-DEC-06

e) Applicant Statement

External walls to ground floor and Second Floor Level: Brick

- Brick Type 1: Stratford Red Dragface
- Brick Type 2: Atlas Smooth Red
- Brick Type 3: Himley Midland Red Sandfaced
- Brick Type 4: Holbrook Sandfaced Brown
- Brick Type 5: Holbrook Sandface Dark
- Manufacturer Ibstock
- Bond Stretcher
- Mortar: Black Brown (E171) EuroMix coloured mortar

External walls to first floor: Timber Cladding

- Cladding Type: Horizontal and vertical self weathering western red cedar cladding in anodized aluminium frame
- Joint Type: Flush overlapping Joints

Roof Covering: Standing seam zinc roof

- Product: Long strip Flazinc light grey pre weathered zinc coated aluminium
- Manufacturer: Corus Group
- Joint Type: Standing Seams

Windows: Double glazed hardwood windows

- Manufacturer: Allen Brothers
- Product: Type H Windows
- Colour: Window grey RAL 7040

Front entrance doors: External insulated security door set

- Manufacturer: John A Russell Joinery Ltd
- Product Type 8.3.L
- Colour: Steel grey RAL 7011

Balcony Balustrades and Bin/mobility vehicle stores: Slatted Timber

Item 2/04: P/1105/07/DDP continued....

Hard paved areas to car parking and access routes: Concrete block Permeable paving

- Manufacturer: Marshalls
- Product: Mistral Piora Charcoal
- Colour Charcoal with outline of parking spaces to be indicated with single row of Grey blocks

External private patio areas to 6 bedroom, 4 bedroom and 3 bedroom houses and paved areas to front of the houses: Concrete textured paving

- Manufacturer: Marshalls
- Product: Saxon Natural
- Colour: Natural

Private patio area and covered parking space to 3 bedroom wheelchair accessible house: Resin Bound paving

- Manufacturer: SureSet
- Product: 3mm
- Colour: Autumn Tan

New Cedar fence with lockable secure doors between and to front of private gardens

- Fence: Vertical self-weathering western red cedar stackable boarding to both sides of the post
- Posts: Concrete
- Height: 1800mm with additional 300mm

New close boarded cedar fence with trellis to rear of private gardens

- Fence: Vertical self weathering western red cedar boarding
- Posts: Concrete
- Height: 1800mm with additional 300mm cedar trellis

Existing chain link fence along part of Southern edge of site

- Fence: Chain Link
- Posts: Concrete
- Height: As Existing

Existing timber fence along Northern edge of site:

- Fence: Vertical ship lapped self weathering timber boards
- Posts: Concrete
- Height: As Existing

New Chain link fence between private gardens:

- Manufacturer: Jacksons Fine Fencing
- Product Galvanised chain link fencing
- Posts Galvanised Steel posts
- Height: 1800mm

f) Consultations:

- None

Notifications:

- None

Summary of Response:

N/a

APPRAISAL

1) Materials

The submitted materials have been assessed in relation to the appearance of the materials against the existing properties in Artillery Place. The bricks proposed are varying colours of red and brown. Each dwelling would be constructed from one of the submitted colours of brick with cedar cladding at first floor level. Each of the brick colours feature within the materials of the properties in Artillery Place. The proposed use of the materials diminishing in intensity clearly distinguishes each individual dwelling however maintains the relationship of the proposed new dwellings to the surrounding properties. The cedar cladding mimics the design of properties on Mephram Gardens. The use of this natural material unifies the proposed new dwellings as this material features at first floor level of all of the dwellings.

Ground surfacing treatment would be concrete block paving to the car parking areas and accesses. Private patio areas to the 6, 4 and 3 bed houses would be concrete textured paving. The patio area and parking space to 3-bedroom wheelchair accessible house would be resin bound paving. These materials are considered appropriate to the surroundings and would not create any undue conflict with the nature of the surroundings.

The boundary treatments will be a combination of close-boarded cedar fencing with the use of the existing chain link fencing (to be upgraded where necessary). The proposed height of the fencing bounding the site and marking the boundaries would be between 1800mm high and 2100mm in height. This height would reflect the residential nature of the surroundings.

The materials proposed for this building relate well to each other and other buildings in the vicinity. The materials are considered acceptable and will not appear out of place in the streetscene.

2) S17 Crime & Disorder Act

The proposed details of fencing and boundary enclosure would promote a sense of ownership of the private spaces, would discourage crime and promote a sense of safety.

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.

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

**100A/100B NIBTHWAITE ROAD
HARROW, HA1 1TG**

**Item: 3/01
P/1501/07/CFU/GL**

Ward MARLBOROUGH

TWO/SINGLE STOREY REAR EXTENSION AND FRONT PORCH

Applicant: Mr Haroon Hanif
Statutory Expiry Date: 13-JUL-07

RECOMMENDATION

Plan Nos: Site plan; Block plan; nibthwaiterd-100a and b/0; 1 (received 04-Jun-07); 2; 3 (received 04-Jun-07); nibthwaiterd-100b/4; 5; 6 (received 04-Jun-07)

REFUSE permission for the development described in the application and submitted plans for the following reason(s):

- 1 The proposed rear extension, by reason of bulk, scale, design and siting, would result in overlooking, overshadowing of and loss of light to neighbouring dwellings, to the detriment of the residential amenities of the occupiers of those dwellings, contrary to Policies SD1, D4 & D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance, Extensions: A Householder's Guide (2003).
- 2 The proposed reconfigured layout of the extended flats would have inadequate room sizes and would therefore provide cramped and substandard accommodation to the detriment of the amenities of future occupiers of the site and neighbouring occupiers contrary to Policies SD1, D4 and H9 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Documents: 'Accessible Homes' and 'Access for All' (2006).

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision: SD1, D4, D5, H9, Supplementary Planning Guidance, Extensions: A Householder's Guide, Supplementary, Planning Documents, Accessible Homes and Access for All

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Design, Amenity (SD1, D4, D5, H9, SPG, SPD)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

This application is reported to Committee as the applicant is employed by Harrow Council.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- Detached two-storey property on south side of Nibthwaite Road
- Property has been divided into two flats
- Property has a longitudinal pitched roof with side dormer
- Property has single-storey addition over part of rear, with maximum projection of 4m

c) Proposal Details

- Single/two-storey rear extension; to project 3.6m beyond rear building line. First floor element would have a 1.925m wide section with a reduced depth of 1.53m at flank nearest neighbouring dwelling (98 Nibthwaite Road).
- Single-storey element to have flat roof 3.5m above ground level.
- Two-storey element to have subordinate gable end roof.
- Rear extension would be glazed with a window and patio doors at ground floor, with two windows on first floor
- Additional obscure glazed window on first floor flank elevation facing 102 Nibthwaite Road.
- Part of extended area on ground floor to be used as part of an extended sitting room, remainder to be a second bedroom. Extended area on first floor described as breakfast area and shown as linking with lounge and kitchen.
- Single-storey front porch extension, 2.5m wide, would project 1m from front building line and separated from existing bay window by 0.5m.
- Porch would have pitched gable-style roof, 2.6m high at eaves and 3.9m high at pitch, giving a mid-point height of 3.25m.

d) Relevant History

LBH/29573	CONVERSION TO FORM TWO SELF-CONTAINED FLATS	GRANTED 13-Mar-1986
P/2579/03/DFU	SIDE AND REAR DORMERS	GRANTED 23-Dec-2003
P/2020/04/DFU	ALTERATIONS TO ROOF TO FORM SIDE DORMER AND REAR GABLE	GRANTED 17-Sep-2004

e) Applicant Statement

None

f) Consultations:

None

Notifications:

Sent:
4

Replies:
To be reported

Expiry: 11-Jun-07

Summary of Response:

N/A

APPRAISAL

1) Design, Amenity

Front Porch

The proposed front porch is similar to other porches in the vicinity. It would not detract from the character of the area and would have no impact on the residential amenities of neighbouring occupiers. It does not project forward and is separated from the existing bay window. It therefore complies with the relevant SPG guidelines and is considered acceptable.

Rear Extension

The SPG normally permits a two-storey rear extension provided no part of the extension interrupts a 45° splay drawn from the nearest first floor rear corner of any next-door dwelling. The plans originally submitted indicated that, while the walls of the proposed extension would comply with the 45° code, the roof eaves would project beyond the 45° line. Amended plans were requested on 22-May-07 and received 04-Jun-07. These plans show a reduced depth of the first floor rear extension such that it complies with the 45° code with respect to 98 Nibthwaite Road. However, the overall depth of the proposed two-storey rear extension has not been reduced and the proposal would not comply with the 45° code with respect to 102 Nibthwaite Road. The proposed rear extension is excessive and would cause overshadowing of, and loss of light to, neighbouring dwellings and be detrimental to the residential amenities of the occupiers of those dwellings, contrary to policies SD1, D4 & D5 of the UDP.

Internal layout

The property comprises two flats, and the current internal layout of the flats is similar to the proposed internal arrangement. In the proposal as originally submitted, a living room was shown to be above a bedroom. Supporting paragraph 6.52 to policy H9 of the UDP notes that, 'With regard to noise, there is a need to ensure that noise transmission through floors and walls is minimised. Sound insulation measures which minimise noise transmission should be undertaken and the horizontal and vertical arrangement would also enable this to be achieved.' Amended plans indicating a layout that did not indicate a living area over a bedroom were requested on 22-May-07 and received 04-Jun-07. These plans indicate an internal arrangement that is acceptable in terms of stacking. However, the existing and proposed bedrooms in the upper flat are large enough to be double bedrooms and the proposed sizes of the lounge (16.5m²) and kitchen (9m²) are considered insufficient for a three bedroom six-person flat and should have a combined floor area of 36m². The proposed internal arrangement would provide a cramped and substandard form of accommodation, to the detriment of the amenities of the occupiers of the flat, contrary to policies D4 and H9 of the UDP.

Item 3/01: P/1501/07/CFU continued....

The SPG does not normally permit large glazed openings in flank elevations within 3m of a boundary. A window serving the bedroom on the first floor is proposed for the flank elevation which is approximately 1.5m from the boundary. Notwithstanding the note on the plan indicating that this window would be obscure glazed, the proposed window would cause overlooking, or the perception of overlooking, of the neighbouring property, to the detriment of the residential amenities of the occupiers of that property, and is not considered acceptable.

2) S17 Crime & Disorder Act

The proposal would not have any adverse implications with respect to crime and disorder in 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.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None