

SECTION 1 – MAJOR APPLICATIONS

51 COLLEGE ROAD, HARROW

Item: 1/01

P/1620/08/SK

Ward GREENHILL

REVISED APPLICATION FOR REDEVELOPMENT TO PROVIDE 410 FLATS IN 3 BLOCKS RANGING BETWEEN 3 & 19 STOREYS IN HEIGHT; 87 CAR PARKING SPACES IN BASEMENT, 3 PARKING SPACES AT GROUND FLOOR LEVEL; 442 CYCLE SPACES, 7 MOTORCYCLE SPACES; 1120 SQUARE METRES OF A1, A2, A3, A4 & B1 FLOOR SPACE AT GROUND FLOOR LEVEL; CREATION OF PUBLIC SQUARE AND PEDESTRIAN FOOTBRIDGE

Applicant: DANDARA LIMITED
Agent: CB RICHARD ELLIS
Statutory Expiry Date: 26-AUG-08

Background

This application was deferred for a site visit at the meeting of the Planning Committee on 13th May 2009. The report accompanying the planning application at that meeting is attached as Appendix 1 and remains the substantive assessment of the merits of the proposal. This supplementary report provides information on additional representations received since the publication of the report dated 13th May 2009, including comments received through petitions, further representations and information from the applicants. Where appropriate, further comment is provided. The application remains for consideration.

The details of the planning application, including the drawings and environmental information previously considered, remain unaltered. One additional viewpoint image has been submitted by the applicants. This shows the view of the development from The Grove without the proposals for the Harrow College, which were previously included.

Recommendation

The recommendation relating to the approval of the planning application remains unchanged from the earlier report although the reason for approval, in the event of such a resolution, has been revised below. The recommendation in respect of refusal of the application on prematurity grounds is also unchanged but is the subject of further comment below.

Additional Representations Received

7 petitions and 4 letters of objection:

Petition 1 – Roxborough Avenue, Roxborough Park and Adjacent Streets. 41 signatories objecting to the proposal for the following reasons:

- The height and scale of the proposed development is quite inappropriate for the residential suburb of Harrow and would damage the views and unique identity of Harrow on the Hill;
- The proposed bridge link from the town centre merely extends the boundaries of the town centre to the residential areas of Harrow on the Hill; and

- The proposed development would add to the already over crowded social and physical infrastructure of the area and does not address the absence of cultural amenities in the town centre, such as a permanent site for the library or an arts centre.

Petition 2 – Residents of Ashburnham Avenue and Ashburnham Gardens. 20 signatories objecting to the proposal for the following reasons:

- The height of the proposed development is grossly out of scale with the neighbouring buildings. It would obscure views of Harrow Hill and St Mary's Church spire and disfigure the town centre;
- The development will not remedy the absence of amenities in the town centre, such as a permanent site for the library, an arts centre with performance and exhibition spaces and a tourist office. These features would bring people into the town centre, which would help local businesses;
- The proposed pedestrian bridge does not provide urgently needed disabled access to Harrow-on-the-Hill station;
- The town needs jobs for local people rather than more commuters; and
- The proposed housing density is too great and the quality of daylight and sunlight for some of the residents will be below standard, as the application admits. This is not good for their health.

Petition 3 – The residents and workers of Harrow. 80 signatories objecting to the proposal for the following reasons:

- The height of the proposed development is far too tall and will further destroy the views of Harrow Hill;
- The proposed development makes no provision for disabled access to the existing Metropolitan station;

The proposed development makes no provision for public amenities such as a library or a space for arts;

- The proposed development does not provide the mix of housing that Harrow requires as high rise blocks are not ideal for families; and
- The proposed development is an unattractive building and does nothing to enhance the environment.

Petition 4 – Residents of Grove Hill Road. 14 signatories objecting to the proposal for the following reasons:

- The proposed development is on the edge of a conservation area and would overshadow and over dominate existing buildings, and would ruin the character and appearance of the area as a whole; and
- The maximum height, which is higher than the top of Harrow Hill and the dimensions of the proposed development would damage irreparably the delightful and much loved views to and from the hill. Even without the mast, Block A is only two metres shorter than the top of the hill. We think that anything over 10 storeys is unacceptable.

Petition 5 – 85 signatories objecting to the proposal for the following reasons:

- To build high rise flats to the height of 19 stories on the site of the Old Post Office. We are not against developing the site, but the current proposals will increase traffic congestion. The flats are not in keeping with the area. Such a high density development will not be beneficial to the local community.

Petition 6 – Roxborough Road Residents' Association. 79 signatories objecting to the proposal for the following reasons:

- The proposed height is totally inappropriate and would damage historic Harrow and the proposed high-rise, high density flats are unsuitable for families.

Petition 7 – Harrow Hill and other Harrow residents. 71 signatories objecting to the proposal for the following reasons:

- The proposed development is quite inappropriate for the residential suburb of Harrow by virtue of the height and bulk of its design. Much loved and priceless historic views of Harrow Hill will be lost forever;

- The proposed pedestrian footbridge fails to provide the urgently needed disabled access to Harrow on the Hill station which any new development should address as a priority;

- The proposed development fails to make any contribution to the much needed improvement to the lack of amenities in the town centre. e.g. arts centre, theatre, library. A scheme this large should contribute something to the social needs of the vast increase of residents it will generate.

- The density of proposed residential use is excessive, and inappropriate for sociable family living.

4 individual representations received objecting to the proposal for the following reasons:

- It will detract from the Harrow skyline and views of the Hill;

- It is of unacceptable high density;

- Flats in the Town Centre are not an ideal use of this space;

- Parking in Harrow is already at a premium on some days;

- Height of one building (19 storeys) exceeds current height levels of surrounding buildings;

- Insufficient local services to accommodate all these new residents;

- Does not fit into a proper Harrow Town Plan;

- Adds to traffic problems within the area;

- The size and scale of this development is totally out of keeping with Harrow town centre and views from the Hill. In addition, Harrow is rapidly becoming "flat land" and the density of housing is causing traffic problems, parking issues, and overload of local facilities;

- Harrow needs more family housing, not more apartment development and there are incomplete / halted developments all over the borough (including the huge block opposite St Georges) which will suffice; and

- This proposed development is completely out of character for the area. It will ruin views and be a 'monstrous carbuncle' to borrow a phrase from Prince Charles. Absolute madness to even be considering this monstrosity.

Campaign for a Better Harrow Environment have submitted a number of e-mails that seek clarification on the development's compliance with emerging requirements from the GLA on dwelling room sizes. In addition, suggested viewpoints for the Committee site visit have been submitted for consideration by officers.

Additional Information Received from the Agent

In response to questions raised in the additional representations, the agents for the applicant have submitted additional comments, by e-mail by way of response, as follows:

- There are currently no standards as to an acceptable design / layout /size for open market housing and Harrow has no relevant standards either. However, the product, mix, etc. has been reviewed by the Housing officer.
- Dandara's open market product is of a higher quality standard than that of mass volume house builders.
- All of the units achieve Code for Sustainable Homes Standard 3, the current standard.
- All of the affordable housing units in the scheme meet the Homes and Communities Agency [HCA] Housing Quality Indicators [HQIs]. These are a new measurement standard for all residential developments applying for grant funding on affordable units and are also designed to allow potential or existing residential schemes to be evaluated on quality. These 'Quality Indicators' measure the quality of a development from inception stage onwards and are developed in compliance with the National Affordable Housing Programme and the Design and Quality Standards, which replaced the old Scheme Development Standards. They are split into ten areas of compliance, where each 'Indicator' contributes one tenth to the total.
- The HCA HQIs exceed the Parker Morris standards, which the Mayor of London referred to last year as the standard he would be seeking for new housing.
- The Mayor for London has not proposed minimum standards for flats in London. He has however, published his draft Housing Strategy where he makes reference to wanting to do so. It is his intention to prepare 'London Housing Design Guide Standards' but he has not yet done so and is unlikely to do so for some time. However, it is likely these will be based on Parker Morris based upon his reference last year and for which we already exceed.
- Dandara's proposals comply with the current relevant standards and the affordable units all meet HCA standards.

Member's site visit

On 13th June 2009 members of the planning committee undertook a site visit with officers to consider the proposed development from a number of viewpoints. Details of the actual viewpoints from which the proposed development was considered will be provided by way of the addendum report.

Consideration of the comments received since 13th May 2009

The additional representations received, both through petitions and through individual letter of correspondence repeat many of the earlier concerns, considered within the report to the Planning Committee dated 13th May 2009. These concerns fall broadly into matters relating to the mix of uses; the extent to which the development delivers the Harrow UDP policy aspirations for the town centre and the station; the impact upon existing social and community infrastructure arising from the new residents; the housing mix – notably the focus on smaller unit sizes; housing quality and living standards; traffic impacts and the consequential impacts arising from the design and; height and scale of the development upon the character and appearance of Harrow and key views.

The principle of development is considered in detail in the report dated 13th May 2009. This provides a commentary on the planning context within which this planning application falls to be considered. Particularly, S38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the “development plan” unless material considerations indicate otherwise.

The “development plan” for the purposes of this application comprise two plans; the consolidated London Plan Spatial Development Strategy for Greater London 2008 (consolidated with alterations since 2004) (produced by the GLA) (“the London Plan”) and the saved policies of the Harrow Unitary Development Plan (2004) (“UDP”) produced by Harrow Council.

In the case of complex proposals, particularly schemes of this scale, the degree to which an application is in accordance with the development plan is not straightforward and requires the Council to balance a range of sometimes contradictory policy provisions, and also have regard to any other material planning considerations.

The officer’s report of 13th May 2009 highlights strategic level policy support for higher density development based around sustainable transport locations, within metropolitan town centres. The London Plan contains housing targets for Harrow’s UDP which require some 6620 new homes to be provided in the Borough between 1997 and 2016. The UDP’s strategic objectives seek to secure the delivery of these homes with no net loss of open space or employment land. Instead, growth will be secured through a combination of increasing density (particularly around transport hubs and in town centres) and mixed use development.

The development plan seeks to manage this process through the use of a number of criteria based policies. These are summarised in the report dated 13 May 2009. In particular, these relate to matters of principle as well as design (and include provisions in relation to tall buildings).

The report dated 13th May 2009 also refers to the adopted planning brief for this part of the town centre, produced in 2005, which includes and reflects these policy criteria for the area, alongside more specific considerations related to the development of the site.

The policies of the development plan, for the reasons set out in more detail in the report dated 13th May 2009; are considered to support the principle of higher density, mixed use development on the application site. The assessment of the impacts upon Council services and infrastructure, including the traffic impacts concludes that the development is acceptable.

In respect of the widespread concerns regarding the visual impact of the building, the report provides comment following the assessment of the buildings design by CABA and the Council’s own design consultant, plus the comments of the GLA planning team and the findings of the Environmental Impact Assessment .

Many of the representations refer to the visual impact of the development, both on the immediate locality and on views of Harrow on the Hill and St Mary's Church spire. The UDP (in policy D31) seeks to resist development that has an adverse impact on important local views and panoramas. The height of the development clearly means that the development is rendered visible above other town centre buildings from a number of viewpoints. This potential visibility explains why, policy 4B.10 of the London Plan, reflected in Schedule 3 of the UDP, requires that tall buildings are of the highest (or outstanding) design quality.

The architectural quality of the proposal is considered in the report. In considering policy D31, members need to consider not whether the proposed buildings will be visible in views and panoramas but whether the development has an adverse impact. Accordingly, whilst a number of comments point to the proposals impact on the view, in order for this objection to be sustained, the impact needs to result in identifiable harm. In the recently proposed development at Neptune Road, the Inspector accepted that the proposed development would change the views to a varying extent, but considered that in that case the change would not intrude upon or detract from them to an unacceptable degree. The findings and conclusions from the members' site visit is therefore an important factor in considering this specific point.

With regard to the quality of the new homes, daylight, layout and matters of sustainable construction have been detailed in the application and the additional comments received from the applicant's agents. The affordable homes meet the quality standards of the Homes and Communities Agency. All of the new homes will also meet code level 3 of the Code for Sustainable Homes.

Prematurity

The earlier report provided commentary in relation to the matter of prematurity. Government advice on the issue of prematurity is that refusal on this ground would not usually be justified. In order for this to be a sustainable reason for refusal, a Local Planning Authority will need to demonstrate clearly how the grant of permission for the development would prejudice the outcome of the Development Plan Document process. Whilst noting the advice from government that it may be justifiable to refuse planning permission where a proposed development is so substantial, or the cumulative effect is so significant that it predetermines decisions about the scale, location or phasing of new development which are to be addressed in the emerging Core Strategy, there are no published criteria for such an assessment to be made.

In this case, the conclusions in the officer's report of 13th May 2009 on the principle of development, the broad quantum and mix of uses and the presence of site specific development plan policy and adopted SPD mean that a clear explanation is required as to how the proposed development predetermines the outcome of the Development Plan Document process.

The determination of the application is a matter for the planning committee. In the event that the committee resolve to refuse planning permission on grounds of prematurity, they will, in accordance with the requirement in the policy advice, be required to demonstrate clearly the harm to the DPD process.

Conclusions

This report provides further comment in respect of information received since the earlier resolution of the planning committee to defer the consideration of the application to allow a site visit to be undertaken. In commenting upon the representations and information received, the assessments undertaken by officers have concluded that the proposed development is broadly consistent with the strategic objectives for the area set out and established through the respective development plan polices and associated supplementary planning guidance. Notwithstanding this broad policy compliance, there remain matters around which careful consideration is required. This is particularly the case given the provisions of the planning polices relating to matters of design (notably in relation to tall buildings) and the protection of viewpoints.

In considering the proposal, the Committee will be required to give clear reasons for their decision. Insofar as refusal of the application on grounds of prematurity, this requires a very clear explanation of the harm arising from making a decision on development of the site now. In respect of approval of the application, the reason outlined in the report dated 13th May 2009 is not considered to provide a sufficiently comprehensive and clear summary. A revised reason for approval which reflects the conclusion in the appraisals contained in the two reports and the fresh information obtained since 13th May 2009, is therefore proposed below for the committee's consideration.

Revised Reason for Approval

The proposed redevelopment of this site for a mixed use development comprising residential and appropriate commercial uses is considered to be acceptable in principle having regard to polices 3A.1, 3A.2, 3A.3, 3A.5, 3A.9, 3C.1, 3D.1 and 5F.1 of the London Plan and Polices S1, SEM1, SEM2, I5 (PS6), EM5, T6, H3 and H7 of the Harrow UDP and is consistent with the range of uses proposed within the adopted supplementary Planning Guidance "Harrow on the Hill Station Planning Brief" 2005.

The environmental information provided in support of the application, together with the details and associated information are considered to demonstrate that the impacts of the development on matters of transportation, environmental conditions for neighbouring uses and occupiers of the proposed development and the global climate are acceptable having regard to polices 3A.1, 3A.3, 3A.6, 3C.16, 3C.17, 3C.23, 4A.1, 4A.2, 4A.16 of the London Plan and polices S1, EP15, EP20, EP25, EP26, EP27, EP28, D4, D5, T6, T7, T9, D5, H7, EM22, C7 AND C16 of the Harrow UDP.

The design, appearance and proposed setting and location of this "tall building", its relationship with and impacts upon the character and appearance of Harrow and strategic views and linkages with surrounding land is considered to satisfy the objectives of polices 4.B1, 4B.2, 4B.8, 4.B.9, 4B.10 of the London Plan and polices D4, D5, D7, D14, D18, D31 of the Harrow UDP and the objectives determined for the site through the Harrow on the Hill Station Planning Brief 2005.

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Having regard to all of the representations received, including petitions and responses from the statutory consultees, and the information presented in the application, including the environmental information, the proposed development is accordingly considered on balance to deliver the strategic policy objectives of the development plan and subject to the control and mitigation provided by way of planning conditions and the S106 agreement detailed in the report, represents an acceptable form of development in accordance with the development plan for which planning permission can be granted.

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REVISED APPLICATION FOR REDEVELOPMENT TO PROVIDE 410 FLATS IN 3 BLOCKS RANGING BETWEEN 3 & 19 STOREYS IN HEIGHT; 87 CAR PARKING SPACES IN BASEMENT, 3 PARKING SPACES AT GROUND FLOOR LEVEL; 442 CYCLE SPACES, 7 MOTORCYCLE SPACES; 1120 SQUARE METRES OF A1, A2, A3, A4 & B1 FLOOR SPACE AT GROUND FLOOR LEVEL; CREATION OF PUBLIC SQUARE AND PEDESTRIAN FOOTBRIDGE

Applicant: DANDARA LIMITED
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Statutory Expiry Date: 26-AUG-08

RECOMMENDATION

Plan Nos:

Existing :-

A/PL/07/01	Site Survey
A/PL/07/02	Survey
A/PL/07/03	Basement Plan
A/PL/07/04	Ground Floor Plan
A/PL/07/05	Roof Plan
A/PL/07/06	South Elevations
A/PL/07/07	North Elevations
A/PL/07/08	North-South Section

Proposed:-

A/PL/02-100/A	Site Location
A/PL/02-101/B	Proposed Site Layout
A/PL/03/99/A	Basement Plan
A/PL/03/100/A	Ground Floor Plan
A/PL/03/101/A	Level 01
A/PL/03/102/A	Level 02
A/PL/03/103/A	Level 03
A/PL/03/104/A	Level 04
A/PL/03/105/A	Level 05
A/PL/03/106/A	Level 06
A/PL/03/107/A	Level 07
A/PL/03/108/A	Level 08
A/PL/03/109/A	Level 09
A/PL/03/110/A	Level 10
A/PL/03/111/A	Level 11
A/PL/03/112/A	Level 12
A/PL/03/113/A	Level 13
A/PL/03/114/A	Level 14
A/PL/03/115/A	Level 15
A/PL/03/116/A	Level 16

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A/PL/03/117/A	Level 17
A/PL/03/118/A	Level 18
A/PL/03/119/A	Roof plan
A/PL/03/120/A	Vehicle tracking plan
A-03-LTH-100 to 115 inc. and 150	Lifetime Homes floor plans
A/PL/05/500	South Elevation. blocks A,B & C
A/PL/05/501	West elevation, Block B
A/PL/05/502	East Elevation, Block A
A/PL/05/503	North Elevation, Block A
A/PL/05/504	East Elevation, Block C
A/PL/05/505	West elevation, Block A
A/PL/05/506	North elevation, part Block A
A/PL/05/507	South Elevation, part Block A
A/PL/05/508	North elevation, Blocks B&C
A/PL/05/509	East Elevation Block B
A/PL/05/510	North Elevation Blocks B&C
A/PL/05/511	West Elevation Block C
A/PL/04/001	Section A –A
A/PL/04/002	Section B-B
A/PL/04/003	Section C-C
D1647.L.101/C	Coloured masterplan
D1647.L.200/F	Typical hard/soft landscaping
D1647.L.201/C	Overall roof plan
D1647.L.200	Indicative phasing plan
D1647.L.200	Areas to be adopted

REPORT SUMMARY

This proposal for development of a key strategic site within the Harrow Town Centre is complex, and the issues to be addressed in determining the application are finally balanced when considered against current and emerging Development Plan policy and broader changes in the economy.

The application is presented with two recommendations: one for approval and one for refusal as, whilst the details of the scheme are considered to be acceptable and appropriate to the site, its town centre location and the current policy background, the scheme has implications for the developing policy background that could mean that the proposal is premature.

The application site forms part of Proposal Site 6, which is allocated in the HUDP for “Public transport improvements and mixed use development for office, education civic, residential, leisure and retail space and open space”. These objectives have been developed further in the adopted Planning Brief for Harrow on the Hill Station which identifies five objectives for the area:

- A 21st Century Mobility Hub that brings together all modes of public transport;
- A new North South Connection that provides a new pedestrian route over the railway and improves the link between the centre and areas to the south;
- Signature development that raises the profile and performance of the town centre through high quality, distinctive design;

- Mix of uses that promotes an exemplary form of sustainable town centre development;
- Improved Access that promotes sustainable transport choices and balances the needs of a range of users.

Whilst the proposed development scheme is broadly consistent with this current policy background, there is an emerging concern that the area-wide objectives of the Brief, and the transport hub in particular, may no longer be achievable through developer contributions as had been anticipated in the Planning Brief. Members must therefore consider whether, under the circumstances, these objectives remain valid and continue to reflect the right priorities for the Brief area and for the Town Centre generally. Members must also be aware that any decisions made in respect of this planning application could restrict the options likely to emerge from a proper consideration of the issues and options for development in the town centre.

Ordinarily, the consideration of these issues would take place as part of the plan making or LDF process through the Core Strategy and the town centre design guide. However, these documents are at an early stage of completion, although it is acknowledged that the Council adopted the Planning Brief for land at Harrow on the Hill station in July 2005. Consequently, Members need to be mindful that any decisions made on the current application could restrict the options for the development of other sites within the Development Brief area and the town centre generally. Further, it could have the effect of predetermining priorities for securing and using developer contributions to achieve objectives across the town centre generally. Having regard to these matters, the development proposals could be considered to be premature.

These issues are fully explained within the Appraisal section of the report, Page 17 onwards and the matter of prematurity is discussed on pages 18 to 21 under the heading "Further policy considerations".

FOR CONSIDERATION

EITHER:

INFORM the applicant that:

1. The proposal is considered to be unacceptable for the following reason:

The proposal is considered to be premature and prejudicial to the proper and comprehensive planning of the town centre pending completion of a review of the objectives for development in this part of the Town Centre in the LDF Core Strategy and the Harrow Town Centre Design Guide.

OR

2. The proposal is acceptable subject to:
 - a) The completion of a legal agreement within 6 months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:

- i) **Public Transport:** a contribution to a maximum value of £5 million to improve public transport infrastructure in the vicinity of the site. An initial payment of £1 million to be made one year after the commencement of development, commencement excluding demolition and site investigations. Further payments to be made by 31 July each year based on sale values obtained in the preceding year ending 30 June until all of the residential units have been sold, or such other timescale as shall be agreed in writing with the Local Planning Authority.
- ii) **Pedestrian Bridge:** subject to the prior written approval of the Local Planning Authority, procurement of the design and construction of the pedestrian bridge and use reasonable endeavours to secure its installation in accordance with a phasing plan to be agreed with the Local Planning Authority and using funds to be provided by the Local Planning Authority.
- iii) **Public Realm:** procurement of the design, construction and installation of the public realm areas and a) the adoption of those public realm areas, not to be adopted as public highway, if any, as public open space and b) the improvement of the area of land being part of the curtilage of 17/33 College Road to an adoptable standard, as shown in the 'areas to be adopted' plan, prior to the first occupation of any part of the commercial floorspace.

In the event that the applicant, having demonstrated his use of reasonable endeavours to the satisfaction of the Council for a continuous period of not less than 6 months following completion of the Agreement, fails to acquire a sufficient interest in the said land b) referred to in the preceding paragraph, the applicant will indemnify the Council for all costs should the Council resolve at that stage to seek to acquire the land itself.

- iv) **Adoption as Public Highway:** agreement under S.38 and/or S.278 of the Highways Act for the adoption of the bridge and public footways as public highway.
- v) **Travel Plan:** the preparation, implementation and future monitoring of a travel plan, to be agreed in writing by the LPA prior to the first taxable occupation of any part of the development. This will include resident parking restricted.
- vi) **Affordable Housing:** the provision of 15% affordable housing, calculated by habitable rooms.
- vii) **Neighbourhood Police Office:** the provision of this office, of not less than 70 sqm (GIA). Terms to be agreed with the developer and Metropolitan Police.
- viii) **Employment and training:** provision for the employment of local people including work placements for each phase of the development.

- ix) **Renewable Energy:** achievement of a minimum 20% reduction in carbon dioxide emissions from on site low carbon and/or renewable energy generation. The system should be designed to provide a site-wide energy facility, capable of meeting the needs of the application site, the proposed Harrow College development and adjacent land to the south of Harrow on the Hill station, subject to the technical and financial feasibility being demonstrated to the satisfaction of the Local Planning Authority.
- x) **Phasing:** Completion of the scheme in accordance with an agreed phasing plan.
- xi) **Waste Management Plan:** The waste management plan to be implemented to monitor, sort and recycle construction materials and residential/commercial waste
- xii) **Legal Fees:** payment of the Council's reasonable costs in the preparation of the agreement
- xiii) **Planning Administration Fee:** payment of a £50,000 administration fee for the preparation, monitoring of and ensuring with compliance with this agreement.

b) The direction of the Mayor of London.

3. A formal decision notice to **GRANT** permission for the development described in the application and submitted plans, and subject to the following conditions will be issued only upon the completion of the aforementioned legal agreement and resolution of 2b) above:

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 and Country Planning Act 1990.

2 Conditions to be discharge prior to occupation shall be discharged in respect of each phase sequentially or in respect of a number of phases together.

REASON To ensure an orderly form of development having regard to the phasing of the development.

3 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

1. all main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets';
2. 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'.

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan, and Section 17 of the Crime & Disorder Act 1998.

4 No development, other than demolition and site investigation works, shall commence until a drainage strategy detailing any on and/or off site drainage works including attenuation of storm water has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or storm water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON The development may led to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact of the community.

5 No development, other than demolition and site investigation works, shall commence until a Bird Management Plan has been submitted to and approved in writing by the local planning authority. The submitted plan shall include the details of the management of any flat/shallow pitched/sedum roofs on buildings within the site which may be attractive nesting, roosting and loafing birds. The plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings.

REASON It is necessary to manage the roofs in order to minimise the developments attractiveness to birds which could endanger the safe movement of aircraft and the operation of Northolt Aerodrome.

6 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.

7 The development hereby permitted shall not commence until details of the means of vehicular access have been submitted to, and approved by, the local planning authority. The development shall not be used or occupied until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

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

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

10 Each phase of 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 The plans and particulars submitted in accordance with the approval of landscaping condition shall include:-

(i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point of 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

(ii) details of the species, diameter (measured in accordance with para (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;

(iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;

(v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

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

12 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

13 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.

14 A landscape management plan for those areas not to be adopted, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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

15 No development shall take place until a schedule of landscape maintenance for those areas not to be adopted for a minimum period of 5 years has been submitted to, and approved by, the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

Item 1/01 : P/1620/08/RS continued/...

16 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.

17 Before the use commences, the building(s) shall be insulated in accordance with a scheme agreed with 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.

18 The proposed parking space(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the development hereby permitted and for no other purpose.

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

19 The phases of 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.

20 The A3 use hereby permitted shall not be open to customers outside the following times:- 10.30 hours to 23.00 hours, Monday to Saturday inclusive, and 10.30 hours to 22.30 hours on Sundays, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

21 Prior to the occupation of each phase details of all external lighting both free standing and attached to any structure, such details to include the design, height and colour of each column and fitting and the intensity of light to be made by each light fitting measured in lux shall be submitted to and agreed by the Local Planning Authority.

REASON To ensure a satisfactory standard of amenity and safety for residents and users of the public areas.

22 The development hereby approved shall be completed strictly in accordance with the requirements of a phasing scheme that will have been submitted to the Local Planning Authority and agreed in writing before any work is commenced on the site unless otherwise agreed by the Local Planning Authority.

REASON To ensure a satisfactory form of development, and given the particular circumstances of the development.

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 London Plan and-or 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:

London Plan:3A.1, 3A.2, 3A.3, 3A.5, 3A.9, 3A.10, 3A.11, 3C.1, 3C.16, 4A.1, 4A.2, 4A.7, 4A.14, 4A.16, 4B.1, 4B.8, 4B.9, 4B.10

Government Guidance: PPS1, PPS3, PPS6, PPG13, PPS22

Harrow Unitary Development Plan:

S1, SEM2, EM5, EM9, EM22, EM24, EM25, EP15, EP20, EP25, D4, D5, D7, D9, D23, D29, D30, D31, T6, T7, T13, T15, T16 H7, I5 (Proposal Site 6), Schedules 3, 4, 5, 6

Sustainable Design & Construction: The London Plan Supplementary Planning Guidance (May 2006)

Supplementary Planning Guidance: Providing for Children and Young Peoples Play and Informal Recreation (March 2008)

Access For All Supplementary Planning Document (April 2006)

Harrow Town Centre Development Strategy (July 2005)

Harrow on the Hill Station Planning Brief (July 2005)

Harrow on the Hill Conservation Areas SPD (2008)

Supplementary Planning Guidance: Designing New Development (March 2003)

2 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

3 INFORMATIVE:

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

4 INFORMATIVE:

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5 INFORMATIVE:

Any bio mass boiler installed within the site shall comply with the Smoke Control Areas (Exempted Fireplaces) (England) Order 2008, so as to maintain the quality and amenity of the environment.

MAIN CONSIDERATIONS AND POLICIES (London Plan 2008 & HUDP 2004)

- 1) Planning Policy Background (2A.8, 3C.1, 3C.2, S1, I5, (Proposal Site 6) HUDP Schedule 3, Town Centre Development Strategy 2005
- 2) Harrow on the Hill Station Planning Brief 2005
- 3) Design & Character of the Area (4B.1, 4B.8, 4B.9, 4B.10, D4, D7, D9, D10, D23, D25, D29, D30, D31, HUDP Schedule 3 , Harrow on the Hill
- 4) Conservation Areas SPD.)
Views and Landmarks (D31, HUDP Schedule 4)
- 5) Retail Strategy & Town Centre Function (SEM2, EM5, EM9, EM22, EM24, EM25)
- 6) Traffic Generation, Parking & Highway Safety (T6, T7, T13, T15, T16 and HUDP Schedule 6)
- 7) Amenity (4B.1 & EP25, D4)
- 8) Affordable Housing and Housing Provision (3A.1, 3A.2, 3A.3, 3A.9, 3A.10,
- 9) 3A.11 & H7)
Density (3A.3, Housing - London Plan SPG, H4)

- 10) Sustainability & Renewable Energy (4A.1, 4A.2, 4A.7, 4A.14, 4A.16, 4B.1 & EP15, EP20, D4)
- 11) Accessible Homes & Access For All (3A.5, 4B.1 & D4)
- 12) Landscaping & the Public Realm (4B.1 & D4, D7, D9, D29, D30)
- 13) S17 Crime & Disorder Act (4B.1 & D4)
- 14) Phasing of development
- 15) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Large scale Major Other
Site Area:	Gross 0.66 Ha
	Net: 0.63 Ha
Density:	1432 Hrph
	666 dph
Car Parking:	UDP
	Standard:
M/Cycles	Justified: 90
	Proposed: 90
	Proposed 7
Cycles	Standard: 442
	Proposed 442
Lifetime Homes:	410
Wheelchair Homes:	10
Council Interest:	Owner of bridge landing site south of railway

b) Site Description

- Former three storey main post office and main sorting office occupying an irregular shaped site between the south side of College Road and the railway. Secondary access to Station Road now closed.
- The site contains a marked change of levels; a basement level was formed when the post office was redeveloped in the 1960's so that high sided vehicles could enter from College Road and leave by Station Road.
- The application site also includes the air space over the railway and a small part of Lowlands Road Recreation Ground through which/on which the pedestrian bridge will be built.

c) Proposal Details

These have been divided into the development's constituent parts namely the three blocks, A, B and C, the areas and bridge to become open to the public (labelled as 'public realm') the areas to remain private, the height and appearance and a summary of uses. The housing provision is set out in further detail in the appraisal, sub section 5.

- **Block A** In three elements, south 19 storeys, middle 13 and north 8 storeys.
Market housing with commercial uses at ground level.

- **Block B** In two elements, south 15 storeys and north 7 storeys. Market housing with commercial uses at ground level facing Block A.
- **Basement** to Blocks A and B provides for parking, servicing commercial uses and waste disposal. Access as now adjoining 53 College Road.
- **Block C** In two elements, west 8 storeys and east 5 storeys stepped down to 3 nearest to Harrow Baptist church. All affordable housing.

- **Public Realm**

This comprises a ramped access to the pedestrian bridge leading from Lowlands Recreation Ground, over the railway joining the lower ground level north of the railway by steps and a lift. The main route widens and leads to a public area between Block B and the rear of 17/33 College Road. North of this area the pedestrian route joins College Road on the level with steps leading to part of the frontage of Block A.

- **Private Areas**

Between Block B and the west end of the Baptist Church, the change from public to private is marked with railings and access only for residents of Blocks B and C. Situated between these two blocks, is a private area for residents, including a children's play area for the under 5's. There is also a secondary gated access from the private open space into William Carey Way which is to become one way south to north (Station Road to College Road), thereby providing a rear service road without the need for vehicles to turn around.

- **Height and Appearance**

The heights noted below have all been measured above sea level (ordnance survey datum) in metres.

Harrow Hill	Top of Hill	129	Top of Church Spire	175
Block A South Element	Top of Block	127	Top of mast	142
Block B South Element	Top of Block	114	Top of mast	122
Block C West Element	Top of Block	84		

Blocks A and B have been designed as a pair of landmark buildings and their scale and mass are different from Block C. The elevational treatment of the three buildings is to be connected by the use of a similar palette of materials; the main ones being white rainscreen cladding, white render, aluminium window systems, white and grey cladding panels and metal work and copper green coloured metal panels. A condition is suggested requiring materials to be submitted and approved.

• **Summary of uses**

Total Residential:-		Total Commercial floor area	1,120 sqm
Studio Flats	17	Area of public space/pedestrian area including bridge	2,020 m ²
1Bed flats	252		
2 bed flats	131	Area of private open space inc <5 children's' play area	700 m ²
3 bed flats	9		
4 bed flat	1		
<hr/>		Area of private roof gardens	866 m ²
Total	410	Total private open space	1,566 m ²

d) Relevant History

P/2416/05	Redevelopment of Post Office for 366 residential units and 1500 sqm of mixed commercial uses in buildings ranging from 6 to 19 storeys (reduced from 22), 76 parking spaces and & 181 cycle spaces ...	WITHDRAW N 2008
	Series of applications for alterations, extensions and advertisements for the post office and sorting office	1972-2005

e) Pre Application Discussion

The applicant presented their proposal at a Planning Advice Meeting (PAM) on 28.11. 2007 following a series of informal meetings with the Director of Planning and other staff.

f) Applicant Statement

- Statement of Community Engagement
- Planning Statement and supplement
- Design and Access Statement (Revised)
- Transportation Assessment & supplement
- Affordable Housing Statement and 'toolkit' (Revised)
- Environmental Impact Statement and addendum re: i) sunlight + daylight and ii) landscape and views
- Sustainability Statement and supplement
- Energy Statement and response to GLA
- Covering letter dated 2 May 2008, second letter dated 13 October 2008 re revisions and response to CABE dated 13 November 2008

g) Consultations:

Greater London Authority: Supported in principle, but requests changes in respect of the following to ensure compliance with development plan policies:-

- * Housing Toolkit and details of areas of space (revised toolkit now submitted)
- * Further visual representations (addendum to visual analysis now submitted)
- * Inclusive access and Lifetime Homes (see Appraisal, section 5)
- * Further information re climate change mitigation and adaptation (See Appraisal section 6)
- * Signage and travel plan (See heads of term v for S106. Draft Travel Plan submitted)
- * Employment and training (now head of term viii for S106)
- * Transport: Cumulative impact must be addressed. (This has been done in the Transport Assessment and addendum) Impacts must be addressed in the S106 agreement.
- * London Underground: Contributions required to improve railway station and bus station. (See S106 Head of Term i).

Defence Estates: No objection

BAA: No objection subject to bird management condition (see condition 5)

CABE: See Annex 2 for full letter.

A wider opening between blocks A and B would allow for a more generous space around the bridge landing and more sunlight could reach the square to the north. We note an animated and differentiated elevational treatment with a large number of balconies but overall the proposed buildings do little to address the different conditions surrounding them for example sun exposure or noise from the railway.

Concludes that overall the scheme will rely on the new bridge and pedestrian route's widened junction with College Road. These are essential to a successful scheme

Environment Agency: No objection

Thames Water Authority: Requires a 'grampian' condition regarding waste water (see condition 4)

English Heritage: Recommends refusal as a non statutory consultee due impact on historic environment

Crime Prevention Design Advisor: No objection subject to condition (see condition 3)

Conservation Areas Advisory Cttee: Development will impinge on the character of the Hill's conservation areas. Need computerised views of proposed development; development will impede views to Harrow Weald. The various projects for the town centre regeneration should be treated as a whole, not individually.

Advertisement:	Major Development, Character of Conservation Area Environmental Impact Regulations	Expiry: 05-JUN-08 Expiry 05-JUN-08 Expiry 15-NOV-08
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1st Notifications:

Sent: 6,791	Replies: Object 76 For 2	Expiry: 01-JUN-08
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2nd Notification

Sent: 6,791	Replies Object 69 For 8	Expiry: 15-NOV-08
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Summary of Responses to second notification:

Objections

Roxborough Road Residents Association: Objection; Height; wind tunnel effect, size of dwellings, lack of infrastructure.

The Roxborough Residents Association: Objection; Height, scale and impact of development on infrastructure.

Greenhill Manor Residents Association: Unacceptable Height

Campaign for a Better Harrow Environment: Height, lack of public buildings/facilities, density, unit size, traffic and parking, public transport and pedestrian bridge, recreation and commerce.

Canons Park Residents Association: In summary a proper public space with some public buildings are needed in a much lower density development with more social housing, more smaller interesting spaces all with a zero energy requirement.

Harrow Architects Forum: The development does not conform to the HUDP or the SPD. It is premature in advance of a Town Centre Strategy Plan and too high and not well related to the existing street pattern. Little amenity space or distance between blocks . Tall buildings have ruined Carlisle and Cheltenham.

Harrow Hill Trust: Buildings will intrude into views of the Hill. Fails to meet requirements of the 2005 brief.

Individuals: Inadequate parking, anti social behaviour, density, height, impact on infrastructure, bridge not required.

For (Support) Will bring jobs and people to this part of the town centre, design is welcome as a contrast to the 'dross' around it.

APPRAISAL

The main considerations in relation to this proposal are as follows:

- **The policy background**
- **The height and design of the proposal**
- **The impact of the proposal on views and landmarks**
- **The traffic, parking and highways implications**
- **The housing content of the scheme**
- **Sustainability & renewable energy**
- **Landscaping and the public realm**
- **Other matters**

1) Planning Policy Background

The application site forms part of Proposal Site 6, which is allocated in the HUDP for “Public transport improvements and mixed use development for office, education civic, residential, leisure and retail space and open space”. PS6 involves land on both sides of the railway, adjacent to Harrow on the Hill station, as well as the airspace over the railway tracks, and was included in the UDP to exploit the site’s potential for high quality, higher density, mixed use development and enhanced transport interchange in a central town centre location with excellent accessibility to public transport. To achieve these objectives, the UDP promotes a comprehensive approach to development through the preparation of an urban design framework. This would enable individual developments to be brought forward, provided they are in accordance with the wider objectives for the site. The UDP further requires that the design framework apply principles to optimise the development potential of the site and integrate land use and transport functions at a key town centre location.

The Proposal Site objectives reflect London Plan policy (2A.8) by, amongst other things, accommodating economic and housing growth through the intensification and selective expansion of town centres. They also support wider national policy guidance to plan for the growth and development of existing town centres, and to focus major generators of travel demand near to public transport interchanges. In this way, the objectives for the site will help to secure a more sustainable pattern of development in accordance with HUDP policy S1 and PPS1.

The application, in proposing a high density, mixed use scheme and, through the S106 agreement, facilitating significant improvements to the transport infrastructure of the borough, is broadly consistent with PS6 objectives, and is therefore supported in principle, subject to compliance with other relevant development plan policies.

Harrow on the Hill Station Planning Brief 2005

The Planning Brief for land at Harrow on the Hill station, which was adopted as Supplementary Planning Guidance by the Council in July 2005, provides more detailed guidance on the implementation of PS6 objectives. It was adopted following a lengthy masterplanning process with landowners, Transport for London, and the GLA, and after extensive public consultation. The brief is a material planning consideration, which should be taken into account in determining the current application.

The Brief sets five key objectives for development of Proposal Site 6:

- A 21st Century Mobility Hub that brings together all modes of public transport;
- A new North South Connection that provides a new pedestrian route over the railway and improves the link between the centre and areas to the south;
- Signature development that raises the profile and performance of the town centre through high quality, distinctive design;
- Mix of uses that promotes an exemplary form of sustainable town centre development;
- Improved Access that promotes sustainable transport choices and balances the needs of a range of users.

In addition, the Brief sets out detailed development guidelines in respect of planning, transport and sustainability that developers are required to take into account in bringing forward proposals for all or part of the PS6 site.

In broad terms, the application complies with four of the five objectives for the site, providing a new pedestrian bridge over the railway, a distinctive “signature” development, a mix of residential and retail uses, and better access to the wider town centre transport network.

It also facilitates improvements to the transport interchange, though not in the form anticipated in the Brief. This envisaged the relocation of the bus station onto the application site, linked to a new bridge/concourse and ticketing facilities to the east of Harrow on the Hill station, which would connect the two sides of the railway and provide direct access to the rail station platforms via lifts and stairs. The scope and extent of the proposed mobility hub was, however, reduced on cost grounds following a presentation to the Mayor of London in August 2007, and Metronet going into administration. Since that time, officers have promoted an alternative approach, involving a pedestrian footbridge, redevelopment of the bus station generally in its current location, and the refurbishment of the existing Harrow on the Hill station buildings, at a cost that was considered to be deliverable through S106 contributions. The current application has been brought forward on this basis.

In principle, therefore, the application satisfies the strategic objectives for the site, subject to funding and implementation, which is discussed in detail below.

Further policy considerations

It is significant that three of the five objectives in the adopted Brief are transport related and Members may recall that at the meeting of the Cabinet held in October 2006 it was resolved that:

- (1) all developments within the proposal site... should contribute to the delivery of the key objective of a new transport hub for the Borough.....
- (2) the provision of improved public transport infrastructure should be the Council's primary objective and should, where necessary, take priority over other policy considerations

The cost of providing a Mobility Hub in the form set out in the Planning Brief is unknown but could be in the region of at £50m although a smaller scheme involving a pedestrian footbridge and improvements to the existing bus station and the train station booking hall would be significantly cheaper, say, £10m. The Planning Brief anticipated that all development within Proposal Site 6 would contribute to the cost of providing this Mobility Hub, however, to-date, just £100,000 has been secured from the proposed development of the College Site in Lowlands Road although this is subject to a Section 106 agreement and will only become payable upon commencement of development. The contributions proposed from this scheme, whilst reasonably related to the scale and viability of this development, would fall significantly below the level required to achieve the Mobility Hub, even in its reduced form. Moreover, the value of the contribution from this scheme is dependent on flat sales and the wider economic conditions, making it difficult to predict the actual value of funds that may be forthcoming – specifically, the value of contributions may fall significantly below the £5 million proposed maximum. Delivery of the Mobility Hub is made even more difficult by the limited opportunity to make up the shortfall from contributions associated with the development of the remaining, small sites within the area. Whilst additional funds may come available for transport infrastructure improvements by way of Section 106 agreements attached to developments elsewhere within or adjacent to the town centre, this is not what was envisaged by the Planning Brief and gives no consideration to other transport needs and opportunities within and adjacent to the town centre.

The implication of all this is that the mechanism identified in the Planning Brief for delivery of its key transport objectives is unlikely to raise the necessary funds and therefore the key transport objectives may not be realisable without broadening the requirement for contributions to include all schemes within or immediately adjacent to the town centre.

The Planning Brief for Harrow on the Hill Station was developed in 2005 and although it never anticipated a single overall developer, it did anticipate the development of the sites in the area within quick succession for high value town centre uses. The Cabinet resolution from October 2006 also provides a very clear indication of the hierarchy of objectives. However, in the four years since adoption of the Planning Brief there have been significant changes locally, nationally and internationally that have had an adverse impact on the value of developments within the area of the Planning Brief, and caused certain sites not to be brought forward for development. Whilst the broad aspirations for the Planning Brief area may still be valid, the likelihood of sufficient value being generated out of sites coming forward for development to fund these aspirations is now considered to be quite limited.

Work is on-going in the LDF Team, in accordance with the Local Development Scheme, on the Core Strategy and on a town centre design guide and it is anticipated that these documents will be used to review the key objectives for all development in the town centre as well as the delivery mechanisms for the transport and environmental benefits considered necessary. The current timetable for the town centre design guide anticipates public consultation in October 2009. In the meantime, Members need to consider the benefit of approving the proposed Section 106 contributions towards the objectives of the Planning Brief in the absence of clear and realistic arrangements for securing the balance of the required funds.

Members could take the view that the key objectives of the Brief remain valid and that the proposed contribution of £5m would be beneficial and could be augmented by contributions from other sources. In the alternative, Members could take the view that their aspirations for the town centre should be trimmed to correspond to the likely available funds, and potential changes to the anticipated growth requirements in the emerging Core Strategy. In either event, a resolution to grant, subject to a Section 106 Agreement and appropriate planning conditions would be justified. However, it is equally open to members to determine that it would be inappropriate to accept the proposed offer of £5m towards public transport improvements by way of a Section 106 Agreement in advance of the Policy team's work on the Core Strategy and town centre design guide as the Planning Brief for the area has been overtaken by events, to the extent that its objectives are no longer achievable in the manner envisaged, and are therefore invalid. Members must then consider whether, under the circumstances, it would be premature to approve the proposed development in advance of the completion of a review of the objectives of the Planning Brief.

Government advice on the issue of prematurity is to be found in the document entitled "The Planning System: General Principles" that was published with PPS1: Delivering Sustainable Development and advises as follows:

In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD.

The application site forms a significant portion of Proposal Site 6 from the HUDP. Proposal Site 6 is the largest and most significant of the Town Centre Proposal Sites, hence the dedicated Planning Brief that was adopted in 2005. The nature and scale of development approved on this site will undoubtedly impact on the form of development that would be appropriate for the remainder of the Proposal Site 6, notwithstanding that there is an outstanding resolution for the development of part of the Harrow College site. Moreover, the Planning Brief sets out a clear aspiration for Proposal Site 6 to increase the profile of Harrow as an accessible and attractive place to live and work. On that basis it could be considered that the implications of development on this site as currently proposed would prejudice the future Core Strategy and town centre design guide by predetermining options for development of Proposals Site 6 and the town centre generally.

It is also considered that the proposed development could have the effect of prioritising contributions towards the provision of a town centre transport hub ahead of other transport initiatives such as reviewing the town centre one way systems; enhancing access to the town centre for pedestrians and cyclists across the ring road in particular; and enhancing the town centre CPZ. Whilst Members have previously agreed that this should be the priority for the application site, the priorities for other town centre sites are not so clear-cut. The 2005 Town Centre Development Strategy highlights a range of other needs in the town centre: for instance there is an aim to make the centre look and feel attractive and safe and another that seeks to celebrate the history, diversity and greenery of Harrow in the centre. These other needs ought to be balanced against the transport needs and each other and a detailed programme developed that matches issues with projects, development schemes and funding opportunities to form a town centre-wide implementation scheme. Initial work focused on a small number of key sites, public transport and public realm initiatives, with the intention of preparing a more detailed implementation strategy as those projects were completed, and as resources permit. It is anticipated that much of work required for this exercise will be carried out as part of the Core Strategy and town centre design guide process. There is therefore a concern that the proposal could prejudice the formulation of a town centre-wide implementation scheme for the town centre strategy.

Specific advice in relation to refusal of planning permission on grounds of prematurity is provided in Section 19 of the companion guide to PPS1:

Where planning permission is refused on grounds of prematurity, the planning authority will need to demonstrate clearly how the grant of permission for the development concerned would prejudice the outcome of the DPD process.

Whilst the matters discussed in this part of the report are genuine areas for concern there is some doubt as to whether they would be sufficiently robust to meet the requirements of the test established by the terms of paragraph 19. Notwithstanding the above, the report is presented with two recommendations for Members' consideration: approval of planning permission, subject to conditions and a legal agreement; or refusal of planning permission.

2) Height and design of proposals

Policy D4 of the HUDP requires a high standard of design and layout in all development, and sets out a list of factors that will be taken into account when considering planning application, including, in particular, the site and its setting and the context, scale and character of the area.

In this case, the application site is located in a town centre setting, close to a major transport interchange, in an area that is mainly in retail and office use. Properties vary in character, comprising 3 storey retail terraces on both sides of College Road, free standing office blocks of up to 8 storeys in height, and the St Ann's Shopping Centre opposite the entrance to Harrow on the Hill station. Harrow town centre is designated as a Metropolitan Centre in the London Plan, one of only 11 in London. Metropolitan Centres serve wide catchment areas, offer a high level of comparison shopping, employment, service and other functions and are usually well served by public transport. Development is typically of a larger scale, and at higher densities, than the surrounding area. As indicated in para 1 above, London Plan policy supports the growth of town centres, and, in particular, highlights the need to exploit opportunities for intensification in Harrow town centre. Set against this, however, the wider planning context is of a town centre surrounded by a residential hinterland of a more domestic scale and located against the backdrop of the historic Harrow on the Hill.

At 19 storeys, the tallest of the proposed residential blocks is considerably higher than the surrounding area, both within and outside the town centre. However, tall buildings do not, of themselves, conflict with the established character of an area or justify the refusal of planning permission on that ground alone. Para 4.11 of the HUDP recognises that tall buildings can make a contribution to townscape but, in view of their visual impact, must be of outstanding architectural quality and meet a range of design and functional criteria, which are set out in schedule 3. London Plan policy 4B.10 also applies; this addresses tall buildings as part of the suite of policies concerning urban design.

The design of the development was revised in October 2008, in response to officer comments regarding the original May 2008 submission. In particular, the architectural detailing and roof forms were amended to pick up on some of the art deco design influences adjacent to the site. The revised scheme also took account of in response to comments expressed by CABI, the Government's adviser on architecture and urban design. Whilst welcoming the regeneration potential of the scheme CABI expressed concern that the proposed public square was likely to be overshadowed and that the approach to the bridge would be narrow and poorly defined. More detailing on the proposed buildings were required as well as an improved 'entrance to the site from College Road.

An independent appraisal of the revised proposal has been made and is set out in Annex 1 to this report. In summary, this welcomes the applicants' positive response to the CABE comments and makes reference to the "enormous improvements to the layout and design of the complex."; the staggered building heights; the introduction of curved and sweeping silhouette; and the Art Deco references of the main tower. It concludes that the scheme is capable of approval subject to conditions. This view is supported by officers. It is also considered that the palette of materials selected is appropriate to the form of building proposed and will help to highlight the Art Deco references in the design.

The general design approach was supported by the GLA, who considered that the proposal should take on the role of a "visual marker" or landmark, given the site's location in the town centre and adjacent to Harrow-on-the-Hill Station. The design rationale for two slender towers framing the view to the spire of St May's Church was also supported. They further refer to the layout and form of the buildings within the scheme and observe how, by splitting the development into three separate blocks of varying height but which also step back at upper levels, enables the buildings to provide proper enclosure of the square whilst allowing light penetration to the lower levels.

The design requirements for tall buildings are set out in Schedule 3 of the HUDP which requires tall buildings to:

- be of outstanding architectural quality and enhance the skyline, especially the roof top design
- be able to secure a complete and well designed setting
- be set in the context of an urban design analysis including the impact on views
- be justified through a design statement
- emphasise or contribute to a point of civic or visual significance
- be well related to topographical features and other nearby buildings

The design of the proposed building is considered to be of the outstanding architectural quality required by Schedule 3 and this is confirmed by the independent assessment of the design quality of the scheme. Similarly, the proposed square and other public realm improvements are considered to provide the complete and well designed setting required by Schedule 3. The landmark or visual marker potential of the scheme relative to its town centre location, adjacent to a transport hub, was highlighted by the GLA in their submissions and this is considered to be consistent with the requirement under Schedule 3 for tall buildings to contribute to a point of civic or visual significance. In these significant respects the scheme is considered to be in accordance with the requirements of Schedule 3 of the HUDP. The schemes relationship to topographical features and other significant and nearby buildings is discussed in the following paragraphs.

3) Impact on Views and Landmarks

Views of the development and Hill

This is examined by the submitted Environmental Impact Statement and the addendum to it for landscape and views. As members will know the 'Hill' has the shape of a ridge, not a single summit, with its highest point surmounted by St Mary' Church. That part of the Hill which interacts with the proposal is the north end of the ridge.

As shown by the landscape and views analysis, the closer the observer is to the site fewer views are available since existing buildings block the view. Notwithstanding the above, it is significant that the proposed development scheme opens up a new view of the Church and the Hill from College Road, through the piazza area, along the axis of the proposed bridge. This is considered to be a positive attribute of the proposed development.

At an intermediate distance there are many more views some of acknowledged importance. These views have been included in the landscape analysis, since they have been fixed by the HUDP policy D31, plus the SPD 2005 and then some additional views added at officer's request. Those views which are protected by planning policy are the ones named in Schedule 4 .The most sensitive view is that obtained from the railway bridge at Harrow and Wealdstone Station. Here the church will be framed in a tight and fleeting view between the Civic Centre and the development: As the observer walks towards the town centre along Railway Approach and depending on which side of the road, so the view alters. However, as this view is from more than 2 kilometres away, both the church spire and the proposed development appear as small, distant objects. Consequently, it is not considered that this view of St Mary's Church and the ridge would be unduly compromised by the proposed development.

In the other assessed views, the development appears as a distinct feature in the townscape with the ridge and church as a similarly distinct back drop and existing town centre developments in the foreground. The two features are considered to have a complementary rather than a competitive relationship to each other by virtue of their relative heights and the distance that separates them. This arrangement is considered to be acceptable.

Views from the Hill

The part of the Hill which faces north towards the town centre and beyond interacts with the site. Views are primarily obtained from The Grove open space.

These are uninterrupted across the town centre. The railway frames much of the town centre's existing cluster of tall buildings, acting as a physical marker between it and the Hill. The addition of the proposed development to this established cluster, especially within the context of the proposed Harrow College development, is considered to be appropriate and would detract from views away from the Hill's conservation areas.

Conservation Area

Part of the PS6 site, to the south of the railway, falls within the Roxborough Park and the Grove Conservation Area. Generally the visual impact will be similar to that from the Grove open space albeit that the views of the development may be from more oblique angles through and above buildings of varying height on the southern side of the railway lines. As the area separating the application site from the Conservation area is dominated by the railway track bed, it is fairly open in nature currently. The proposed development of the college site will have the effect of closing down the views across this area and into the town centre to a more restricted number of narrow channels including the line proposed for the bridge. Street level views of the proposed development from the Conservation Areas will be correspondingly restricted also. It is not therefore considered that the proposed development would have any significant impact on views from the Conservation Areas. More especially, it is not considered that the buildings would significantly affect the setting of the White House, a listed building currently in the car park on the current College campus site, as they would simply form part of the distant back-drop to the building.

The proposed southern bridge landing would be within the Conservation Area and will therefore need to be designed to ensure that the character and appearance of the Conservation Area is preserved and enhanced. The detailed design of the bridge has yet to be finalised and will be the subject of a separate planning application. However, as the bridge landing will be a significant distance from the main built-up portions of the Conservation Area, it is considered that there is sufficient scope for a suitable design to be produced.

The Harrow Hill Conservation Areas SPD has been used as the reference for the conservation officer's comments concerning views both to and from the Hill. Regarding views of the Hill the judgement is that the majority of spire views will be interrupted. Where views of the hill and spire are obstructed it is likely that this will only be fleeting before views are opened up again on the course of a journey.

4) The Traffic Parking & Highway Implications

The majority of the development is served by an access from College Road on the line of the existing access, adjacent to 53 College Road, taking advantage of the changes on ground level, to provide parking and service functions at basement level. A turning area at the entrance to the basement within the site ensures that high sided vehicles, such as refuse freighters, can enter and leave the site in forward gear. The scheme also provides the completion of William Carey Way to form a service road as required by HUDP policy T16. As well as serving the eastern part of the application site (block C) this will reduce on street off loading to 335/365 Station Road and permit the one way working of William Carey Way.

Whilst the site has been vacant for 5 years, it was previously used as a main post office and sorting office. The latter operated on a 24/7 basis and attracted a significant volume of traffic including lorries and HGVs. The estimated level of traffic generated by the current application is considerably lower; over the course of a typical week 23 commercial vehicle movements are forecast plus between 31 and 41 residential deliveries.

The cumulative vehicle and pedestrian generation from the site together with the Harrow College and Gayton Road redevelopment is, for a day, 143 people boarding tube services, 137 people boarding bus services and 127 additional car drivers joining the road network.

The proposed development traffic generation is restricted by i) the modest amount of commercial floor space (1,120 sqm compared to the post office/sorting office at 5,800 sq m), ii) limiting the residential parking to 80 spaces (20% of the number of flats) recognising that this site has the highest Public Transport Accessibility Level (PTAL) at 6a of any location in the Borough of Harrow and iii) excluding residents from obtaining on street parking permits from the Council.

In respect of pedestrians there are currently in the order of 28,300 pedestrian movements per day over the station footbridge. For those not travelling by train this is at the discretion of the station operator; there is no public right to make this journey and out of tube travel hours the bridge is closed. It is estimated that with the proposed college a further 3,200 pedestrian movements per day will take place. There will also be pedestrian trips associated with the development itself, as well as residents and town centre users requiring access to the town centre or the open spaces to the south. Provision of the new footbridge will therefore offer an alternative, more attractive route for non station users, thereby reducing the number of people using the existing station as a route to and from the town centre, and improving conditions within the concourse area.

Persons using cars to visit the commercial units will use the public parking (in the order of 3,200 spaces) provided in the town centre.

A draft travel plan has been submitted as part of the revisions, as required by the GLA, and is considered to be broadly satisfactory. However, if Members are minded to grant planning permission, a detailed travel plan will be required to be approved prior to the first occupation of the development which will include arrangements for its review and revision periodically and to reflect any changes in circumstances.

Overall the development in comparison with the previous use, reduces traffic generation, removes commercial traffic generation out of business hours, reduces through pedestrian trips from the station and improves highway safety. It also, by design, encourages means of transport other than by car, by making the minimum provision for residents parking and no shopper parking in addition to current town centre provision.

5) The housing content of the scheme

As noted above the total number of units proposed is 410.

This breaks down as follows:

<u>Size of Unit</u>	<u>Market</u>	<u>Affordable</u>	<u>Total</u>
Studio	17	Nil	17
1 Bed	237	15	252
2 Bed	107	24	131
3 Bed	Nil	9	9
4 Bed	Nil	1	1
	<hr/>	<hr/>	<hr/>
	361	49	410

Density

London Plan policy 3A.3 requires boroughs to seek the maximum intensity of use in development proposals, compatible with local context, identified design principles and public transport capacity. It further indicates that the Mayor will refuse planning permission for strategic referrals that fail to meet these objectives and under-use the potential of a site. London Plan policy is consistent with national policy guidance in PPG 13 that Local Authorities should seek the maximum use of the most accessible sites, such as those in town centres and others which are, or will be, close to major transport interchanges and should be pro-active in promoting intensive development in these areas and on such sites.

To ensure compliance with policy, applications are considered against the London Plan density matrix, which provides a strategic framework for appropriate densities at different locations and is a tool for increasing density in situations where transport proposals will change the public transport accessibility ranking. It is not, however, an instrument for setting development limits and densities higher than those set out in the matrix may be possible where they can be justified by local circumstances.

For the purposes of the matrix, the application site is considered to have a "central setting", defined as areas of very dense development, a mix of different uses, large building footprints and typically buildings of 4 to 6 storeys located within 800 metres of an International, Metropolitan or Major town centre. As the Committee is aware, Harrow town centre is designated as a Metropolitan Centre and with a PTAL of 6 the matrix indicates a density of 650-1100 habitable rooms per hectare or up to 405 dwellings per hectare.

The application achieves a density of 1432 habitable rooms per hectare (666 dwellings per hectare), well in excess of the density range indicated in the matrix. However, as outlined above, policy seeks to maximise the potential of sites and higher densities may be acceptable where local circumstances permit.

In this case, the context is of development within a Metropolitan Centre, adjacent to a major public transport interchange with the highest possible PTAL rating, and where further improvements to the quality and capacity of public transport are planned. The scale of development and design approach is considered acceptable for the reasons set out elsewhere in this report and the scheme clearly makes a significant contribution to meeting local needs for housing. Taking these factors together it is considered that the full potential of the site is realised by this application and a density higher than that indicated in the London Plan matrix is considered to be justified.

Affordable Housing

London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on specific development proposals, and, in para. 3.52, advises that they should take account of economic viability in estimating the appropriate amount of affordable housing provision. In addition, policy 6A.4 indicates that affordable housing and public transport improvements should be given equal priority in negotiating planning obligations arising from development

The affordable provision is as follows:

Social rented	Total 28 (64%)
1 bed x 3, 2 bed x 15, 3 bed x 9, 4 bed x 1.	
Shared Ownership	Total 21 (36%)
1 bed x 12, 2 bed x 9	
Total affordable units	49
Total market units	361
Total Units	410
Total affordable Habitable Rooms	143
Total market Habitable Rooms	812
Affordable % by rooms	15%

From the revised housing toolkit, used to assess schemes which offer less than the 50% policy target, it is clear that the scheme needs the Social Housing Grant (SHG) to enable the development to provide this quantity of affordable homes, as even with the assumed SHG, the toolkit (ie the economic appraisal) shows a significant deficit to the developer in the order of £3.5m. Both the Council's housing officer and the GLA have agreed the outputs of the revised housing toolkit.

As indicated in para. 1 above, at the meeting of the Cabinet held in October 2006, it was resolved, concerning HUDP proposal site 6 that (1) all developments within the proposal site... should contribute to the delivery of the key objective of a new transport hub for the Borough.....(2) the provision of improved public transport infrastructure should be the Council's primary objective and where necessary, take priority over other policy considerations (3) contributions from individual sites would be determined on the basis of the estimated overall cost of public transport improvements, together with an economic appraisal of the appropriate level of contribution. Therefore 15% affordable housing proposed is accepted as the maximum to be obtained from the development having regard to the other contributions required and the cabinet resolution. The proposal is therefore considered to be acceptable in this regard.

Accessible Homes & Access For All

The Access for All SPD is a guide to making public places and services accessible to everyone.

The design of the blocks and outside areas has taken this advice onboard. The disabled parking spaces are of sufficient size and readily accessed. Level entry is provided to all buildings and common areas within the buildings and lobbies. Moving around within the buildings, signage and wayfinding are part of the approach to access for all.

More detailed aspects of the guidance are not development which can be controlled by planning powers except by condition. Therefore issues concerning fixtures and fittings, eating out areas and the open spaces either are conditioned or will be examined in detail when the full design of the open areas is submitted.

The Lifetime Homes SPD is concerned will the residential development. To address situations where minor internal changes are made during construction which would not otherwise be controlled, a condition has been imposed to ensure the plans as submitted are built.

Amenity

In the immediate vicinity of the development there are few existing residential units the nearest being over the shops facing into Station Road and commercial premises in College Road, with the Baptist church beyond. The nearest building is the Baptist Church which will be embraced in part on two sides by the development.

The west end of the church will for the first time be revealed and define part of the public realm, as will the south elevation which will form the backdrop to the private amenity area. The resultant development will complement the church, enhance the residential setting being created and, in comparison to the sorting office, improve the amenity of its neighbours.

The commercial floor space is flexible in its use and the sale of hot food is subject to a condition limiting hours of use.

Following the daylight assessment of the original application, the internal layout of block C has been changed and daylight re assessed. Of the 957 habitable rooms, 90% will receive daylight above the BRE criteria. The remaining 10% are spread through the 3 blocks and the 90% is considered acceptable.

External lighting will have to be installed and until the landscape design is agreed this also remains to be resolved. Therefore a condition has been imposed to control the installation and light emitted from external fittings and lamp posts.

6) Sustainability & Renewable Energy

The application provides for a wide district energy system the main components of which would comprise an energy centre, with a combined heat and power plant (CHP) and the connection to each building. The centre has been sized to serve not only the application site but the existing and proposed Harrow College sites and there is space within the buildings reserved for its potential expansion. Extending the system to the College sites would entail using the proposed footbridge as the means to carrying the pipework from the energy centre to the other sites.

The energy centre will generate 100% of the application site's hot water needs and 50% of its electricity needs. If the other sites are not connected, a 200kW bio mass boiler is proposed with sufficient space in the energy centre to serve the other two sites if and when required. The boiler will be an exempt appliance so as to comply with the Clean Air Act.

Energy saving by design will exceed the building regulations by 39% and the biomass boiler will achieve a further 10% total 49%. If a CHP plant is used this gives a further saving of 25%, total 64%. These figures are well in excess of the requirements of London Plan policy 4A and will make an important contribution to climate change and sustainable design and construction objectives. Compliance with policy, and arrangements to connect the energy system to the Harrow College site and existing campus, should development of those sites proceed, will be secured through the legal agreement (see Head of Term ix).

In addition water efficient devices will be installed to reduce water consumption. Rain water run off to the existing storm water system will be controlled and sustainable resources, re cycled and reused materials will be used for the building materials.

The waste management plan will be implemented to monitor, sort and re cycle construction materials and residential/commercial waste and this will be secured by way of obligation xi in the proposed Section 106 agreement.

All homes will achieve a level 3 rating under the Code for Sustainable Homes construction which is the current target.

7) Landscaping & the Public Realm

The application is a full application and the broad landscape approach is shown in the submitted drawings. It provides both for improvements to the public realm as well as the creation of private amenity space. Some detail remains to be prepared and whatever is provided in the public realm must be of an adoptable standard. Therefore a number of conditions have been imposed.

Public realm

The scheme creates a new area of town centre public realm in the form of a hard landscaped pedestrianised "street," running north to south from College Road to the railway, and flanked on both sides by retail and other ground floor commercial uses.

The design approach brings active frontage to this part of College Road and an added vitality and vibrancy to the town centre. The design also incorporates a new public square adjacent to Harrow Baptist Church. This creates the opportunity for the church to re-orientate its entrance so that it can be accessed from the proposed square, improving its setting and visibility from College Road, and better integrating it within the town centre.

The proposed pedestrian street extends across the College Road frontage, bounded to the west by block A and, on its east side, is marked by the flank wall of 17/33 College Road, including the full width of the vehicular access to the rear of the property. This area was incorporated within the application site boundary to provide a generous and attractive pedestrian access from College Road, and to ensure that the quality of the proposed public space was not diminished by too narrow an entrance to the site. The widening of the junction with College Road is considered essential to the success of the scheme, and overcomes one of the weaknesses in the original proposal identified by CABE in its comments on the application.

The pedestrian route then rises by a flight of steps to the pedestrian bridge level. Adjacent to the steps is the town centre management office, police office and lift to the bridge. On the other side, due to changes in levels the bridge is accessed by a gentle graded ramp.

The bridge will link the town centre to the open space around the northern edge of the Hill. Although part of the planning application, the submitted design is for illustrative purposes only. Its key features are known, including its height above the tracks at 4.64m (15.25 ft), a clear span of 70m (230 ft) and a weight in the order of 250 tonnes. but much remains to be designed in detail in accord with rail industry and safety requirements. It does, however, incorporate TfL's requirement for a solid balustrade of 1.85m into 2m glazed sides. Therefore whilst the bridge position is known together with the levels, the timing of its detailed design, procurement and installation is addressed by the legal agreement (see ii of the heads of terms).

Together, the pedestrian street and bridge will enhance the network of public spaces within the town centre, improve the connection between the shopping centre and more extensive areas of open space to the south of the railway, and create new views to Harrow on the Hill and St Mary's church. Subject to detailed design, the landscape proposals should make a positive contribution to the appearance and permeability of the town centre and are considered to comply with HUDP policy and the development guidelines set out in the Harrow on the Hill station planning brief.

Private areas

The main area lies between Blocks B and C, and is considered to be of a size and form appropriate to a high density town centre site. It provides private amenity space for residents and incorporates a children's' play area of 340 sq m. Provision for older children is available in Harrow Recreation Ground, some 600m to the west of the site and to the south off Lowlands Road.

In addition a series of private roof gardens are provided to blocks A (middle and north elements), Block B and Block C (the lower element). The amounts of space provided are set out in the summary of the application.

Taking account of the location of the site and its close proximity to extensive public open space, access to which will be improved by the proposed footbridge, the landscape and amenity space proposals are considered to comply with HUDP policies D4 and D5.

8) Other Matters

S17 Crime & Disorder Act

New Scotland Yard has advised on the strategic policing matters arising from the conjunction of a public transport interchange, the proposed new public realm areas including the bridge and the large basement areas. That the area of land adjoining 17/33 College Road is brought into public control, as highway land, is strongly supported.

The presence of a neighbourhood police office is requested and the S 106 agreement head of term (vii) makes this provision.

At a more detailed level the police have advised in respect of secure by design. The development provides a secure environment subject to a condition (No 3) to address detailed matters such as window and door security. The combination of the neighbourhood office and secure by design measures already designed and those required by condition address this issue.

Phasing of development

The applicant has indicated the intended phasing of the development. The critical issues for the council, as local planning authority, are to keep the provision of the bridge and the widened junction of the new pedestrian route and College Road in step with the various phases of development.

Taking the divisions of the development the following phasing is proposed:

Phase 1 : Block C with the widening/extension of William Carey Way to Station Road

Phase 2 : The creation of both the public realm and private areas at basement and ground level

Phase 3 : Blocks A and B

Phase 4 : The installation of the bridge

The completion of the residential development will generate a volume of pedestrian traffic. In your officers view this can be accommodated within the land controlled by the applicant. However once the bridge is opened the pedestrian flows will increase and to accommodate these, the pedestrian movement caused by the commercial floorspace and to maximise the attractiveness of the public realm area, the widened junction to College Road is essential. Therefore the widening works are required no later than the interval between the completion of blocks A and B and before the opening of the pedestrian bridge.

This will be secured by way of an obligation in the proposed section 106 agreement (proposed head of agreement x).

Consultation Responses:

The points raised are addressed in the Appraisal.

CONCLUSION

Having considered the details of the proposal and the environmental information accompanying the application in the context of the current and emerging policy background, officers are of the view that the details of the proposal may be considered to be acceptable. However, the application raises a number of issues related to the emerging policy background. Similarly, having regard to the scale, scope and location of the proposals, there are concerns regarding the impact of the proposal in this respect. For these reason, the report is presented with alternative recommendations for Members' consideration.



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**REDEVELOPMENT OF FORMER ROYAL MAIL SITE AT 51 COLLEGE ROAD
HARROW PLANNING REF P/1620/08CFU**

URBAN DESIGN ISSUES

At my meeting with Roger Pidgeon on 10 December 2008 I agreed to confirm my comments on the revised drawings and reports submitted by Dandara in October 2008. My preliminary report was submitted on 22 December 2008.

INTRODUCTION

Dandara have responded in particular to the former Urban Design Officer's observations and have, in their words, used the comments to inspire further quality and distinctiveness to the proposals. They have worked in close liaison with their clients to ensure that the design ambitions for the project are deliverable. In general terms the design of the buildings pays homage to and takes inspiration from the 1930's Art Deco style, which characterises the adjacent Harrow Tube station .

Revised drawings have been accompanied by supporting documents including a Supplementary Planning Statement, a Design and Access Statement and Environmental Statements. I shall refer in the first instance to the Supplementary Planning Statement, which summarises the key issues that have been identified as being areas of concern by Council members following the submission of the application. It also identifies the formal comments made by the Greater London Authority, Harrow Council Officers and others.

The Issues are summarised under the headings of Layout, Height and Design, Views, Heritage, Bridge, 17-33 College Road, Transport and Drainage. I shall refer to those matters which relate directly to urban design matters in each of the headings and shall draw attention to any issues which in my opinion have not been resolved and/or require further attention.

LAYOUT

The layout has been amended in the following respects: The frontage of Block A has been set back on the ground to enable greater views of the square and the bridge. The access arrangements of Block C to William Carey Way have been improved. Provision has been made in specific areas for plant provision at rooftop and basement level levels. The spire of St Mary's will now be visible from College Road and the question of the Compulsory Purchase or other measures to secure an improved layout and design for the proposed development through control of nos. 17-33 College Road have been addressed.

My one concern with the revised layout relates to the delivery of the proposed footbridge. This is a major component of the scheme and has clearly influenced its layout and design. It provides a link to the Lowland Recreational Area across the railway lines and the creation of a linkage through an area of new public realm from College Road. Both features, as the document reminds us, are requirements of the original Planning Brief for the site. Dandara's commitment to delivering a new public space and financial contributions towards the new pedestrian footbridge is restated but there are several references throughout the Issues report to threats arising from ... "the considerable changes in the property market and the economic circumstances as a whole." As the report also points out ... "It should be noted that the layout and scheme of development arises principally through the need to accommodate the features sought by the Council, and not Dandara themselves" Appropriate safeguards should therefore be arranged in order that the bridge is not omitted from the proposed development.

As with other important issues, English Heritage is silent on this matter. However the only document that appears to have been received (6 August 2008 in response to Harrow's letter of 7 May 2008) recommends refusal on grounds that the redevelopment failed to respect the historic characteristics of its context. They also referred to the impact of the proposals on the nearby Roxborough Park and The Grove Conservation Areas. Other objections from EH will be dealt with under the headings which follow.

HEIGHT AND DESIGN

The views expressed by the Council's Urban Design Officer in connection with the two tall buildings framing the view of St Mary's Church as people move about College Road are addressed in the revised scheme. They would "punctuate the skyline in a number of near and far views to and from the town centre and be prominent as a town centre landmark. Given its position in the town centre and adjacent to the on the Hill transport hub it is appropriate that it take on the role of a visual marker, subject to detailed design." It was also recommended that for the most intrusive piece of new architecture in Harrow. "It needs to be of the highest quality and offer innovative, exciting and distinctive architecture and spaces". Again, the applicants have taken these points on board and, in my opinion, the results are a great improvement on the earlier proposals.

The Design recommendations and architectural detailing have been addressed and adopted. The applicants acknowledge that the revised scheme has been very much influenced by the Council. I agree with them that the appearance of the scheme, while modern, embraces the Art Deco style originally suggested by the Council to reflect Harrow's cultural heritage and a number of buildings within the locality. This approach, using high quality materials and a variation in the roofline will create an appropriate silhouette for a taller building and provide a high quality landmark.

On a cautionary note the English Heritage letter, referred to in the section above dealing with layout, gave a contrary opinion. It stated that due to the height of the proposed development and the local topography and the low rise of the surrounding urban context, it would be highly visible and conspicuous in long views from other conservation Areas in Harrow. The counter view is set out in the revised Design and Access Statement. It refers to the building heights surrounding the site. These vary significantly and average between 8 to 10 storeys. Beyond the immediate site surrounding areas, the building heights are lower and vary between 3 to 6 storeys. Significantly, the topography of the land

and the height of the surrounding buildings provide an important context for the proposals. The skyline is varied with the existing building heights ranging from 2 to 8 to 10 storeys. This variation in scale, height and land use together with the transport facilities provides the opportunity to incorporate larger scale development on this site.

VIEWS

Although the GLA were silent on the matter and did not consider it an issue, concerns had been expressed by the Urban Design Officer regarding the possible impact on the tree line of Harrow-on-the-Hill. She considered that in order to justify the impact on the Hill, the buildings would need to be of outstanding quality and, if the silhouette is not altered to something more interesting, then the height should be reduced to not significantly larger than that of the Harrow College residential blocks. However the design of the building has changed to respond precisely to the Officer's recommendations and suggestions. This has been achieved mainly by setting back of the upper storeys.

Hopefully this will change the views of English Heritage. In their response to the first submission they felt that "...the aesthetic and historic values of the area and its skyline are primarily characterised by low rise development, which produces an urban context that is deferential to the Hill of Harrow, and importantly to views there to and therefrom." They concluded "... that a development of this scale would disrespect this historic hierarchy, and would interrupt historic views." Note the reference to scale and not height.

The revised proposals show a much more dynamic and interesting silhouette. On a tour around the town centre and the surrounding residential areas RP and I inspected several of the now well recognised, historic, long and short views of the Hill as well as views from the summit of the Hill itself towards the proposed development. . We were able to confirm that the visual impact of the proposals on strategic views in Harrow, as set out in the Design and Access Statement, was minimal. The same applied to the visual impact of the proposals when viewed from the Hill and surrounding areas. Another interesting viewpoint will be introduced by way of the footbridge which has been aligned to follow the viewing access of the St. Mary's Church spire.

HERITAGE

Concern had been expressed by the GLA about the potential impact of the scheme on both the Roxborough Park Conservation Area and the White house, a grade II listed building. However the GLA has now assessed that in the context of both the existing Harrow College buildings and their recently consented redevelopment proposals the new scheme would be unlikely to significantly harm the setting of either the either the Conservation Area or the White House. I agree with them. Visual representation of the element is set out in views of the revised Design and Access Statement to demonstrate how the proposed development will sit in the context of the College proposals.

BRIDGE

As in the previous scheme the new pedestrian bridge will provide a link between the proposed development and the Harrow College residential development and park across the existing rail tracks. It is intended to carry the infrastructure for the power and heating for the development on each side of the tracks. A lift will be

incorporated within the development near the abutment at the College Road end to give access from the Piazza level up to the level of the bridge deck.

I have already referred to concerns about the delivery of the structure which is a critical element to the future remodelling of the Harrow town centre and its promotion as a major retail and commercial centre. Once again, in the summary of the improvements to the proposals, Dandara question the need for a new bridge, quoting the Council's refusal of planning permission for the Lowland Recreation area. They add in their description of the proposed structure (Part 10 of the Design and Access Statement) that the current potential bridge design is subject to financial costings and available funds. It is stated that the final bridge design may therefore vary if full funding cannot be achieved. I would point out that the bridge is too important a feature of the complex. It will be visible from development on both sides of the rail tracks and from surrounding vantage points. It is important therefore that the design should not be compromised by the shortage of funds.

The applicants do however accede to the appropriateness of a condition and/or a legal agreement and conclude discussion of the matter by stating their intention that the bridge will become an adopted highway and be fully DDA compliant, illuminated and available 24 hours a day.

17 – 33 COLLEGE ROAD

I refer to the comments made in the report to nos. 7 to 33 College Road, those premises which represent an opportunity where the development of the Dandara site could facilitate wider development. The report reiterates the disappointment about negotiations to acquire the site at what is described as a sensible commercial rate. Meanwhile the applicants have made provision for access, basement and structural supports in the event of the site becoming available at some time in the future.

I agree that the inclusion of this area would be in the interest of proper planning and note that Dandara have indicated their in-principle agreement to support the use of Compulsory Purchase Powers by the council. In the meantime, in spite of their view that the current scheme is considered acceptable in both design and planning terms without the incorporation of this site, Dandara has conducted a CPO/Property Cost Estimate for 17-33 and has submitted it to the Council for consideration.

SUMMARY

As a comparative newcomer to the scene I have been able to assess the scheme objectively in relation to the earlier proposals. In general terms I am impressed with the care and attention which has been directed to earlier criticism and comments by various authorities or individuals. The documentation including drawings, Environmental Statement, Supplementary Planning Statement and Design and Access statement are of a high quality.

Above all, there are enormous improvements to the layout and design of the complex. The general massing and layout principles which were found to be acceptable by the GLA and LB of Harrow have been retained within the redesign. The building heights have been staggered to form what is described by the applicants as "a dynamic sequence of built form, the composition generating a line parallel to the railway tracks and terminating with the taller landmark tower". The design has been enhanced by the introduction of a curved and sweeping silhouette. With Art Deco references the main tower has curved

roofing forms and dynamic lines. The new roof has increased glazing, a two-storey set back and the expression of floor slabs and roof plates.

The complex is unified as far as the overall appearance is concerned by the use of similar materials, architectural style and detailing across the three blocks. The architectural quality of the proposals has been greatly enhanced by the mixture of solid and curved balconies that extend to the edge of the building. Hence the well-defined, continuous, linear balconies combine with the recessed windows to counteract the strong vertical emphasis of the main towers. The modelling is enhanced also by the strong shadow lines and articulation of the façade.

At ground level the new public piazza will add vibrancy to this part of the town centre. The new footbridge will provide round-the-clock accessibility between the town centre and the open land, the college and residential areas beyond. Some questions remain as far as the layout and design are concerned. Comments have already been made regarding the landscape and detailed treatment at the bridge abutments. The Further discussion will be necessary and/or appropriate conditions attached to ensure that the shop fronts, fascias, signage street furniture and other elements of the scheme will be of the highest quality. detailed treatment of the public realm

RECOMMENDATION

Approve subject to conditions

DRC 22 January 2009

CABE
1 Kemble Street
London WC2B 4AN
T 020 7070 6700
F 020 7070 6777
E enquiries@cabe.org.uk
www.cabe.org.uk

10 November 2008

Roger Pidgeon
Harrow Council
Planning
5 Saint John's Road
Harrow
HA1 2EE

Our Ref: DR/L15/3203

Dear Roger Pidgeon

**LONDON BOROUGH OF HARROW: COLLEGE ROAD
YOUR REF: P/1620/08CFU**

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal. Following a site visit and discussions with the design team and local authority, the scheme has been considered by the chair of the design review panel, MJ Long, and members of design review staff. CABE's views on the material provided (planning application documents), which supersede all views which may have been expressed previously, are set out below.

We welcome the intention to bring this site next to Harrow-on-the-Hill town centre back into active use. The College Road proposal, the new bridge and the redevelopment of Harrow College on the other side of the railway have the potential to contribute to the wider regeneration of Harrow-on-the-Hill station area. In general, the quantum of accommodation appears acceptable although the height of the buildings is likely to generate difficulties in terms of overshadowing which will have an impact on the quality of the public space.

Public space and bridge landings

While we think that the size and scale of the scheme could work, the scheme would benefit from a redistribution of the massing to suit orientation and wind conditions. We note, for example, that the tallest buildings are to the south and that the square will be overshadowed for most of the day.

In addition to the quality of the public square, the success of the scheme depends largely on the bridge and the way it sits between the buildings. A sequence of well

Commission for Architecture
and the Built Environment
The government's advisor
on architecture, urban design
and public space

defined spaces leading from the main square to the bridge landings would help draw people in from College Road. The bridge, however, sits uncomfortably between the buildings and creates narrow left-over spaces which will be difficult to use. A wider opening between blocks A and B would allow for a more generous space around the bridge landing, and more sunlight could reach the square to its north.

On the northern side, the access into the site from College Road could be compromised by future schemes on adjacent plots as the red line boundary does not include the whole open space between the existing buildings. A possible building project which would narrow the entrance into the Dandara site would have a detrimental impact on the present scheme, and we urge the developer to acquire the rights of way on the adjacent properties to prevent this.

Architecture

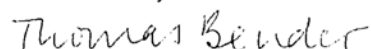
Within the otherwise low rise context of Harrow-on-the-Hill these buildings will be considered tall and they will need to meet the criteria set in the *CABE/EH Guidance on Tall Buildings*. We think that the tall buildings are likely to weaken the strength of the traditional Harrow-on-the-Hill views. We note an animated and differentiated elevational treatment with a large number of balconies, but overall the proposed buildings do little to address the different conditions surrounding them, for example sun exposure or noise from the railway.

Conclusion

To conclude, while the scheme has some potential to revive the station area, more work is necessary to create a successful public space and a pleasant place to live. The successful development of the site will rely on the provision of the new bridge and improved 'entrance' into the site from College Road.

Please keep CABE in touch with the progress of this scheme. If there is any point on which you would like clarification, please telephone me.

Yours sincerely



Thomas Bender
Design review advisor

cc Ian Apsley Broadway Malyan

RECEIVED
12 DEC 2008

RP1

Mr R Pidgeon
Planning Department
Harrow Council
PO Box 37
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Harrow HA1 2UY

CBRE

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Paul.willmott@cbre.com

5 December 2008

Dear Roger

**TOWN AND COUNTRY PLANNING ACT 1990
HARROW – 51 COLLEGE ROAD HA1 1AA
PLANNING APPLICATION REFERENCE P/1620/08CFU**

I refer to our recent telephone conversations and exchanges of correspondence in respect to the planning application regarding the above site, to the various conversations that you have had with our clients, and to the meeting at the Greater London Authority last week (which Transport for London and the Council attended) following which I am writing to clarify a number of the key issues raised.

Mast

We are aware that there has been some comment regarding the perceived impact of the mast on block A which has been provided as an appropriate roof feature to the building consistent with the comments of the Council's Urban Design Officer. However, our Client remains flexible as to the need for this and accordingly should Members wish to see it omitted from the design then our Client would be amenable to comply with that requirement. Accordingly, please could you ensure that Members are aware that the provision of the Mast is at their discretion when they come to consider the proposals.

Police Station

As indicated in previous correspondence, our Client is not adverse to the principal of providing a neighbourhood policing facility but they do feel that further justification should be provided. Please note CgMs has contacted our client directly, who have asked for further justification to be provided.

This facility has not previously been a stated requirement in respect to other Harrow town centre proposals. Our client met with Council's Director of Environment this week, and informal discussions indicated that the Council are currently looking at options to provide a new civic centre which could also include other public services such as health centre and policing facilities. With this in mind it would seem premature to seek such facility within this development.

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Subject to the new public services campus not coming forward and further justification by the police, the applicant is prepared to agree to the requests made by CgMs, at a beneficial level. They may also be willing to include the provision of a temporary facility, pending the completion of the public services campus subject to negotiation.

I would therefore be grateful if you could report to Members that the applicants are willing to consider the Police request and that they are committed to entering negotiations with the police to provide the facility at a discounted rental level subject to the public service campus and justification and either on a temporary or permanent basis. I believe that this requirement could adequately be covered by condition although Members should also be made aware that it does constitute additional 'planning gain'.

Design

With respect to the issue of design, you will be aware that our Clients have reverted to CABE following their comments on the revised scheme and to the fact that they have omitted, in their assessment, to take into consideration the new College development which will sit in the foreground of the proposed scheme. It has been recognised both at the GLA in the meeting last week and by yourselves that the College's proposals do, in their own right, change the townscape of the town centre and this should be reflected in advice to Members. I would therefore be grateful if you would consider this particular aspect when advising Members and, if you might also seek the views of the independent advisor you are seeking to appoint, as well.

You will also be aware that the current scheme has addressed CABE/EH guidance on Tall Buildings and that sunlight penetration into the public space area has been a major element in the design of the scheme to ensure that is not over shadowed for the majority of the day. With regards to CABE's other comments, this scheme has been designed to address these and further information has been provided to them explaining the decision making regarding elements such as the elevations facing the railway. This has all been recognised by your Authority already but the letter from Dandara dated 13 November 2008, a copy which has been forwarded to you, provides clarification to CABE's comments. The GLA at their meeting last week indicated broad acceptance of both the design and proposed height, identifying that the building has been reduced, in accordance with your Members request, to 19 storeys. My client also reminded the GLA case officer that they had already presented a scheme in excess of 19 storeys to the Mayor in conjunction with the Council, which he supported.

These points should therefore be considered in context with the work that has been completed between our clients and the Council. Again this may be something you can seek independent comment on. However, it is our view that we have addressed CABE's concerns and indeed it would appear that the scheme has GLA support.

Most importantly, however, is that CABE's letter does not object to the proposals but simply expresses a general view on issues associated with the design, for which responses have now been given. Indeed, they state that:

"We welcome the intention to bring this site next to Harrow-on-the-Hill Town Centre back into active use. The College Road proposal, the new bridge and the redevelopment of Harrow College on the other side of the railway have the potential to contribute to the wider regeneration of Harrow-on-the-Hill Station area. In general, the quantum of accommodation appears acceptable....."

CBRE
CB RICHARD ELLIS

CABE go on to state that they "think that the size and scale of the scheme could work..." and indeed the concerns which they have expressed have subsequently been dealt with in follow up correspondence. This sets out both the technical and environmental decision making that has occurred and the various considerations that have been taken which have addressed the concerns which they have raised.

Disabled Accommodation

At our meeting with the GLA last week, the question was raised regarding the provision of disabled accommodation within the scheme. I would confirm that the requisite level of wheelchair equipped units required by your policy, and as agreed with the Council have been provided within the scheme. In addition, every unit in the scheme has been designed to the requirements under the Lifetime Homes standards. Accordingly every unit can accommodate wheelchair occupants and a total of 10 disabled car parking spaces will be provided. My client considers that this approach provides greater flexibility to meet the requirements of those with disabilities and offers greater choice in terms of units.

Section 106 Provisions

Separate details regarding the proposed developer contributions to the delivery of key priorities associated with the scheme, including the provision of the footbridge and transport contributions, have been provided separately. However, in our discussions with the GLA last week, it was accepted that the 'ratchet' mechanism proposed was acceptable to the Authority given the current economic circumstances. With respect to the allocation of the contribution, my client confirmed that this would be a decision for the Authority and Council to reach although the minimum contribution payable would easily meet the relevant guidance requirement that it will cover the mitigation requirements of their proposals. The GLA case officer also accepted that the 15% affordable housing provision was likely to be acceptable in consultation with the Mayor.

17-33 College Road

With regards to the issue of 17-33 College Road, it has already been confirmed that the applicant enjoys rights over the 'shared' land at the main point of access and that the revised design opens this area further; as was requested.

However, I am aware of the Council's longer term desire for this block to be brought in to the scheme on the basis that it would constitute good planning practice and, indeed, your authority is aware of the considerable efforts that the applicant's have taken in order to attempt to do so.

Following discussions with the Council, my client is considering their position in respect to the 17-33 College Road block. However, the current proposals must be considered on the basis of what is within the applicant's control, and the future for 17-33 College Road should be the subject of a wider strategic consideration by the Council. That said, there is nothing associated with the current proposals which prevents the delivery of the application proposals and its associated planning benefits, nor anything which would compromise the continued use of 17-33 College Road or the potential of incorporating it within the scheme at a later date. Indeed, the Local Development Framework could reasonably include the block within the Site Specific Allocations document and set redevelopment and design requirements for its future.

It may well be that the site will need to be compulsorily acquired in order for it to be incorporated in to the wider scheme in the future and, as has been set out in the supporting material to our clients proposals, this has been allowed for in the current design.

My client has already submitted, to the Council's Director of Environment, two property cost estimates for the compulsory purchase of the interest in 17-33 College Road. In response, my client has been advised to consider making an application under Section 17 of the Land Compensation Act 1961 as a precursor to seeking your Authority's support in pursuing compulsory purchase on the basis of Section 226(1)(b) of the Town & Country Planning Act 1990. That being the acquisition of the land that is "required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated". With my client's proposals for the application site and the evolving proposals for the public sector campus immediately to the south, together with the consented Harrow College scheme, I am of the view that the acquisition would fully meet the legislative requirements and you are aware that my firm has already looked into this matter.

I trust the above comments are of assistance to you in clarifying a number of aspects associated with the current proposals and, will also assist you in reporting these key issues to Members at the forthcoming planning committee.

Yours sincerely



PAUL WILLMOTT
PLANNING – DIRECTOR

cc Ms R Allwood – Dandara

CBRE
CB RICHARD ELLIS

57 - 103 COLES CRESCENT, RAYNERS LANE ESTATE, HARROW

Item: 1/02

P/0735/09/DC3/MAJ

Ward ROXBOURNE

REDEVELOPMENT TO PROVIDE 13 HOUSES RANGING FROM 2-3 STOREYS IN HEIGHT AND ONE 4-STOREY BLOCK TO PROVIDE 8 FLATS AND 23 PARKING SPACES

Applicant: Mr Omoyele Thomas

Agent: Mr Paul Gendle

Statutory Expiry Date: | 30-JUN-09

RECOMMENDATION

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 6 months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:

- i) **Affordable Housing:** the provision of 6 social rented dwellings the affordable units to be managed by an RSL subject to a nomination agreement with the Council.
- ii) **Legal Fees:** payment of the Councils reasonable costs in the preparation of the agreement
- iii) **Planning Administration Fee:** payment of £500 administration fee for the monitoring of and compliance with this agreement.

2. A formal decision notice to **GRANT** permission for the development described in the application and submitted plans and materials, subject to planning condition(s) noted below will be issued upon the completion by the applicant of the aforementioned legal agreement:

REASON

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

Policies:

Government Guidance:

PPS1 – Delivering Sustainable Development

PPS3 - Housing

PPG13 - Transport

London Plan Consolidated with Alterations since 2004:

3A.1 –Increasing London’s supply of housing

3A.2 – Borough housing targets

3A.3 – Maximising the potential of sites

3A.5 – Housing Choice

3A.9 – Affordable housing targets

3A.10 – Negotiating affordable housing in individual private residential and mixed use schemes

- 3A.11 – Affordable housing thresholds
- 4A.1 – Tackling climate change
- 4A.7 – Renewable energy
- 4A.14 – Sustainable drainage
- 4A.16 – Water supplies and resources
- 4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:

- S1 – The form of development and pattern of land use
- EP15 – Water conservation
- EP20 – Use of previously-developed land
- EP21 – Vacant and disused land and buildings
- EP25 - Noise
- D4 – The standard of design and layout
- D5 – New residential development – amenity space and privacy
- D9 – Streetside greenness and forecourt greenery
- D10 – New trees and development
- T6 – The transport impact of development proposals
- T13 – Parking standards
- H7 – Dwelling mix

Supplementary Planning Guidance:

- Providing for Children and Young People's Play and Informal Recreation: The London Plan Supplementary Planning Guidance (March 2008)
- Sustainable Design & Construction: The London Plan Supplementary Planning Guidance (May 2006)
- Accessible Homes Supplementary Planning Document (April 2006)
- Supplementary Planning Guidance: Designing New Development (March 2003)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Principle of Development (S1, EP20, EP21)
- 2) Design & Character of Area (4B.1 & S1, D4, D5, D9, D10)
- 3) Residential Amenity (4B.1 & EP25, D4, D5)
- 4) Affordable Housing, Housing Provision & Density (3A.1, 3A.2, 3A.5, 3A.9, 3A.10, 3A.11 & H7)
- 5) Sustainable Design & Renewable Energy (4A.1, 4A.7, 4A.14, 4A.16 & EP15, EP20, EP21)
- 6) Accessible Homes (3A.5, 4B.1 & D4)
- 7) Parking & Highway Safety (T6, T13)
- 8) S17 Crime & Disorder Act (D4)
- 9) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Smallscale Major Dwellings
Site Area:	0.2715 ha
Density:	313.5 hrph 77 dph
Car Parking:	Standard: 34 (maximum)

	Justified:	23
	Provided:	23
Lifetime Homes:	21	
Wheelchair Standards:	2	
Council Interest:	None	

b) Site Description

- 57-103 Coles Crescent is part of the Rayners Lane Estate. The entire estate covers an area of 15.4 hectares.
- The current site is a fenced off brown field site which previously contained 24 studio flats.
- Directly across Coles Crescent to the south-east are boarded up 2 storey derelict residential blocks of flats;
- To the west of the site adjoining 55 Coles Crescent and further down Coles Crescent are 2-storey terraced houses;
- To the north adjoining the site is Cerise Court a 4-storey modern block of flats.

c) Proposal Details

- Redevelopment to provide 13 houses and block of 8 flats;
- 4 houses to be 2-storey's in height and located in row adjacent to number 55 Coles Crescent;
- 9 houses to be 2-storey with habitable roof space and located at centre of site fronting onto Coles Crescent;
- Block of 8 flats to be 4-storey's in height on corner of Coles Crescent adjoining new 4-storey block of flats at Cerise Court;
- Parking provision of 23 spaces of which 2 are for disabled badge holders;
- 6 units allocated for social rental accommodation which equates to 35% affordable housing across the development proposal based on habitable floor space;
- Energy savings of 25% beyond Part L of the Building Regulations with 8% provision of energy from on-site solar collectors.

d) Relevant History

P/3469/06	Demolition of 24 dwellings	GRANTED 07-MAR-07
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e) Pre-Application Discussion

Pre-application advice was given to the applicant on the 5th of February 2009 after a meeting of the Planning Advice Team (PAT). The following key points were raised:

- Excessive roof height on highest scenario;
- House design considered acceptable subject to height resolution;
- Design of flats unacceptable - considered to have poor detailing and out of keeping with newly-built neighbouring properties – the lack of any roof detail results in a bland and lack-lustre design;
- Details of frontage planting / landscaping and communal garden will be required with submission of planning application;
- Lifetime Homes standard required for all units, 3 wheelchair units required;
- Unimaginative bin store provision, could be incorporated into the building design;

- Issue raised over access to bin enclosure between new development and Cerise Court;
- Terminology on drawings undecipherable in places ;
- Possible security and safety issues in design of balconies – design could allow climbing of structure;
- Rearward projection of flats beyond adjacent house may be problematic - it is accepted that it does not accord with the Council's adopted 45° guidance (as with Plots 4 and 5) but the return of the other half of the flat block could result in an unsatisfactory residential environment at the rear of the flats – re-sitting of the adjacent houses may be the solution but this would be at the expense of parking space.

f) Applicant Statement

- None

g) Consultations:

Crime Prevention Design Advisor – No objection

Thames Water – No response

Highways – No objection

Advertisement: Major Development Expiry: 29-APR-09

Notifications:
Sent: 112 Replies: 2 Expiry: 29-APR-09

Summary of Response:

Insufficient parking provision, development proposal too close to 55 Coles Crescent and will result in a loss of light and will cause noise disturbance, Coles Crescent already heavily congested with parked cars.

APPRAISAL

1) Principle of Development

Policy S1 of the Harrow Unitary Development Plan 2004 (HUDP) states:

'The Council seeks to secure a form and pattern of development in the borough that accords with the principles of sustainable development, and achieves the following:

- A) Development that reduces the need to travel and facilitates and encourages travel by more sustainable modes;*
- B) Full and effective use of land and buildings;*
- C) Conservation and enhancement of natural resources;*
- D) Development that minimises waste and reduces pollution; and*
- E) Increased social inclusion.'*

The principle of the proposed development is considered acceptable as it represents an effective use of previously developed land, minimises energy use, generates less CO2 emissions, and provides modern private and affordable housing.

The key aspects of the proposal are covered in detail against the relevant planning policy criteria in the following sections of this report.

2) Design & Character of Area

It is considered the proposed development represents an effective and efficient development of an under used, brown field site.

The proposal is considered consistent with policy D4 explanatory paragraph 4.11 of the HUDP 2004, which states that *'buildings should respect the form, massing composition, proportion and materials of the surrounding townscape'*. This requirement is reinforced under PPS1, which states that development should respond to their local context and create or reinforce local distinctiveness. The character of the surrounding area consists of more modern architecture, predominantly of brick and render materials ranging between 2-storey terraced housing to 3-4 storey blocks of flats.

Furthermore, explanatory paragraph 4.10 states that *'development should be designed to complement their surroundings and have a satisfactory relationship with adjoining buildings and spaces'*.

It is considered that the design of the proposal would complement the key make up of the surrounding areas and represents a good design approach to address the character of the surrounding area.

The scale of the south block of houses would complement the existing character of the surrounding houses which are 2-storey in height with pitched roofs with gable ends and no front dormer windows.

The proposed middle blocks would utilise the roof space and as a result are taller than the southern block and include dormer windows to the front. This approach creates a transition in scale from the modest 2-storey block to the larger 4-storey block at the northern end. The proposed 4-storey block reflects the scale, bulk and massing of existing 4–storey blocks in the vicinity and is entirely appropriate in this setting.

The proposed indicative landscaping and tree planting details are considered acceptable and would improve and enhance the character and appearance of the street.

The proposed development would reflect the character of the surrounding area by having regard to the form, massing composition and proportion of the existing buildings on and around Coles Crescent. The proposal is therefore considered to comply with policy 4B.1 of the London Plan 2008, policies D4, D9 and D10 of the HUDP 2004 and Supplementary Planning Guidance of Designing New Development (March 2003).

3) Residential Amenity

Policy D5 of the HUDP 2004 seeks to ensure all new residential development provides acceptable amenity for both future occupiers of a development and neighbouring residents.

With regard to on-site amenity provision the amount of private rear garden amenity space proposed is considered to represent an improvement on the previous residential use of the site. The proposed blocks of houses would have similar sized rear gardens to the neighbouring properties on Coles Crescent. To ensure that this rear garden amenity space is protected a condition is attached to this report taking away permitted development rights from the proposed blocks of houses.

Amenity provision for occupiers of the blocks of flats is represented on site through the use of balconies to each unit with outdoor private garden space for the occupiers of the two ground floor units. This approach is in keeping with that provided in adjoining blocks of flats such as Cerise Court.

Notwithstanding the representations received overlooking and privacy are not considered to be issues with the proposed development. The orientation of habitable room windows within the proposed houses and block of flats are considered appropriate with acceptable distances to neighbouring habitable room windows. Balconies to the four storey block of flats are all positioned to the southern corner facing Coles Crescent thereby avoiding any overlooking issues of neighbouring rear garden areas.

Outlook from the proposed units is considered appropriate with no single aspect, north facing units proposed.

Loss of light to 55 Coles Crescent has been raised as an explicit concern. Although a daylight and sunlight report has not been submitted in support of the application it is considered that loss of light to 55 Coles Crescent would not be significant given the relationship of the proposed blocks with 55 Coles Crescent, the path of the sun and the precedent of the former residential use on site.

Noise disturbance has also been raised by one of the objectors as a concern.

Policy EP25 of the HUDP provides a list of criteria in which proposals can minimise noise disturbance resulting from a development. These include design, layout and orientation of buildings; planting, landscaping and insulation.

It is considered that a residential development of this nature with no external plant or machinery equipment proposed would not result in a harmful impact on neighbouring amenity with regards to noise and disturbance.

Refuse storage for the blocks of houses would come in the form of the 3 bin system and for the 4-storey block of flats a 1100 litre bin is proposed for general waste and a 1280 litre bin is proposed for recycling. The above is considered compliant with Harrow Council guidelines for refuse and waste storage.

It is therefore considered that the proposed development would not result in an adverse impact on residential amenity and would comply with policies EP25 and D5 of the HUDP 2004 and SPG on Designing New Development (March 2003).

4) Affordable Housing, Housing Provision & Density

The proposal results in 21 modern units of various sizes to complement Harrow's housing stock, which would make a positive contribution with regards to meeting annual housing targets for the borough.

The proposed density would be 77 dwellings per hectare and 313 habitable rooms per hectare. Given that the PTAL of the site is 2 and it is within a suburban – urban setting, these density levels are generally in line with those recommended by policy 3A.3 of the London Plan and reflective of existing density levels of residential development in the immediate vicinity.

Six of the units are proposed as social rent affordable housing. This would represent 35% of total habitable floor space of the development as affordable housing.

Harrow Council Housing Enabling officers have reviewed the affordable housing provision and are satisfied with the type and level of affordable housing proposed. The 6 affordable units shall be secured by way of a s.106 agreement.

The proposed development is therefore considered to comply with London Plan policies 3A.1, 3A.2, 3A.9, 3A.10, 3A.11 and policy H7 of the HUDP 2004.

5) Sustainable Design & Renewable Energy

The proposed development would represent the reuse of previous developed residential land. This is considered consistent with policies EP20 and EP21 of the HUDP 2004 which place a strong emphasis on and preference for new development taking place on previously developed land within the borough.

With regard to energy usage, given the size, form and layout of the proposed development it is calculated that the development when complete, would use 289,308 KWh per year through conventional forms of energy supply such as electricity and gas. The proposed scheme would only use approximately 214,309 KWh per year by incorporating passive design and renewable energy measures.

Policy 4A.7 of the London Plan 2008 states:

The Mayor and boroughs should in their DPDs adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite renewable energy generation ... unless it can be demonstrated that such provision is not feasible ...'

The proposed development seeks to achieve a Code for Sustainable Homes level 3 rating. It is proposed to use a combination of passive design measures such as improved insulation and renewable energy provision from solar water heating to achieve a 25% reduction in CO2 emissions beyond the requirements of Part L of the Building Regulations. It is calculated that 8% of energy provision will be provided from the solar collectors placed on the roof of the proposed block of flats.

Alternatives to solar collectors have been considered such as an on site central heating plant (CHP), biomass heating, photovoltaics, wind turbines and ground heat pumps. However due to a combination of site constraints, excessive costs, the level of power generation and carbon emissions savings these alternative options were not considered appropriate for the proposed development.

Water conservation is considered to be an important element of sustainable design.

Policy 4A.16 of the London Plan 2008 states:

'In determining planning applications, the Mayor will, and boroughs should, have regard to the impact of those proposals on water demand and existing capacity. The Mayor will, and boroughs should, apply a maximum water use target of 105 litres per person per day for residential development ...'

Furthermore policy EP15 of the HUDP 2004 states:

'Development proposals should include appropriate measures to conserve water, such as provision for collecting rainwater and recycling grey water and water efficient devices. Developers of major schemes will be required to demonstrate how they have taken into account the need to conserve water in their proposals.'

As the proposed development will be built to Code for Sustainable Homes level 3 water conservation measures will be

Unfortunately no green roof is proposed to the roof area of the block of flats which would appear to be ideal for this type of design approach. The benefits of green roofs for reducing water runoff, improving energy efficiency and creating ecological habitats are well documented. The roof area as proposed would contain solar panels and a service access.

Overall the proposed development is considered to adopt sustainable development principles and incorporate passive design and renewable energy measures which will reduce overall energy usage and reduce carbon emissions. Subject to achieving Code for sustainable homes level 3 the proposal is considered compliant with London Plan policies 4A.1, 4A.7, 4A.16 and HUDP 2004 policies EP15, EP20 & EP21.

6) **Accessible Homes**

Policy 3A.5 of the London Plan states:

'Boroughs should take steps to identify the full range of housing needs within their area. DPD policies should seek to ensure that:

- *All new housing is built to Lifetime Homes Standards*
- *Ten per cent of new housing is design to wheelchair accessible or easily adaptable for residents who are wheelchair users ...'*

This requirement is reinforced by Harrow Councils SPD on Accessible Homes (April 2006) which states: *'The Council will therefore require all housing developments ... to meet the minimum requirements of Lifetime Homes standards. In addition, the Council will require 10% of all new housing ... to meet Wheelchair Housing standards.'*

All homes in the proposed development would comply with the relevant requirements of the Lifetime Homes standards. Provision would also be made for two wheelchair accessible homes to be located at ground floor level in the proposed block of flats with provision for two disabled parking spaces. The proposed development is therefore considered to comply with policy 3A.5 of the London Plan 2008 and Harrow Council Accessible Homes SPD (April 2006).

7) Parking & Highway Safety

HUDP policy T13 states:

'In accordance with the need to promote sustainable development and transport choice, the Council will expect new developments to make appropriate provision for car parking ... In deciding the appropriate level of car parking ... developers would need to take into consideration the following factors:

- A) The nature and location of the proposed scheme;*
- B) The amount of alternative parking spaces in the locality;*
- C) Proximity or access to other mode of transport;*
- D) Any measures proposed to promote sustainable travel choices and reduce reliance on private car...*
- E) Whether the proposal is likely to create significant on-street parking problems;*
- F) The potential highway and traffic problems likely to arise.'*

It is proposed to provide one parking space per dwelling with an additional 2 spaces allocated for disabled parking making a total of 23 spaces. It is also proposed to provide 8 cycle spaces. The previous residential use of the site contained 24 studio flats with no off street parking provision.

Both objectors to the development expressed concerns with the level of proposed car parking provision being inadequate and that Coles Crescent was already congested with cars parking on the street.

The development site has a PTAL of 2 which is low to medium being a reflection on the sites proximity to train and underground stations. There are good bus links in close proximity of the site and it is considered that suitable provision of car parking and cycle facilities have been proposed particularly compared with the previous use of the site.

There are no residents parking restrictions in place in or around the Rayners Lane Estate therefore any additional cars associated with the development would be able to park on the street. There are no recorded or historical problems with on street parking in the Coles Crescent area and no evidence of parking congestion was evident during the officer's site visit.

It is considered on balance, that the proposal would provide satisfactory car parking provision and that the development would not directly result in a noticeable or detrimental impact on street parking in the area. The proposal is therefore considered to comply with policy T13 of the HUDP 2004.

8) S17 Crime & Disorder Act

The applicants propose to achieve Secured By Design Accreditation for the development and use doors and windows which are tested and certified to Secured By Design standards.

The design approach taken is considered to adhere to the basic principles and practices of Secured By Design. For example the layout of the proposed buildings offer good natural surveillance of the site with the front and rear elevations consisting of principle habitable room windows overlooking private garden space to the rear and car parking spaces to the front.

The proposed layout of the buildings would also create an active frontage where previously the old residential blocks were set well back from the highway.

The proposed boundary treatment to the side and rear of the site would consist of a 1.8m high close boarded fence with a 0.6m high trellis above and gates are proposed at access points to the rear of the site.

Feedback from the Metropolitan Police state that the scheme has under gone substantial pre-application discussion with the Crime Prevention Design Advisor.

It is considered that the applicant has demonstrated that the basic principles and practices of Secured By Design have been incorporated into the overall development of the scheme. However to enable further consideration of some of the more detailed Secured By Design considerations a condition has been attached to the report requesting further information. Overall the development would create a safe and secure environment for future occupants and is therefore considered to comply with policy D4 of the HUDP 2004.

9) Consultation Responses:

The consultation exercise included two responses summarised above. These have all been addressed in the main report above.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above, the proposal is considered to be acceptable subject to the completion of the s.106 Agreement detailed above the application is therefore recommended for approval subject to the following conditions.

CONDITIONS

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

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

3 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

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

2. 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'.

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan, and Section 17 of the Crime & Disorder Act 1998.

4 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- adjoining land,

- groundwaters and surface waters,

- ecological systems,

- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 4A.33 of the London Plan 2008 and Policy EP22 of the Harrow Unitary Development Plan 2004.

5 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP22 of the Harrow Unitary Development Plan 2004.

6 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP22 of the Harrow Unitary Development Plan 2004.

7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP22 of the Harrow Unitary Development Plan 2004.

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

9 The development hereby permitted shall not be occupied or brought into use 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:

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

The development shall be carried out 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.

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

(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.

11 The development hereby permitted shall not be occupied or brought into use 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 schedules 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.

12 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 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

13 No works or development resulting in any change in the approved levels of the site in relation to the adjoining land and highway(s) shall be carried out without the prior permission, in writing, of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, and to ensure a satisfactory appearance, drainage and gradient of access.

14 No change in the approved materials is permitted without the prior written approval of the Local Planning Authority.

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

15 The development hereby permitted shall be completed in accordance with the approved drainage details as shown on plan numbers E/2965/11 Rev.B, E/2965/03 Rev.B and the Micro Drainage report and thereafter retained in that form. No changes are permitted without the prior written approval of the Local Planning Authority.

REASON: To ensure that adequate drainage facilities are provided.

16 The development hereby permitted shall be built in accordance with Code For Sustainable Homes Level 3 and shall thereafter be retained in that form .

REASON: To ensure a sustainable form of development.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 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).

4 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

5 INFORMATIVE:

The applicant should note that the granting of this planning permission does not extend to works to the public highway as shown on the approved plans. The applicant should contact the Local Highways Authority for permission to carry out any works to the public highway.

Plan Nos: P-002, P-003, P-005 Rev.C, P-006 Rev.B, P-007 Rev.A, P-008 Rev.C, P-009 Rev.C, P-010 Rev.C, P-011 Rev.B, P-012 Rev.A, P-013 Rev.A, P-014 Rev.A, P-015 Rev.B, 37.01 P-01 Rev.A, E/2965/02 Rev.P2, E/2965/11 Rev.B, E/2965/03 Rev.B, sk(9)01 Rev.B

Reports: Design & Access Statement March 2009; Site Waste Management Plan; Summary of Land Contamination; Micro Drainage Calculations

Materials: Facing brick: Ibstock - Leicester Red Stock (As phase C1, D1 & D2);
White render: Weber monocouche cement based render;
PVCu Windows: Munster - white;
Feature cladding to house bay windows: Trespa Meteon - Natural Bagenda;
Roof tiles to houses: Sandtoft Cassius Clay - Charcoal grey;
Zinc cladding to houses bay windows and oriel windows to flats - VM zinc - Anthra-zinc;
Adoptable highway portion of raised table: Marshalls - Tegula drivesett in Pennant Grey;
Non-adoptable parking portion of raised table: Marshalls - Tegula Priora permeable blocks in Pennant Grey;
Non-adoptable parking bays: Marshalls - Priora pavior blocks in Charcoal Grey;
Front path to houses: Marshalls - Priora pavior blocks in Burnt Ochre;
Side paths to houses and flats: Marshalls - Concrete slabs in natural;
Communal area to flats: Marshalls - Conservation slabs in natural.

Item: 1/03

SCANMOOR HOUSE, NORTHOLT ROAD, HARROW P/0620/09/RH/MAJ

Ward HARROW ON THE HILL

CHANGE OF USE FROM OFFICE BUILDING (B1 USE) TO A HOTEL (C1 USE) WITH 44 ROOMS, RESTAURANT, KITCHEN & CONFERENCE FACILITIES. ROOF EXTENSION TO PROVIDE 5TH FLOOR, 1ST TO 5TH FLOOR SIDE EXTENSION AND 1ST FLOOR REAR EXTENSION.

Applicant: EuroTraveller Hotel Group

Agent: JPB ARCHITECTS

Statutory Expiry Date: | 16/06/2009

RECOMMENDATION

INFORM the applicant that:

1. The proposal is acceptable subject to:

a) The completion of a legal agreement within 6 months (or such period as the Council may determine) of the date of the Committee decision on this application relating to:

i) A sum of £15,000 shall be deposited with the Council to fund the monitoring of traffic and parking conditions in the locality, the preparation and installation of on street parking controls for a period of five years from scheme completion. Any monies not expended for these purposes shall be returned to the applicant at the end of that period".

2. A formal decision notice to **GRANT** permission for the development described in the application and submitted plans, and subject to the following condition(s) will be issued only upon the completion of the aforementioned legal agreement.

REASON

The proposed development would bring a vacant building back into use, improve the appearance of the building and the character of the area, provide an employment use on site that would be compatible with surrounding development, would contribute to the vitality of the area, recreational facilities in the borough and would encourage sustainable forms of transport to the site. The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

London Plan: 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4B.1, 4B.5, 4B.6

Harrow Unitary Development Plan:

EM13, EP20, EP21, EP25, T6, T13, D4, D5, R15, C17

Supplementary Planning Document Access for All

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Principle of Development (EM13, EP20, EP21, R15)
- 2) Design and Character of Area, (4B.1, 4B.5, D4)
- 3) Neighbourhood Amenity (EP25)

- 4) Parking and Highway Safety (T6, T13)
- 5) Accessibility (D4, SPG)
- 6) Sustainability – Energy Demand and Water Resources (4A.1, 4A.3, 4A.4, 4A.6, 4A.7)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major development, all other (change of use)		
Site Area:	640m ²		
Floor Area:	1791m ²		
Car Parking:	Standard:	1 space/ 5 bedrooms 5 + visitors + customers	
	Justified:	12	
	Provided:	12	
Council Interest:	None		

b) Site Description

- Site comprises a vacant five storey flat-roofed office building on the north west side of Northolt Road with ground floor undercroft parking to the rear of the site.
- South Harrow Police Station, a four storey building adjoins the site to the south west.
- Site to the north east is currently under construction to provide 25 residential flats, parking and landscaping.
- Parking and access road is located directly to the front of the site.
- Located 500m north of South Harrow district centre.
- London distributor road extends along the front of the site (Northolt Road), the access road to the rear of site is accessed from Shaftesbury Avenue (Borough Distributor Road).
- Site located within designated Business Use Area.
- Surrounding area comprises a mix of commercial and residential uses.
- The site benefits from resolution to grant planning permission subject to completion of a legal agreement (reference P/3519/08). This previous application was reported to the 04/02/09 Planning Committee meeting.

c) Proposal Details

- The application seeks permission for a revision to the previous scheme, consisting of:
- Change of use from office building (B1 use) to a hotel (C1 use) with 44 rooms, restaurant, kitchen and conference facilities.
- A roof extension to provide a fifth floor and part single storey extension at first floor level over an area of car parking (measuring 16.4m in depth along the western elevation, 11.4m along the eastern elevation and 7m in height) and part four storey rear extension (measuring 4.2m wide by 8.5m deep) that would extend around to fill in the stepped footprint of the north west corner of the existing building, bringing it in line with the north western side elevation.

- Alterations to the front and rear elevations are proposed; first floor windows at the front and rear of the building are to be removed and replaced with floor to ceiling windows, blue zinc panel are proposed at three window intervals between the existing windows at second, third and fourth floor level.
- Twelve car parking spaces and 8 cycle parking spaces are proposed at ground floor level.

Revisions to Previous Application:

Following the previous decision (P/3519/08) the following amendments have been made:

This application seeks approval for the entirety of the previous scheme and to:

- Increase the number of hotel rooms from 40 to 44.
- Increase the footprint of the four storey rear addition by 1m in width to extend the full width of the original building, consistent with the existing north western side elevation to include the 2.2m deep by 1m wide area that steps in behind the curved element of the building adjoining the staircase.
- Amend the detailed design of the building through the reduction of the number of windows proposed at first, second, third and fourth floor level.
- The car parking layout has been amended from the earlier scheme so that all of the car parking spaces are accessed from the front of the site only, with emergency access to the rear from Shaftesbury Avenue. This amendment to the scheme is consistent with proposed conditions 3 and 4 of the earlier resolution to grant (ref: P/3519/08), which sought to improve security within the site. This revision to the parking layout has resulted in the loss of three car parking spaces reducing the proposed provision from 15 to 12 spaces.

d) Relevant History

P/849/04/CFU	Two additional floors with mansard roof to provide 3 flats, with residential access on ground floor.	WITHDRAWN 12-MAY-04
P/1369/04/CFU	Additional floor within mansard roof to provide 2 flats with residential access on ground floor	GRANT 08-JUL-04
P/3184/06	Change of use of floors 1 to 4 from offices to 12 flats and construction of two class A3 units	WITHDRAWN
P/3519/08	Change of use from office building (b1 use) to a hotel (c1 use) with 40 rooms, restaurant, kitchen and conference facilities, roof extension to provide fifth floor and part single storey and part four storey rear extension	GRANT subject S106 agreement (not yet completed)

e) Pre-Application Discussion

- None

f) Applicant Statement

- Further to the approval subject to legal agreement of application P/3519/08, the revised application proposes to make the following changes to the approved scheme "Change of use from existing office use to hotel use class C1. First floor rear extension is proposed to accommodate the conference and kitchen facilities, side extension proposed to accommodate staff rooms and laundry facilities;
- The amendments include provision of additional lift, extension of existing footprint to left hand boundary over ground to fifth floor level, revisions to internal layout. Provision of separate access on right hand side to first floor restaurant;
- The property currently benefits from planning permission for an additional floor with mansard roof to provide two flats and earlier permission for change of use of the site to hotel use;
- Development would comply with Local Plan and London Plan Policies and National Planning Guidance;
- Scale of development is appropriate to the existing building and generally in keeping with the extant approval;
- No parking for staff members, green travel plan will encourage use of alternative modes of transport;
- The development would incorporate sustainable and green technology;
- Current proposal would make use of previously development and currently empty property;
- The site has been empty for a number of years and was put up for sale in 2007 with the only expressed interest in the site being for residential development to provide 14 units however this was abandoned following the changes to the affordable housing criteria reducing it to 10 units. Site has since changed ownership; and
- Consider proposed use is appropriate given the context of the area, which is now mix of residential and commercial. It would not have an adverse impact on the amenities of nearby residential properties, and its location relative to Harrow, Wembley and London, and public transport links makes it a viable and sustainable use of a vacant property.

g) Consultations:

Advertisement: Major Development Expiry: 02-APR-09

Notifications:

Sent: 14 Replies: 2 Expiry: 02-APR-09

Second consultation sent out correcting the proposal description from 40 bed hotel to a 44 bed hotel

Sent: 14 Replies: 0 Expiry: 15-JUN-09

Summary of Response:

Object to the additional storey, property would be overlooked and would obstruct the skyline. The rear addition would be too close to the rear gardens along Shaftesbury Ave, noise associated with hotel would be disruptive, have concerns that this application is to be used as a half way house

Metropolitan police - likely traffic impact on Northolt Road relating to vehicle access to and from the police station. Seek assurance that the access is to be retained and that Metropolitan Police operations will be unimpeded by the proposed development. There are a limited number of onsite parking spaces for customers. However, there is no on-site parking provision for staff or conference visitors, which is likely to increase on-street parking in the area.

APPRAISAL

Background

The Council resolved to grant the previous application (P/3519/08), subject to completion of a legal agreement, for the change of use of the existing office building (B1 use) to a hotel use with 40 rooms, restaurant, kitchen and conference facilities, including a roof extension to provide fifth floor and a part single storey and part four storey rear extension on 4th February. While there have been no changes to relevant planning policy since the recent resolution, the neighbouring building, 54-60 Northolt Road, has been granted approval for an extension at roof level to provide 2 additional flats. This is not considered to materially change the planning circumstances of the site. Accordingly, the main issues of this case are considered to be primarily restricted to the assessment of elements of the scheme that differ from the previous scheme: The increase in the number of rooms, changes to the external appearance of the building, the increase in the proposed additions to the building and the decrease in the number of parking spaces.

Assessment of the scheme in this report therefore considers the principle of further intensification of development on the site, the design and appearance of the proposed scheme, the impact on neighbouring properties, the impact on the site layout and parking provision.

1) Principle of Development

The site is located within a designated business use area in the Harrow Unitary Development Plan. Policy EM13 of the Harrow Unitary Development Plan seeks to resist the loss of land and buildings within designated business areas from business and light industrial (B1) uses to help ensure sufficient employment land supply.

As established by the recent approval, the principle of the hotel use on the site is considered to comply with policies EM13 of the HUDP. The loss of the office use of the site was assessed against the policy requirements of EM13 and was considered acceptable based on the length of time the building was vacant, the marketing of the site for other B class uses, the availability of other B1 sites within the locality and potential harm to the local economy.

The proposed hotel use would retain an employment generating use on the site that would be compatible with the surrounding residential and remaining commercial environment. Furthermore, the proposed development would take place on previously developed land and would make use of a vacant building in accordance with policies EP20 and EP21 of the Harrow Unitary Development Plan.

The change of use of the site complies with Policy R15 of the HUDP, which supports the development of smaller hotels in locations that are well served by public transport. Currently there is an identified need for purpose built hotels with conference and meeting facilities and more middle range accommodation in the borough.

The site is well served by public transport and is located 500m to the north of South Harrow District Centre and tube station. The proposed hotel would contribute to addressing the existing shortfall of middle range hotel accommodation in the borough.

The revision to the scheme proposed by this application would result in a minor increase to the intensity of development on site. This is considered to be consistent with general planning policy set out in PPS1 which seeks to maximise the use of brownfield sites, subject to compliance with other applicable standards.

The intensification of the proposed hotel use is not considered to be excessive within the context of the site and surrounding properties, as expressed in the assessment in the following sections. Accordingly, the proposed intensification of the hotel use is considered to be acceptable.

2) Design and Layout

The built form of the previous application was of a part single storey extension at first floor level over the ground floor level car park, and part four storey rear extension located in the north western corner of the building and a fifth floor roof extension. The current application proposes changes to the external appearance of the building and to increase the width of the rear extension along the north western site boundary over the four storeys and at roof top level.

Given the earlier consideration of the impact of this rear extension by the committee this assessment of the scheme is restricted to the detailed design of the external elevation and the impact of the increased extension on the appearance of the building and the relationship to the adjoining property to the west, South Harrow Police Station. No changes are proposed from the previous scheme in relation to the northern and eastern site boundaries.

Explanatory paragraph 4.10 of Policy D4 Harrow Unitary Development Plan 2004 (HUDP) states that 'development should be designed to complement their surroundings and have a satisfactory relationship with adjoining buildings and spaces. Policy D4 explanatory paragraph 4.11, states that 'buildings should respect the form, massing composition, proportion and materials of the surrounding townscape'.

The application proposes to increase the width of the rear extension to extend the north western side elevation of the existing building, infilling the 1m wide by 2.2m deep area that is provided by the stepped in design of the north western side elevation of the building. A distance of 1m would be retained between the building footprint and the western site boundary.

The increase in building footprint is considered to be minimal with respect to the larger extensions to the building and would not be harmful to the design and proportions of the existing building. The 1m wide separation to the western site boundary is considered sufficient to maintain the existing relationship with the neighbouring building to the west of the site. The increased footprint would not be prominent from the streetscene.

The frequency of the windows along the front and rear elevations is to be amended so that every third window is to be replaced with a zinc panel at second, third and fourth floor level. The first floor windows in the rear elevation that would serve the kitchen and conference room are to be reduced in number, from ten windows to five windows. The proposed alterations to the detailed design of the building would not be harmful to the appearance of the building or its setting within the streetscene in accordance with policy D4 of the HUDP.

The overall refurbishment and proposed hotel use would bring a vacant, derelict building back into use and the active use would improve the appearance of the building. Furthermore, the active frontage of the hotel and alterations to the façade would improve the appearance of the building within the streetscene and add to the vitality of the eastern end of Northolt Road. Accordingly, this aspect of the development is considered acceptable.

3) Neighbourhood Amenity

Policy D5 of the Harrow Unitary Development Plan 2004 requires new development to protect the amenity of occupiers of surrounding buildings. Policy EP25 of the Harrow Unitary Development Plan seeks to minimise noise disturbance, and states that development proposals that would lead to unacceptable level of noise, vibration or disturbance will be refused.

To the northeast, the site adjoins nos. 50-54 Northolt Road. Construction is currently taking place on this neighbouring site to implement planning permission to provide a part 3 and part 6 storey building of 27 self contained flats. The site adjoins South Harrow Police Station to the west. The access road and parking area to the north of the existing office building separate the site from the rear gardens of the residential properties to the north of the site nos. 3 - 11 Shaftesbury Avenue.

As outlined in section 2 of this report, the current application seeks to implement the part single storey extension at first floor level over the ground floor level car park, and part four storey rear extension located in the north western corner of the building and a fifth floor roof extension as approved in the earlier scheme with a revision to the width of the part four storey rear extension and fifth floor addition.

The proposed hotel use and new extensions to the building proposed in planning ref: P/3519/08 were determined to be acceptable in relation to neighbouring properties subject to the inclusion of conditions requiring details of extraction and ducting and the obscure glazing of the first floor kitchen.

The proposed intensification of the hotel use would be minimal with respect to the number of guests visiting the site and would not be dissimilar to existing B1 office use with regard to noise and traffic generation during the day. The activity in the hotel would be focused at the front of the site, limiting the potential disturbance to neighbouring residential properties in the evening. The increase in the number of bedrooms would not be considered to materially impact on the amenities of neighbouring residential properties.

The part four storey rear extension and fifth floor addition would be extended by a further metre to line up with the south western side elevation of the existing building infilling the north western corner of the building. The increase in the width of the rear extension would reduce the 2m wide area of separation from the shared property boundary with South Harrow Police Station to one metre. The proposed depth of the four storey rear extension would remain the same as the approved scheme, extending approximately 3m further than the rear elevation of the South Harrow Police Station.

While this could have the potential to enclose the rear half of the neighbouring site, it is considered that given the commercial use of the site and the remaining 1m area of separation, it would be sufficient to minimise the impact on the neighbouring building. Accordingly, this aspect of the development is considered acceptable in accordance with policy D5 of the HUDP.

While the proposed development would not raise any issues regarding impact on the neighbouring residential properties, it is recommended that the conditions requesting details of the ventilation, ducting and obscure glazing of the first floor kitchen windows are carried over to this application to ensure that the development would not harm the amenities of the future occupiers of the adjoining residential properties.

4) Parking and Highway Safety

The site is currently accessed from Northolt Road at the front of site and from an access road to the rear of the site off Shaftesbury Avenue. Twenty car parking spaces are currently provided beneath the building and to the rear of the site.

The site is located within 500m of South Harrow Station, 1.25km from Sudbury Hill Station, 1.5km from Harrow on the Hill station and is within walking distance of South Harrow district centre.

The application proposes 12 car parking spaces along the northwest and northeast site boundaries. Two of these spaces would be provided to wheelchair standards. The car parking area is proposed to be accessed from Northolt Road and an emergency access would be provided at the rear of the site via controlled gates.

The proposed parking provision and site access is in response to condition 3 of the approved scheme. This required the parking and site layout to be amended to prevent access from the service road. This condition was considered necessary for site security and in the interests of the residential amenity of neighbouring properties. It was acknowledged in the Planning Committee report for the previous scheme that the required amendments to the site access would result in the loss of the two car parking spaces that could only be accessed from the service road.

The Council's hotel car parking standard allows a maximum provision of one space per five bedrooms. While the proposed car parking provision would exceed this standard, it would be a reduction to the existing car parking provision on the site and would not be detrimental to highway conditions in the area.

A travel plan has been submitted with the application that states that no parking provision will be made available for conference visitors or staff. Potential clients would be made aware of the parking restrictions of the venue and public transport options through the marketing of the site. Staff members would be encouraged to use public transport, cycle or walk to the site. Shower facilities and covered and secure cycle parking would be provided on site for staff. A more detailed travel plan with measurable targets is recommended to be secured by condition.

The consultation response from the Metropolitan Police Authority states concern regarding, what they consider to be, limited car parking provision on the site with consequent potential for increased on-street car parking demand in the area. As stated in the previous paragraphs, the proposed car parking provision exceeds the Council's maximum standard, and additional provision would therefore not be supported by the Council's policy.

Refuse storage is proposed in the undercroft area. This area would not provide sufficient vertical clearance for the Council's refuse collection vehicles. However, the Council's Waste Management Officer has advised that the location of the bins, within 10m of the street frontage would enable the bins to be collected and returned to the site by the Council's Waste Collection Team. A condition is recommended to secure provision of the correct bins (recyclable, residual) and the collection arrangements.

5) Accessibility

Policy C17 of the Harrow Unitary Development Plan seeks to ensure that all development relating to retail facilities, leisure, recreation and other services adequately address the needs of disabled people, parents with children, the elderly and other people with special needs.

The proposed development has been designed in line with the requirements of Part M of The Building Regulations 2000, the Disability Discrimination Act 2005 and Harrow Council's Supplementary Planning Guidance Access for All. Accordingly, this aspect of the development is considered to comply with the requirements of policy C17 of HUDP.

6) Sustainability – Energy Demand and Water Resources

London Plan policy 4A.1 'Tackling Climate Change' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 4A.2, 4A.3, 4A.4, 4A.6 and 4A.7. Overall, the set of policies seeks to address climate change through minimising emissions of carbon dioxide.

While the application proposes a change of use of the building as opposed to demolition and construction, for clarity, this form of proposal is considered to be development that is subject to the London Plan energy policies. In this case, the proposal also includes substantial extensions and external alterations and would involve significant internal refurbishment, offering opportunities for the design to provide energy demand reduction.

The application has not submitted any detail to address these policy requirements. However, in this case, it is considered acceptable to address these aspects by condition.

7) S17 Crime & Disorder Act

Policy D4 of the Harrow Unitary Development Plan 2004 advises that crime prevention should be integral to the initial design process of a scheme. Policies 4B.1 and 4B.6 of the London Plan (consolidated with alterations since 2004) seeks to ensure that developments should address security issues and provide safe and secure environments.

The Design and Access Statement provides some detail of proposed crime prevention measures, including the provision of CCTV and external lighting. To ensure that the proposal incorporates an effective crime prevention strategy, a condition is recommended requiring detail of compliance with the Metropolitan Police Secure by Design scheme.

8) Consultation Responses

The two responses received are summarised above. The additional storey, the rear addition, impact on neighbouring properties with respect to noise and disturbance was considered acceptable in the earlier approved scheme P/3519/08. A number of conditions were attached to control noise from the site. In this case, for the reasons outlined above and subject to appropriate controls, the matters raised in the representations are not considered to alter the overall conclusions in respect of the proposal.

CONCLUSION

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

CONDITIONS

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

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

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

(a) the extension/building(s)

(b) the ground surfacing

(c) the boundary treatment

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

REASON: To safeguard the appearance of the locality.

3 Notwithstanding the detail shown on the plans hereby approved, prior to commencement of development revised plans shall be submitted to, and approved in writing by the Local Planning Authority, to detail revision to enclose the north west boundary of the site, including removing access to the site from Shaftesbury Avenue preventing the ingress and egress of vehicles to the site. The development shall be carried out in accordance with the approved details and shall thereafter be retained as such.

REASON: To secure the site and ensure that the development in accordance with Harrow Unitary Development Policy D4.

4 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

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

2. 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'.

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan, and Section 17 of the Crime & Disorder Act 1998.

5 Prior to the commencement of development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained as such.

REASON: To safeguard the amenity of neighbouring residents in accordance with Harrow Unitary Development Policy D4.

6 The windows in the north first floor wall of the first floor addition of the approved development shall:

- a) be of purpose-made obscure glass ,
 - b) be permanently fixed closed below ,
- and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents in accordance with Harrow Unitary Development Policy D4.

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 The development hereby permitted shall not commence until detailed particulars of the levels of noise to be generated in the building, of the provision to be made for the insulation of the building against the transmission of noise and vibration by reason of granting this permission, and of times during which noise producing activities will be carried out shall be submitted to, and approved by, the local planning authority. The use hereby permitted shall not be commenced 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 neighbouring residents.

9 The use hereby permitted shall not commence until the car parking, turning and loading area(s) shown on the approved plan number 10349 07 Rev B have been constructed and surfaced with permeable materials, or 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.

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 use hereby permitted shall not be commenced 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 level of noise emitted from the extract shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 during which plant is or may be in operation. Also, following installation but before the extract comes into operation additional measurements of noise from the unit must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

12 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

13 Prior to the commencement of the use of the building a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented as approved and adhered to thereafter.

REASON: To encourage the use of sustainable modes of transport to the site and to minimise the potential impact on the surrounding highway network and the amenity of neighbouring residents, in accordance with policy T6 of the Harrow Unitary Development Plan.

14 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, details of the proposed living roof as shown on the approved plans. The living roof as shown in the approved plans shall be provided and subsequently maintained in a live condition for the life of the development hereby permitted.

REASON: To ensure the appearance and sustainability of the development in accordance with policies D4 and D9 of the Harrow Unitary Development Plan.

15 Prior to commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority of a BREEAM or equivalent assessment of the development. The development shall proceed in accordance with the details as approved and be retained as such thereafter.

REASON: To assess the overall sustainability rating of the proposed development to ensure that the scheme adequately addresses sustainability requirements in accordance with policies 4A.1, 4A.2 and 4A.3 of the London Plan.

16 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 for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules 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.

17 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.

INFORMATIVES

1 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.

2 INFORMATIVE:

Please note that guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

3 INFORMATIVE:

The London Borough of Harrow seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply for this award.

For additional information, please contact the Borough Crime Prevention Design Advisor through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465.

Plan Nos: 10349 01, 07 Rev B, 08 Rev A, 09 Rev A, 10 Rev E, 11 Rev C, 12 Rev B, 13, 14 Rev A and A4 photo sheet, Planning Design and Access Statement dated 18th March 2009; supporting information submitted 10th June 2009.

Item: 1/04

36 SITES AROUND STANMORE & CANONS PARK, SEE SITE PLAN REFERENCE STAN 1000 ON WEBSITE FOR THE ERUV 9KM (APPROX) BOUNDARY

Ward BELMONT, CANONS & STANMORE PARK

CONSTRUCTION OF POLE AND WIRE GATEWAYS AND SECTIONS OF GATES/FENCING TO FORM AN ERUV FOR STANMORE AND CANONS PARK

Applicant: Mr Brian Wolkind
Agent: Mr Abraham Wahnnon
Statutory Expiry Date: 24-APR-09

RECOMMENDATION

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

REASON

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

Policies:

Government Guidance:
PPS1 – Delivering Sustainable Development

London Plan:

3D.9 – Green belt
3D.10 – Metropolitan open land
4B.1 - Design principles for a compact city

HUDP 2004:

EP31 – Areas of special character
EP32 – Green belt acceptable land uses
EP43 – Green belt and metropolitan open land fringes
D4 – The standard of design and layout
D10 – Trees and new development
D11 – Statutorily listed buildings
D12 – Locally listed buildings
D14 – Conservation areas
D15 – Extensions and alterations in conservation areas
D16 – Conservation area priority
D18 – Historic parks and gardens
D29 – Street furniture
C10 – Community buildings and places of worship
C11 – Ethnic communities

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Principle of Development (C10, C11)
- 2) Design & Character of the Area, the Greenbelt and the Public Realm (3D.9, 3D.10, 4B.1 & EP31, EP32, EP43, D4, D10, D11, D12, D14, D15, D16, D18, D29)
- 3) Residential Amenity (D5)
- 4) Highway Safety (D4)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major Other
Green Belt:	Yes (sites: 1, 5, 6, 7, 8, 9)
Conservation Area:	Little Common, Kerry Avenue, Stanmore (sites: 2, 7, 8, 9, 10),
Site Area:	36 sites over a 9km area (approx)
Council Interest:	None

b) Site Description

- **Site 1** – Car park entrance off Cleopatra Drive
Green belt, area of special character, golf course to north, new residential development to south.
- **Site 2** – Northern end of Kerry Avenue
Edge of green belt, area of special character, Kerry Avenue Conservation Area, end of residential road of 2-3 storey detached dwellings.
- **Site 3** – Northern edge of Knights Road
Edge of green belt, area of special character, end of residential road of 2 storey detached dwellings.
- **Site 4** – Car park entrance Dennis Lane
Edge of green belt, area of special character, end of residential road with car park at end.
- **Site 5** – Dennis Lane Stanmore
Edge of green belt, area of special character, end of residential road with car park at end.
- **Site 6** – Eastern side of Dennis Lane
Green belt, area of special character, edge of Little Common Conservation Area, residential / rural character.
- **Site 7** – Dennis Lane junction with Wood Lane
Green belt, area of special character, Little Common Conservation Area, residential area / rural character.
- **Site 8** – Wood Lane east of Stanmore Hall
Green belt, area of special character, Little Common Conservation Area, residential area / rural character.
- **Site 9** – Northern Junction of Wood Lane and Stanmore Hill
Edge of green belt, area of special character, Little Common Conservation Area, residential area / rural character.
- **Site 10** – Junction of Aylmer Close and Aylmer Drive
End of residential cul de sac, area of special character.

- **Site 11** – Gateway onto Bentley Priory from Aylmer Drive
Edge of green belt, site of nature conservation importance, area of special character, historic parks and gardens, end of residential road, semi rural character.
- **Site 12** – Fences backing onto Bentley Priory
Edge of green belt, site of nature conservation importance, area of special character, historic parks and gardens, end of residential road, semi rural character.
- **Site 13** - Fences backing onto Bentley Priory
Edge of green belt, site of nature conservation importance, area of special character, historic parks and gardens, semi rural character.
- **Site 14** – Alleyway from Embry Way to Bentley Prior
Edge of green belt, site of nature conservation importance, area of special character, historic parks and gardens, semi rural character.
- **Site 15** – Entrance from Old Lodge Way to Bentley Priory
Edge of green belt, site of nature conservation importance, area of special character, historic parks and gardens, end of residential road, semi rural character.
- **Site 16** – Junction of Bentley Way and Uxbridge Road
London Distributor Road, residential area consisting of 3 storey blocks of flats and detached dwelling houses.
- **Site 17** – Junction of Jellicoe Gardens and Uxbridge Road
Mostly 2-storey detached residential dwellings.
- **Site 18** – Junction of Chartley Avenue and Uxbridge Road
2-3 storey detached dwelling houses.
- **Site 19** – Junction of Gordon Avenue and Berwick Close
Mostly 2-storey detached residential dwellings.
- **Site 20** – Southern end of May Tree Lane
End of residential street backing onto golf course and metropolitan open land.
- **Site 21** – Footpath from Gordon Avenue across Stanmore Golf Course
End of residential street backing onto golf course and metropolitan open land.
- **Site 22** – Footpath from Sunningdale Close onto Golf Course
- Residential street backing onto golf course and metropolitan open land
- **Site 23** – Gap in Gleneagles flat
Residential garden.
- **Site 24** – Gap between Gleneagles flats and garage block
Residential garden.
- **Site 25** – Gap between gate and fence Stanmore Golf Course
Car park backing onto Stanmore golf course.
- **Site 26** – Entrance to Golf Club car park from Wolverton Road
Edge of metropolitan open land, residential character.
- **Site 27** – Wolverton Road southern finger
Edge of archaeological priority area, residential character mostly 2-storey semi detached properties.
- **Site 28** – Old Church Lane Abercorn Road junction
Borough distributor road, archaeological priority area, residential character.
- **Site 29** – Marsh Lane opposite car works
London distributor road, mixed use character
- **Site 30** – Longcrofte Road / Whitchurch Lane
Residential street, mix of architectural types.

- **Site 31** – Howberry Road / Whitchurch Lane
Mix of architectural types and land use, parade of shops off Whitchurch Lane, residential block of flats and semi-detached dwellings.
- **Site 32** – Canons Park Station western side
Urban character, retail shops and tube station.
- **Site 33** – Canons Park Station eastern side
Predominantly urban character, retail shops, tube station and residential properties.
- **Site 34** – Whitchurch Gardens
Borough distributor road, residential character mostly 2-storey semi-detached properties.
- **Site 35** – Sonia Court fence
Residential character.
- **Site 36** – Montgomery Road / Whitchurch Lane
Residential character mostly 2-storey semi-detached properties.

c) Proposal Details

Creation of an Eruv around a 9km area covering Stanmore and Canons Park. The creation of the Eruv involves the following development:

- Construction of 2 x 100mm wide by 6000mm high poles with connecting thin wire 'gateways' over sites: 1, 2, 7, 8, 9, 10, 16, 17, 18, 21, 27, 28, 29, 30, 31, 32, 33, 34 and 36
- Construction of 1 x 100mm wide by 6000mm high pole and application of one clip to an existing lamp post with connecting thin wire to site 19.
- Construction of new fence and 2500mm high wooden poles and capping lintel at site 20.
- Construction of 2500mm high wooden poles and capping wire at site 26.
- Sites 3, 4, 5, 6, 11, 12, 13, 14, 15, 22, 23, 24, 25 and 35 mostly involve the replacement or repair of existing fencing and do not require planning permission.

d) Relevant History

- None

e) Pre-Application Discussion

- No formal PAT or PAM advice was sought.

f) Applicant Statement

- An Eruv is a complete boundary around a town or district that allows the Jewish community to carry on the Jewish Sabbath by denoting the area of the Eruv as a single unified domain for the purposes of Jewish rabbinic observance.
- This is the fourth such application in the region. Existing Eruvs have operated successfully in Barnet and soon a new Eruv will be built in Hertfordshire.
- Over 98% of the Eruv already exists and is developed using existing structures, fencing or other enclosures.
- The proposed Eruv crosses the boundary between Harrow and Barnet and will therefore be subject to separate applications in each of the planning authorities.

- The additional developments included in this application would close any gaps in this continuous boundary to allow the boundary to be complete. Each site is dependent on all sites and this application is therefore being made as a single application as all the sites are required to complete the boundary.
- The design has been developed to provide no hindrance to the general public and would visually go unnoticed to all but the most careful observation tutored as to the exact location of any of the constructions of the Eruv.
- Where private fencing is to be repaired this is a private matter between the Eruv committee and the landowner concerned and does not form part of this application.
- Where any construction is required on publicly owned land this will be subject to a special license and will be completed following the granting of planning permission.
- All digging will be completed by hand and no underground utilities will be disturbed by this development
- During the construction phase of this development all works will be contained within a small site and cause minimal disruption to the public. Once completed this development will go totally unnoticed by the general public.
- All costs will be funded by the Eruv Committee and no call is being made on the public purse for the construction or maintenance of the proposal.

g) Consultations:

London Borough of Barnet: No objection

The Garden History Society: No comment

CAAC: Object to poles in front of listed buildings and in conservation areas, proposal would add street clutter, steel poles are not considered appropriate,

Stanmore Society: No response

Canons Park Residents Association: No response

Canons Park Estate Association: Object to site 38 (the Basin) being fenced off * (*Site 38 has now been deleted from the application*).

Friends of Bentley Priory Nature Reserve: Objection, Bentley Priory only SSSI in Harrow, proposal could adversely affect wildlife and poles will create street clutter and be visually obtrusive.

Advertisement:	Character of Conservation Area Development on Right of Way Setting of a Listed Building	Expiry: 31-MAR-09
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Notifications:		
Sent: 213	Replies: 217	Expiry: 31-MAR-09
Re-notification due to amended proposal	Replies: 7	Expiry: 20-MAY-09
Sent: 455		

Summary of Response:

Those For (198): Proposal will allow those aged or infirm to use wheelchairs and walking sticks on the Sabbath which will enable them to attend synagogue, proposal only represents minor development and would go unnoticed by the majority of people.

Those Against (27): The erection of poles and wire gateways would be visually obtrusive, proposal would impinge on openness of property and adversely affect outlook, Eruv would impose one set religious beliefs on the wider community, poles located on private property and impinge on landowners rights.

APPRAISAL

1) Ethnic and Community Development

One of the six key visions of Harrow's Sustainable Community Strategy (March 2009) is that:

'Harrow will be known for its diverse community, which we celebrate, and value. There will be better cohesion and a greater focus on communities working together to help themselves and provide support to vulnerable and at risk groups. People will feel safer and be treated with dignity and respect. There will also be a balance between universal and separate services for our different communities.'

Some of the short term objectives to help deliver this vision include improving the sense of cohesion in Harrow, supporting activities that celebrate and promote Harrow's diverse community and promote inter-cultural dialogue and engagement.

The proposed creation of the Eruv involves the formation of a 'complete' boundary around a town or district that will allow the Jewish orthodox community to carry on the Jewish Sabbath by denoting the area of the Eruv as a single unified domain for the purposes of Jewish rabbinic observance. The day of the Jewish Sabbath is Friday evening until Saturday evening.

Among the restrictions accepted by the orthodox Jewish community are prohibitions on carrying objects from public spaces to private spaces and vice versa. The practical implications on these restrictions means that the mobility impaired (elderly, disabled and very young children) who rely on assisted mobility are not able to leave their homes (private space) without transgressing some of the restrictions of the Sabbath. This means that these people are house bound during the Sabbath and are unable to participate in social occasions, attend Synagogue or visit friends and family for one day of the week.

The proposed Eruv would 'cover' a 9km wide circular area in the Stanmore and Canons Park area of the borough however 98% of the boundary is already in existence as garden boundary fences etc count toward the boundary of the Eruv.

The only gaps in the boundary are public streets, footpaths and places where existing fences are in disrepair. The proposed Eruv involves physical development to complete the gaps in the Eruv boundary and involve in the main the construction of two 6m high poles either side of a road or street with a thin connecting wire.

Policy C11 of the Harrow Unitary Development Plan 2004 (HUDP) states that: *'The Council will endeavour to address the diverse planning requirements of ethnic communities in the borough.'*

Furthermore policy C10 of the HUDP states: *The Council will seek to maintain and retain and retain existing premises used by community or religious groups in the borough. In considering proposals for new facilities, the Council will ensure that the proposed development:*

- A) Is located in the catchment population it serves;*
- B) Is accessible ...;*
- C) Has no significant adverse impact on neighbouring properties and does not detract from the visual amenity of the area;*
- D) ... would not have an adverse effect on highway safety.'*

Although the application could not be considered as providing a new religious facility in the conventional sense i.e. a new building, the proposed Eruv would enable members of the Jewish community living within the proposed Eruv to go about their normal business on days of the Sabbath without being restricted to their homes. The benefits for the disabled, elderly and young children are particularly evident.

The physical development required to construct the Eruv is considered to be minimal and the proposed development is considered to comply with criteria A) – D) of policy C10 above. With regards to A) The Canons park and Stanmore areas contain a large Jewish community of several thousand families. On point B) the area is accessible by all means of transport. Point C) it is considered that the proposal would not adversely affect neighbouring properties or have a noticeable impact on visual amenity. With regards to point D) the proposed poles with connection wire structures would not adversely affect highway safety. Both of these issues are discussed in more depth later within this report.

Some objectors to the proposal have expressed concerns that the proposed Eruv would be divisive insofar as that the Jewish community would be imposing their religious beliefs on the wider community. Whilst recognising that the proposed Eruv meaning only in the Jewish community, the report considers the visual impact of the structures on the localities within which they are to be sited. These impacts need to be considered in the context of development plan policy and any other material planning consideration, and a balanced view reached. The community strategy and representations received are both material planning considerations and the weight applied for each will be considered later.

In principle the proposed development is considered to be consistent with policies C10 and C11 of the HUDP 2004 together with the strategic visions and objectives of Harrow's Sustainable Community Strategy (March 2009).

2) Design & Character of Area, the Greenbelt and the Public Realm

Some of the 36 sites within the proposed Eruv are located in or adjacent to sensitive areas such as the Green Belt, Conservation Areas, Sites of Special Scientific Interest (SSSI), Grade 2 Listed Buildings, Locally listed buildings, Areas of Special Character, Historic Parks and Gardens and Archaeological Priority Areas.

The extent of development and its physical impact upon the character and appearance of the locality, residential amenity or community safety is considered minimal for sites 1, 16, 17, 18, 21, 27, 28, 29, 30, 31, 32, 33, 34 and 36. Two 6m high poles either side of a road or street with a thin connecting wire are likely to be quickly assimilated into the street scene as inconspicuous elements alongside other street furniture. Site 19 is slightly different and involves one 6m high pole to be erected and linked to an existing lamp post with connecting wire. Of the above sites only sites 2, 7, 8, 9 and 10 are considered to be located within sensitive settings.

Site 2 is located in the Kerry Avenue Conservation Area at the northern end of Kerry Avenue and within the setting of five locally listed buildings.

Site 7 is located at the Dennis Lane Junction with Wood lane and is within the Little Common Conservation Area, the Green Belt and Area of Special Character. The site is characterised by semi rural qualities

Site 8 is located across Wood Lane east of Stanmore Hill and is also within the Little Common Conservation Area and one of the poles would be positioned next to a boundary wall that is Grade 2 Listed.

Site 9 is located at the northern junction of Wood Lane and Stanmore Hill and is also located within the Little Common Conservation Area and the proposed poles would be adjacent to two Grade 2 Listed Building walls as well as 173 Stanmore Hill which is a Grade 2 Listed Building.

Site 10 is located at the junction of Aylmer Close and Aylmer Drive, is within the Little Common Conservation Area and within the setting of a Grade 2 Listed Building.

Policy D14 of the HUDP 2004 states:

' The Council will seek to preserve or enhance the character or appearance of conservation areas by:

B) Allowing redevelopment only when the new building would contribute to the area by preserving or enhancing its character or appearance ...'

In addition to the above, policy D11 of the HUDP 2004 states:

'The Council will ensure the protection of the borough's stock of listed buildings by:

C) Only permitted developments within the curtilage of listed buildings, or adjoining buildings, that do not detrimentally affect their setting ...'

The proposed poles are considered to represent "unexceptional" structures within the street scene. Accordingly whilst unlikely to enhance the physical appearance of the street they would have a neutral or very limited impact on the conservation areas appearance. In terms of the broader character of these areas the greater freedom granted to Jewish residents might be argued to enhance the character of the area for those residents able to benefit from the Eruv. In certain sites the Council's conservation officer has suggested that timber clad poles may be more appropriate to reduce their impact on the character of the respective conservation areas and setting of the listed buildings. A planning condition is proposed to allow detailed consideration of the materials in each case.

With regards to the Grade 2 Listed boundary walls a condition has been attached to this report ensuring that no works adjacent to these walls is carried out without harming the structural integrity.

Some concerns have been raised regarding the effect of the Eruv on Bentley Priory which is SSSI, Historic Parks and Gardens, Green Belt, and Area of Special Character. All development works along the boundary are minimal and only involve the reinforcement of the existing fence with green mesh. Works are considered very minor and on their own would not need the benefit of planning permission.

Many objectors have expressed concern with the appearance of the proposed poles in the context of the public realm and that they would add to street clutter. This concern is not considered to outweigh the numerous social and cultural benefits associated with the proposed development. Further, in most streets within the borough there is street furniture in the form of traffic signs, lamp posts, bus stops, telecoms poles etc. The size of the Eruv poles would be modest compared to the majority of existing street furniture, and would be set back as to the very edge of the public highway as to be as discreet and unobtrusive as possible.

Overall the individual sites which make up the proposed Eruv are considered to represent minor development that would not result in an adverse impact on their surroundings. The proposed development is considered to comply with policies 3D.9, 3D.10, 4B.1 of the London Plan 2008 and policies EP31, EP32, EP43, D4, D10, D11, D12, D14, D15, D16, D18, D29 of the HUDP 2004.

3) Residential Amenity

It is considered that the proposed Eruv would not adversely affect residential amenity.

Outlook and visual amenity have been expressed by some objectors as concerns relating the erection of poles. Given the size, nature and location of the poles it is considered that there will be no noticeable impact on residential amenity particularly when compared to existing lamp posts, street lights etc. On balance it is considered that any impact on residential amenity from the Eruv structures will be minimal.

4) Highway Safety

It is considered that the 6m high proposed poles and wire gateways would not impede on the free flow of highway traffic and pedestrian movement. Where development works are to be located on the public highway, the applicant will need to gain permission under the Highways Act with the local highways authority.

5) S17 Crime & Disorder Act

It is considered that the construction of the proposed Eruv would not result in an increase in crime or adversely affect security in and around the develop sites.

6) Consultation Responses:

Apart from the points raised in the above sections, the only other issue raised was concern with private property rights. These matters are not however material planning considerations and are for the applicant to address with respective property owners on a case by case basis where development is located on private property.

CONCLUSION

For all the reasons considered above, and weighing up the development plan polices and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above, the proposal is considered to be acceptable and the application is therefore recommended for approval subject to the following conditions:

CONDITIONS:

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 of the materials to be used in the construction have been submitted to, and approved in writing by, the local planning authority: The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality.

3 Within the crown spread of trees (greater than 75cm in diameter at 1.5m off the ground) pole foundation excavations must be dug by hand and no tree roots over 25mm diameter should be severed as a result of the development works without prior agreement with the Council's Tree Protection Officer.

REASON: In the interests of tree protection and the character of the area.

4 No development works shall commence next 2 Grade 2 listed boundary walls that will adversely impact the on the structural integrity of the wall.

REASON: To preserve the historical significance, appearance and setting of the listed building.

INFORMATIVES:

1 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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

2 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.)

3 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.

4 INFORMATIVE:

The applicant should note that no part of the development hereby permitted shall be begun on highway land until written permission is obtained from the relevant Highways Authority.

REASON: To ensure that the development is carried out in accordance with the Highways Act and to the satisfaction of the Highway Authority.

5 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: Data Pack Site 1, Site 2, Site 7, Site 8, Site 9, Site 10, Site 16, Site 17, Site 18, Site 19, Site 20, Site 21, Site 27, Site 28, Site 29, Site 30, Site 31, Site 32, Site 33, Site 34, Site 36, Summary of Fencing Works, ERUV TP 2.5M, ERUV TP 6M, EBOR_TPLAMP_Sht1, Sht2, Sht3, Sht4, STAN 1000

Reports: Detailed Summary of Sites and Works,
STAN2_01_Community_Residents_Communications

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item: 2/01
WHITEFRIARS INDUSTRIAL ESTATE, P/0969/09/EJ/W
TUDOR ROAD, HARROW

Ward WEALDSTONE
CHANGE OF USE FROM INDUSTRIAL USE TO ENGINEERING SKILLS AND TRAINING USE (CLASS D1)

Applicant: Harrow College
Agent: Drivers Jonas
Statutory Expiry Date: | 13-JUL-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

London Plan: 2A.10, 3B.4

Harrow Unitary Development Plan:

D4, D5, EM14, EP25, T6 and T13 of the Harrow Unitary Development Plan (2004)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Principle of Development
- 2) Residential Amenity (D5)
- 3) Traffic and Parking (T6 and T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

The application is reported to Committee as the proposal constitutes a departure from the development plan.

a) Summary

Statutory Return Type: Minor Development, all other

Council Interest: None

b) Site Description

- The subject site is an end of terrace building located on the eastern side of Tudor Road within the Whitefriars Industrial Estate. The building which has a gross internal floorspace of 458sqm is currently vacant but has permission for 'light industrial' use.
- Whitefriars Industrial Estate is safeguarded in the UDP as part of the Wealdstone Preferred Industrial Location and Wealdstone Industrial Area is safeguarded as Harrow Preferred Industrial Location in the London Plan.
- There is a large open car parking area to the front of the building.

- The neighbouring building to the west, No. 2 Whitefriars, is a mid terrace building currently occupied by 'Plumbase' a light industrial use.
- The neighbouring site to the east is Whitefriars First and Middle School playing field.
- The surrounding area is characterised by large industrial buildings and open space.

c) Proposal Details

- Change of use from existing industrial unit (with 458sqm gross internal floorspace) to an engineering skills and training facility (use class D1) for Harrow College. 'Whitefriars Training Centre'
- The proposal would require internal alterations to form two class rooms, a workshop, reception and office, social area and toilets/changing facilities.
- There would be a maximum of 50 students at peak times
- Opening hours: Monday to Thursday inclusive 7.30am to 9.30pm, Friday and Saturday 7.30am to 6.30pm and the occasional Sunday 10am to 4pm when weekend courses are run.

d) Relevant History

LBH/38871	Change of use from light industrial unit with office (B1 Use) to motor repairs and spray work shop	REFUSAL 07-SEP-89
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e) Pre-Application Discussion

PAM/ENQ/00048

Pre application meeting 23rd April 2009 and subsequent letter dated 11 May 2009

Summary of discussion:

Proposal conflicts with Policy EM14 of the UDP and represents a departure from the plan, the proposal was considered to have merit and be acceptable in principle.

- Appropriate location with building at the end of row with parking provision, close to public transport links.
- Nature of the use acceptable (industrial training) within an industrial area

f) Applicant Statement

- Engineering skills and training facility
- Need to provide additional training courses following the success of Harrow College's skills centre at Forward Drive.
- Internal alterations necessary to create workshop and classrooms with associated facilities (no external alterations required)
- Maximum 50 students at peak times

g) Consultations:

Highways Engineer – Change of use acceptable therefore no objection.

Policy and Research – No comment

Waste and Refuse – No comment

Crime Prevention Design Advisor –

Drainage Engineer –

Advertisement:

Published: 28-MAY-09

Posted: 21-MAY-09

Expiry: 18-JUN-09

Expiry: 16-JUN-09

Notifications:

Sent: 5

Replies: 0

Expiry: 10-JUN-09

Summary of Response:

- None

APPRAISAL

1) Principle of Development

There are no explicit policies within the Harrow Unitary Development Plan for the change of use of a light industrial use to an engineering training facility.

The site is located within a designated Industrial and Business Use Area as shown within the Harrow Unitary Development Plan (2004). Policy EM14 of the UDP states that Whitefriars Industrial Estate is part of the Wealdstone Preferred Industrial Location and outlines that the Council will resist the loss of land and buildings within this site from business, general industrial or warehousing uses. Although the proposed change of use to a training facility (Use Class D1) is a departure from the development plan, it is considered that given that the property currently has a light industrial use, a change of use to an engineering training facility would still be in character with the surrounding industrial area and would be an alternative use which would be acceptable within the Whitefriars Industrial Estate.

Although the proposed site is safeguarded as an industrial location, the proposed training facility would provide courses for engineering skills. The skills taught at the proposed facility are similar to the uses of the surrounding industrial estate.

The proposal would therefore help support the delivery of the Sustainable Community Strategy for Harrow. This sets out how the public sector partnership in Harrow will deliver that shared vision for the future. The Economic development (part 6) vision seeks to ensure that young people will be better prepared for life and work and there will be opportunities to relearn and retrain for all ages to meet skill demands for both current and future employment.

The proposed training facility would occupy a vacant building and support business development through the development of necessary skills. The use is considered consistent, in terms of character, with adjacent business uses. Whilst noting that the proposal represents a departure from planning policy EM14, these factors are considered in this case to justify in principle, departing from the policy for the site.

No external work is planned as part of this application. In this respect there would be no visual effect on the character and amenity of the area.

2) Residential Amenity

The premises are located within an established light industrial area where activities associated with engineering already exist. Although there would be an increased number of people visiting the building it is considered that it would not have an unreasonable level of harm to the neighbouring industrial sites.

As there are no residential properties that are adjacent to the subject site, it is considered that the proposed change of use would not result in an unreasonable impact to any residential properties within the wider area.

3) Traffic and Highway Safety/Parking

The plans indicate that there would be eight parking spaces on the forecourt of the site. The highways engineer has assessed the application and has no objection to the change of use. It is therefore considered acceptable.

4) S17 Crime & Disorder Act (D4)

The proposal is not expected to have any impact in relation to this legislation.

5) Consultation Responses:

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

- The matters raised through consultations are considered above.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies, notwithstanding the objectives of the London Plan and Policy EM14 of the Harrow UDP, the use proposed, for reasons outlined above, is considered to be acceptable. Subject to planning conditions, specially to ensure that the use of the premises is not further opened up to encompass wider D1 class uses and users which would not deliver the business communities needs or community strategy aspirations, approval is recommended.

CONDITIONS

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 Unless otherwise approved in writing by the Local Planning Authority, the use hereby permitted shall be carried on only by Harrow College (or its approved training supplier).

REASON: To reflect the particular circumstances of the applicant and ensure that the premises is returned to industrial use when no longer required for training and development by the applicant.

3 The premises shall be used for the purpose specified in the application and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the industrial nature of the site and the character of the locality.

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

a: 0730 hours to 2130 hours, Monday to Thursday inclusive,

b: 0730 hours to 1830 hours on Fridays and Saturdays

c: 1000 hours to 1600 hours on Sunday when applicable

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

Plan Nos: DJ-001, DJ-002, DJ-003, DJ-004 and Design and Access Statement

THE SACRED HEART LANGUAGE COLLEGE, 186 HIGH STREET, WEALDSTONE

Item: 2/02

P/0173/09/LM/C

Ward WEALDSTONE

CONSTRUCTION OF NEW TWO STOREY BUILDING TO PROVIDE SIXTH FORM CENTRE; THREE NEW PARKING SPACES; LANDSCAPING; REMOVAL OF EXISTING SINGLE STOREY CLASSROOM BUILDING; NEW 2.1M HIGH FENCE

Applicant: Harrow Council

Agent: Aedas Architects Ltd

Statutory Expiry Date: | 10-APR-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

London Plan: 4A.1, 4A.3, 4A.4, 4A.7, 4B.1, 4B.5 and 4C.8

Harrow Unitary Development Plan:

C7, D4, D5, EP12, EP14 EP22, EP25, T6 and T13

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (4A.1, 4A.3, 4A.4, 4A.7, 4B.1) (C7 and D4)
- 2) Residential Amenity (D5 and EP25)
- 3) Access for All (4B.5) (C16)
- 4) Parking and Highway Safety (T6 and T13)
- 5) Surface Water Runoff and Drainage and Sewerage (4C.8) (EP12 and EP14)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

The application is reported to Committee because the Council is the applicant and the development would provide 584m² of gross floor space.

a) Summary

Statutory Return Type: Minor Development, all others

Council Interest: Council Owned

b) Site Description

- The school site is of an irregular shape and is located within a block ringed by properties fronting High Road to the west, Spencer Road to the north, east and southeast and Claremont Road to the southwest.
- These residential dwellings consists predominately of semi detached properties and a block of flats to the west. A light industrial building is located adjoining the site on the south east side of the end of Claremont Road.

- The site has two main access points, a main entrance off High Road and a secondary entrance at the end of Claremont Road. High Road is designated as a London Distributor Road.
- The school is made up of a number of single and two storey buildings, mainly located centrally and east within the site.
- This proposal is restricted to a roughly triangular site at the south east corner end of Claremont Road.
- This corner site presently contains a single storey school building 5.2m high and car parking area.

c) Proposal Details

- Demolition of existing single storey building in south eastern corner of site.
- Construction of a new, irregular shaped, two storey sixth form centre in south eastern corner consisting of Block A and Block B which would be linked by a covered central atrium.
- It would have an overall height of 8.5m and a footprint of approximately 390m².
- Blocks A and B would have mono-pitch roofs and the central atrium a flat roof recessed below Block A and B pitch roof.
- North elevation (front elevation) would have ground and first floor large windows and floor-to-ceiling glazed areas located either side of the central lift wall. Block A would be located approximately 4.0m from the boundary with Claremont Road.
- Western elevation would run parallel to the flank boundary of no. 45 Claremont Road. Southern elevation flank wall would be approximately 20m in length, would have a ground floor double door and would be located 1.0m from the boundary with no. 45 Claremont Road.
- Southern Elevation (Rear Elevation) would contain a floor-to-ceiling central glazed stairwell, large ground floor windows and small high level obscure glazed windows at first floor on Block A. Block B would contain one large obscure glazed first floor window. This wall would be located approximately 14.0m from the rear boundary with residential properties.
- Eastern elevation would be located between 1.5m-2.0m from the rear garden boundaries of the residential properties 42-50 Spencer Road. This elevation would contain two ground floor windows. The eastern flank wall would be approximately 18m in length.
- Provision for eleven new car parking spaces. Three spaces would be adjacent to the front wall of Block B and would include one disable parking space. The additional eight parking spaces would be located around the front and northern side elevation of the existing main Language College.
- Provision for landscaping between eastern, western and southern flank walls and boundary.
- Provision for 12 additional full time employees.
- New 2.1m high railing with lockable entrance gates.
- Location of refuse bins behind the 2.1m high fence near Block A.

d) Revisions to Current Application:

- Relocation of refuse bins from outside Claremont Road to behind the 2.1m high fence
- Obscure glazed large windows on first floor on Elevation B (rear elevation).
- Removal of one car parking space adjacent front wall of Block A
- Addition of eleven car parking spaces

e)	Relevant History		
	EAST/491/01/FUL	Two storey teaching block (with removal of existing & temporary classrooms) (revised siting rear of main block)	GRANTED 06-JUL-01

A Pre Application Meeting (PAM) as held on the 22/01/09 regarding the proposed two storey building. A subsequent letter was issued on the 24/03/09 outlining the following:

Principle / Character / Design / Amenity Issues

- Proposal acceptable in principle
- Contemporary design cream coloured building with vertical lettering agreeable with preferred option presented
- Concern raised over amenity impact against boundary with rear garden area of residential property to the south west (38 Spencer Road)
- 1m set back from the boundary to adjacent properties 42-50 Spencer Road acceptable in principle, subject to suitable screen landscaping
- Section showing existing and proposed buildings would be useful for height comparison
- Suggested possible use of solar panels / thermal equipment on west elevation roof
- Use of green roof / green wall treatment on elevation 'D' discussed – you expressed concerns over the cost of maintenance and availability of school funds to provide upkeep calculated at around £4,000p.a.
- Our view is that this simply does not align with advice from a number of green roof / wall companies that we have talked to – the wide range of benefits arising from green roofs and walls need to be balanced over the life of the roof / wall, not to mention the educational opportunities that they create
- Secured by Design:
 - Boundary fencing to be 2.1m in height with anti-climb treatment and 100mm max gap in fencing uprights
 - secure internal locking points and hinges
 - use of PAS 24 doors as standard, especially to I.T suite
 - no ironmongery on fire doors
 - ground floor and easily accessible windows to be BS7950 standard with 6.4mm laminated outer pane
 - lighting: provision of low level bollard lighting to front; BS5489 with minimum 40% uniformity
 - suggested use of defensive planting, installation of CCTV and alarm system with bell boxes on all elevations
 - need for gating on east elevation of building
- Review existing travel plan to cover whole of site
- Reconfiguration of access agreeable – we discussed the quality of the Post 16 pedestrian access, involving access through the refuse storage facilities for the school as a whole – you said you would revisit that aspect of the proposals
- Tree constraints plan required in accordance with BS5837 and specifically off-site line of trees

f) Applicant Statement

- New Sixth Form Centre joint venture for Sacred Heart Language College and Salvatorian College to provide for 100 sixth form places for 16-18 year olds.
- Project will deliver flagship Sixth Form providing high quality, stimulating environment suitable to deliver 21st Century learning.
- Modern and cool response to tight site, maximising external space and optimising building footprint.
- Highly crafted courtyard landscape design.
- Sustainable solutions to energy requirements including natural ventilation.
- New accommodation arranged over 2 storeys with a massing of two wings that enclose an internal atrium space.
- Site would be fully accessible.

g) Consultations

Highways Engineer

No objection which is supported by substantial waiting restrictions on-street together with its sustainable location.

Landscape Architect

There is insufficient information on the ground floor plan.

A hard and soft landscape masterplan is required, together with the details of the hard landscape elements such as - the paving, pergolas, fencing, boundary treatment, gates, bin store, levels and soft landscape details and planting plan and plant schedule,

Note: a paved area has been indicated across the site, shown as cobble stone. How easy will this surface be to gain access across? Disabled access needs to be considered.

A soft landscape plan is required at an appropriate scale to show sufficient detail. For example, at a scale of 1:100, showing existing trees and shrubs together with proposed trees, the extent of proposed shrub planting, any other proposed planting and grass areas.

The planting plan should show the precise location of the plants (or group of plants) and the numbers of each plant species proposed.

As an example, if *Lavandula spica* 'Hidcote' are proposed, the planting location should be shown on the plan together with the actual plant numbers.

Clearly mark on the plan, for example "5 No *Lavandula spica* 'Hidcote'" indicating the position and extent of this group of plants.

A plant schedule is required listing:

- * plant species
- * plant sizes this should be the size of plant and the container size/ or bareroot / rootballed at time of planting, should also be included.
- * plant numbers / and plant densities including total plant numbers of each species

A management plan and maintenance schedule is required for the landscaping, explaining how the landscape is to be managed and maintained during the first year after completion and for the following 5 years.

Waste Management Policy Officer

This doesn't appear to adversely affect the refuse storage and collection arrangements.

Drainage Engineer

A copy of a letter from Thames Water with permission for connections to the public sewers is required.

The development is subject to a limitation on a discharge (5 l/s), consequently there will be storage implication and the system should be checked for no flooding for a storm of critical duration and return period of 1 in 100 years. These calculations should be submitted for our approval and should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 The Wallingford Procedure) or a figure of 0.95 should be used. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes.

Full details of drainage layout including details of the outlet and cross section of proposed storage are required.

Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs.

The Council's Drainage Engineers have requested conditions relating to surface discharge, surface attenuation/storage and connections to Thames Water sewers. These have been attached.

Environmental Health - No response

Notifications:

Sent: 32

Replies: 1

Expiry: 07-APR-09

Summary of Responses:

- Noise for next six months
- Future parking issues on road
- Too many buildings in borough and not enough open spaces

APPRAISAL

1) Design and Character of the Area

The proposed linked two, two storey buildings represents a modern addition to the existing school buildings. The north (front of building) and south (rear of building) elevations would contain a large area of glazing and external materials of a neutral coloured render. In terms of design, it is considered that the proposed additions would make a positive and modern contribution to the character and appearance of the school and would be consistent with the objectives of Policies 4A.1, 4A.7 and 4B.1 of the London Plan, Policy D4 of the HUDP and the Supplementary Planning Guidance: Designing New Development (March 2003).

Soft landscaping has been proposed throughout the development. However, as indicated by the Council's Landscape Architect, limited detail of this landscaping has been submitted. It is considered in principle that the provision of soft landscaping is acceptable and a condition is recommended requiring further detailed landscaping proposals.

The proposed development would remove a portion of hardstanding area on the site. However, it is considered that the operational use of the school is a predominate factor over this area of hardstanding open area and furthermore, the area in question has limited functional value within the school site.

2) Residential Amenity

The proposed development would be highly visible from the neighbouring residential properties to the northeast, southeast and west. The proposed development would create, generally, a large two-storey building approximately 8.5m high, between 18m to 20.0m in depth, 22.0m wide in the front and 15m wide in the rear. The applicant has attempted to reduce the potential for a monotonous façade by incorporating an interesting external façade and mixed design elements such as glazing and soft landscaping. Policy C7 of the HUDP seeks to ensure that the Council, as a Local Education Authority, discharges its statutory responsibilities in relation to student population growth. The proposed scheme is required to meet the needs of this growth. The amenities of the adjoining residential properties have been taken into account in the proposal. The teaching accommodation on each floor has been arranged so as to have a minimal impact on them.

Northern Elevation (Front of Building)

The front elevation would be most prominently viewed from those properties at the end of Claremont Road. Nos. 30 and 32 Claremont Road are located on the opposite side of the road and are some 21m from the external wall of Block A. Block B is angled facing away from these residential properties. It faces on to a side wall of existing school building.

Block A is directly facing no. 32 however it would have one small first floor window and two larger ground floor windows which would not service actual teaching areas. It is considered that the distance between Block A and nos. 30 and 32 would sufficiently mitigate any detrimental impact due to loss of privacy or overlooking.

Western Elevation (Exposed side elevation of Block A)

The western flank wall of Block A runs adjoining the flank wall of no. 45 Claremont Road. This property is currently utilised as a light industrial unit and it is considered that the proposed double doors on the flank wall of Block A would not have an undue detrimental impact on this property, particularly as the set of the double doors is to a plant room only.

Southern Elevation (Rear elevation of Blocks A and B)

The rear elevation would have both the walls of Blocks A and B facing directly towards the boundary of no. 38 Spencer Road at a distance of approximately 14.0m from the boundary. The rear elevation would consist of three large ground floor windows, three small, obscure glazed high level windows and one large obscure glazed window on the first floor and a large floor to ceiling central obscured glazed stairwell. No. 38 has a large rear garden, however, this rear garden is completely hardsurfaced and appears to be a car parking area. It is considered that the high level and obscured nature of the glazed windows on the first floor would not give rise to undue actual or perceived overlooking or loss of privacy to no. 38 Spencer Road. The proposed stairwell, while completely glazed, would be used as a means of access between the two floors. Furthermore, the entire structure would be obscure glazed and it is considered that these two points would mitigate against any actual overlooking or loss of privacy to no. 38 Spencer Road.

It is considered that the 14m setback of the proposed development from the rear boundary of no. 38 Spencer Road and 22.4m between the stairwell structure and the rear wall of no. 38 would be an adequate separation distance and as such it is considered that the bulk of the proposed development would not have a detrimental impact on the residential amenities of this property.

Eastern Elevation (Exposed side elevation of Block B)

The eastern elevation would contain two ground floor windows and would be located between 1.5 and 2.0m from the boundary with several residential properties (42 – 50 Spencer Road) for a length of approximately 18m along this boundary. Soft landscaping has been proposed between the boundary with these residential properties and the flank wall of Block B. It is considered that the lack of first floor windows and soft landscaping would adequately remove any detrimental impacts on these properties from overlooking or loss of privacy.

It is considered in principle that the good use of soft landscaping would adequately mitigate the detrimental impacts of the building along the boundary on these residential properties. The relevant conditions have been included in the recommendation. The Council suggested at the Pre Application Meeting that a green wall along the side elevation would be an appropriate tool to offset any excessive bulk of the development. While landscaping is considered to be acceptable in principle, further detailed plans are required to determine whether a green wall would still be the most appropriate, practical and functional tool.

The refuse bins have been relocated to adjoin the proposed 2.1m high boundary fence near the front wall of Block A. This area would allow the bins to be screened from Claremont Road and the public realm by boundary treatment. It is considered that the proposed location of the refuse bins would not give rise to any undue detrimental impact upon the residential amenities of the surrounding area.

The Waste Management Policy Officer has not raised any objections to the proposal.

Conditions relating to potential noise nuisance, dust emissions and bonfires would be included on the decision notice. It is considered that these conditions would adequately mitigate any adverse impacts, which may result during the construction of the proposed development.

3) Access for All

The proposed development seeks to accommodate people with disabilities by providing disabled car parking, level access around the site, to the ground floor of the building and provision of a lift to first floor and would include appropriate w/c. The above measures are considered acceptable and the proposed development is therefore considered to comply with Policy C16 of the HUDP and Access for All Supplementary Planning Document (April 2006).

4) Parking and Highway Safety

As a result of the proposal, pupil numbers would potentially increase as proposed in this development. As such, there is likely to be additional traffic movements to and from the school. The school has an existing Travel Plan, and a condition has been imposed to require its review in light of the proposed development. The development would result in the loss of eight marked parking spaces. The displaced parking demand would be accommodated through the additional eleven parking spaces located around the proposed building and existing main Language College building and would be reflected within the revised Travel Plan.

In principle, it is considered that the development would not have a detrimental impact on the internal and external traffic movements in the site and would be consistent with the objectives of Policies T6 and T13 of the HUDP.

The Council's Highways Engineer has stated that the site is relatively sustainable with strict parking controls on the street and as such the Highways Engineer has not raised any objections or issues with the proposal.

5) S17 Crime & Disorder Act

This development has been designed to minimise any potential for crime and disorder.

6) Consultation and Notification Responses

See above appraisal.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

the extension/building(s)

the ground surfacing

the boundary treatment

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

REASON: To safeguard the appearance of the locality

3 The window(s) in the wall(s) of the approved development shall:

a) be of purpose-made obscure glass,

b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

4 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 schedules 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.

5 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.

6 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been provided on site in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The works thereafter shall be retained.

REASON: To ensure that adequate drainage facilities are provided.

7 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 thereafter shall be retained.

REASON: To prevent the increased risk of flooding

8 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.

9 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.

10 All construction works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 hours on Saturday, and at no time during Sundays and bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of noise sensitive properties

11 All reasonable steps to minimise dust emissions from the site shall be employed throughout the construction phase of the development.

REASON: To protect the amenity of the area from excessive dust emissions.

12 The development hereby permitted shall not be occupied until a revised Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

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

13 No bonfires shall be permitted on site throughout the construction phase of the development

REASON: In order to protect residential amenity

14 Prior to commencement of development, details of an alternative parking arrangement in addition to the three marked spaces provided on the submitted plans, shall be submitted to and approved in writing by the local planning authority. The spaces as approved shall be marked out prior to the first occupation of the development and shall thereafter be permanently retained.

REASON: To ensure adequate provision of parking facility.

INFORMATIVES

1 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.

2 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.)

3 INFORMATIVE:

There may be public sewers crossing / adjacent to the site, so no building will be permitted within 3m 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 200 8000.

4 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.

5 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

Item 2/02 : P/0173/09/LM/C continued/...

- 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.

Plan Nos: L(0) 103, L(0) 100 Rev B, L(0) 101 Rev B, L(0) 102 Rev C, L(0) 104 Rev C, L(0) 105 Rev A, Site Plan and Design and Access Statement

Item: 2/03

**PINNER PARK MIDDLE SCHOOL, P/0596/09/GL/C
MELBOURNE AVENUE, PINNER**

Ward HEADSTONE NORTH

CONSTRUCTION OF 2 STOREY BUILDING TO HOUSE ICT AND MUSIC DEPARTMENTS AND ERECTION OF LINK BUILDING TO EXISTING STRUCTURE; NEW EXTERNAL STAIRCASE; NEW FENCE

Applicant: Harrow Council

Agent: Lom Architects

Statutory Expiry Date: | 02-JUN-09

RECOMMENDATION

Under Regulation 3 of The Town and Country Planning General Regulations 1992, **GRANT** permission for the development described in the application and submitted plans, subject to conditions.

Legal comments:

Regulation 3 of the Town and Country Planning General Regulations 1992 (Statutory Instrument 1992/1492) provides (in relevant part) that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under section 77 of the Town and Country Planning Act 1990 for determination by him. The application is made by LB Harrow [Education] who intends to carry out the development and the land at Pinner Park Middle School is owned by LB Harrow.

The grant of planning permission for this development falling within regulation 3 shall enure only for the benefit of the LB Harrow.

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

London Plan: 3A.24, 4A.1, 4A.3, 4A.4, 4A.7, 4B.1, 4B.5 and 4C.8

Harrow Unitary Development Plan: C7, D4, D5, D20, D21, D22, EP12, EP14, EP25, EP43, T6 and T13

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area and Effect on Green Belt (4A.1, 4A.3, 4A.4, 4A.7, 4B.1) (C7, EP43 and D4)
- 2) Residential Amenity (D5 and EP25)
- 3) Access for All (4B.5) (C16)
- 4) Parking and Highway Safety (T6 and T13)
- 5) Surface Water Runoff and Drainage and Sewerage (4C.8) (EP12 and EP14)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

The application is reported to Committee because the Council is the applicant and the development would provide 145m² of gross floor space.

a) Summary

Statutory Return Type: Minor Development, all others

Council Interest: Council owned

b) Site Description

- The school site is of an irregular shape and is ringed by Melbourne Avenue to the west, Headstone Lane to the south, the flank boundary of 140 Headstone Lane to the south east and the remainder of the site bordered by Headstone Sports Ground and playing fields.
- The site has the main access points off Melbourne Avenue. Headstone Lane is designated as a Borough Distributor Road.
- The school is made up of two distinct building blocks located centrally and to the north of the site and consist of single and two storey buildings and several pre fabricated buildings.
- The remainder of the site consists of hard surfaced areas, playing courts and parking.
- This proposal is restricted to the centrally located building block.

c) Proposal Details

- Construction of a new two storey information technology and music facility 'pod' and erection of a link building to the existing structure from the proposed 'pod' structure.
- Proposed new buildings would be completely confined to the central courtyard of the centrally located building block and would link to this block and would replace an existing garden area.
- It would have an overall height of 8.6m and a footprint of approximately 145m².
- Proposed building would have a flat roof on both the 'pod' and linking structure.
- Proposed pod would be constructed of timber and have a white self coloured render. Proposed link structure would have a polycarbonate cladding. Proposed roof over both structures would be single ply timber.
- Several windows would be located on the circumference of the pod structure. However these would be screened from all sides from existing buildings around the courtyard area.
- New 1.6m high fence between north and east wings of existing building effectively enclosing the central courtyard and proposed buildings.
- Proposed new external staircase from rear elevation of eastern wing of centrally located building block giving access from first floor of existing building.

d) Relevant History

LBH/2058/1

TEN CLASSROOMS IN TWO PHASES

GRANTED
14-DEC-67

Item 2/03 – P/0596/09/GL/C continued/...

LBH/2058/3	ERECTION OF FIRST FLOOR EXTENSION TO PROVIDE ADDITIONAL CLASSROOM ACCOMMODATION (REVISED)	GRANTED 09-DEC-71
P/3008/03/DLA	SINGLE STOREY EXTENSION TO PROVIDE LIBRARY ROOM	GRANTED 13-FEB-04
P/1973/07	SINGLE STOREY EXTENSION TO PROVIDE NEW ENTRANCE AND RECEPTION AREA.	GRANTED 14-AUG-07

e) Pre-Application Discussion

- None

f) Applicant Statement

- Construction of new facility to allow the removal of mobile classrooms currently housing IT and Music facilities.
- Site occupied by 1930s school building and two existing modular buildings.
- Building proposed is first phase of integrated master plan for school allowing for phased development in line with available budget.
- Locating building in central courtyard creates new central hub linked to existing circulation spaces and more teaching spaces.
- Removal of mobile classrooms releases useful playground area.
- Form of building is dictated by the need to maintain natural light and provide a contemporary form in contrasting materials.
- External wall finish chosen to allow as much reflected natural light as possible.
- New building is designed to achieve a BREAM 'very good' environmental rating.
- Accessibility has been addressed by inclusion of new lift to overcome current lack of disabled access in existing buildings.

g) Consultations:

Highways Engineer: No response

Environment Agency: No response

Thames Water: No objection on sewage grounds. Developers' responsibility to provide for adequate surface water drainage to public network. Water supply is a matter related to Three Valleys Water Company.

Drainage Engineer

The Council's Drainage Engineers have requested conditions relating to disposal of sewage, disposal of surface water and surface water attenuation/storage works. These have been attached.

Notifications:

Sent:
8

Replies:
0

Expiry:
14-MAY-09

Summary of Response:

None.

APPRAISAL

1) Design and Character of the Area and Effect on Green Belt

The proposed two storey 'pod' and linking structure represents a modern addition to the existing school buildings. The buildings would have external materials of a light white coloured render to maximise the amount of reflected light to the new buildings which is supported given their close proximity to existing buildings around the central courtyard. In terms of design, it is considered that the proposed additions would make a positive and modern contribution to the character and appearance of the school and would be consistent with the objectives of Policies 4A.1, 4A.7 and 4B.1 of the London Plan, Policy D4 of the HUDP and the Supplementary Planning Guidance: Designing New Development (March 2003).

The proposed development would remove a portion of garden area/soft landscaping area on the site within the central courtyard. However, it is considered that the operational use of the school is a predominate factor over this area of open area, in line with the objectives of policy C7 of the HUDP, and furthermore, the area in question has limited functional value within the school site.

The site adjoins the Headstone Lane Sports Ground and playing fields which is designated as Green Belt land. Policy EP43 of the HUDP states that the Council will resist development proposals adjacent to Green Belt land which would have a detrimental impact on the open character of that land. The proposed addition is contained on all sides by existing two storey school buildings and as such, a significant portion of the new building would be completely screened from view from the Green Belt land. The proposed roof of the new buildings would have the same height as the existing roof of the north east wing and would rise, at its highest point, approximately 1.5m beyond the flat roof of the existing south east wing. It is considered that the proposed building would sit comfortably within the existing context of the buildings on the site and would not have an adverse impact upon the open character of the adjoining Green Belt land and would be consistent with policy EP43 of the HUDP.

The site is located approximately 250m from the site of the Old Pinner Deer Park, designated an Archaeological Priority Area within the Council's HUDP. Given the distance of the proposed building site from the boundary of the Archaeological Priority Area, and the extensive development already historically undertaken on the site, it is considered that the proposed development would not have a detrimental impact upon the designated Archaeological Priority Area and would be consistent with the objectives of policies D20, D21 and D22 of the HUDP.

2) Residential Amenity

The proposed development would create, generally, a large two-storey building approximately 8.5m high. However, the proposed development would not be highly visible from the neighbouring residential properties given the central courtyard is surrounded by existing two storey school buildings.

Policy C7 of the HUDP seeks to ensure that the Council, as a Local Education Authority, discharges its statutory responsibilities in relation to student population growth. The proposed scheme, while not specifically required for growth of the school population, is required to meet the needs of the existing students and to replace temporary prefabricated classrooms. This is consistent with aspirations in the recently adopted Community Strategy to raise educational achievement through investment in improved infrastructure and learning. The amenities of the adjoining residential properties have been taken into account in the proposal. The development has been suitably arranged so as to have a negligible impact on them.

Conditions relating to potential noise nuisance would be included on the decision notice. It is considered that this condition would adequately mitigate any adverse impacts which may result during the construction of the proposed development.

Storage of refuse would not alter due to the proposed development.

3) Access for All

The proposed development seeks to accommodate people with disabilities by providing level access around the site, to the ground floor of the building and provision of a lift to first floor. The above measures are considered acceptable and the proposed development is therefore considered to comply with Policy C16 of the HUDP and Access for All Supplementary Planning Document (April 2006).

4) Parking and Highway Safety

As a result of the proposal, pupil numbers would not increase. As such, there is not likely to be additional traffic movements to and from the school. The school has an existing Travel Plan, and it is considered that this Travel Plan is not required to be updated in light of no increased pupil or staff numbers.

In principle, it is considered that the development would not have a detrimental impact on the internal and external traffic movements in the site and would be consistent with the objectives of Policies T6 and T13 of the HUDP.

The Council's Highways Engineer has not raised any objections or issues with the proposal.

5) Surface Water Runoff and Drainage and Sewerage

Both Thames Water and the Council's Drainage Engineers have requested conditions to be placed upon any recommendation for grant to address potential issues regarding surface water discharge, sewage disposal and surface water attenuation.

It is considered that these conditions would adequately mitigate any adverse impacts which may result due to the proposed development.

6) S17 Crime & Disorder Act

This development has been designed to minimise any potential for crime and disorder.

7) Consultation Responses:

- 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, this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

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

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

REASON: To safeguard the appearance of the locality.

3 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been provided on site in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The works thereafter shall be retained.

REASON: To ensure that adequate drainage facilities are provided.

4 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 thereafter shall be retained.

REASON: To prevent the increased risk of flooding.

5 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.

6 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.

7 All construction works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place on site between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 hours on Saturday, and at no time during Sundays and bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of noise sensitive properties

INFORMATIVES

1 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.

2 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: 640-03-01-02, 640-03-GE-02, 640-02-GE-02 Rev A, 640-03-GD-02 Rev A, 640-24-RF-02 Rev B, 640-30-EL-02 Rev C, 640-20-GD-02 Rev C, 640-20-01-02 Rev C, 640-30-SE-02 Rev C, 640-31-SE-02 Rev C, and Design and Access Statement

83A HINDES ROAD, HARROW

Item: 2/04

P/0519/09/LM/C

Ward GREENHILL

ALTERATIONS TO ROOF TO FORM END GABLE AND REAR DORMER; ONE WINDOW IN FRONT ROOFSLOPE AND ONE SIDE WINDOW IN END GABLE FLANK WALL

Applicant: Mr & Mrs Choudhry

Agent: David R Yeaman & Associates

Statutory Expiry Date: | 13-MAY-09

RECOMMENDATION

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

Harrow Unitary Development Plan:

D4, D5 and SPG - Extensions: A Householders Guide (2008).

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area and Residential Amenity (D4, D5 & SPG)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- Two storey semi-detached property containing two flats, located on the northern side of Hindes Road.
- Attached property, no. 81, is located to the east of the subject site and has a rear dormer.
- Property to the west, no. 85, is a detached dwellinghouse with a two storey rear and single storey rear extension.

c) Proposal Details

- Proposal is to form an end gable and rear dormer.
- The proposed rear dormer would measure 5.3m wide, 2.7m high and 4m deep. The proposed rear dormer would be located 1m above the roof eaves, 1m from the roof verge/edge and 0.5m from the shared party wall.
- The proposed end gable would extend 3.0m to bring the roof in line with the existing flank wall.
- Proposed end gable would contain a 1.2m by 0.7m window located 1.6m below the central roof ridge.
- One velux type window would be inserted within the front roofslope.

d) Relevant History

EAST/235/00/FUL	DETACHED HOUSE WITH PARKING	GRANTED 08-MAY-00
P/1167/05/DCO	RETENTION OF RAILINGS AND GATES AT FRONT	REFUSED 29-JUN-05 ALLOWED ON APPEAL 23-MAR-06
P/1559/07	SINGLE AND TWO STOREY REAR EXTENSION AND TWO STOREY EXTENSION AT FIRST FLOOR LEVEL INCORPORATING ROOF EXTENSION AT REAR OF HOUSE	REFUSED 18-JUL-07 APPEAL DISMISSED 21-MAY-08
P/2334/08	SINGLE, FIRST FLOOR AND TWO STOREY REAR EXTENSION; EXTERNAL ALTERATIONS (REVISED)	REFUSED 28-AUG-08 ALLOWED ON APPEAL 08-MAY-09
P/3495/08	CERTIFICATE: USE OF DWELLINGHOUSE AS TWO FLATS	GRANTED 15-DEC-08
P/4052/08	SINGLE STOREY REAR EXTENSION TO GROUND FLOOR FLAT	GRANTED 12-FEB-09

e) Pre-Application Discussion

- None.

f) Applicant Statement

- None

g) Consultations:

- None

Notifications:

Sent: 13

Replies: 0

Expiry: 10-APR-09

Summary of Response:

- None

APPRAISAL

1) Character and Appearance of the Area and Residential Amenity

The proposed roof alterations are the preferred form of roof alterations to semi-detached dwellinghouses as stated within Section D.4 of the SPG. The dimensions and siting of the proposed rear dormer would comply with Section D.5 of the SPG. The proposal would retain a clearly visible section of roof around the sides of the dormer, which would have the effect of visually containing it within the profile of the roof. It is considered that the proposed end gable would not have any unreasonable impact on the character of the dwellinghouse and on the street scene.

A proposed single storey rear extension has been granted under Planning Permission P/4052/08. Construction has not started on this approval. Should the single storey rear extension go ahead, it is considered that the proposed grant of the rear dormer and end gable, cumulatively with the bulk of the rear extension, would not give rise to a development that would be out of character with the surrounding area or with the original dwellinghouse.

It is considered that there would not be any material harm to the amenities of the adjoining occupiers with regard to overlooking or loss of privacy due to the rear dormer. This is because any overlooking of the adjacent gardens would be at an ordinary, oblique angle. Given that the side window at proposed at second floor level serves a staircase and is unlikely to allow significant overlooking, its impact is considered acceptable.

2) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

3) Consultation Responses:

N/A

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

REASON: To safeguard the appearance of the locality.

INFORMATIVES

1 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.

Plan Nos: 020, 023A and Site Plan

25 ELMS ROAD, HARROW WEALD

Item: 2/05

P/0692/09/GL/C

Ward HARROW WEALD

REDEVELOPMENT: DETACHED THREE STOREY BLOCK OF EIGHT FLATS WITH BASEMENT PARKING

Applicant: Farmbridge Developments

Agent: Simpson McHugh

Statutory Expiry Date: | 15-JUN-09

RECOMMENDATION

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

London Plan: 3A.1 - 3A.5, 4A.7, 4B.1, 4B.8

Harrow Unitary Development Plan:

D4, D5, D9, D10, H10, T6, T13, C16, SPG, Extensions: A Householder's Guide, SPG, Designing New Development, SPD, Accessible Homes

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D10)
- 2) Residential Amenity (D4, D5, SPG)
- 3) Parking, Highway Safety and Transport Impact (T6, T13)
- 4) Living Conditions of Future Occupiers/Accessibility (London Plan policy 3A.5, D4, D5, C16, SPD)
- 5) Trees (D10)
- 6) Renewable Energy (4A.7)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings
Site Area:	0.18 ha
Car Parking:	Standard: 12
	Justified: 9
	Provided:
TPO	524
Lifetime Homes:	9
Wheelchair Standards:	0
S106	No
Council Interest:	None

b) Site Description

- The site is a substantial two-storey detached dwelling on the northern side of Elms Road, at the junction with College Hill Road. It has a projecting, half-timbered gabled frontage with a recessed entrance, bay windows and a dormer window that is set into the front roof slope.
- The house has a gable ended wing and an adjoining garage that extends towards the eastern boundary of the site. On the western boundary the property has a bow window. At the rear the property has a single storey lean to extension.
- Detached two storey properties to the east and west of the site
- The site sits at the Junction with College Hill Road which contains a mini roundabout
- The majority of the trees on site are subject to TPO No. 524: notably a group of 3 x Yews, the latter group provide an important screen with the adjoining property: 23 Elms Road.

c) Proposal Details

- Demolition of existing property and construction of 3-storey building with basement to provide 8 flats.
- 3x 2 bed flats on the ground floor, 3x 2bed flats on first floor and 2x 2 bed flats on second floor.
- Width of the proposed building would be 18.3m, a depth of 22.8m, maximum height on the front elevation of 11m
- Proposed dormers on the front and rear roof slope, with balconies fronting Elms Road
- Underground parking at basement level for 6 cars and cycles
- Bin storage facilities located to the front
- 3 parking spaces located on the forecourt to the west of the site

Revisions to Previous Application:

Following the previous grant of planning permission (P/4068/07) the following amendments have been made:

- Width of front part of building increased from 16.9m to 18.3m, representing an increase of 1.4m.
- The flank wall would be closer to the boundary of No. 23 Elms Road by 1.4m
- In all other material respects the proposal is identical to that for which outline permission was granted on 17-Jan-08.

d) Relevant History

P/1258/05/CFU	OUTLINE: REDEVELOPMENT TO	REFUSED
APPEAL A	PROVIDE A DETACHED 3 STOREY	14-JUL-05
	BLOCK OF 9 FLATS, ACCESS AND	APPEAL
	PARKING	DISMISSED
		01-NOV-06

Reasons for Refusal:

1. The proposed block of flats would, by reason of excessive site coverage by building and hard-surfaced vehicular access and garage forecourt, and associated disturbance and general activity, be an over-intensive use, and amount to an overdevelopment of the site to be detriment of neighbouring residents and the character of the area.

2. The proposed block of flats, by reason of its size, bulk and rearward projection, would be visually obtrusive and overbearing, would not respect the scale and massing of adjacent detached houses and would give rise to a loss of light and overshadowing, to the detriment of the amenities of neighbouring occupiers and the character of the locality.
3. The proposed block of flats, by reason of the siting of flank windows, would give rise to overlooking, with a resultant loss of privacy, to the detriment of the amenities of neighbouring occupiers.
4. The proposal would result in the loss of protected trees of significant amenity and landscape value which would be detrimental to the character and appearance of the locality.
5. Inadequate vehicular sight lines would be provided as a result of this proposal, which would be detrimental to highway safety and traffic movement in the vicinity, contrary to Policy T13 of the adopted Unitary Development Plan.

P/0572/07/CFU	OUTLINE: REDEVELOPMENT TO PROVIDE A DETACHED THREE STOREY BLOCK OF 8 FLATS, NEW ACCESS AND BASEMENT PARKING	REFUSED 11-MAY-07 APPEAL DISMISSED 08-APR-08
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Reasons for Refusal:

1. The proposed development, by reason of its excessive size, scale, bulk, massing and poor design would be overbearing, overpowering and intrusive in its relationship with the adjoining properties, to the detriment of the character of the area and the visual amenity of the locality, contrary to policies SD1, SH1, D4 and D5 of the Harrow Unitary Development Plan (2004).
2. The proposed development, by reason of poor design and rearward projection would result in a loss of outlook and amenities to nearby occupiers and future occupiers of the site and the development would be out of character with the established pattern of development in the locality, contrary to policies SD1, D4, and D5, of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: "Extensions; a Householder Guide"
3. The proposal would result a potential loss of trees of significant amenity value which would be detrimental to the character and appearance of the locality, contrary to Policies SD1, SH1 and D10 of the Harrow Unitary Development Plan (2004).

P/2619/07/DOU	OUTLINE FOR LAYOUT, SCALE, APPEARANCE & ACCESS: REDEVELOPMENT TO PROVIDE A DETACHED THREE STOREY BLOCK OF 8 FLATS, NEW VEHICULAR ACCESS AND BASEMENT PARKING	REFUSED 05-NOV-07 APPEAL WITHDRAWN
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Reasons for Refusal:

1. The proposed development, by reason of its excessive size, scale, bulk and hardsurfacing, inappropriate massing and siting of refuse storage, and poor design would be overbearing, overpowering, out of sympathy with the form of development in the area and obtrusive, to the detriment of the character and appearance of the area and the amenity of the neighbouring occupiers, contrary to policies SD1, SH1, D4, D5, D8 and D9 of the Harrow Unitary Development Plan (2004).

2. The proposed development represents an over-intensive use of the property which, by reason of layout, excessive number of units proposed, and non compliance with Lifetime Homes Standards would provide cramped and substandard accommodation and excessive levels of activity, noise and disturbance, to the detriment of the amenities of future occupiers of the site and neighbouring occupiers contrary to the provisions of policies SD1, D4, D5, H18 and EP25 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Accessible Homes.

P/4068/07/DOU	OUTLINE FOR LAYOUT, SCALE, APPEARANCE AND ACCESS: REDEVELOPMENT TO PROVIDE A DETACHED THREE-STOREY BLOCK OF 8 FLATS; NEW VEHICULAR ACCESS AND BASEMENT PARKING	GRANTED 17-JAN-08
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Design of building was approved under outline permission and size of building found acceptable by an Inspector
- Measures detailed in the arboricultural report will be implemented
- Design is in keeping with adjoining properties
- Underground parking would allow for more landscaping
- Proposed vehicular access would not adversely affect highway safety or the free flow of traffic
- Design would assist occupiers to meet obligations under the Disability Discrimination Act
- Internal layout would allow for wheelchair access
- Low energy lighting would be provided

g) Consultations:

Drainage Engineers: Conditions required for surface and foul water drainage, together with details of surface water storage and attenuation. Information on proposed levels required to prevent surface water run off onto the highway.

Site Notice

Expiry: 19-MAY-09

Notifications:

Sent: 74

Replies: 7

Expiry: 08-MAY-09

Summary of Response:

Overdevelopment; out of character; backland development; overbearing in streetscene; out of proportion; overlooking of neighbouring properties; loss of light to neighbouring properties; noise and disturbance from increased number of residents; traffic problems at roundabout and in wider area; loss of green space in garden; loss of green frontage; increased hard surfaces; problems with surface water run off into highway; dangerous tree in rear garden has not received attention from owners

APPRAISAL

The principle of a development of a block of flats of this scale and with this footprint on this site has been established through the previous grant of outline planning permission and through the appeal decisions noted in the planning history section.

The assessment of this proposal is therefore similar to the approved outline scheme.

1) Character and Appearance of the Area

The design of the proposed block of flats is, apart from the increase in width, identical to the approved scheme and would have no additional impact on the character and appearance of the area when compared to the outline scheme.

With the previous application, it was considered that the use of a front gable at the western end of the building, with a hipped roof over the remainder of the frontage serves to mitigate the appearance of bulk of the building in the streetscene and addressed the principle reason for refusal of previous schemes.

The bin store has been relocated to the side of the building, thus reducing its impact in the streetscene. The amount of hardstanding would remain the same as that in the approved scheme the use of suitable landscaping would further reduce the impact of the proposal on the streetscene. Therefore, a condition requiring landscaping to be approved has been added to this recommendation.

The application site is on a dominant position with a considerable fall in levels between the location of the proposed building and the highway. Conditions have therefore been added requiring levels and drainage details to be approved to prevent surface water run off from the site into the highway.

2) Residential Amenity

The application proposes a slightly larger footprint than the previously approved scheme.

In this respect, the current proposal has a similar footprint to the refused scheme P/0572/07/DOU. In the appeal decision, the Inspector concluded that the scheme should fail on design grounds, but that the proposal would not have a harmful effect with regard to neighbours living conditions.

It is acknowledged that there is a slight increase in the width of this scheme. However, this extra width would still be 6.8m from the boundary of the site with No. 23 Elms Road and would be shielded from that neighbouring property by trees. In the light of the Inspector's comments, it is therefore considered that this would not be harmful to neighbouring amenities.

Although the proposed provision of 8 flats would give rise to levels of activity, noise and disturbance which would be out of sympathy with the scale of adjacent development, Inspectors at previous appeals have noted that this would be unlikely to result in an unacceptable degree of noise and disturbance to neighbours. Therefore, the previous recommendation for approval is maintained.

3) Parking, Highway Safety and Transport Impact

In the previous appeal B reference P/2974/05/CFU, and the more recent appeal reference P/0572/07/DOU, it was given that the proposal would cause no detriment to highway safety and was consistent with the objectives of Policy T13. The current scheme would have the same parking and access arrangements as the approved scheme. It is therefore considered to be consistent with the objectives of Policy T13. The Highways Engineers register no objection to the proposal.

4) Living Conditions of Future Occupiers/Accessibility

The proposal would provide 8 flats within the proposed development. The increase in width of part of the building would allow for some of the rooms to be larger than in the previously-approved scheme. Although the internal layout of the new units would provide some awkward habitable rooms, the layout has previously been approved and is therefore considered acceptable.

It is a requirement of UDP policy C16 and London Plan policy 3A.5 that all new homes conform to Lifetime Homes standards. The previous arrangement was that the entrance to the building would be via steps into the main property, with disabled access being provided via a lower ground car parking area. This was not considered acceptable, and therefore a condition requiring a level access to be provided at ground floor level was added to the previous approval.

The increase in width of the front of the building in the current scheme would allow for a ramped access to the front of the building with a gradient of 1:20. This represents an improvement to the previous arrangement and is considered acceptable.

The current plans and design and access statement indicate compliance with Lifetime Homes standards. Notwithstanding the details on the supplied plans, a condition requiring the flats to be built to Lifetime Homes standard has been added to ensure compliance with UDP policy C16, London Plan policy 3A.5 and the Council's Supplementary Planning Document, 'Accessible Homes.'

5) Trees

The applicants have provided a detailed arboricultural method statement and details of a tree protection plan. These are considered adequate to safeguard the long-term survival of the trees of significant amenity value on the site.

A condition has been added requiring the development to be conducted in accordance with those details.

6) Renewable Energy

London Plan policy 4A.7 now requires developments to achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation. The proposal makes no provision for on site renewable energy generation. Therefore a condition requiring details of such a scheme to be submitted to, and approved in writing by, the local planning authority has been added to this permission.

7) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

8) Consultation Responses

Overdevelopment; out of character; backland development; overbearing in streetscene; out of proportion; overlooking of neighbouring properties; loss of light to neighbouring properties; noise and disturbance from increased number of residents; traffic problems at roundabout and in wider area.

Each of these matters has been addressed in previous Inspector's decisions and in the previous grant of planning permission. The principle of the development, with this number of flats, has clearly been established. It is considered that the proposal would not have an undue detrimental effect with respect to these matters.

Loss of green space in garden; loss of green frontage; increased hard surfaces; problems with surface water run off into highway.

Although the proposal would result in the loss of some existing landscaping conditions have been attached requiring hard and soft landscaping to be approved and implemented to mitigate any impact this would have on streetside greenness. Further conditions relating to site drainage have been added to eliminate surface water run off onto the highway.

Dangerous tree in rear garden has not received attention from owners. This matter has been referred to the arboriculturalist for investigation.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

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

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

REASON: To safeguard the appearance of the locality.

3 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:

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

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.

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

5 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.

6 The development hereby permitted shall not be occupied until the car parking, turning and loading area(s) shown on the approved plan number(s) 2430/21 and 2430/3 Rev A have been constructed and surfaced with permeable materials, or 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.

7 The proposed parking space(s) shall be used only for the parking of private motor vehicles in connection with the development hereby permitted and for no other purpose.

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

8 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.

9 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water 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.

10 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.

11 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.

12 The development hereby permitted shall not commence until there has been a pre-commencement site visit with the Council's Planning Arboricultural Officer.

The development shall be conducted in accordance with the approved details in the arboricultural method statements, and under the supervision of a suitably qualified arboriculturalist, with circulated copy reports to the Council's Arboricultural Officer.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

13 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.

14 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 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

15 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

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

16 The development hereby permitted shall not commence until details of a scheme to achieve a reduction in predicted carbon dioxide emissions of 20% from on site renewable energy generation have been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure the development provides a satisfactory level of renewable energy.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

3 INFORMATIVE:

A list of Arboricultural Consultants can be obtained from the Arboricultural Association (01794 368717 / www.trees.org.uk).

4 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.)

5 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).

6 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.

Plan Nos: 2430/3 Rev A; 2430/20; 2430/1; 2430/05; Tree Protection Plan

157 - 159 VILLAGE WAY, PINNER

Item: 2/06

P/0014/09/SB5/W

Ward PINNER SOUTH

RETENTION OF SINGLE AND TWO STOREY BUILDING WITH ACCOMMODATION IN ROOF AND CONVERSION INTO THREE TERRACED DWELLINGHOUSES; PROPOSED VEHICLE ACCESS TO VILLAGE WAY; RETENTION OF DETACHED DOUBLE GARAGE AT THE REAR WITH PROPOSED ACCESS TO CANNON LANE

Applicant: RNB Properties

Statutory Expiry Date: | 14-APR-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans:

REASON

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and the saved policies of 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:

London Plan:

3A.1 - Increasing London's Supply of Housing

3A.2 - Borough Housing Targets

3A.4 - Efficient Use of Stock

3A.5 - Housing choice

Harrow Unitary Development Plan:

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

T13 Parking Standards

Supplementary Planning Guidance; 'Extensions: A Householders Guide' (2008)

Supplementary Planning Guidance, Designing New Development (2003)

Supplementary Planning Document 'Accessible Homes (2006)

Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (January 2009)

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area, and Amenity (D4, D5, SPG)
- 2) Parking Standards (T13)
- 3) Accessibility (London Plan Policy 3A.5, SPD)
- 4) Provision of Housing (H10, D4, D9, London Plan Policies 3A.1, 3A.2, 3A.4)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application was deferred from the meeting of the Planning Committee on the 13th May 2009 for a Members site visit. This site visit took place on the 11th June 2009.

a) Summary

Statutory Return Type:	Minor Dwellings	
Car Parking	Standard	5.4
	Justified	3
	Provided	2
Lifetime Homes:	Yes	
Wheelchair Standards:	None	
Council Interest:	None	

b) Site Description

- Two storey building located on a prominent corner junction of Village Way and Cannon Lane;
- Planning permission for a two storey building to provide three terraced dwellings was granted under P/256/03/CFU;
- Since the approval of the three terraced properties, a number of various planning applications have been made (see relevant history below). Amongst these, planning permission has also been granted for the construction of a single storey rear extension to each of the three dwellings and a single storey side extension (located at the rear of the garage) to dwelling no.157, These extensions have been built;
- The original garage that is located at the side of no.157 has been converted into a habitable room; the pitch roof over the garage has been replaced with a flat roof over;
- During the construction, the original three terraced dwellings have been converted to provide two semi-detached dwellings; the height and bulk of the building was also increased (site levels were not amended and extra building height between top of first floor windows and eaves); windows have also been inserted into the rear wall of the garage;
- An application was submitted under P/3452-07 for the retention of the building as a pair of semi-detached dwellings, this was refused for reasons stated below;
- The front garden to both dwellings has been extensively blocked paved (this has been recently completed);
- Brick wall along the boundary fronting Village Way and Cannon Lane, there is an opening for a vehicular access along the front boundary of no.157, however the dropped kerb to Village Way has not been constructed;
- Double detached garage located at the rear facing Cannon Lane; there is a steep bank adjacent to the boundary fronting Cannon Lane, a bridge access road has been constructed to provide access to the garages;
- The garages has two windows located at lower ground and upper ground on the east elevation facing no.155 (not in the planning permission);
- The rear garden has been sub-divided with a 1m high fencing between the both gardens; the rear garden is mainly laid to lawn;
- Neighbouring dwelling no.155 Village Way is a semi-detached dwelling, this property is set off the boundary shared with the application site and is unextended.

c) Proposal Details

- Planning permission is sought to convert the pair of semi-detached dwellinghouse as built without the benefit of planning permission back into three terraced dwelling, similar to that approved under P/256/03/CFU;

- This application is also seeking the retention of the change of use of the garage located at the side of no.157 into a part habitable room and seeking to proposed a refuse storage area for the remaining part;
- Refuse storage for the mid- terraced property would be located in the front garden; and the refuse storage for no.159 would be located in the rear garden;
- Retention of the detached garage as built at the rear, which would provide off street parking for two of three dwellings;
- Soft landscape works proposed to the front garden, which would incorporate the bricking up of this existing vehicular opening onto Village Way;

Revisions to Previous Application:

Following the previous decision (P/3452/07) the following amendments have been made:

- Conversion of the building

d) Relevant History

P/256/03/CFU	3 terraced properties with attached garage, forecourt parking and access and detached double garage at rear with access	GRANTED 15-APR-03
P/957/05/DFU	Single storey rear extension to each house	GRANTED 19-MAY-05
P/1673/05/DFU	Two storey side and single storey rear extension (159 Village Way)	REFUSED 12-OCT-05 APPEAL DISMISSED 07-MAR-06

Reasons for Refusal:

1. The two storey side and single storey rear extension, by reason of its prominent siting and unsatisfactory design, would be obtrusive and have an unduly discordant and bulky appearance with inadequate spatial setting in the street scene to the detriment of the visual amenity and character of the locality.
2. The proposal will result in an unacceptable loss of green space of significant amenity value which, in the opinion of the local planning authority, would be detrimental to the character and appearance of the locality.

P/1674/05/DFU	Single storey side extension (157 village way)	GRANTED 25-AUG-05
P/1675/05/DFU	First floor rear extension (157a Village Way)	REFUSED 03-OCT-05

Reason for Refusal:

1. The proposed first floor rear extension, by reason of excessive bulk, unsatisfactory design and appearance, would detract from the pattern of development in the locality and the appearance of the property to the detriment of the residential and visual amenities of neighbouring occupiers.

P/2643/05/DFU	First floor rear extension (revised) (157a Village Way)	REFUSED 06-DEC-05
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Reason for Refusal:

1. The proposed first floor extension, by reason of excessive bulk, unsatisfactory design and appearance, would detract from the pattern of development in the locality and the appearance of the property to the detriment of the residential and visual amenities of neighbouring occupiers.

P/1475/06	Single storey rear extension (157 Village Way)	REFUSED 02-AUG-06
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Reason for Refusal:

1. The proposal, in conjunction with existing development on the site, would appear as a disproportionate rearward projection in relation to the original dwelling when viewed from the adjacent property and would detract from the prevailing pattern of houses and gardens in this locality, to the detriment of the visual amenity of neighbouring occupiers and the character of the area, contrary to Policies SD1, D4 and D5 of the Harrow Unitary Development Plan (2004).

P/1505/06	Single storey rear extension (157 Village Way)	REFUSED 02-AUG-06
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Reason for Refusal:

1. The proposal, in conjunction with existing development on the site, would appear as a disproportionate rearward projection in relation to the original dwelling when viewed from the adjacent property and would detract from the prevailing pattern of houses and gardens in this locality, to the detriment of the visual amenity of neighbouring occupiers and the character of the area, contrary to Policies SD1, D4 and D5 of the Harrow Unitary Development Plan (2004).

P/3452/07	Retention of single and two storey building with accommodation in roof to provide two dwellings (including conversion of attached side garage into habitable room); proposed forecourt parking and landscaping and two proposed vehicular accesses from village way and retention of detached double garage at rear with proposed access from Cannon Lane	REFUSED 30-OCT-08
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Reasons for Refusal:

1. The houses, by reason of an unacceptable layout where each of the properties extends over and under each other and non-compliance with Lifetime Homes standards, result in an unsatisfactory relationship between the properties which leads to direct overlooking and unreasonable disturbance between the properties and overall substandard living conditions for future occupiers to the detriment of the residential amenities of the future occupiers of the site contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004), policy 3A.5 of the London Plan and Supplementary Planning Document: Accessible Homes (2006).

2. The siting and size of the first floor window on the rear elevation of the detached double garage leads to unacceptable levels of perceived and actual overlooking to the detriment of the residential amenities of the occupiers of 155 Village Way contrary to policy D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Extensions a Householders' Guide (2008)
3. The detached double garage at the rear, by reason of its unacceptable siting and inadequate levels cannot be accessed by vehicles and therefore the provision for off street parking on the site is insufficient and unsatisfactory for the dwelling houses as built and as such the development would give rise to conditions prejudicial to the free flow of traffic and highway safety in Village Way and Cannon Lane contrary to policies D4 and T13 of the Harrow Unitary Development Plan (2004).
4. The proposal fails to demonstrate the satisfactory provision for the storage of refuse/ recycling bins, which would be visually intrusive and detract from the appearance of the property and the character of the area and be detrimental to the amenities of the potential occupiers of the site and the neighbouring occupiers contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

- None

f) Applicant Statement

- A detailed Design and Access statement has been submitted in support of this application which is summarised below:
- The road has a good bus service and Rayners Lane tube station is a few minutes walk away;
- The basic design in principle is similar to an original planning permission (P/256/03/CFU) for three terraced properties;
- 157 Village Way has been designed for a wheel chaired person and the property includes a lift;
- The three properties have been designed taking Life Time Homes Standards and are sympathetic to the surrounding area;
- There is a double garage at the rear, accessed from Cannon Lane;
- There is bicycle storage in the garages at the rear;
- Existing trees will be protected and there will be new planters in front and rear gardens as part of the landscaping. The front gardens will be landscaped as per dwelling provided. The proposals will blend with the surrounding;
- The materials to be used will be sympathetic and matching those used in the surrounding area and are those already approved in the original application;
- Sufficient sound insulation has been provided between floor and in the party walls;
- The amenity space and density are similar to those in the surrounding area and to the original approved permission;
- The proposal will not harm the amenities of near by residents because there will be adequate parking provision;
- The proposal is a positive use of the land and gives three brand new dwellings for the benefit of the community as a whole;
- Ramps will be provided for the access to both dwellings, front and rear.

g) Consultations

The Pinner Association: no comments received;

Vehicle Crossing Officer: Refuse crossing on Village Way, offer a 4.5m lowered kerb to 0.9m taper x 2 on Cannon Lane.

Drainage Engineer: No objections subject to standard conditions.

Waste Management Policy Officer:

- The applicant will need to provide the following storage capacity for each unit:
 - o One brown bin for food and garden waste - collected weekly
 - o One blue bin for recyclable waste – collected fortnightly
 - o One waster bin for residual waste – collected fortnightly

Landscape Architect: On the Cannon Lane boundary there is a Tree Preservation Order, number 660 covering a group of trees. The design and Access statement states that no trees are to be removed. The Drawing number 02/2116/19 seems to contradict this, showing Cherry and Hawthorn to be removed. Russell Ball will comment on this.

The centre proposed terrace house shows very narrow strips of garden front and back, to about a maximum width of 4 metres. This garden would not be a very useable or pleasant space. There appears to be minimal space for planting in the front gardens, for street scene impact on Village Way and the corner with Cannon Lane.

If you are minded to grant this the following conditions would be required: Existing trees and shrubs, Tree Protection and method statement, Hard and Soft landscape including details of existing trees and shrubs to be retained and proposed planting details, planting plan and schedule, levels, details of refuse store/ storage areas, boundary treatment

Site Notice

Expiry: 02-APR-09

Notifications:

Sent: 10

Replies: 1

Expiry: 23-MAR-09

Summary of Responses:

- Impact on highway safety – the access point from 157 Village Way being less than 5m from the traffic lights;
- Cannon Lane section of the road is narrow with a cycle lane and one side pavement, parking here during rush hour would result in traffic problems;
- Garages in latest proposal has windows, this gives lack of privacy due to height and position of window;
- First floor door on north elevation opens out to thin air as there is no stairs or balcony, making this unsafe;
- Windows on the flank elevation no properly obscured glazed;

APPRAISAL

1) Character and Appearance of the Area, and Amenity

This application follows on from a previous application P/3452/07/DFU for the retention of a single/ two storey building providing two semi-detached dwellinghouses. This application was refused for the reasons stated above. In this current application, the applicant is now seeking to revert the building as built to three terraced dwellings as previously approved under P/256/03/CFU. The principle of a two storey building on this site has already been established by the approval of the original planning permission for the three terraced dwellings (P/256/03/CFU). It would appear that compared to the original approved plans, the building has been built at a higher site level than what was originally approved and extra height has also been added above the first floor level windows between the eaves therefore giving the building a more bulky appearance in the streetscene. However, given the separation of the subject building and the neighbouring dwelling at no.155, together with the siting of the building on a corner plot and the rise in levels towards the southern direction, it is considered that a refusal on ground of excessive bulk could not be substantiated in this case.

In assessing the impact of the development in terms of the residential amenities of the future occupiers of the site, it is considered that the proposed layout of the development has shown to overcome the previous reasons for refusal under P/3452/07/DFU. The development as built has been constructed in a manner, where part of one dwellinghouse overlaps the other dwelling house, which results in an unsatisfactory relationship between the dwellings, which would lead to unreasonable disturbance between the properties. The applicant now seeks to amend the internal layout so that the each dwelling would be divided appropriately to avoid any overlapping between the dwellings and it seeks to divide the building back into the three terraced dwellings that were originally approved under P/256/03/CFU. For these reasons the proposed changes would be considered acceptable.

The applicant has inserted two windows on the rear (east) elevation of the detached double two-storey garage, which is located in the rear of the site and is accessed from Cannon Lane. These windows, of which one is positioned at first floor level directly outlooks onto the rear garden of the neighbouring garden no.155 Village Way. As existing, there is also a door at first floor level on the north elevation. In this revised scheme, the applicant is proposing to brick up the first floor window on the east elevation to overcome the concerns raised with regard to overlooking of the neighbouring garden at no.155 Village Way, and the applicant is also proposing to remove the first floor door on the north elevation. With regard to the ground floor window on the east elevation of the garage, given that this is at ground floor level and would serve a storage area, a condition is suggested to ensure that this window is replaced with obscured glazing and fix shut below the height of 1.7m above finished floor level. Based on these factors it is considered that the proposed changes to the garage would overcome the previous reason for refusal and therefore the proposed changes are considered to be acceptable.

Paragraph 4.24 of the reasoned justification to policy D4 states that provision must be made for bin and refuse storage, and goods to be recycled. This must be included in such a way to minimise its visual impact while providing a secure and convenient facility for occupiers and collection. The Council's 'Code of practice for the storage and collection of refuse and materials for recycling' requires for this size of development the provision of one 240 litre brown wheeled bin, one 240 litre blue wheeled bin and one 240 litre, dark grey wheeled bin for each household. The applicant is proposing to convert part of the side extension at the side of dwelling no.157 into a designated storage area for refuse bins, which is considered to be acceptable. With regard to the centre terraced dwelling, the refuse bins would be located in the front garden. Taking into consideration that the bins would be sufficiently screened within a designated bin enclosure, together with the soft landscaping proposed and the deep front garden, it is considered that the proposed location of the 3 no. bins in the front garden would not appear visually obtrusive in the streetscene. The refuse bins for the end terraced property no.159 would be located in the rear garden which is considered to be acceptable.

Paragraph 4.21 of policy D4 recognises the contribution front gardens can make to the character of an area or locality. The LPA will seek their retention, reinstatement and enhancement in proposals as stipulated in policy D9. This is to ensure that the greenery of the front gardens are enhanced to improve the appearance of the development and the street scene. The front gardens as existing to each of the dwellings are extensively hard-surfaced, with very small planting borders adjacent to the front boundary wall. In this revised scheme the applicant is seeking to divide the front garden area into three and has provided a landscaping plan to support this application. However, no planting scheme or density has been provided. In view of this, a time restricted condition is suggested to ensure further details are provided for the landscaping scheme and it is implemented within a specified period.

2) Parking Standards

The double detached garage located at the rear would provide off street parking for 2 cars. The applicant has now carried out the remedial works to allow the dropped kerb to be constructed from Cannon Lane. The garage would provide off street parking for the centre terraced dwelling and the end terraced dwelling no.159. This is considered to be acceptable.

With regard to the parking arrangement proposed for the other end terraced dwellinghouse no.157 the applicant originally sought to provide one off street parking space in the front garden, with the access from Village Way. Taking into consideration the comments made by the Vehicle Crossings Officer and the Highways Engineer, it was strongly recommended that the access from Village Way be omitted. Although, this would result in the nil provision of parking for this dwelling, the Highway Engineer does not consider that this action would cause parking displacement in the immediate area. For this reason, the applicant has amended his plans to show no parking provision for the dwellinghouse at 157, which has shown to overcome highway concerns.

3) Accessibility

When the original application was approved under P/256/03/CFU there was not a requirement to provide Lifetime Homes, as the approval predate current UDP and London Plan policies and the Council's SPD on 'Accessible Homes'. In view of this, and taking into consideration the applicant now seeks to revert the building back to three terraced dwellings, the proposed changes are shown to meet the most of the relevant criteria set out for Lifetime Homes.

4) Provision of Housing

The proposal would be accordance with the objectives set out in the London Plan and the Council's UDP policies to increase housing supply in the borough.

5) S17 Crime & Disorder Act

The proposed development is not considered to have a material impact upon community protection

6) Consultation Responses

- Matters relating to highway safety and parking has been addressed under section 3 of the above appraisal;
- Matters relating to the first floor level door and windows to the detached garage have been addressed under section 1 of the appraisal above. A condition is suggested to ensure that the remaining ground floor window on the east elevation of the garage and the first floor windows on the east elevation of the main building are obscured glazed and fixed shut below 1.7m internal finished floor level as a measure to protect neighbouring amenities with regard to overlooking.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

This application is recommended for grant, subject to the following condition(s):

CONDITIONS

1 All the works detailed in this planning permission (including details to be approved by the Local Planning Authority) shall be completed within 6 months from the date of this permission unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory form of development and to safeguard the amenities of the future occupiers of the development.

2 Notwithstanding the details shown on drawing No. 683/VW/04 REV C, a scheme of hard and soft landscape works for the forecourt of the site shall be submitted to the Local Planning Authority within one month of the date of this permission and approved in writing by the Local Planning Authority before the commencement of this part of the development. Soft landscape works shall include: planting plans, and schedules 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.

3 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 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

4 Notwithstanding the details shown on drawing No. 683/VW/04 REV C, full details including metric scaled elevations and samples of materials proposed for the bin enclosure shall be submitted to the Local Planning Authority within 1 month from the date of this permission and approved in writing by the Local Planning Authority before the commencement of this part of the development. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

5 Notwithstanding the details shown on the approved drawings, the ground floor window in the east elevation of garage and the first floor windows in the east flank elevation of the main building shall be altered to be of purpose-made obscure glass, be permanently fixed closed below a height of 1.7m above internal finished floor level within one month from the date of this permission and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

6 The materials to be used in the external alterations to the existing garage hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality.

7 A suitable boundary treatment such as a fence or wall of a maximum height of 2000mm has been provided along the line of the proposed sub-division of the plot at the rear only. Such fence or wall shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the privacy and amenity of future occupiers and neighbouring residents.

8 The proposed garage(s) and parking space(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the development hereby permitted and for no other purpose.

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

9 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

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

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

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

INFORMATIVES

1 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.

2 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: Site Plan; 02/ 2116/ 19 REV C; 683/ VW/ 01 (Existing Plans); 01 REV B (Proposed Plans); 02 REV B (Existing Elevations); 02 REV B (Proposed Elevations); 03 (Existing Second Floor & Roof Plans); 03 REV B (Proposed Second Floor & Roof Plans); 04 REV C (Block Plan); 05 REV A (Existing Double Garage Plans & Elevations); 05 REV C (Double Garage Plans & Elevations); 06 REV B (Proposed Sections)

Item: 2/07

**GARAGES REAR OF 9 – 11 NOWER HILL, P/0348/09/SB5/W
PINNER**

Ward PINNER

CONSERVATION AREA CONSENT: DEMOLITION OF GARAGES TO REAR OF 9-11
NOWER HILL

Applicant: DKA Investments Ltd & SCSC Developments Ltd

Agent: Adrienne Hill

Statutory Expiry Date: | 14-APR-09

Item: 2/08

**LAND TO REAR OF 9 – 15 NOWER HILL, P/0349/09/SB5/W
PINNER**

Ward PINNER

PAIR OF SEMI-DETACHED HOUSES WITH HABITABLE ROOFSPACE; TWO
GARAGES AND HARDSTANDING AT REAR WITH WIDENED VEHICLE ACCESS
FROM THE CHASE

Applicant: DKA Investments Ltd & SCSC Developments Ltd

Agent: Adrienne Hill

Statutory Expiry Date: | 14-APR-09

**P/0348/09/SB5
RECOMMENDATION**

GRANT permission for the development described in the application and submitted
plans:

REASON

The decision to **GRANT** Conservation Area Consent has been taken having regard to the
policies and proposals in the London Plan and-or 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 2004:

D4 The Standard of Design and Layout

D10 Trees and New Development

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

Supplementary Planning Guidance, Designing New Development (2003)

**P/0349/09/SB5
RECOMMENDATION**

GRANT permission for the development described in the application and submitted plans.

REASON

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and-or 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:

London Plan:

- 3A.1: Increasing London's supply of housing
- 3A.2: Borough housing targets.
- 3A.4: Efficient use of stock
- 3A.5: Housing choice
- 4B.1: Design principles for a compact city

Harrow Unitary Development Plan:

- D4 The Standard of Design and Layout
- D5 New Residential Development – Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- D10 Trees and New Development
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- T13 Parking Standards
- C16 Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions; A Householders Guide (2008)
Supplementary Planning Guidance, Designing New Development (2003)
Supplementary Planning Document 'Accessible Homes' (2006)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area and Impact on Conservation Area (D4, D5, D9, D14, D15, SPG)
- 2) Residential Amenity (D4, D5, SPG)
- 3) Parking Standards (T13)
- 4) Accessibility (London Plan Policy 3A.5, SPD)
- 5) Trees (D10)
- 6) Housing Provision and Housing Need (H10; London Plan: 3A.1, 3A.2, 3A.4, 3A.5)
- 7) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application was deferred from the meeting of the Planning Committee on the 30th April 2009 for a Members site visit. This site visit took place on 11th June 2009.

a) Summary

Statutory Return Type:	Minor Dwellings	
Conservation Area:	Tookes Green Conservation Area	
Car Parking	Standard	3.6
	Justified	2
	Provided	4
Lifetime Homes:	2	
Wheelchair Standards:	0	
S106	No	
Council Interest:	None	

b) Site Description

- The application site is situated on the north east corner of The Chase and forms part of the land to the rear of nos.9-15 Nower Hill, comprising of two rows of garages directly adjacent to the rear garden serving no.9 and approximately half the garden area to the rear of nos. 11 and 15 (the former comprising two further garages);
- The application site contains 8 garages in total, of which 6 are constructed from prefabricated concrete and the other 2 are constructed in brick and timber;
- The existing garages appear to be disused;
- The part of the site rearmost of nos.11 and 15 Nower Hill is overgrown and comprises of variety of trees and shrubs;
- The site falls within and on the southwestern boundary of Tookes Green Conservation Area in Pinner. Tookes Green is characterised by large buildings on relatively generous plots of land with considerable green open space at the front and rear of the properties;
- The properties on the opposite side of the road (on The Chase), to the west are characterised by two storey cottages. On the southern side of the road is a two storey flat roofed block of flats (Nower Court);
- Most of the existing trees on the site are protected by virtue of them falling within a conservation area (with a trunk diameter of 75mm at a height of 1.5m from ground level).

c) Proposal Details

P/0348/09 - Conservation Area Consent:

- Demolition of the garages;

P/0349/09

- Redevelopment of the site to provide a pair of semi-detached dwellinghouses; Both dwellings would be two-storey high with accommodation at roof level; Both dwellings have been shown to be Lifetime Homes; Refuse storage would be located in the rear garden;
- A double detached garage would be located at the rear; Access to the garages and parking would be from The Chase
Deletion of gable roof to east elevation

Revisions to Previous Application:

Following the previous decision (P/2972-08) the following amendments have been made:

- Re-sitting of the proposed houses further back into the site to avoid impacting on the protected tree and to maintain the same building line as the flank wall of no.9 Nower Hill.

d) Relevant History

LBH/30677	Detached house and double garage	REFUSED 04-SEP-86 APPEAL DISMISSED 13-JUL-87
P/259/03/CFU	Detached two storey house with parking and access from the chase	REFUSED 05-JUN-03

Reasons for Refusal:

1. The proposal would represent overdevelopment of the site, by reason of inadequate rear garden depth and amenity space, contrary to the provisions of the Harrow Unitary Development Plan and detrimental to the character of the locality.
2. The proposed building, by virtue of its unsatisfactory design, would be out of character in the streetscene and have a detrimental visual impact on the character and appearance of this part of the conservation area.
3. The proposal would result in threat to, and loss of protected trees of significant amenity and landscape value which would be detrimental to the character and appearance of the locality.
4. The proposed dwelling would enable substantial overlooking of the rear gardens of nos. 17 and 19 Nower Hill, resulting in a loss of privacy to the detriment of the residential amenities of the occupiers thereof.

P/1919/04/CFU	Demolition of garages and provision of 2 storey detached house with parking	REFUSED 07-SEP-04
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Reasons for Refusal:

1. The proposed dwelling, by reason of unsatisfactory size, siting, design and appearance would fail to preserve or enhance the character and appearance of the site and this part of the Tookes Green Conservation Area.
2. The proposed dwelling, by reason of excessive bulk and site coverage would result in an overdevelopment of the site to the detriment of neighbouring residents and the character of the area.
3. The proposal would result in a threat to and loss of protected Conservation Area trees of significant amenity and landscape value which would be detrimental to the character and appearance of the locality and this part of the Tookes Green Conservation Area.

P/2237/07	Demolition of garages and single storey rear extension (conservation area consent)	REFUSED 09-NOV-07
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Reason for Refusal:

1. The proposed demolition, in the absence of an acceptable proposal for the replacement of the building(s), would be inappropriate and detrimental to the appearance and character of this part of the Conservation Area, contrary to Policies D4, D5, D11, D14 & D15 of the Harrow Unitary Development Plan 2004 and Supplementary Planning Guidance on Designing New Development, March 2003.

P/2972/08	Two x two-storey semi-detached houses with habitable roofspace, two garages with additional parking and hardstanding at rear with widened vehicle access from 'The Chase'	REFUSED 07-NOV-08
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Reasons for Refusal:

1. The proposed development by reason of prominent siting would appear unduly obtrusive and bulky and would detract from the established pattern of development in the street scene and the character of the locality, contrary to policy D4 of the Harrow Unitary Development Plan and Supplementary Planning Guidance - Designing New Development (2003).

2. The proposed development would result in the potential loss of a tree of significant amenity and landscape value, which would be detrimental to the character and appearance of the locality and would fail to preserve the character or appearance of Tookes Green Conservation Area, contrary to policies D4, D10 and D14 of the Harrow Unitary Development Plan (2004).

P/2970/08	Conservation Area Consent: Demolition of garages to rear of Nos. 9 and 11 Nower Hill	REFUSED 07-NOV-08
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Reason for Refusal:

1. The proposed demolition, in the absence of an acceptable proposal for the replacement of the building(s), would be inappropriate and detrimental to the appearance and character of this part of the Conservation Area, contrary to Policies.

D4 Standard of Design and Layout

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

Supplementary Planning Guidance: Designing New Development (2003)
of the Harrow Unitary Development Plan.

e) Pre-Application Discussion

- None

f) Applicant Statement

- A detailed Design and Access has been submitted with this application, which is summarised below:
 - This new proposal re-sites the proposed dwellings and retains the tree in question in accordance with planning and tree officer suggestions;
 - The design changes include:
 - The spread of the cherry tree fronting The Chase (Tree 4) has been accurately measured. A distance of just over 1m has been allowed from the overhanging porch of proposed Unit 1. The footprint of both dwellings has been moved back within the site by a distance of 3.9m, which more than adequately addresses the Council's concern and the second reason for refusal.
 - This sets the building line of the dwellings fronting this section of The Chase slightly behind the flank façade of 9 The Chase, thus addressing the first reason for refusal.
 - An additional alterations has been made to the construction of the subservient rear section of the two proposed dwellings. This results in a drop of ridge height of 0.8m and a reduction in bulk for this part of the roof. This is evident on north, east and west elevations.
 - The position of the proposed garages has been altered and they are now located in the north east corner of the site. This allows for rear garden lengths to be maintained plus off street parking for two cars per dwelling. The same access point to the cul-de-sac end to The Chase is maintained.
 - A tree survey and replacement planting scheme is submitted with this application. Russell Ball has supported the loss of proposed trees to make way for the development and replacement trees will more than adequately compensate for this loss.
 - Two ground floor windows and one first floor window on the east elevation of Unit 1 light landing and hallway areas. As indicated on plan these will be obscure glazed and fixed shut. It is not necessary therefore to show them, in addition, as high level, which, it is considered would be out of character in design terms.
 - In conclusion:
 - This proposed development is appropriate in the context of the typology of neighbouring buildings and the street scene. It takes good account of the reasons for refusal of the last applications and follows detailed discussions with Council Officers.
 - The proposal is for a well designed pair of dwellings that will preserve the character of the Conservation Area. The loss of unsightly and unused garages will be a positive enhancement.
 - It is considered that the proposal meets the terms of all relevant national and Local Plan policies.

g) Consultations

CAAC: Two houses rather than three will make it much less crushed. Putting the garages where they are proposed is an improvement. For the new proposal we would need to see height of the semi-detached houses with roof space in comparison to the house in whose garden they are built. The design would look odd as it has a hip and gable. It would not be a good corner design.

The roof would be massive and lifted above the main elevation. The roof would be too high in proportion to the rest of it. Putting accommodation in the roof is overstretching it. The pitch is very steep in relation to that kind of roof. It should relate to the Victorian cottages nearby.

The Pinner Association: no comment

Drainage Engineer: No objections subject to standard conditions attached.

Advertisement: Character of Conservation Area Expiry:19-MAR-09

Notifications:

Sent: 41

Replies: 2

Expiry: 18-MAR-09

Summary of Responses:

- Overdevelopment of the site;
- Loss of trees;
- Loss of privacy;
- Noise during construction and creation of addition two house and additional movement of cars – volume of noise would be excessive;
- Risk of subsidence and damage to property.

APPRAISAL

1) Character and Appearance of the Area and Impact on Conservation Area and Area

When considering proposals for the demolition of buildings within conservation areas, policy D14 of the UDP is particularly relevant which states that redevelopment will only be permitted when the new building contributes to the area by enhancing its character or appearance. The existing garages situated on the subject site are of no particular merit to the character and appearance of the surrounding area or the conservation area. The proposed demolition works are not considered to impact upon the character and appearance of the conservation area. Therefore it is recommended that the consent for the demolition works be approved.

The surrounding pattern of development in the locality is characterised by a mixture of types and styles of dwellinghouses and flats that are generally two storeys high. The existing garages situated on the subject site are of no particular merit to the character and appearance of the surrounding area or the conservation area. The proposed dwellinghouses in terms of their character and appearance would be acceptable in the context of the surrounding established pattern of development in the locality and would preserve the character and appearance of Tookes Green Conservation Area.

The proposed landscaping scheme shows a detailed schedule of plants and trees. It is considered that the proposed landscaping scheme for the front garden shows satisfactory soft landscaping and would maintain visual interest and forecourt greenery in the streetscene.

The proposed landscaping scheme would preserve the character and appearance of the conservation area. The proposal seeks to provide storage for the refuse and recycling bins in the rear garden, which would be considered acceptable. In view of this, it is considered that the proposal would not have a detrimental impact upon the visual amenity of the locality and would be in accordance with policies D4, D9, D14 and D15 of the Harrow UDP.

2) Residential Amenity

Policy D5 of the UDP does not stipulate a minimum or maximum standard of amenity space required, but will assess each case against the standard of amenity space in the surrounding area and the amount of useable space provided. The proposal would provide access to a private rear amenity space for each of the dwelling houses, which would be comparable to the amenity space provided in the surrounding area. In this regard the proposed development is considered to be acceptable.

The proposed east flank elevation windows would face the rear garden of no.9 Nower Hill. However these windows would serve non-habitable rooms and the proposed first floor window would be obscured glazed. Given the size of these windows and the distance maintained between the proposed facing flank elevation of the new dwellinghouse and the rear elevation of no.9 Nower Hill, it is considered that there would be no unreasonable impact on the residential amenities of the neighbouring occupiers of no.9 Nower Hill or that of the surrounding neighbouring properties.

It is acknowledged that the proposed development would introduce additional residential activity on the site, expressed through comings and goings to the property. However, given that the proposal relates to residential development for two family dwellinghouses in place of 8 residential garages that has the potential to be used for parking 8 vehicles and the associated disturbance relating to the current situation, it is considered that this proposal would not be detrimental to the amenity of neighbouring occupiers or the character of the locality.

3) Parking Standards

The proposal seeks to provide a double detached garage at the rear which would accommodate two vehicles and there would be scope for further off street parking directly front of these garages. Therefore a total of four off street parking spaces at the rear is proposed that can be accessed via The Chase. Although The Chase and Nower Hill is not a resident permit controlled zone, by providing off street parking the proposed development would not adversely impact upon the local traffic and parking. The Highway Engineer raises no objections to the proposed parking layout.

4) Accessibility

The Council's UDP policy C16 and London Plan policy 3A.5 seeks to ensure that all new homes are built to Lifetime Homes standards and the Council's adopted supplementary planning document (SPD) on 'Accessible Homes' details the requirements of Lifetime Homes standards.

The applicant has demonstrated on plan and in the design and access statement how the proposed development would comply with Lifetime Homes standards. This is considered to be acceptable.

5) Trees

The mature trees on-site are protected by virtue of them falling within the Tookes Green Conservation Area. A tree protection survey has been submitted with this application. The Council's Arboricultural Officer considers that by setting the footprint of the proposed dwellinghouses further back into the plot, the proposed scheme has been shown to overcome the previous reason for refusal. The Council's Arboricultural Officer also considers that the protected fencing measures to be put in place acceptable.

6) Housing Provision and Housing Need

PPS3 and the London Plan Policies 3A.1, 3A.2 and 3A.4 seeks the provision of additional housing to meet a wide range of housing need and demand. There is continuing population increase and growth in the numbers of households requiring housing in both London as a whole, and Harrow in particular. Developments would need to demonstrate how well it integrates with, and complements the neighbouring buildings and local area. The proposal would be accordance with the objectives set out in the London Plan and the Council's UDP policies to increase housing supply in the borough.

7) S17 Crime & Disorder Act

The applicants design and access statement states that the layout of the proposed development would facilitate natural policing and this will be aided by fences around the garden area, and windows and doors will be fitted with anti-theft lock. The demolition of the garages in itself raises no issues with Secured by Design principles. It is considered that the proposed development would not have a material impact upon community protection.

8) Consultation Responses

Dealt with above.

CONCLUSION

The proposal described by these two applications are considered to be acceptable and approval is recommended, subject to the following conditions:

CONDITIONS

P/0348/09/SB5/W

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

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made in relation to P/0349/09, and submitted to and approved in writing by the Local Planning Authority, and planning permission has been granted for the development for which the contract provides.

REASON: To protect the appearance of the:-
(a) area

INFORMATIVES

1 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.

2 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405 E-mail: communities@twoten.com

Plan Nos: Site Plan; 17.01/; 881.1 REV B; Tree Report; Design and Access Statement

P/0349/09/SB5

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

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

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

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

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

REASON: To safeguard the appearance of the locality.

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

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

4 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality.

5 The proposed garage(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the development hereby permitted, and for no other purpose.

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

6 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

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

7 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

9 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

10 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.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

12 The development hereby approved shall not be occupied until a suitable boundary treatment such as a fence or wall of a maximum height of 2000mm has been provided along the side and rear boundaries. Such fence or wall shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the privacy and amenity of future occupiers and neighbouring residents.

13 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.

14 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water 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.

15 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.

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

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

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

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.

2 INFORMATIVE:

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

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

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

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Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 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.

4 INFORMATIVE:

Please note that guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

Item 2/07 & 2/08 : P/0348/09/SB5/W & P/0349/09/SB5/W continued/...

Plan Nos: Site Plan; 17.01/ 02/ 03 Rev A/ 04 Rev A / 05/ 06 Rev A / 07 Rev A / 08/ 09 Rev A / 10 Rev A / 11; 881.1 REV B; 881.2 REV D; 881.3 REV C; Tree Report; Design and Access Statement

HERIOTS, THE COMMON, STANMORE **Item: 2/09**
P/4085/08/ML1/W
Ward STANMORE PARK
DETACHED STABLE BLOCK AND MANEGE FOR DOMESTIC USE (REVISED)

Applicant: Mr & Mrs L. Portnoi
Agent: Barker Parry Town Planning Ltd
Statutory Expiry Date: | 17-FEB-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to grant permission has been taken having regard to the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development would be an appropriate form of development within the Green Belt and Area of Special Character, the development being considered to preserve the openness of this large site and to be acceptable in relation to its impacts upon the amenities of neighbouring occupiers.

D4 Standard of Design and Layout
D5 New Residential Development - Amenity Space and Privacy
D10 Trees and New Development
D14 Conservation Areas
D18 Historic Parks and Gardens
D15 Extensions and Alterations in Conservation Areas
EP25 Noise
EP26 Habitat Creation and Enhancement
EP27 Species Protection
EP28 Conserving and Enhancing Biodiversity
EP29 Tree Masses and Spines
EP31 Areas of Special Character
EP32 Acceptable Land Uses
EP34 Extensions to Buildings in the Green Belt
T13 Parking Standards

Planning Policy Guidance 2: Green Belts

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Green Belt, Area of Special Character and Adjacent Conservation Area (D4, D14, EP31, EP32, EP34, PPG2)
- 2) Residential Amenity (D5, EP25)
- 3) Historic Park and Garden (D18)
- 4) Nature Conservation and Ecology (EP26, EP27, EP28)
- 5) Trees and New Development (D10, EP29)
- 6) Traffic and Parking (T13)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

At the meeting of the Development Management Committee on 30th April 2009 consideration of this application was deferred to enable a Members' site visit. This took place on 11th June 2009. This application is reported to Committee due to the receipt of a petition of objection.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None
Green Belt: Yes

b) Site Description

- Detached dwellinghouse on the south side of The Common set in extensive grounds of some 14 hectares.
- The property is hidden from view from The Common due to the fall in land levels from the north to the south of the site and the presence of heavily wooded areas.
- The property itself has been previously extended and the site is also occupied by a pool house, tennis court, stores and a derelict stable block.
- The site lies within the Metropolitan Green Belt and the Harrow Weald Ridge Area of Special Character.
- At the southern end of the site are large deer parks which lie within the boundaries of a Site of Nature Conservation Importance and a Historic Park and Garden (covering Bentley Priory Estate) which both cut across the site.
- The site abuts Little Common Conservation Area to the east and a Site of Special Scientific Interest to the west.
- The dwellinghouse is set approximately 220 metres from The Common and is accessible via a private drive.
- To the north of the site are dwellings in The Common and Priory Close.
- To the south and west of the site is Bentley Priory and to the east are the residential dwellings in Fallowfield.

c) Proposal Details

- Detached stable block in parkland set approximately 100m to the south of the dwellinghouse on the site.
- Stable block would be U-shaped around a central yard with an overall width of 22.2m, building width of 6.0m (including eaves overhang) depth of 16.8m, height of 4.4m to ridge height and 2.6m to eaves height.
- Stable block would incorporate 7 horse boxes, with ancillary storage areas.
- Materials proposed for the stable block include Metroslate for the roof and timber panels for the external walls.
- Manege (equine exercise area) sited approximately 135m to the south of the dwelling and 40m to the south west of the proposed stable block.
- Manege area would be 20m by 60m and would be enclosed by a 1.37m high fence.

Revisions to Previous Application:

- Stable block re-sited and reduced in size compared to the previously withdrawn application (Ref. P/1184/08).

d) Relevant History

P/1184/08/DFU Detached stable block and manege for domestic use WITHDRAWN
09-JUN-08

e) Pre Application Discussion

- PAT reference 2702.
- Larger stable block proposed (33m x 17m), concerned about size and affect on openness of the Green Belt.
- Impact on trees and water courses unclear.
- Recommended Ecological survey

f) Applicant Statement

- Design and Access Statement submitted.
- Stables and associated barns have been located on this area of the land for well in excess of 40 years.
- Horse manure would be stored in a container and collected on a regular basis by commercial contractors and would not smell as bad as the neighbours claim.
- The horses will not be able to roam freely around the grounds and will be contained within dedicated paddocks and will not be close to neighbours' boundaries.
- The stable will be used for private stabling and will not be a commercial venture.
- There is no intention of any farming to be carried out and therefore no slurry will be produced.

g) Consultations:

English Heritage – The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

The Garden History Society – Do not wish to comment.

Stanmore Society – No response.

Natural England – We have no detailed comments to make at this time, other than the Council should use planning conditions to ensure that the mitigation and enhancement measures set out in the Ecological Appraisal are delivered.

Environment Agency – We have assessed this application as having a low environmental risk within our remit. Therefore we will not be providing comments on this application.

GLA – No response.

Notifications:

Sent:
22

Replies:

Expiry: 27-JAN-09

Summary of 15 + 13 signature
Response: petition of objection

Concerns over smell of horse manure and amount of waste the development will result in; Size of proposed stable block; Overdevelopment of the Green Belt; Increase in traffic; Inappropriate for an area of natural beauty; Ancient forest and Green Belt; Disturbance to wildlife; Proximity of development to neighbouring dwellings; Should be sited over 150m from neighbouring properties; Waste will attract insects which will affect the neighbourhood; Concerns over waste removal and boundary fence; Concerns that the stable block could be used as a commercial venture.

APPRAISAL

1) Character and Appearance of the Green Belt, Area of Special Character and Adjacent Conservation Area

The application site constitutes predominantly open land, covering 14 hectares, comprising landscaped gardens and open parkland including a deer park. The site is within the Green Belt and the part of the site where the proposed stable block and manege would be situated is within Bentley Priory Historic Park and Garden. Little Common Conservation Area borders a portion of the north east boundary of the site.

PPG2: Green Belts states that 'essential facilities for outdoor sport and recreation and for other uses of land which preserve the openness of the Green Belt may be acceptable'. It goes on to say that 'essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small stables for outdoor sport and recreation'.

The proposed building would measure 22.2m by 16.8m, a considerable reduction in size from both the original scheme submitted for formal pre-application advice and the scheme proposed as part of the previously withdrawn application. It is considered that the proposed building would not be excessively large in relation to the size of the site and would not unreasonably detract from the open character of this part of the site. Given also the proposed use of the building it is considered that the proposed stable block would be an appropriate form of Green Belt development and would be acceptable in relation to both local and nationally adopted Green Belt policy.

Given the distance from the proposed stable block to the Little Common Conservation Area boundary, it is considered that the proposal would not have a detrimental effect on the character of the adjacent Conservation Area. The proposal would therefore preserve the character and appearance of the Conservation Area and would comply with UDP policy D14.

No harm would result to the structural features within the Area of Special Character. The proposal is therefore considered to be acceptable in this regard.

2) Residential Amenity

The proposed building would be sited some 60m from the eastern site boundary shared with the dwellings on Fallowfield, the manege approximately 110m. The proposed stable block would have a modest height and, given the distance of the development from the site's boundaries, would not result in the any harm to the outlook from neighbouring properties.

The occupiers of dwellings in Fallowfield have expressed concerns about odour from horse manure. The Applicant has stated that as no farming will be taking place there will be no slurry produced, and that waste products will be stored and regularly collected by a commercial operator. Given the separation distance between the development and these properties it is considered that any odour resulting from the use of the development would not be detrimental to the amenities of neighbouring occupiers. A condition is suggested in order to ensure that the storage and disposal of waste generated as a result of the proposed development is carried out in an acceptable way in order to meet the concerns of neighbouring occupiers.

Neighbouring residents have raised the issue that the stables could become a commercial venture but this claim has been refuted by the applicant's statement, which details that the development will be used to house their own dressage horses. An appropriate condition has been attached to ensure that the use of the proposed development remains incidental to the enjoyment of the dwellinghouse.

3) Historic Park and Garden

It is considered that the proposal would not have an adverse affect on the historic interest of Bentley Priory Historic Park and Garden. Given the distance from Bentley Priory itself, it is considered that the proposal would not affect views in and out of the park and would be screened from the main Bentley Priory site by mature vegetation. The proposal has not been objected to by The Garden History Society or English Heritage and is therefore considered to comply with policy D18.

4) Nature Conservation and Ecology

The site is located within a site of importance for nature conservation and the applicants have submitted an ecology statement. This statement has been externally assessed by a Senior Ecologist at Mouchel who generally considers it to be acceptable. There are two areas where more information is required, however, and so conditions are suggested in order to ensure the acceptability of the development in this regard. The first of these issues is regarding the detail of any proposed lighting and its potential impact upon nocturnal fauna. The second issue is that, as there would be some localised habitat loss as a result of the proposed development, some compensation measures are required to mitigate the impacts upon wildlife in the area. Appropriate conditions are therefore suggested in order to ensure that the recommendations from the Ecologist's report are implemented and the proposal is therefore considered to comply with policies EP26, EP27 and EP28.

Given that the manege would provide a controlled exercise area for the horses it is considered that the resident herd of deer on the property would not be adversely affected by this element of the proposed development.

5) Trees and New Development

The Council's Arboricultural Officer considers that the BS 5837: Method Statement & Tree Protection Plan submitted by the applicant is acceptable. A condition is suggested to ensure that trees are protected during construction and the proposal is therefore considered to be acceptable in this regard.

6) Traffic and Parking

It is not expected that the development would generate a significant amount of traffic, or have excessive parking requirements, and the existing on site parking provision is therefore considered to be adequate.

7) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

8) Consultation Responses:

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

- *Damage to boundary fence* – This is not a material planning consideration

CONCLUSION

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

CONDITIONS

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 be used incidentally to the enjoyment of the dwellinghouse for the purpose specified and for no other purpose at any time without the prior written permission of the local planning authority.

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

3 No development shall take place until an ecological protection and enhancement plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall include full details of all protection and mitigation measures required to ensure that there is no adverse effect on nesting birds, stag beetle or bats. The plan shall include full details of ecological enhancement including native species planting, bat boxes, bird boxes and retention of dead wood habitats and a timetable for implementation and monitoring. The development shall not be occupied or used until the works have been completed in accordance with the approved details and thereafter shall be retained.

REASON: To protect the ecology of the area.

4 No development shall take place until details of any proposed external lighting and a detailed assessment of the effects of this lighting upon nocturnal fauna (including bats) 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 thereafter shall be retained.

REASON: To protect the ecology of the area.

5 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved document 'BS 5837: Method Statement & Tree Protection Plan' before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

6 The development hereby permitted shall not commence until a scheme for:
a: the storage and disposal of refuse/waste derived from the equine use of the development

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.

7 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.

8 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water 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.

9 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.

INFORMATIVES

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.

Plan Nos: P PTC-859-4.13 Rev D; PTC-859-4.14; Proposed Outdoor Riding Arena Layout; Proposed Outdoor Riding Arena:- Surface Retention Elevations; Proposed Outdoor Riding Arena Cross Section; Site Plan; Design and Access Statement; Ecological Assessment; BS 5837: Method Statement & Tree Protection Plan

Item: 2/10

**HARROW ARTS CENTRE, UXBRIDGE P/0918/09/GL/C
ROAD, HATCH END**

Ward HATCH END

DEMOLITION OF EXISTING STORAGE SHED AND ERECTION OF NEW BRICK CLAD MODULAR BUILDING TO PROVIDE MULTIPURPOSE COMMUNITY LEARNING AND EVENTS FACILITY

Applicant: Harrow Council

Agent: LOM Architecture & Design

Statutory Expiry Date: | 09-JUL-09

RECOMMENDATION

Under Regulation 3 of The Town and Country Planning General Regulations 1992, **GRANT** permission for the development described in the application and submitted plans, subject to conditions.

Legal comments:

Regulation 3 of the Town and Country Planning General Regulations 1992 (Statutory Instrument 1992/1492) provides (in relevant part) that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under section 77 of the Town and Country Planning Act 1990 for determination by him. The application is made by LB Harrow [Libraries and Culture] who intends to carry out the development and the land at Marlborough First & Middle School is owned by LB Harrow.

The grant of planning permission for this development falling within regulation 3 shall enure only for the benefit of the LB Harrow.

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:
Harrow Unitary Development Plan: D4, D5, D11, T6, R11, C17, SPD: Access for All

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area; Listed Buildings (D4, D11, SPD)
- 2) Cultural Facilities (R11, C17, SPD)
- 3) Residential Amenity; Traffic and Highway Safety (D5, T6)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Development, all other
Listed Building	Curtilage Listed, Grade II
Council Interest:	Council owned site

b) Site Description

- The application site is a storage shed (275 sqm in area) within the Harrow Arts Centre Complex. It is located to the south east side of the Arts Centre car park.
- The shed is constructed with a brick base, brick piers on the front elevation with black timber infill, with black corrugated metal at the side and rear and a hipped corrugated metal roof
- The site is adjacent to the Rayner's Building, a brick-built classroom style building with a tile roof
- The storage shed and the Rayner's Building face on to an Asphalt car park
- The rear of the shed and Rayner's Building face on to a service road and assorted service buildings
- The existing shed is built on land that falls away from the Rayner's Building
- The main building on the site, the B. G. Elliot Hall, is a Grade II Listed Building, and the application site is Curtilage Listed

c) Proposal Details

- Demolition of existing storage shed
- Construction of single storey modular building of 240sqm area on footprint of existing building:
- The proposed modular building would be 24m wide, 10m deep and would have a pitched roof with a maximum height of 6.3m
- The proposal would provide an access ramp from the car park area in front of the Rayner's Building, a deck area between the new modular building and the Rayner's Building leading to a level access to the rear of the new building (which would include ramped and stepped access).
- The interior of the modular building would generally be divided into three spaces through the use of demountable partitions, allowing for use as a larger space when required.

d) Relevant History

None specific to this part of the Harrow Arts Complex

P/0922/09/LC	Listed Building Consent: Demolition of existing storage shed and erection of new brick clad modular building to provide multipurpose community learning and events facility.	Parallel Application Expires 09-JUL-09
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e) Pre-Application Discussion

Planning Advice Meeting 19-May-09:

- Proposal is acceptable in principle, subject to suitable external cladding materials to respect the setting of the Listed Building.

f) Applicant Statement

- Existing structure is not suitable for refurbishment

- Replacement structure would have similar scale and proportions to existing structure that would provide a flexible space for community events and adult learning.
- Replacement structure would be fully accessible, and a new accessible toilet would be provided in the adjacent Rayners Building.

g) Consultations:

Hatch End Association: No response received

Advertisement: Setting of a Listed Building Expiry: 11-JUN-09

Notifications:

Sent: 10 Replies: 0 Expiry: 08-JUN-09

Summary of Response:

N/A

APPRAISAL

1) Character and Appearance of the Area; Listed Buildings

The principle of the demolition and replacement of the existing storage shed is considered acceptable, and no objection is raised to the size, scale and use of the modular building that would be put in its place.

The roof height would match that of the adjacent Rayner's Building and is considered appropriate in this site.

The building is in a sensitive location within the curtilage of the Grade II Listed Elliot Building within the Harrow Arts Centre complex.

Policy D11 of the UDP states that the Council will ensure the protection of the Borough's stock of Listed Buildings by, inter alia, only permitting developments within the curtilage of Listed Buildings, or adjoining buildings, that do not detrimentally affect their setting.

The Council has a duty, through policy D4 of the UDP, to ensure that good design is paramount in all development proposals. Where Listed Buildings are concerned the emphasis on requiring good design is even stronger.

The external cladding of the proposed modular building needs to be of red clay brick slips with Flemish Bond mortar pointing to match the other curtilage listed buildings and the main listed building. Additionally, the roof tiles would need to match those of the adjacent Rayner's Building.

Therefore, a condition requiring samples of the external materials to be submitted to, and approved in writing by, the local planning authority has been added to this planning permission.

2) Cultural Facilities

The proposal would add to the useable space in the Harrow Arts Complex, and would provide additional cultural and community facilities and would be in accordance with policy R11 of the UDP.

Additionally, the new building would be fully accessible, and would therefore comply with policy C17 on access to public buildings.

3) Residential Amenity; Traffic and Highway Safety

The proposed modular building would be located in the interior of a substantial site that is currently in use for cultural and leisure purposes. The nearest residential facades are approximately 85m away on the other side of Uxbridge Road.

It is considered that, in light of this separation, and the nature of the site, the proposal would not have undue impact on the residential amenities.

Although the proposal could generate some additional traffic movements at the roundabout and the junction of Uxbridge Road, Milne Field and the access to the Arts Centre and the 'Morrisons' superstore, it is considered that these would not be substantial enough as to have any detrimental effects on highway safety.

4) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

5) Consultation Responses

To be reported.

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, this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

(a) the extension/building(s)

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

REASON: To safeguard the appearance of the locality.

INFORMATIVES

1 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.

2 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: 651A-00-ST-01 Rev A; /00-EL-01; /00-ST-02; /20-ST-01; /20-GD-02; /30-EL-01 Rev B; Design and Access Statement

**HARROW ARTS CENTRE, UXBRIDGE P/0922/09/LC3/CONS
ROAD, HATCH END**

Ward HATCH END

LISTED BUILDING CONSENT: DEMOLITION OF EXISTING STORAGE SHED AND ERECTION OF NEW BRICK CLAD MODULAR BUILDING TO PROVIDE MULTIPURPOSE COMMUNITY LEARNING AND EVENTS FACILITY WITHIN CURTILAGE OF ELLIOTT HALL

Applicant: Harrow Council
Agent: LOM Architecture & Design
Statutory Expiry Date: | 22-JUL-09

RECOMMENDATION

GRANT consent for the development described in the application and submitted plans. In the event that no further representations are received to the site notice by 29th June, delegate to the Divisional Director of Planning, approval of Listed Building consent for the works subject to the conditions set out below:

REASON

The decision to grant Listed Building or Conservation Area Consent has been taken having regard to the policies and proposals in the London Plan and-or 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: D11 & D4

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Setting of Listed Building, Character and Appearance (D4, D11)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Development, all other
Listed Building Curtilage listed, grade II
Council Interest: None

b) Site Description

- The application site is a storage shed within the Harrow Arts Centre Complex. It is located to the south east side of the Arts Centre car park.
- The shed is constructed with a brick base, brick piers on the front elevation with black timber infill, with black corrugated metal at the side and rear and a hipped corrugated metal roof
- The site is adjacent to the Rayner's Building, a brick-built classroom style building with a tile roof
- The storage shed and the Rayner's Building face on to an Asphalt car park
- The rear of the shed and Rayner's Building face on to a service road and assorted service buildings

Item 2/11 : P/0922/09/LC3/CONS

- The existing shed is built on land that falls away from the Rayner's Building
- The main building on the site, the B. G. Elliot Hall, is a Grade II Listed Building, and the application site is Curtilage Listed

c) Proposal Details

- Demolition of existing storage shed
- Construction of modular building on footprint of existing building:
- The proposed modular building would be 24m wide, 10m deep and would have a pitched roof with a maximum height of 6.3m
- The proposal would provide an access ramp from the car park area in front of the Rayner's Building, a deck area between the new modular building and the Rayner's Building leading to a level access to the rear of the new building (which would include ramped and stepped access).
- The interior of the modular building would generally be divided into three spaces through the use of demountable partitions, allowing for use as a larger space when required.

d) Relevant History

None specific to this part of the Harrow Arts Complex

P/0918/09/GL	PROPOSAL: DEMOLITION OF EXISTING STORAGE SHED AND ERECTION OF NEW BRICK CLAD MODULAR BUILDING TO PROVIDE MULTIPURPOSE COMMUNITY LEARNING AND EVENTS FACILITY	Parallel application expires: 09-JUL-09
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e) Pre-Application Discussion

Planning Advice Meeting 19-May-09:

- Proposal is acceptable in principle, subject to suitable external cladding materials to respect the setting of the Listed Building.

f) Applicant Statement

- Existing structure is not suitable for refurbishment
- Replacement structure would have similar scale and proportions to existing structure that would provide a flexible space for community events and adult learning.
- Replacement structure would be fully accessible, and a new accessible toilet would be provided in the adjacent Rayners Building.

g) Consultations:

Hatch End Association: No response received

Advertisement in the Harrow Observer:

Advertisement in the Harrow Times:

Notifications:

Sent:
1

Replies:
0

Expiry:
17-JUN-09

Summary of Response: N/A

APPRAISAL

1) Setting of Listed Building, Character and Appearance

The existing curtilage listed building is not of special architectural or historic interest and therefore there is no objection in principle to its demolition. The proposed replacement building's scale would not be out of keeping with the other curtilage listed buildings within this complex and would be subservient to the listed Harrow Arts Centre building.

However, the proposed replacement building's materials for its roof, doors, walls and windows could potentially be obtrusive. Therefore a condition is proposed which would require details of materials to be submitted to, and approved in writing by, the local planning authority. So, if this condition is complied with the proposal will comply with Harrow UDP policy D11.

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, subject to the following condition(s):

CONDITIONS

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 Detailed drawings, specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun:

- a) roof materials
- b) window materials
- c) external cladding of brick and mortar
- d) external doors

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

REASON: To protect the special architectural or historic interest of the listed building.

INFORMATIVES

1 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.

Plan Nos: 651A-30-EL-01 REV B; 651A-20-GD-2; Design and Access Statement

**NORTH LONDON COLLEGIATE P/0633/09/FOD/E
SCHOOL, CANONS DRIVE, EDGWARE**

Ward CANONS

SINGLE STOREY DETACHED PAVILION ADJACENT TO SPORTS PITCHES

Applicant: NLCS The Governors

Agent: NVB Architects

Statutory Expiry Date: | 28-MAY-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to the prior variation of the existing legal agreement and to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, the proposed development would provide an appropriate form of development in Metropolitan Open Land, whilst retaining the open character of the MOL and achieving a high standard of high standard of design which would preserve the character of the Conservation Area and provide additional facilities for the school, as detailed in the Harrow Unitary Development Plan (2004) and Harrow's Sustainable Community Strategy (2009).

London Borough of Harrow Unitary Development Plan 2004

EP29 – Tree Masses and Spines

EP44 – Metropolitan Open Land

EP45 – Additional Building on Metropolitan open Land

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D10 – Trees and New Development

D11 – Statutorily Listed Buildings

D14 – Conservation Areas

D18 – Historic Parks and Gardens

C7 – New Education Facilities

C16 – Access to Buildings and Public Spaces

MAIN CONSIDERATIONS AND POLICIES (London Borough of Harrow Unitary Development Plan 2004)

- 1) Development in Metropolitan Open Land (UDP policies EP44, EP45 and C7)
- 2) Setting of a Listed Building (UDP policy D11)
- 3) Character and Appearance of the Conservation Area and Historic Parks and Gardens (UDP policies D4, D10, D14, D18 and EP29)
- 4) Residential Amenity (UDP policy D5)
- 5) Accessibility (UDP policy C16)
- 6) S17 Crime & Disorder Act (UDP policy D4)
- 7) Consultation Responses

INFORMATION

This application is reported to Committee as it is subject to the variation of a legal agreement.

a) Summary

Statutory Return Type: Minor Development, all other

Council Interest: None

b) Site Description

- North London Collegiate School occupies extensive ground within Canons Park, an area designated as Metropolitan Open Land (MOL) and a Registered Historic Park and Garden. The school also falls within the Canons Park Estate Conservation Area.
- Vehicular access to the school is via entrances off Dalkeith Grove and Canons Drive.
- The playing fields for the school and playgrounds are on the east and north-eastern side of the site.
- The Mansion House Listed building on the site is a Grade II Listed building. It has three storeys and was substantially rebuilt in the 19th century.

c) Proposal Details

- It is proposed to erect a single storey sports pavilion which would be used in association with the adjoining sports fields.
- The sports pavilion would be sited in proximity to the Tennis courts on the site and adjacent to the tree lined Lime Avenue to the south of the proposed site.
- The proposed development would take place approximately 55 metres from the main school buildings which are considered as Grade II Listed Buildings by virtue of their attachment to the Mansion House building.
- The proposed pavilion would be 9.3 metres wide and 5.4 metres in depth. The roof would be half-hipped and would be 5.4 metres to the ridge.
- The pavilion would not have any internal partitions and the roof would overhang the south-eastern flank wall.
- The materials to be used, as indicated in the Design and Access Statement would be natural wood for the cladding and windows and the roof would be tiled.
- Exchange of lands proposed in relation to the Section 106 Building Envelope as shown on drawing no. 4846- AL (0)52 (Rev A)

d) Relevant History

EAST/446/94/FUL	Single storey Infants School building, Detached sick room accommodation and infill extension	09-SEP-94 GRANTED WITH ACCOMPANYING LEGAL AGREEMENT
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P/2028/03/CFU	3 storey auditorium with foyer, linked to music school and drama studio, relocation of cello room	05-FEB-05 GRANTED WITH ACCOMPANYING LEGAL AGREEMENT
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Design and Access Statement
- School sited in the heart of Canons Park. Original school has been variously extended over the last 25 years.
- Justification for development in the MOL is that the pavilion would be essential to the proper function of school sports grounds
- Footprint of the development would be under 40m²
- Site chosen as the most appropriate given the screening provided and the removed setting from the main Listed Buildings within the grounds
- Materials chosen to blend into the landscape and be unobtrusive
- Pavilion would provide a traditional addition to the sports pitch and the rural setting

g) Consultations:

Tree Officer: No objection subject to conditions

Conservation Officer: No objection subject to conditions

Conservation Area Advisory Committee: No root disturbance should occur to the trees in the vicinity

Stanmore Society: No reply received to date

The Garden History Society: No reply received to date

Canons Area Estate Society: No reply received to date

Advertisement:

Conservation Area 30-APR-09 EXPIRY: 21-MAY-09

Setting of a Listed 30-APR-09 EXPIRY: 21-MAY-09

Building:

Site Noticed Posted: 22-APR-09 EXPIRY: 13-MAY-09

Notifications:

Sent: 18 Replies: 0 Expiry: 12-MAY-09

Summary of Response:

- None

APPRAISAL

1) Development in Metropolitan Open Land

Policy EP44 of the Harrow UDP states that MOL will be primarily kept open in character and free from building development. Private and Public Open Space are recognised as appropriate uses.

Policy EP45 goes on to state that additional building will only be permitted where it can be demonstrated that it is essential to the proper functioning of the permitted land use. The proposed sports pavilion would be used in association with the sports facilities on the site. Given the current absence of any communal facilities for sports participants, it is considered that such a facility can justifiably be accepted for the proper functioning of the sports grounds, which are considered an appropriate use within the MOL. Given the scale of the proposed development and the screening it would benefit from, there would be no perceived loss of openness within the MOL. The sports pavilion, in principle, would therefore represent an appropriate form of development in the MOL, subject to the relevant site considerations and impact on the setting of the Listed Building, the character of the Conservation Area and the area. For this reason, it is considered that the proposed building does not constitute a departure from the HUDP (2004).

The legal agreement which accompanies planning permission EAST/446/94/FUL defined a building envelope within which all new development in the school and on the school grounds should take place. This envelope was then varied as part of planning permission P/2028/03/CFU for a new theatre, which proposed development which was largely outside the building envelope, by way of an exchange of lands in a “quid pro quo” arrangement. A similar arrangement is proposed for the current development as the site of the proposed pavilion is outside the current envelope. As a quid pro quo, 50m² is proposed for removal from the envelope comprising sited to the east of the Old Gym building and to the south of the First and Junior school on the site, as shown on plan No. 4846 – AL(0)52 (Rev A) at Appendix A. It is considered that the removal of 50m² from this area in order to accommodate the additional area for the proposed pavilion would remove an area of land of comparably open character to that being proposed for the additional pavilion. As such, it is considered that the integrity of the building envelope, as previously agreed, would not be compromised and the openness of the Metropolitan Open Land would be retained.

2) Setting of the Listed Building

Policy D11 states that the Council will only permit development within the curtilage of a Listed Building that does not detrimentally affect its setting. As detailed in the applicant’s Design and Access Statement, the proposed development has been designed to blend into its surroundings. Given the siting of the proposed development and the screening provided by the trees in proximity to the proposed development and the materials to be used, it is considered that the single storey sports pavilion would achieve this objective. Acknowledging the separation distance of the proposed development from the Listed Buildings on the site and the scale of the proposed development, it is considered that the proposed development would not impinge upon or have a detrimental impact upon the setting of the Listed Building.

3) Character and Appearance of the Conservation Area and Historic Parks and Gardens

North London Collegiate School forms a large mass of buildings of varying quality located in open space within the Canons Park Estate Conservation Area.

The school site is well established and shielded by a variety of trees and shrubs so any clear views of the proposal site would only be visible from within the school grounds.

The proposed pavilion would be of traditional design and would make use of softer materials, such as timber. In the context of the proposed pavilion being used as an ancillary building to the sports and playing areas, the siting of the proposed pavilion in proximity to the tree lined Lime Avenue and the use of soft and traditional materials is considered to be appropriate in this instance, serving to provide a development for the additional use of the playing fields whilst incorporating an attractive and simple design into the school building envelope. The trees around the development site provide an important integration factor for the pavilion into the landscape and would not be adversely affected by the proposals, serving to preserve the character of the Conservation Area. Conditions have been recommended in order to retain the integrity and quality of the trees in the vicinity during the construction process.

As discussed above, it is considered that the proposed pavilion would not adversely affect the character and appearance of the area or the setting of the parks and gardens.

4) Residential Amenity

Given the separation distances of the proposed development from residential properties and the nature of the use of the proposed development, it is considered that there would be no impact upon residential amenity.

5) Accessibility

Satisfactory access is shown into the building to enable usage by disabled persons.

6) S17 Crime & Disorder Act

It is considered that the proposed development does not have any adverse crime or safety concerns.

7) Consultation Responses

None

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above this application is recommended for grant, subject to the prior variation of the existing legal agreement and to condition(s):

INFORM the application that:

1) The proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the council may determine) of the date of the Committee decision on this application relating to:-

Revision of the building envelope contained in the legal agreement which accompanied planning permission P/2028/03/CFU to the form shown on drawing no. 4846- AL (0)52 (Rev A) attached at Appendix A.

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

CONDITIONS

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

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

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

a: building(s)

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

REASON: To safeguard the appearance of the Historic Park and the Conservation Area.

3 A Tree Protection Plan showing staked fencing (1.8 metres high welded mesh: "Heras" fencing) running 7m from the Lime tree line and 4m from the Ornamental Apple tree shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The Tree Protection Plan shall be implemented as approved.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

4 The erection of fencing for the protection of any retained tree shall be undertaken in accordance with approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

INFORMATIVES

1 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

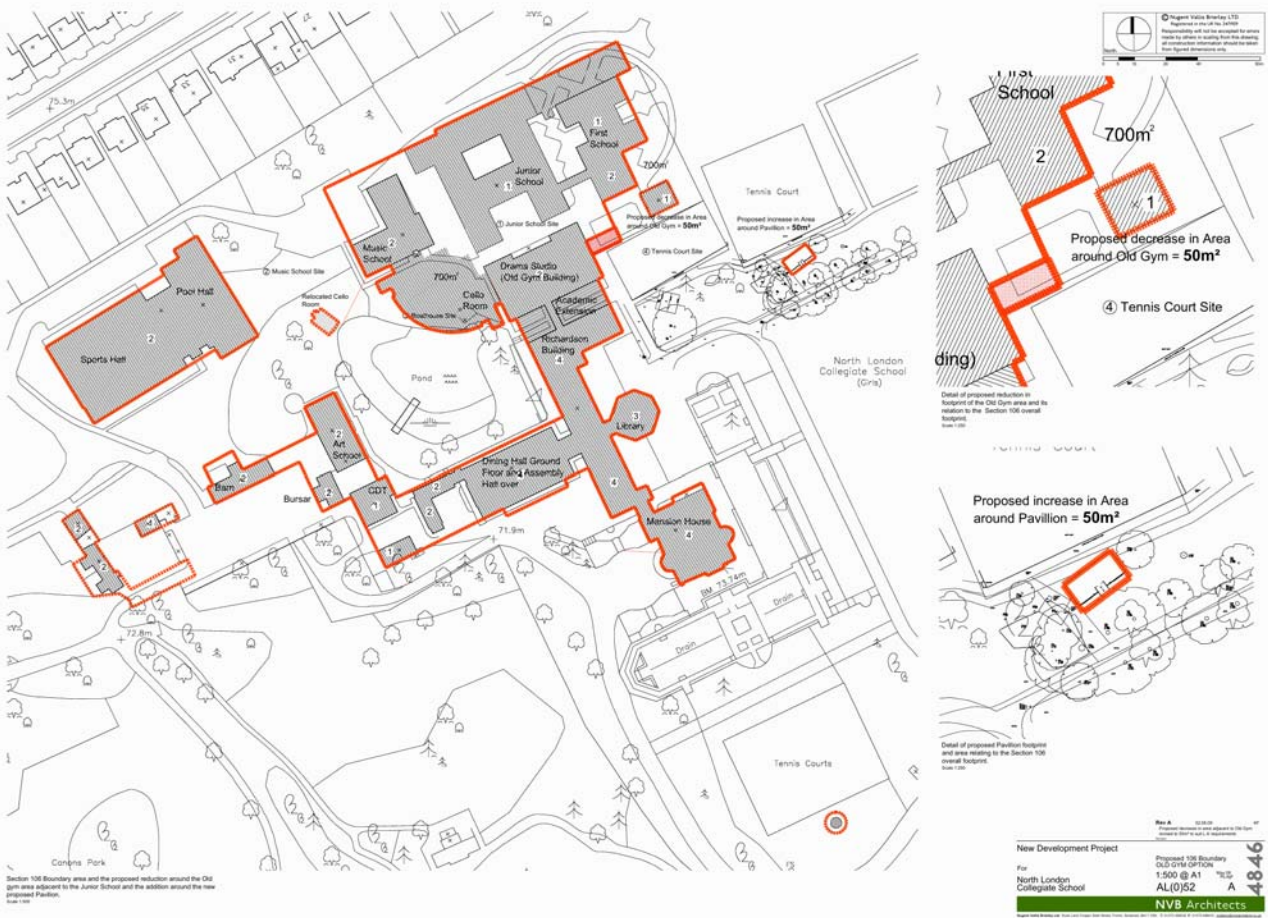
Item 2/12 : P/0633/09/FOD/E continued/...

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.

Plan Nos: 163/3325/2B, 4902 – AL (0)01, 02, 03, 04 (Rev A), 05, 06, 10, Design and Access Statement, Tree Survey and Hazard Evaluation

APPENDIX A



7 - 9 STANMORE HILL, STANMORE

Item: 2/13

P/0850/09/FOD/E

Ward STANMORE PARK

CHANGE OF USE OF FIRST FLOOR FROM OFFICES TO RESTAURANT (CLASS B1 TO A3) FOR USE IN ASSOCIATION WITH GROUND FLOOR RESTAURANT

Applicant: Mr Jasen Quake

Agent: Mr Safa Alattar

Statutory Expiry Date: | 11-JUN-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the saved policies and proposals of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, to meet the Vision of the Council in providing employment opportunities and a vibrant service sector, as detailed in Harrow's Sustainable Community Strategy [Mar 09], and any comments received in response to publicity and consultation.

London Borough of Harrow Unitary Development Plan 2004

D4 – The Standard of Design and Layout

EM15 – Land and Buildings in Business, Industrial and Warehousing Use – Outside Designated Areas

EM25 – Food, Drink and Late Night Uses

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

MAIN CONSIDERATIONS AND POLICIES (Saved policies of the London Borough of Harrow Unitary Development Plan 2004)

- 1) Employment Policy and Character of the Area (UDP policies EM15 and D4)
- 2) Amenity (UDP policies EM25 and D4)
- 3) Traffic Issues (UDP policy T13)
- 4) Accessibility (UDP policy C16)
- 5) S17 Crime & Disorder Act (UDP policy D4)
- 6) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Change of Use

Council Interest: None

b) Site Description

- Two-storey mid-terrace commercial property on the western side of Stanmore Hill.
- The ground floor of the property is currently used as a restaurant (Class A3) and the first floor of the property has an authorised use as offices (Class B1).
- The neighbouring property to the south, No.5, is used as offices (Class B1).
- The neighbouring property to the north is currently vacant and was previously used as a beauty salon (sui generis use class).
- The application site lies within the Stanmore District Centre and a Secondary Parade comprising 1-11 Stanmore Hill.
- A large parking area is provided at the rear of the property.

c) Proposal Details

- It is proposed to change the use of the first floor of the property from offices (Class B1) to restaurant (Class A3).
- The proposed restaurant on the first floor would be used in association with the existing restaurant on the ground floor. No additional kitchens, flues or external alterations are proposed.

d) Relevant History

P/4260/07	Certificate of Lawful Existing Development: Use of ground floor on the premises as wine bar (Class A4)	GRANTED 26-FEB-08
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Ground and first floors will be same business as restaurant
- Customer entrance will be accessed internally from main restaurant

g) Consultations:

Traffic and Highways Engineer – No objection
Stanmore Society – No reply received to date
Stanmore Chamber of Trade – No reply received to date

Notifications:

Sent: 35 Replies: 0 Expiry: 15-May-2009

Summary of Response:

- None

APPRAISAL

1) Employment Policy and Character of the Area

Policy EM15 of the HUDP (2004) states that the council will resist the loss of land or buildings from B1 use to other classes unless it can be demonstrated that the site is no longer required for employment use.

A commercial agent has indicated that the property has been marketed for B1 use for some 14 months, and it has not been possible to arrange a suitable tenancy during this period. It is considered that this is a sufficient period of time for the property to be extensively marketed and given the vacant nature of the existing site (plus the adjoining first floor office) and the potential creation of employment arising from the proposed use of the first floor premises, it is considered that there would be no unacceptable harm to the local economy resulting from the loss of the B1 use, thereby satisfying criteria b, c and d of Policy EM15.

Stanmore District Centre contains other B1 floorspace for small to medium sized businesses and it is considered that there is sufficient provision of premises with the District centre for such uses. The proposal would therefore satisfy criterion a of Policy EM15 of the HUDP (2004).

The extension would accommodate an appropriate Town Centre use, and in principle would be in character with the area.

2) Amenity

The proposed development would extend the currently authorised use of the ground floor of the premises to the first floor. The nearest residential premises is No.13 Stanmore Hill to the north which is adjacent to another restaurant, The Elysian. There are no residential properties either directly behind or opposite the site, and office premises only are immediately adjacent. Given the proposed use of the premises, it is likely that the main activity on the site would be outside of office hours. In light of this, it is considered that any additional activity arising from the proposed intensification of use would not have any significant material impact on residential or commercial properties in the vicinity.

The ground floor of this site has been in use for food and drink purposes for many years. Its last use as a Wine Bar (Class A4) was established by a Certificate of Lawful Existing Use granted on 26th of February 2008. A change to the current restaurant use (Class A3) is permitted without the need to obtain express planning permission by the Town and Country Planning (Use Classes) Order 2005. As a result there are no planning conditions restricting issues such as the hours of use and sound emission on the ground floor of the premises. Planning conditions therefore restricting such issues in relation to the proposed first floor restaurant are considered inappropriate in this instance as there is no control on the hours of use of the ground floor premises. Such issues are dealt with by the Council as Licensing Authority or the Councils Environmental Health Division.

3) Parking

Given the Town Centre location and the presence of on-street parking bays and a substantial car park in the eastern side of the Centre, together with the pattern of likely use in the evening time, it is considered that any additional parking requirements could be satisfactorily accommodated within designated parking spaces, thereby negating any potential injudicious parking on the highway.

4) Accessibility

Policy C16 of the Harrow UDP states that the Council will seek to ensure that buildings are accessible to all. It goes on to state that it may not always be practicable to satisfactorily carry out the necessary improvements to the building. Given the provision of the existing restaurant on the ground floor and the fact that disabled access to the first floor would be unfeasible as a result of the stairway entrance to the first floor of the premises, the absence of accessible facilities on the first floor would not therefore represent a departure from Policy C16 and is considered acceptable in this instance.

5) S17 Crime & Disorder Act

It is considered that the proposed development does not have any adverse crime or safety concerns.

6) Consultation Responses

None

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

2 The use of the first floor of the premises hereby permitted shall only be used in association with the ground floor use of the premises.

REASON: To prevent to the establishment of a separate restaurant on the site

Plan No.'s: 01 (Rev A), 02 (Rev A), 03 (Rev A), 04 (Rev A), 05 (Rev A)

44 JELlicOE GARDENS, STANMORE **Item: 2/14**
P/0490/09/NR/E
Ward STANMORE PARK
RETENTION OF SINGLE-STOREY DETACHED OUTBUILDING AT REAR, WITH
ALTERATIONS TO REMOVE WINDOW IN THE WEST ELEVATION

Applicant: Mr Rohit Shah
Agent: Mario Maestranzi
Statutory Expiry Date: | 07-MAY-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations and any comments received in response to publicity and consultation:

London Borough of Harrow Unitary Development Plan 2004

D4 – Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D10 – Trees and New Development

Supplementary Planning Guidance: Extensions: A Householder's Guide (2008)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004 UDP)

- 1) Principle of Development
- 2) Character and Appearance of the Area (D4, SPG:Extns)
- 3) Residential Amenity (D5, SPG:Extns)
- 4) Trees and New Development (D10)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Householder
Council Interest: None

b) Site Description

- Two-storey detached property on the south-west side of Jellicoe Gardens, occupying a wedge-shaped site on the outside of a bend in the road.
- The application property currently has a single-storey side to rear extension, extant permission for a first floor side extension and a detached outbuilding in the rear garden.

- The application property does not benefit from permitted development rights as they were removed by way of a condition on the planning permission for the original development.
- The site is covered by area TPO No.258.
- The adjacent property at No.42 is unextended and is set forward in its plot in relation to the application property by approximately 3 metres.
- The adjacent property at No.46 is sited at right angles to the application property, the front corner of this property being set approximately 4 metres from the front corner of the application property.
- The rear garden of the application property extends approximately 10 metres from the rear wall of the existing rear extension, with the side boundary of the garden at No.32 Jellicoe Gardens, which is also sited at right angles to the application property, to the rear of the site.
- The rear gardens of the residential dwellings on Ashdale Grove back onto the application site.

c) Proposal Details

- Retention of detached outbuilding in southern part of rear garden.
- The outbuilding is sited 20.9 metres from the boundary with No.42 Jellicoe Gardens, 5.0 metres from the boundary with No.46 Jellicoe Gardens and 1.2 metres from the boundaries with Nos.18 and 19 Ashdale Grove.
- The outbuilding measures 4.6 metres by 8.1 metres and has a height of 3.7 metres with a ridged roof, with a height of 2.7 metres to the eaves, and has brick elevations and a tiled roof.
- The building is in use as a home office and store.

d) Relevant History

LBH/14658	Erection of 5 detached d/houses with garages	GRANTED 16-AUG-79
P/2753/07/DFU	Single storey side to rear and first floor side extensions	GRANTED 16-OCT-07
P/2433/08/DFU	First floor side extension over existing garage, two-storey rear extension; single storey side extension; external alterations	REFUSED 05-SEP-08
P/3463/08	Certificate of lawful proposed development: single-storey rear extension; first floor side to rear extension	REFUSED 11-DEC-08
P/3947/08	First floor rear extension	REFUSED 02-FEB-09

e) Pre-Application Discussion

- None

f) Applicant Statement

- None

g) Consultations:

Notifications:

Sent: 5

Replies: 3

Expiry: 03-APR-09

Summary of Response:

Impact on outlook and views from neighbouring gardens, trees removed, overbearing, too high and close to the boundary, concern about possible business use.

APPRAISAL

1) Principle of Development

Detached sheds and outbuildings are in principle acceptable structures in the rear gardens of residential properties, subject to considerations over the character of the area and the amenities of neighbouring residents, as discussed in the following sections.

2) Character and Appearance of the Area

The subject building is not overly visible from the street and is modest in size in relation to the size of the plot. The outbuilding also has a modest height of 3.7 metres to the ridge and is constructed of brick and tiles, which are similar to the dwellinghouse on the site and surrounding dwellings. Ancillary outbuildings are common features in the rear gardens of residential properties. Given the size of the site and the large area of residual rear garden, the building is considered to have an acceptable impact on the character of the area.

3) Residential Amenity

The outbuilding is sited approximately 15 metres from the rear wall of No.32 Jellicoe Gardens, 23 metres from the nearest part of No.46 Jellicoe Gardens and 27 metres from the rear walls of Nos.18 and 19 Ashdale Grove. It is therefore considered that the building has not resulted in overshadowing of these neighbouring properties. There are no significant differences in levels that accentuate the impact of the building. Given the distances from neighbouring dwellinghouses, it is considered that the building has not given rise to any significant loss of outlook for the occupiers of neighbouring properties.

Concerns have been raised about the small window in the rear (west) elevation of the building, facing Nos.18 and 19 Ashdale Grove. SPG paragraph 3.6 states that windows sited within 3.0 metres of a boundary are unlikely to be acceptable. It is suggested that a condition be imposed, requiring this window to be removed and replaced with brickwork to match the rest of the building. This would overcome the potential for actual overlooking and the perception of being overlooked from this window.

Concerns have also been raised about the possibility that the building could be used as a place of business. At present, the building is in use as a home office, although the plans submitted with the application show it to be used as an exercise room and store.

Use of residential premises in connection with the employment of the dwellings occupier is a recognised and appropriate use for buildings of this type, provided that a condition is imposed requiring the building to be used only for purposes which are incidental to the enjoyment of the dwellinghouse, and this is considered to overcome this concern.

4) Trees and New Development

Concerns have been raised about the removal of trees, which may have been part of the Tree Preservation Order that covers the site. However, there is no evidence to suggest that any protected trees have been removed by the applicant. As discussed above, the separation distance between the building and the properties to the rear, on Ashdale Grove, is considered to be adequate to protect neighbouring outlook, despite the loss of any vegetation that may have been removed.

5) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

6) Consultation Responses

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

- Impact on views from neighbouring gardens: In this context, it should be noted that protection of a view is not a material planning consideration. Consideration of the developments impact upon the outlook and amenities of adjacent properties has however been undertaken above.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including the comments received in response to publicity and consultation, as set out above this application is recommended for grant, subject to the following condition(s):

CONDITIONS

1 Within 2 months of the date of this permission, the window in the rear (west) elevation of the building shall be removed and replaced with brickwork to match the building. In the event of failure to comply with this timescale, the building shall be demolished within 6 months of the date of this permission.

REASON: To safeguard the amenity of neighbouring residents and ensure that the development complies with the standards set down in Supplementary Planning Guidance 'Extensions: A Householder Guide' (2008) and the policies of the Harrow Unitary Development Plan (2004).

2 The building hereby permitted shall not be occupied at any time other than for purposes incidental to the enjoyment of the dwellinghouse, and shall not be used for any business use.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and to avoid an unacceptable intensification in the use of the site.

Plan Nos: TP6/1; 2

**LAND ADJACENT TO HIGHFIELD, HILL
HOUSE AVENUE, STANMORE**

**Item: 2/15
P/0711/09/NR/E**

DETACHED TWO STOREY HOUSE

Ward STANMORE PARK

Applicant: Mr & Mrs David Limerick
Agent: Robin Bretherick Associates
Statutory Expiry Date: 22-MAY-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy encouraging more efficient use of land, as well as to all relevant material considerations and any comments received in response to publicity and consultation:

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing

The London Plan 2008:

2A.1 – Sustainability Criteria
3A.3 – Maximising the Potential of Sites
3A.5 – Housing Choice
4A.22 – Spatial Policies for Waste Management

London Borough of Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout
D5 – New Residential Development – Amenity Space and Privacy
D9 – Streetside Greenness and Forecourt Greenery
D10 – Trees and New Development
T13 – Parking Standards
C16 – Access to Buildings and Public Spaces
Supplementary Planning Guidance: Extensions: A Householder's Guide (2008)
Supplementary Planning Document: Accessible Homes (2006)

MAIN CONSIDERATIONS AND POLICIES (national planning policy, The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004 UDP)

- 1) Principle of Development (PPS1, PPS3, London Plan policies 2A.1 and 3A.3)
- 2) Character and Appearance of the Area (D4, D9, SPG: Extensions and London Plan policy 4A.22)
- 3) Residential Amenity (D5 and SPG: Extensions)
- 4) Trees and New Development (D10)

- 5) Traffic and Parking (T13)
- 6) Accessible Homes (D4, C16, SPD:Access For All and London Plan policy 3A.5)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor Dwellings
Lifetime Homes: 1
Council Interest: None

b) Site Description

- Site comprises previously domestic garden land, on the north side of Hill House Avenue, a suburban cul-de-sac comprising 5 residential dwellings.
- The site has been divided off from Highfield and varies in width, from 9 metres at the highway, to 22 metres at the rear boundary and this is typical of the plots in the cul-de-sac.
- There is an existing vehicle crossover at the front of the site.
- The adjacent property to the east is Highfield, a detached two-storey dwelling with a two-storey side to rear extension set 800mm from the boundary with the application property.
- The site slopes down from east to west, with a drop in levels of approximately 800mm from Highfield to the application site.
- To the west of the site are the rear gardens of the dwellings on Drummond Drive (Nos.1-7), the rear walls of these properties being set approximately 26 metres from the boundary of the application site, and some 2.5 metres below the level of the site.
- Hill House Avenue is characterised by semi-detached and detached dwellings, many of which have been altered and extended, set around the head of this short cul-de-sac.

c) Proposal Details

- Two-storey detached four bedroom dwellinghouse with habitable roofspace.
- The main front wall of the proposed dwelling would be set back approximately 14 metres from the highway and the new dwelling would have a depth of 10 metres.
- Although a single-storey side projection would project up to 500mm from the boundary with Nos.3 and 5 Drummond Drive, the proposed two-storey flank wall of the dwelling would be set 1.5 metre from the rear boundary with those properties and between 1.5 metres and 4.0 metres from the new boundary with Highfield.
- The dwelling would have a centrally located two-storey gable feature at the front providing a covered porch with a forward projection of 1.7 metres and a width of 5.0 metres, and two single-storey bay features at the rear and on the side elevation facing Highfield, projecting 1.7 metres from the main wall of the dwelling.

- The height of the proposed dwelling would be 5.6 metres at eaves level, rising to 8.7 metres at the ridge, incorporating habitable roofspace with a crown roof over.
- One chimney is proposed on the flank wall facing Nos. 3 and 5 Drummond Drive, rising to a height of 8.7 metres.
- The front garden would be partly hard surfaced to provide car parking via the existing crossover, with soft landscaping and new planting.
- Refuse storage would be at the side of the property, adjacent to the rear boundary of No.5 Drummond Drive.
- The rear garden would have a depth of approximately 16 metres and widths ranging from 17.5 metres to 21.5 metres, with an existing shed and landscaped garden to be retained.

Revisions to Previous Application (ref P/3859/09):

- Front garage removed from proposal.
- House re-sited 1.5 metres further back in its plot, in order to comply with the 45 degree code from Highfield.
- House re-sited 500mm further from the rear boundaries of the Drummond Drive properties.
- Internal arrangements amended to comply with Lifetime Homes Standards.

d) Relevant History

P/670/03/DFU	Two storey side to rear, single storey rear extension and pitched roof over single storey rear extension [relating to Highfield]	GRANTED 11-JUL-03
P/3859/08	Detached two storey house with single garage at front	REFUSED 22-JAN-07

Reasons for Refusal:

- 1) The proposed dwelling, by reason of inappropriate and prominent siting, excessive forward projection and excessive bulk in close proximity to adjacent windows of Highfield, would be unduly obtrusive and detrimental to the amenities of the occupiers of the neighbouring property and would be detrimental to the character and appearance of the area, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Extensions: A Householders Guide (2008).
- 2) The proposed front garage, by reason of inappropriate siting and excessive forward projection, would be incongruous and detrimental to the character and appearance of the property and the area, and would detract from the established pattern of development in the locality, contrary to policy D4 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Extensions a Householders Guide (2008).
- 3) The proposed development, by reason of its lack of provision for people with disabilities and non-compliance with Lifetime Homes standards would provide substandard accommodation to the detriment of the amenities of future occupiers of the site, contrary to policies 3A.5 of the London Plan, D4 and C16 of the Harrow Unitary Development Plan (2004) and the 'Accessible Homes' Supplementary Planning Document (2006).

e) Pre-Application Discussion

PAT: HA/2008/ENQ/04124:

- Design unusual and potentially underwhelming in the street scene.
- Single-storey projection to the west creates an awkward relationship with the Drummond Drive properties/property sits on boundary.
- Possible conflict with 45 degree guidelines, house too far forward.
- Garage set forward of building could look out of keeping.
- Refuse storage should be at the side of the property.

Discussions with Case Officer Following Previous Refusal:

- Front garage should be removed from the proposal.
- Building should be moved back in its plot to comply with the 45 degree code from Highfield.
- Property should be moved away from the boundary with the Drummond Drive properties, to overcome the impact on trees.

f) Applicant Statement

- Design and Access Statement

g) Consultations:

Drainage Engineer: Conditions suggested.

1st Notifications:

Sent: 20

Replies: 4

Expiry: 27-APR-09

2nd Notifications:

Sent: 20

Replies: 1

Expiry: 11-JUN-09

Summary of Response:

Out of keeping with the area, too close to neighbouring boundaries, overlooking, impact on trees/screening, use of dark materials, traffic and parking, objection to proposed garage.

APPRAISAL

1) Principle of Development

Paragraph 27(viii) of PPS1 promotes the more efficient use of land through the use of suitably located previously developed land and encourages bringing vacant and underused previously developed land back into beneficial use and this is re-iterating in London Plan policies 2A.1 and 3A.3. Annex B of PPS3 states that 'previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land'. As the site comprises areas of former residential garden land, it is considered to be previously developed land for the purposes of PPG3 and therefore housing development is acceptable in principle.

2) Character and Appearance of the Area

It is proposed to construct a two-storey detached dwelling on this area of former garden land. UDP policy D4 states that 'buildings should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces'.

It also states that 'all new development should have regard to the scale and character of the surrounding environment and should be appropriate in relation to other buildings adjoining and in the street'. Hill House Avenue is a short suburban residential cul-de-sac, comprising 3 detached dwellings and a pair of semi-detached dwellings, set around the head of the cul-de-sac. The land slopes up from Drummond Drive, to the head of the cul-de-sac, giving the two detached dwellings at the head of the cul-de-sac, Fishers and Pentwyn, greater prominence in the street scene.

The proposed dwelling would be situated on a newly formed plot adjacent to Highfield, one of 5 dwellings occupying this short cul-de-sac. The application site has been formed from part of the garden of Highfield, as well as part of the rear gardens of Nos.5 and 7 Drummond Drive. The plot area of approximately 640m² and average width of 17 metres is comparable with the other dwellings on Hill House Avenue and the wider locality and it is considered that the site could comfortably accommodate a new detached dwelling.

The proposed dwelling would be of a suburban residential character, with a pronounced arts and crafts style front gable feature, which would add interest. This style is considered acceptable in its context and the height and scale of the proposed dwelling is considered to be appropriate. The use of darker brickwork is also considered to be reasonable, given the variety of materials of the other properties on Hill House Avenue and the properties on Drummond Drive.

Although the 45 degree code set out in the Council's SPG normally relates to the amenity impact of extensions and new buildings, on this site it is considered to represent also a basis for the consideration of the siting of the building in relation to the character of the area and the established building line of this cul-de-sac. The proposed dwelling has been moved back in its plot compared to the previous refusal and now complies with the 45 degree code from the corner of the two-storey side extension to Highfield, with the exception of the front gable feature. It is therefore considered that the proposed dwelling would respect the character of this cul-de-sac and the building would also be set away from both side boundaries, thereby ensuring visual separation in this respect. The overall size of the proposed building would be similar to neighbouring properties and the proposed dwelling is therefore considered to have an acceptable appearance.

It is proposed to provide a hard surfaced parking area in the front garden, which would provide for 3 off street spaces. Notwithstanding this, much of the front garden would be given over to soft landscaping, a street scene improvement required as part of such a proposal, including the planting of two new trees and the proposed layout is considered to be acceptable. A condition is imposed requiring a landscaping scheme to be submitted and approved prior to commencement and the proposal is therefore considered to comply with policy D9 in this respect.

The storage of the three refuse bins to serve the dwelling, at the side of the property, is considered to be acceptable and the bins would not be overly visible from the highway.

3) Residential Amenity

The Council's SPG for householder development paragraph 3.14 states that extensions and new buildings should comply with the 45 degree code on the horizontal plane at first floor level. As discussed above, the proposed dwelling would comply with the 45 degree code on the horizontal plane in relation to the front corner of the neighbouring property at Highfield. There are no protected windows on the flank wall of Highfield that would be affected by the proposal and the dwelling would comply with the 45 degree code from the rear first floor corner of this property and would therefore not adversely affect the light to the habitable rooms at the rear of Highfield.

The distance of approximately 27.5 metres between the main western side elevation of the proposed dwelling and the rear walls of the properties on Drummond Drive (Nos.1-7) is similar to other relationships between properties in the locality and is considered adequate. The proposed dwelling would be sited between 500mm and 1.5 metres from the rear boundaries of the Drummond Drive properties and, given the separation distance and taking into account the higher level of the application site, it is considered that the proposed building would not result in an unacceptable level of overshadowing or loss of outlook to the occupiers of these properties. It is only proposed to install a small WC window on this ground floor side elevation, which would be partly concealed by the boundary fence and is also conditioned to be obscure glazed and fixed closed below a height of 1.7 metres to ameliorate any adverse impacts by way of overlooking. No adverse amenity impacts are therefore expected to occur to the occupiers of the Drummond Drive properties.

The proposed ground floor windows on the flank wall facing Highfield are also not expected to result in an unacceptable loss of privacy to the occupiers of that property. Given the drop in levels between the two sites, a standard 1.8 metre fence would adequately screen the windows from the neighbouring property and this could be required by condition. The proposed first floor window would serve a bathroom and this is conditioned to be obscured and fixed closed.

It is considered that an adequate amount of amenity space, consistent with the garden sizes of the other dwellings on the cul-de-sac, would be provided for the occupiers of the proposed dwelling.

4) Trees and New Development

Concerns have been raised about the impact on a third party tree of amenity value within the rear garden of No.5 Drummond Drive. The applicants have submitted a report detailing the likely impact on this tree and the house has been moved away from this boundary as a result. The Council's Tree Officer considers the revised siting of the proposed house and the associated report to be adequate in terms of the likely impact on this tree.

5) Traffic and Parking

The proposal would potentially allow for 3 off street parking spaces utilising an existing crossover.

Although this would be above the maximum provision specified in the UDP, it is considered that, given the suburban cul-de-sac location and the size of the proposed dwelling, this parking provision would be necessary and subject to this provision it is considered that the addition of one new detached dwelling in this cul-de-sac would not have a detrimental impact on highway safety and convenience. The Council's Highways Engineer raises no objections and the proposal is therefore considered to be acceptable in this regard.

6) Accessible Homes

The proposal complies with all 16 points of the Lifetime Homes Standards, as is required by London Plan policy 3A.5, policies D4 and C16 of the UDP and adopted Supplementary Planning Guidance: Accessible Homes (2006).

7) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

8) Consultation Responses:

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

- Objection to proposed garage: This was removed from the proposal following the previous refusal and does not form part of this application.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including the location of the site, including any comments received in response to publicity and consultation, as set out above this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

a: the extension / building(s)

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

REASON: To safeguard the appearance of the locality.

3 The ground floor window in the western flank wall and the first floor window in the eastern flank wall of the approved development shall:

a) be of purpose-made obscure glass,

b) be permanently fixed closed below a height of 1.7 metres above finished floor level,

and shall thereafter be retained in that form.

REASON: To safeguard the amenity of the occupiers of neighbouring properties.

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

REASON: To safeguard the amenity of neighbouring residents.

5 The 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 schedules 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.

6 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.

7 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site, in accordance with details to submitted to, and approved in writing by, the Local Planning Authority.

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

(Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>).

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

8 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.

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

a: the frontage

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.

10 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:

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

The development shall be carried out 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.

13 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.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

INFORMATIVES

1 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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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:

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.

Plan Nos: PL40; PL41; PL42 Rev E; PL43 Rev C; PL44 Rev B; PL45 Rev B; PL46 Rev D; PL47 Rev A; PL48 Rev C; PL49 Rev B; Design and Access Statement; Arboricultural Assessment

69 ELM PARK, STANMORE

Item: 2/16

P/0281/09/NR/E

Ward STANMORE PARK

VARIATION OF CONDITION 7 OF PLANNING PERMISSION LBH/36494 TO ALLOW THE NUMBER OF GENERAL PRACTITIONERS, QUALIFIED MEDICAL ADVISORS AND NURSING STAFF SEEING AND CONSULTING WITH PATIENTS WITHIN THE SURGERY AT ANY ONE TIME TO BE LIMITED TO THREE.

Applicant: Dr Ralph Abrahams

Statutory Expiry Date: | 27-APR-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to condition and amendments to the existing legal agreement (ref LCH/EC-003743).

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations, to meet the Vision of the Council in terms of the provision of health services and any comments received in response to publicity and consultation:

The London Plan 2008:

3A.21 – Locations for Health Care

London Borough of Harrow Unitary Development Plan 2004

D4 – Standard of Design and Layout

C8 – Health Care and Social Services

EP25 – Noise

T13 – Parking Standards

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004 UDP)

- 1) Community Use (C8, London Plan policy 3A.21)
- 2) Character of the Area and Residential Amenity (EP25)
- 3) Traffic and Parking (T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to the Committee as the recommendation is subject to the variation of an existing Legal Agreement.

a) Summary

Statutory Return Type: Other

Council Interest: None

b) Site Description

- Detached bungalow with habitable roofspace on the east side of Elm Park
- Lawful use of the property is as a doctor's surgery (D1)
- Two off-street parking spaces are provided in the front garden, with some soft landscaping
- The neighbouring property at No.71 is also a doctor's surgery, whilst the neighbouring property at No.67 is a residential dwellinghouse
- The surrounding area is predominantly residential, consisting of semi-detached and detached dwellings
- Stanmore District Centre is located approximately 350 metres from the property

c) Proposal Details

- Condition 7 of planning permission LBH/36494 restricts the use of the surgery to a single doctor and states 'the premises shall only be used as a single doctors practice and shall at no time operate as a group practice'.
- This condition was varied in August 2008 to enable two doctors to practice concurrently at the surgery.
- This proposal is to vary further the wording of this condition to enable three doctors to practice at the same time

d) Relevant History

LBH/36494	Change of use to doctor's surgery with ancillary facilities and provision of parking spaces in front garden	GRANT 29-SEP-88
P/0400/08/DVA	Variation of condition 7 of planning permission LBH/36494 to allow more than one doctor/dentist to practice at the same time	REFUSE 02-APR-08

Reason for Refusal

1) Insufficient information has been provided as to the proposed number(s) of doctors'/dentists which would be allowed by the proposed variation of condition to enable a full and proper assessment of the impact or otherwise of the proposals on residential amenity and the character of the area, contrary to the provisions of saved Policy C8 of the Harrow Unitary Development Plan (2004).

P/1386/08/DFU	Variation of condition 7 of planning permission lbh/36494 to allow two doctors to practice concurrently at the premises	GRANT (WITH ACCOMPANYIN G LEGAL AGREEMENT) 27-AUG-08
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Supporting statements regarding the proposed use.

g) Consultations:

Notifications:

Sent: 31

Replies: 2

Expiry: 01-APR-09

Summary of Response:

Elm Park Residents Association and Stanmore Society: Property was only narrowly granted permission for one doctor, insufficient parking, concerns over hardsurfacing of forecourt and adverts.

APPRAISAL

1) Community Use

The proposal is to vary the restrictive condition to allow three doctors to practice concurrently at the surgery. UDP policy C8 recognises the need for health care and social services. Under policy C8, proposals relating to such uses should not have an adverse impact on the amenity of neighbouring residents.

On the 27th August 2008, permission was granted for a variation of this condition to allow two doctors to practice concurrently at the surgery (ref P/1386/08/DFU). An accompanying S.106 legal agreement controls the total number of registered patients to 2000, opening hours to between 08.00 and 19.00 Monday to Friday and 09.00 and 12.00 on Saturdays, number of patients to be seen on each day are restricted to 50 and the number of ancillary staff are limited to three. Prior to this permission, no additional controls restricted the use of the surgery. On the basis that the proposed use levels would not be materially larger than the previous unrestricted use levels, the proposal to increase the number of doctors from one to two was considered to be acceptable and enabled the Council to agree additional controls over the further intensification of the use by way of the S.106. This permission has since been implemented and the surgery is currently running with two doctors practicing.

The current proposal is to vary the same condition and the accompanying legal agreement to enable three doctors to practice at the property, with the other restrictions in the legal agreement to remain as previously agreed. At present, the current private two doctor practice that operates from the surgery is seeing around 30 patients per day, as compared to the 50 allowed by the S.106 legal agreement. The proposal is to vary the condition in order to allow an additional doctor or other qualified medical advisor to consult concurrently with patients.

Given that the patient numbers or hours of operation of the property would not be altered beyond the terms previously agreed, it is considered that the addition of a third doctor would not, on its own, have a material impact on the amenities of neighbouring residents, in terms of increased activity as reflected by the additional comings and goings of patients and visitors. The remaining restrictions in the legal agreement would protect against any increase in intensity and will continue to run with the land and be binding on any future occupiers of the property.

The property is currently a doctor's surgery and the proposal would therefore not result in the loss of a residential unit. The proposal is therefore considered to comply with the provisions of policy C8.

2) Character of the Area and Residential Amenity

Given the long established nature of the existing use and the neighbouring property at No.71 also being a doctors' surgery, it is not considered that the existing surgery results in a use that is detrimental to the character of the area. As discussed above, it is considered that the proposed intensity of use would not be greater than the current situation and it is not considered that the character of the area would be adversely affected.

3) Traffic and Parking

The site has two off street parking spaces, which would most likely accommodate staff members. The property is located close to Stanmore District Centre, where adequate public transport provision and public car parks are available. Residents parking bays on Elm Park are restricted between 15:00 and 16:00 hours Monday to Friday and there are parking restrictions elsewhere in the road. Given the modest increase from two to three doctors, it is therefore considered that the proposal would not result in highway safety concerns. The Council's Highways Officer raises no objections and the proposal is therefore considered to be acceptable in this regard.

4) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

5) Consultation Responses

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

- Hardsurfacing and adverts: This is a separate matter and is being dealt with by the Council's Planning Enforcement Team. A report has been prepared recommending formal enforcement action.

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, subject to the prior amendment to the existing legal agreement (ref LCH/EC-003743), as detailed below:

INFORM the applicant that the application is acceptable subject to:

1) The completion of amendments to the existing legal agreement (ref LCH/EC-003743) within six months (or such period as the Council may determine) of the date of the Committee decision on this application, requiring:

- (i) That the number of general practitioners, qualified medical advisors and nursing staff seeing and consulting with patients within the surgery at any one time shall be limited to **three**.

Item 2/16 : P/0281/09/NR/E continued/...

2) A formal decision to **GRANT** permission for the variation described in the application and submitted plans, and subject to the following condition, will be issued only upon the completion of the aforementioned legal agreement, as follows:

1) The premises shall only be used as a practice for no more than three doctors at any one time.

REASON: To safeguard the amenity of neighbouring residents, the character of the area and to minimise the adverse effect of traffic on this residential road.

Plan Nos: Site Plan; Supporting Statement

Item: 2/17

MARLBOROUGH FIRST & MIDDLE SCHOOL, MARLBOROUGH HILL, HARROW HA1 1UJ

Ward MARLBOROUGH

2 NO. X SINGLE-STOREY TEMPORARY CLASSROOM UNITS, TEMPORARY MOBILE WC, TEMPORARY CAR PARK AND CROSSOVER, EXTERNAL ALTERATIONS TO EXISTING SCHOOL BUILDINGS AND RECONSTRUCTION OF RAISED PLAY AREA.

Applicant: London Borough of Harrow [Major Works & Adaptations]

Statutory Expiry Date: 01-JUL-09

RECOMMENDATION

Under Regulation 3 of The Town and Country Planning General Regulations 1992, GRANT permission for the development described in the application and submitted plans, subject to conditions.

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is LB Harrow [Major Works and Adaptations] and the land at Marlborough First & School is owned by LB Harrow.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations, to meet the Vision of the Council in maintaining high standards of schools, as detailed in Harrow's Sustainable Community Strategy [Mar 09], and any comments received in response to publicity and consultation:

The London Plan [2008]

3A.24 – Education Facilities

4A.3 – Sustainable Design and Construction

4B.1 – Design Principles for a Compact City

4B.5 – Creating an Inclusive Environment

London Borough of Harrow Unitary Development Plan [2004]:

D4 – The Standard of Design and Layout

C16 – Access to Buildings and Public Spaces

EP25 – Noise

Harrow's Sustainable Community Strategy [Mar 09]

Legal Comments

Regulation 3 of the Town and Country Planning General Regulations 1992 [Statutory Instrument 1992/1492] provides [in relevant part] that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under section 77 of the Town and Country Planning Act 1990 for determination by him. The application is made by LB Harrow [Major Works & Adaptations] who intends to carry out the development and the land at Marlborough First & Middle School is owned by LB Harrow.

The grant of planning permission for this development falling within Regulation 3 shall enure only for the benefit of LB Harrow.

MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & saved policies of The London Borough of Harrow Unitary Development Plan 2004]

1) Principle of Development and Land Use

The London Plan [2008]

3A.24 – Education Facilities

Boroughs should provide a criteria based approach to the provision of different types of educational facilities and the expansion of existing facilities, taking into account the need for new facilities...

2) Quality of Design and Accessibility

The London Plan [2008]

3A.24 – Education Facilities

4A.3 – Sustainable Design and Construction

The Mayor will, and Boroughs should, ensure future developments meet the highest standards of sustainable design and construction... These will include measures to ...avoid internal overheating and excessive heat generation, minimise energy use including natural ventilation...

4B.1 – Design Principles for a Compact City

The Mayor will, and Boroughs should, seek to ensure that developments should maximise the potential of sites, and be accessible...

4B.5 – Creating an Inclusive Environment

The Mayor will require all future development to meet the highest standards of accessibility and inclusion.

Harrow Unitary Development Plan [2004]

D4 – The Standard of Design and Layout

The Council will expect a high standard of design and layout in all development proposals.

C16 – Access to Buildings and Public Spaces

The Council will seek to ensure that buildings as well as public spaces are readily accessible to all, including wheelchair users. Development proposals should be adequately designed to accommodate the needs of all users.

3) Neighbours Amenity

Harrow Unitary Development Plan [2004]
D4 – The Standard of Design and Layout

EP25 – Noise

In assessing planning applications, the Council will take into account noise and vibration levels likely to result from or affect a proposal and will require noise, vibration and disturbance to be minimised.

4) Section 17 Crime & Disorder Act

Harrow Unitary Development Plan [2004]
D4 – The Standard of Design and Layout

5) Consultation Responses

None received

INFORMATION

a) Summary

Statutory Return Type:	Minor other
Site Area:	6,394m ²
Car Parking:	Standard: Maximum of 1 space per 300-600 m ² net site area [Harrow UDP 2004]
	Justified: 18
	Provided: 18
Council Interest:	Council-owned property

b) Site Description

- Marlborough First and Middle School is located in a predominately residential area on the junction of Marlborough Hill and Badminton Close.
- The school was originally constructed in the late 1960s and is a mix of single and two-storey blocks represented as one single building.

c) Proposal Details

- Two single-storey temporary classroom units;
- One temporary mobile WC;
- Temporary car parking area to front of site and vehicular crossover from Marlborough Hill;
- Replacement and new canopies;
- Reconstruction of raised play area; and
- Replacement of windows and cladding panels with some alterations to fenestrations.

d) Relevant History

P/0274/07	Construction of new single storey reception, single storey extension to toilets and two storey teaching block.	GRANTED 19-APR-07
P/1784/05/CLA	Single storey extension to hall, provision of new doors to classroom building.	GRANTED 09-SEP-05
LBH/616/2	Erection of single storey extension to provide 3 new classrooms.	GRANTED 24-SEP-68

e) Pre Application Discussion

- The proposal was discussed at a pre-application meeting with Mr Frank Stocks [Senior Professional] on 26 January 2009 and was considered acceptable in principle. [PAM/ENQ/00006/26/1/2009].

f) Applicant Statement

- The school site has a mixture of soft landscape areas and hard play area that would not be reduced as a result of the proposed refurbishment and the proposed temporary car park in front of the site would be reinstated.
- The existing grassed area facing the Marlborough Hill will be converted to temporary car park during the construction. The grassed area will be reinstated at completion of the school refurbishment.
- The school car park has parking provision for the staff and visitors and it is not intended to provide additional parking spaces on site.
- For the temporary classrooms and toilet, provision of a level access approach to Building Regulations Part M and BS8300 via a ramp.
- For the existing building, provision of a level access approach to Building Regulations Part M and BS8300 is available to main school entrance via a modified external access footpath and dropped kerbs. A ramped access is provided from First School classrooms to external play area.
- A disabled access WC facility is also provided together with internal doors all meeting the regulatory guidance of current Building Regulations 2004 Part M.

g) Consultations:

No response received.

Notifications:

Sent: 80

Replies: 0

Expiry: 10.06.09

Site Notice: 03.06.09

Summary of Responses:

One response received objecting to the proposal on the following grounds:

- Construction hours should be between Mon-Fri only; and
- Loss of trees.

APPRAISAL

1) Principle of Development and Land Use

The proposed temporary buildings and associated works are required to serve the existing pupils [up to age 11] whilst upgrade and refurbishment works are undertaken on the permanent buildings to meet the School's aspirations in providing education in quality classroom accommodation.

The proposed temporary buildings and car park are considered acceptable in principle in terms of scale and design, in accordance with Policy D4 of Harrow's UDP [2004] and the land use would not deviate from the existing use on the site. The Proposals Map in Harrow's UDP indicates the site as white land [non-designation]. Accordingly, there are no specific policy constraints in The London Plan [2008] or Harrow's UDP [2004] that would preclude its development. Essentially, the proposal is supported by Policy 3A.24 of The London Plan [2008].

The proposal contributes towards key themes of Harrow's Sustainable Community Strategy [Mar 09]. The Community Strategy sets out a vision for the Borough to 2020. One of the key themes of the Community Strategy is 'Every Harrow Child'. The Vision states:

'Harrow will be a place where children and young people are healthy and safe and stay healthy and safe, where they are encouraged and helped to enjoy living, learning playing and growing and to achieve while doing so, where they can make a positive contribution to their own futures and to the future of their borough and the community generally, and where they can successfully prepare for and engage in activities to enjoy economic wellbeing.'

This Vision identifies the importance of the development of children and young people in the Borough, to ensure they have access to education opportunities and are healthy and safe as well as promoting social opportunities. The proposal for temporary classroom accommodation supports this Vision, with the proposed refurbishment and upgrade works to the existing school buildings to occur concurrently. Consequently, Marlborough School will represent a much-improved education facility, in which children will be able to learn and develop.

2) Quality of Design and Accessibility

The proposed temporary modular single-storey classroom buildings with integrated WCs [1no. x single and 1no. x double classrooms] will be located in the Middle School playground. The single classroom [3m (h) x 8m (w) x 6m (d) approx.] will be positioned along the eastern boundary with windows facing the play equipment. The double classroom [3m (h) x 16m (d) x 9m (d) approx.] will be positioned along the northern boundary with windows facing the playground.

The temporary modular classroom buildings will comprise a flat roof. The single classroom building will be set in from the boundary fronting Badminton Close by 1.5m [approx.].

The double classroom building will be set in from the boundary with residential properties along Walton Drive of between 1m and 2.5m [approx.].

A temporary WC building [3m (h) x 7m (w) x 3m (d) approx.] will be located in the First School playground and will be set in from the boundary with residential properties of Walton Drive by 24m [approx.].

The temporary buildings will consist of colour-coated flat metal sheet cladding with aluminium windows and entrance door. The materials are considered acceptable in principle, in accordance with Policy D4 of Harrow's UDP [2004]. Such detailing of materials is recommended as a condition, which can be attached to any planning consent.

All of the modular buildings will provide level access in the form of a stained timber access ramp with steps and handrails, which would comply with the requirements of the Disability Discrimination Act [1995]. Consequently, on grounds of accessibility, the proposal accords with Policies 4B.1 and 4B.5 of The London Plan [2008] and Policy C16 of Harrow's UDP [2004].

The proposal includes an upgraded ramp and a widened path to the west of the site and would provide an increased level of access to standards set by the Disability Discrimination Act [1995]. Currently, the concrete ramp fails such standards and this part of the proposal would bring the development in accordance with accessibility standards set out in the Disability Discrimination Act [1995].

An increased play area will be achieved through the infill of the existing steps, south of the First School playground. This new play area would be contained by a new brick retaining wall with metal railings. Access to the First School playground from this area would be made via the new concrete ramp or from the centrally-located steps. A new hard play area [7m x 8m approx.] is also proposed to the west of the proposed temporary double modular classroom building to compensate for the temporary loss of some of the Middle School playground. It is considered this part of the proposal complies with Policy D4 of Harrow's UDP [2004].

Along with other refurbishment works to the existing school buildings including new aluminium doors, timber windows, windcatchers [on the roof] and the replacement and introduction of new canopies, would provide the school with a contemporary appearance. Windcatchers will use any prevailing wind as a form of natural ventilation for the classroom buildings. Clean, fresh air, relatively free from contamination or traffic pollution is carried down from roof level to the floors below through internal ducts and a controlled damper arrangement. By maximising wind power, the need for air conditioning is eliminated. This is sustainable energy in action. Accordingly, the proposal complies with Policies 3A.24, 4A.3 and 4B.1 of The London Plan [2008] and Policy D4 of Harrow's UDP [2004].

3) Neighbours Amenity

The school refurbishment works will be based on a phased programme that would enable the school to operate during normal term time periods. It is envisaged the programme of refurbishment works would last less than 2 years.

Works on-site for the proposed temporary buildings [including its delivery, installation and fit-out], WC and temporary car park including the new vehicular crossover from Marlborough Hill would be carried out during the School's Summer break [21 July – 28 August 2009].

From 3 September 2009 to 12 February 2010, full refurbishment works would be carried out to the classrooms including replacement canopies and installation of one new one; replacement of external doors and windows; and high level boarding. The existing WCs would also be upgraded. There will also be a reconstruction of a raised play area to increase the play area for the children. This would result in an infilling of the existing steps, which is considered beneficial to the school without compromising the access from this point to the playground. Re-roofing works, replacement rooflights and new external panels are also proposed. At the end of this period, the temporary WC will be removed from the site.

Between 22 February and 16 July 2010, the classrooms and toilets mentioned above would continue to be refurbished and upgraded during this period.

From 4 January 2011 [or at the first opportunity during a half- term period to minimise any disruption to School use of the playground], works will commence for the removal of the temporary buildings and car park and vehicular crossover. This would also include the removal of the Contractor's compound and the 7 marked car parking spaces it would have occupied would be reinstated to its former use. A planning condition is recommended to ensure all temporary structures are removed within two years of any consent.

The proposed location of the temporary single-storey modular classroom buildings will be set within the boundary of the site at their respective locations by a minimum of 1m [approx.]. The main issue regarding the classroom buildings is the perceived impact of these units on occupiers of the residential properties along Badminton Close and Walton Drive. The single modular classroom unit will be approximately 17m away from the façade of the residential properties along Badminton Close. The double modular classroom unit will be situated at least 23m from the main façade rear at the properties along Walton Drive. These single-storey classroom units will not have any windows facing the boundary and would provide a satisfactory distance to the nearest residential properties. Accordingly, this part of the proposal would accord with Policies D4 and EP25 of Harrow's UDP [2004].

The temporary WC will be set comfortably within the site; therefore is considered it would not have any detrimental impact on occupiers of any residential properties along Walton Drive or Ranmoor Gardens, in compliance with Policy EP25 of Harrow's UDP [2004].

There will be a new temporary vehicular access off Marlborough Hill along with temporary surfacing to the front of the site to accommodate seven car parking spaces. This will compensate for the temporary loss of the seven marked on-site car parking spaces near to Badminton Close, which will be occupied by the contractor's compound during the refurbishment works. It is proposed the vehicles would drive into the site from the new vehicular access point and exit via the existing vehicular access onto Marlborough Hill in a one-way system. Accordingly, there will be no net increase or loss of car parking provision during on-site works. Harrow's Highways Engineer raises no objection to the proposal, and is therefore considered acceptable. The proposal will provide ten marked car parking spaces within the site after the completion of the refurbishment works, which is consistent with Harrow's car parking standards in the UDP [2004], which is between ten and 12 spaces for this site. The proposed new temporary vehicular access would result in the temporary relocation of the pedestrian access to the main entrance for the Middle School.

It is considered this part of the proposal would not result in undue harm to occupiers of properties along Ranmoor Gardens or Marlborough Hill, having regard to Policy EP25 of Harrow's UDP [2004]. In addition, the proposal is a temporary measure to accommodate the building programme and the area would be restored to its former state upon completion of the building works.

Details of the contractor compound have yet to be finalised; therefore a condition is recommended as part of any planning consent for the approval of such details, and in the interest of neighbouring amenity.

4) Section 17 Crime & Disorder Act

It is considered that the proposal would not have any detrimental impact upon community safety and is therefore acceptable on these grounds.

5) Consultation Responses

One response received objecting to the proposal on the following grounds:

- Construction hours should be between Mon-Fri only; and
- Loss of trees.

A condition is recommended as part of any planning consent to ensure construction works are carried out only between Mon-Fri and not at any other times, or on Bank Holidays. There will be no loss of trees as a result of the proposal and a condition is attached to any planning consent to ensure such trees on-site are maintained.

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, subject to the following conditions.

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 two single-storey classroom buildings; and car park and crossover fronting Marlborough Hill hereby permitted shall be removed and the land restored to its former condition within two years of the date of this permission, in accordance with a scheme of works submitted to, and approved in writing by, the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

3. The temporary WC building will be removed from the site before the end of February 2010.

REASON: In the interest of amenity and users of the school.

4. Prior to commencement of development, details of the temporary contractor compound shall be submitted to and approved in writing by the local planning authority. Such details as approved shall be for a maximum of two years from the date of the planning permission Ref: P/1029/09. Upon reaching the maximum period permitted, the contract compound shall be removed in its entirety within one month and the area restored to its former use comprising seven marked car parking spaces.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

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

a: the building

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

REASON: To safeguard the appearance of the locality.

6 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.

7 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water 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.

8 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.

9 None of the existing trees on the site shall be lopped, topped, felled or uprooted without the prior written permission of the local planning authority. Any topping or lopping which is approved shall be carried out in accordance with British Standard 3998 (Tree Work).

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

10 No construction / works in connection with the proposed development shall be carried out before 0800hrs or after 1800hrs on weekdays and any time on Saturdays, nor at any time on Sundays or Bank Holidays.

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

INFORMATIVES

1 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.

2 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:- 08459 200800.

3 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.)

4 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.

5 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: EC5837/223 [Location Plan]; EC5837/203 Rev A [Existing Site Plan]; EC5837/222 [Proposed Site Plan]; EC5837/224 [Phase 1A & 1B Existing & Proposed Elevations]; EC5837/226 [Section 1 Temporary Buildings; and EC5837MA-D37 [Design and Access Statement].

**LAND ADJ TO LINKSWAY, MAY TREE P/0617/09/GC/E
LANE, STANMORE**

Ward STANMORE PARK

SINGLE/TWO STOREY DETACHED HOUSE WITH ACCESS TO WOODWARD GARDENS (REVISED) WITH DETAILS OF EXTERNAL SURFACE MATERIALS, BOUNDARY TREATMENT, GROUND SURFACING AND LANDSCAPING

Applicant: Shield Homes Limited

Agent: Dusek Design Associates Limited

Statutory Expiry Date: 20-MAY-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in the London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development would achieve a high standard of design in a way that makes efficient use of land whilst contributing to the provision of additional 'homes' targets, as detailed in the London Plan 2008, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character of the area.

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

SPG Extensions: A Householders Guide (2008)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Principle of Development
- 2) Scale and Character and Appearance of the Area (D4 & SPG)
- 3) Residential Amenity (D5 & SPG)
- 4) Landscaping (D4 & D9)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is reported to Committee at the request of a nominated member.

a) Summary

Statutory Return Type: Minor Dwellings

Council Interest: None

b) Site Description

- Subject site is on the south side of Woodward Gardens.
- The 470m² plot is created by the subdivision of the large garden belonging to 'Linksway' on May Tree Lane.
- 'Linksway' has independent access from May Tree Lane.

- Woodward Gardens currently comprises 5 detached two storey dwellings constructed under LBH/25903 and a recently built detached dwelling opposite the site to the rear of 77 Gordon Avenue (granted planning permission under P/3016/04/DFU).
- A 2.2m high 'evergreen' hedge bounds the site.

c) Proposal Details

- Single/two storey detached house with access from Woodward Gardens which comprises a revised version of the detached house previously granted by Outline Permission P/1897/05/DOU, reserved matters approval P/3007/08, and subsequent approval of details pursuant to conditions.

Revisions to Previous Application:

Following the previous decisions the following amendments have been made:

- The height of the eaves and ridge of a single storey structure between the proposed garage and the main front wall of the dwelling has increased by 950mm.
- Two obscure glazed windows have been introduced into the eastern flank wall of the proposed dwelling.
- All other aspects of the proposal comply with the previous approvals.

d) Relevant History

P/1897/05/DOU	Outline: Single and two storey detached house with access to Woodward Gardens (siting and means of access determined)	GRANTED 14-SEP-05
P/3007/08	Details of appearance, landscaping and scale pursuant to condition 2 of Outline Planning Permission P/1897/05DOU granted 14/09/05 for the erection of single/two storey detached house	APPROVED 26-JAN-09
P/0269/09	Details of external surface materials, boundary treatment and ground surfacing pursuant to conditions 1 and 3 of Reserved matters Approval P/3007/08 for single/two storey detached house	APPROVED 11-MAY-09
P/1011/09	Details of surface water attenuation/storage works pursuant to condition 4 of Planning Permission P/1897/05/DOU granted 14/09/2005 for single/two storey detached house.	CURRENT

e) Pre-Application Discussion

- None

f) Applicant Statement

- Design and Access Statement submitted

g) Consultations:

Drainage Officer: Conditions suggested

Thames Water: No response received

Stanmore Society: The development proposed would amount to overcrowding of the site. The site opposite has been overdeveloped and is crowded and is not to be a criterion for this site. A small extension to the existing building of a single storey only might be acceptable to this site. No approval should be given in the absence of an adequate block site plan. There should also be drawings, setting out the relationship of this site for the neighbouring properties and their curtilages.

The difference in mass and bulk apparent on the drawing on page 8 of the Design and Access Statement, make it all too apparent how unsuitable is the height and variation of mass in the new building compared with its neighbours.

The criteria should be the average size of buildings in the near vicinity, excluding from that average those of aberrant dominance.

Notifications:

Sent: 11

Replies: 0

Expiry: 17-APR-09

Summary of Response:

None

APPRAISAL

1) Principle of Development

The principle of development has already been established through the earlier planning permission and is not therefore revisited within this appraisal. Given the similarities between the earlier planning permission and the current proposal, this report focuses on the impact of the amendments to the design of the previously approved dwelling.

2) Scale and Character and Appearance of the Area

The impact of the overall development on the character and appearance of the area was assessed under the previously approved applications refs P/3007/08 and P/1897/05. The appraisal of these applications concluded that the proposed development was of an acceptable scale and appearance and would not have a detrimental impact on the character and appearance of the locality.

This application proposes to increase the height of the ridge and eaves of the single storey structure located between the proposed garage and the main front wall of the dwelling. The increase in height by 950mm would add only a small amount of bulk to the previously approved building, particularly when viewed from the front elevation. The single storey structure would still be subservient to the main part of the building and is considered an acceptable revision that would not detract from the character and appearance of the area.

The two new windows proposed for the eastern flank wall of the dwelling are single width in size, would not be immediately visible from the street and would not have a harmful impact on the character and appearance of the area.

External materials, boundary treatment and ground surfacing details have been approved previously and one proposed again as part of this application.

3) Residential Amenity

The roof of the front projection that is proposed to be increased in height is set away from the boundary with the adjacent property Linksway by 950mm. The dwelling at Linksway is set away from the boundary by a further 3.5m, meaning the total distance between the amended part of the development and the dwelling at Linksway is 4.45m. Given this separation distance it is considered that this modest increase in the height of this part of the building would not give rise to any significant additional undue overshadowing of the adjacent property at Linksway. It is therefore considered that the additional 950mm in the height of the structure would not have a detrimental impact on the residential amenities of any neighbouring occupiers.

The two additional windows proposed in the first floor of the eastern flank wall of the dwelling would face east towards the dwelling at Linksway. The submitted Design and Access Statement indicates that these windows would be obscure glazed and a condition is suggested ensuring this, and requiring that they are non-opening below 1.7m above internal floor level, as a measure to protect neighbouring amenities from the perception of overlooking.

4) Landscaping

The building footprint remains unaltered from that previously approved. The proposed landscaping details and layout were assessed under the previous approval (P/3007/08) and have not been altered as part of the revised application. The appraisal of that application considered that overall a reasonable level of landscaping has been provided to maintain the present character and appearance of the area and ensure the proposal would not have a detrimental impact on visual amenity.

The Council's Landscape Architect was consulted and had no objections to the proposed landscaping scheme and the development is therefore considered acceptable in this regard.

5) S17 Crime & Disorder Act

It is deemed that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

6) Consultation Responses

The consultation response is noted. Given the established principle of development, the unchanged footprint, architectural style and materials the impact of the proposal on the character and appearance of the area is considered to be acceptable. Whilst the appraisal notes the additional height of the single storey front element of the proposed building, for the reasons outlined above, this is considered to be acceptable. Whilst the comment in relation to the submitted drawings is noted, the application is considered to represent a 'valid' planning application and should be determined.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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 shall not be carried out except in complete accordance with the approved plans, and approved details of external surface materials, boundary treatment and ground surfacing

REASON: To ensure a satisfactory form of development

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

(b) the boundaries

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.

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

(a) be of purpose-made obscure glass,

(b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

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

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

6 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.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 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.

4 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: 1070/P/2/1, 1070/P2/2, Design and Access Statement

72 LAKE VIEW, EDGWARE

Item: 2/19

P/0654/09/GC/E

Ward: CANONS

SINGLE/TWO STOREY SIDE, SINGLE STOREY REAR AND BASEMENT EXTENSIONS; CONVERSION OF GARAGE TO HABITABLE ROOM; EXTERNAL ALTERATIONS TO REAR PATIO

AGENT: DS Squared Architects – Mr. Dipesh Patel

APPLICANT: Mr Dhirajlal Shah

Statutory Expiry Date: 18-MAY-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development would achieve a high standard of design, whilst providing a subservient extension of the dwellinghouse which would preserve the character and appearance of the Conservation Area and the amenity of the neighbouring residents, thereby complying with the policies and provisions of the Harrow Unitary Development Plan 2004 and the Canons Park Estate Conservation Area Policy Statement 1990.

London Borough of Harrow Unitary Development Plan 2004

D4 – The standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

T13 – Parking Standards

Canons Park Estate Conservation Area: Designation and Policy Statement 1990

Supplementary Planning Guidance: Extension's – A Householder's Guide 2008

MAIN CONSIDERATIONS AND POLICIES (The saved policies of the London Borough of Harrow Unitary Development Plan 2004 and Canons Park Estate Conservation Area: Designation and Policy Statement 1990)

- 1) Character and Appearance and Quality of Design in a Conservation Area (UDP policies D4, D14 and D15, Canons Park Estate Conservation Area: Designation and Policy Statement 1990 & Supplementary Planning Guidance: Extension's – A Householder's Guide 2008)
- 2) Residential Amenity (UDP policy D5 and Supplementary Planning Guidance: Extension's – A Householder's Guide 2008)
- 3) Parking (UDP policy T13)
- 4) S17 Crime & Disorder Act (UDP policy D4)
- 5) Consultation Responses

INFORMATION

This application is reported to Committee at the request of a nominated member.

a) Summary

Statutory Return Type: Householder Development
Conservation Area: Canons Park Estate
Council Interest: None

b) Site Description

- The site is occupied by a dwellinghouse in the Canons Park Estate Conservation Area. The surrounding area is characterised by mature vegetation and tree lined avenues.
- The dwelling house is a large two-storey detached property, which replicates many of the features found in the Conservation Area with vertical tile hangings, hipped roof and timbers being the main features on the front elevation of the dwelling.
- The dwelling house extends to the boundary on the eastern side while the western side of the property remains open. An area of hard-standing has been created to the front of the dwelling.
- The dwelling at No.72 is set forward of the adjacent dwelling at No.74 by approximately 2m and has a similar building line to the adjacent property at No.70.
- The property features significant garden space to the rear and mature trees and close-boarded fencing enclose the garden to the west, south and east. The rear garden is set approximately 1 metre below the finished floor level of the dwelling and extends approximately 25 metres to the rear boundary of the property from the rear of the dwelling.
- The rear elevation has been extended to include a modest dormer on the rear roof slope. The rear elevation also features bay type rear projections on the western and eastern parts, which project approximately 2 metres beyond the rear wall of the dwelling. A balcony/veranda links these two elements at first floor level.

c) Proposal Details

- It is proposed to erect a single and two storey side extension adjacent to No.74, a single storey rear extension and basement extension.
- The front wall of the single storey side extension would be flush with the front wall of the existing dwelling and extend across 1.7m, abutting the boundary with No.74 and extend rearward by 3.4m to link in with the two storey side extension.
- The single storey side element would have a flat roof over to a height of 2.75m
- The proposed two storey side extension would be set back by 2m from the front wall of the existing dwelling and extend 1.7m across to abut the boundary with No.74.
- The two storey side element would have a pitched roof over to link in with the roof of the existing dwelling and would extend 8.75m to the rear to be flush with the existing original rear wall of the dwelling. Two rooflights are proposed in the side roofslope over the extension.
- The single storey rear extension would adjoin the side extension, abutting the boundary with No.74 and extending a maximum of 4m beyond the existing rearmost wall of the dwelling, including a 1m deep single storey conservatory element.

Item 2/19 : P/0654/09/GC/E continued/...

- The single storey rear element would be 3.1m high to a flat roof over and would extend almost the entire width of the dwelling house at 12m.
- A basement area is proposed beneath the rear part of the house, accessed internally via a spiral staircase, with stair access also to the rear garden. The basement would contain a gym and family room.
- It is also proposed to convert the existing garage to a habitable room, retaining the garage door in situ.

d) Relevant History

P/2648/08	Single storey side to rear extension	GRANTED 02-OCT-08
P/2957/04/DFU	Single storey front and side extension	REFUSED 19-MAY-05

Reasons for Refusal:

1. The proposed front and side extension, by reason of excessive bulk, prominent siting and inappropriate design, would result in loss of light and overshadowing, would be detrimental to the visual and residential amenities of the occupiers of the adjacent property, would detract from the appearance of the streetscene, the character and appearance of the property and would fail to preserve or enhance the character or appearance of this part of the conservation area.

P/0894/04/CFU	Front and side extension to garage and resurfacing of forecourt with crazy paving	REFUSED 14-JUN-04
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Reasons for Refusal:

1. The proposed front extension, by reason of excessive bulk and prominent siting, would be unduly obtrusive in the street scene, result in loss of outlook, light and overshadowing, and would be detrimental to the visual and residential amenities of the occupiers of the adjacent properties, and the character and appearance of the Conservation Area.
2. The proposed extension of the hardsurfaced car parking area in the front garden and the resultant loss of soft planted areas would be unduly obtrusive and detract from the appearance of the building and the character and appearance of the Conservation Area.

EAST/457/01/FUL	Single storey rear extension	GRANTED 06-JUL-01
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Design and Access Statement submitted

g) Consultations

Conservation Area Advisory Committee: Awaited

Notifications:

Sent: 5 Replies: 3 Expiry: 06-APR-09

Advertisement: Reason: Character of a Expiry: 30-APR-09
 Conservation Area

Summary of Responses:

- The size of the extensions would be excessive, and overdevelopment of the property, would detract from the character and appearance of the street scene and the Conservation Area, potential loss of privacy and light to both adjacent properties, potential for the construction of the basement to cause damage to the adjacent properties.
- One letter of support received.

APPRAISAL

1) Character and Appearance and Quality of Design in a Conservation Area

The single storey side extension would include a flat roof over and would not project forward of the existing single storey side projection. The proposed extension would include a window in the front wall to replace the door in the front elevation of the existing side projection. It is considered that the introduction of this window would not have a detrimental impact on the character and appearance of the dwelling and would preserve the character of the Conservation Area.

The proposed two storey side element would incorporate a pitched roof over that would continue the hipped roof of the existing dwelling. The first floor side element would be set back from the main front wall of the dwelling by 2m, in line with the front wall of the adjacent dwelling at No.74. As such the extension would not be highly visible when viewed from the street and would not have a harmful impact on the existing street scene. It is therefore considered that the proposed two storey side element would not be detrimental to the character and appearance of the existing dwelling and would preserve the character of the Conservation Area.

A single storey rear extension was previously approved under planning permission P/2648/08, granted 02/10/2009. The single storey rear element proposed under the current scheme differs from the one previously approved only in that it includes an extra glass conservatory projection of 1m in depth. Due to the absence of the single storey rear extension from any public viewing points, it is considered that the additional glass conservatory projection would not detract from the visual amenity of the area, preserving the character and appearance of the dwelling and that of the Conservation Area in accordance with Policies D4 and D15 of the HUDP (2004).

The application proposes the construction of a basement extension under the rear part of the dwelling and the existing patio. An entrance to this basement is proposed via a glass pod installed in the end of the rear patio, which when opened would lead to stairs down into the basement.

As this element of the proposal would be situated at the very rear of the dwelling and at a low level below the floor level of the existing dwelling and patio it would not be a highly visible or prominent feature and would not have a detrimental impact on the character and appearance of the existing dwelling or the conservation area in accordance with Policies D4 and D15 of the HUDP (2004).

Retention of the garage door as part of its conversion to a room would be in keeping with the character of the Conservation Area.

The Division's Conservation Officer was consulted on the proposal who considered that the revised scheme would preserve the character and appearance of the Conservation Area and is therefore acceptable.

2) Residential Amenity

The proposed side and rear extensions would abut the neighbouring boundary on the eastern side. The adjacent dwelling at No.74 includes a window in the front elevation that serves a dining room. The single storey side element would project beyond the adjacent front corner of the ground floor of dwelling at No.74 in the same way as an existing single storey side element at No.72 that is built to a similar height and projection as the proposed extension. It is therefore considered that this element of the proposal would not result in any additional harm to the living conditions at the front of No.74.

The first floor element would not overshadow any protected windows in No.74. Furthermore, no windows are proposed in the flank elevation so there would be no overlooking of No.74.

Although the proposed glass conservatory projection would add an additional 1m to the depth of the proposed single storey rear extension approved under the previous planning permission, this element of the proposal would not have a detrimental impact on the residential amenities of any neighbouring occupiers. This projection would be set away from the boundary with No.74 by 4.5m and would not therefore lead to an unacceptable level of overshadowing or overlooking to this property. Although the extension would only be 2m from the flank boundary with No.70, the presence of existing similar rear projections to the rear of No.70, and a boundary treatment consisting of a large brick wall and established vegetation, would prevent any undue overlooking and overshadowing of this property. Two windows provided in the flank wall of the proposed single storey rear extension would be obscured glazed and non opening.

There is not considered to be any detrimental impact on the residential amenities of any neighbouring occupiers as a result of the basement extension.

3) Parking

The proposal to convert the existing integral garage to a habitable room would result in the need for off street parking spaces to be provided within the hard surfaced front garden area. The dwelling currently provides a significant hard surfaced area to the front of the property with two vehicle crossings. It is considered that there is adequate hard surfacing to provide off street parking to serve the development.

4) S17 Crime & Disorder Act

It is deemed that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

5) Consultation Responses

- The potential impact on the neighbouring properties during the construction of the proposed basement is a matter for the Party Wall Act.
- The issues raised regarding the loss of light and privacy, and the impact of the proposal on the character and appearance of the existing dwelling, the street scene and the Conservation Area have been addressed in the report above.

CONCLUSION

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

CONDITIONS

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 and Country Planning Act 1990.

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

a: the extensions

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

REASON: To safeguard the appearance of the locality.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on approved plan no. 09002 p 01.02 Rev A shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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

a) be of purpose-made obscure glass,

b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

5 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 INFORMATIVE:

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

4 INFORMATIVE:

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan No.'s: 09002 P 01.01, 09002 P 01.02 Rev A, Design and Access Statement

6 VERNON DRIVE, STANMORE

Item: 2/20

P/0732/09/FOD/E

Ward BELMONT

SINGLE/TWO STOREY SIDE EXTENSION, CONVERSION OF EXTENDED DWELLINGHOUSE TO TWO DWELLINGHOUSES, EXTERNAL ALTERATIONS INCLUDING THE ADDITION OF A BAY WINDOW ON THE FRONT ELEVATION AND NEW VEHICULAR ACCESS (REVISED)

Applicant: Mr Dennis Bannister

Agent: Roger L Hammond

Statutory Expiry Date: | 15-JUN-09

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development would achieve a high standard of design in a way that makes efficient and effective use of land whilst contributing to the provision of additional 'homes' targets, as detailed in The London Plan 2008, and would be acceptable in relation to its impacts upon the amenities of the neighbouring residents and the character of the area.

National Planning Policy

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 3 – Housing

The London Plan 2008

3A.1 – Increasing London's Supply of Housing

3A.2 – Borough Housing Targets

3A.3 – Efficient use of stock

3A.4 – Housing Choice

3A.5 – Large Residential Developments

London Borough of Harrow Unitary Development Plan 2004

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

T13 – Parking Standards

C16 - Access to Buildings and Public Spaces

Supplementary Planning Guidance: Extension's – A Householder's Guide (2008)

Supplementary Planning Document: Accessible Homes (2006)

MAIN CONSIDERATIONS AND POLICIES (National Planning Policy, The London Plan 2008 and the saved policies of the London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Development (Planning Policy Statement 1, Planning Policy Statement 3, The London Plan policy and 3A.3)
- 2) Character and Appearance of the Area (The London Plan policies 3A.1, 3A.2, 3A.3, 3A.4, UDP policies D4, D9 and Supplementary Planning Guidance: Extension's – A Householder's Guide 2008)
- 3) Residential Amenity (UDP policy D5 and Supplementary Planning Guidance: Extension's – A Householder's Guide 2008)
- 4) Traffic and Parking (UDP policy T13)
- 5) Accessible Homes (The London Plan policy 3A.5, UDP policy C16 and Supplementary Planning Document: Accessible Homes 2006)
- 6) S17 Crime & Disorder Act (UDP policy D4)
- 7) Consultation Responses

INFORMATION

The application is referred to the Planning Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Minor Dwellings
Council Interest: None

b) Site Description

- Two storey semi-detached dwelling accommodated on a large wedged shaped site on the southern side of Vernon Drive near the intersection with Beverley Gardens.
- The dwelling has an existing single storey front extension, two-storey side and single storey rear extension as well as an attached garage on the western side of the dwelling.
- The site slopes gently downwards from north to south, with the finished floor level of the dwelling approximately 300mm below Vernon Drive.
- The neighbouring property to the east, No.4, has a two-storey side extension and single storey rear extension.
- The adjacent property at No.101 Beverley Gardens has existing single and two storey side to rear extensions.
- Close-boarded fencing encloses the side and rear gardens to the west and rear of the dwelling.
- Two trees of significant amenity value to Vernon Drive are sited on the grass verge to the front of the property though neither of these trees is subject to a Tree Preservation Order (TPO).

c) Proposal Details

- It is proposed to erect a single and two-storey side extension attached to the existing two-storey side extension and convert the extended dwelling house into two dwelling houses.
- The proposed single and two-storey side extension would remove the existing attached garage and would replicate the ridge height and pitch of the existing dwelling and existing two-storey side extension at 7.9 metres. The proposed additional side extensions would extend 3.1 metres westwards from the corner of the existing side wall of the dwelling.

- The two-storey side extension would have the same depth as the existing extension and dwelling house at 7 metres and extending a further 1.4 metres at single storey level.
- External alterations include the additional bay window on the front of the dwelling, which would not project forward of the existing bay on the eastern side of the dwelling nor link into the single storey front porch on the existing dwelling house.
- Bins would be stored within a timber clad bin store, sited 3.1 metres from the footpath for No.6. The bins for no.6a would be stored behind a fence on the western side of the dwellinghouse.

Revision to previous application (P/0036/09):-

- Design of front elevation changed
- Alteration to bin stores
- Vehicular crossover reduced in width

d) Relevant History

P/2227/08DFU	Single/two storey side extension, conversion of existing dwellinghouse into two dwellinghouses, external alterations	REFUSED 22-AUG-08
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Reasons for Refusal:

1. The proposed dwellinghouse by reason of its design, layout and siting would be out of keeping with the scale and appearance of development in the locality and provide an incongruous form of development to the detriment of the character of the existing house and the area, contrary to Policy D4 of the Harrow Unitary Development Plan (2004).
2. The proposed single/two-storey side extension in addition to existing extensions, by reason of excessive scale, bulk and prominent siting would be out of proportion with the house as originally constructed and would be incongruous and obtrusive in the streetscene to the detriment of the character and appearance of the area and the property, contrary to Policy D4 of the Harrow Unitary Development Plan and Supplementary Planning Guidance – “Extensions: A Householders Guide”.
3. The proposed front garden parking and bin storage layout would be cramped and would result in an excessive amount of hardsurfacing and inadequate provision of soft landscaping, which would be unduly obtrusive, to the detriment of the character and appearance of the area and the property, contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).
4. The proposed dwelling by reason of failure to demonstrate compliance with Lifetime Homes Standards would provide inadequate living accommodation and accessibility for all people contrary to Supplementary Planning Document: - “Accessible Homes”.

P/0036/09	Single/two storey side extension, conversion of existing dwellinghouse into two dwellinghouses, external alterations including the addition of a bay window at first floor level on the front elevation and new vehicular access (revised)	REFUSED 05-MAR-09
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Reasons for Refusal:

1. The proposed dwellinghouse, by reason of unsatisfactory design and detailing would be incongruous and obtrusive in the streetscene to the detriment of the character and appearance of the area and the existing dwelling house, contrary to Policy D4 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance – Extensions: A Householders Guide (2008).
2. The proposed vehicular crossing would contravene the maximum width permitted by the Council and is therefore prejudicial to highway safety, contrary to Policy T13 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

- None

f) Applicant Statement

- Proposal to construct two 3-bedroom houses
- Rear gardens and parking spaces provided for both houses

g) Consultations:

Traffic and Parking Engineer: No objection

Notifications:

Sent: 12

Replies: 1

Expiry: 13-MAY-09

Summary of Response:

Overdevelopment of the property; proposal would set a precedent for the area.

APPRAISAL

1) Principle of Development

Paragraph 27(viii) of PPS1 promotes the more efficient use of land through the use of suitably located previously developed land and encourages bringing vacant and underused previously developed land back into beneficial use and this is re-iterated in London Plan policy 3A.3. Annex B of PPS3 states that 'previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land'. As the site comprises an existing dwellinghouse, it is considered to be previously developed land for the purposes of PPG3 and therefore housing development is acceptable in principle.

2) Character and Appearance of the Area

The existing dwelling has previously undergone a two storey side extension with a continued, pitched roofline and single storey extensions to the front of the dwelling. The HUDP and the Council's SPG: Extensions – A Householder's Guide (2008) would normally require extensions to the dwelling to be subordinate and subservient to the original dwelling house in order to retain the character and respect the scale of the original dwelling house.

In this case, as previously proposed in planning application P/0036/09, the applicant has proposed to replicate the style of the existing dwelling and continue the ridgeline of the original dwelling house, in order to create an additional dwelling, No.6a, which could be viewed as original in the context of No.101 Beverley Gardens and No.6 Vernon Drive. The proposal would also provide elements, such as the bay window, that would replicate the adjoining dwellings. Whilst semi-detached properties are predominant along Vernon Drive and the surrounding residential area, it is considered that the introduction of a single terrace of 3 dwellings, which would be similar in appearance to the semi-detached properties in the area, would not lead to a discernable change in the character and appearance of the area. It is therefore considered, that in principle, the extension of the dwelling house, by replicating the ridge height of the original dwelling, and creating an additional dwelling on the site, would represent an acceptable form of development, subject to the development proposal meeting the standards of design and amenity set out with the HUDP (2004) and the Council's SPG's and SPD's.

As the proposed development attempts to create a dwelling house that would closely replicate the adjoining dwellings and create a development that would appear as an original dwelling when viewed within the streetscene, it is considered that the architectural and design detailing is important and should be of high standard, so that the development would not appear at odds with the adjoining dwellings or appear incongruous within the streetscene. The proposed front elevation would retain part of the existing single storey front extension. However, in a revision to the previously refused application P/0036/09, the bay window to the front of proposed new dwellinghouse, indicated as No.6a on the submitted plans, would not link into a single storey front extension, retaining the proposed front bay element as a prominent and important characteristic feature on the front of dwelling. It is considered that the proposed development would therefore respect the character and appearance of the original dwellinghouse whilst sitting comfortably in the context of the pair of dwellinghouses to which it would be attached, No.6 Vernon Drive and No.101 Beverley Gardens, in accordance with Policy D4 of the HUDP (2004) and the Council's Extensions SPG (2008).

The proposed single storey side extension would not be immediately visible within the streetscene and would form a subservient part of the dwelling house and is considered acceptable.

It is considered that the proposed front garden layouts would represent an improved appearance with a reduction in the amount of hardsurfacing to the front gardens of the existing dwellinghouse. Although the bin storage of No.6 is sited just 3.1 metres from the road, this siting is considered acceptable in this instance. Given the setting of the front garden approximately 300mm below the footpath at this point, it is considered, that with the addition of soft landscaping and planting on the front boundary and the addition of the proposed timber clad bin store, which could be dealt with by condition, the proposed bin storage would not be immediately visible in the streetscene. The applicant has indicated that the bin store for No.6a would be accommodated behind the garden fence to No.6a. It is considered that this siting would be significantly screened within the streetscene and would be acceptable in this instance.

The proposed extensions and conversion of the resultant dwellinghouse to two dwellings would increase the provision of housing stock within the borough. As detailed above it is considered that the proposed development displays a high standard of design, providing further housing choice and contributing to housing targets as set out with policy 3A.2 of The London Plan. As detailed below, it is considered sufficient amenity space would be provided for the potential occupiers of the properties, thereby making efficient and effective use of this developed land, in accordance with policy 3A.3 of The London Plan 2008.

3) Residential Amenity

The proposed single and first floor front extensions and single and two-storey side extensions would be largely buffered from the adjoining dwelling, No.101 Beverley Gardens, by the existing extensions to the dwelling and the bay window to the front of No.6 Vernon Drive and it is considered that the additional extensions and creation of a further dwelling house would not have an undue detrimental impact on the amenity of No.101 Beverley Gardens.

The proposed side extensions would be set away a minimum of 3 metres from the boundary with No.4. At the same point, the flank wall of the dwelling at No.4 is a further 1.5 metres off this boundary, meaning there would be a total separation distance of 4.5 metres. There is one window in the flank wall of No.4. This window serves a bedroom but is not a primary window and is therefore not considered protected. Given the oblique siting of the proposed extensions in relation to No.4 Vernon Drive and the compliance with the horizontal 45° code as set out within paragraph 3.14 of the Council's SPG, it is considered that the proposed development would not result in an overshadowing or overbearing effect on No.4. Although a window is proposed on the western flank wall between the ground and first floors of the proposed dwelling, it is considered that as the window would only serve a hallway, a condition requiring the window to be obscured would be sufficient to preclude any overlooking issues and would be attached to any notice of approval on the property. The proposed insertion of a window at ground floor level on the western flank wall would be set over 5 metres from the boundary with No.4 Vernon Drive and would not therefore result in overlooking of the neighbouring property.

The proposed extensions and conversion of the dwellinghouse to two dwellinghouses would result in rear garden space of approximately 86m² and 90m² being provided for No.6 and 6a respectively. It is considered that these areas would be sufficient to serve the requirements of the potential occupiers of the properties.

4) Traffic and Parking

The proposal would result in an additional dwellinghouse with both No.6 and 6a having 3 bedrooms. It is considered that the additional dwelling house on the site may result in additional parking pressures on the area. However, the applicant has indicated that 1 parking space of 4.8 x 3.3 metres would be provided for each dwelling and this is considered sufficient in order to serve the needs of the proposed occupants.

The revised crossover would be 3.6 metres at the footpath and widen to 5.4 metres to include the tapered crossover and it is considered that this width of crossover would not prejudice the safety of pedestrians or vehicular traffic in accordance with policy T13 of the HUDP (2004).

5) Accessibility

The proposed development would create an additional dwelling on the site and should therefore be considered, in accessibility terms, as a new build development. Although level access has not been indicated on the submitted plans, given the finished floor level of the proposed dwelling would be below that of the footpath to the front of the site, it is considered that this would be easily achievable on the site. Two parking spaces of 4.8 x 3.3 metres have been indicated on the site which is considered acceptable. The internal door widths for those rooms would be sufficient, complying with the provisions of Lifetime Homes as set out within the Council's SPD – Accessible Homes. A bathroom capable of conversion to a wet room has also been indicated.

6) S17 Crime & Disorder Act

It is considered that the proposed development does not have any adverse crime or safety concerns.

7) Consultation Responses

The proposed extension to the dwellinghouse has been designed to fit in with the existing neighbouring dwellings and the retention of the character of the adjoining dwellinghouses has been an important part in the design of the application. It is considered that in designing a proposal which would not be subservient to the original dwellinghouse but reflect the character of the adjacent dwellings that an acceptable proposal has been submitted. As discussed above, it is considered that the property would provide sufficient amenity space for the potential occupiers of the properties. It is considered, therefore, that an overdevelopment of the site would not occur as a result of the proposal.

Each application is assessed on its own merits and it is therefore considered that precedent would not be set by the proposed development.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

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

(a) the extension/building(s)

(b) the ground surfacing

(c) the boundary treatment including the materials to be used in the proposed bin store to No.6

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

REASON: To safeguard the appearance of the locality.

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

REASON: To safeguard the character of the area and the amenity of the neighbouring occupiers by restricting the amount of site coverage and size of dwelling and hardsurfacing in relation to the size of the plot and availability of amenity space and soft landscaping.

4 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

5 The window(s) in the landing flank window of the proposed development shall:

(a) be of purpose-made obscure glass,

(b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

6 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

8 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgarden> s.

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

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

10 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 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.

Plan Nos: 07/1116/01, 02, 03 Rev D, 04 Rev D, 05 Rev C, Site Plan, Design and Access Statement

4 AYLWARDS RISE, STANMORE, HA7 3EH

Item: 2/21

P/4010/08/ML1/W

Ward STANMORE PARK

DETAILS PURSUANT TO:

CONDITION 1(i-v) FOR (i) THE COLOUR OF THE WALLS OF THE HOUSE AND GARAGE; (ii) THE COLOUR AND MAKE OF THE CLAY ROOF TILES OF THE HOUSE AND GARAGE; (iii) THE WINDOW CILLS AND FACINGS; (iv) THE GROUND SURFACING MATERIAL; (v) THE BOUNDARY TREATMENT; AND

CONDITION 9(i) FOR A TIMETABLE OF THE WORKS REQUIRED BY CONDITIONS 2 AND 3

OF PLANNING PERMISSION APP/M5450/C/07/2053532, GRANTED 24 APRIL 2008

Applicant: Dr Abhay Shah

Agent: David R Yeaman & Associates

Statutory Expiry Date: | 23-FEB-2009

RECOMMENDATION

1. **APPROVE** the details submitted pursuant to the condition 1(i-v).
 2. **APPROVE** the timetable for the works required by conditions 2 and 3 in accordance with condition 9(i).
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MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D9)
- 2) Timetable of Works Required by Conditions 2 and 3
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

At the meeting of the Strategic Planning Committee on 22nd April 2009 consideration of this submission, which was recommended for refusal, was deferred at the request of the applicant.

Since the deferral of the submission, additional information, including samples, have been received and the proposals are now re-presented to the Committee for consideration.

This submission is reported to the Committee under proviso F of the Schedule of Delegation issued 19th April 2007.

a) Summary

Statutory Return Type: Minor Dwellings

Council Interest: None

b) Site Description

- The site is a roughly rectangular piece of land, set at the top of Aylwards Rise.

- Aylwards Rise is a cul-de-sac of 9 detached houses accessed from Aylmer Drive.
- The rear of the site abuts Little Common Conservation Area.
- The site is approximately 43m deep on the boundary with Nos.20, 21 & 22 Fallowfield, 27m wide on the boundary with No.3 Aylmer Close, 49m deep on the boundary with No.3 Aylwards Rise and 38m wide on the boundary with No.5 Aylwards Rise.
- The property occupies a position set at an angle to the corner of the road, further forward than the frontage of No.3 Aylwards Rise.
- The property is sited approximately 7.75m from the common boundary between Nos.4 and 5 at its closest point.
- The surrounding area is comprised of large detached family houses set in landscaped gardens with substantial tree blocks and individual tree masses forming the backdrop to the area and providing privacy and separation between dwellings.
- The property is currently finished with a rusticated render on the ground floor, with a plain render finish on the first floor, with stone cill and window facings.
- The property is currently roofed in a red plain clay tile.
- Materials used for the surrounding houses comprise of a mix of facing brickwork, render and a mixture of clay and concrete roof tiles.
- Surrounding houses are of a variety of styles, no two houses displaying the same characteristics.
- A number of neighbouring properties have been extended or rebuilt over the years including the adjacent property No.3 which has recently been rebuilt, other surrounding properties have been extended by a mixture of two-storey and single-storey additions including the adjacent property No.5 Aylwards Rise.
- In relation to levels, the application property is set on the highest corner of the land of Aylwards Rise.

c) Proposal Details

The proposal is for the approval of the required details to be submitted under condition 1, alongside approval of the proposed timetable for carrying out the works required by conditions 2 and 3 of planning permission APP/M5450/C/07/2053532, granted 24th April 2008.

Condition 1 states:

1) Details and samples of:

- i. the colour of the walls of the house and garage;
- ii. the colour and make of the clay roof tiles of the house and garage;
- iii. the window cills and facings;
- iv. the ground surfacing material; and
- v. the boundary treatment;

shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out and retained thereafter.

Condition 2 states:

2) The windows in the dwellinghouse shall be replaced and relocated to accord with those shown on drawing no. ARP/TP/6A and retained thereafter.

Condition 3 states:

3) All the first floor bathroom windows shall be fitted with obscure glazing, be permanently fixed closed below a height of 1.8m above finished floor level, and retained in that condition.

The planning permission does not require (or entitle) the local planning authority to consider any submissions in respect of conditions 2 and 3 directly. However, in granting planning permission, the Inspector by way of condition 9 (i), required the submission of a timetable for the works necessary for compliance with conditions 2 and 3 to be submitted to the local planning authority for written approval.

Condition 9(i) states:

9(i) Within eleven months of the date of this decision the schemes referred to in conditions nos.1 and 4 above shall be submitted for the written approval of the local planning authority and the schemes shall include a timetable for their implementation; the timetable shall include the works required in conditions nos. 2 and 3 above.

This report therefore considers the details and samples required by condition 1, but only the timetable for the works required by conditions 2 and 3.

d) Relevant History

P/2712/05/DFU	Replacement two storey detached house with detached garage.	GRANTED 17-MAR-06
P/979/06/DFU	Replacement two storey house with rooms in roofspace and detached garage.	GRANTED 07-JUN-06
ENF/0282/07/P	Enforcement notice regarding the alleged demolition of a two-storey house and the construction of a replacement detached two-storey house and garage which is outside the scope of planning permission P/979/06/DFU.	APPEAL APP/M5450/C/07/ 2053532 ALLOWED, PLANNING PERMISSION GRANTED 24-APR-08
P/3622/08	Details of hard and soft landscaping pursuant to condition 4 of planning permission APP/M5450/C/07/2053532, granted 24 April 2008.	APPROVED 13-MAY-09
P/3603/08	Retention of 4 air-conditioning units on rear elevation, with acoustic panel screen.	GRANTED 15-MAY-09

e) Pre Application Discussion

- None.

f) Applicant Statement

The Applicant states that the reference to drawing ARP/TP/6A in condition 2 of the appeal decision is incorrect and that the correct reference is ARP/TP/6C.

Notwithstanding this observation, the planning permission granted at appeal by the Inspector cannot be changed. Whilst it is acknowledged that compliance with the requirements of the drawing listed may be difficult, the LPA is not, through the submission of details, entitled to consider any alternative drawing in the pursuit of its obligations under the planning permission.

It would be for the applicant to address any perceived shortcomings in the planning permission granted at appeal by way of the proper legislative provisions, through S73 of the Town and Country Planning Act.

g) Consultations:

First notification:

Sent: 13	Replies: 2 + 7 signature petition of objection	Expiry: 27-JAN-09
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Second notification:

Sent: 13	Replies: 6 + 7 signature petition of objection	Expiry: 03-APR-09
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Third notification:

Sent: 13	Replies: Awaited
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Summary of Response:

Property built contrary to a covenant on the land; House is different to that approved by the Council; House is out of character with the street and nothing will reduce its prominence; Tiles have not weathered to look like others in the street; Treating the tiles is ridiculous, how long would the effects of the process last for?; Wall colour needs to be toned down so that the building assimilates into its context and is therefore more sympathetic to its surroundings; Treatment of the roof tiles suggests they are inappropriate; The use of marble for the window cills and facings is inappropriate and inconsistent with drawing ARP/TP/6A; Permeability of ground surfacing and details regarding proposed pump are unclear; Only propose to replace first floor windows but the appeal decision requires all windows to be replaced as per drawing ARP/TP/6A; Soft landscaping along boundaries with adjacent properties is inadequate, in terms of species, height and location the proposals will not provide effective screening to adjacent properties and gardens; Portico should not be treated as a minor amendment; Original intent was to accommodate air conditioning units within the property, this is therefore where they should be relocated as opposed to attempting to mitigate their siting; Previous objections stand, consider that the amendments do not overcome the Inspector's concerns as represented in the appeal decision; Occupiers of 5 Aylwards Rise have stated that they will forward further comments in response to the most recent set of drawings; Previous comments still stand despite amendments, object to the revised scheme;

Proposed roof treatments are totally ridiculous, colour, ageing or weathering comes over years or at time of manufacture, tiles are still as new and totally out of place, what type of guarantee is the manufacturer giving if the process is used, rain will wash manure or yoghurt away; What has been applied for permission regarding the front gateposts?; Object to a timber close boarded fence along the boundary with No.5 as it will detrimentally impact the rhododendron hedge along this boundary, not possible to erect a fence along the boundary without damaging this hedge which is the property of No.5; Inspector did not accept the clay roof tiles used (paragraph 29 of the decision letter) and was not persuaded they would fade over time, Application of yoghurt and cow manure to the existing tiles falls woefully short of what is acceptable. 'Treated' sample showed no discernible difference from the tile without it, therefore object to the proposed treatment of the existing clay tiles, only solution replace them with some more sympathetic to the locality. No indication of when tile works would be timetabled, contrary to Condition 9 of the 2008 permission, therefore is unacceptable; Wish to see all the walls painted as soon as any permission is obtained and would therefore object to nothing being done until November 2010, the painting of the major part of the external walls can be done immediately notwithstanding that alterations have to be made to all the windows at a later date. Proposed timetable for obscure glazing and window cills is unacceptable, Applicants have known about the need to provide details of the window cills and facings for 12 months; Condition 2 seeks replacement of the windows and a relocation in accord with the positions approved in the previous permission was imposed to secure this, no details of the replacement windows have been submitted and the condition is in effect breached and this is unacceptable, failing to mitigate the impact of the dwelling as constructed; Note reference to gateposts, fall outside any reserved matters submissions and cannot be considered, expect such works will be subject to a separate planning application and would therefore reserve comments; No. 4 is described as being situated less than 10m from the common boundary with No. 5, this distance should be confirmed exactly as it is misleading; Support the recommendation to refuse this application, urge the Committee to support the recommendation; The wrought iron railings along the boundary between Nos.3 & 4 have been replaced by a wooden fence, has permission been granted for this fence and will it be maintained? House is too big for close and therefore whatever colour is proposed the expanse is too much; Roof needs to be re-tiled to tone in with houses in the close; Overlooking of Nos.3 and 5.

APPRAISAL

1) Character and Appearance of the Area

Details and samples of the proposed materials of the dwellinghouse have been submitted to the Council in accordance with Condition 1 of the appeal decision. The colour of the walls of the house and garage proposed is Dulux 'Chalky Downs 4' (Ref. 30YY67/084). This colour is considered to be a more sympathetic cream colour, as suggested would be suitable by the appeal decision, and so is considered to be acceptable in terms of its impact upon the character and appearance of the area. This element of the scheme is timetabled to be implemented by 28th February 2010.

In relation to the submitted details of the colour and make of the clay roof tiles of the house and garage pursuant to condition 1, the Applicant is now proposing to replace the existing roof tiles (rather than to 'weather' their appearance) with new Redland 'Medium Mixed Brindle' Colour Code 82 tiles. These tiles are darker in colour with a predominantly brown appearance in comparison to the red base of the existing tiles. This is considered to be an acceptable tile having regard to the tone of the roofs of houses in the area and reflects the aims of the condition in this regard as explained by the Inspector in paragraph 29 of the appeal decision. This element of the scheme is timetabled to be implemented by 30th November 2009.

The window cills and facings (surrounds) are proposed to remain in the existing cream marble. Whilst this material is considered to be acceptable, having regard to the other materials proposed, condition 2 of the planning permission requires works to the windows to reduce the dominance of the surrounds and cills. This is because the Inspector concluded that 'The large windows that have been inserted have stone cills and facings and in my opinion are an over dominant feature in the design of the building which results in it being out of keeping with the area where in the main windows are not so large or prominent' (Appeal decision, paragraph 27). Condition 1 requires consideration of the materials comprising the window cills and facings. Whilst the comments with regard to the appropriateness of the surrounds are noted, the revisions to the design of the windows is a separate matter considered to be addressed by condition 2 of the planning permission. Comments have been made by the applicant's agent in connection with the plan number referred to by the Inspector. This is not however a matter before the Committee. It is considered that the window cills and facings materials would complement the proposed new wall colour and so would be acceptable in terms of the impact upon the character and appearance of the area. This element of the proposal is timetabled to be carried out by 28th February 2010.

The proposed ground surfacing pursuant to condition 1 of the appeal decision would primarily consist of three materials for which samples have been submitted, Limestone Paving which would be used for the pathways around the house and the threshold to the driveway entrance, 'Charcon Woburn Infilltra Autumn' block paving in three sizes for the driveway, and 'Golden Resin Bound Gravel' for the central pathway in the rear garden. The Council's Landscape Architect is satisfied that the materials and methods proposed will ensure that the ground surfacing will be acceptable in terms of drainage and surface water run off. The materials and colours of the ground surfacing proposed are considered to be acceptable in terms of their impact upon the character and appearance of the area. These ground surfacing works are timetabled to be completed by 1st June 2010, in line with the hard landscaping works approved as part of the submission P/3622/08.

The proposed boundary treatment pursuant to condition 1 of the appeal decision is to retain the existing boundary timber fences, chainlink fences and walls, replacing any damaged sections of the waney lap fence marking the boundary with Nos.20 & 21 Fallowfield where necessary. This is considered to ensure the acceptability of this element of the proposal in terms of its impact on the character and appearance of the area.

Any works required will be completed by 1st June 2010. It is noted that the Applicant has stated that they wish to retain the completed gate post on the front boundary and to complete construction of and retain the unfinished gate post. However, as full plans of the proposed works have not been provided the Council is unable to include consideration of these elements of the boundary treatment within this submission. A separate planning application will therefore be required for completion and retention.

2) Timetable of Works Required by Conditions 2 and 3

Condition 9(i) required a timetable for the works required in conditions 2 and 3 of the appeal decision be submitted for the written approval of the local planning authority. In terms of works proposed to replace and relocate the windows in the property in accordance with condition 2, this is proposed to be carried out by 28th February 2010. In terms of works proposed to obscure glaze and fix shut the bathroom windows in the property at first floor level below a height of 1.8m above finished floor level in accordance with condition 3 this is also proposed to be carried out by 28th February 2010.

3) S17 Crime & Disorder Act

It is considered that this submission would not have any detrimental impacts upon community safety and is therefore acceptable in this regard.

4) Consultation Responses:

With regards to the representations received these have been considered in reaching the conclusions above. In order to assist the Committee's consideration of these extensive responses further comment is provided below on specific points.

- *House is different to that approved by the Council; House is out of character with the street and nothing will reduce its prominence; House is too big for close and therefore whatever colour is proposed the expanse is too much – The dwellinghouse as built was granted planning permission at appeal, the Inspector considering that any detrimental impacts could be overcome by compliance with the conditions attached to the appeal decision.*
- *The use of marble for the window cills and facings is inappropriate and inconsistent with drawing ARP/TP/6A – The drawing does not specify the materials to be used for the window cills and facings.*
- *Object to a timber close boarded fence along the boundary with No.5 as it will detrimentally impact the rhododendron hedge along this boundary, not possible to erect a fence along the boundary without damaging this hedge which is the property of No.5 – Branches and foliage would need to be cut back where they overhang the boundary into No.4, however this would be within the common law rights of the applicant and it is considered that the fence could be installed without damaging the hedge.*
- *Condition 2 seeks replacement of the windows and a relocation in accord with the positions approved in the previous permission was imposed to secure this, no details of the replacement windows have been submitted and the condition is in effect breached and this is unacceptable, failing to mitigate the impact of the dwelling as constructed; Only propose to replace first floor windows but the appeal decision requires all windows to be replaced as per drawing ARP/TP/6A; Overlooking of Nos.3 and 5 –*

Conditions 2 and 3 do not require the submission of any details of the replaced and relocated windows or of the obscure glazing of first floor bathroom windows. These issues are outside of the scope of this submission.

- *The wrought iron railings along the boundary between Nos.3 & 4 have been replaced by a wooden fence, has permission been granted for this fence and will it be maintained?* – The low wall with wooden fence above along this boundary is included within this submission as part of the proposed boundary treatment and, having regard to the character and appearance of the area, is considered to be acceptable. Future maintenance is a matter for the owners of Nos.3 & 4.
- *Portico should not be treated as a minor amendment* – It is considered that the proposed changes to the front elevation are material and so would require the submission of a separate planning application.
- *Property built contrary to a covenant on the land* – This is not a material planning consideration.
- The following issues are considered to have been addressed by amendments to the submission:
Tiles have not weathered to look like others in the street; Treating the tiles is ridiculous, how long would the effects of the process last for?; Treatment of the roof tiles suggests they are inappropriate; Proposed roof treatments are totally ridiculous, colour, ageing or weathering comes over years or at time of manufacture, tiles are still as new and totally out of place, what type of guarantee is the manufacturer giving if the process is used, rain will wash manure or yoghurt away; Inspector did not accept the clay roof tiles used (paragraph 29 of the decision letter) and was not persuaded they would fade over time, Application of yoghurt and cow manure to the existing tiles falls woefully short of what is acceptable. ‘Treated’ sample showed no discernible difference from the tile without it, therefore object to the proposed treatment of the existing clay tiles, only solution replace them with some more sympathetic to the locality. No indication of when tile works would be timetabled, contrary to Condition 9 of the 2008 permission, therefore is unacceptable.
- *Details regarding proposed pump are unclear; Soft landscaping along boundaries with adjacent properties is inadequate, in terms of species, height and location the proposals will not provide effective screening to adjacent properties and gardens; Original intent was to accommodate air conditioning units within the property, this is therefore where they should be relocated as opposed to attempting to mitigate their siting* – These matters are not relevant to this submission and apply to the determined applications P/3603/08 and P/3622/08:

CONCLUSION

This submission deals with specific elements pursuant to conditions attached to a planning permission by a planning Inspector. That planning permission followed enforcement action by the Council against unauthorized development.

Harrow Council as Local Planning Authority is not entitled, as part of the consideration of matters required by conditions, to revisit the planning permission or the planning conditions and their specific requirements.

Item 2/21 : P/4010/08/ML1/W continued/...

In considering the details provided pursuant to condition 1 and condition 4 of that planning permission the Council may consider only those matters directed by the permission.

There remains concern and dissatisfaction (evidenced in the representations) around the Inspectors decision. For the reasons outlined in this report, however, the details submitted pursuant to conditions 1(i-v) and 9(i) are considered to be acceptable and approval is accordingly recommended.

Plan Nos: 605.1H;
Samples of:
Charcon Woburn Infilltra Autumn block paving (three sizes) – Driveway
Limestone Paving – Pathways and threshold to the driveway entrance
Golden Resin Bound Gravel – Central pathway in rear garden
Marble – Window cills and facings
Stained timber – Boundary fence
Dulux 'Chalky Downs 4' (Ref. 30YY67/084) – Walls of house and garage
Redland 'Medium Mixed Brindle' Colour Code 82 tiles – Roof of house and garage

Item: 2/22
ROXBOURNE MIDDLE SCHOOL, P/1119/09/SM/W
TORBAY ROAD, HARROW

Ward RAYNERS LANE
TWO STOREY INFILL REAR EXTENSION TO MAIN SCHOOL BUILDING (BLOCK A) COMPRISING SIX REPLACEMENT CLASSROOMS AND ASSOCIATED WORKS/FACILITIES (INCLUDING AIR HANDLING UNIT AND DUCTWORK ON ROOF)

Applicant: Harrow Council
Agent: David Kann Associates
Statutory Expiry Date: | 10-JUL--09

RECOMMENDATION

Under Regulation 3 of The Town and Country Planning General Regulations 1992, **GRANT** permission for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004] (listed below), and to all relevant material considerations, to meet the Vision of the Council in maintaining high standards of schools, as detailed in Harrow's Sustainable Community Strategy [Mar 09], and any comments received in response to publicity and consultation:

The London Plan [2008]

3A.24 – Education Facilities
4A.3 – Sustainable Design and Construction
4B.1 – Design Principles for a Compact City
4B.5 – Creating an Inclusive Environment

London Borough of Harrow Unitary Development Plan [2004]:

D4 – The Standard of Design and Layout
C7 – New Educational Facilities
C16 – Access to Buildings and Public Spaces
EP25 – Noise

Supplementary Planning Document: Access for All (2006)

Harrow's Sustainable Community Strategy [Mar 09]

MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & saved policies of The London Borough of Harrow Unitary Development Plan 2004]

- 1) Principle of Development and Land Use** (London Plan Policy 3A.24, UDP policy C7)

- 2) **Quality of Design and Accessibility** (London Plan Policy 3A.24, 4B.1, 4B.5 and UDP Policies D4 and C16)
- 3) **Neighbouring Amenity** (UDP policy D4 and EP25)
- 4) **Section 17 Crime & Disorder Act** (UDP policy D4)
- 5) **Consultation Responses**
None received

INFORMATION

a) Summary

Statutory Return Type: Minor other
Site Area: 15,988 m²
Council Interest: Council-owned property

b) Site Description

- School situated in predominantly residential area.
- Field End Recreation Ground abuts the western boundary of the site.
- The site is occupied by First and Middle School consisting of mainly 2 storey buildings plus single storey prefabricated mobile classrooms.
- Access to site is gained via a driveway from Torbay Road. There is also a rear access from Waverley Road.

c) Proposal Details

- Two storey infill extension attaching to rear wall of main school building. The total floor area proposed is approximately 668 square metres.
- The infill extension would provide six replacement classrooms with associated storage areas and facilities.
- The six replacement classrooms replace the four classrooms and related facilities from the pre-fabricated link block demolished in March 2008 and two classrooms currently accommodated in mobile classrooms
- The two storey infill extension would have a width of 23.29m, a depth of 15.4m with flat roof over to a height of 7.6m.
- An air handling unit and associated ductwork is proposed on the roof of the extension.

d) Relevant History

WEST/265/02/L A3	SINGLE STOREY EXTENSION	GRANTED 05-AUG-02
P/843/03/CFU	PROVISION OF SINGLE STOREY CLASSROOM BUILDING	GRANTED 01-AUG-03
P/1711/05/CLA	SINGLE STOREY EXTENSION TO EXISTING DETACHED BUILDING	GRANTED 12-OCT-05

e) Pre-Application Discussion

The proposal was discussed at a pre-application meeting with Mr Frank Stocks [Senior Professional] on 23 October 2008 and was considered acceptable in principle. [PAM/ENQ/4662/23/10/2008].

f) Applicant Statement

- The proposed development is for a new extension (Block A) containing six replacement classrooms, related facilities and associated works.
- The extension provides a permanent structure fully integrated into the School, to replace the four classrooms and related facilities from the pre-fabricated Link Block demolished in March 2008 and two of the classrooms currently poorly accommodated in mobile classrooms located in the school grounds.
- The present planning application is intended to be the first phase of many phases of development, as identified in a Strategic master plan for this school site as commissioned by Harrow Council.
- The applicant is in no doubt that the proposed development will comply fully with all Central and Local Government Planning Guidelines and has gone to great lengths to ensure that the application demonstrates this in all respects.
- The proposed development, by reason of its layout, access and scale would not be visually obtrusive nor out of character with neighbouring properties as it completely respects the scale and massing of those properties.
- The development is not detrimental to the visual amenities of the neighbouring residents and character of the area and not contrary to the Council's UDP.

g) Consultations:

Environmental Health – conditions recommended
Drainage Engineer – conditions recommended

Notifications:

Sent: 0 Replies: 0 Expiry: N/A
Site Notice: 22-JUN-09

Summary of Response:

- None received so far

APPRAISAL

1) Principle of Development and Land Use

The proposed extension of the school and associated works are required to serve the existing pupils. The proposal will upgrade and replace existing temporary facilities to meet the School's aspirations in providing education in quality classroom accommodation.

The proposed extension is considered acceptable in principle in terms of scale and design, in accordance with Policy D4 of Harrow's UDP [2004] and the land use would not deviate from the existing use on the site. Indeed the proposal is supported by UDP policy C7. The Proposals Map in Harrow's UDP indicates the site as white land [non-designation]. Accordingly, there are no specific policy constraints in The London Plan [2008] or Harrow's UDP [2004] connection to the proposal that would preclude its development. Essentially, the proposal is supported by Policy 3A.24 of The London Plan [2008].

The proposal contributes towards key themes of Harrow's Sustainable Community Strategy [Mar 09]. The Community Strategy sets out a vision for the Borough to 2020. One of the key themes of the Community Strategy is 'Every Harrow Child'. The Vision states:

'Harrow will be a place where children and young people are healthy and safe and stay healthy and safe, where they are encouraged and helped to enjoy living, learning playing and growing and to achieve while doing so, where they can make a positive contribution to their own futures and to the future of their borough and the community generally, and where they can successfully prepare for and engage in activities to enjoy economic wellbeing.'

This Vision identifies the importance of the development of children and young people in the Borough, to ensure they have access to education opportunities and are healthy and safe as well as promoting social opportunities. The proposal for new and modern classroom accommodation supports this Vision. Consequently, Roxbourne First and Middle School will represent a much-improved education facility, in which children will be able to learn and develop.

2) Quality of Design and Accessibility

Policy D4 of the UDP requires the Council to take into account:

- (a) The site and setting;
- (b) Context, scale and character;
- (c) Public realm;
- (d) Energy efficiency, renewable energy, sustainable design and construction;
- (e) Layout, access and movement;
- (f) Safety;
- (g) Landscape and open space;
- (h) Adequate refuse storage.

The proposed two storey infill extension would complement the main building and is therefore considered to be in-keeping with the surrounding area. It is considered that the proposal would have regard to the scale of the surrounding built environment as it would be subordinate to the main school two storey building and would therefore not be overbearing or unduly bulky.

The proposal would not increase the intensity of the school use as the extension would provide a permanent replacement for two of the existing temporary classroom buildings on the site and a link block which was demolished in 2008. It therefore considered that the proposal would not increase the parking requirement on the site. The proposal would not block any existing parking area or driveways. It is considered that the requirement for refuse storage would not be increased as a result of the proposal.

The proposal would achieve a BREEAM rating of Good. A Good rating provides an overall level of sustainability that exceeds the current United Kingdom Building Regulations standard. The proposal would therefore have a minimal impact on the surrounding environment and is therefore considered to be acceptable.

The proposal would not result in the loss of onsite landscaping as it would be constructed over a tar sealed playing area. There is a large playing field adjacent to the location of the infill extension, which extends the full width of the site. There are also other tar sealed playing areas on the site. It is therefore considered that the proposal would not result in an unreasonable loss of open space.

It is considered that the proposed air handling unit/ductwork would be in keeping with the character of the site and that of the locality. It would be located on the roof of the two storey rear extension and would not be highly visible from street level. It would not unduly detract from the character and appearance of the building and the surrounding area and is therefore considered to be acceptable.

It is therefore considered that the proposal would meet policy D4 of the HUDP and would therefore not have an undue impact on the character and appearance of the site or the area. In addition, it is considered that the proposal maximises the potential of the site and respects London's built heritage and is therefore considered to be in accordance with London Plan Policy 4B.1.

The proposed extension would be accessible from street level and would allow adequate access and movement on the site. Disabled WC's would be provided adjacent to each of the new ground floor classrooms and one of the second floor classrooms. It is considered that the proposal would meet London Plan policy 4B.5 and HUDP policy C16 and therefore would be acceptable.

3) Neighbouring Amenity

It is considered that the proposed building would not have an adverse effect on neighbouring amenity. The proposed development would infill the space between the north east and south west wings of the original school building and would face the playing grounds. It would be located approximately central to the site and being spaced well away from surrounding residential properties, it would have no undue impact on residential amenity.

Policy EP25 of the HUDP requires the Council to take into account noise and vibration levels likely to result from a proposal. The proposed air handling unit and associated ductwork would be located on the roof of the two storey infill extension, which would be located more than 50m from the closest residential dwellinghouse, which is considered to be an acceptable separation distance. It is considered that the proposal would meet policy EP25 of the UDP and is therefore considered that there would be no unreasonable impact on the neighbouring residential sites. Environmental Health have no objection to this element of the proposal subject to conditions.

4) Section 17 Crime & Disorder Act

It is considered that the proposal would not have any detrimental impact upon community safety and is therefore acceptable on these grounds.

5) Consultation Responses

- None so far

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**, subject to the following conditions.

CONDITIONS

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

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

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

REASON: To safeguard the appearance of the locality.

3 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.

4 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water 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.

5 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.

6 The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 during which plant is or may be in operation. Following installation but before the new plant comes into operation, measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

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7. All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

Plan Nos: KHP/RS/20 REV B, KHP/RS/21 REV A, KHP/RS/22 REV A, KHP/RS/23 REV A, KHP/RS/24, KHP/RS/25, KHP/RS/26 and Design & Access Statement.

10 OXFORD ROAD, HARROW

Item: 2/23

P/2888/08/ML1

Ward **MARLBOROUGH**

**CONVERSION TO TWO FLATS; SINGLE & TWO STOREY REAR EXTENSION;
PARKING AT REAR**

Applicant: Mr James McHugh

Agent: Mr Michael Cusack

Statutory Expiry Date: | 28-NOV-08

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, subject to the conditions.

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals in the London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development makes efficient use of land whilst contributing to the provision of additional 'homes' targets, as detailed in the London Plan 2008, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character of the area.

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

SPG Extensions: A Householders Guide (2008)

T13 Parking Standards

H10 Maintenance and Improvement to Existing Housing Stock

Supplementary Planning Guidance Extensions: A Householders Guide (2008)

Supplementary Planning Document Accessible Homes (2006)

London Plan: 3A.1, 3A.5

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1)** Character and Appearance of the Area (3A.1) (D4, D5, D9, SPG)
- 2)** Residential Amenity (D5, SPG)
- 3)** Parking (T13)
- 4)** Accessibility (3A.5) (SPD)
- 5)** S17 Crime & Disorder Act (D4)
- 6)** Consultation Responses

INFORMATION

This application is reported to committee at the request of a nominated member.

a) Summary

Statutory Return Type: Minor Dwellings

Council Interest: None

b) Site Description

- Subject site is located on the eastern side of Oxford Road on the corner of the junction with Dorset Road to the north.
- The site is occupied by a two storey, four bedroom end of terrace dwelling with a small single storey rear extension and parking area at the end of its rear garden fronting onto Dorset Road, the existing crossover to which was approved by the Council's Highway Department in 2006.
- There is a low wall and high hedge marking its small frontage.
- The attached dwelling at No.8 has a two storey rear extension set away from the boundary with the adjoining property.
- There is a door and first floor window in the flank wall of the property facing Dorset Road.
- The property has an approximately 18m deep rear garden.

c) Proposal Details

- Convert the dwelling into two self contained flats, comprising 2 x 2 bedroom units, one on the ground floor and one on the first floor.
- A single and two storey rear extension, the single storey element being 2.4m deep along the boundary with the adjoining property and stepping out at a distance of 2.1m from the boundary to a maximum depth of 3.4m.
- The two storey section would be 2.4m deep, the first floor element being 3.85m wide and set 0.5m from the detached flank wall of the building and 2.7m from the party wall.
- Access to the rear garden would be provided from the first floor flat via a gate in the property's side boundary fence from Dorset Road, the rear garden being split between the two flats proposed.
- The provision of refuse storage in the rear gardens close to the boundary with Dorset Road.
- Reintroduction of soft planting on the frontage and retention of the existing low wall and hedge.
- The provision of two parking spaces, one of which would be wheelchair accessible, at the rear of the property utilising the existing crossover from Dorset Road.
- Access to the ground floor flat would be via the existing door in the flank wall of the property, the first floor flat gaining access via the existing door in the property's front elevation.

d) Relevant History

- None

e) Pre-Application Discussion

- None

f) Applicant Statement

- Design and Access Statement and Lifetime Homes compliance information submitted.

g) Consultations:

Highways Officer – No objection.

Notifications:

Sent: 10

Replies: 5

Expiry: 12-NOV-08

Summary of Responses:

Will result in additional parking pressure in light of proposed CPZ; Crossover onto Dorset Road built without planning permission?; Loss of family homes in the area; Will not give a good quality of life to tenants; Detrimental to quality of life in the locality due to extra cars and bins; Disappointing to see loss of family homes on Harrow's County roads; New flats elsewhere in the Borough more than satisfy the demand; Too many flats in the area which makes parking difficult; Destroying the character of the neighbourhood; Already pressure on local facilities.

APPRAISAL

1) Character and Appearance of the Area

The conversion of this four bedroom end of terrace property into two, two bedroom flats is considered not to have any detrimental impact upon the character and appearance of the area, the conversion not detrimentally increasing the intensity of use of this property as it would potentially accommodate a similar number of residents as the existing property.

The submitted plans show refuse storage areas in the rear gardens accessed independently via the side of the property, thereby avoiding any siting of bins on the frontage or the boundary with the adjacent property which would be unduly obtrusive. In line with policy D9 an improvement in terms of the streetscene appearance would be achieved through the provision of additional soft landscaping in the front garden of the property. The location of the two parking spaces at the rear of the property ensures that they would not be of detriment to the character and appearance of the area, the end of the rear garden being hardsurfaced at present.

The proposed single and two storey rear extension is considered not to have a detrimental impact upon the character and appearance of the area, the proposed extensions complying with the Council's adopted Householder SPG. The two storey rear extension would have a subordinate hipped roof to minimise its bulk, the single storey rear extension having a crown roof. The set in of the first floor rear extension by 0.5m from the original flank wall would reduce the impact of the proposed extension when viewed from Dorset Road, ensuring its acceptability in terms of the character and appearance of the area.

2) Residential Amenity

The proposed use of the site as a result of the proposed flat conversion is considered to have an acceptable level of impact upon the amenities of neighbouring occupiers. It would result in three habitable rooms in each flat, as opposed to a total of seven in the house at present. Significantly each flat would accommodate up to three people, so that the maximum total of six residents in the two flats would be equivalent to the number which could be accommodated in the existing property.

It is considered that the size of the proposed flats overall would meet the needs of the intended occupiers, the room sizes proposed being in line with the previously adopted Environmental Health Standards. The proposed internal layouts would be adequate as bedrooms and living areas are located above and below one another between the ground floor and first floor unit. The rear garden would be split between the two units, direct access to this area from the first floor unit being provided via a gate in the side boundary fence from Dorset Road.

The proposed extensions are acceptable in terms of their impacts upon the residential amenities of neighbouring occupiers according to the adopted Householder SPG. The proposed two storey rear extension would not cross a 45° line from the first floor rear corner of the adjoining property at No.8, this element being sited 2.7m from the shared boundary between the two properties. The 3m roof edge height of the crown roof over the single storey rear extension and its 2.4m depth on the boundary with No.8, the extra depth being set away from the boundary to comply with the SPG's 'two for one' rule, ensure that the single storey element complies with the adopted SPG and is therefore considered not to have a detrimental impact upon the amenities of the adjoining occupiers.

3) Parking

The Council's UDP sets maximum car parking standards and as such there is no minimum. The proposed situation would allow for two off-street parking spaces at the rear of the site, utilising the existing vehicular crossover which was approved by the Council's Highways Department in 2006. One of the proposed off-street parking spaces would be capable of being used as a disabled parking space due to its size and a suggested condition would control the allocation of this space to the proposed ground floor unit. The Council's Highways Officer has made no objection to this scheme as two off-street parking spaces are provided and it is therefore considered that the proposed layout is acceptable and that there would be no detrimental impact upon on-street parking in the locality as a result of this proposal.

4) Accessibility

As stated above, the proposed development allows for a disabled parking space for use by the ground floor flat in line with Lifetime Homes standards. The proposed layout of the ground floor flat as shown on the submitted plans would meet the requirements of the SPD, particularly in regard to doorway and hallway widths and turning circles within rooms. Level entrances are shown on the submitted plans although it is acknowledged that the width of the side footpath would not allow for a turning circle for wheelchair access and that the existing difference in levels between the front doors and the adjacent footpaths could not be overcome to achieve level access. The proposed ground floor unit is therefore considered to comply with the requirements of the SPD as fully as possible, with the potential for future adaptation to provide a Lifetime Home, albeit not as a wheelchair unit.

5) S17 Crime & Disorder Act

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

6) Consultation Responses:

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

- *Will result in additional parking pressure in light of proposed CPZ* – The Council's Highways Department have confirmed that there is no proposal for a CPZ outside the front or the side of the property. Double yellow lines are proposed at the junction at the side of the property but these will not extend the length of the site, primarily being sited adjacent to the dwellinghouse itself.
- *Crossover onto Dorset Road built without planning permission* – As this is not a main road planning permission would not be required for this crossover. The existing vehicular crossover was approved by the Council's Highways Department in 2006
- *Loss of family homes in the area; Disappointing to see loss of family homes on Harrow's County roads; New flats elsewhere in the Borough more than satisfy the demand; Already pressure on local facilities* – There are no locally adopted planning policies protecting family homes or limiting the number of flat conversions. The proposal has been considered having regard to the character of the wider area is considered to have a mix of dwelling types. Within this context the proposal would not be detrimental to this character.

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.

CONDITIONS

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

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

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

REASON: To safeguard the appearance of the locality.

3 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 for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules 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.

4 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.

5 The development hereby permitted shall be built to the Lifetime Home Standards shown on the approved drawings and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

6 The development hereby permitted shall not be occupied or used until the wheelchair accessible parking space shown on the approved plans has been made available for use. The wheelchair accessible space shall be allocated for use by the occupants of the ground floor flat only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

REASON: To ensure suitable parking provision for people with disabilities in association with the provision of 'Lifetime Homes Standards' housing.

7 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the appearance of the locality.

INFORMATIVES

1 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.

2 INFORMATIVE:

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405 E-mail: communities@twoten.com

3 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.

Plan Nos: ELV/E/01; ELV/P/01/E; ELV/E/02; ELV/E/03; ELV/P/02; PLN/E/01;
PLN/E/02; ELV/P/01/E; ELV/P/03/A4; PLN/P/02/C; PLN/P/01/B;
PLN/PE/01/D; Design and Access Statement; Lifetime Homes
compliance information; Site Plan

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

SECTION 5 - PRIOR APPROVAL APPLICATIONS

Item: 5/01

**LAND OUTSIDE LEEFE ROBINSON P.H, P/1028/09/GL/C
UXBRIDGE RD, STANMORE**

Ward HARROW WEALD

REPLACEMENT OF 12m HIGH TELECOMMUNICATIONS MONOPOLE INCORPORATING 3NO. SHROUDED ANTENNAS WITH A 12.5m HIGH TELECOMMUNICATIONS MONOPOLE OF INCREASED DIAMETER INCORPORATING 3NO. SHROUDED ANTENNAS; ONE ADDITIONAL EQUIPMENT CABINET AND ASSOCIATED DEVELOPMENT

Applicant: Telefonica O2 UK Ltd

Agent: Waldon Telecom Ltd

Statutory Expiry Date: | 01-JUL-09

RECOMMENDATION

PRIOR APPROVAL of details of siting and appearance for the development described in the application and submitted plans is **APPROVED**, subject to informatives.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

1) Telecommunications Development (PPG8, D24)

PPG8 – Telecommunications: Sets out Government policy and guidance to local planning authorities for the determination of applications for telecommunications development. Encourages site and mast sharing. All telecommunications development to comply with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) public exposure levels for electromagnetic radiation as recommended by the Stewart Report. Where these guidelines are met, local planning authorities are not to consider health effects further. Acknowledges perceived harm to health as a material planning consideration.

D24 – Telecommunications Development: Proposals for telecommunications development will be considered favourably provided specific criteria are met including the need for development; the consideration of alternative sites and site sharing; design; impact on residential amenity and potential health hazards.

2) Character and Appearance of the Area (D4)

D4 – The Standard of Design and Layout: The council will expect a high standard of design and layout in all development proposals and will take in to account the following criteria including site and setting; context, scale and character; public realm; energy efficiency; layout, access and movement; safety; landscaping; refuse.

3) S17 Crime & Disorder Act (D4)

D4 – The Standard of Design and Layout: New development should have regard to crime prevention.

4) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Not classified
Council Interest: Highway land

b) Site Description

- The application site is the pedestrian footway on the north side of Uxbridge Road.
- Site is currently occupied by a 12m high monopole telecommunications mast with shrouded antennae and associated equipment cabinet
- The site is outside the Leffe Robinson Public House. The pub is set approximately 30m from the highway and has a car park in front of the building
- To the north east is No. 74 Uxbridge Road, a new development of 14 flats and a medical centre. There are two telecommunications masts and associated cabinets in front of this development.
- Uxbridge Road is a London Distributor Road (road tier 2)

c) Proposal Details

- Replacement of existing 12m high telecommunications monopole with 12.5m high monopole and larger shrouded antennae
- One additional equipment cabinet on footway
- Proposal would allow sharing of the mast between O2 (the current operator) and Vodafone

d) Relevant History

76 Uxbridge Road

P/2224/04/CDT	Determination: provision of 12m high column antenna with 3 equipment cabinets	REFUSED 09-SEP-04 APPEAL ALLOWED 30-JUN-05
P/1264/06/CDT	Prior Approval Determination: 12.5m high replacement column with antennae and one ground based equipment cabinet on land adjacent to Leffe Robinson PH, 76 Uxbridge Road.	PERMISSION NOT REQUIRED 05-JUL-06

74 Uxbridge Road

P/2655/08	Replacement of existing 12-metre and 16.7-metre high telecommunications masts with one shared 17.5m high monopole with three antennae; replacement of existing cabinets with two equipment cabinets and associated development	REFUSED 24-SEP-08
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Reasons for Refusal:

The proposal, by reason of its excessive height and proximity to residential and health centre premises, and potential concerns about the health implications of the proposal, would be detrimental to the visual and residential amenities of adjacent occupiers, contrary to policies D4 and D24 of the Harrow Unitary Development Plan (2004).

The applicant has failed to demonstrate that sharing the existing O2 mast to the west would not be reasonable or practicable, contrary to policy D24 of the Harrow Unitary Development Plan (2004).

Highway Land, Between 113 & 115 Uxbridge Road,

Harrow Weald, HA3 6DN (opposite side of Uxbridge Road)

P/0600/09	Prior Approval of Siting And Appearance: Installation Of 11.7M High Telecommunications Mast And One Associated Equipment Cabinet	REFUSED 20-APR-09
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Reason for Refusal:

The proposed telecommunications mast, by reason of its siting in a prominent location and excessive height, would add to street clutter and would be visually intrusive in the streetscene, to the detriment of the visual amenities in the area, contrary to policies D4 and D24 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

- None

f) Applicant Statement

- Mast is required for operational purposes; no impact on residential properties; proposal would allow for mast sharing; confirmation of compliance with ICNIRP.

g) Consultations:

Hatch End Association: No response received

Notifications:

Sent: 50

Replies: 0

Expiry: 03-JUN-09

Summary of Response:

N/A.

APPRAISAL

1) Need for the development and alternative sites

The replacement mast and antenna will maintain existing O2 3G coverage and provide new Vodafone 3G coverage to the Uxbridge Road East area. A coverage plot submitted with the application shows that the installation will provide 3G coverage to a large number of houses and businesses.

This site has been selected as it is an existing telecommunications site and would provide for site sharing between O2 (current operator) and Vodafone with minimal additional environmental and visual impact. It is considered that as the site is an existing telecommunications site it is unlikely that there would be a better alternative in the locality. Accordingly, the applicant has not considered any alternative sites and it is considered that this is justified for the reasons outlined above.

It is also noted that a number of applications for telecommunications development in the locality have been refused and therefore alternative sites in the area have been considered previously.

Planning application (reference P/2655/08) for a 17.5m high mast nearby, outside 74 Uxbridge Road, for use by T-Mobile and Hutchinson 3G (Orange), to replace the two existing masts outside 74 Uxbridge Road was refused permission on 24 September 2008 because, amongst other reasons, the applicants had failed to adequately investigate mast sharing at this subject site.

More recently, on 20 April 2009, prior approval for a mast on the other side of Uxbridge Road for use by Vodafone, was refused (reference P/0600/09).

Although this proposal does not involve sharing by the two operators who were the subject of the rejected 2008 application (P/2655/08), it would involve sharing by the operator who was the subject of the most recent application in the area.

It is therefore considered that the proposed scheme would comply with the provisions of PPG8 and policy D24 pertaining to the need for the development, consideration of alternative sites and site sharing.

2) Siting and Appearance

The proposal would replace one monopole with another. The only increase in the amount of development at the site would be the additional equipment cabinet, replacement antenna with a wider diameter and monopole 500mm higher than the existing monopole.

This design would be similar in scale and appearance to the existing development and therefore would have a minimal additional impact on the character and visual amenity of the area.

The proposed grey colour is considered acceptable as it would match the colour of the two masts in front of No.74 Uxbridge Road and would assimilate best and contrast least with the surroundings.

The nearest residential property is approximately 20m from the existing telecommunications mast. This separation is considered acceptable in terms of residential amenity as there would be no additional impact on the residential amenities of nearby occupiers.

The proposed grey coloured equipment cabinet would be sited 1.5m from the existing cabinet and would be of a similar size. It is considered the cabinet would not appear unduly obtrusive and would assimilate into the street scene without having an adverse impact on the appearance of the locality.

It is therefore considered the siting and design of proposed development would comply with the relevant provisions of PPG8 and policies D4 and D24.

3) Health Impacts

The applicant has provided confirmation that the proposed development would comply with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) public exposure levels for electromagnetic radiation. While health considerations are common concern for telecommunications applications PPG8 recommends that where ICNIRP guidelines are met, local planning authorities are not to consider health effects further. This guidance also states that the planning system is not the place for determining health safeguards.

It is therefore considered the proposal would comply with health provisions of PPG8 and policy D24.

4) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

5) Consultation Responses

No consultation or notification responses were received.

CONCLUSION

The proposal meets an identified need for coverage in this area, complies with the General Public Exposure levels of the ICNIRP guidelines and it is considered that it would not have a significant adverse impact on the character and appearance of the locality or the amenities of nearby residential occupiers. The proposal therefore accords with advice in PPG8 and the policies of the Harrow Unitary Development Plan (2004).

Prior approval is required in this case and is granted subject to the following informatives:-

1 INFORMATIVE:

The applicant is advised that this decision relates only to the planning requirements imposed by the Town and Country Planning (General Permitted Development) Order 1995.

2 INFORMATIVE:

The applicant is advised that a notification to the local highway authority will be required under the New Roads and Street Works Act 1991 for opening the highway (footway) for installation and any associated ductwork.

Item 5/01 : P/1028/09/GL/C continued/...

Plan Nos: C59300/PL/001 Rev A; /002 Rev A; /003 Rev A; Supporting Statement,
Supporting Technical Information, Technical Justification & Plots,
ICNIRP Certificate