

SECTION 1 – MAJOR APPLICATIONS

ELIOT DRIVE, DRINKWATER ROAD & P/1905/09/RH/MAJ
COLES CRESCENT, RAYNERS LANE
ESTATE, HARROW, HA2 0TR

Item: 1/01

Ward

ROXBOURNE

CONSTRUCTION OF 135 RESIDENTIAL DWELLINGS AS PART OF THE RAYNERS LANE ESTATE REGENERATION COMPRISING 5 X 5 BED HOUSES 27 X 4 BED HOUSES 46 X 3 BED HOUSES 44-41 X 2 BED FLATS AND 16 X 1 BED FLATS; NEW ACCESS ROAD RE-ALIGNED FOOTPATHS PROVISION OF 157 CAR PARKING SPACES

Applicant: HOME GROUP

Agent: MEPK ARCHITECTS

Statutory Expiry Date: | 23-NOV-09

RECOMMENDATION

INFORM the applicant that:

1. The proposal is acceptable subject to
 - a) the completion of a legal agreement within 6 months of the date of the Council's decision, to include the following Heads of Terms:
 - i) Affordable Housing Provision: the provision of 86 social rented dwellings and 17 intermediate units the affordable units to be managed by an RSL subject to a nomination in agreement with the Council.
 - ii) S 278 agreement to be made in respect of all works to the adopted highway
 - iii) Provision, adoption and maintenance of open space.
 - iv) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
 - v) 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] will be issued upon completion by the applicant of the aforementioned legal agreement.

REASON

As one phase of the wider site redevelopment, the proposed development would contribute to the regeneration of the Rayners Lane Estate through replacement of existing poor quality housing stock. The proposal would deliver a mix of large family houses and a smaller number of one and two bedroom flats to address the specific housing needs of the Rayners Lane Estate, in accordance with London Plan policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.7, 3A.8, 3A.9 and HUDP policies EP20, H7.

The reconfigured layout of the site to provide three new roads, a new primary route and home zones would improve permeability within and across the site. The new open space and play facilities would promote the importance of play through good quality, secure and stimulating play provision in accordance with Harrows Play Strategy and London Plan SPG Providing for Children and Young Peoples Play and Informal Recreation.

The proposed development would provide a modern contemporary design that responds appropriately to the local context, and would provide appropriate living conditions for the future occupiers of the development. Given the layout of the proposed development and separation to shared boundaries, the impact upon residential amenity in surrounding areas is considered to be acceptable. Having regard to national planning policy, and the policies of the development plans listed below, the proposed development is therefore considered to be acceptable.

National Planning Policy:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS9 Biodiversity and Geological Conservation

PPG13 Transport

London Plan:

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.6 Quality of new housing provision

3A.8 Definition of affordable housing

3A.9 Affordable housing targets

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

3A.11 Affordable housing thresholds

3D.13 Children and Young Peoples Play and Informal Recreation Strategies

4A.1 Tackling climate change

4A.2 Mitigating climate changes

4A.3 Sustainable Design and Construction

4A.4 Energy Assessment

4A.6 Decentralised Energy: Heating, Energy and Cooling

4A.7 Renewable Energy

4A.8 Hydrogen Economy

4A.9 Adaptation to Climate Change

4A.1 Tackling climate change

4A.3 Sustainable design and construction

4A.4 Energy Assessment

4A.6 Provision of heating and cooling networks

4A.7 Renewable Energy

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

4B.6 Safety, security and fire prevention and protection

SPG Housing

SPG Children and Young Peoples Play and Informal Recreation

Saved Policies of the London Borough of Harrow Unitary Development Plan [2004]:

S1 The Form of Development and Pattern of Land Use

EP20 Use of previously developed land

EP25 Noise

EP27 Species Protection
EP28 Conserving and Enhancing Biodiversity
EP29 Tree Masses and Spine
EP30 Tree Preservation Orders and new planting
T6 The transport Impact of Proposals
T11 Cycle and Motor Cycle Parking in Public Spaces
T13 Parking Standards
D4 The standard of Design and Layout,
D5 New Residential Development –Amenity Space and Privacy
D9 Street side Greenness and Forecourt Greenery
D10 Trees and New Development
H7 Dwelling Mix
C16 Access to Buildings and Public Spaces
C18 Special Mobility Requirements and Access to Transport

Supplementary Planning Document Access for All [2006]
Supplementary Planning Document Accessible Homes SPD [Apr 2006]
Sustainable Community Strategy [Mar 09]
Supplementary Planning Document Sustainable Building Design [May 2009]

Background

Rayners Lane Estate was originally built in the 1960s and was the largest local authority flatted estate in Harrow, occupying 17ha and comprising 680 dwellings of which 518 were social rented homes, 75 leasehold flats and 87 freehold houses (which had been acquired under right to buy).

In 2001, a masterplan was developed for the regeneration of the estate. The masterplan was designed in consultation with the residents of the estate and sought to address the perceived deficiencies of the existing layout.

An outline planning application was submitted and approved in 2002 for the demolition of all resiform blocks of flats and replacement of 450 new homes for rent and a further 285 properties for private sale to subsidise the regeneration of the estate. The application also included the retention and refurbishment of 68 dwellings, the construction of a new community centre, new open green space and re-provision of a Teenage Friendly Zone.

A transfer ballot was held in 2002 and 76% residents voted to transfer the estate to the Home Group on the basis of the master plan.

Revisions were made to the masterplan in 2006 and a new outline application was submitted in 2008 to capture all the changes to the original permission. The current application proposes to provide all of the remaining affordable units [86 social rented dwellings and 17 intermediate dwellings] on the site that were proposed in the 2008 outline planning application P/0431/08/COU and to provide an element of private housing [35 one and two bedroom flats] for sale. The outstanding phases of development for the regeneration of the Estate would be dealt with as a separate planning application(s) and would comprise the remainder of the 205 private units and 8 affordable units from the original schedule of development.

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008, saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance).

- 1) Principle of Development (3A.3, 3A.15)
- 2) Affordable Housing (3A.9, 3A.10)
- 3) Housing Density and Unit Mix (3A.2, 3A.3, 3A.5, 3A.6, 3A.7, 3A.8)
- 4) Design and Character of Area (4B.1, 4B.5, D4, D5, D10)
- 5) Living Conditions for Future Occupiers (D4, D5, 4B.1)
- 6) Open Space and Landscape Setting (EP48, D4, D9, D10)
- 7) Neighbourhood Amenity (D5, EP25)
- 8) Parking and Highway Safety (3C.23, T6, T13)
- 9) Accessibility (3A.5, 4B.5, D4, C16, SPG)
- 10) Sustainability – Energy Demand and Water Resources (4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7)
- 11) S17 Crime & Disorder Act (4B.1, 4B.6, D4)
- 12) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major development	
Site Area:	2.37 ha	
Density:	60 dph	220 hrph
Car Parking:	Standard:	168
	Justified:	157
	Provided:	157
Lifetime Homes	135	
Wheelchair Easily Adaptable	13	
Council Interest:	None	

b) Site Description

- The 2.37ha application site is located within the wider [15.43 ha] Rayners Lane Estate, in the southern half of the Estate. The triangular shaped site area of the Estate is bound to the west by Rayners Lane, Coles Crescent to the south, Goldsmith Close and Scott Crescent form the eastern site boundary. Karma Way a new road links Goldsmith Close to Rayners Lane. Maryatt Avenue and Eliot Drive extend along the middle of the site providing access from Rayners Lane to the west through the site to Welbeck Road to the east of the Estate. Goodwill Drive, a new through road provides a link between Goldsmith Crescent and Rayners Lane where it adjoins Oxleay Road. Providence Avenue, a new internal road runs north south linking Goldsmith Road and the newly formed Goodwill Drive. The Piccadilly Tube Line extends along the length of the eastern site boundary.
- The site is formed from two separate areas within the wider estate. Site one includes Drinkwater Road, the properties on the south side of Eliot Drive and the eastern corner of Swift Close and the open space between Drinkwater Road and Swift Close. Site two includes the eastern most corner of the Estate, the properties on the southern side of Coles Crescent.
- At present, the existing development on the site (eleven four-storey blocks of flats and two storey terrace properties) are being demolished.

- The site is bound by Eliot Drive to the north of the site which comprises mix of two storey semi-detached properties and terrace houses. A four storey block of flats and a short two storey terrace adjoin the north eastern half of the site presenting front to Coles Crescent and Drinkwater Road respectively. A Two four storey block of flats, no's 1-14 and 15-38 Swift Close, and two storey terrace properties no's 35 to 55 Coles Crescent adjoin the southern site boundary. The Coles Crescent properties, no's 56-103, that adjoin the south eastern half of the site are currently under construction following an earlier development phase approval. This development provides 13 houses ranging from 2-3 storeys in height and one 4-storey block to provide 8 flats and 23 parking spaces. The three two-storey houses provide a transition from the neighbouring two storey terrace houses along the western part of Coles Crescent and the new development to the eastern end of Coles Crescent [mix of three storey house and four storey blocks of flats].
- The rear gardens of properties on Thornley Drive, Roxeth Green Avenue and Fentiman Way adjoin the southern and south eastern boundaries of the site.
- There are six vehicular access routes into the estate, five of which are accessed via Rayners Lane to the west of the estate, with the remaining access under the viaduct via Welbeck Road,
- South Harrow LUL station is located to the south of the site and Rayners Lane LUL station is to the north.
- The site has a public transport accessibility level of between 1a and 3, which varies across the site.
- Outline planning permission was granted in 2002 for the overall regeneration of the Rayners Planning Estate.

c) Proposal Details

- Full application for Construction of 135 dwellings comprising 78 houses and 57 apartments
- The 78 houses (5 x 5 bedroom houses, 27 x 4 bedroom houses and 46 x 3 bedroom houses) are comprised of a mix of three storey town houses, two and half storey (accommodation in the roof space with dormer windows) houses and two storey houses (with accommodation in the roof and velux windows)
- The scope of the proposal has been amended through the course of the application to remove, block 2, one of the six blocks four storey apartment blocks. Block 2 was located between two three-storey terraces [plots 93-98 and 107-109] along Swift Close. This block accommodated 8 affordable housing units. This has now has been deferred to a subsequent development phase and will be subject to a further planning application. As a result of this revision five x four-storey blocks of flats are proposed to accommodate the proposed 57 flats (44 41 x 2 bed flats and 16 x 1 bedroom flats).
- A new east - west access road is proposed through the middle of the site to link the existing eastern and western sections of Drinkwater Road (that are currently not connected),
- Within the site, three new internal roads are proposed, two extending north/south linking Eliot Drive and Drinkwater Road and one linking the development in the eastern corner of the site to Coles Crescent.
- Three home zones are proposed, this will include the existing road around Swift Close open space, and two of the new internal roads

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- Provision of new public open space, approximately 1000 m2 that will accommodate/incorporate Local Area of Play (LAP) and Local Equipped Area of Play (LEAP) is to be provided for 2-5 year olds and 4-8 years olds respectively.
- This phase of the overall development would provide all of the remaining affordable accommodation required to re-house previous residents who have currently been decanted to alternative accommodation during the regeneration of the Estate.

d) Relevant History

LBH/2779/1	Erection 14 three storey flats, a community centre and 6 shops with 6 flats over	GRANTED 04-JUN-68
LBH/2779/2	Erection 13 Three storey blocks of flats community centre 6 shops with 6 flats over, garages and parking spaces (revised)	GRANTED 30-OCT-69
WEST/112/02/OUT	OUTLINE: Regeneration of estate including demolition of 515 flats and maisonettes and construction of 329 houses and 406 flats with parking, community building, estate office/shop and provision of public open space, with play areas and new road layout	GRANTED 16-OCT-02
P/1602/07	Details required by condition 10 (samples of materials) of planning permission ref: WEST/112/02/OUT	GRANTED 23-JUL-07
P/1610/07	Details of surface water disposal and surface water attenuation required by conditions 13 & 14 of planning permission ref: WEST/112/02/OUT	GRANTED 04-JUL-07
P/1625/07	Details of levels required by condition 9 of planning permission ref: WEST/112/02/OUT	GRANTED 24-JUL-07
P/0813/08/DDP	Details of boundary treatment required by condition 3 and samples of external surfaces required by condition 10 of planning ref: WEST/112/02/OUT	GRANTED 18-APR-08
P/1341/07	Approval of reserved matters for open space pursuant to permission P/112/02/OUT	GRANTED 23-JUL-2008
P/2669/08	Approval of details of condition 4 (access carriageway to base), 5 (hard & soft landscaping) and 6 (existing trees/tree protection) of planning permission WEST/112/02/OUT	GRANTED 16-OCT-08
P/0431/08/COU	OUTLINE: Redevelopment of Rayners Lane Estate (Area bounded by Rayners Lane, Maryatt Avenue, Coles Crescent, Eliot Drive and Austen	GRANTED subject to completion of S106 agreement

	Road, Phases E to H) to provide 162 Houses, 177 Flats, car parking, public open spaces and new access/pedestrian access	
P/0735/09	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	GRANTED 06-AUG-09
P/1550/09	Approval of conditions 3, 5, 6, 9, 10, 13 and 14 pursuant to planning ref: P/1341/07	APPLICATION RECEIVED

e) Pre-Application Discussion

- The applicant undertook formal pre-application discussions with the Planning Department. The application is consistent with the discussion.

f) Applicant Statement

The regeneration of Rayners Lane Estate has been ongoing since 2001. There have been two separate outline planning application for the development plus a masterplan review. Also extensive consultation with residents and stakeholders have been undertaken regarding the regeneration works.

The main reason for this application is that there have been changes to the delivery of the remaining housing at Rayners Lane due to the economic downturn. The regeneration of Rayners Lane Estate is cross-subsidised by the sale of private housing, unfortunately the down turn in property market has had a major impact on the ability of Home Group to deliver the remaining regeneration works. Consequently a different approach had to be taken to ensure that the affordable housing provision was delivered.

Home Group has submitted a grant funding application to the Homes and Communities for this current application and which has been accepted in principle. Big phase E is comprised of sites that were previously referred to as Phase E, Phase G2 and part of Phase F and is based on principles that came out of the masterplan review and were established in the outline planning application design for phases E to H.

The scheme represents an opportunity to improve and enhance Rayners Lane Estate by creating a better mix of dwellings, a more vibrant streetscape, enhanced landscaping and a quality design that responds to the constraints and opportunities of the site.

The design strategy for Phase Big E has been established to encompass principles of street hierarchy, movement, townscape, scale and appearance. In this way, the design can be broken in scale to a network of neighbourhoods, each with distinct character. A further objective of the design has been to provide housing choice to the residents, build a sustainable community with strong identity and sense of place.

g) Consultations:

Environment Agency: No response received to date.

Thames Water Utilities: No response received to date.

Advertisement:

Major Development

Expiry: 15-SEP-09

Notifications:

Sent: 162

Replies: 1

Expiry: 15-SEP-09

Properties in Maryatt Avenue no's 18 – 32 (evens), Coles Crescent 37-55 (odds), Swift Close no's 1 -38 (odds) , Drinkwater Road no's 1- 19, Eliot Drive no's 1-23 (odds), Thornley Drive no's 6-12, Roxeth Green Avenue no's 91 – 101 (odds includes 93A) and Fentiman Way no's 1-22, Annan Court no's 1-24, Concord Terrace, Coles Crescent no's 10-25 were consulted.

Summary of Response:

In favour of the principle of the rebuild and improvement of the estate but have the following objections: Two many people living in small area, overshadowing, overlooking into kitchen and garden, noise from additional units, inadequate parking provision, tall building unsightly, overdevelopment.

APPRAISAL

1) Principle of Development

The principle of regeneration of the Rayners Lane Estate was established in 2002 through the approval of the outline planning application WEST/112/02. The proposal was supported at a strategic planning policy level, as it provided an increase in housing [220 additional units] at appropriate levels of density and replaced and improved existing levels of affordable housing. This permission established the demolition of the existing three and four storey apartment blocks on site and the revised layout of estate to provide a total of 735 new dwellings [450 new affordable homes for rent, refurbishment of 68 rented properties and 285 new homes for private sale].

A second outline planning application P/0431/08 was submitted and recommended for grant subject to completion of a legal agreement in 2008. The application proposed an increase in the overall number of dwellings on the estate by 57 (to a total of 792 units) and sought revisions to the layout of the development within the southern half of the site (including all of the current application area). The increase in unit numbers was a result of demolishing properties in Coles Crescent that were originally intended for refurbishment rather than replacement. The changes to the site layout followed engagement with the local community and other stakeholders.

While this current application is a full application, it is consistent with the principles established in the earlier outline applications. The housing provision on this site would be within the overall quantum of development approved at the earlier stage. The remaining development phase that would follow this phase, would be subject to a further full application and the applicant has advised that this would provide the balance of the overall 792 units.

The proposed development remains consistent with relevant development plan policy (in the form of London Plan policies 3A.3 and 3A.15), in that it contributes to the overall regeneration of the Estate, providing an increase in overall residential unit numbers on the Estate and renewing and improving the housing stock within the Estate.

2) Affordable Housing

London Plan policy 3A.9 states that affordable housing targets should be based on an assessment of regional and local housing need and a realistic assessment of supply and should take account of the strategic target that 35% of housing should be for social renting and 15% for intermediate provision (50% overall affordable housing provision target); and the promotion of mixed and balance communities.

London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing; having regard to own overall target for affordable housing.

This phase of development would provide the all but 8 of the remaining affordable housing provision for the Estate comprising 86 social rent and 17 intermediate affordable units, and 32 units for private sale. This is equivalent to 72% affordable housing provision on this phase.

While this application significantly exceeds the London Plan affordable housing target, it should be recalled that this is one phase of a wider development of the Estate and that the remaining phases would comprise the remaining 8 affordable housing units and 205 private units in line with the original permission for the Estate. Overall, the Estate regeneration will provide a total of 491 affordable units and 301 private units.

3) Housing Density and Unit Mix

London Plan policy 3A.5 requires new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

London Plan policy 3A.6 requires new development to take account of the design and construction policies set out in Chapters 4A and 4B, and the density requirements of policy 3A.3 and their implications for bedroom numbers per dwelling.

Target guidance ranges for the density of new residential development are specified in Table 3A.2 Density Matrix of the London Plan. The density guidance ranges specified in this table are related to the site location setting, the existing building form and massing, the indicative average dwelling size, and the Public Transport Accessibility Level (PTAL) of the site,

The proposed development would have a residential density of 60 units per hectare and 220 habitable rooms per hectare. This density is consistent with the London Plan guidance for the form, type, location and accessibility of the scheme.

The proposed unit mix within this phase of development has been established in consultation with the Council's Housing department, residents of the estate and in response to market demand.

As detailed below, the proposed housing mix boasts a heavy provision of large family housing, to meet the defined needs of the area and the needs of the previous Estate tenants that are waiting to be re-housed. This mix is considered to be a desirable combination of large family social rent housing complemented with smaller one and two bedroom intermediate and private units. Accordingly, this is considered to be acceptable.

Table 1. Proposed Housing Mix

	Social Rent	Intermediate	Private	Total
One bed	5	4	7	16
Two Bed	3	13	25	41
Three bed	46			46
Four bed	27			27
Five bed	5			5

4) Design and Character of the Area

PPS 1 recognises the importance of the planning process in enhancing the built environment and encouraging high design. To meet this aim, PPS1 requires new development to respond to the local context and to create or reinforce local distinctiveness. London Plan policy 4B.1 seeks to ensure that new development promotes high quality inclusive design, create or enhance the public realm and respect local context, history, built heritage, character and communities.

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 redevelopment of the site proposes a complete revision to the existing layout, involving the provision of new roads, implementation of a street hierarchy and character areas creating avenues, home zones, residential squares and courtyards. The scale, design, style of building, landscaping and spaces would define these areas while providing increased permeability within the wider estate.

The scale of development has been designed to complement and respect the built form and scale of the earlier phases of development on the estate and the original dwellings that have been retained on the site. Where the development adjoins existing buildings, the scale of development increases or decreases to respond to the existing form of development. The development proposed in this phase does not exceed the development parameters set by the earlier phases.

Three-storey townhouses are proposed around the perimeter of the Swift Close Open Space to provide an appropriate setting for the space itself.

Two and a half storey houses with a high eaves level, a two storey bay window and dormer window feature are proposed along main streets and avenues. It is intended that the combination of these design features would create a streetscape of taller buildings with a regular rhythm and vertical emphasis that reflects and is consistent with this location.

Two storey houses with a low eaves levels and an in-line velux style window are proposed along the homezone streets. Projecting oriel windows at first floor level or single storey bay windows are used as architectural features. The desired effect is to provide a smaller, more intimate, scale that is more appropriate to the shared (road) surface areas.

The design of the four storey flatted blocks incorporates a flat roof and comparatively lighter weight materials at the upper storey level to reduce the apparent scale of these buildings. Notwithstanding this design treatment, it is not considered that the four storey scale would be out of place amongst the already redeveloped parts of the wider site, or the two and a half and three storey houses proposed within this phase.

A four storey block adjacent to the open space has been designed with a feature tower on the corner of the building to act as a landmark that is visible from the wider estate and provides a focal point to the open space. The proposed site layout follows earlier phases of development. Whilst providing a more intimate streetscape, with new homes arranged in close proximity to the roadway, each street provides substantial on street parking on either side, interspersed with street trees. Some concerns are expressed regarding the potential for the street to appear dominated by parked cars and the existing planting proposals are considered inadequate to address this. Reorganising the low design speeds of the roads, there is considered to be scope to provide additional street planting that would reduce the impact of parked cars in long views and serve to introduce much needed greenery to reflect the suburban location and enhance the biodiversity of the site. This could be secured by way of planning condition.

Whilst noting the concerns expressed about scale and character in the representation received overall, the scale and design of the proposed development is considered to be appropriate for both the site and in relation to the wider site development context, in accordance with the relevant policy guidance.

5) Living Conditions for Future Occupiers and Public Open Space

Policy D5 of the Harrow Unitary Development Plan 2004 requires new residential development to provide adequate amenity for future occupants. This is also a requirement of policy D4 of the Plan.

London Plan Policy 3D.13 seeks to ensure that children have safe access to good quality, well designed, secure and stimulating play and informal recreation provision. London Plan Supplementary Planning Guidance: Children and Young Peoples Play and Informal Recreation, requires well designed play and recreation space for every child to be accommodated in new housing development. Specifically, appropriate and accessible facilities within 400m for 5-11 year olds or within 800m for 12 plus age group alternatives are recommended.

The London Borough of Harrow Play Strategy [2007-2012] seeks to ensure that new development recognises and addresses the importance of incorporating good quality, inclusive, safe and stimulating play spaces.

The majority of the proposed residential units would be provided as houses, providing a desirable mix of larger family units. These houses would all be provided with private rear gardens of varying sizes. While there is limited separation between some of the houses, overlooking between houses has been minimised through management of window positions. The limited separation also compromises the outlook of some houses, but this is not considered to be to an unacceptable extent that would notably compromise the living conditions of any unit. All of the units would be expected to receive adequate levels of daylight/sunlight. The living conditions of the houses are therefore considered to be acceptable.

Similarly, it is also considered that the proposed flatted units within the blocks would benefit from appropriate levels of privacy, outlook and daylight/sunlight.

All the houses would benefit from private rear gardens, of a minimum of 45sqm. The units within the flats would be provided with access to balconies on the upper floors, and private courtyards at ground floor level. Three of the blocks would also have access to community garden space.

In addition to the private space provided for the units, a neighbourhood amenity space of 1000sqm would be provided within the site, bound by Swift Close and Drinkwater Road. A local area of play [LAP] for 2-5 year olds and local equipped area of play [LEAP] for 4-8 year olds are proposed within this public open space. The detailed design and layout of the LEAP and LAP are recommended to be secured by condition. A teenage friendly zone [for 9- 17 year olds] and a park, adjacent to the Beacon Community Centre in the middle of the Estate, have been approved and are currently under construction in line with the reserved matters application for open space planning ref: P/1341/07 pursuant to outline application WEST/112/02/OUT, and are now close to completion. The new layout, and in particular the two internal roads linking Eliot Drive with Drinkwater Road, increases permeability across the application site and wider Estate, providing a direct link from the north half of the Estate to the open space [LEAP and LAP]. The proposed open space provision would complement and enhance the existing open space and formal recreation provision on the Estate and would cater for all ages in accordance with London Plan policy, SPG guidance and the London Borough of Harrow Play Strategy.

6) Open Space and Landscape Setting

Policy D4 of the HUDP identifies the importance of landscaping as part of the overall design of a site. Policy D9 seeks to achieve and retain a high quality of street side greenness and forecourt greenery and Policy D10 seeks to achieve a balance between the design, bulk and siting of new buildings and the retention of as many trees as possible.

Consistent with the nature of the site redevelopment, approximately two thirds of the 57 existing trees on the site are proposed to be felled. Detail of the site landscaping strategy has been submitted with the application, which provides an overview of the proposed landscaping scheme for the site. Trees and soft landscaping is integrated as part of the site layout, in particular the planting of trees along the main avenues [Eliot Drive and Drinkwater Road]. The trees define spaces for parking and form part of the traffic management of the site. Landscaping within the home zones would be less formal. However, this would contribute to the home zone character of the area and the setting of the blocks of flats.

The Landscape Strategy for the site includes a 1000sqm open space area, which would accommodate a LEAP (local equipped area of play) and a LAP (local area of play) for the wider Estate.

The Council's Landscape Architect considers that this strategy is acceptable in principle. However, it is considered that there is opportunity for further landscaping to be included within the layout to improve the overall scheme. Conditions requiring details of hard and soft landscaping of the site and the detailed design and layout of the proposed LEAP and LAP are recommended to ensure the landscaping enhances the character and appearance of the development and the wider Estate. Landscaping detail in relation to the home zones is also recommended to be required by condition.

The Ecological Report submitted with the application does not identify any ecological constraints on the site. Harrow's Biodiversity Officer has commented on the report and considers that green or brown roofs should be included where possible and that insitu bird or bat boxes could be provided on site increasing the ecological value of the site. Green roofs are now to be provided on the blocks of flats. The applicant is also looking at incorporating bird and bat roosts within the development, this addition would also enhance the ecological value of the site with respect to achieving Code for Sustainable Homes level 3 and is recommended to be secured by condition.

The landscaping strategy submitted with this application is considered to be acceptable, subject to further detail being submitted by condition, in accordance with London Plan Policy 3D.15 and HUDP policies D4, D9 and D10.

7) 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.

The scale of the proposed development is limited to two, three and four storeys, which limits the potential extent of the impact on neighbouring properties.

A short terrace of three, two and half storey houses [plot 1, 2 and 3] are proposed along the western end of Eliot Drive where the site adjoins the rear site boundaries of pairs of semi-detached properties fronting Maryatt Avenue. The proposed houses would measure 11m in depth and would taper away from a ridge height of 9m to an eaves height of 5.5m at the rear of the house. The house [plot 1] adjoining the rear site boundaries of no's 32 and 30 Maryatt Avenue would be positioned a minimum of 1m from the shared property boundary and minimum of 13m from the rear elevation of the adjoining Maryatt Avenue properties. The new house would extend the width of the rear garden of no 20 Maryatt Avenue however, it is considered the sloping element of the two and half storey house would minimise the bulk of the house. Furthermore, as the Maryatt Properties sit at an angle from the proposed houses the outlook from the rooms at the rear of the existing properties would not be unacceptably compromised. No windows are proposed along the flank elevations of the new house.

Plot 26, 27 and 28 also two and half storey houses sit perpendicular to plots 1-3 fronting the new internal road linking Eliot Drive to Drinkwater Road adjoin the rear properties boundaries of no's 28, 26 and 24 Maryatt Avenue. A minimum distance of 10m increasing to 15m is provided between the rear elevation of the new houses and the shared boundaries with Maryatt Avenue properties. A minimum distance of 28m is proposed between first floor windows. The room in the roof is single aspect facing the road frontage. The new houses are positioned a sufficient distance from the existing development not to result in loss of outlook, sense of enclosure or natural daylight or sunlight.

Plot no's 5 and 6, two and half storey houses 3 bedroom houses (single storey additions) are located to the north of plots 26-28 and although not adjoining the Maryatt Avenue properties would be visible from these properties. The houses, although a minimum 38m from the rear elevations of the Maryatt Avenue properties have been designed with the habitable rooms on the upper floors facing the street to prevent overlooking of the new houses within the site and the existing houses adjoining the site.

Plot no 38 forms a pair of, semi-detached two-storey dwellings with a single storey rear addition with plot 39. The pair of semi's adjoin the rear property boundary of no 22 and 24 Maryatt Avenue. The house extends 9m in depth at ground floor level, 6.2m at first floor level with an eaves height of 5.7m and ridge height of 9m measures. The new houses would be positioned a minimum of 1.8m from the shared property boundary and 16m from the rear elevation of no 22 Maryatt Avenue. Habitable rooms are positioned at the front of the house at first floor level and within the roof space to minimise overlooking and loss of privacy of neighbouring properties. Given the separation, height and location of the new houses set at an angle from the existing houses the new development would not result in a sense of enclosure or loss of outlook from the adjoining properties.

A short two and half storey terrace with single storey rear addition [Plot no's 65, 66, 67 and 68] adjoin the rear property boundaries (eastern) of no's 18 and 20 Maryatt Avenue and the side (northern) site boundary with four storey block of flats, no's 1-14 Swift Close.

The two and half storey terrace properties measure 9m in height, 10m in depth at ground floor level, 6.2m at first floor level. The new terrace would be positioned 5m from the shared boundary with Maryatt Avenue properties and would sit forward of the rear elevation of these properties. An 8.8m long garden separates the new terrace from the shared property boundary with Swift Close block. A total distance of 13.8m is provided between the side elevation of the Swift Close block and the rear elevation of the new terrace. It is considered that the siting of the new terrace would not result in a loss of light, outlook or enclosure of the neighbouring properties. Furthermore, as the habitable rooms on the upper floor and within the roof space of the new properties face the front of the house the development would not result in a loss of privacy or overlooking of the neighbouring sites. This layout would also allow for the redevelopment of the adjoining Swift Close site.

Plot no's 73, 74, 75 and 76, two and half storey terrace properties are located to the north of the existing four storey block of flats, no's 15-38 Swift Close on the opposing side of Swift Close. Swift Close separates the new terrace properties from this existing block of flats. The new houses are situated 8.8m from the Swift Close site boundary and 15.2m from habitable windows. This layout is considered acceptable within the suburban context of the estate. It is acknowledged that block no's 1-14 and 15-38 Swift Close are to be demolished and the sites redeveloped as part of the latter phases of the regeneration of the Estate. It is considered that the proposed separation and internal layout of the new development would not preclude the future redevelopment of the Swift Close sites.

A three storey terrace [plot no's 93-98] adjoins the eastern site boundary with the flattened development of no's 15-38 Swift Close. The proposed terrace properties would be set back 2m from the front elevation of the existing four storey Swift Close block of flats and would extend 6m further in depth than the existing block. While this would normally raise concern, the adjacent properties are designated to be demolished in the following phases of the wider Estate redevelopment. To the south, these properties would adjoin the rear gardens of two storey Coles Crescent residential properties. Rear gardens of 11m would be provided to these terrace properties, and in combination with the 20m rear gardens of the Coles Crescent properties, this separation is considered sufficient to ensure that there would be no loss of privacy to the existing Coles Crescent properties. It is noted that the roofspace accommodation in the roofspace would be served by windows facing northward, with no openings at this level facing southward.

A short three storey terrace [plot no's 107, 108, 109] is proposed extending northward along the eastern arm of Swift Close. This terrace would adjoin the southern site boundary with an existing four storey block of flats, no's 1-16 Drinkwater Road. Separation of 6m is provided between the proposed terrace properties and the Drinkwater Road flats. While it is acknowledged that the new terrace properties would encroach on the notional 45 degree line from habitable windows of the existing blocks, these existing blocks are scheduled for demolition and redevelopment as part of the wider regeneration of the estate. This relationship is therefore considered to be acceptable. To the east, this terrace adjoins a plot currently under construction to provide four, three storey terrace houses that are set at an approximately 45 degree angle to the subject site.

It is noted that these properties currently under construction will be provided with comparatively short rear gardens of 5m depth. However, a minimum separation distance of 18m would be provided between these properties. This separation, in association with the siting at an angle is considered to be acceptable and would prevent unacceptable overlooking between properties or any sense of enclosure.

The two and half storey short terrace [plots 62, 63 and 64] would extend slightly (1m) beyond the existing two and half storey terrace to the west of the site. It is not considered that this would result in a loss of light, sense of enclosure to the neighbouring terrace.

Plots 24 and 25, two and a half storey pair of semi-detached dwellings fronting Eliot Drive would be positioned a minimum of 7m from flank elevation of Annan Court, a four-storey block of flats. No windows are located within the flank elevation of the block of flats. Accordingly, the new development would not compromise the living conditions currently enjoyed by occupants of the neighbouring building.

Site 2

Three storey flatted blocks on Fentiman Way adjoin the eastern site boundary. The two blocks nos 1 to 6 and 7 to 14 are located a distance of 3m and 10m respectively from the site boundary. A number of windows are located on the flank elevations of the blocks facing the site, these are less sensitive non-habitable windows to rooms such as kitchens and bathrooms. Secondary bedroom windows are also located within the flanks elevation of block 7 to 14 Fentiman Way.

The existing terrace properties along Thornley Drive that adjoin the southern site boundary are aligned at approximately 45 degree angles to the site. The neighbouring properties are separated from the site by substantial gardens (ranging in 18m to 30m in length)

A distance of 9m is provided between the proposed two and half storey terrace properties, located along the eastern and southern site boundaries. This distance is considered acceptable with respect to the footprint (6m depth) and height (9m ridge height) of the new buildings. The internal layout of the properties has been designed so that habitable rooms face the front of to minimise potential impact on neighbouring properties.

In conclusion it is not considered that the proposed development would have any unacceptable impact on the residential amenity of neighbouring property, both within the wider Estate and outside of the Estate.

Adequate separation is provided to neighbouring properties to prevent unacceptable overlooking from the proposed development. Given the scale of development and separation to neighbouring properties, it is not considered that the proposal would result in any overshadowing of neighbouring properties.

8) Parking and Highway Safety

London Plan Policy 3C.23 of seeks to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. Annex 4 Parking Standards of the London Plan states that Public transport accessibility should be used to assist in determining the appropriate level of car parking provision. Policy T6 of the HUDP requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

The site has a public transport accessibility level [PTAL] of between 1a and 3, which varies across the site. The application proposes 157 car parking spaces of which 29 are disabled car parking bays (18%). The proposed parking provision would equate to 1.1 space per dwelling. This is slightly above the parking provision of 0.8 spaces per dwelling that was proposed in the earlier application. The increase in parking provision is in response to a request from estate tenants and would result in a ratio of 0.84 car parking spaces per dwelling across the whole estate.

The Council's car parking standards allow a maximum provision of 181 spaces (includes 0.2 visitor parking provision) for the 143 unit scheme. London Plan parking standards allow a maximum of 166 car parking spaces. The proposed increase in car parking spaces remains within the maximum limit and is considered acceptable given the large family housing that is proposed, the low transport accessibility level of the site and the overall car parking provision for the wider estate. The Council's Highway Engineer has supported this proposed car parking provision, stating that it is considered to be appropriate for the specific characteristics of this site.

Maryatt Avenue/Eliot Drive forms the main link through the estate, providing an east/west link connecting Rayners Lane directly to Welbeck Road. This link provides access from Rayners Lane to Grange First and Middle Schools to the east of the estate. The remaining streets within the estate provide solely for access to the estate and the associated residents and community centre.

A number of changes are proposed to the internal layout of the site, including the provision of two new roads connecting Eliot Drive to Drinkwater Road, the formation of a vehicular link/access between the western and eastern ends of Drinkwater Road. A home zone is proposed around the Swift Close open space and the western most link road between Eliot Drive and Drinkwater Road. Traffic calming measures would be employed throughout the scheme.

As discussed in the design section of this report, additional landscaping is to be provided through the reorganising of the low design speeds of the roads consistent with home zone theory. A condition is recommended requiring the submission and approval of full details of the traffic calming measures, street furniture and landscaping that would be incorporated into the home zone and all other detailed highway design measures.

It is noted that the Council's Highway Engineer has confirmed that the road layout conforms with relevant guidance (set out in Manual for Streets) and that the junction geometry accommodates emergency and refuse vehicle access.

Cycle parking is proposed to be provided in rear garden sheds to the houses and within enclosures integral to the envelope of the flatted blocks. Further detail is required to be provided by condition, but this arrangement is considered to be acceptable in principle.

Refuse and recyclables enclosures would be incorporated into the envelope of the flatted blocks. Bin enclosures would be provided to the front of the houses. Further detail of these enclosures, including design and capacity, is recommended to be provided by condition.

The proposed car parking layout and revisions to the site layout would increase permeability across the site, providing safe and transparent routes within and out of the site. The proposed home zones and vehicular calming features would also improve safety within the site and increase natural surveillance across the site. The proposed approach to car parking and road layout within the site is therefore considered to be acceptable.

9) Accessibility

London Plan Policy 3A.5 requires that all new housing is built to lifetime homes standards and that 10% of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Policy 4B.5 of the London Plan requires all new development to meet the highest standards of accessibility and inclusion. Policy D4 of the Harrow Unitary Development Plan requires that buildings should be laid out in such a way to encourage pedestrian movement, minimise the distance to other land uses and transport and maintain a high level of accessibility. Policy C16 of the HUDP seeks to ensure that buildings and public spaces are readily accessible to all.

The Design and Access statement submitted with the application confirms that all new dwellings have been designed in accordance with lifetime homes standards and ten percent of the units (13 units) have been designed to be easily adaptable for residents who are wheelchair users in accordance with the Mayor of London's Best Practice Guidance document – Wheelchair Accessible Housing. The detailed design of the wider scheme has been designed to comply with the Council's Supplementary Planning Document: Access for All.

The applicant has chosen easily adaptable wheelchair units as opposed to the provision of fully operational wheelchair units. The applicant has justified this on the basis that there is no requirement for wheelchair units for the existing tenants waiting to be re-housed within the estate. The provision of easily adaptable wheelchair units enables the current needs of existing tenants to be met, while also ensuring that housing is available on the estate to meet all future housing needs in accordance with accessibility objectives of the London Plan and Harrow Unitary Development Plan.

The application proposes a minimum of 18% of all car parking spaces to be accessible for disabled users. These are distributed evenly across the site and located close to the curtilage of easily adaptable wheelchair housing units (type H house units)

Accordingly, the development is considered to comply with the accessibility requirements of policies 3A.5, 4B.5 of the London Plan and policies D4 and C16 of HUDP.

10) 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.

The Renewable Energy Strategy Report submitted with the application provides calculation of the site base line energy demand of the development, details lean energy savings and reviews opportunities for clean energy reductions and renewable 'green' energy provision in line with the policy requirements of the London Plan.

All new homes are to be built to Code 3 level for Sustainable Homes Standards. In terms of energy reduction, this will provide a 25% improvement from Part L of the Building Regulations. In addition, high efficiency mechanical ventilation with heat recovery is proposed. All fittings have been chosen to reduce energy demand by minimum of 75%. External lighting of the buildings will be of low energy type. Overall, this would result in a 14% energy saving.

The phasing of the development of the site, the near completion of the regeneration of the estate and the commencement of wider development in 2001 has largely prevented securing the provision of a decentralised energy scheme for the site. The majority of the units (approximately 420) have already been built with individual gas central heating systems for their means of heating and hot water provision. Accordingly, the provision of CHP equipment for the heating and cooling of the development has been concluded as being unviable.

Solar Thermal Hot Water provision was concluded to be the most economical and technically feasible option to provide renewable energy provision for the development.

The report concludes that a 26% reduction in carbon emissions would be achieved through lean measures (Code 3 for Sustainable Homes Standards), high efficiency mechanical ventilation system and renewable energy generation (solar thermal hot water).

The proposed renewable energy strategy as outlined in the renewable energy strategy report would meet the objectives of the London Plan and HUDP policies to address climate change. Accordingly, this aspect of the development is considered acceptable.

In addition to the measures proposed in the renewable energy strategy the six blocks of flats would incorporate green roofs measuring a total area of 1420 sqm in area. The green roofs are to be planted with mixed species reducing peak run off and improving water quality to be discharged to the sewer. Rain water butts are to be provided to all houses and ground floor flats with gardens/patios. It is intended that harvested water would be used for watering of the communal gardens for the flats. Water usage is to be reduced to 105 litres per head per day line with code 3 Sustainable Homes Requirements. The re-use of surface water run-off, contained in the grate attenuation tanks is currently being investigated for the watering of landscaped areas, green roofs and wash down of bin stores. These proposed measures would be in accordance with London Plan Policy 4A.16 and policy EP15 of the HUDP which require appropriate measures to conserve water. A condition is recommended to secure these proposed measures.

11) 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 scheme has been subject to ongoing discussion with the Metropolitan Police Crime Prevention Officer to ensure compliance with Secure by Design standards and to ensure that the design minimises opportunities for crime. The siting, design and internal layout of the buildings have been designed around Secure by Design principles. Integral bin enclosures have been incorporated into the blocks of flats and separate enclosures provided for dwellings. The car parking has been located in areas that benefit from natural surveillance. To ensure that the proposed measures are implemented, a condition is recommended requiring further detail of compliance with the Metropolitan Police Secure by Design scheme.

12) Consultation Responses

Objection to the intensification of the number of units on the site – density is within London Plan Guidance for a suburban location with a PTAL rating of 1-3a, and the resulting density is within the applicable guidance range. Adequate separation is provided between the dwellings and blocks and adjoining sites, and there is good provision of outdoor play space and private and communal areas. Parking provision is within Harrow and London Plan parking guidance.

The scale and design of the blocks have been designed to complement the existing scale and pattern of development on the site.

CONCLUSION

The proposed development is part of the wider regeneration of the Rayners Lane Estate, which will provide a total of 792 residential units. This phase of development proposes 135 units, of which 105 would be affordable. The proposed mix of housing within this phase is focussed on providing large family units within terraced and semi detached housing. A small number of one and two bedroom flatted units are also proposed. While this phase is part of the wider Estate regeneration, this mix of housing would make a significant contribution to meeting the defined housing needs of the area.

Through creating road connections within the layout, the proposal would improve pedestrian and vehicle permeability through the application site and wider Estate, and would improve access from the wider Estate to the neighbourhood playspace that would be provided within this development phase. Home zones would be incorporated into the detailed road and public space design, to improve the residential character of the created neighbourhood areas, and to improve the pedestrian environment.

A range of housing types are proposed, the design of which would contribute to the defined character areas within a formalised structure. All of the houses and flats would benefit from acceptable residential living conditions. Houses would all have private rear gardens, and flats would have balconies or ground floor patio areas. The proposed development would be limited to four storeys and would not result in detriment to the living conditions of neighbouring properties.

Landscaping detail is limited at this stage to a landscape strategy. While the principles of this strategy are considered to be acceptable, further landscaping detail is required (including additional landscaping to the streets) to be submitted to enable appropriate landscaping to be delivered.

Overall, the layout of the proposed development is commended for accommodating the concentration of large family housing units on the site, while respecting residential standards, and providing improved permeability through the site with an interesting and variable streetscape and defined neighbourhood environment.

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 beyond ground level damp proof course 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 and Green Belt in accordance with policy D4 and EP32 of the HUDP and policy 3D.9 of the London Plan.

3 Prior to first occupation of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the proposed home zone. These details shall include: traffic calming measures, street furniture, landscaping, surface material and any other relevant measures. The details as approved shall be implemented in full prior to first occupation of the development, and retained as such thereafter.

Reason: In the interests of highway safety and neighbourhood amenity, in accordance with policies T6 and D4 of the HUDP.

4 Prior to first 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 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 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 The development hereby permitted shall not be occupied until the car parking, turning and loading area(s) shown on the approved plan numbers P-03 Rev A and Site plan 2 P-04 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 than the parking of private motor vehicles, 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 in accordance with HUD policies T6, T13 and D4.

8 The development hereby permitted shall not be occupied 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.

9 The development hereby permitted shall be built to Lifetime Homes Standards and Wheelchair Adaptable Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Homes and Wheel Chair Adaptable Units' in accordance with the policies of the Harrow Unitary Development Plan and London Plan.

10. The development hereby permitted shall not commence beyond ground level damp proof course until a fully detailed energy strategy including sustainable water measures has been submitted to and approved in writing by the local planning authority. The approved strategy shall subsequently be implemented in full, prior to first occupation of any part of the development hereby permitted.

REASON: In the interests of sustainability, water conservation and climate change mitigation, in accordance with London Plan policies 4A.1, 4A.2, 4A.3, 4A.4, 4A.5, 4A.6 AND 4A.7.

11 The development hereby permitted shall not commence beyond ground level damp proof course until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for 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.

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 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.

13 Prior to first occupation of the development hereby approved, details shall be submitted to, and approved in writing by, the Local Planning Authority of cycle parking provision for the approved residential units.

REASON: To provide for the needs of cyclists and to promote more sustainable, non car modes of transport.

14 Prior to commencement of development, details of tree protection measures for retained trees shall be submitted to, and approved in writing by the Local Planning Authority. The erection of fencing for the protection of all retained trees 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.

15 The development hereby permitted shall not commence beyond ground level damp proof course until there has been submitted to, and approved by, the local planning authority a detailed Landscape Management and Maintenance Plan/Schedule for the communal landscaped areas, to include the initial year and the subsequent long term management for years 2 to 5.

REASON: To safeguard the appearance and character of the development and the wider site in accordance with HUDP policies D4, D9 and D10.

16 Prior to first occupation of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the proposed Local Area of Plan [LAP] and local equipped area of play [LEAP]. These details shall include: play equipment, street furniture, landscaping, boundary treatment, surface material and any other relevant details. The details as approved shall be implemented in full prior to first occupation of the development, and retained as such thereafter.

Reason: To ensure the provision of good quality, well designed, safe, accessible, secure play facilities for children within the site, in accordance with policies D4 of the HUDP and London Plan Policy 3D.13.

17 Prior to the commencement of development on the site, an arboricultural method statement for the roads between trees T79 and T80, between trees T97 and T98 and the block paving around tree T103 shall be submitted to and approved in writing by the Local Planning Authority. The development should be carried out in accordance with the approved method statement.

REASON: To protect the character and appearance of the site and the existing trees on site in accordance with HUDP policies D9 and D10.

18 The development hereby permitted shall not be commenced 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.

19 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.

20 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.

21 Prior to the first occupation of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating suitable disabled access throughout the site, including access from the wheel chair car parking spaces within the site. Development shall proceed in accordance with the details as approved, and specific measures shall be implemented prior to first occupation and retained thereafter.

REASON: To ensure the provision of adequate access for all persons within the development in accordance with HUDP policy C16 and Supplementary Planning Document Access for All.

22 Prior to the occupation of the first dwelling hereby permitted a travel plan shall be submitted to and approved by the Council in writing.

REASON: To ensure a sustainable form of development in accordance with HUDP policy T6.

23 Prior to the development proceeding beyond ground level damp proof course, details of a revised car parking layout, incorporating increased landscaping provision, shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved and be retained as such thereafter.

REASON: To provide additional landscaping to the layout to ensure an adequate residential environment for future occupiers.

24 Prior to the development proceeding beyond ground level damp proof course, details of green roofs to the residential units shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved and the green roofs shall be maintained and retained as such thereafter.

REASON: In the interests of sustainability and ecological diversity.

25 Prior to first occupation of the development hereby approved, details of bat roosts to be provided within the site shall be submitted to, and approved in writing by the Local Planning Authority. The bat roosts shall be installed in accordance with the approved details, and shall be retained as such thereafter.

REASON: In the interests of site ecology.

26 Prior to the development proceeding beyond ground level damp proof course, details of side screens to the western end of balconies on the southern elevation of Block Three at first, second and third floors, shall be submitted to and approved in writing by the Local Planning Authority. The screens shall be installed in accordance with the approved details and retained as such thereafter.

REASON: To prevent overlooking of neighbouring units, in the interests of the privacy of these neighbouring units.

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.

4 INFORMATIVE:

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

Tel: 08459 200800

5 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 / 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.

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: P-01, P-02, P-03 Rev A, P-04 Rev A, P-05, P-06, P-07 Rev A, P-08, P-09 Rev A, P-10 Rev A, P-11, P-12 Rev A, P-13 Rev A, P-14 Rev A, P-15 Rev A, P-16 Rev A, P-17, P-18, P-19, P-20, P-21, P-22, P-23, P-24, P-25, P-26, P-27, P-28, P-29, 86.01.01P, 86.01.02P, Design and Access Statement (includes CABE building for life assessment), Transport Statement, Renewable Energy Strategy Report, Sustainability Building Design Report, Ecological Appraisal, Site Waste Management Plan, Sewerage and Utilities Statement, Phase 2 Site Investigation – Site 1 and 2, Flood Risk Assessment submitted 24th August 2009; Addendum to Flood Risk Assessment submitted 15th October 2009

**PRINCE EDWARDS PLAYING FIELDS,
ST DAVID'S DRIVE, EDGWARE**

Item: 1/02

P/2022/09/RH/MAJ

Ward QUEENSBURY

VARIATION OF CONDITION 18 (EXTERNAL LIGHTING) PURSUANT TO PLANNING PERMISSION REF: P/0002/07/CFU DATED 8 APRIL 2008 FROM 'ALL EXTERIOR LIGHTING OTHER THAN FLOODLIGHTING SHALL BE EXTINGUISHED ON ANY DAY NOT LATER THAN 22:30 HOURS, EXCEPT LIGHTING NOT MORE THAN 1M ABOVE THE FINISHED ROAD OR CAR PARK LEVEL THAT SHALL BE EXTINGUISHED NOT MORE THAN 60 MINUTES AFTER THE END OF ANY MATCH OR EVENT' TO 'ALL EXTERIOR LIGHTING OTHER THAN FLOODLIGHTING SHALL BE EXTINGUISHED ON ANY DAY NOT LATER THAN 22:30 HOURS, EXCEPT LIGHTING NOT MORE THAN 1M ABOVE THE FINISHED ROAD AND CAR PARK LEVEL THAT SHALL BE EXTINGUISHED NOT MORE THAN 60 MINUTES AFTER THE END OF ANY MATCH OR EVENT.'

Applicant: Football First
Agent: AND ARCHITECTS
Statutory Expiry Date: | 29-DEC-09

RECOMMENDATION

GRANT permission for the development described in the application subject to the following conditions:

1 All exterior lighting other than floodlighting shall be extinguished on any day not later than 22.30 hours, except lighting not more than 1m above the finished road and car park level that shall be extinguished not more than 60 minutes after the end of any match or event.

REASON: To safeguard the amenities of the locality.

2 The permission hereby granted is supplemental to planning permission ref: P/0002/07/CFU granted by the Council on the 8th April 2008. Save as modified by this permission and any other approved variation of condition, the terms and conditions of the original permission are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON

The decision to grant planning permission has been taken having regard to 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 including any comments received in response to publicity and consultation, as outlined in the application report:

While the variation of condition would provide further clarity to the restrictions of the condition in respect of the lighting that can be provided for up to 60 minutes after the end of any match or event, it would not provide for any lighting beyond that already allowed by the existing condition.

The London Plan Policies:

- 3D.5 Sports facilities
- 3D.7 Realising the value of open space
- 3D.11 Open space strategies
- 4B.5 Creating an inclusive environment

Harrow Unitary Development Plan:

- S1 The Form of Development and Pattern of Land Use
- EP25 Noise
- EP47 Open Space
- D4 The Standard of Design and Layout
- R4 Outdoor Sports Facilities
- R5 Intensive Use Pitches
- C16 Access to Buildings and Public Spaces

Background

This application is for the variation of condition 18 relating to all exterior lighting other than floodlighting attached to the planning approval (reference P/0002/07/CFU) for the Prince Edward Playing Fields redevelopment. This original permission was granted in 2007, and the first phase of the development to provide an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking has now largely been completed.

The application seeks to amend one word of condition 18 to clarify the meaning of the condition. The amendment does not alter the effect or restriction of the condition.

A separate application planning ref: P/225709 has been submitted to vary the wording condition 17 (floodlighting), to effectively extend the hours of use of the football pitches, through the extension of the permitted hours of use of floodlighting. This application will be assessed at a later date following the expiration of the consultation period.

INFORMATION

a) Summary

Statutory Return Type: Largescale major other
Site Area: 17 ha
Council Interest: Freehold

b) Site Description

- Irregular-shaped former educational sports grounds site designated as open space within the UDP,
- Site is bound by Jubilee Line railway to the west, residential properties fronting Whitchurch Lane to the north and Camrose Avenue to the south. To the east, the site adjoins residential properties along Buckingham Gardens, St David's Drive and Little Stanmore nursery, first and middle School,
- The section of railway that adjoins the western site boundary is identified as a site of nature conservation importance (grade II)
- The original site level falls from the north to the Edgware Brook, which crosses the site, and then rises again to Camrose Avenue,

- The site is located within Edgware Brook flood plain and contains a flood alleviation scheme controlled by the Environment Agency within the north eastern half of the site,
- The site has recently been developed, in accordance with permission granted in 2007, to expand the stadium and improve the playing fields provided on the site,
- The site is designated as a proposal site within the UDP, the 2007 permission on the site is consistent with this designation,
- The main access to the site is from Camrose Avenue, with secondary access from Whitchurch Lane.

c) Proposal Details

This application seeks to amend condition 18 of permission reference P/0002/07/CFU.

As existing, the condition states:

All exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event'

The application proposes to vary this condition to state:

'All exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road and car park level that shall be extinguished not more than 60 minutes after the end of any match or event.'

This variation seeks to amend one word of the condition (underlined in the existing and proposed wording above) to clarify the meaning of the condition. The amendment does not alter the effect or restriction of the condition.

d) Relevant History

EAST/148/01/OUT	Outline: Football stadium, terraces, stand & clubhouse, floodlights, artificial pitch and tennis courts, health and fitness centre, parking, vehicular access from Camrose Avenue	GRANTED 11-APR-03
P/898/03/CDP	Approval of reserved matters for EAST/148/01/OUT	GRANTED 04-AUG-03
P/1087/03/DVA	Variation of Condition 13 (parking) of EAST/148/01/OUT	GRANTED 29-JUL-03
P/1784/03/CFU	Flood alleviation works	GRANTED 07-NOV-03
P/1784/03/CFU	Variation of conditions 5 & 7 of EAST/148/01/OUT	REFUSED 09-DEC-04 ALLOWED 17-AUG-04

Item 1/02 : P/2022/09/RH/MAJ continued/...

P/0002/07/CFU	Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking granted in 2007	GRANTED 08-APR-08
P/1032/09	Discharge of conditions 3 (accessibility measures), 4 (boundary treatment), 5 (means of vehicular access), 10 (materials) and 19 (floodlighting) pursuant to planning permission P/0002/07	GRANTED 16-APR-09
P/0378/09	Partial discharge of conditions 15 (disposal of sewage) 16 (disposal of storm water) 24 (storm water control) & 28 (construction of drainage system) pursuant to planning permission P/0002/07	WITHDRAWN 22-MAY-09
P/1226/09	Approval of conditions 15 (disposal of sewage) 16 (disposal of storm water) 24 (storm water control) & 28 (construction of drainage system) pursuant to planning permission P/0002/07	GRANTED 11-SEP-09
P/1225/09	Approval of conditions 11 noise levels and 12 noise attenuation pursuant to permission P/0002/07/CFU	GRANTED 17-SEP-09
P/1975/09	Application to vary condition 6 (approval of landscaping prior to commencement of development) pursuant to P/0002/07 to provide for the implementation of a landscape scheme in accordance with details to be approved and implemented prior to the end of the planting season and variation and discharge of condition 9 pursuant to P/0002/07 to provide for the approval of the levels of the buildings, roads, footpaths and retention of all new ground works within the site.	GRANTED 14-OCT-09
P/2257/09	Variation of condition 17 (floodlighting) pursuant to planning permission ref: p/0002/07/cfu dated 8 April 2008 from 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2200 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 2300 hours' to 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2300 hours, until commencement of use of the playing surface of the main stadium,	UNDER CONSIDERATI ON

at which time floodlighting for the main stadium shall only be used on any day up to 2300 hours, and any other floodlighting within the site hereby permitted for playing surfaces shall only be used on any day up to 2230 hours'

e) Pre-Application Discussion

- Detailed on-going discussion has taken place with Harrow Council throughout the duration of site development.

f) Consultations:

Environmental Health Officer: No response received at the time of preparing this report.

Advertisement: Site Notice

Expiry: 29-OCT-09

Notifications:

Sent: 119

Replies: None

Expiry: 29-OCT-09

Summary of Response:

At the time of this report, no responses have been received to the application. Any responses received will be reported to Committee.

APPRAISAL

The condition relates to exterior lighting other than floodlighting on the site serving vehicle accessway and car parking areas and lighting not more than 1m above finished road level.

As existing, the condition allows for lighting that is below a maximum height of one metre above the level of either the internal access road or car park to be switched on for up to 60 minutes after the end of any match or event held at the site. The condition requires any other lighting within the site to be extinguished not later than 2230 hours on any day.

The lighting that the condition allows to stay on later is provided in the form of (approximately) one metre high bollards with incorporated lights, positioned along pathways on the site, and intended as lighting for pedestrians to provide safe and secure route for pedestrians leaving the site.

This application seeks to amend the condition to provide specific clarity that the 60 minute allowance of the condition applies to lighting up to a maximum height of 1 metre above the level of both the internal access road and car park. This additional clarity is proposed to be provided through the replacement of the word 'or' between the two areas (finished road and carpark) with the word 'and', as described in the proposal description.

While the proposed variation of condition would provide the additional clarity that is sought by this application, it would not compromise any aspect of the existing condition, and would not enable any further lighting to be provided on the site beyond that afforded by the existing condition. Accordingly, there is no objection to the amended wording of the condition that is proposed by this application.

CONCLUSION

Redevelopment of the Prince Edwards Playing Fields has been phased, with the first phase of playing fields now available for use.

The application seeks to amend one word of the condition relating to general external lighting (as opposed to playing field lighting) to clarify the intention of the condition. This variation does not alter the restriction of the original condition, and is therefore considered to be acceptable.

Accordingly, the application for the variation of condition 18 is recommended for grant.

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.

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: 258/AL(1)001 Rev A submitted 16th September 2009.

**THE VALLEY CENTRE, WILSON P/1733/09/SL/MAJ
GARDENS, HARROW, HA1 4EA**

Ward WEST HARROW

CONSTRUCTION OF PART TWO / PART THREE-STOREY DEVELOPMENT
COMPRISING 13NO. X TWO-BEDROOM FLATS, LANDSCAPING, REFUSE, CYCLE
STORAGE AND PARKING.

Applicant: Twinlock Investment Limited

Agent: ASK Planning

Statutory Expiry Date: 11 November 2009

RECOMMENDATION

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 6 months of the date of the Council's decision, to include the following Heads of Terms:
 - vi) **Affordable Housing:** Prior to commencement of development, contribution of **£40,000** towards affordable housing delivery elsewhere in the Borough.
 - vii) **Resident Permit Restricted:** All residents and users of the development shall be ineligible for resident parking permits in the event of any future implementation of a Controlled Parking Zone in the immediate area.
 - viii) **Transport:** Prior to commencement of development, contribution of **£2,417** towards any future implementation of a Controlled Parking Zone in the immediate area.
 - ix) **Education:** Prior to commencement of development, contribution of **£5,814** towards refurbishment / upgrade of a primary and / or secondary school within a 3-mile radius of the site.
 - x) **Local Employment and Training Initiative:** Prior to commencement of development, contribution of **£4,218** towards local employment and training initiatives in the Borough.
 - xi) **Health:** Prior to commencement of development, contribution of **£14,885** towards NHS Harrow.
 - xii) **Sports Facilities:** Prior to commencement of development, contribution of **£6,976** towards Harrow Leisure Centre, Christchurch Avenue.
 - xiii) **Parks:** Prior to commencement of development, contribution of **£3,356** towards West Harrow Recreation Ground.
 - xiv) **Public Realm:** Prior to commencement of development, contribution of **£6,025** towards public realm improvements.
 - xv) **Community Facilities:** Prior to commencement of development, contribution of **£2,541** towards Neighbourhood Resource Centre, Vaughan Road.
 - xvi) **Legal Fees:** Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
 - xvii) **Planning Administration Fee:** Payment of **£4,311.55** 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] will be issued upon completion by the applicant of the aforementioned legal agreement.

REASON

The decision to **GRANT** 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 promoting a diverse community, which is celebrated and valued and create better cohesion, 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.1 Increasing London's supply of housing
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 3A.8 Definition of affordable housing
- 3A.9 Affordable housing targets
- 3A.10 Negotiating affordable housing in individual private and residential and mixed-use schemes.
- 3A.11 Affordable housing thresholds
- 4A.1 Tackling climate change
- 4A.4 Energy assessment
- 4A.7 Renewable energy
- 4A.21 Waste strategic policy and targets
- 4B.1 Design principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B.6 Safety, security and fire prevention and protection

Saved Policies of the London Borough of Harrow Unitary Development Plan [2004]:

- EP25 Noise
 - 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
 - T6 The Transport Impact of Development Proposals
 - T13 Parking Standards

 - PPS1 Delivering Sustainable Development
 - Harrow's Accessible Homes SPD [Apr 06]
 - Harrow's Sustainable Community Strategy [Mar 09]
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MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & Saved Policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance]

- 1) Principle of Development and Land Use**
The London Plan 2008: 3A.6, 4A.1, 4A.4, 4A.7, 4A.21, 4B.1.
London Borough of Harrow UDP 2004: D4, D10.
- 2) Design and Character of the Area**
The London Plan 2008: 3A.6, 4A.1, 4A.4, 4A.7, 4A.21, 4B.1.
London Borough of Harrow UDP 2004: D4, D10.
- 3) Residential Amenity**
London Borough of Harrow UDP 2004: EP25, D5.
- 4) Housing Provision and Density**
The London Plan 2008: 3A.1, 3A.2, 3A.3, 3A.5, 3A.8, 3A.9, 3A.10, 3A.11.
- 5) Parking and Highway Safety**
London Borough of Harrow UDP 2004: T6, T13.
- 6) Accessible Homes**
The London Plan 2008: 3A.5, 4B.5.
- 7) Trees**
London Borough of Harrow UDP 2004: D9, D10.
- 8) Sustainability**
The London Plan 2008: 4A.7, 4A.8, 4A.9, 4A.10
- 9) S17 Crime & Disorder Act**
London Borough of Harrow UDP 2004: D4
- 10) Consultation Responses**

INFORMATION

a) Summary

Statutory Return Type:	Major Dwellings
Site Area:	0.14 ha [As stated on application form]
Density	278 HRH [39HR]
Car Parking:	Provided: 13
Lifetime Homes	13
Wheelchair Standards	2
Council Interest:	None

b) Site Description

- Prominent corner site located at the intersection of Wilson Gardens and Vaughan Road.
- Adjoining site to the south comprises a recently-built, part single and part two-storey neighbourhood resource centre.
- The site adjoins short row of two-storey terrace properties to the east.
- Surrounding suburban area is characterised predominately by two-storey 1930s properties.
- Site is designated as a proposal site No. 40 in the Harrow Unitary Development Plan.
- Open space to the north-west of the site in front of the residential properties along Wilson Gardens.
- 50m to West Harrow Station.

c) Proposal Details [Revised Changes from P/2721/08]

This application differs from the previous proposal by reason of the following amendments:

- 13 units as opposed to 15 units.
- 13 car parking spaces compared to eight previously.
- 14 cycle parking spaces, nine previously.

d) Relevant History

P/2721/08	Construction of 15 flats in three storey block, landscaping, refuse & cycle storage and 8 parking spaces.	REFUSED 07-NOV-08
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Reasons for Refusal:

1. The proposed development by reason of its scale, bulk, massing, layout and unsatisfactory design, hard-surfaced areas and parking area would be unduly obtrusive, overbearing, would be out of character with neighbouring properties which comprise mainly two-storey houses, and would not respect the scale, massing and form of those properties and would be inconsistent with the existing pattern of development, to the detriment of the visual and residential amenities of neighbouring residents and the character of the area, contrary to policy 4B.1 of The London Plan 2004, policies D4, D5 and D9 of the Harrow Unitary Development Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).

2. The proposed development, by reason of its excessive number of units, site coverage by building, hard surfacing, inadequate garden area, proximity to neighbouring properties, associated disturbance & general activity due to over occupation of the site and inadequate cycle parking provision would represent an over-intensive use, and amount to an over development of the site to the detriment of the residential amenity of future occupiers of the site, neighbouring residents and the character of the area contrary to policies 4B.1 of The London Plan 2004, policies D4, D5, D9, D10, EP25 of the Harrow Unitary Development Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).

3. The proposed development by reason of its layout, excessive bulk and siting would be unduly obtrusive, and overbearing when viewed from 189 Vaughan Road and would have an overpowering and enclosing effect on the rear of that property contrary to policy 4B.1 of The London Plan 2004, policies D4, D5 of the Harrow Unitary Development Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).

4. The proposed development, by way of its inadequate provision of affordable housing units, fails to provide a mixed and balanced community, contrary to the objectives of Policies 3A.8, 3A.9, 3A.10 and 3A.11 of the London Plan.

5. The application proposal provides insufficient on site parking provision within the curtilage of the site to meet the Council's requirements in respect of the development, and as a result would encourage additional and injudicious on street parking to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway, contrary to policies T6 and T13 of the Harrow Unitary Development Plan 2004.

6. The proposed development would result in undue harm to existing protected trees on site to the detriment of the character and appearance of the site and wider street scene contrary to policies D4 and D10 of the Harrow Unitary Development Plan 2004.

7. The proposed development would fail to meet requirements of Lifetime Home Standards and Wheelchair Homes Standards, contrary to policy 3A.5 of the London Plan (Consolidated with Alterations Since 2004) 2008 and the Council's Supplementary Planning Document on Accessible Homes (April 2006).

8. The application fails to provide onsite renewable energy generation to address 20% of the total energy demand of the development and therefore is considered to be an unsustainable form of development, contrary to policy 4A.1, 4A.7, 4B.1 of The London Plan 2004, policies D4 of the Harrow Unitary Development Plan.

9. The proposed development, by way of poor design and layout, would fail to meet the key principles of Safer Places and would create opportunities for crime contrary to policy D4 of the Harrow Unitary Development Plan 2004 and Supplementary Planning Guidance: Designing New Development, March 2003 and policies 4B.1 and 4B.6 of the London Plan (consolidated with alterations since 2004) 2008.

P/2265/07	Part single and part two storey neighbourhood resource centre with associated access and parking.	GRANTED 27-SEP-07
P/2010/03/ CRE	Renewal of planning permission W/780/00/LA3 for detached 2 storey block to provide two 6 place residential units on Vaughan Road frontage with access and parking.	GRANTED 12-DEC-03
WEST/780/ 00/LA3	Outline: Demolition of extensions and outbuildings and provision of detached 2 storey block to provide two 6 place residential units on Vaughan Road frontage with access and parking.	GRANTED 21-NOV-00

e) Pre-Application Discussion

None.

f) Consultations [External]

None received.

Advertisement: Major Development

Notifications:

Sent: 79

Replies: 10

Expiry: 07-SEP-09

Re-Consultation

15.10.09 [Following revised plans illustrating design / elevation alterations]

Summary of Responses:

Ten representations received [before submission of amendments to proposal] objecting to the proposal.

APPRAISAL

1) Principle of Development and Land Use

The application proposes to erect a three-storey block of flats comprising 13 two-bedroom flats. The site forms part of the larger Valley Centre site.

The site is designated as a proposal site [PS40] in Harrow's UDP 2004. The proposal objective for the site included the refurbishment of the previous building to enable it to remain in its current community use and to construct an ancillary residential unit fronting Vaughan Road.

Outline planning permission was granted in 2000 on this part of the site for the demolition of extensions and outbuildings and provision of detached two-storey block to provide two six-place residential units on Vaughan Road frontage with access and parking. A renewal application was subsequently submitted and approved in 2003. The permission was never implemented however, the loss of community use and replacement with residential development on this part of the site was considered acceptable.

Permission was granted in 2007 to demolish the existing community buildings on-site and erect a part single, part two-storey neighbourhood resource centre with associated access and parking on the southern half of the original site. The development is built.

The proposed residential development would be consistent with the designated proposal site [PS40] and the surrounding residential use. Accordingly, the principle of residential use on the site is considered acceptable.

2) Design and Character of the Area

Explanatory paragraph 4.10 of Policy D4 of Harrow's UDP 2004 states that, '*New development should contribute to the creation of a positive identity for the area through the quality of building layout and design and should take account of the character and landscape of the locality.*'

Explanatory paragraph 4.11 of Policy D4 in Harrow's UDP 2004 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.'*

PPS1 states that development should respond to their local context and create or reinforce local distinctiveness. *Planning Policy Statement 3 advises that design in residential development should be 'Creating places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character.'*

Existing development along the eastern side of the Vaughan Road and Wilson Gardens is characterised by low density two-storey terrace and semi-detached family houses. Directly adjoining the site to the east are Edwardian two-storey terrace houses. The properties along the western side of the Wilson Gardens comprise two-storey semi-detached properties. The area is characterised by a mix of Edwardian / Victorian 1930s properties. This revised proposal seeks to follow the rhythm of the neighbouring properties in regard to the front building line and respects the scale and design features of the neighbouring windows.

The revised plans and CGIs illustrate a significant reduction in the scale and form of development from the originally submitted scheme and would now be consistent with development of the neighbouring properties. Accordingly, the proposal would have regard to the scale and pattern of development in the wider context.

The relationship of the proposed development with the adjacent properties of the recently-built Neighbouring Resource Centre and 189 Vaughan Road has been carefully considered. The proposal is now scaled down at these points to respect the scale and form of neighbouring development.

The scale, layout and design of the proposal would comply with Policies 4B.1 and 4B.4 of the London Plan 2008; Policies D4 and D5 of Harrow's UDP 2004, and Supplementary Planning Guidance: Designing New Development 2003.

3) Residential Amenity

The height of the proposal is limited to two storeys where it is immediately adjacent to the neighbouring boundary along Vaughan Road and Wilson Gardens, and limited to three storeys elsewhere. This reduces its impact on the neighbouring surrounding properties. It is noted that the height of the three-storey element of the proposal is similar in height to the neighbouring residential properties. The layout of the proposed buildings is not considered to be of material detrimental harm on the amenity of the surrounding properties in terms of overbearing, loss of privacy or loss of light. In addition, the proposed balconies as originally submitted have been removed from the front and rear elevations to respect neighbouring amenity. The separation distance between the front elevation windows of the scheme and to those facing the neighbouring residential properties of Vaughan Road will be at least 18m and will be set 21m from those residential properties along Wilson Gardens. Accordingly, it is considered the proposal is acceptable on these grounds.

Accordingly, the proposal is not considered to adversely affect residential amenity and would comply with Policies EP25 and D5 of Harrow's UDP 2004.

4) Housing Provision and Density

The proposal represents 13 units to Harrow's housing stock, which would make a positive contribution in meeting annual housing targets for the borough. The scheme provides 13no. x two-bed flats. This aspect of the development is therefore particularly supported in principle.

The proposed development would result in a density of 278HRH, based on a site area of 1,400m² and 39 habitable rooms. The density levels are in accordance with those recommended by Policy 3A.3 and Table 3A.2 of the London Plan 2008.

London Plan Policy 3A.9 requires all new-build major residential developments to have 50% affordable housing with a 70% to 30% split between social rented and intermediate housing. This proposal does not provide for any affordable housing however the applicant has provided an affordable housing toolkit to demonstrate the viability of the scheme. Harrow's Housing Section are satisfied that a contribution of £40,000 be made towards affordable housing delivery elsewhere in the borough and it is in this particular instance, in view of the toolkit, that this is accepted.

5) Parking and Highway Safety

The proposal would provide 11 standard and two disabled car parking spaces and would also provide one cycle parking space per dwelling and one motorcycle space. The proposed 1:1 parking provision is considered acceptable. The area around the development site is currently subject to consultation for the possible implementation of a Controlled Parking Zone [CPZ], therefore to ensure no additional pressure is placed on street parking, future residents will be ineligible to apply for resident parking permits. In addition, the applicant has agreed to a contribution of £2,417 towards ongoing work involving the implementation of a CPZ in the immediate area.

The scheme would result in a gated development, with vehicular access from Wilson Gardens. There is sufficient space [at least 6m] for a stationary vehicle to wait in front of the gates [off-street] from Wilson Gardens whilst awaiting their opening.

Accordingly, the proposal complies with Policies T6 and T13 of Harrow's UDP 2004.

6) Accessible Homes

The proposed development complies with Harrow's Accessible Homes SPD 2006, which requires 100% of all new residential developments to be built to meet the Lifetime Homes Standards. In this case, all 13 units would meet Lifetime Homes standards furthermore; two of the ground floor units would meet Wheelchair Homes standards.

Accordingly, the proposal would comply with Policy 3A.5 of the London Plan and Harrow's SPD on Accessible Homes.

7) S17 Crime & Disorder Act 1998

The proposed design and layout offers adequate natural surveillance. Policy D4 of Harrow's UDP 2004 advises crime prevention should be integral to the initial design process of a scheme. Policies 4B.1 and 4B.6 of the London Plan 2008 seeks to ensure that developments should address security issues and provide safe and secure environments.

There are no details of lighting levels, car park security or door and window security. A condition is recommended to request that these details are submitted before the occupation of the development.

8) Consultation Responses

Ten representations received [before submission of amendments to proposal] objecting to the proposal on the following grounds:

1. Inappropriate / Overdevelopment;
2. Out of character including provision of balconies;
3. Loss of privacy / overlooking;
4. Excessive scale;
5. Inadequate car parking provision;
6. Increased light and noise pollution;
7. Drainage concerns;
8. Impact on local environment and community;
9. Design / Impact on visual amenity [relationship with adjacent properties];
10. Building line / overbearing concerns;
11. Loss of light;
12. Block views that residents of Wilson Gardens enjoy of Harrow-on-the-Hill and the spire of St Mary's Church clearly visible from first floor front bedrooms;
13. Lack of communal gardens and amenity space; and
14. Servicing / refuse arrangement concerns.

Each point of the above representations received is responded to accordingly:

1. The proposal would be within the density guidelines set out in the London Plan 2008;
2. The balconies to the front have been removed. The elevation treatment has also been re-designed to follow features of neighbouring properties. Further details of window / elevation treatment is recommended as a planning condition;
3. The proposal from neighbouring properties is considered to be acceptable, having regard to the separation distance between habitable room windows [at least 18m].
4. The proposal would be similar in scale and as part of a corner plot, and would provide an opportunity for a design that still respects the scale of neighbouring development;
5. The proposal would provide 1:1 car parking provision along with cycle parking provision and is considered acceptable;
6. Details of any lighting and the proposed gates [to address the noise issue] would be secured as a planning condition;

7. Harrow's Drainage Services raise no objection to the proposal subject to comments, which would be secured as planning conditions;

8. The revised scheme is now considered to be an appropriate form of development, which respects the scale and form of neighbouring properties having regard to the amenities of occupiers of the surrounding area. It would provide adequate car parking provision, refuse and servicing as well as a secure environment as a gated scheme.

9. The proposal now respects the scale and form of the adjoining neighbouring buildings along Wilson Gardens and Vaughan Road. At these points, the scale of the proposal is significantly lower. Balconies to the front have also been removed and further detailing of the windows would be required and secured as a planning condition;

10. The front building respects the rhythm of the building line along Wilson Gardens and Vaughan Road. At the roundabout junction, it would be set away from the pavement to provide a sense of open space;

11. It is not considered that the scale of the proposal at a similar height to the neighbouring residential dwellings would have any material impact on loss of light on occupiers of the neighbouring properties;

12. It is considered there would be sufficient separation distance between the proposal and nearby residential dwellings. In addition there is no 'right to a view';

13. There would be provision of landscaping to the front of the site at the roundabout junction, details which would be secured as a planning condition. Notwithstanding, the applicant has also agreed to a financial contribution towards the maintenance of nearby West Harrow Recreation Ground to facilitate a potential increase in usage of the park arising from the development.

14. The proposal would provide secure refuse storage. Details of the servicing arrangement would be secured as a planning condition.

CONCLUSION

The proposal would represent a satisfactory form of development, which would respect the character of the neighbouring area. The proposed design and scale and separation distances to existing nearby residential dwellings has been carefully considered. In consideration of the existing situation on-site in derelict form, the applicant's willingness to provide S106 contributions towards various Heads of Terms, which would benefit the community as a whole, it is considered this proposal is acceptable in planning policy terms.

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 and completion of the 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 Prior to first 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.

3 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 Homes' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

4 Prior to the commencement of development, 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 before the buildings 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.

5 The site shall remain enclosed by the existing fencing or temporary hoardings until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

6 The access carriageway shall be constructed to base course in accordance with the specification and levels agreed, and the carriageway and footways completed before any building is occupied in accordance with details to be submitted to, and approved by, the local planning authority. The development shall thereafter be retained.

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

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 including provision as defensible space to the ground floor units hereby permitted 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.

8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the occupation of the building(s), or the completion of the development, whichever is the sooner. Any 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 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 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 paragraph (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.

10 The development hereby permitted shall not commence until there have been submitted to, and approved in writing by, the local planning authority, detailed drawings of all underground works, including those to be carried out by statutory undertakers, in connection with the provision of services to, and within, the site in relation to the trees to be retained on site.

REASON: To ensure that the trees to be retained on the site are not adversely affected by any underground works.

11 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.

12 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.

13 No site works or development other than demolition, substructure and drainage 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.

14 Prior to commencement of development hereby permitted, details of samples of 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: External paving and boundary treatment; and

b: Front and rear elevations including windows.

The development shall be carried out in accordance with the approved details and shall thereafter be permanently retained.

REASON: To safeguard the appearance of the locality, to ensure that quality of design is maintained.

15 The development hereby permitted shall not be occupied until the car parking, turning and loading area(s) shown on Drawing No. 2009/598/P/02 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 prior 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.

16 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated and retained for use by the occupants of the two of the ground floor flats 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.

17 The development hereby permitted shall not be occupied 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.

18 The development hereby permitted shall not commence 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.

19 The development of any buildings hereby permitted shall not commence 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.

20 The development of any buildings hereby permitted shall commence 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.

21. The development hereby permitted shall not commence until details of a scheme aiming to achieve a reduction in carbon dioxide emissions of 20% or such percentage which is feasible from on-site renewable energy generation and low carbon technologies has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is first occupied and shall thereafter be retained so that it provides the required level of generation.

REASON: To ensure the development meets the basic requirements of London Plan policies 4A.1 and 4A.7.

22 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.

23 Notwithstanding the information shown on the submitted plans, further detail of the front and rear elevation of the development hereby permitted including further design of the windows and their openings [and provision of cross sections of the windows] shall be submitted to and approved in writing by the local planning authority prior to commencement of development.

REASON: To ensure an appropriate form of development that respects the neighbouring residential properties and the character of the surrounding area in regard to design and visual amenity.

24 A landscape management plan, 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.

25 No development shall take place until a schedule of landscape maintenance 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.

26 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.

27 There shall be no raising of existing ground levels on the site.

REASON: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

28 No sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent, shall be discharged to the surface water drainage system.

REASON: To prevent pollution of the water environment.

29 No soakaways shall be constructed such that they penetrate the water table, and shall not in any event exceed 3 metres in depth below existing ground level.

REASON: To prevent pollution of groundwater.

30 Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter shall not be connected to the surface water drainage system.

REASON: To prevent pollution of the water environment.

31 The development hereby permitted shall not commence until details of cycle storage for 13 spaces have been provided on-site in accordance with details to be submitted to and approved in writing by the local planning authority. The cycle spaces shall thereafter be permanently retained.

REASON: To ensure adequate cycle parking is provided.

32 At least two of the ground floor units hereby permitted shall be built as wheelchair accessible housing, details which shall be submitted to and approved in writing by the local planning authority prior to commencement of development. Such details as approved shall thereafter be permanently retained in accordance with the approved details.

REASON: To ensure a reasonable provision of wheelchair accessible housing is provided as part 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 Increasing London's supply of housing

3A.2 Borough housing targets

3A.3 Maximising the potential of sites

3A.5 Housing choice

3A.6 Quality of new housing provision

3A.8 Definition of affordable housing

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

4A.4 Energy assessment

4A.7 Renewable Energy

4A.21 Waste strategic policy and targets

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

4B.6 Safety, security and fire prevention and protection

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy
D10 Trees and New Development
EP25 Noise
T6 The Transport Impact of Development Proposals
T13 Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow Council's website:

Access for All: http://www.harrow.gov.uk/downloads/AccessforallSPD_06.pdf

Accessible Homes: <http://www.harrow.gov.uk/downloads/AccessibleHomesSPD.pdf>

4 INFORMATIVE:

There may be public sewers crossing this site, so no building will be permitted within 3m of the sewers. The applicant should contact the Area Service Manager at Mogden, Thames Water Utilities, at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure, Tel: 08459 200800.

5 INFORMATIVE:

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

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

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

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

6 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 (i.e. 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.)

7 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).

8 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.

9 INFORMATIVE:

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

10 INFORMATIVE:

For the purposes of the avoidance of doubt demolition shall not constitute the commencement of development.

Plan Nos: 2009/598/P/01; 2009/598/P/02 Rev B; 2009/598/P/03 Rev B;
2009/598/P/04 Rev B; 2009/598/P/05 Rev B; 2009/598/P/06 Rev B;
2009/598/P/07 Rev B; 2009/598/P/08 Rev B; 2009/598/P/09 Rev B.

PARK HIGH SCHOOL, THISTLECROFT GARDENS, STANMORE HA7 1PZ

Item: 1/04

P/2161/09/SL/MAJ

Ward BELMONT

TWO-STOREY TEMPORARY BUILDING TO PROVIDE 9 CLASSROOMS AND ANCILLARY ACCOMMODATION, SINGLE-STOREY DETACHED BUILDING TO PROVIDE SPORTS CHANGING ACCOMMODATION AND NEW SUB-STATION.

Applicant: LONDON BOROUGH OF HARROW

Agent: LOM

Statutory Expiry Date: 31-DEC-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 and the land at Park High 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

EP46 – Open Space

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 who intends to carry out the development and the land at Park High 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

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) Neighbour 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: Major
Site Area: 1.85 ha
Car Parking: Standard: None proposed
Council Interest: Council-owned property

b) Site Description

- Site is situated at the end of Thistlecroft Gardens.

c) Proposal Details

- As proposal description.
- Temporary permission of five years sought.

d) Relevant History

- None

e) Pre Application Discussion

- The proposal was discussed with Stanley Lau [Deputy Team Leader – Major Application Team].

f) Applicant Statement

- It is requested that planning permission be granted for a five-year period.

g) Consultations:

Notifications:

Sent: 33

Replies: 0

Site Notice: 14-OCT-09

Summary of Responses:

- None received.

APPRAISAL

1) Principle of Development and Land Use

The proposed temporary modular buildings are required as an interim measure in advance of the BSF masterplans being implemented. This would assist the School's aspirations in providing education in quality classroom accommodation in the longer term.

The proposed temporary modular buildings 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.

2) Quality of Design and Accessibility

The proposed two-storey flat-roof temporary modular building and single-storey modular building for changing rooms would be pre-fabricated. Details of materials would be attached to any planning consent as a condition and would be subject to consideration of Policy D4 of Harrow's UDP [2004].

Ramped access to the entrance of each temporary modular building would be provided, which would comply with the requirements of the Disability Discrimination Act [1995]. The internal lobby and access to all classrooms is sized to suit Part M of the Building Regulations [2000].

Consequently, the proposal accords with Policies 4B.1 and 4B.5 of The London Plan [2008] and Policies D4 and C16 of Harrow's UDP [2004].

3) Impact on Open Space

Noting that the site is designated as white land in Harrow's UDP, the location of the proposed two-storey temporary modular building at the south part of the site would replace two existing single-storey modular units. The main issue regarding this modular building is the impact of this unit on the adjoining designated Open Space to the south, which comprises a miniature golf course. This part of the proposal would be screened by the intense soft landscaping of mature trees and vegetation that runs along the southern boundary. It is considered this part of the temporary proposal is acceptable in accordance with the principle of Policy EP47 of Harrow's UDP [2004].

Details of the proposed sub-station at the south-west part of the site have yet to be finalised however, is considered acceptable in the context of its proposed location having regard to the adjacent Open Space designation. It will be single-storey and further details are recommended as a planning condition.

The proposed temporary modular building comprising changing rooms, by reason of its proposed location is not considered to be an issue in this instance.

It is considered that a temporary permission of five years would be too extensive. Therefore, it is recommended to ensure the temporary modular buildings be removed within three years of any consent.

In the interest of preserving the enjoyment of occupiers of the neighbouring residential properties, a planning condition is also 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. Details of landscaping are also recommended.

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

No response received.

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 and Country Planning Act 1990.

2 The proposed two-storey modular buildings hereby permitted shall be removed and the land restored to its former condition within three years of the date of this permission.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

3 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.

4 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.

5 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.

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.

7 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.

8 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.

9 Prior to first occupation of the development, details of soft landscaping along the southern boundary shall be submitted to and approved in writing. Such details as approved shall be implemented prior to first occupation of the development and thereafter be retained for at least as long as the development is in place.

REASON: In the interest of protection of the adjacent Open Space.

10 Prior to commencement of development of the sub-station, such details of this part of the proposal shall be submitted to and approved in writing by the local planning authority.

REASON: In the interest of protection of the adjacent Open Space.

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.24, 4A.3, 4B.1, and 4B.5.

Harrow Unitary Development Plan: D4, C16, and EP25.

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:

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

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 (i.e. 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.

5 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 / 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.

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: 1000F-01-M1-01 Rev A; 1000F-21-GE-01 Rev A; 1000F-21-GE-02 Rev D;
1000F-24-M1-01 Rev D; 1000F-24-M1-02 Rev D; 1000F-31-M1-01 Rev B;
1000F-31-M1-02 Rev B; 1000F-31-M1-01 Rev B; 1000F-31-MI-02 Rev B;
1000F-01-M1-01 Rev A; 1000F-01-M1-02 Rev A; 1000F-24-M1-01 Rev D;
1000F-24-M1-02 Rev D; 1000F-00-CH-01 Rev A; 1000F-01-CH-01 Rev A;
1000F-01-CH-02 Rev A; 1000F-31-CH-01 Rev A; 1000F-31-CH-02 Rev A;
1000F-24-CH-01 Rev A

Item: 1/05

NOWER HILL HIGH SCHOOL, PINNER ROAD, HARROW HA5 5RP

Ward HEADSTONE NORTH

2NO. X TWO-STOREY TEMPORARY MODULAR BUILDINGS TO PROVIDE CLASSROOMS AS PART OF HARROW'S YEAR 7 TRANSFER PROGRAMME AND SINGLE-STOREY EXTENSION TO THE DINING ROOM.

Applicant: LONDON BOROUGH OF HARROW

Agent: LOM

Statutory Expiry Date: 16-DEC-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 and the land at Nower Hill High 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 who intends to carry out the development and the land at Nower Hill High 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

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) Neighbour 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: Major
Site Area: 2.72 ha
Car Parking: Standard: None proposed
Council Interest: Council-owned property

b) Site Description

- Site is situated off Pinner Road and comprises two and three-storey buildings.

c) Proposal Details

- As proposal description.
- Temporary permission of five years sought.

d) Relevant History

- None

e) Pre Application Discussion

- The proposal was discussed with Stanley Lau [Deputy Team Leader – Major Application Team].

f) Applicant Statement

- It is requested that planning permission be granted for a five-year period.

g) Consultations:

One neighbour consultation representation received.

Notifications:

Sent: 138

Replies: 1

Site Notice: 06-OCT-09

Summary of Responses:

One neighbour consultation representation received objecting to the proposal:

- Increase in traffic noise and pollution;
- Overdevelopment;
- Development would give rise to anti-social behaviour and loss of property value.

APPRAISAL

1) Principle of Development and Land Use

The proposed dining extension and temporary modular buildings are required as an interim measure in advance of the BSF masterplans being implemented. This would assist the School's aspirations in providing education in quality classroom accommodation in the longer term.

The proposed dining extension and temporary modular buildings 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.

2) Quality of Design and Accessibility

The proposed two-storey flat-roof temporary modular buildings are pre-fabricated. Details of materials would be attached to any planning consent as a condition and would be subject to consideration of Policy D4 of Harrow's UDP [2004].

The proposed single-storey extension for dining would comprise an 'L-shaped' element contained within an existing arrangement of school buildings. It would form a flat roof and a set of double glazed doors would be located on the north elevation. Details of elevation treatment would be secured as a planning condition.

Ramped access to the entrance of each temporary modular building would be provided, which would comply with the requirements of the Disability Discrimination Act [1995]. The internal lobby and access to all classrooms is sized to suit Part M of the Building Regulations [2000].

Consequently, the proposal accords with Policies 4B.1 and 4B.5 of The London Plan [2008] and Policies D4 and C16 of Harrow's UDP [2004].

3) Neighbour Amenity

The location of the proposed temporary modular building for the Science Department is relevant to the issue of neighbour amenity. All other buildings are not considered significant in this instance.

The main issue regarding this modular building is the perceived impact of this unit on occupiers of the residential properties along Pinner Court. The proposed temporary modular building would be situated at least 18m away from the façade of the residential properties along Pinner Court and would comprise five windows above 1.5m, though would provide a satisfactory separation distance to the nearest residential properties. In addition, it is recommended that these five upper storey windows be obscurely glazed in the interest of neighbour amenity, which can be secured as a planning condition. Accordingly, this part of the proposal would accord with Policies D4 and EP25 of Harrow's UDP [2004].

It is considered that a temporary permission of five years would be too extensive in respect of neighbouring amenity. Therefore, it is recommended to ensure the temporary modular buildings be removed within three years of any consent.

In the interest of preserving the enjoyment of occupiers of the residential properties, a planning condition is also 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.

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

No response received.

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 and Country Planning Act 1990.

2 The proposed two-storey modular buildings hereby permitted shall be removed and the land restored to its former condition within three years of the date of this permission.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

3 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:

Item 1/05 : P/2156/09/SL/MAJ continued/...

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.

4 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.

5 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.

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.

7 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.

8 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.

9 The upper storey windows in the west elevation of the proposed Science Block as illustrated on Drawing No. 1000C-31-M1-01 B facing the residential properties of Pinner Court shall be obscurely glazed and permanently fixed shut.

REASON: To protect the amenity of occupiers of nearby residential properties.

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: The London Plan [2008] Policies: 3A.24, 4A.3, 4B.1, and 4B.5.

The London Borough of Harrow UDP [2004] Polices: D4, C16, and EP25.

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:

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

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 (i.e. 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.

5 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 / 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.

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: 1000C-1.3.1-001B; 1000C-00-00-01; 1000C-00-DI-01; 1000C-01-DI-01;
1000C-00-M1-01; 1000C-20-GD-01; 1000C-20-01-01; 1000C-20-CP-01;
1000C-21-GE-01; 1000C-21-GE-02; 1000C-21-CP-01; 1000C-24-DH-01;
1000C-24-DH-02; 1000C-24-M1-01; 1000C-24-M1-02; 1000C-24-M2-01;
1000C-24-M2-02; 1000C-31-DH-01; 1000C-31-M1-01; 1000C-31-M2-01;
1000C-31-M2-02; and 1000C-32-DH-01.

**COPSE FARM, BROOKSHILL DRIVE, P/1429/09/DC3/MAJ
HARROW**

Ward HARROW WEALD

DEMOLITION OF ALL EXISTING NON-LOCALLY LISTED BUILDINGS; ERECTION OF TWO STOREY DWELLING HOUSE AT COPSE FARM; PART REDEVELOPMENT OF BROOKSHILL FARM COURTYARD INCLUDING DEMOLITION OF LOCALLY LISTED STABLE AND FARM OFFICE BUILDINGS AND REPLACEMENT WITH FOUR ADDITIONAL STAFF DWELLING HOUSES; RETENTION AND RESTORATION OF LOCALLY LISTED DWELLING HOUSES (COPSE FARM HOUSE, DAIRY AND FARM COTTAGES) AND LOCALLY LISTED BARN AND HAYLOFT; ERECTION AND ALTERATION OF AGRICULTURAL BUILDINGS IN BROOKSHILL FARM COURTYARD; REPLACEMENT OF LOCALLY LISTED STABLE BUILDING IN COPSE FARM COURTYARD; NEW ACCESS DRIVE; CREATION OF TEMPORARY FOOTPATH; ERECTION OF TENNIS PAVILION; ASSOCIATED LANDSCAPE PROPOSALS.

Applicant: STEPHEN WAX

Statutory Expiry Date: 18-SEP-09

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) **Environmental Education Centre** – a contribution of £5,000 toward the ongoing running of the Earth Project at Newton Farm Park.
- ii) **Conservation Area Management Strategy** – contribution of £15,000 to go toward management and improvement works to the Brookshill Drive and Grimsdyke Estate Conservation Area.
- iii) **Green Belt Management** – contribution of £10,000 to go toward meeting the objectives contained within the Harrow Green Belt Management Strategy 2006-2011.
- iv) **Biodiversity Action Plan Implementation** – contribution of £5,000 toward biodiversity and ecology initiatives within the Harrow Weald Ward
- v) **Phasing Plan** – to submit for the Council's approval a programme for the phasing of the works comprised in the development (including the restoration of the Barn and the Green Belt Improvement works) prior to commencement of the development.
- vi) **Control on Future Use of Ancillary Units:**
 - (a) The six residential units to be provided on Brookshill Farm complex are to be used solely as ancillary staff dwellings to the primary use of the principal dwellinghouse as a farmhouse and the agricultural use of part of the site.
 - (b) None of the new build ancillary residential dwellings on site shall be subdivided or sold off as separate residential dwellings without the written consent of the Council.

- vii) **Green Roof Management** – to submit to the Council for its approval a comprehensive management plan for the maintenance of the green roof in perpetuity.
- viii) **Legal Fees:** payment of the Councils reasonable costs in the preparation of the agreement.
- ix) **Management of residential curtilage** – unless specifically approved by the Council in writing, no building, structure, or other feature shall be erected within the curtilage of the principal dwelling house.
- x) **Farm Management Plan** – development not to be occupied or brought into use until details of a farm management plan have been agreed with the local planning authority.
- xi) **Planning Administration Fee:** payment of £1,750 administration fee for the monitoring of and compliance with this agreement.

b) The direction of the Mayor of London.

c) The direction of the Government Office for London.

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 and resolution of 1b) and 1c) above.

REASON

Having regard to the development plan and all material planning considerations, the development described by the application and secured through the S106 planning obligation and conditions is considered to result in a net benefit to the openness and appearance of this part of the Green Belt. The effect of the programme of works, on the character and appearance of the site is considered to result in an enhancement to the character and appearance of the conservation area and buildings identified as of local importance. The design, relationship and detailing of the new development outlined, subject to the planning conditions and S106 agreement, is considered to be acceptable and meet the objectives set out for such development in the development plan and national planning policy.

The very special circumstances outlined by the applicant are considered, on balance and having regard to the mitigation outlined, to justify those parts of the proposal that amount to inappropriate development in the green belt.

Policies

Government Guidance:

- PPS1 – Delivering Sustainable Development
- PPG2 – Green Belts
- PPS3 - Housing
- PPS7 – Sustainable Development in Rural Areas
- PPS9 – Biodiversity and Geological Conservation
- PPG13 - Transport
- PPG15 – Planning and the Historic Environment

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
- 3D.9 – Green belt
- 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
- EP26 – Habitat creation and enhancement
- EP27 – Species protection
- EP28 – Conserving and enhancing biodiversity
- EP31 – Areas of special character
- EP32 – Green belt acceptable land uses
- EP36 – Agriculture
- EP37 – Re-use of existing buildings in the green belt
- EP41 – Green Belt Management Strategy
- 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
- D11 – Statutorily listed buildings
- D12 – Locally listed buildings
- D14 – Conservation areas
- D15 – Extensions and alterations in conservation areas
- D16 – Conservation area priority
- D23 – Lighting, including floodlighting
- T6 – The transport impact of development proposals
- T13 – Parking standards
- H7 – Dwelling mix
- R7 – Footpaths, Cyclepaths and Bridleways

Supplementary Planning Guidance:

- Supplementary Planning Guidance: Extensions: A Householders Guide (March 2008)
- Sustainable Design & Construction: The London Plan Supplementary Planning Guidance (May 2006)
- Access For All Supplementary Planning Document (April 2006)
- Accessible Homes Supplementary Planning Document (April 2006)
- Supplementary Planning Guidance: Designing New Development (March 2003)

Other Relevant Guidance:

Harrow's Sustainable Community Strategy (March 2009)
Building For Life (November 2008)
Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (March 2008)
Code for Sustainable Homes (April 2007)
Brookshill Drive & Grimsdyke Management Strategy (December 2006)
Harrow's Greenbelt Management Strategy 2006-2011
Secured By Design (June 2004)
Safer Places: The Planning System and Crime Prevention (February 2004)

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 HUDP)

- 1) Policy Background & Principle of Proposed Development (3D.9 & EP32, EP36, EP37, EP41)
- 2) Development in the Green Belt (3D.9 & EP32, EP36, EP37, EP41)
- 3) Design and Character of the Area (4B.1 & EP31, D4, D9, D10, D11, D12, D14, D15, D16, D23)
- 4) Sustainability & Renewable Energy (4A.1, 4A.7, 4A.14, 4A.16 & S1 EP15, EP20, EP21)
- 5) Residential Amenity (4B.1 & EP25, D4, D5)
- 6) Biodiversity and Nature Conservation (EP26, EP27, EP28)
- 7) Highways Impact (T6, T13, R7)
- 8) Accessibility (3A.5, 4B.1 & D4)
- 9) Housing Provision & Density (3A.1, 3A.2, 3A.3, 3A.5 & H7)
- 10) S17 Crime & Disorder Act (D4)
- 11) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Small-scale Major Other
Site Area:	15 ha
Density:	0.5 dph 2.7 hrph
Conservation Area:	Grimsdyke Estate and Brookshill Drive Conservation Area
Green Belt:	Yes
Area of Special Character	Yes
Car Parking:	Standard: 13 (maximum) Justified: 20 Provided: 20
Council Interest:	None

b) Site Description

- Site lies within predominantly rural landscape bounded by Old Redding to the North, Uxbridge Road to the South, Brookshill to the East and Oxhey Lane to the West.

- The site is accessed via Brooks Hill Drive which is a privately owned road
- Located entirely within Green Belt land
- Site within the Brookshill Drive Conservation Area
- Site within defined area of special character
- Hatch End and Harrow Weald local centres and Stanmore district centre approximately 2-3 km from site
- Watford and Harrow town centres approximately 6km and 4.5 km from site respectively
- Site contains two historically separate farm sites (Brookshill Farm and Copse Farm).
- Existing buildings consist of mixture of 3 residential dwelling houses, one flat, historic barn and stable buildings, covered ménage, sheds and out buildings in a range of conditions.
- The immediate surrounding properties are 2-storey detached single family dwelling houses on Brookshill Drive
- The Bungalows (Bridle Cottages) directly opposite the site are grade 2 listed buildings;
- To the south and west of the site is farmland used for grazing of animals, open fields for hay making and some woodland.
- To the North of the site is The Case is Altered public house and an area of car parking off Old Redding;
- Public right of way / access bridleway runs from Old Redding down through the Copse Farm site.
- The existing 2-storey detached house 'Red Corners' adjacent to the Brookshill Farm complex is in applicants ownership and has planning permission for a new replacement house (planning ref: P/3015/05).

c) Proposal Details

- Demolition of non-locally listed buildings and demolition and replacement of locally listed stable buildings within the Copse Farm complex to provide 5 new dwellings and 197m² new storage space for agricultural use.
- Part re-development of Brookshill Farm complex to include demolition of existing locally listed stables, outbuildings, farm offices, and residential flat to create four part single part 2-storey staff dwelling houses, four car garages and farm equipment storage area.
- Retention and renovation of existing 2-storey Dairy and Farm Cottages and Hayloft within the Brookshill Farm complex.
- Erection of new 2-storey with basement, 5 bedroom principal dwelling house with green roof located at western edge of Copse Farm complex.
- Creation of tennis court and pavilion on existing area of hard standing at south-eastern corner of site, including six 5.5m high floodlights, 2.8m high chain link fence, 673.4m² or permeable playing surface and reverting 577m² of hard surfacing back to grassland.
- Temporary diversion of part of existing public footpath to eastern corner of site.
- New access drive connecting new principal dwelling house with existing Copse Farm Bridleway entrance off Old Redding.
- Closing off of existing vehicular entrance to Copse Farm complex and creation of new access point to north east of proposed new stable building.

- Retention and re-use of 2-storey, 3 bedroom Copse Farm House as guest house including minor alterations.
- Restoration of existing dilapidated historic Barn including the removal of later extensions added to the original barn building.
- Removal of hard surfaced area immediately south of Brookshill Farm complex and replacement with small orchard and soft landscaping.
- Replanting and reinstatement of original hedgerows within the site.

d) Relevant History

HAR/9687/B	USE OF COVERED YARD AS INDOOR RIDING SCHOOL AND STABLES	GRANTED 16-MAR-65
EAST/225/93/FUL	SURFACING ON EQUESTRIAN TRAINING AREA	GRANTED 03-AUG-93
EAST/327/94/FUL	CONTINUED USE OF LAND AND BUILDINGS AS RIDING SCHOOL AND USE OF LAND FOR CAR PARKING	GRANTED 20-FEB-95
P/3090/05/CFU	ALTERATIONS AND CHANGE OF USE OF BARN TO WORK SPACE (B1); EXTENSIONS TO FARM BUILDING FOR 2 HOUSES; CONSTRUCTION OF 12 DWELLINGS	WITHDRAWN
P/1363/06	TEMPORARY INSTALLATION OF 8.25M HIGH WIND TURBINE TO SOUTH OF FARM SITE	REFUSED 11-JUL-06

Reason(s) for Refusal:

1. The proposed wind turbine, by reason of excessive size, prominent siting, and unsatisfactory appearance would be unduly obtrusive and give rise to a loss of outlook to the detriment of the visual amenities of the locality, the appearance, character and openness of the Green Belt, the emerging Brookshill Drive Management Strategy and Brookshill Drive Draft Appraisal, Harrow and Weald Ridge Area of Special Character and would not preserve or enhance the character or appearance of Brookshill and Grimsdyke Conservation Area.

P/2607/06	DEMOLITION OF FARM BUILDINGS & OUT HOUSES	WITHDRAWN
P/2610/06	ALTERATIONS AND CHANGE OF USE OF BARN TO WORK SPACE (B1); EXTENSIONS TO FARM BUILDING FOR 2 HOUSES; CONSTRUCTION OF 12 DWELLINGS	WITHDRAWN
P/1430/09	CONSERVATION AREA CONSENT: DEMOLITION OF ALL EXISTING NON-LOCALLY LISTED BUILDINGS AND EXISTING LOCALLY LISTED STABLE BUILDING AT COPSE FARM AND FARM OFFICE AND STABLE BUILDINGS AT BROOKSHILL FARM (COPSE FARM HOUSE, DARIY COTTAGE, FARM COTTAGE AND HAYLOFT RETAINED).	PENDING

e) Pre Application Discussion

To date there have been eight formal pre-application meetings with Harrow Council officers since October 2007. The key points raised from these discussions were as follows:

- Application referable to GLA and possibly GOL;
- Principle of Development commendable as it comprises single owner family use dwelling, retention of locally listed buildings, rebuilding in character with conservation area and green belt, high quality “grand design” house – incorporating sustainable design & construction and the reinstatement of agricultural use;
- Renovation of barn and retention as barn for storage / parking use is seen as fundamental and absolutely paramount to scheme;
- New building will be significant landmark in the conservation area;
- A significant part of the applicant’s case for “very special circumstances” in the Green Belt will include the renovation and use for three guest units at Copse Farm which is considered acceptable in principle.
- The rebuilding of stable block. Retention preferred but likely to be justifiable in context proposed;
- East Complex: Dairy Cottage / Farm Cottage - renovation and re-use for residential staff / employees is acceptable in principle;
- The retention of Hayloft is acceptable in principle;
- Redevelopment of 1 and 2 storeys for staff residential use – acceptable in principle;
- Parking in garages and courtyard – acceptable in principle;
- New homes and house: as a minimum should be to Sustainable Code for Homes - Level 3;
- New homes requirement: Lifetime Homes Standards (for all new units);
- Market Garden and Greenhouses considered acceptable in principle in context proposed;
- Screening / Tree loss / Landscaping / Nature Conservation:
- detailed levels information required on route of proposed road, including site sections, to assess impact on existing trees;
- New Roadway: justification for siting and tree loss required;
- Level of dig in relation to the tree roots information needed;
- How would the use relate to use of stable block? – who has access through gateway to stable block?
- Use for service / emergency access was stated (and preferred) use of existing service road;
- Need to consider a decentralised energy system and passive design, making maximum use of southern orientation;
- Green roof supported and need to consider impact from south views, as referred to above;
- Section 106 possible heads of terms include built form repair / re-use of locally listed and other buildings; public access; Green Belt management strategy; environmental centre etc;
- EIA – Screening Opinion.

f) Applicant Statement

- Copse Farm and Brookshill Farm were under single ownership since the early 1900s. The land was used for grazing and there was a dairy facility in the Brookshill Farm Courtyard together with Farm House and other farm buildings;
- A riding school was established on the premises in the 1960's;
- In 2003 the school was closed as it became unviable to operate;
- Between 2003 and 2007 the new owners submitted several planning applications for new housing however none were successful as they were considered inappropriate development in the green belt;
- Copse farm has been neglected over the past 20 years and the majority of the buildings on site are in a derelict state, particularly the barn which is in a dangerous state of collapse;
- The current applicant purchased the land in 2008;
- Copse Farm contains the original farmhouse, a locally listed building. Within the farmyard is a locally listed 18th century barn in a very poor condition. The barn encloses the farmyard on the north side and provides an important closure to the road, which, at this point, is a track that winds its way past the north wall of the barn.
- The aim for the developer is to retain, enhance and refurbish the majority of the buildings that are locally listed and re-use those buildings in an appropriate manner associated with an active farm complex.
- The aim of the proposed development is to provide for a principal single family dwelling house as the main farmhouse with guests and employees of the principal householder occupying other established residential properties together with the creation of new staff accommodation within the existing complex. In addition, there will be the utilisation of some of the properties as guest accommodation, a farm office and farm management structures.
- Whilst the development represents an increase in floor space and volume, there will be a significant decrease in footprint and above ground floor space.
- The woodland, hedges and scrubland will be enhanced through a woodland management scheme and new planting.
- The area of agricultural land and landscaping will increase through the reduction of hard surfacing and building footprint on site.
- The proposed use of the site for residential and agricultural purposes is considered in keeping with the surrounding area and the historic use of the site.
- Very special circumstances can be demonstrated that show why the proposal would not be considered inappropriate development in the Green Belt. These include the benefits of restoring the historic environment and enhancing the biodiversity of the area and the community benefits.

g) Consultations:

Greater London Authority:

- Very special circumstances identified by applicant under PPG2 criteria are accepted in principle. Proposal is considered to enhance the open character of the Green Belt;

- The S.106 Agreement should ensure that the six residential units are treated as ancillary to the main use of the site as a farm in perpetuity and not as residential use in their own right;
- The proposal would enhance the character and appearance of the conservation area;
- Proposal meets inclusive design requirements and complies with the 16 points of the lifetime homes standards;
- The rationale to combine two different heat generating technologies, CHP and biomass that are not considered compatible requires further explanation.
- The proposed adaptation measures and Code for Sustainable Homes level 3 commitment is fully supported;
- The ecology impact assessment provided demonstrates that more detailed survey on bats, reptiles and badgers are required in accordance with strategic policy 3D.14.

Environment Agency:

- Development acceptable subject to two required conditions. One relating to compliance with submitted Flood Risk Assessment (FRA). The other relating to water efficiency measures.

English Heritage:

- Do not wish to comment.

Thames Water:

- There are public sewers crossing the site and no building works will be permitted within 3m of sewers without Thames Water's consent.
- No objection with regards to developments impact on sewage infrastructure.
- Storm water and surface water should be attenuated.

Crime Prevention Design Advisor:

- No response.

Transport for London:

- No objection.

Highways Authority:

- No objection. Existing emergency / service vehicle access road to be maintained.

Conservation Area Advisory Committee:

- Concept of single ownership of the site is considered positive.
- Question whether very special circumstances have been demonstrated for development in the Green Belt.
- Tree and hedge planting would obscure views of users of footpath and bridleway.
- 2-storeys is too high and would create blank grass wall obscuring views through the farmyard to the open fields below.
- Objection - additional drive unnecessary should use existing.

- Proposed new principal dwelling appears overly large and high and would alter character of the farmyard setting. Prefer to see use of existing building on site as opposed to new development in Green Belt.
- New house would obscure important views through the farmyard onto the fields below.
- Glazing to the south west elevation would be highly prominent both during the day and at night. At night light pollution would be obvious and in the daytime the sun would reflect off the glass.
- New building would be extremely prominent from Old Redding Car Park. It would also be seen from the roundabout at the junction with Oxhey Lane and would change the character of the ridge of Harrow Weald.
- Proposed underpass not necessary.

Hatch End Association:

- Overall we do not object to the proposal.
- We believe the applicant has demonstrated very special circumstances to develop in the Green Belt;
- Removal of dilapidated buildings and reuse of locally listed buildings would re-instate the rural character of the area;
- We believe that the character of the conservation area would be enhanced;
- Reinstatement of agricultural use of the land is supported;
- Some concern with the height and bulk of the new Brookshill Farm courtyard and the affect the new houses will have on the views from Bridle Cottage and Duke Cottage;
- Concern that the planting of hedge rows may impact on some existing views, however acknowledge that natural landscape is forever changing;
- No objection to the new driveway as this would reduce traffic on the bridleway. Development would result in less traffic than the former riding school;
- Proposed tunnel between Brookshill Farm Courtyard and Copse Farm Courtyard.

Advertisements:	Character of Conservation Area	Expiry: 20-AUG-09
	Departure from UDP	Expiry: 20-AUG-09
	Development on a Right of Way	Expiry: 20-AUG-09
	Major Development	Expiry: 20-AUG-09
	Setting of a Listed Building	Expiry: 20-AUG-09

Notifications:

Sent: 79 Replies: 10 Expiry: 22-JUL-09

Summary of Responses:

For (8): The removal of derelict buildings welcomed, project has many green credentials which are to be commended, traffic will not affect Brookshill Drive which is welcomed, rebuilding of stable building would reflect tradition style of buildings in area, would like to see some more trees planted

Against (2): Object to impact on views from Bridle Cottages, impact of increase in Brookshill Farm would affect views from neighbouring properties.

APPRAISAL

1) Policy Background & Principle of Proposed Development

The development proposed comprises the total refurbishment and partial development of two former farm complexes located within the metropolitan Green Belt, together with a new dwelling, access road and associated curtilage and facilities. New development within the Green Belt is subject to specific policy considerations set out in PPG2, which seeks to guard against inappropriate development unless very special circumstances are proven. The site also falls [partly] within the conservation area where new development is required to preserve or enhance the appearance of the area. In addition, planning policy considerations reflected in PPS1 and PPS3 particularly, require the development to meet the principles of sustainable development.

The application site is not a major development site within the Green Belt. Accordingly, whilst some elements of the application are in principle, acceptable (related to the agricultural use of the site, appropriate alterations to the existing dwellings and the re-use of existing buildings) a number of the elements outlined in the tables below, are considered to constitute “inappropriate development.”

When broken down into individual elements, the proposed development consists of the following:

Table 1 - Brookshill Farm Complex

	+ / - Footprint	+ / - Volume	Appropriate / Inappropriate under PPG2
Retention and reuse of Dairy Cottage	0	0	Appropriate
Retention and reuse of Farm Cottage	+ 4m ²	0	Appropriate
Retention and reuse of Hayloft	0	0	Appropriate
Demolition of existing outbuildings, stable buildings and office	- 772m ²	- 2690m ³	Appropriate
Development of eastern corner and south western corner to provide four houses, plant and equipment store	+ 698m ²	+ 3791m ³	Inappropriate

Table 2 - Copse Farm Complex

	+ / - Footprint	+ / - Volume	Appropriate / Inappropriate under PPG2
Demolition of existing stable building	- 164m ²	- 733m ³	Appropriate
Replacement stable building	+ 161m ²	+ 637m ³	Inappropriate
Demolition of covered ménage building, sheds and outbuildings	- 1,319m ²	- 4926m ³	Appropriate
Retention and reuse of Copse Farmhouse with some minor alterations	+1m ²	- 3m ³	Appropriate
New principal dwelling house	+ 759m ²	+ 5,385m ³	Inappropriate
Restoration of Barn	+ 1m ²	+ 99m ³	Appropriate
New access driveway	803.6m ²	N/A	Inappropriate

Table 3 - Other development on site

	+ / - Footprint	+ / - Volume	Appropriate / Inappropriate under PPG2
New Tennis Court	+ 673.4m ²	N/A	Appropriate
New tennis court Pavilion	+ 43m ²	+ 163m ³	Inappropriate
Removal of hard-surfaced areas within site	-1,360m ²	N/A	Appropriate
Creation of new residential curtilage into Green Belt (excludes existing curtilages)	+ 6,182m ²	N/A	Inappropriate

As the above tables highlight there are key elements of the proposed development that are considered inappropriate development in the Green Belt, particularly new residential development.

The proposed development contains certain elements that are appropriate and some that are inappropriate development in the Green Belt. The following section of the report breaks down each element of the proposed development in detail and highlights where the applicants have attempted to demonstrate very special circumstances for those elements of the development deemed inappropriate under PPG2. It also highlights those elements of the proposal considered appropriate under PPG2 criteria.

2) Development in the Green Belt

PPG2 highlights that land within defined Green Belts helps to fulfil the following objectives:

- To provide opportunities for access to the open countryside for the urban population;
- To provide opportunities for outdoor sport and recreation near urban areas;
- To retain attractive landscapes and enhance landscapes near to where people live;
- To improve damaged and derelict land around towns;
- To secure nature conservation interest;
- To retain land in agricultural, forestry and related uses.

The proposed development involves the demolition of a number of existing buildings, removal of areas of obvious equestrian activity (notably the ménage areas), the construction of new residential buildings, the re-use of existing residential buildings, the alteration and repair of established (and visually important) farm buildings, and the construction of new and replacement buildings to re-create the appearance of the former courtyards at Brookshill and Copse Farm. Insofar as the development represents a combination of appropriate and inappropriate development, the proposal, it is argued, fulfils the objectives of PPG2 with regard to retention of attractive landscape, improvement of damaged land around towns, securing natural conservation interests and the retention of agricultural land use – on a part of the site.

In the sections below, the report sets out the very special circumstances that the applicants consider justify the specific inappropriate developments within the proposal, alongside the implications for the Green Belt and wider area arising from the development.

Table 4 - The New Principal Dwelling House, Copse Farm Complex

	Footprint	Height (max)	volume	Residential or ancillary residential land use
Existing buildings	1,319m ²	133.2m AOD	4,926m ³	1,847m ²
Proposed building	759m ²	130.5m AOD	5,385m ³	5,752m ²
TOTAL	- 560m²	- 2.7m	+ 459m³	+3,905m²

The centrepiece of the redevelopment proposals is the development to the Southwest of the existing building complex, on part of the covered ménage, of a contemporary design five bedroom dwelling, incorporating a green roof and new curtilage extending southwards into the existing pasture. The dwelling would serve as the principle dwelling on the complex with all other new and refurbished homes providing accommodation for staff and estate managers working on the site.

The dwelling would occupy a prominent position in the open countryside and would be visible from a number of viewpoints, including old reading car park to the west. The application includes visual assessments that seek to demonstrate how the design of the dwelling responds both to its siting and the relationship with other dwellings in the vicinity.

The dwelling would replace existing portal frame building of utilitarian appearance. Its design would have an impact upon the openness of the Green Belt, particularly towards the western end where the existing ménage area has only a modest impact. At the eastern end, the building would arguably have a more appropriate form than the existing portal frame building, albeit that together with the enlarged curtilage, the overall effect would be to enlarge the curtilage of the complex beyond its current extent. The impact of this may be capable of control through appropriate landscaping and management of the residential regimes.

The proposed footprint of the dwelling house would be 759m², the proposed volume would be 5,385m³ and the proposed height would be 130.5m above ordinance datum (AOD). The buildings that are to be removed from the wider Copse Farm complex include the covered ménage, stable outbuildings, domestic garage, barn outbuildings and other sheds. Combined these buildings represent a total footprint of 1,319m² heights ranging from 128.45 AOD to 133.02 AOD and a total combined volume of 4926m³

The very special circumstances for the principal dwelling house argued by the applicant are:

- Reduction in built footprint of Copse Farm Complex
- Reduction in total number of buildings within the Copse Farm Complex
- Reduction in overall area of hard-surfacing of Copse Farm
- Unique and high quality contemporary architecture of new dwelling house including extensive use of green roof to minimise building appearance in the Green Belt.

Table 5 - Brookshill Farm Complex

	Footprint	Height (max)	volume	Residential or ancillary residential land use
Existing buildings	940m ²	136.13m AOD	3710m ³	172m ²
Proposed buildings	870m ²	135.61m AOD	4811m ³	1,261.5m ²
TOTAL	- 70m²	- 0.52 m	+ 1101m³	+ 1089.5m²

The re-development of the Brookshill farm complex provides for the re-building of the two existing ranges of stables/storage blocks principally to provide for 4 new dwellings and associated curtilage areas. Because the proposal involves demolition and rebuilding, the new development for residential purposes (including associated garages) amounts to inappropriate development within the Green Belt.

The design of the replacement dwellings and buildings closely follows the form and architectural style of the existing structures (albeit omitting some later and inappropriate additions to the original buildings) and provides for higher standards of environmental performance within the buildings whose construction reflects their current use. The development would contribute towards the restoration of the original format and appearance of the farm complex (based around a central enclosed courtyard) and retains key and distinct elements of this such as the Hayloft.

In terms of the built form for the whole of the Brookshill Farm complex the proposed footprint would be 870m², the proposed heights range from 132.71m AOD for the smallest building and 135.61m AOD for the tallest building, the total volume would be 4811m³. The existing complex has an overall footprint of 940m², has heights ranging from 131.92m AOD to 136.13m AOD for the tallest, the total combined volume of the existing buildings is 3710m³.

This part of the development would result in an increase in built form, particularly with regards to volume. This arises through the creation of first floor accommodation in both ranges (in place of single storey accommodation within the existing). It is considered however that the increase in built form at the Brookshill Farm complex has only a marginal impact upon the appearance and openness of the Green Belt with only a nominal impact upon the character and appearance of the conservation area. The Hayloft at the southern end of the complex and the Dairy and Farm Cottages will be retained on the western end. Therefore the most noticeable increase will come within areas of existing built form, from views within Brookshill Drive and from the property at Red Corners. There will be no obvious encroachment of buildings into the open fields of the surrounding Green Belt although the newly created residential gardens to the new dwellings, visible both from the public footpath to the west of the complex and from Brookshill Drive and glimpsed views to the east, will have some localised impact on the perceived openness of the greenbelt area.

The applicant argues that the very special circumstances for the Brookshill Farm Complex are:

- Re-instatement of traditional farm yard arrangement / footprint of buildings.
- Reduction in overall building footprint.
- Retention of buildings with greatest architectural merit.
- Restricting the future use of the new residential units via a s.106 agreement
- Re-provision of farm storage and equipment buildings.
- Removal of hard surfaced ménage area behind Hayloft and replacement with small orchard.

Table 6 - Replacement Stable

	Footprint	Height (max)	Volume	Residential or ancillary residential land use
Existing buildings	164m ²	130.7m AOD	733m ³	N/A
Proposed buildings	161m ²	129.3m AOD	637m ³	161m ²
TOTAL	- 3m²	- 1.4m	-96m³	+ 161m²

The existing stable building at Copse Farm is locally listed. It comprises a single storey building with pitch roof constructed in brick and slate (is this right). In recent years, unsympathetic block work lean to additions have been constructed on the western elevation, facing the open countryside and ménage. The replacement building seeks to follow the overall style and siting of the original to create new modern stabling facilities. The proposed footprint of the new stable would be 161m² the height would be 129.3m AOD and the proposed volume 637m³ and the new stable building therefore represents an overall reduction in built form compared with the existing.

The applicants claim that the very special circumstances justifying this element of the development are:

- Reduction in overall footprint, volume and height of replacement building;
- Design that is sympathetic to character and appearance of surrounding area.

In terms of built form this aspect of the proposed development will result in an improvement to the appearance and openness of the Green Belt. In terms of use the new stable building would contain the renewable energy systems and car parking predominantly associated to and ancillary with the residential use of the site whereas traditionally this was for agricultural purposes. This type of use is considered to be "inappropriate development" within the terms of PPG2. The applicant's submission does not seek to demonstrate that the building could not be converted for such uses.

Table 7 - Tennis Pavilion

	Footprint	Height (max)	Volume	Residential or ancillary residential land use
Existing buildings	N/A	N/A	N/A	N/A
Proposed buildings	43m ²	127.6m AOD	163m ³	43m ²
TOTAL	+ 43m²	+ 127.6m AOD	+136m³	+43m²

The proposed creation of a new tennis court with associated pavilion is directly associated with the proposed residential development within the Green Belt. In replacing a ménage area at the eastern end of the site, the proposed tennis court and pavilion would capitalise on the changing levels and existing screening to provide a relatively discrete facility. Nevertheless, both the tennis court and pavilion amount to inappropriate development in this case (as they are for private residential use). The tennis court would be lit by new floodlights, replacing three existing single lantern lights. The new tennis pavilion would represent a footprint of 43m², an overall height of 127.6 m AOD and a volume of 163m³. The applicants point to the overall reduction in hard surfacing by 577m². The new pavilion building would be built into the existing hillside and include a green roof to minimise its visual impact on the surrounding Green Belt.

The applicants claim that the very special circumstances for this part of the development are:

- Pavilion with green roof and sits into the hillside so as to be as unobtrusive as possible;
- Removal of large area of hard surfacing to be replaced with grass;
- Sports use is deemed an appropriate use in the Green Belt.

The existing ménage/hard standing area (comprising a dark tarmac/hot rolled aggregate material of grey appearance) is visible in views from the north, as a result of the rising levels. It is screened in part from views lower down the hillside by a line of trees. From the public footpath to the west, the surface itself is not visible. The replacement of the current hard surfacing with a grass court will change the appearance of the site but is not considered likely to have any significant impact upon openness or perceived openness in this part of the Green Belt. There may be some improvements to groundwater percolation arising from the removal of the hard standing but there are considered to be no other benefits that amount, either singularly or cumulatively to very special circumstances. The new building is not considered to be appropriate as it cannot be deemed to represent an 'essential facility' as stated in PPG2.

The New Access

The proposed new access roadway would be provided for the occupants within the Copse Farm complex. The roadway comprises a 5m wide gravel/aggregate surface that leaves the existing Brookshill Drive some 150m north of the complex. Because the purpose of the roadway is to serve the new dwelling at Copse Farm, rather than any wider agricultural use, this element of the proposal is considered to be inappropriate development in the Green Belt. There is an existing access from Brookshill Drive that connects up with Old Redding.

The applicant argues that there are a number of special circumstances of the proposed new access. These include:

- The existing vehicle access to the copse farm complex will be taken away to the benefit of both pedestrians and residents (the access is a public footpath);

- The exit closest to the barn will be limited to trade/delivery vehicles;
- During construction the proposed route can be used for construction traffic, suitably controlled and monitored to cause minimal disruption to local residents and pedestrians;
- With limited additional tree planting to the existing tree cover the new driveway will completely disappear from view after it leaves the existing access road;
- The driveway will aid security to the proposed development;
- The new driveway would be inconspicuous, reduce the impact of the development, on residents, both during and after construction and provide a natural gravel farm driveway that will blend in with the conservation area.

The other elements of the development proposal include alterations and the re-use of existing buildings on site. These have been broken down as follows:

Copse Farm House

The alterations to the Copse Farm House would involve a new dormer window to the first floor rear elevation, re-arrangement of some windows and doors, a rebuilt awning and the removal of one chimney and the re-instatement of another chimney.

The proposed works are considered to be minor and do not amount to inappropriate development. The design and form of the works would not adversely affect the open character of the Green Belt.

The Barn

The proposed changes to the existing locally listed barn amount to substantial rebuilding of the structure and its restoration and stabilisation, to allow re-use for storage purposes pursuant to the farm use on the holding. Whilst unlikely to have any significant visual impact, save for the removal of an inappropriate addition to the south elevation, the works would have a positive impact on the character and appearance of the Green Belt and are consistent with the objectives of PPG2. The existing barn is being partially held up by scaffolding to stop it from collapsing. The proposed alterations would include re-instating the barn to its traditional use as a barn and would involve removing existing brick extensions, reinstating traditional style barn doors, door access and new shutter window openings. The character and appearance of the building would significantly improve, the building will be re-instated to its traditional use and the overall bulk and footprint would be reduced.

Temporary Re-direction of the Footpath

It is proposed to relocate an existing public footpath / bridleway that currently run through the Copse Farm site. This would be for the construction period. The re-routing of the pedestrian access to the site would comprise two elements. Firstly it is proposed to close off the existing bridleway onto Old Redding and re-direct pedestrians further down Old Redding across Harrow Weald Common onto the existing footpath by the White Cottage. The second re-direction would be further down Brookshill Drive to the western side of the property at 'Four Winds' before connecting up with the eastern boundary of the Copse Farm application site.

The temporary footpath would then eventually connect back up with the existing footpath to the southern end of the application site. In terms of impact on the green belt the temporary re-direction of the footpath is considered minimal and would have no long term consequences.

Conclusions:

The application proposes substantial works to two farm complexes and related land within the metropolitan Green Belt. The extent to which these works are appropriate or inappropriate developments has been considered in the sections above, by reference to each key component of the scheme. The table below provides a summary of the key measures of change in buildings and footprints:

Table 8 – Total Built Form

	Footprint m²	Total floor space m²	Above ground floor space m²	Volume m³
Existing	2,708	2,975	2,975	10,968
Proposed	2,120	3,750	2,914	12,690
% Change	-21.7%	+26.0%	-2.1%	+15.7%

The key areas of note in Table 8 are the increase in volume and the reduction in built footprint. The volume increase can be mostly attributed to the proposed principal dwelling house and the replacement buildings within the Brookshill Farm complex. Although the total floor space proposed is increasing by 26% this increase is directly related to the increase in building volume. It pays to note that the total above ground floor space would decrease therefore the visible impact of the increase in volume and total floor area is unlikely to be as significant in terms of the impact on the Green Belt as the above table suggests.

In terms of the overall impact on the Green Belt the reduction in building footprint is considered significant. This is reflected in the proposed reduction in the total number of buildings and hard surfacing and reinstatement of soft landscaping and green space in areas that are currently built over or surfaced.

The land area of the application site has been broken down in terms of land use and built form Table 9 below:

Table 9 – Total Land Use & Built Form

	Existing m²	Proposed m²	+/- m²	% Change
Woodland, Hedges & Scrub	27,491	23,646	-3,849	-14.0%
Agricultural Land	107,838	110,633	+2,795	+2.6%
Buildings & Outbuildings	2,708	2,120	-588	-21.7%
Grass & Gardens	1,482	4,481	+2,999	+202.4%
Bridleway	1,611	1,611	0	0.0%
Drive & Hard Surfaced Areas	8,649	7,288	-1,360	-15.7%
TOTAL	149,779	149,779	0	0.0%

The key areas of note in Table 9 are the significant reduction the land area for buildings, and hard surfaced areas on site -21.7% and -15.7% respectively. Also the increase in grass and gardens would be +202.4%.

Very Special Circumstances:

There is a general presumption against inappropriate development in the Green Belt. Accordingly, the Committee is required, when considering an application involving inappropriate development in the Green Belt, to attach substantial weight to the harm to the Green Belt.

PPG 2 states that:

'Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

The inappropriate elements of the proposed development at Copse Farm and Brookshill complex identified above can only be justified if the harm arising by reason of inappropriateness together with any other harm identified in this report is outweighed by very special circumstances.

There is no ready definition of what constitutes "very special circumstances" and a wide range of factors, including, personal circumstances, are capable of constituting or contributing to very special circumstances as a matter of law.

The applicant has outlined the following as the very special circumstances justifying the inappropriate elements of the development :

- The development would be bringing an existing disused and partially dilapidated site back into use and that the proposed retention and part restoration of the agricultural use would be appropriate in the Green Belt and be in keeping with the historic use of the site;
- The design of the new principle dwelling house would have a more sympathetic relationship with the open character of the Green Belt than the existing dilapidated buildings;
- The overall built form, number of buildings and hard surfacing on site will be noticeably reduced with green space being re-instated;
- The historic significance of the site will be preserved with the most significant existing locally listed buildings being preserved and brought back into use;
- S.106 Agreement planning contributions toward improvement works of the Green Belt would benefit the open character of the Green Belt. Works shall be completed before any of the development can be occupied or brought into use.
- Agreement through the s.106 to restrict the future subdivision of all new ancillary residential units. This would restrict dwellings being sold off as separate dwelling houses.

- The redevelopment exceeds the current minimum standards on renewable energy provision, reduces carbon emissions and adheres to the philosophy of sustainable development.

The case for some of the individual components of the project, such as the new access track and tennis court and pavilion are considered unconvincing, having regard to the exceptional policy requirements within Green Belts and the presumption in PPG2. The restoration and redevelopment of the Brookshill and Copse Farm complex's repair of the existing barn and removal of a number of inappropriate areas of hard standing and modern agricultural buildings will, it is acknowledged can have a positive impact on the Green Belt and the character and appearance of the conservation area. Provided that these components of the development are delivered and properly managed in the long term so as to avoid the "domestic" appearance of conventional homes and gardens (which would be intrusive and inappropriate in the Green Belt) it is considered that a case of very special circumstances could be proven.

Having regard to the objectives for Green Belts and the consequences of the proposed developments, save for the new dwelling located on the ménage area to the south west corner of the Copse Farm, the impact of each of the new buildings on the openness of the Green Belt are considered to be positive. The applicants' argue that the effect of the works to rationalise and remove inappropriate additions to the locally listed buildings that are to be retained, and the re-use of these largely redundant agricultural holdings – to include agricultural management of the wider 26 acre estate - amount to very special circumstances. They also argue that the works to re-build the substantial locally listed barn at Copse Farm and to remove large areas of hard standing amount to very special circumstances. The tables above illustrate the degree of footprint reduction across each farm complex and confirm the net reduction in footprint achieved through the proposal, across the whole site.

In considering whether the very special circumstances outlined in this report are sufficient to outweigh the harm arising to the Green Belt from those other elements, notably the principle house and its garden, the access track and the tennis court, it is acknowledged that the exceptional investment proposed in the project arises only as a consequence of the creation of a new 5 bedroom dwelling and its associated amenities. Subject to the consideration of all other appropriate planning considerations below, the role of the new house and track in "enabling" the investment is considered in this case to amount to a "very special circumstance." Notwithstanding the impact of these specific elements on the appearance and openness of the greenbelt (and acknowledging how this impact could be minimised) it is considered that overall, the applicants' have demonstrated that there are very special circumstances justifying the inappropriate developments outlined within this application and that subject to appropriate considerations and obligations to effect delivery of all of the components of the development identified, the principle of the development is, on balance, considered to be acceptable having regard to PPG2 and the relevant development plan polices.

3) Design and Character of the Area.

Planning Policy Statements 1, 3 and 7 seek to deliver high quality, sustainable development. In particular, these national policy objectives, reflecting development plan policies 4B.1 in the London Plan and S1, D4 in the Harrow UDP seek to ensure that all new development properly responds to context and provides appropriate design and landscaping that ensure that the building form respects and responds to the surrounding characteristics of an area. Within or adjacent to conservation areas, and where development involves historic landscapes of buildings, PPG15 seeks to ensure that these unique heritage aspects are acknowledged and captured sensitively in new development. PPG15 does not require that development mimics the design or style of existing buildings but both national and development plan policy, and the statutory requirements for development to preserve or enhance the character and appearance of conservation areas applies in this case.

Following a campaign to secure new “country houses” in England, PPS7 also now makes provisions relating to distinctive or exceptional new houses in the countryside:

‘Very occasionally the exceptional quality and innovative nature of the design of a proposed isolated new house may provide this special justification for granting planning permission. Such a design should be truly outstanding and ground breaking, for example, in its use of materials, methods of construction or its contribution to protecting and enhancing the environment ... The value of such a building will be found in its reflection of the highest standards in contemporary architecture, the significant enhancement of immediate setting and its sensitivity to the defining characteristics of the local area.’

The way in which the various components of the proposal respond to these policy objectives is considered below:

The Principal Dwelling House

Although not a building in total isolation, the proposed principal dwelling house represents a striking contemporary home which will be visible in views from within the conservation area on Brookshill Drive and in wider views of the Green Belt from Old Reading and footpaths leading up to the site, as well as more distant views.

The design and access statement explains how the buildings form has responded to the prevailing contours across the site and works with the existing and proposed landscaping to reduce its apparent bulk and form and sit benignly within the landscape and wider views. The green roof and renewable technology, subject to proper detailing and specification, are consistent with the aspirations in national and development plan policy for sustainable development. Architecturally, the buildings detail design and form are unprecedented within Harrow and represent a dramatic and striking form of architecture which, it is considered, meet the high standards required of the site and its planning policy context.

Given the overall scale of development proposed, the proposals for the whole site are not considered to fall within the exception provided by PPS7 for new dwellings in the countryside. However, the design of this dwelling and its overall response are considered to reflect and be consistent with the rationale provided for such exceptional developments within PPS7.

Notwithstanding the quality of the architecture, the proposed dwelling has caused some concerns in representations received with regard to the impact of its design on light spillage into the Green Belt and the likely prominence of the glazed southern elevation in the evening caused by reflections and interior lighting. The potential impact of interior lighting and light spillage is noted. Equally, the substantial glazing on the south elevation has potential to reflect sunlight. Whilst the building does incorporate a brise soleil to the south elevation (which may reduce reflections, the spill of interior light from the windows is unlikely to be capable of mitigation. When viewed from lower slopes to the south, this means that the new house, together with buildings within Brookshill Drive and within the farm complexes may be more readily visible at night than existing. However, in the context of the existing street lighting and existing legitimate use of the site, the new dwelling, on its own, is not considered to seriously erode the night time quality of the greenbelt. Further Planning conditions would nevertheless be appropriate to cover both external lighting within the wider complex and the specification of the glazing to ensure that it is of low reflection qualities, consistent with sustainable development and solar gain.

The buildings height has also been raised by the CAAC as an area of concern. In particular the 2-storey element is viewed as creating blank grass walls that would impede views through the site. The applicant has submitted an analysis of views showing views of the site from habitable room windows of the immediate surrounding properties and of views along the public footpath and Old Redding car park. The view analysis demonstrates that although some views would change, none would be seriously impeded to the extent where this could be considered detrimental to amenity or the character of the Conservation Area. Given that many of the existing dilapidated buildings are also visible from outside of the site it is considered that the detailed design and form of the green roofed building, notwithstanding its height satisfactorily addresses the concerns regarding potential scale and visual dominance and impact upon local views. The relationship of the building with the proposed new planting, which wraps around the "tails" of the building at either end, will also serve to address the concern with regard to this element of the development.

The Brookshill Farm Complex

The existing buildings within the Brookshill Farm complex are nearly all locally listed with the exception of some of the outbuildings. Of those to be retained include Dairy and Farm cottages and the Hayloft. These 3 buildings are considered to be of the greatest architectural merit and make a positive contribution to the character and appearance of the surrounding conservation area and the farm yard.

'Bridle Cottages' directly across from the Brookshill Farm complex are grade 2 listed buildings and any new development in the immediate surrounding area must therefore have particular regard to the setting of these buildings in accordance with Planning Policy Guidance 15 (PPG15). Further, policy D11 of the HUDP seeks to ensure that Listed Buildings are protected by not allowing new developments if they result in a detrimental impact on the setting of the listed building.

It is considered that the proposed redevelopment as a whole would not adversely affect the setting of Bridle Cottages. The new buildings at Brookshill Farm would reflect the rural / farmland character of the area and follow the footprint of the original buildings in the complex. The retention of the Hayloft at the southern end of the complex, the design and style of new building and the retention of the enclosed courtyard form serve to retain the original character of the complex and complement the surrounding dwellings adjacent to and opposite the site.

Replacement Stable

The replacement for the original stable block is considered to result in an improvement to the appearance of the site overall. The existing building is locally listed however its contribution to the character of the area has been compromised by its dilapidated state and appears a series of insensitive additions too the structure over time. The replacement building follows the style and form of the original building and is considered to be an improvement on the existing with large wooden doors, a steeply pitched roof with lowered eaves reflecting the former building style and purpose.

Tennis Pavilion

The proposed tennis pavilion would be located where the existing ménage is with a modest sized building constructed into the side of the hill with a green roof. The mono-pitch buildings would be set into the hillside with a north facing green roof, to reduce its impact when viewed from more elevated viewpoints. The style of building is contemporary but reflects the proposed use and is considered to have no significant impact upon the character of the area.

The tennis court itself would be made up of a permeable artificial surface with the remaining hard surfacing associated with the existing ménage reverted back to grassland. It is also proposed to remove the existing floodlighting and replace it with new outdoor lighting for the tennis court. Compared the existing hard surfaced ménage are the proposed tennis court and pavilion is considered to represent an improvement on the existing. Appropriate conditions have been attached requiring further information on the fencing, surfacing and lighting to this area.

Copse Farmhouse

Minor changes are proposed to the Copse Farmhouse. These include a new dormer window to the first floor rear elevation, re-arrangement of some windows and doors, a rebuilt awning and the removal of one chimney and the re-instatement of another chimney.

Subject to conditions to provide more fully for the detailing of windows and external woodwork, these changes meet the development plan and national policy criteria for such alterations and are considered to be sympathetic to the character and appearance of the conservation area and the locally listed building.

The Barn

It is proposed to restore the existing dilapidated locally listed barn for re-use as a barn. These restoration works would improve the character and appearance of the building which is important within the farm complex and as part of the wider setting on the farm complex. .

Boundary treatments, gardens and new surfacing

The proposed development of the site for a single user requires not only new building but the enclosure, for security and management purposes, of substantial areas of the site. Existing boundaries are formed through a combination of permanent and temporary fencing and mixed species hedges of varying forms.

The original application drawings suggest a range of boundary treatments but the perimeter of the site would be enclosed by security hedge of varying height. The absence of details surrounding this enclosure means that it is not possible to consider the impact upon views into and out of the site and from the public footpath. Furthermore, the proposed changes to hard surfacing and creation of distinct residential curtilage will have an impact upon both the openness of the greenbelt and the appearance and character of the site from within the conservation area and from other viewpoints within the Green Belt, particularly where those viewpoints are elevated.

In response the applicant has provided more details of the proposed enclosure to the site which seeks, wherever possible to ensure that key views are unaffected and that the overall character and feel of the site, notwithstanding the new garden areas and planting, retains the existing character that reflects the largely low key use of the site in the past. Whilst officers are satisfied that some form of hard standing and boundary treatment could be secured which would achieve the objectives for development within the countryside and Green Belt, it is considered that planning conditions, and a S106 obligation to avoid large areas of manicured lawn in the most visible areas of curtilage, is required in order to render this element of the development acceptable.

For the above reasons and having regard to each aspect of the development including existing buildings to be removed and new buildings proposed and having regard to the relevant design policies, on balance the proposed development is considered to comply with policy 4B.1 of the London Plan and policies EP31, D4, D9, D10, D11, D12, D14, D15, D16, D23 of the HUDP 2004 and Supplementary Planning Guidance: Designing New Development (March 2003).

4) Sustainability and Renewable Energy

The principle of re-use of existing buildings and the effective management of natural and physical assets set out in PPS1 is reflected in Harrow UDP policy S1.

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 existing site is an under occupied former farm / riding school with many of the buildings in a poor state and in need of repair. The proposed development would, it is claimed, allow for the more effective management of the agricultural and biodiversity interests represented on the site would serve to re-use existing buildings and, where new development is proposed, would exceed minimum standards for energy and resource management, in line with level 3 of the Code for Sustainable Homes.

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 would use a range of passive design measures and on-site renewable energy generation to address the above policies. The development would use a combination of renewable energy technologies, namely a biomass boiler and a CHP system. The proposed level of carbon reductions after the implementation of passive design measures would be 15,593 kgCO₂/yr representing a 22% reduction in carbon emissions from on-site renewable energy sources. This would exceed the requirements of London Plan policy 4A.7.

The proposed development is considered, subject to compliance with the requirements for code for sustainable homes level 3 to fulfil water conservation requirements in line with Policy 4A.16 of the London Plan 2008 and EP 15 of the HUDP 2004.

Refuse storage and disposal would be addressed through the required 3 bin system for all the houses on site. The kitchen and agricultural operations will produce and compost organic waste on-site therefore the brown bins will be largely un-used.

The passive and sustainable design measures and onsite renewable energy provision, alongside compliance with code level 3 of the code for sustainable homes and the delivery of new and managed use of the wider farm holdings is considered to result in net positive benefits to the site. Whilst noting the limited access provided by public transport, the provision of on site residential accommodation for staff will, at least in part, serve to reduce vehicle trips associated with management and operation of the complex. Whilst acknowledging the former use and the reduction in vehicle trips to the site, the intensification of residential use in this less sustainable location, means that on balance, the proposal is considered to be acceptable having regard to policy requirements for sustainable development within PPS1, policies 4A.1, 4A.7, 4A.16 of the London and HUDP policies S1, EP15, EP20 and EP21 and Sustainable Design & Construction: The London Plan Supplementary Planning Guidance (May 2006).

5) Residential Amenity

With the exception of the new principle house the development within the Copse Farm complex remains largely unchanged and is considered to have a suitable relationship with adjoining properties. The proposed re-development of the Brookshill Farm complex would result in the footprint of buildings moving closer (between 2m – 3.75m) towards the adjoining property 'Red Corners' on Brookshill Drive. Further, the new buildings on the eastern edge of Brookshill Farm complex would contain four new dwelling houses where currently there are only stable buildings and outbuildings.

The new dwelling houses in the Brookshill Farm complex would have habitable room windows on the rear eastern elevation looking directly toward the side elevation of Red Corners. Red Corners is also within the ownership of the applicant and benefits from planning permission for a new 2-storey single family dwelling house with internal garage. Permission was granted at appeal on the 21st of November 2006 (planning reference P/3015/05) but has not been implemented.

Neither the existing house nor the approved new house would have principle habitable room windows on the side elevation facing the Brookshill Farm complex. The distance between the proposed development at the Brookshill Farm complex and Red Corners would be 11m at its closest point. Privacy between units and for neighbouring properties is considered to be acceptable, particularly given that the buildings form part of an inter-related complex of buildings. Moreover, new residential curtilage to be formed from the existing garden of Red Corners would serve to mitigate any potential future overlooking and create an appropriate buffer between the existing, potential future and proposed new dwellings. The impact upon daylight and sunlight, given relative levels and the orientation of the buildings, would be acceptable.

On-site outdoor amenity provision for future occupants of the staff dwellings is considered to be good with good size rear garden areas for all of the houses.

Outlook and view points from surrounding properties would be affected by the proposals. In particular, the outlook from those properties on the opposite side of Brookshill Drive would be most likely to experience a change as a result of the development.

The key properties include White Cottage, numbers 1 and 2 Bridle Cottages, and Dukes Cottage all of which have principle room windows facing the application site. The applicant has submitted an analysis of views showing views of the site from habitable room windows of the above properties. The view analysis demonstrates that although some views would change, those changes in outlook would not be significant and would not have a material impact upon daylight or sunlight received at the nearby properties. In some cases, whilst the new green roof of the principle dwelling would be visible in glimpsed views between existing buildings, the overall impact upon outlook, to the greenbelt beyond would not be so compromised as to seriously erode the amenities of the existing homes. From other viewpoints, the removal of the more recent and insensitive portal building would serve to improve outlook.

Noise from the operation of the Biomass boiler and CHP is not considered to likely to cause nuisance to dwellings beyond the site boundary. The impact upon proposed new homes can, it is considered, be adequately mitigated within the building and is addressed through conditions. Some improvement arising from vehicular activity would take place as a result of the new proposed access drive being further away from existing properties than the Bridleway.

It is proposed to replace existing disused floodlighting around the ménage area and replaced these with outdoor lighting for the proposed tennis court. It is also proposed to have areas of external lighting through the site although limited detail has been submitted on the above. In principle external lighting is considered acceptable subject to further information on the specific location, appearance and levels of illumination proposed. There is considered to be no compelling reason why appropriate illumination to serve the safe operation of the site need give rise to unacceptable impacts upon the amenities of surrounding or future residents and the matter can, it is considered, be appropriately addressed by way of a planning condition requiring this information prior to the commencement of any works on site.

Overall, subject to appropriate controls, it is considered that the proposed development need not result in any significant adverse impact on neighbouring amenity. The proposed development is considered to provide acceptable amenity provision for future occupants and would not have a noticeable adverse effect on the existing amenities, in terms of sunlight, daylight, outlook and privacy for neighbouring residents. The proposed development is therefore considered to comply with policies D4, D5, EP25 of the HUDP 2004 and SPG Designing New Development (March 2003).

6) Biodiversity & Nature Conservation

Planning Policy Statement 9 states:

'The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that development cannot reasonably be located on any alternative sites that would result in less or no harm ... If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.'

The applicant has submitted an Ecological Report and conducted field surveys during July, August and September 2009 and concludes the following:

Reptiles – are either absent from the site or present in such small numbers so as to mean that development is unlikely to have a significant adverse impact on reptile species.

Badger – no evidence of badger activity within or close to the development site boundary and adverse impacts on badger are not predicted to occur.

Bats – surveys showed no evidence of a large or important bat roost found anywhere in the site. However it appears that the site is of some importance for a local colony of long-eared bats that are using a number of the stable and other outbuildings as night feeding roosts on an occasional basis, and the roof space of Dairy Cottage as an occasional summer roost. Removal of the stables and outbuildings will have an adverse impact on Long-eared bats future use of the site and technically will need a European Protected Species license to take place as it involves removal of a structure used by bats for resting / shelter. Compensation in the form of converting the Hayloft in the Brookshill Farm Courtyard into a bat roost will be sufficient to ensure that the long term value of the site for Long-eared bats is maintained and enhanced. No other significant adverse impact on roosting bats are predicted.

The consultation with the GLA expressed some initial concerns with the Ecological Report. These comments were received prior to the applicant's ecological field surveys in August and September.

Given the findings of the Ecological Survey Report and following field survey's it is considered that, with the appropriate conditions, the proposed development would not result in a long term adverse effect on local wildlife and habitat and is therefore considered to comply with policies EP26, EP27, EP28 of the HUDP 2004.

7) Highways Impact

The application site has a public footpath / track running through it as it is part of a network of public access routes in the surrounding area. Policy R7 of the HUDP states:

'The Council will seek to improve, protect and extend the network of footpaths, cycle paths and bridleways in the borough.'

The proposed temporary diversion of the public footpath is proposed to allow members of the public to continue to access Copse Farm public tracks during the construction phase of the proposed development. The footpath would be diverted further along Brookshill Drive and around the back of the properties on the southern side of Brookshill Drive. When the construction of the proposed new development is completed the footpath will be reinstated through the site following a similar route to the existing footpath between the Copse Farm and Brookshill Farm complexes. This temporary diversion is considered to be acceptable, subject to proper signage and the effective reinstatement of the route following completion of the construction works.

Creation of new access has been discussed in the context of PPG2 criteria earlier in this report. In terms of highways and traffic considerations the new driveway / access would result in less vehicular traffic using the existing bridleway which is commonly used by pedestrians accessing the public footpaths through the Copse Farm site. Therefore in terms of pedestrian safety the new access would be an improvement on the existing arrangements.

Traffic generation from the proposed development is considered to be nominal, particularly when compared with earlier use as a riding school. Whilst limited, visibility at the site access onto Brookshill Drive and Old Redding is considered to be adequate, given the overall levels of usage. Comments from the Council's Highways Engineer and Transport for London (TfL) raise no issue with this aspect of the development.

Cycle parking will be provided with secured storage for all future occupants.

It is considered that the proposed development would not result in any significant, adverse effect on highway safety and would provide an appropriate level of on-site parking and long term protection of the public footpath running through the site and is therefore considered compliant with policies R7, T6 and T13 of the HUDP 2004.

8) Accessibility

The applicant has demonstrated within the Design and Access Statement submitted in support of the application that the proposed development comply with the Harrow Council's Accessible Homes SPD (April 2006), which requires 100% of all new residential developments to be built to meet the Lifetime Homes Standards. Subject to careful consideration of surface treatments and ground levels across the complex, the development should be able to satisfactorily meet accessibility requirements for the mobility impaired, having regard to the sites position on a hillside. The proposal is therefore considered to meet the objectives within policy 3A.5 of the London Plan and policy D4 of the HUDP 2004.

9) Housing Provision and Density

Given the sites location, the proposed density levels are very low. However, within the Green Belt, the specific objectives and primary considerations relate to openness and appropriateness, rather than matters of density. Accordingly, the density of development, which reflects historical landscape forms, is considered appropriate.

The proposed development represents a net gain of four houses to the boroughs housing stock and would upgrade and secure the sustainable use of three existing houses. It is important to note however that four of the houses on site are for ancillary purposes (six workers houses and one guest house) and are justified only by the very special circumstances outlined by the applicant. They must not therefore be treated as independent planning units on their own. In order for this argument to be sustainable, the applicant would be required to enter into a S106 agreement which seeks to secure the integrated use of the site (and the 4 new dwellings) as part of the complex, supporting the principle house. In the event that such an agreement is not forthcoming, the very special circumstances used to justify the principle new dwelling, would be undermined.

Subject to these provisions, the proposed development is considered to adequately address the requirements of policies 3A.1, 3A.2, 3A.3 and 3A.55 of the London Plan 2008.

10) S17 Crime & Disorder Act

Paragraph 4.20 of policy D4 of the HUDP states:

'Buildings should be orientated to provide natural surveillance of the surrounding area and ensure a clear demarcation between public and private space. Roads, footpaths and cycle ways should be well lit and direct, with good visibility, and long blank walls and blind alleyways should be avoided. There should be no unobserved access to the rear of buildings ...'

Natural surveillance through the site is considered to be good. Existing boundary treatment will be retained and where appropriate, enhanced through new hedge planting. Circulation through the site is also good and it is proposed to have lighting of external circulation areas between the buildings.

Although there is little in terms of detailed points contained within the application supporting documentation the general layout and design approach of the development proposals appear to address the basic principles and practices of Safer Places and Secured by Design Guidance. The applicant has stated in their Design and Access Statement that they intend to gain Secured by Design Accreditation. A planning condition has been attached to this report requiring further details on the applicants proposed measures to ensure that they are neither intrusive nor harmful to the character and appearance of the Green Belt. Particular care, in this regard, will be required to boundary treatments along the enlarged curtilage to the new dwelling, which falls within existing open agricultural land.

On balance and with the appropriate planning conditions the proposed development would generally address security issues and be compliant with policy D4 of the HUDP 2004.

11) Consultation Responses:

The consultation responses, where relevant have been considered within the main body of the report. In particular the response of the CAAC regarding the buildings impact and the very special circumstances claimed by the applicants. Following the CAAC comments, the proposed underpass has been deleted and the residential curtilage reformatted to reduce its potential impact. In respect of their further comments, regarding the impact from Old reading car park and Oxhey Lane roundabout, these are acknowledged. Although the new building would be visible from these locations so are the existing derelict farm buildings which are earmarked for removal. The appraisal considered that overall, the effect upon the openness of the Green Belt arising from the development is positive, leading to an improvement on the character and appearance of the Harrow Weal Ridge.

New building would not follow contour of hill as stated especially when viewed from east elevation. The alterations to the existing ground levels to ensure that the new dwelling properly responds to ground levels at the eastern edge of the site, close to the footpath, are proposed. It is considered that, subject to careful ground moulding; this concern can be properly addressed by way of a condition, so that the overall impact of the new dwelling on the openness of the greenbelt and character of the footpath is rendered acceptable.

CONCLUSION

This application outlines an ambitious project for the comprehensive renewal and reformatting of two farm complexes located on a prominent hillside within the metropolitan greenbelt. The proposal encompasses both appropriate and inappropriate developments for which the applicant has claimed a series of very special circumstances justify approval. The detailed proposals have been prepared through consultation with the Council and GLA and reflect a series of policy aspirations that overlap, in part, with the objectives for greenbelts set out in PPG2 and national policy aspirations set out in PPS1, PPS3, PPS7 and PPG15.

In considering each specific element of the development and the relevant consultation responses, officers consider that the design, detailing and impacts are acceptable or can be made acceptable through the use of planning conditions or specific obligations within a S106 planning agreement. The S106 agreement is also central to securing the “very special circumstances” that officers consider, on balance, outweigh the harm to the openness of the greenbelt associated with the development and which justifies the recommendation that planning permission, for all of the above reasons, be granted as a departure from the development plan.

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 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.

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

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

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 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.

6 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.

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

9 A landscape management plan, 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.

10 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.

11 Prior to the commencement of development works on site, Tree Protection Method Statements in line with BS:5837 (2005) for:

- a) the new access driveway, and
- b) the removal of the existing hard surfacing where the new tennis court is proposed within the root protection areas of the lime trees;

Shall be submitted to and approved in writing by the Local Planning Authority. Tree protection measures shall be carried out in accordance with the approved details.

REASON: To safeguard the existing trees on site and to preserve the character and appearance of the Green Belt and Conservation Area.

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

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

13 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.

14 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>

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

15 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.

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

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

has been submitted to, and approved in writing by, the local planning authority.

The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

17 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.

18 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.

19 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.

20 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated June 2009 and the following mitigation measures detailed within the FRA:

Limiting the surface water run-off generated by the 1 in 100year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

21 The applicant should submit a scheme for approval by the Local Authority detailing water efficiency measures. Where measures are not being used reasons should be provided.

REASON: There is a high demand for limited water resources in this area; therefore we need to manage water use wisely to meet the needs of society and the environment.

22 The development shall not be occupied or brought into use until such time as details of the fencing of the tennis court area has been submitted to and approved in writing by the Local Planning Authority. Fencing shall be constructed in accordance with the approved details and thereafter retained in that form.

REASON: To preserve the open character and appearance of the Green Belt.

23 Details of all external lighting including any flood lighting of the site shall be submitted to and approved in writing by the local planning authority prior to the commencement of development works on site. Details shall include, but are not limited to, the levels of illumination proposed, height of any lighting poles and lamp posts and hours of use of external lighting. Lighting shall be constructed and used in strict accordance with the approved details and shall thereafter be retained in the form.

REASON: To safeguard the amenity of neighbouring residents, the character of the Conservation Area, and the open character of the Green Belt

24 The approved energy efficiency measures, and bio fuel run combined heat and power system that shows a minimum 20% target reduction in carbon emissions from renewable energy sources, shall be implemented in accordance with the PHP Consult Sustainability and Energy Statement dated 9 June 2009 and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.

REASON: To ensure consistency with London Plan policies 4A.3 and 4A.7.

25 Details of noise levels generated from the CHP shall be submitted to and approved by the LPA prior to the occupation of the development.

REASON: In the interests of residential amenity.

26 Notwithstanding details shown in the approved plans, permission hereby granted does not extend to the extent, location or physical garden structures for the residential curtilages to the principal residential dwelling house at Copse Farm or the new ancillary residential dwellings at the Brookshill Farm complex. Details showing of the residential curtilages shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the residential units. The curtilages shall be implemented in strict accordance with the approved details and thereafter retained in that form.

REASON: To protect the open character and appearance of the Green Belt.

27 Details of how the Hayloft will be converted to accommodate bat roosting shall be submitted to and approved in writing by the local planning authority in consultation with Natural England. Conversion shall be carried out in strict accordance with the approved details and shall thereafter be retained in the form.

REASON: To ensure the preservation of night feeding roosts for the local long-eared bat population and to accord with recommendations within the approved Protected Species Survey (September 2009).

28 Any ground clearance or ground disturbance works carried out on site after 8 September 2009 will require a follow up survey of Badger activity on the site. Should any Badger sett be discovered the developer must stop works and notify Natural England and the Local Planning Authority. Works may not re-commence on site until formal approval in writing is received from Natural England that the appropriate measures have been implemented to ensure risk from construction works to Badgers is minimized. Should any other form of Badger activity be found on site the developer must accord with Natural England best practice guidance.

REASON: To ensure construction works do not adversely affect Badgers in the vicinity and to accord with recommendations within the approved Protected Species Survey (September 2009).

29 The public foot path shall be re-diverted back to its current location upon completion of construction works on site and prior to the occupation of the development.

REASON: In the interests of the character and appearance of the Green Belt and public access through the site.

30 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 alterations to existing buildings and new buildings including (but not limited to) brickwork, windows, roof tiles, roof lights, render and timber cladding.

b: the ground surfacing for the site.

c: the boundary treatment.

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

REASON: To safeguard the character and appearance of the Conservation Area, the Green Belt, neighbouring listed buildings and the Area of Special Character..

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 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 (i.e. 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.

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 / 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:

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:

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.

7 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.

8 INFORMATIVE:

The applicant is advised to consult Natural England prior to the commencement of works on site.

9 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 1/06 : P/1429/09/DC3/MAJ 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: 91461.0017 1/2, 91461.0017 2/2, 91461.0019 1/2, 91461.0019 2/2, 91461.0024, 91461.0025, 91461.0026, 91461.0027, 91461.0028, 91461.0029, 91461.0032, 91461.0032, 91461.0033, 91461.0034, SW236/02, SW236/13 Rev B, SW236/21 Rev A, SW236/113 Rev H, SW236/114, SW236/115 1/3 Rev A, SW236/115 2/3, SW236/115 3/3, SW236/118, SW236/119, SW236/120 1/2, SW236/120 2/2 Rev A, SW236/121 1/3 Rev A, SW236/121 2/3 Rev A, SW236/121 3/3 Rev A, SW236/122 Rev C, SW236/123, SW236/126 Rev B, SW236/128 Rev C, SW236/129 Rev B, A-PL-010 Rev 01, A-PL-099 Rev 01, A-PL-100 Rev 01, A-PL-101 Rev 01, A-PL-102r Rev 01, A-PL-201 Rev 01, A-PL-202 Rev 01, A-PL-301 Rev 01, A-PL-302 Rev 01, 1175 E 01, 1175 E 02, 1175 E 03, 1175 E 04, 1175 E 05.1, 1175 E 05.2, 1175 E 06, 1175 E 07, 1175 C 10 Rev A, 1175 C 12, 1175 C 13 Rev C, 1175 C 14 Rev B, 1175 C 15, 1175 C 18, 08/104 AIA 1/3, 08/104 AIA 2/3, 08/104 AIA 3/3.

Reports: Master Design and Access Statement – Stephen Wax Associates, June 2009.
Planning Report & Planning Statement – Pearson Associates, May 2009.
Architectural Statement – Hamiltons, June 2009.
Landscape Proposals – Lizlake, June 2009.
Arboricultural Report – Simon Pryce Arboriculture, 27 April 2009.
Sustainability & Renewable Energy Statement – PHA Consult, 9 June 2009.
Structural Statement & Flood Risk Assessment – Expedition, June 2009.
Initial Conservation Appraisal – Alan Baxter, October 2008
Structural Engineering Appraisal – Alan Baxter, October 2008
Biodiversity & Protected Species Survey Report – Betts Ecology, September 2008.
Protected Species Survey – Applied Ecology Ltd, 24 September 2009
Addendum to Design and Access Statement – Stephen Wax Associates, 8 October 2009.

Item: 1/07

**COPSE FARM, BROOKSHILL DRIVE, P/1430/09/DC3/MAJ
HARROW**

Ward HARROW WEALD

CONSERVATION AREA CONSENT: DEMOLITION OF ALL EXISTING NON-LOCALLY LISTED BUILDINGS AND EXISTING LOCALLY LISTED STABLE BUILDING AT COPSE FARM AND FARM OFFICE AND STABLE BUILDINGS AT BROOKSHILL FARM (COPSE FARM HOUSE, DARIY COTTAGE, FARM COTTAGE AND HAYLOFT RETAINED).

Applicant: STEPHEN WAX

Statutory Expiry Date: 14-AUG-09

RECOMMENDATION

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

REASON

The decision to **GRANT** 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:

Policies

Government Guidance:

PPG15 – Planning and the Historic Environment

London Plan Consolidated with Alterations since 2004:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:

S1 – The form of development and pattern of land use

D4 – The standard of design and layout

D12 – Locally listed buildings

D14 – Conservation areas

D15 – Extensions and alterations in conservation areas

D16 – Conservation area priority

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 HUDP)

- 1) Policy Background & Demolition in Conservation Area (S1, D12, D14, D15, D16)
- 2) Standard of the Proposed Development (4B.1 & D4, D12, D14, D15, D16)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Conservation

Site Area: 15 ha

Conservation Area: Grimsdyke Estate and Brookshill Drive Conservation Area
Greenbelt: Yes
Area of Special Character: Yes
Council Interest: None

b) Site Description

- Site lies within predominantly rural landscape bounded by Old Redding to the North, Uxbridge Road to the South, Brookshill to the East and Oxhey Lane to the West.
- The site is accessed via Brooks Hill Drive which is a privately owned road
- Located entirely within Green Belt land
- Site within the Brookshill Drive Conservation Area
- Site within defined area of special character
- Hatch End and Harrow Weald local centres and Stanmore district centre approximately 2-3 km from site
- Watford and Harrow town centres approximately 6km and 4.5 km from site respectively
- The immediate surrounding properties are 2-storey detached single family dwelling houses on Brookshill Drive
- The Bungalows (Bridle Cottages) directly opposite the site are grade 2 listed buildings;
- To the south and west of the site is farmland used for grazing of animals, open fields for hay making and some woodland.
- To the North of the site is The Case is Altered public house and an area of car parking off Old Redding;
- Public right of way / access bridleway runs from Old Redding down through the Copse Farm site

c) Proposal Details

- Demolition of all non-locally listed buildings;
- Partial demolition of locally listed Brookshill Farm complex including exiting farm office, stables and outbuildings. Dairy Cottage, Farm Cottage and the Hayloft to be retained.
- Demolition of locally listed stable building at Copse Farm complex.

d) Relevant History

HAR/9687/B	USE OF COVERED YARD AS INDOOR RIDING SCHOOL AND STABLES	GRANTED 16-MAR-65
EAST/225/93/FUL	SURFACING ON EQUESTRIAN TRAINING AREA	GRANTED 03-AUG-93
EAST/327/94/FUL	CONTINUED USE OF LAND AND BUILDINGS AS RIDING SCHOOL AND USE OF LAND FOR CAR PARKING	GRANTED 20-FEB-95

P/3090/05/CFU	ALTERATIONS AND CHANGE OF USE OF BARN TO WORK SPACE (B1); EXTENSIONS TO FARM BUILDING FOR 2 HOUSES; CONSTRUCTION OF 12 DWELLINGS	WITHDRAWN
P/1363/06	TEMPORARY INSTALLATION OF 8.25M HIGH WIND TURBINE TO SOUTH OF FARM SITE	REFUSED 11-JUL-06

Reason(s) for Refusal:

1. The proposed wind turbine, by reason of excessive size, prominent siting, and unsatisfactory appearance would be unduly obtrusive and give rise to a loss of outlook to the detriment of the visual amenities of the locality, the appearance, character and openness of the Green Belt, the emerging Brookshill Drive Management Strategy and Brookshill Drive Draft Appraisal, Harrow and Weald Ridge Area of Special Character and would not preserve or enhance the character or appearance of Brookshill and Grimsdyke Conservation Area.

P/2607/06	DEMOLITION OF FARM BUILDINGS & OUT HOUSES	WITHDRAWN
P/2610/06	ALTERATIONS AND CHANGE OF USE OF BARN TO WORK SPACE (B1); EXTENSIONS TO FARM BUILDING FOR 2 HOUSES; CONSTRUCTION OF 12 DWELLINGS	WITHDRAWN
P/1429/09	DEMOLITION OF ALL EXISTING NON-LOCALLY LISTED BUILDINGS; ERECTION OF PRINCIPAL DWELLING HOUSE AT COPSE FARM; PART REDEVELOPMENT OF BROOKSHILL FARM COURTYARD INCLUDING DEMOLITION OF LOCALLY LISTED STABLE AND FARM OFFICE BUILDINGS AND REPLACEMENT WITH FOUR ADDITIONAL STAFF DWELLING HOUSES; RETENTION AND RESTORATION OF LOCALLY LISTED DWELLING HOUSES (COPSE FARM HOUSE, DAIRY AND FARM COTTAGES) AND LOCALLY LISTED BARN AND HAYLOFT; ERECTION AND ALTERATION OF AGRICULTURAL BUILDINGS IN BROOKSHILL FARM COURTYARD; REPLACEMENT OF LOCALLY LISTED STABLE BUILDING IN COPSE FARM COURTYARD; NEW ACCESS DRIVE;	PENDING

CREATION OF TEMPORARY
FOOTPATH; ERECTION OF TENNIS
PAVILION; ASSOCIATED LANDSCAPE
PROPOSALS

e) Pre Application Discussion

To date there have been eight formal pre-application meetings with Harrow Council officers since October 2007. The key points raised from these discussions were as follows:

- Application referable to GLA and possibly GOL;
- Principle of Development commendable as it comprises single owner family use dwelling, retention of locally listed buildings, rebuilding in character with conservation area and green belt, high quality “grand design” house – incorporating the highest level of sustainable design & construction and the reinstatement of agricultural use;
- Renovation of barn and retention as barn for storage / parking use is seen as fundamental and absolutely paramount to scheme;
- New building will be significant landmark in the conservation area;
- the defining characteristic of the established character of this part of the conservation area
- A significant part of the applicant’s case for “very special circumstances” in the Green Belt will include the renovation and use for three guest units at Copse Farm which is considered acceptable in principle.
- The rebuilding of stable block. Retention preferred but likely to be justifiable in context proposed;
- East Complex: Dairy Cottage / Farm Cottage - renovation and re-use for residential staff / employees is acceptable in principle;
- The retention of Hayloft is acceptable in principle;
- Redevelopment of 1 and 2 storeys for staff residential use – acceptable in principle;
- Parking in garages and courtyard – acceptable in principle;
- New homes and house: as a minimum should be to Sustainable Code for Homes - Level 3;
- New homes: Lifetime Homes Standards (for all new units);
- Market Garden and Greenhouses considered acceptable in principle in context proposed;
- Screening / Tree loss / Landscaping / Nature Conservation:
- detailed levels information required on route of proposed road, including site sections, to assess impact on existing trees;
- Further site meeting to be arranged with landscape architect to consider these aspects in more detail;
- Details of long / short views to and from new house to assess Green Belt impact;
- Details of similar views from Brookshill Drive between eastern complex and stable block, between Copse Farm and barn, and west of Copse Farm
- New Roadway: justification for siting and tree loss required;
- Level of dig in relation to the tree roots information needed;
- Landscaping - how it works in practice, who would use the road?

- How would the use relate to use of stable block? – who has access through gateway to stable block?
- Use for service / emergency access was stated (and preferred) use of existing service road;
- Sustainable Design and Construction refer to London Plan policies in part 4A of the plan;
- Need to consider a decentralised energy system and passive design, making maximum use of southern orientation;
- Green roof supported and need to consider impact from south views, as referred to above;
- Section 106 possible heads of terms include built form repair / re-use of locally listed and other buildings; public access; Green Belt management strategy; environmental centre etc;
- EIA – Screening Opinion suggested
- Flood Risk Assessment refer to <http://www.pipernetworking.com/floodrisk/advice.html>
- Councillors / Local Residents - consider approach to Chairman of Strategic Planning Committee for exhibition / display about proposals - suggest keep talking to local residents about proposals, including Pinner Association, Hatch End Association;
- Suggest application of CABE Building for Life Quality Indicators (www.buildingforlife.org.uk) to development as a whole to demonstrate quality / sustainability of proposals as a whole
- this will be undertaken in any event by Harrow Planning Officers.

On 21 May 2009 the applicant also had a pre-application meeting with the GLA. The key points to come out of this meeting are as follows:

- GLA Energy Officer happy with renewable energy element of proposal
- Applicants to achieve Code for Sustainable Homes level 3. Level 4 achievable, applicant to justify why they cant achieve this if only achieve level 3
- Although proposal likely to comply with ethos of PPS7, GLA officers won't be giving this particular consideration when assessing this application. PPG2 is key government guidance.
- London Plan 3D.9 key green belt policy
- New residential development deemed unacceptable however special circumstance presented on this proposal appear acceptable
- Decrease in building footprint is welcomed as is decrease in hard surfacing
- Proposed new house would be 8m above ordinance datum (AOD) at highest point which is 1.5m higher than the existing building
- GLA officers requested existing plans & comparative views with proposed
- More pictures of views required from all surrounding residential areas and points within the green belt to ascertain visual impact of proposal
- Development in green belt is of particular interest to the Mayor who objects to development in green belts in principle
- Urban design ethos is acceptable
- Transport likely to be negligible
- GLA request further information as to the type of agricultural use to be reinstated.
- Issues relating to the conservation area and listed buildings GLA will be guided by Harrow officers on these issues.

f) Applicant Statement

- Copse Farm and Brookshill Farm were under single ownership since the early 1900s. The land was used for grazing and there was a dairy facility in the Brookshill Farm Courtyard together with Farm House and other farm buildings;
- A riding school was established on the premises in the 1960's;
- In 2003 the school was closed as it became unviable to operate;
- Between 2003 and 2007 the new owners submitted several planning applications for new housing however none were successful as they were considered inappropriate development in the green belt;
- Copse farm has been neglected over the past 20 years and the majority of the buildings on site are in a derelict state, particularly the barn which is in a dangerous state of collapse;
- The current applicant purchased the land in 2008.

g) Consultations:

English Heritage: No objection

Conservation Area Advisory Committee: Concern at number of locally listed buildings to be demolished.

Advertisement: Character of Conservation Area Expiry: 20-AUG-09

Notifications:

Sent: 78

Replies: 5

Expiry: 22-JUL-09

Summary of Responses:

Those For (5): scheme offers an elegant solution to a difficult site, developers have clearly given a lot of thought to the proposed development, the proposal respects the character of the Green Belt, design of the redevelopment proposal has positive impact on the conservation area and improve the appearance of the area of special character, unsightly and dilapidated buildings will be removed, the size height and scale of the development is in keeping with its surroundings, removal of old timber buildings will re-invigorate an employment and appreciation of this very special place.

Those Against (0)

APPRAISAL

1) Policy Background & Demolition in Conservation Area

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:

F) Development that reduces the need to travel and facilitates and encourages travel by more sustainable modes;

G) Full and effective use of land and buildings;

H) Conservation and enhancement of natural resources;

- I) Development that minimises waste and reduces pollution; and*
- J) Increased social inclusion.'*

The existing site is unoccupied former farm / riding school with many of the buildings in a poor state.

Many of the existing buildings are considered to contain certain qualities that contribute to the character and appearance of the Brookshill Drive Conservation Area. Most notably, the locally listed buildings which the applicant seeks to retain.

When considering proposals for the demolition of buildings within conservation areas policy D14 of the HUDP is particularly relevant where there will be a presumption against the demolition of buildings which make a positive contribution to the character or appearance of the conservation area. Any replacement scheme needs to be suitable in the context of the surrounding area and in line with relevant planning policy.

The buildings that are proposed for demolition include the existing non-locally listed buildings within the Copse Farm complex. These buildings are shed and outbuildings of no architectural merit and it is considered that they contribute little to the character and appearance of the Conservation Area.

The other building to be demolished in the Copse Farm complex is the stable building. This building is locally listed however it is considered that this has limited architectural merit, is in a dilapidated state and appears relatively piecemeal in its make up. The replacement stable building is considered to be an improvement on the existing with large wooden doors, a high pitched roof with lowered eaves reflecting a stable-like building combined with a more modern character.

The buildings within the Brookshill Farm complex are nearly all locally listed with the exception of some of the outbuildings. Of those to be retained include Dairy and Farm cottages and the Hayloft. These 3 buildings are considered to be of the greatest architectural merit and make a positive contribution to the character and appearance of the surrounding Conservation Area and reinforce the farm yard character of the site.

The remaining buildings in the courtyard are to be demolished. These buildings are stable buildings, the former riding school office, and storage areas, none of which are considered as significant as those locally listed buildings to be retained. Furthermore the replacement buildings as part of parallel planning application reference P/1429/09 are considered to represent an improvement on the existing buildings to be demolished as they reinstate and reinforce a traditional farmyard setting.

Although concerns have been expressed relating to the number of locally listed buildings proposed for demolition, on balance it is considered that the loss of these buildings would not result in a detrimental impact on the character and appearance of the surrounding conservation area. The replacement buildings will be of a high standard which re-instate the agricultural and farm yard setting of the Copse Farm and Brookshill Farm complexes and the buildings identified for removal are generally in a run down state and of lesser architectural merit than those which are to be retained. It is therefore considered that the proposed demolition is acceptable and compliant with policies S1, D12, D14, D15 and D16 of the HUDP 2004.

2) Standard of the Proposed Development

PPS1 states:

'Planning policies should promote high quality inclusive design in the layout of new developments development's and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted'

The proposed re-development of Copse Farm in the parallel planning application P/1429/09 is considered acceptable and represents an effective and sustainable use of a site that is currently disused and generally dilapidated site. Therefore the principle of demolishing the above mentioned buildings on the Copse Farm site is considered acceptable and in accordance with policy 4B.1 of the London Plan & policies D4, D12, D14, D15, D16 of the HUDP 2004.

3) S17 Crime & Disorder Act

The proposed demolition works do not raise any issues with regards to Secured by Design or Safer Places principles.

4) Consultation Responses:

Apart from the points raised in the above sections, other issues raised are:
None.

CONCLUSION

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

CONDITIONS:

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, 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 conservation area.

3 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.

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 (i.e. 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.

Plan Nos: 91461.0017 1/2, 91461.0017 2/2, 91461.0019 1/2, 91461.0019 2/2, 91461.0024, 91461.0025, 91461.0026, 91461.0027, 91461.0028, 91461.0029, 91461.0032, 91461.0032, 91461.0033, 91461.0034, SW236/02, SW236/13 Rev B, SW236/21 Rev A, SW236/113 Rev G, SW236/114, SW236/115 1/3 Rev A, SW236/115 2/3, SW236/115 3/3, SW236/118, SW236/119, SW236/120 1/2, SW236/120 2/2 Rev A, SW236/121 1/3 Rev A, SW236/121 2/3 Rev A, SW236/121 3/3 Rev A, SW236/122 Rev B, SW236/123, SW236/126 Rev B, A-PL-010 Rev 01, A-PL-099 Rev 01, A-PL-100 Rev 01, A-PL-101 Rev 01, A-PL-102r Rev 01, A-PL-201 Rev 01, A-PL-202 Rev 01, A-PL-301 Rev 01, A-PL-302 Rev 01, 1175 E 01, 1175 E 02, 1175 E 03, 1175 E 04, 1175 E 05.1, 1175 E 05.2, 1175 E 06, 1175 E 07, 1175 C 10 Rev A, 1175 C 12, 1175 C 13 Rev C, 1175 C 14 Rev B, 1175 C 15, 1175 C 18, 08/104 AIA 1/3, 08/104 AIA 2/3, 08/104 AIA 3/3.

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

168 STATION ROAD, HARROW, HA1 2RH	Item: 2/01 P/1713/09/LM/C Ward GREENHILL
CHANGE OF USE OF SHOP (CLASS A1) TO BETTING OFFICE (CLASS A2)	
Applicant:	William Hill Organisation Ltd
Agent:	Mr Allen Watson – Buttery and Watson
Statutory Expiry Date:	05-OCT-09

RECOMMENDATION

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

Harrow Unitary Development Plan:

D4 - The Standard of Design and Layout

EM17 – Change of Use of Shops – Secondary Shopping Frontages

T6 – The Transport Impacts of Development Proposals

T13 – Parking Standards

C17 – Access to Leisure, Recreation, Community and Retail Facilities

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008, the saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Change of Use (EM17)
- 2) Traffic, Refuse and Access (C17, T6 and T13)
- 3) Character, Design and Layout (D4)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Change of Use

Council Interest: None

b) Site Description

- The subject site is 140m² in area and is located on the eastern side of Station Road, off a small side road, within the Secondary Shopping Frontage of the Harrow Metropolitan Town Centre.
- Property is a two storey, mid terraced property with ground floor commercial unit which is currently vacant with flat above. Property has a single storey rear extension and external rear staircase.
- Properties along the shopping parade are characterised by Classes A1, A2 and A3 uses at ground floor with flats above.
- Vehicular access to the rear of shopping parade provided by a service road off Elmgrove Road.
- No off street parking provided.
- Station Road is designated as a London Distributor Road.

c) Proposal Details

- Use of 140m² ground floor shop (Class A1) as a Betting Office (Class A2).
- Operating/opening hours have been proposed as follows:
0730 hours to 2200 daily
- The Betting Office will have three fulltime and six part-time employees.

Revisions to Current/Previous Application

- None

d) Relevant History

HAR/7824	ERECT STORE FOR MOTORE CYCLE PARTS	GRANTED 05-JUN-53
WEST/741/93/FUL	SINGLE STOREY REAR EXTENSION WITH EXTERNAL STAIRCASE	GRANTED 22-FEB-94
WEST/536/94/FUL	NEW SHOPFRONT	GRANTED 11-OCT-94
P/0850/07	INTERNALLY ILLUMINATED FASCIA SIGN AND PROJECTING SIGN	GRANTED 15-MAY-07

f) Applicant Statement

N/A

g) Consultations

Highways Engineer: No objection.
Environmental Health Officer: No Comment
Waste Management Officer: No Comment

Notifications:

Sent: 10

Replies: 0

Expiry: 09-SEP-09

Summary of Responses:

- N/A

APPRAISAL

1) Change of Use

Policy EM17 of the Harrow Unitary Development Plan (2004) states that in the Secondary Shopping Frontages of Harrow Metropolitan Centre and of the District Centres, the change of use of retail shops (Class A1) to non-retail uses will normally be permitted provided that:

- a) The use is appropriate to a town centre;
- b) The use is primarily for visiting members of the public;
- c) The use requires an accessible location;
- d) The length of the secondary frontage in non retail use at street level in the centre would not exceed 50% of the total;
- e) The premise can be adequately serviced without causing harm to highway safety and convenience;
- f) A window display or other frontage appropriate to the shopping area is maintained; and
- g) A harmful concentration of non retail uses is not created or added to

It is considered that a betting office (A2 use) within this parade is an appropriate use subject to the above mentioned criteria. The length of the secondary frontage in non retail use would not exceed 50% and the retail unit would retain a large window display frontage. As such, it is considered that the loss of this A1 use would not have an undue detrimental impact upon the shopping variety available within this shopping area. While it is acknowledged that there is an A2 use located at no. 158, it is considered that an additional A2 use would not have a detrimental effect on shopping availability either or create a harmful concentration of non retail units.

Transport and parking appraisal has been covered below and it is considered that the proposed change of use will have no adverse effect on the safe and convenient use of the highway.

It is therefore considered that the proposed change of use would be consistent with the objectives of Policy EM17 of the HUDP.

2) Traffic, Refuse and Access

Policy EM25 of the Harrow Unitary Development Plan seeks to ensure that any late night uses do not have a harmful effect on residential amenity. The proposed betting office is located directly below a first floor residential accommodation unit in addition to other residential flats within the terrace.

Other commercial premises are located within the ground floor of the terraced buildings and have hours of operation that vary. However, the proposed change of use will not open later than the other uses within the vicinity of the area.

This shopping area is busy and mixed in use and as a result the residential properties in the vicinity are in an area where ambient noise and disturbance levels are higher than houses/flats located in more suburban areas. However, it is considered reasonable that the residential occupiers can expect noise and disturbance to lessen in the evenings and particularly in the late evenings.

It is considered that the proposed operating hours of the use, given the opening hours of surrounding uses, would not result in the generation of excessive levels of disturbance and general activity at unsocial hours. It is therefore considered that the proposed change of use would be consistent with the objectives of Policy EM25 of the HUDP.

The Council's Highways Engineer has not raised any objection to the proposed use. No off street parking provision has been made for the proposal. No existing parking is present for the previous and existing uses within the property. Given the proximity to good public transport, it is considered that any patrons visiting the site would be able to do so by use of public transport or on foot. The proposed change of use would therefore be consistent with the objectives of Policy T13 of the HUDP.

Refuse storage would be provided at the existing location to the rear of the property. It is considered that this refuse arrangement would be adequate and would not have an adverse impact on refuse collection to any greater degree than the previous A1 use.

The unit would be able to provide a level access to the restaurant in accordance with Policy C17 of the HUDP.

3) Character, Design and Layout

No external works are planned as part of the proposed application. As such, it is considered that the proposal would not make any material difference to the character and appearance of the area. Overall, it is considered that the proposed change of use would be consistent with the objectives of Policy D4 of the HUDP.

4) S17 Crime & Disorder Act

It is considered that the proposed change of use would not lead to an increase in perceived or actual threat of crime.

5) Consultation and Notification 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):

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

a: 0730 hours to 2200 hours, Monday to Sunday inclusive and Bank Holidays, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

3 The window glass of the existing shopfront shall not be painted or otherwise obscured, and the shopfront shall contain a window display, details of which, including lighting, shall be submitted to and approved by the Local Planning Authority before commencement of the use hereby permitted. The display shall be installed as approved, and retained in that form thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the unit does not detract from the vitality of the shopping centre by its appearance in the street scene.

4 Any deliveries and collections (including those by refuse collectors), which may be undertaken by reason of granting this permission, shall be conducted outside the hours of 2300 and 0700 Monday to Sunday inclusive and Bank Holidays.

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the 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 - The Standard of Design and Layout

D5 - New Residential Development – Amenity Space and Privacy
T6 – The Transport Impacts of Development Proposals
T13 – Parking Standards
EM20 – Change of Use of Shops Outside Town Centres
EM25 – Food, Drink and Late Night uses
C17 – Access to Buildings and Public Spaces

2 INFORMATIVE

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

3 INFORMATIVE

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
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: FINAL/L/RS/280364/02 D and Site Plan

Item: 2/02

96 VANCOUVER ROAD, EDGWARE, HA8 P/1286/09/ML1
5DF

Ward EDGWARE

SINGLE AND TWO STOREY SIDE EXTENSION; CONVERSION TO TWO FLATS;
WIDENING OF VEHICULAR ACCESS

Applicant: Mr E. Seliger

Agent: Tal Arc Ltd.

Statutory Expiry Date: | 17-AUG-09

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.

London Plan:

3A.1 Increasing London's Supply of Housing

3A.5 Housing Choice

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

C16 Access to Buildings and Public Spaces

Supplementary Planning Guidance Extensions: A Householders Guide (2008)

Supplementary Planning Document Accessible Homes (2006)

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) (C16, 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

- The subject site is located at the northern end of Vancouver Road on its north eastern side, adjoining No.98 which is on the south eastern corner of the junction with Vancouver Road and Bacon Lane.
- The site is occupied by a two-storey semi detached dwellinghouse with a single storey rear projection adjacent to a similar structure at the adjoining property No.98.
- The site is relatively shallow at approximately 17m deep, with the majority of amenity space provided at the side of the dwelling where there is approximately a 7.5m wide open space between the property and the flank boundary with No.94 .
- The adjacent property at No.94 has a 7m wide driveway/garden at the side of the property adjacent to the boundary with the application site.
- To the rear of the site is a timber yard.
- The properties fronting onto Burnt Oak Broadway at the rear are sited on a ground level 3-5m lower than that of the application site, land levels falling to the south east and north east of the site.
- There is an existing vehicular access at the front of the site and one off-street parking space.

c) Proposal Details

- Conversion of the dwellinghouse into two self contained flats, comprising of a two bedroom unit on the ground floor plus a two bedroom unit on the first floor with an additional study room in the roofspace
- A single/two storey side extension, having a maximum width of 3.5m.
- The two storey element would be set back by 1m from the original front wall of the property, with a single storey element which would also be set back by 0.4m, this setback being covered by a monopitch roof.
- The two storey side extension would have a subordinate pitched roof.
- The proposed side extension would line up with the rear wall of the existing dwellinghouse.
- The property's rear garden would be allocated to the proposed ground floor unit, the first floor flat having access to the side garden from the front entrance to the property.
- Refuse storage for both units would be provided in an enclosure in a section of the side garden.
- The existing vehicular access would be widened by 2m to a total width of 4.8m to provide access to two off-street parking spaces, one of which would be wheelchair accessible.
- Soft planting would make up the majority of remainder of the wide frontage.
- Access to both of the proposed flats would be via the existing front door.
- A gently graded footpath would provide level access to the front door.
- A rooflight would be inserted into the rear roofslope.

d) Relevant History

98 Vancouver Road

P/3297/07/DFU Single/two storey side extension, rear dormer and conversion into two flats, external alterations. GRANTED 06-DEC-07

96 & 98 Vancouver Road

P/3124/08 Demolition of existing houses and construction of eight self contained flats with underground parking. REFUSED 10-NOV-08

Reasons for Refusal:

1. The proposed development, by reason of excessive density and bulk, unsatisfactory and inappropriate design, and prominent siting, would be unsympathetic, incongruous, out of scale with neighbouring properties, visually obtrusive and overbearing, out of character with the predominant pattern of development in the area, and give rise to overlooking, overdevelopment and an over intensive use of the site, to the detriment of the character and appearance of the area and neighbouring residential amenities contrary to Policy 3A.3 of the London Plan (2008), Policies D4 and D5 of the Harrow Unitary Development Plan (2004), and the Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008).
2. The prominent siting of refuse storage in the frontage would be visually unattractive, to the detriment of the appearance of the streetscene contrary to Policy D4 of the Harrow Unitary Development Plan (2004).
3. The proposed development, by reason of inadequate/unsatisfactory private amenity space and deficiencies in terms of Lifetime Homes standards, would provide a substandard level of amenities for future occupiers of the development contrary to Policy 3A.5 of the London Plan (2008), Policy D4 of the Harrow Unitary Development Plan (2004), and the 'Accessible Homes' Supplementary Planning Document (2006).
4. The proposed access ramp to the basement car park, by virtue of its siting adjacent to No.94 Vancouver Road, would give rise to unacceptable levels of activity and disturbance to the detriment of residential amenity, and by reason of the provision of insufficient information to enable a full assessment of its adequacy, may prejudice the free flow and safety of traffic, contrary to Policies D4 and T13 of the Harrow Unitary Development Plan (2004).

P/0151/09 Demolition of existing houses and construction of 6 flats in two storey building with rooms in roofspace. WITHDRAWN 07-MAY-09

e) Pre-Application Discussion

- PAT Ref. HA\2008\ENQ\03404 – 17/01/08
- 96 & 98 Vancouver Road
- Demolish / Rebuild 2 x Semi and 2 x Detached Houses
- Proposal was considered excessive in scale, massing and footprint in relation to other properties, with a lack of amenity provision for future residents.

f) Applicant Statement

- Design & Access Statement and Lifetime Homes Standards compliance information submitted.

g) Consultations:

Notifications:

First Notification

Sent: 12

Replies: 4

Expiry: 14-JUL-09

Second Notification

Sent: 14

Replies: 1

Expiry: 12-OCT-09

Summary of Responses:

- Object due to high levels of noise nuisance from the property;
- Property is currently let and is not managed properly;
- Rubbish and second hand furniture have been left outside the property;
- If the property is converted into two flats there will be more residents when the landlord cannot deal with the existing issues;
- Flats would not match the layout of the area;
- Parking in the road is currently a problem;
- Difficult for elderly and disabled residents to cross the road due to parked cars;
- Extension would obstruct a clear view from No.113A;
- Appearance of No.96 is making it difficult to sell nearby properties.

APPRAISAL

1) Character and Appearance of the Area

The conversion of this two bedroom semi detached property into two flats is considered not to have any substantive detrimental impacts upon the character and appearance of the area. The conversion whilst increasing the intensity of use of this property, would potentially accommodate a similar number of residents as the existing property were it extended as proposed in this application.

The proposed single and two storey side 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 side extension would have a subordinate hipped roof to reduce its bulk, the single storey side element having a monopitch roof. The set back of the first floor side extension by 1m from the original front wall and its siting approximately 4.7m from the site's flank boundary would provide an acceptable appearance when viewed in the streetscene, ensuring its acceptability in terms of the character and appearance of the area.

The submitted plans show a designated refuse storage areas contained within a screened enclosure at the side of the property accessed independently, thereby avoiding any siting of bins on the frontage which would be unduly obtrusive.

In line with policy D9 in terms of streetscene greenery, a suggested condition requires the submission of details for soft landscaping at the front of the site. The two parking spaces proposed at the front of the property are considered acceptable in terms of the scale of hardstanding given the wide site frontage, ensuring that an adequate amount of forecourt greenery would be provided.

2) Residential Amenity

The proposed use of the dwelling as extended for two flats is considered to have an acceptable impact upon the amenities of neighbouring occupiers. It would result in three habitable rooms in each flat, as opposed to a total of six in the house at present. Significantly each flat would accommodate up to three people, so that the likely total of six residents in the two flats would be equivalent to the potential number which could be accommodated in the existing property, which is shown with 4 bedrooms.

It is considered that the size of the proposed flats overall would meet the needs of the intended occupiers, the room sizes proposed being considered sufficient. The proposed internal layouts would be adequate as bedrooms and living areas are generally located above and below one another between the ground floor and first floor unit. The rear garden would be allocated to the ground floor unit, with the side garden being allocated to the first floor unit with direct access to this area from the front of the property.

The proposed single and two storey side extensions are acceptable in terms of their impacts upon the residential amenities of neighbouring occupiers given their size and siting in relation to neighbouring properties. The proposed two storey side extension would not cross a 45° line from the first floor corners of the adjoining or adjacent properties, this element being sited approximately 4.7m from the shared boundary between the Nos.96 and 94. The proposed extensions would comply with the SPG and are therefore considered not to have a detrimental impact upon the amenities of neighbouring occupiers.

3) Parking

The Council's UDP sets maximum car parking standards and as such there is no minimum. The proposed development would allow for two off-street parking spaces at the front of the site, utilising the proposed widened vehicular crossover. The Council's Highways Department have indicated that this would be acceptable in terms of their guidelines. 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. A level entrance would be facilitated by a graded footpath at the front of the property as shown on the submitted plans. The proposed ground floor unit is therefore considered to comply with the requirements of Lifetime Home Standards as fully as possible and is therefore acceptable in this regard.

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:

- *Object due to high levels of noise nuisance from the property, property is currently let and is not managed properly, rubbish and second hand furniture have been left outside the property, if the property is converted into two flats there will be more residents when the landlord cannot deal with the existing issues* – Any issues relating to the existing management and use of the property are separate from the assessment of this application which is independent of the current use and occupancy of the property.
- *Appearance of No.96 is making it difficult to sell nearby properties, extension would obstruct a clear view from No.113A* – These issues are not material planning considerations in relation to the assessment of this application.

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 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, 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: 96VR-PP-01 Rev.A 'Existing and Proposed Elevations'; 96VR-PP-01 Rev.C 'Existing and Proposed layouts'; Design & Access Statement; Lifetime Homes Standards compliance information; Site Plan.

ROOKS HEATH HIGH SCHOOL, EASTCOTE LANE, HA2 9AG

Item: 2/03

P/2158/09/SM/W

Ward **ROXBOURNE**

TWO TEMPORARY SINGLE STOREY MODULAR BUILDINGS (TOTAL INTERNAL FLOOR AREA OF 297 CUBIC METRES)

Applicant: Harrow Council
Agent: LOM Architecture and Design
Statutory Expiry Date: 27-NOV-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

Supplementary Planning Document: Access for All (2006)
Supplementary Planning Document: Sustainable Building Design (May 2009)
Harrow's Sustainable Community Strategy (March 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)
- 4) Section 17 Crime & Disorder Act** (UDP policy D4)
- 5) Consultation Responses**

INFORMATION

a) Summary

Statutory Return Minor other
Type:
Site Area: 400m²
Council Interest: Council-owned property

b) Site Description

- School situated in predominantly residential area.
- The school is located on the northern side of Eastcote Lane.
- The site is occupied by Rooks Heath College and contains a mixture of single storey and two storey buildings.
- Access to site is gained via a driveway from Eastcote Lane.

c) Proposal Details

- Two single storey temporary modular buildings.
- The temporary buildings would be located between the main school building and the nursery and would be built on existing hardsurfacing.
- One of the temporary classrooms would have an internal floor area of 108 sqm. The other temporary classroom would have an internal floor area of 189sqm.
- The two temporary buildings would be linked via a raised walkway.
- Proposed buildings would help accommodate extra pupils at the school in the new Year 7 from September 2010.

d) Relevant History

P/1589/05/CLA	PART SINGLE/PART TWO STOREY BUILDING WITH GLAZED LINK AT EASTCOTE LANE FRONTAGE OF SITE	GRANTED 16-AUG-05
P/4052/07	SINGLE AND TWO-STOREY EXTENSION FRONTING EASTCOTE LANE AND EXTERNAL ALTERATIONS TO PROVIDE POST 16 (SIXTH FORM) EDUCATIONAL FACILITIES	GRANTED 23-JAN-08
P/1678/08	SINGLE STOREY UNIT ADJACENT TO FRONT SITE BOUNDARY FOR TEMPORARY TWO-YEAR PERIOD AND TWO-STOREY UNIT ADJACENT TO EASTERLY SITE BOUNDARY FOR TEMPORARY FIVE-YEAR PERIOD	GRANTED 23-JUL-08
P/0385/09	DETAILS OF MATERIALS PURSUANT TO CONDITION 2 OF P/4052/07/DFU RELATING TO A SINGLE AND TWO STOREY EXTENSION FRONTING EASTCOTE LANE AND EXTERNAL ALTERATIONS TO PROVIDE SIXTH FORM EDUCATIONAL FACILITIES	GRANTED 17-APR-09

e) Pre-Application Discussion

- None

f) Applicant Statement

- From September 2010 all community schools in Harrow will be reorganised and all Year 7 pupils will be in high schools. The reorganisation will transfer in excess of 2000 pupils from the primary sector to the community high schools in Harrow. Support for school organisation was the outcome of a wide ranging and extensive consultation with stakeholders during the autumn 2008. In response to this consultation, Cabinet agreed to publish statutory proposals to effect the changes. Cabinet agreed to the statutory proposals in April 2009 and school reorganisation across all Harrow community schools will be implemented from September 2010.
- The impact for the community high schools will be an increase of between 180 and 300 Year 7 pupils, depending on the schools planned admission number.
- All schools require additional accommodation for the Year 7 pupils and proposals have been developed for all high schools. This accommodation will be secured through a combination of temporary accommodation and re-modelling of existing accommodation.
- Rooks Heath College shares a site with Heathland School (formerly Roxeth Manor) and the total site covers 3 Ha with most of the site covered by buildings with the remainder dedicated to carparking and hard play areas.
- Through the school reorganisation, Rooks Heath High School will increase its pupil capacity by 210 Year 7 pupils. Currently there are approximately 930 pupils on the roll.
- As part of the Harrow Collegiate, the school has just completed a new building for post 16 pupils.
- Existing time-served Horsa Huts have been demolished this summer and replaced by hard surfaced play space.
- Rooks Heath College is in Wave 1 of the Building Schools for the Future (BSF) programme in Harrow. As such, it is expected that the redevelopment of the whole school will commence within the next three years. Consequently, accommodation for the additional pupils is considered to be a short-term temporary measure.

g) Consultations:

Drainage Engineer – conditions recommended

Notifications:

Sent: 28

Replies: 0

Expiry: 03-NOV-09

Summary of Response:

- None received so far

APPRAISAL

1) Principle of Development and Land Use

The proposed single storey temporary modular buildings are required to serve both existing pupils and assist in accommodating the anticipated increase of 210 Year 7 pupils. The proposal is a short term measure seeking to accommodate a rise in pupil numbers until more permanent redevelopment of the whole school commences within the next three years.

The proposal 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 location of the site as non-designated land. To the east of the location of the proposal, there is an area of designated Open Space on the site. However, the proposal would not encroach on this land. 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 temporary classroom accommodation supports this Vision. Consequently, Rooks Heath High School will enable a suitable temporary classroom environment in addition to the existing classrooms on this site 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:

- (1) The site and setting;
- (2) Context, scale and character;
- (3) Public realm;
- (4) Energy efficiency, renewable energy, sustainable design and construction;
- (5) Layout, access and movement;
- (6) Safety;
- (7) Landscape and open space;
- (8) Adequate refuse storage.

The proposed temporary single storey modular buildings are considered to be in-keeping with the surrounding area. It is considered that the buildings would have regard to the scale of the surrounding built environment as they would be subordinate to the main school two storey building and would therefore not be overbearing or unduly bulky.

It is therefore considered that the proposal would not significantly 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 significantly increased as a result of the proposal.

It is considered that temporary modular buildings would be a sustainable use of resources as once the three year expiration date approaches for the planning permission for the modular buildings, the materials could be used elsewhere, either on or off the site. The proposal would therefore have a minimal impact on the surrounding environment and is therefore considered to be acceptable.

The modular buildings would not result in the loss of onsite landscaping as they would be constructed over a large tar sealed playing area. There is also a large playing field adjacent to this tar sealed playing area. It is therefore considered that the proposal would not result in an unreasonable loss of open space.

The proposed temporary modular buildings would be accessible from street level via a ramp and would allow adequate access and movement on the site. It is considered that the proposal would meet London Plan policy 4B.5 and HUDP policy C16 and therefore would 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.

3) Neighbouring Amenity

It is considered that the proposed buildings would not have an adverse effect on neighbouring amenity in terms of overlooking, overshadowing or loss of light. The proposed single storey modular buildings are single storey and would not be unduly bulky or overbearing and would be located approximately central to the site. The closest residential site is located approximately 40m away. Therefore, the proposal would have no undue impact on residential 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

- None

CONCLUSION

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above, this application is recommended for GRANT, subject to the following conditions.

CONDITIONS

1 The building(s) hereby permitted shall be removed and the land restored to its former condition within three year(s) of the date of this permission, in accordance with a scheme of work submitted to, and approved by, the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

2 The development of any buildings hereby permitted shall not be commenced until surface water disposal and 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.

Plan Nos: 1000A-21-GE-01A, 1000A-00-M1-01A, 1000A-31-M1-01A, 1000A-24-M1-01E, Ground Appraisal Report and Design & Access Statement REV A

16B COLLEGE ROAD, HARROW, HA1 1BE

Item: 2/04
P/1639/09/HG/W
Ward GREENHILL

CHANGE OF USE FROM NIGHTCLUB / RESTAURANT (USE CLASSES D2/A3) TO RESTAURANT / TAKEAWAY (USE CLASSES A3/A5)

Applicant: Mr Erdogan Dagdelen
Agent: Mr Jacob Low – Jak Studio
Statutory Expiry Date: | 29-SEP-09

RECOMMENDATION

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

Harrow Unitary Development Plan:

D4 - The Standard of Design and Layout

T6 – The Transport Impacts of Development Proposals

T13 – Parking Standards

EM17 – Change of Use of Shops – Secondary Shopping Frontages

EM24 - Town Centre Environment

EM25 – Food, Drink and Late Night uses

C17 – Access to Leisure, Recreation, Community and Retail Facilities

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008, the saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Change of Use (EM17)
- 2) Residential Amenity (EM24 & EM25)
- 3) Traffic and Access (D4, C17, T6 and T13)
- 4) Character, Design and Layout (D4)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is reported to the Committee due to a recommendation for grant against a signed petition in objection.

a) Summary

Statutory Return Type: Minor Retail and Distribution and Services

Council Interest: None

b) Site Description

- The site is 245m² in area and is located on the northern side of College Road within the Harrow Metropolitan Town Centre. Property is located within the Secondary Shopping Frontage.
- Property is a three storey, mid terraced building which is currently under refurbishment and was previously used as a ground floor and first floor nightclub/restaurant with flat above. Property has a long 22m² single storey rear extension.
- Surrounding properties are characterised by Classes A1, A2, A3 and A5 uses at both ground floor and some first floor level with flats above or at first floor level.

Item 2/04 : P/1639/09/HG/W continued/...

- Vehicle access to the rear of shopping parade provided by a service road off College Road adjoining no. 21.
- No off street parking is provided.

c) Proposal Details

- Use of ground/first floor nightclub/restaurant (Use Class D2/A3) with internal floorspace of 180m² as a ground/first floor restaurant/takeaway (Use Class A3/A5) with internal floorspace of 180m².
- Hours of operation would be 1100 until 2300 hours Monday to Saturday and 1100 until 2200 hours on Sundays and Public Holidays.
- There would be six fulltime and two part-time employees.
- Existing opening hours are 0700 until 0200 hours Tuesday to Friday, 0700 until 0230 hours Saturday and Sunday and 0700 until 0100 hours on Sundays.

Revisions to Current/Previous Application

- None

d) Relevant History

LBH/21147	CHANGE OF USE OF GROUND FLOOR FROM RESTAURANT TO WINE BAR	GRANTED 19-APR-82
LBH/21321	CHANGE OF USE OF 1ST FLOOR FROM RESTAURANT TO WINE BAR	GRANTED 27-MAY-82
EAST/1072/01/FUL	TWO STOREY REAR EXTENSION & ALTERATIONS WITH STAIRCASE & SHOPFRONT	GRANTED 14-DEC-01
EAST/546/02/VAR	VARIATION OF CONDITION 2 OF P.P LBH/21147/W, COND.2 OF P.P LBH/F/21321/W AND COND. 7 OF P.P. E/1072/01/FUL TO PERMIT OPENING HOURS UP TO 02.00 HOURS TUESDAY - FRIDAY MORNINGS INCLUSIVE & 02.30 HOURS ON SATURDAY AND SUNDAY MORNINGS & 01:00 HRS MONDAYS	GRANTED 28-JUN-02
EAST/983/02/VAR	VARIATION OF CONDITION OF PREVIOUS PLANNING PERMISSIONS TO ALLOW OPENING FROM 7AM IN THE MORNING MONDAYS TO SATURDAYS	GRANTED 13-SEP-02
P/4/03/CFU	USE OF PUBLIC FOOTPATH AS ADDITIONAL SEATING AREA IN ASSOCIATION WITH WINE BAR	GRANTED 17-MAR-03
P/1471/05/DFU	SINGLE STOREY REAR EXTENSION AND NEW SHOPFRONT; ALTERATIONS AT REAR INCLUDING PLANT ENCLOSURE, ADDITIONAL A/C UNITS	GRANTED 07-OCT-05

- e) A Pre Application Meeting (HA/2009/ENQ/00024) was held on the 03/03/09 regarding a Change of Use from D2 / A3 to A5. A subsequent letter was issued on the 09/03/09 outlining the following:

Principle / Context / Scale / Character / Amenity Impact

Based on the submitted information in respect of your proposals the following comments are made:

- Town Centre designated secondary frontage;
- Would appear to comply with HUDP Policy EM17, being already in non-retail use.

f) **Applicant Statement**

- See Design and Access Statement

g) **Consultations**

Highways Engineer: No Objection

Waste Management Officer: No Objection

Environmental Health Officer: No Comment

Crime Prevention Design Advisor: No Comment

Notifications:

Sent: 21

Replies:

Expiry: 02-SEP-09

Objections: 6 (5 in petition)

Summary of Responses:

Objection

- Late night/early morning disturbance

APPRAISAL

1) **Change of Use**

Policy EM17 of the Harrow Unitary Development Plan (2004) states that in the Secondary Shopping Frontages of Harrow Metropolitan Centre, the change of use of retail shops (Class A1) to non-retail uses will normally be permitted. The previous use of the property is not Class A1 but D2/A3. As such, it is considered that the proposed use of the ground floor and first floor of the property as a restaurant/takeaway would not have a more substantive material impact upon the range of services available within the area taking into account the previous D2/A3 uses. Furthermore, the properties of the shopping parade along College Road are predominantly A1 use and the Secondary Shopping Frontage currently has less than a 50% non retail frontage which is consistent with Council policy. It is considered that the proposed use would be appropriate for the location and would not adversely impact upon the retail nature of the local centre to any degree greater than what previously existed and would comply with the objectives of Policies EM17.

No external changes are proposed as part of this application.

2) **Residential Amenity**

Policy EM25 of the Harrow Unitary Development Plan seeks to ensure that any late night uses do not have a harmful effect on residential amenity. The proposed use, if granted permission, would replace a D2/A3 nightclub use, located directly below residential accommodation unit in addition to other residential flats within the area.

Other commercial premises are located within the ground and first floors of surrounding buildings and have hours of operation that vary. However, the proposed change of use will not operate later than the other uses within the vicinity of the area. It is considered that the proposed opening hours are reasonable and appropriate in the Metropolitan Centre. Furthermore, it is considered that the proposed change of use to a restaurant/takeaway would, in most likelihood, have a less detrimental impact upon neighbouring residential properties than the existing night club in respect of late night disturbance.

Refuse storage would be provided to the rear of the property screened within a corrugated fence/gate which adjoins a rear service road providing access and refuse storage for other properties along the parade. It is considered that this refuse arrangement would be adequate and would not have an adverse impact on refuse collection to any greater degree to the previous D2/A3 use. Objections have been raised in respect of late night/early morning disturbance due to refuse disposal. This Metropolitan Centre shopping area is busy and mixed in use and as a result the residential properties in the vicinity can be expected to encounter more noise and disturbance, due to its Town Centre location, than houses/flats located in solely residential areas. However, it is also considered reasonable that the residential occupiers can expect noise and disturbance to lessen in the late evenings and early mornings. The Council's Environmental Health Officers are aware of the noise complaints that have been received at the Council and are currently reviewing the issues. Notwithstanding the above, it is considered that the proposed change of use would not have a discernible increase in refuse disposal disturbance compared to the current use on the site. However, it is important to impose a condition restricting the hours of refuse disposal/collection to ensure the amenities of the residents of surrounding flats is protected. As such, on balance, it is therefore considered that the proposed change of use would be consistent with the objectives of Policy EM25 of the HUDP.

3) Traffic and Access

The Council's Highways Engineer has not raised an objection to the proposed application. No off street parking provision has been made for the proposal. The previous use and existing uses within the property have none. Given the proximity to good public transport, it is considered that any patrons visiting the property would be able to do so by use of public transport or on foot. The proposed change of use would therefore be consistent with the objectives of Policy T13 of the HUDP.

The unit would be able to provide a level access to the restaurant in accordance with Policy C17 of the HUDP.

4) Character, Design and Layout

No external works are planned as part of the proposed application. As such, it is considered that the proposal would not make any material difference to the character and appearance of the area. Overall, it is considered that the proposed change of use would be consistent with the objectives of Policy D4 of the HUDP.

5) S17 Crime & Disorder Act

It is considered that the proposed change of use would not lead to an increase in perceived or actual threat of crime.

6) Consultation and Notification Responses

- Late night/early morning disturbance
This matter has been addressed within the Residential Amenity section of this report

CONCLUSION

It is considered that, subject to recommended conditions, the proposed A3/A5 use on the ground and first floor of the property would not have a detrimental impact upon the character and appearance of the area and the residential amenities of neighbouring properties. This is particularly relevant as it would replace an existing nightclub use. The proposal involves adequate refuse storage and access and would not have a detrimental impact on the amenity of the town centre.

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

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

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

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

a: 1100 hours to 2300 hours, Monday to Sunday inclusive;

b: 1100 hours to 2200 hours, Sundays and Bank Holidays;

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

3 Any deliveries and collections (including those by refuse collectors), which may be undertaken by reason of granting this permission, shall not be conducted outside the hours of 2300 and 0700 Monday to Sunday inclusive and Bank Holidays. The details of which should be incorporated in a waste management plan to be submitted to and agreed by the Local Planning Authority.

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the 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 - The Standard of Design and Layout

T6 – The Transport Impacts of Development Proposals

T13 – Parking Standards

EM17 – Change of Use of Shops Outside Town Centres

EM24 – Town Centre Environment

EM25 – Food, Drink and Late Night uses

C17 – Access to Buildings and Public Spaces

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

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

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: 7257_00, 01, 02, 03 Rev A, 04, 05, 06 and Design and Access Statement

4 AYLWARDS RISE, STANMORE, HA7 3EH **Item: 2/05**
P/1664/09/ML1
Ward STANMORE PARK
INSTALLATION OF TWO BRICK PILLARS AT ENTRANCE TO DRIVEWAY,
INVOLVING REMOVAL OF EXISTING GATE POST AND BRICK PIER
Applicant: Dr Abhay Shah
Agent: David R Yeaman & Associates
Statutory Expiry Date: | 11-SEP-09

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 would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character and appearance 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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (D4, D9)
- 2) Residential Amenity (D5)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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, occupied by a recently built two storey detached house.
- 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.
- A number of neighbouring properties have been extended or rebuilt over the years including the adjacent property No.3 which has recently been re-built.
- In relation to levels, the application property is set on the highest level of Aylwards Rise.
- The front of the site is approximately 6.6m wide and is currently marked by a 2.1m high stone clad post adjacent to No.3 and an unfinished brick pillar adjacent to No.5.

c) Proposal Details

- Two brick pillars with stone details to replace the existing post and incomplete brick pillar at the front of the property.
- The brick pillars would be a maximum of 1.45m high and have a footprint of 440mm x 440mm.
- Both pillars would be constructed using Chailey Stock facing bricks with a stone band bearing the name 'Summertown' and a stone panel bearing the number '4', the same type of stone also being used for the pyramidal capping on top of the pillars.
- The pillar adjacent to No.5 would be sited approximately 100mm from the shared boundary between the application site and this adjacent site at its closest point, this distance increasing to 150mm further into the site.
- The pillar adjacent to No.3 would be sited on the shared boundary between the application site and this adjacent site immediately adjacent to an approximately 0.7m high brick pillar at No.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/07/2 053532 ALLOWED, PLANNING PERMISSION GRANTED 24-APR-08

e) Pre Application Discussion

- None.

f) Applicant Statement

- None.

g) Consultations:

Notifications:

Sent:
13

Replies:
3

Expiry: 17-AUG-09

Summary of Response:

- House is far too big for the very small Close and therefore the posts will intrude further into the very small Close and be even more intrusive;
- Electrics have been installed to install electric or manual gates;
- Object to posts and any further attachments;
- Gates should be no more than 1m above the ground to be in keeping with the remainder of the Close, there are no posts of the proposed height in the close;
- Demarcations can be achieved by lower posts;
- Application is misleading if the posts are the forerunner of an application for gates, should be submitted as one proposal, application is for 'gate posts by stealth', application does not mention lighting, application states there would be no disturbance to the hedge at No.5 however this would not be possible and therefore this information is incorrect;
- Posts should be inset within the boundary line to allow for construction without intrusion;
- Post seems to straddle the boundary with No.3 and needs to be repositioned;
- A condition should be imposed precluding the installation of a gate, as the installation of a gate in this location would directly impact the free flow and safety of traffic using the public highway because vehicles entering No 4 would have to wait on the carriageway whilst the gates were opened.

APPRAISAL

1) Character and Appearance of the Area

The proposed installation of two 1.45m high brick pillars at the entrance to the driveway of the property would involve the replacement of an existing 2.1m high post on the boundary with the adjacent property at No.3 and an incomplete brick pillar on the boundary with the adjacent property at No.5. The proposed brick pillars would be more appropriate and less prominent than the existing structures and would be more in keeping with the style of development in the area. The height of the proposed brick pillars is considered acceptable and would relate to the property's boundary treatments to which they would be adjacent. The materials proposed would also match well with those used for similar structures at adjacent properties and also with the hard landscaping scheme approved for this site earlier this year as part of the requirements of the appeal decision APP/M5450/C/07/2053532. The proposed development is therefore considered to have an acceptable impact upon the character and appearance of this property, the wider area and adjoining Conservation Area.

2) Residential Amenity

Due to the siting of the brick pillars in relation to the boundaries of neighbouring properties, it is considered that this proposal would have only a minimal impact upon the amenities of neighbouring residents, and would represent an improvement in the appearance of the site in comparison with the existing post and incomplete brick pillar to the benefit of visual amenity.

In response to concerns raised by neighbouring residents to this proposal, the Applicant has confirmed that the proposed brick pillars are within the site's boundaries and this is confirmed in the revised plans which have been received. The proposed brick pillar adjacent to No.5 has been moved approximately 100mm from the shared boundary with this adjacent property during the course of this application. It has also been confirmed by the Applicant that the existing foundations of the incomplete brick pillar will be used so that the installation of the proposed brick pillar in this location would not require any underground works, thereby ensuring that this proposal would have no impact upon planting at No.5 located along this shared boundary. A suggested condition would ensure that gates could not in future be attached to the proposed brick pillars, in order to prevent any associated problems with cars having to wait in front of the property and blocking access to other properties.

3) S17 Crime & Disorder Act

It is considered that this proposed development 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, with the exception of the following issue:

- *Application does not mention lighting* – Lighting set within the hardsurfacing adjacent to the proposed brick pillars was shown on the drawings originally submitted but has since been deleted on revised drawings 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 any comments received in response to publicity and consultation, as set out above this application is recommended for grant as the proposed brick pillars would be an acceptable addition in the streetscene and would not have any adverse implications for neighbouring living 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 Gates shall not be attached to brick pillars hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the free flow of traffic and highway safety in Aylwards Rise.

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.

Plan Nos: 752/101, 202 A, 203 A, 206;

Samples (as per submitted samples):

- Chailey Stock Cy001 facing bricks – Brick pillars
- Limestone – Stone coping, name band and number panel.

CANONS HIGH SCHOOL, SHALDON ROAD, EDGWARE, HA8 7NT **Item: 2/06**
P/2162/09/FOD/E

Ward: QUEENSBURY
TWO SINGLE STOREY TEMPORARY BUILDINGS TO PROVIDE CLASSROOM AND DANCE STUDIO WITH ANCILLARY ACCOMMODATION (3 YEARS), TWO SINGLE STOREY EXTENSIONS TO DINING HALL

AGENT: Mr Simon Bird

APPLICANT: Harrow Council

Statutory Expiry Date: 25-NOV-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 and the land at Canons High School, Edgware, is owned by LB Harrow

REASON: - The decision to GRANT 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 provide an appropriate form of development, taking account of the need to provide additional educational facilities and maximising the usage of educational land, without impinging unduly upon the amenity of the neighbouring occupiers, in accordance with policies C7, D4 and EP25 of the Harrow Unitary Development Plan (2004) and policy 3A.24 of the London Plan (2008)

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 who intends to carry out the development and the land at Canons High School, Edgware, 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) **New Educational Facilities (C7, London Plan policy 3A.24)**
- 2) **Character and Appearance of the Area (D4, EP29)**
- 3) **Residential Amenity (EP25, D4)**
- 4) **Accessibility, Traffic and Parking (C16, T13, SPD – Accessible Homes)**
- 5) **S17 Crime & Disorder Act (D4)**

6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Development
Council Interest: Council Owned Land
Floor Area: 475m²

b) Site Description

- Site comprises a High school, with main access from Shaldon Road, to the north of the site.
- Site abuts the residential properties of Dale Avenue, Bridgewater Gardens, Shaldon Road, Teignmouth Close, St. Austrell Close, Coombe Close and Turner Road.
- The western portion of the site is a playing field, designated as an Open Space.
- The remainder of the site is occupied by permanent buildings varying between two and three storeys and single storey modular structures.
- A public footpath along the north side of the site, running from Shaldon Road to Dale Avenue, separates the site from the rear garden of No.44 Dale Avenue.

c) Proposal Details

- It is proposed to erect a single storey temporary structure in the north-eastern corner of the site and another adjacent to the eastern side of the main school teaching block.
- The proposed single storey modular building in the north-eastern corner of the site would be 9.5 metres wide and 9.9 metres deep. It would be metres 4.2 height, with a flat roof.
- This structure would be sited approximately 6.7 metres from the eastern boundary of the site and 3.2 metres from the northern boundary.
- The proposed single storey modular building proposed adjacent to the main teaching block would be 16.5 metres in width and 11 metres deep. It would be 5.6 metres in height with a flat roof and be sited 7.5 metres from the school building. It would be sited approximately 3.2 metres from a large willow tree.
- Two single storey extensions are also proposed to the southern wing of the dining hall.
- The proposed extension on the eastern side of the dining hall would be wedge shaped. It would be 3.5 metres in height with a flat roof and 15.5 metres long. The depth of this extension would reduce from 10.2 metres to 7.1 metres.
- The proposed single storey extension on the western side of the dining hall would be 6.2 metres by 5.1 metres and average 4.2 metres in height with a flat roof, serving to square off the southern end of the dining hall.
- All proposed extensions would be accessible to wheelchair users, and are proposed to accommodate Year 7 pupils.
- Small areas of new hardsurfacing are shown around the proposed buildings and extensions.

d) Relevant History

P/2590/08	Retention of temporary mobile classroom for three year period	GRANTED 17-OCT-08
P/0716/08/CFU	Redevelopment to provide new three-storey post-16 centre including classrooms science facilities and study areas	GRANTED 04-JUL-08
P/1614/07	Two single storey triple classroom units with entrance ramp and platform for temporary two year period	GRANTED 07-SEP-07
P/3556/06	Construction of three storey extension to school in two phases to provide sixth form teaching block	GRANTED 19-APR-07

e) Applicant Statement

- Design and Access Statement
- School requires extension by September 2010 as all Year 7 pupils will be in high schools
- An increase of approximately 180 to 300 Year 7 pupils to the school
- Site cover 4.5 hectares
- Additional dining and teaching space requires
- Unoccupied hardsurfaced areas to be used for proposals
- No impact on school parking or vehicular access

f) Consultations

Traffic and Parking Engineer: No objection

Notifications:

Sent 116 Replies 0 Expiry: 26-OCT-09

Summary of Responses:

None

APPRAISAL

1) Provision of New Educational Facilities

Policy C7 of the HUDP (2004) states that the Council will seek to ensure that appropriate education facilities are provided. The school is located in an area with adequate public transport links and the proposed new buildings would not impact upon vehicular activity on the site. Given the need of Canons High School to expand in order to provide adequate facilities for Year 7 students which will add between 180 and 300 students to the school, the provision of additional educational buildings is therefore considered appropriate in principle.

2) Character and Appearance of the Area

The single storey modular building proposed in the north-eastern corner of the site would be 4.2 metres in height and would be appropriate within an educational setting. Whilst this element would be clearly visible from the rear gardens of those properties along Dale Avenue, it is considered that the separation distance provided, similar to that of the main school buildings in this part of the site, would ameliorate any potential harm to the outlook of these properties.

The proposed single storey modular structure adjacent to the main teaching block would be of a similar design and appearance to the proposed structure in the north-eastern corner of the site and would not be visible from the street. Whilst the proposed structure would appear high for a single storey proposal, it would not appear as overbearing or dominant in the context of the main school buildings. Given that a temporary permission is sought, the materials and form of the proposed structure would be similar to that of the newly constructed 6th form centre, the proposed temporary buildings are considered acceptable in terms of their character and appearance.

This proposed modular building would be sited approximately 3.2 metres from a large willow tree. However, it is considered that this tree, by virtue of its location adjacent to the two-storey teaching block does not contribute significantly to the visual amenity of the school. Located within the envelope of the main school building, the tree does not have high amenity value and it is not visible from outside the site. Given that a temporary permission is sought, thereby not prejudicing the long term viability of the tree, and the fact that conditions are considered adequate in order to protect the amenity of the tree in the intervening years, it is considered that the provision of adequate educational accommodation would outweigh the need to preserve the setting of a tree of nominal amenity value.

The proposed extensions to the dining hall would be rendered and would have a significant amount of glazing. These extensions would be acceptable in scale. An acceptable appearance of these extensions would be secured by a condition requiring materials to match those of the existing dining hall.

No harm to visual amenity would be provided by the additional areas of hardsurfacing.

3) Residential Amenity

Given the distances between the nearest residential premises and the dining hall extensions and the single storey modular structure adjacent to the and the main teaching building, it is considered that none of these proposals would have an impact on the amenity of any of the residential properties bounding the site.

The proposed single storey modular structure on the north-eastern corner of the site would be sited some 6.7 metres from the rear garden boundary of No.46 Dale Avenue, 5 metres from the rear garden of No.46 Dale Avenue, and some 15 metres from their rear walls. Given the single storey nature of the structures, the absence of windows facing the boundaries of the neighbouring residential properties and the entrance to the modular structure on the western side of the building, it is considered that the proposed structure would not result in any undue overshadowing, loss of outlook or undue additional noise impact to these neighbouring properties.

4) Accessibility, Traffic and Parking

Ramped or level access and accessible bathrooms would be provided to the proposed modular buildings and proposed extensions to the dining hall and the width of the ramp and provision of level platforms is considered acceptable, thereby complying with Policy C16 of the HUDP (2004) and the Council's SPD. Each of the proposals would retain a gap of at least 2.5 metres to the nearest buildings, providing sufficient access, circulation and ease of movement around the buildings. There are no objections to the proposed development in terms of traffic, the increased capacity not being considered to have any detrimental impacts upon the traffic and parking situation locally.

5) S17 Crime and 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, it is considered that amenity and appearance issues have been adequately addressed and the need for educational facilities outweighs any loss of amenity offered by a willow tree on the site, which would, in any event, be safeguarded by the imposition of appropriate conditions. The application is therefore 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 and Country Planning Act 1990.

2 The single storey modular buildings hereby permitted shall be removed and the land restored to its former condition within three years of the date of this permission, in accordance with a scheme of work submitted to, and approved 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 materials to be used in the construction of the external surfaces of the extensions to the dining hall hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality.

4 The development hereby permitted shall not commence until samples of the materials and colours 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: external surfaces of the temporary modular buildings

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 and the visual 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, details of a Construction Exclusion Zone around the willow and silver birch trees adjacent to the proposed dance studio temporary modular building. 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.

6 Before commencement of the development hereby permitted the hard surfacing hereby permitted 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 be submitted to and approved beforehand by the Local Planning Authority.

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

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.24

Harrow Unitary Development Plan: C7, D4 and EP25

2 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 **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 Note: guidance on permeable paving has now been published by the Environment Agency on

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

Plan No's: 1000G-24-DI-01 Rev C, 1000G-24-DI-02 Rev A, 1000G-32-DI-01 Rev A, 1000G-00-DI-01, 1000G-31-M2-01 Rev B, 1000G-31-M2 02 Rev C, 1000G-00-M1-01 Rev A, 1000G-01-DI-01 Rev A, 1000G-01-M1-01 Rev A, 1000G-01-M2-01 Rev A, 1000G-01-M2-02 Rev A, 1000G-24-M2-01 Rev D, 1000G-31-DI-01 Rev B, 1000G-24-M1-01 Rev D, 1000G-31-M1-01 Rev C, 1000G-21-GE-01 Rev A

CEDARS HALL, CHICHELEY ROAD, HARROW, HA3 6QL **Item: 2/07**
P/1829/09/LM/C

Ward HARROW WEALD

CHANGE OF USE FROM COMMUNITY CENTRE (CLASS D2 USE) TO CENTRE FOR CHILD/FAMILY SUPPORT AND COMMUNITY FACILITIES (CLASS D1/D2 USE); SINGLE STOREY SIDE EXTENSION; SIDE CANOPY; INSERTION OF MEZZANINE FLOOR; PART REPLACEMENT OF PERIMETER FENCE WITH 2.4M HIGH FENCE AND GATES; OFF STREET VEHICLE, MOTORCYCLE AND BICYCLE PARKING

Applicant: Kids Can Achieve

Agent: David Kann Associates

Statutory Expiry Date: | 01-OCT-09

RECOMMENDATION

The decision to **GRANT** permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan and other relevant documents 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 - The Standard of Design and Layout

D10 – Trees and New Development

D23 – Lighting, including Floodlighting

EP25 – Noise

EP27 – Species Protection

EP28 – Conserving and Enhancing Biodiversity

EP31 – Areas of Special Character

EP43 – Green Belt and Metropolitan Land Fringes

T6 – The Transport Impacts of Development Proposals

T13 – Parking Standards

C2 – Provision of Social and Community Facilities

C8 – Health Care and Social Services

C10 – Community Buildings and Places of Worship

C17 – Access to Leisure, Recreation, Community and Retail Facilities

Supplementary Planning Guidance: Designing New Development (March 2003).

Supplementary Planning Document: Access For All (2006)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008, the saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Change of Use (C2, C8 & C10)
- 2) Character and Appearance of the Area and Green Belt Fringe (D4, EP31 & EP43)
- 3) Residential Amenity (D23 & EP25)
- 4) Refuse and Access For All (D4 & C17)
- 5) Parking and Highway Safety (T6 & T13)
- 6) Trees and Conservation (D10, EP27 & EP28)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

The application is reported to Committee because the Council is the land owner and the development would provide 652m² of gross floor space.

a) Summary

Statutory Return Type: Minor Developments, all others

Council Interest: The Council is the freehold owner of the site

b) Site Description

- The Council owned 1892m² site is L-shaped and ringed by Chicheley Road on the long boundary to the east, Uxbridge Road to the north and Cedars Open Space to the west and south.
- The site currently contains a two storey dilapidated boarded up community centre building which was previously utilised as the Wembley Kodak Rugby Football Club with a floor area of 415m². The remainder of the site consists of overgrown grassed area to the front and a large hardsurfaced area to the rear. The site is currently ringed by a steel mesh fence in various states of disrepair.
- The site has two main vehicle access points, both off Chicheley Road and two pedestrian only access points on the flank boundaries. Uxbridge Road is designated as a London Distributor Road.
- The area is characterised by the Cedar Park Open Space and residential properties on the opposite side of Chicheley Road and Uxbridge Road. The subject site does not adjoin any residential properties.
- The site and Cedars Open Space have many mature trees none of which have TPOs. However, they are all located on the Councils land/public parks.
- The Cedar Park Open Space is designated as Green Belt, part of the Area of Special Character (Harrow Weald Ridge) and a Site of Nature Conservation Importance. The subject site adjoins these areas but is not within any of them.

c) Proposal Details

- Demolition of 3.5m by 10.5m single storey extension on south west rear corner of building.
- Proposed refurbishment of existing building.
- Proposed single storey side to rear extension. Proposed extension would extend 12m from the recessed rear wall of the building. It would have a width of 12.5m and would extend 7m from the main rear wall of the building.
- It would have a flat roof with a maximum height of 3.7m.
- Eastern flank elevation of proposed extension, facing Chicheley Road, would have two doors and two windows. Rear elevation of proposed extension would have four windows and one door.
- Proposed new 3m by 5.8m canopy over entrance doors on front elevation with a pitch roof with a height of 2.2m to the eaves and a maximum height of 3m. Three small canopies over the eastern flank entrances at 2.3m in height.
- Proposed new internal mezzanine floor to create additional floorspace containing offices, meeting rooms and w/c facilities.
- Proposed change of use from community centre (Class D2) to centre for child/family support and community facilities (sui generis).
- Use of hardsurfaced area to rear for nine staff car parking spaces (including two wheelchair standard) and six visitor car parking spaces. Controlled access gate would separate visitor and staff parking spaces. Proposed parking spaces for three motorcycles and twenty bicycles.
- Closure of one vehicle access point on Chicheley Road. Retention of vehicle access point to south of boundary adjoining Chicheley Road.

- New pedestrian access gate on eastern flank boundary. Relocation of existing pedestrian access gate on western flank boundary 6m towards Uxbridge Road.
- Retention of existing boundary fence around visitor car parking. Proposed new 2.4m high fence around remaining boundary of site.
- Removal of Ash Tree and crown lifting of two Oak Trees.
- Proposed hard and soft landscaping.
- Proposed hours of operation are:
 - 0900 hrs until 2200 hrs Monday to Friday
 - 0900 hrs until 1900 hrs Saturday, Sunday and Bank Holidays

d) Revisions to Current/Previous Application:

- N/A

e) Relevant History

LBH/1972/1	ERECTION - COMMUNITY ASSOCIATION HALL	GRANTED 19-MAR-68
LBH/16213	ERECTION OF SINGLE STOREY EXTENSION TO REAR OF COMMUNITY CENTRE BUILDING	GRANTED 01-FEB-80
EAST/954/99/FUL	USE OF HALL FOR CHILDRENS NURSERY MONDAY TO FRIDAY 08:30 TO 17:30	GRANTED 20-DEC-99

f) Applicant Statement

- Proposal will provide larger facility for Kids Can Achieve than previous site and also for other related organisations. Building and site requires complete alterations and refurbishment and extension to create further space.
- Proposed extensions and refurbishment is considered in keeping with character of area and use of building.
- Kids Can Achieve supports and provides services for children and young people with additional needs, together with their carers and families. Children may have range of emotional, social, behavioural and learning difficulties such as Autism and ADHD.
- Public Consultation was undertaken on 20/02/08, 07/05/08 and 27/08/08 at Cedars Youth Centre. Specific occupiers of buildings of surrounding streets were invited. A leaflet drop was undertaken throughout July 2009 to 1500 surrounding homes for a further meeting on 15/07/09 Good News Church, Chicheley Road.

g) Consultations

Highways Engineer: No Objection

Waste Management Officer: Space for two or three 1100 litre bins. Access to the collection point should be on a smooth solid pavement with no sudden drops in level.

Tree Officer: A Tree Protection Plan (in line with BS: 5837, 2005) should be submitted showing the line of the Tree Protection Fencing (TPF). The TPF should be staked (so it cannot be moved) before any demolition or construction commences on site. The trees are Council owned so works should be carried out via Patrick Prendergast. A detailed Landscape Plan should be submitted showing locations of new trees, shrubs and hedges (notably screening along the site frontage (spiny hedging eg Hawthorn could be used for site boundary/security).

Biodiversity Officer: The development hereby permitted shall not commence until there has been submitted to, and approved by, the Local Planning Authority, a 'cordon sanitaire' demarking the boundary with the adjacent Site of Importance of Nature Conservation, this should comprise chestnut paling (or other suitable temporary) fencing and should remain in place until completion of works.

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

Hatch End Association: No Comment

Sport and Cultural Service: No Comment

Head of Property Services: No Comment

Notifications:

Sent: 45

Replies: 1

Expiry: 14-SEP-09

Summary of Responses:

- In support providing covenant restricting use of Cedars open space is not breached.
- Intended use of Cedars Hall is positive and beneficial to the neighbourhood.

APPRAISAL

1) Change of Use

Policies C2, C8 and C10 of the Council's HUDP are concerned with the retention of existing and promotion of new community facilities, social services and community buildings based upon satisfactory compliance with public transport, parking, highway safety and residential amenity issues. In principle, the continued use of the property as a community facility and the proposed use for child/family support centre is considered acceptable. Matters pertaining to design, layout, parking, highway safety and residential amenity are covered below and are deemed acceptable. As such, it is considered that the proposed change of use would be consistent with policies C2, C8 and C10 of the HUDP.

A S106 agreement was not considered to be necessary. This is because the proposal is considered to be an investment into a community facility/infrastructure. It is therefore not appropriate to seek a contribution towards a S106 agreement.

2) Character and Appearance of the Area and Green Belt Fringe

The proposed site is not located within the Green Belt or an Area of Special Character. However, it directly adjoins the very southern limit the above areas at Cedars Park Open Space which is designated as both. It is considered that the proposed refurbishment of the existing building, the proposed side to rear extension and the proposed part replacement of the fence with a 2.4m high fence represents a subordinate, modern upgrade to the existing dilapidated building. In terms of design, it is considered that the proposed refurbishment and additions, due to the size and single storey height, would make a positive contribution to the character and appearance of the property and would be consistent with the character of the area.

Soft and hard landscaping has been proposed throughout the development. This includes the replacement of part of the existing fence with a new 2.4m fence (either Heras or Expamat type). However, limited detail of this landscaping and boundary treatment has been submitted.

It is considered in principle that the provision of hard and soft landscaping and a 2.4m replacement fence is acceptable and a condition is recommended requiring further detailed landscaping proposals. As such, it is considered that proposal would comply with Policies D4, EP31 and EP43 of the HUDP and the Supplementary Planning Guidance: Designing New Development (March 2003).

3) Residential Amenity

The proposed development would be visible from the neighbouring residential properties, particularly those on the opposite side of Chicheley Road. The proposed development would not result in a significant change to the overall height and building footprint of the existing building, apart from a replacement extension. It would involve a substantial refurbishment of a very dilapidated building.

It is considered that the proposed single storey extension and canopies, given their overall height and distances from any residential property boundaries, would not have a detrimental impact on the residential amenities of any neighbouring properties. The applicant has incorporated an interesting external façade and mixed design elements such as glazing and soft landscaping.

A 128m² mezzanine floor is proposed. This floor would have large banks of glazed windows facing north and south. It is considered, given the distances of any neighbouring properties to the north and south (across Uxbridge Road and Cedars Open Space to the south) of approximately 40m and 130m respectively, and the fact that there are no mezzanine windows facing residential properties on Chicheley Road approximately 23m away, that the proposal would not result in loss of privacy or overlooking to the neighbouring residential properties.

While the proposed change of use is a community facility, there is limited scope available for sport or large scale recreational activities associated with the proposal. Furthermore, the proposed hours of operation are from Monday to Friday 0900 hrs until 2200 hrs (and some weekends and Bank Holidays which would be restricted by imposed conditions) and are considered to be within residential tolerances given the nature of the use proposed.

It is considered that, while there would be traffic movements associated with the proposed change of use that these would not be significantly higher to the traffic movements associated with the previous use and would not cause a disturbance to any greater degree to what previously existed. No details of external lighting have been proposed. However, it is considered that this matter would be adequately addressed by the imposition of a suitable condition on the decision notice.

As such, it is considered that the proposal would comply with Policies C2, C8, C10, D23 and EP25.

4) Refuse and Access For All

Limited details of refuse storage have been submitted although four bins are located behind a 1.5m high timber close boarded enclosure near the proposed closed vehicle entrance on Chicheley Road. The Waste Management Policy Officer has not raised any objections to the proposal providing space for two or three 1100 litre bins is available, for the occupier to recycle as much waste as possible and access to the collection point should be on a smooth solid pavement with no sudden drops in level.

Access to the site via Chicheley Road is satisfactory and there is adequate available space for bin storage, including screening, so as not to have an adverse impact on residential amenity or the ability for refuse to be collected. As such, given the limited detail provided, it is considered that a condition requiring further details prior to development commencing would be appropriate.

The change of use is centred on child/family support for those people with special needs. As such, an integral part of the design and layout of the site centres around the requirements and objectives of easy mobility for all. This includes wheelchair accessible entrances, hard landscaping, internal layout and vehicle parking spaces. As such, it is considered that the proposal makes adequate provision for access in this respect and would be consistent with Policy C17 of the HUDP and Supplementary Planning Document: Access For All (2006).

5) Parking and Highway Safety

The development would not result in the loss of any off street parking spaces. The proposal provides both car/minibus, motorcycle and bicycle forms of transport and it is near to both main bus routes and railway and as such is considered a sustainable location as it would encourage non car trips. The Council's Highways Engineer has not raised any objections or issues with the proposal.

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.

6) Trees and Conservation

As part of the proposal it intends that one Ash Tree would be removed and the crown lifting of two Oak Trees. The Council's Tree Officer has not made an objection to these works subject to conditions being attached to the decision notice regarding a Tree Protection Plan and a detailed Landscape Plan. It is considered that the landscape and protection plan conditions, subject to approval from the Council, would adequately protect the existing trees within the vicinity and would provide for the ability for new trees/landscaping to be introduced. It is considered that the proposal would not have a detrimental impact on the amenity provided by the existing tree or upon the integrity and character of the surrounding area and Cedars Park Open Space.

Policies EP27 and EP28 are concerned with species protection and the conservation and enhancement of biodiversity. The Council's Biodiversity Officer has not made an objection nor raised any issues regarding the application, subject to a condition being attached on the decision notice requiring a 'cordon sanitaire' to safeguard the biodiversity and appearance and character of the area. It is considered that the proposed condition would adequately address/mitigate any potential adverse impacts upon the biodiversity of the adjoining Site of Nature Conservation Importance and would comply with the objectives of Policies EP27 and EP28 of the HUDP.

7) S17 Crime & Disorder Act

The applicant has consulted with the Metropolitan Police Crime Prevention Advisor and has incorporated aspects of this consultation within the application. It is deemed prudent to impose a condition requiring these crime prevention measures to be assessed and approved by Council via condition. In principle it is considered that the proposal and imposed condition would provide for a reduction in the potential for crime and anti social disturbance within the vicinity of the site.

8) Consultation Responses

One resident has raised matters regarding private covenants. However, these are not material planning considerations. All other matters have been addressed within the body of the report above.

CONCLUSION

This vacant building which is currently in community use has fallen into a poor state of repair. This application if granted would result in a newly refurbished building with a proposed new community use. 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 and fences/gates

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 use hereby permitted shall not be operate outside the following times:-

- a: 0900 hours to 2200 hours, Monday to Friday inclusive,
 - b: 0900 hours to 1900 hours, Saturdays, Sundays or Bank Holidays,
- without the prior written permission of the local planning authority.

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 and a Tree Protection Plan (in line with BS: 5837, 2005) 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 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

7 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a 'cordon sanitaire' demarking the boundary with the adjacent Site of Importance of Nature Conservation, this should comprise chestnut paling (or other suitable temporary) fencing and should remain in place until completion of works.

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

8 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>

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.

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

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

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

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

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:

Harrow Unitary Development Plan:

C2, C8, C10, C17, D4, D10, D23, EP25, EP27, EP28, EP31, EP43, T6 and T13
Supplementary Planning Guidance: Designing New Development (March 2003).

Supplementary Planning Document: Access For All (2006)

2 INFORMATIVE:

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

3 INFORMATIVE:

The 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.

Item 2/07 : P/1829/09/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: KCA/CH/01, KCA/CH/02, KCA/CH/03, KCA/CH/04, Supporting Document (dated 05/10/09) and Design and Access Statement

LAND AT R/O 176-182 HARROW VIEW, HARROW, ADJACENT TO NO. 2 BOLTON ROAD

Item: 2/08

P/1324/09/GL/C

Ward HEADSTONE SOUTH

RETENTION OF TWO TWO-STOREY HOUSES WITH ACCOMMODATION IN ROOFSPACE; ACCESS AND PARKING (AMENDMENT TO PREVIOUSLY APPROVED APPLICATION P/2759/07/DFU)

Applicant: Mr Aalok Soni

Agent: Jackson Property Consultancy Ltd

Statutory Expiry Date: 04-SEP-09

RECOMMENDATION

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

REASON:

The decision to GRANT planning permission has been taken having regard to the policies and proposals of the London Plan and 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.3 – Maximising the potential of sites
- 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
- EP12 – Control of Surface Water Run-off
- T6 – The Transport Impact of Development Proposals
- 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 (The London Plan 2008, Saved Policies in the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Principle of Development and Character of the Area (London Plan 3A.1, 3A.2, 3A.3, D4, D5, D9, T6, T13, SPG)
- 2) Residential Amenity and Accessibility (London Plan, 3A.5, D4, D5, C16, SPD)
- 3) Parking/Highways Considerations (T6, T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is referred to Committee at the request of a nominated member.

a) Summary

Statutory Return Type: Minor Dwellings
Lifetime Homes 2
Wheelchair Homes 0
Council Interest: None

b) Site Description

- The site is to the rear of No's 176-182 Harrow View adjacent to No.2 Bolton Road. Construction of the proposed dwellinghouses has now largely been completed on site.
- Site previously formed part of rear gardens of No's 176-182 Harrow View
- Area is predominately characterised by two-storey semi detached and terraced houses with the houses located on the side streets and set back from the rear gardens of houses fronting onto the main road.
- Nos 176-178 Harrow View are also owned by the applicant and have been converted into four flats (two per dwellinghouse), with the benefit of Certificates of Lawful Existing Development.

c) Proposal Details

- Retention of two five-bedroom two-storey semi-detached dwellings with single-storey side additions and accommodation in roof, incorporating access and two parking spaces
- The footprint, height, bulk and scale of the dwellinghouses is as approved by the previous grant of planning permission (P/2759/07/DFU)
- The following amendments to the approved scheme have been made:
- Revised arrangements of rooflights: approved scheme would have had two rooflights and a solar panel on the front roofslope of each house, current scheme has two rooflights only on the front roofslope of each dwellinghouse
- Single-storey side additions to each house now has a flat roof rather than a mono pitched roof with 3.2m mid point height
- Single-storey side additions each have an access door to a utility room (previous scheme had no doors in flank elevation)

d) Relevant History

P/2639/05/CFU	Construction of terrace of 4 two storey houses with accommodation in roof, access and parking	WITHDRAWN 19-DEC-05
P/265/06/CFU	Construction of terrace of 3 two storey houses with accommodation in roof, access and parking	REFUSED 24-APR-06 APPEAL DISMISSED 07-DEC-06
P/1423/07/DFU	Two, two-storey houses with accommodation in roof incorporating roof terrace, side and rear dormers; access and parking	REFUSED 06-JUL-07

Reasons for Refusal:

- The proposal by reason of bulk, massing, height, design incorporating roof terraces and side dormers and siting would be unduly obtrusive, overbearing, result in loss of outlook to neighbouring dwellings, and would detract from the established pattern of development in the street scene and would be detrimental to the visual and residential amenities of the neighbouring occupiers and the character of the locality, contrary to policies, SH1, SH2, SD1, D4 and D5, of the Harrow Unitary Development Plan (2004), and Supplementary Planning Guidance: Extensions a Householders Guide (2003).
- The proposed forecourt hard surfacing to the side of the dwellings would erode front garden leaving inadequate scope for soft landscaping which would detract from the appearance of the property in the street scene to the detriment of the amenities of future occupiers of the site and neighbouring occupiers contrary to policies SD1, D4, and D9 of the Harrow Unitary Development Plan (2004).

P/2759/07/DFU	Two, two-storey houses with accommodation in roof; access and parking	GRANTED 20-JAN-08
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e) Pre-Application Discussion

- None

f) Applicant Statement

- None

g) Consultations

Environment Agency: No response received

Drainage Engineers: No response received, but response to previous application requested that drainage conditions be applied

Notifications:

Sent : 63

Replies : 2

Expiry : 26-AUG-09

Summary of Responses:

- Parking pressure; development is too obtrusive for plot; detrimental to character of area; concerns about the number of variations to a planning permission can be allowed; clear windows have been inserted into side elevation; perceptions of overlooking; development built closer to site boundaries than approved

APPRAISAL

This application is required as the development has commenced on site, and the applicant has proposed amendments to the approved scheme that cannot be considered as non-material amendments. Additionally, the conditions precedent attached to the approved scheme are no longer capable of being discharged.

1) Principle of Development and Character and Appearance of the Area

The principle of the development for two dwellings has been established by planning permission P/2759/07/DFU granted on 20 January 2008.

The size, bulk, scale and massing of the dwellinghouses have previously been approved, and the footprint of the building has been constructed in accordance with the approved plans.

The buildings are centrally located within the plot. This maintains a good separation distance between properties on Bolton Road and the dwellings on Harrow View. The two-storey bulk of the building is set approximately 5m from each of the boundaries of the site, with a 0.8m separation on the ground floor. The development retains space about the buildings and sits well within the context of the surroundings.

In order to ensure that the development retains a suitable relationship with other properties in the area, to prevent excessive site coverage by buildings and hard surfaces, and to preserve the visual and residential amenities of neighbouring occupiers, a condition restricting permitted development by way of extensions and roof alterations has been attached.

The existing building would have flat roofs on the single-storey side elements as opposed to the previously-approved pitched roofs. The use of flat roofs is required as the previous pitch angle would have been too shallow to have been constructed with a tiled roof. This as built roof form is considered acceptable as many properties in the area have flat roofed single-storey side extensions.

The development accommodates adequate numbers of bins and recycling facilities to the sides of the properties. The facilities would be shielded from the street scene by a fence.

Amenity space of 96m² for each property is provided, as previously submitted, is appropriate for these houses. However, a condition restricting the construction of outbuildings, or other extensions to the houses, has been attached to ensure that an adequate area of amenity space is maintained.

The frontage of the property provides one parking space to the side of both of the dwellings with the majority of the frontage dedicated to soft landscaping. The development makes a contribution to the street scene in the form of forecourt greenery and would provide adequate parking provision for the use of the properties. Notwithstanding this, conditions have been attached requiring landscaping of the front garden to be approved, and implemented, before the development is occupied to ensure that a high standard of forecourt greenery is provided.

2) Residential Amenity and Accessibility

The dwellinghouses have been positioned so as to respect the 45 degree sight line with respect to No. 2 Bolton Road. The development has windows on the flank elevation facing No. 2 Bolton Road, which would serve a study. Although this could result in some perceived overlooking of No. 2 Bolton Road, these windows are located over 3m from the boundary and would therefore comply with the requirements of the SPG on householder extensions.

The proposed windows located within the single storey side extension elements and would be secondary windows and would be obscure glazed and non-openable below a height of 1.7m above finished floor level. These windows would not create any undue overlooking onto rear gardens of properties along Harrow View or Bolton Road and would not prejudice any future development on adjoining sites. Conditions to ensure that the flank windows on the ground floors remain obscure glazed have been attached. The proposed doors to the ground floor utility rooms would not give rise to unreasonable overlooking, provided a suitable boundary fence is provided, and a condition to that effect has therefore been attached.

The dwelling that is located towards the boundary with properties along Harrow View is considered to respect, as far as possible, the outlook from the rear windows of No. 176-182.

A condition has been attached preventing the use of the roofs of the single-storey side elements as a balcony or roof terrace to prevent overlooking of other properties.

The room sizes are sufficient to provide turning circles for a wheelchair user. Door widths, corridor widths and access into the property would be suitable with scope to provide a lift internally should the need arise. Both of the proposed dwellings respect the requirements of the Accessible Homes SPD and are considered acceptable. Notwithstanding this, a condition is attached requiring the dwellinghouses to be constructed to Lifetime Homes standards and thereafter maintained.

3) Parking/Highways Considerations

There are two parking spaces, one for each dwelling, which is considered acceptable. Although concerns have been raised by neighbouring occupiers that the proposal would increase parking pressure on the public highway, the highways engineers have raised no objection to the proposed arrangements.

Notwithstanding this, a condition is attached requiring that the part of the frontage of the property not to be used for vehicular access is closed with a 600mm high fence or wall to prevent indiscriminate crossing of the footway.

4) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

5) Consultation Responses

Parking pressure; development is too obtrusive for plot; detrimental to character of area – these issues were addressed when planning permission was originally granted and have been further addressed in the appraisal above.

Concerns about the number of variations to a planning permission can be allowed – this application was required as the proposal represented a material variation to the original grant of planning permission. Although minor non-material amendments may, in certain circumstances, be accepted, in this instance it is considered that the changes are sufficient to require a further grant of planning permission.

Clear windows have been inserted into side elevation; perceptions of overlooking – these matters have been dealt with by the use of conditions and have been addressed in the residential amenity section.

Development built closer to site boundaries than approved – the approved plans indicate that the previous building envelope would also have been 800mm from the side boundaries.

CONCLUSION

The principle of the development has been established, and the material changes to the approved scheme are considered acceptable. There have been no material changes in the development plan or other circumstances since the previous grant of planning permission. 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:

CONDITIONS

1 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.

2 The window(s) in the ground floor 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.

3 The development hereby permitted shall not be occupied 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 carried out in accordance with the approved details and completed before the buildings are occupied and shall thereafter be retained.

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

4 The vehicular access hereby permitted shall not be used until a fence or wall of a maximum height of 600mm has been provided on the remainder of the property frontage, such fence or wall to be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

5 The development hereby permitted shall not 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.

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 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.

7 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.

8 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.

9 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.

10 The roof area of the development 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:

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 – Increasing London's Supply of Housing

3A.2 – Borough Housing Targets

3A.4 – Housing Choice

3A.5 – Large Residential Developments

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

T6 – The Transport Impact of Development Proposals

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)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

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

4 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.

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.

Item 2/08 : P/1324/09/GL/C continued/...

- 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; boltonrd-2a /1A; /2; /3; /5; /6; /8; Design and Access Statement

Item: 2/09

**UNIT 3, BALLARDS MEWS, HIGH P/4099/08/ML/E
STREET, EDGWARE, HA8 7BZ**

Ward CANONS

TWO EXTERNAL FLUES/DUCTS ON SOUTHERN ROOFSLOPE OF SPRAY SHOP
BUILDING (REVISED)

Applicant: Peter Rudge

Agent: David Barnard

Statutory Expiry Date: | 23-MAR-09

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 would be appropriate within an employment area, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character of the area.

London Plan:

4A.19 Improving Air Quality

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

EP25 Noise

EM13 Land and Buildings in Business Use – Designated Areas

EM22 Environmental Impact of New Business Development

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Character and Appearance of the Area (4A.19, D4, EM13, EM22)
- 2) Residential Amenity (4A.19, EM22, EP25)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor General Industry

Council Interest: None

b) Site Description

- Single storey industrial unit in use as a sprayshop on the northern side of Ballards Mews, with a ridged roof.
- There are numerous other industrial and car repair businesses in Ballards Mews.
- Designated Business Use Area.

c) Proposal Details

- The provision of two external flues/ducts on the southern side of the roofslope of the unit, the flue lower down the roof slope with a height of 3.75m, (approximately 1.8m above the main ridge of the roof) and the flue higher up the roof with a height of 1m (approximately 0.4m below the main ridge of the roof).

Revisions since the previously refused application P/2190/07/DCO:

- The proposed siting of the flues on the southern roofslope, instead of on the northern roofslope where they are currently installed.

d) Relevant History

P/447/06/DFU	Replacement sprayshop with increased roof height and external alterations.	GRANTED 02-MAY-06
P/2190/07/DCO	Retention of two external extract flues on the roof of sprayshop building.	REFUSED 04-SEP-07

Reason for Refusal:

The two extract flues, by reason of their design, appearance, the emission of noise and fumes, and close proximity to residential properties, detract from the character of the locality, and result in undue harm to the amenities of the occupiers of Edgware Court, contrary to policies SD1, D4, EM22, EP24 and EP25 of the Harrow Unitary Development Plan (2004).

P/3591/07/DFU	Relocation of existing two extract flues on the roof of sprayshop building.	WITHDRAWN 17-APR-08
ENF/0095/07/P/3947	Enforcement Notice requiring removal of flues on northern roofslope.	12-DEC-08 APPEAL DISMISSED 07-SEP-09

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design & Access Statement submitted.

g) Consultations:

Environmental Health:

Notifications:

Sent: 28

Replies: 1

Expiry: 16-FEB-09

Summary of Responses:

- Appears to be identical to previous application P/3591/07 and therefore previous objections stand;
- Fumes detrimental to the health of residents of Edgware Court, particularly those with respiratory problems;
- Excessive Noise.

APPRAISAL

1) Character and Appearance of the Area

This application seeks the installation of two external flues on the southern roofslope of the industrial unit, currently operating as a spray shop. At present two flues are sited on the northern roofslope facing the flats at Edgware Court which have directly overlooking balconies. The prominent location of the two existing flues on this side of the building results in them appearing extremely obtrusive from the flats and grounds of Edgware Court, their siting on this residential northern side of the site being detrimental to the character and appearance of the adjacent area. An appeal against an enforcement notice was recently dismissed and the existing flues must therefore be removed from the site by 17th December 2009.

The proposed position of the flues on the southern roofslope of the building would significantly reduce the visibility of these flues when viewed from the adjacent properties at Edgware Court. Whilst not completely removing these flues from view it is considered that given the industrial nature of Ballards Mews and the lawful use of the property the proposed relocated flues would be of no undue detriment to the character and appearance of the area.

2) Residential Amenity

The proposed flues would be located more than 15m from the closest residential properties at Edgware Court in a more acceptable location than the existing flues, which are subject to the Enforcement Notice. In terms of fumes it is noted that the Applicant states that only water based paints are used at the premises and that this reduces the potential for issues with odour produced by the use of the flues. In addition, conditions are suggested to further mitigate the discharge of fumes in order to provide an acceptable impact.

The Applicant has submitted a noise report which, subject to the suggested conditions, is considered by the Council's Environmental Health Officers to ensure that the flues would have an acceptable impact upon the amenities of neighbouring occupiers with regards to noise produced during their use.

With regards to visual amenity the provision of the flues on the southern roofslope would screen the flues from the adjacent occupiers at Edgware Court to a large extent. Although the higher of the two flues would still be visible above the roofline of the building this is considered acceptable given the minimum separation distance from the flats of 15 metres. The proposal is therefore considered to have an acceptable impact upon the visual amenities of neighbouring occupiers.

3) S17 Crime & Disorder Act

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

4) Consultation Responses:

All issues raised are addressed in the Appraisal.

CONCLUSION

It is considered that the proposed development would be appropriate in principle in a designated employment area, and by virtue of its size, siting and subject to compliance with the suggested conditions would provide acceptable impacts on the character of the area and neighbouring residential amenity. 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 completed within 3 years from the date of this permission and shall be retained thereafter.

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

2 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour / fume into any neighbouring premises.

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

3 The rating level of noise (as defined by BS4142:1997) emitted from the mechanical plant/flue shall not exceed +5dB above the prevailing background noise level at anytime, and must not emit tones or vibrations, which may give rise to nuisance. The measurement position and assessment shall be made according to BS4142:1997.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

4 Any redundant flues/ducting or extraction equipment should be removed from the premises prior to the installation of the approved development.

REASON: To reduce visual clutter, and safeguard the amenities of the locality.

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

London Plan (2008):

4A.19 Improving air quality

Harrow Unitary Development Plan (2004):

D4 Standard of Design and Layout

EM13 Land and Buildings in Business Use - Designated Areas

EM22 Environmental Impact of New Business Development

EP25 Noise

Plan Nos: 3030/7C, 'Rear Elevation and Section BB', Site Plan @ 1:500, Site Plan at 1:1250; Design & Access Statement; Environmental Noise Assessment

Item: 2/10

183 WHITCHURCH LANE, EDGWARE, P/1480/09/NR/E
HA8 6QT

Ward CANONS

SINGLE AND TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS,
REAR DORMER, CONVERSION TO FOUR FLATS, EXTERNAL ALTERATIONS

Applicant: By Wood Homes (Stanmore) Ltd

Agent: Jagdish Tolia Architects

Statutory Expiry Date: | 11-SEP-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 for housing, as well as to all relevant material considerations including the recent appeal decision on a similar proposal 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

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

D18 – Historic Parks and Gardens

H10 – Maintenance and Improvement to Existing Housing Stock

EP25 – Noise

EP43 – Green Belt and Metropolitan Open Lane Fringes

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)

Canons Park Estate Conservation Area Policy Statement

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Development (PPS1, PPS3, 2A.1, 3A.3)
- 2) Conversion of Houses and Other Buildings to Flats (D4, H10)
- 3) Character and Appearance of the Area, the Adjacent Conservation Area, Metropolitan Open Land and Historic Park (D4, D9, D14, D15, D18, EP43, SPG:Extns)
- 4) Residential Amenity (D5, EP25, SPG:Extns)
- 5) Traffic and Parking (T13)
- 6) Accessible Homes (C16, 3A.5, SPD:Access)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

This application was deferred from the last meeting of the Planning Committee on the 14th October 2009 for a Members' Site Visit. This Site Visit took place on the 31st October 2009.

a) Summary

Statutory Return Type: Minor Dwellings
Council Interest: None

b) Site Description

- Two-storey detached property on the north side of Whitchurch Lane.
- The application property currently has a two-storey side extension to the western elevation, a single-storey front extension and a single-storey side (eastern elevation) and rear extension.
- The front garden of the property is currently hard surfaced with two vehicular accesses to the highway.
- The rear garden of the application property has a depth of approximately 25 metres and is accessed via a shared passage between the application property and No.185.
- The neighbouring property at No.185, to the west, has a two-storey side extension abutting the side passage and a single-storey rear conservatory extension.
- To the east of the site is Canons Park, which is a designated Historic Park and Garden within the Canons Park Estate Conservation Area and is designated Metropolitan Open Land.
- Whitchurch Lane is a Borough Distributor Road, carrying a substantial amount of local traffic.

c) Proposal Details

- Single storey side extension to the Canons Park (east) elevation. The single-storey side extension would replace an existing single-storey structure and would abut the boundary with the park to a height of 2.5 metres, comprising a refuse store.
- Two-storey side extension to the east elevation with an easterly projection of 2.3 metres at eaves level, lining up with the main front and rear walls of the property and incorporating a catslide side roof design.

- Single-storey rear extension with a rearward projection of 2.3 metres beyond the existing rear extension, which measures 4.0 metres, with chamfered end walls, set 4.5 metres from the boundary with No.185 with a height of 3.1 metres with a flat roof
- Rear dormer roof extension set 1.0 metre from the roof edge of the proposed two-storey side extension, 2.2 metres up the roofslope from eaves level, with a width of 2.15 metres and a height of 1.5 metres.
- Conversion to four self-contained two bedroom flats.
- Four parking spaces are proposed in the front garden, including two for persons with disabilities.
- Access to three of the flats would be via the existing front door, with a separate entrance provided on the front elevation, to provide access to one of the ground floor flats.
- The two ground floor flats would have private garden areas, the rest of the garden being shared between the upper floor flats.

Revisions to Previous Application (ref P/1618/08):

- Easterly projection of two-storey side extension reduced by 3.0 metres at eaves level at the main front wall of the property and 1.2 metres at the main rear wall of the property.
- Design of two-storey side extension amended from stepped design to catslide.
- Rear dormer roof extensions previously proposed reduced from a sprawling dormer with a total width of 8.0 metres, to a single, smaller dormer, with a width of 2.15 metres.
- Single-storey front extension omitted.
- Refuse storage moved from the rear garden to within the single-storey side extension.

d) Relevant History

EAST/337/99/FU	Single storey front and rear, two	GRANTED
L	storey side extension	28-MAY-99
P/1618/08	Single storey front, side and rear, two	REFUSED
	storey/ first floor side extensions, rear	26-JUN-08
	dormers, conversion to four flats with	APPEAL:
	external alterations	APP/M5450/A/08
		/2087396
		APPEAL
		DISMISSED
		15-APR-09

Reasons for Refusal:

1. The proposed conversion by reason of its layout, inadequate stacking of rooms and inadequate provision of private amenity space would result in substandard accommodation, to the detriment of the amenities of the intended occupiers, and would result in an over-intensive use of the property which, by reason of increased disturbance and general activity, would detract from the residential amenities of the occupiers of neighbouring properties and the future occupiers of the proposed development, contrary to Policies D4, D5 and EP25 of the Harrow Unitary Development Plan (2004).

2. The proposed extensions, by reason of excessive scale and bulk, unsatisfactory design and prominent siting, would have a detrimental impact on the character and appearance of the property, the openness and character of the adjacent Historic Park and Metropolitan Open Land, would fail to preserve or enhance the character and appearance of the neighbouring Canons Park Estate Conservation Area and would be detrimental to the residential amenities of neighbouring occupiers contrary to Policies D4, D5, D12, D15, D18 and EP43 of the Harrow Unitary Development Plan (2004).

3. The proposal, by reason of inadequate soft landscaping and an excessive and inappropriate form of hardsurfacing of the front forecourt, would be detrimental to the character and appearance of the property and the street scene, contrary to Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

4. The proposed increased intensity of use would result in an unacceptable increase in vehicular activity, to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway, contrary to Policy T13 of the Harrow Unitary Development Plan (2004).

5. 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 Policy 3A.5 of the London Plan and the 'Accessible Homes' Supplementary Planning Document (2006).

Appeal: APP/M5450/A/08/2087396 Appeal Dismissed 15-APR-09

Summary of appeal decision:

In dismissing the appeal, the Inspector concluded that the proposed two-storey side extension to the eastern elevation and rear dormer roof extensions would be detrimental to the character and appearance of the adjacent Canons Park. This was the sole reason for dismissal and the Council should take into account the conclusions of this decision in determining any similar proposal on the site. Discussion of the Inspectors' conclusions on the relevant matters is undertaken in detail in the Appraisal section.

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design and Access Statement.

g) Consultations:

Site Notice (CCA): Posted: 12-AUG-09 Expiry: 02-SEP-09

Advertisement (CCA): Published: 06-AUG-09 Expiry: 28-AUG-09

Notifications:

Sent: 17 Replies: 3 Expiry: 15-SEP-09

Summary of Response (including response from Canons Park Residents Association):

- Would be an overdevelopment of the site.
- Would set a precedent to other areas.
- Loss of family dwellinghouse/saturation of flats in the local area.
- Extensions and alterations would be out of character with the area.
- Proposals would adversely affect the character of the adjacent Canons Park.
- Front dormers would be out of character.
- Arrangement of the proposed conversion is poor and cramped leading to noise transmission and would not comply with Lifetime Homes Standards.
- Inadequate and insufficient bin storage.
- Would create an unacceptable level of additional traffic.
- Potential problems with drainage and utilities.
- Impact on local schools and medical facilities.
- Would adversely affect the amenities of neighbouring residents in terms of activity and disturbance.

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 this is re-iterated 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 a residential dwellinghouse, it is considered to be previously developed land for the purposes of PPS3 and therefore housing development is acceptable in principle. There is no in principle policy objection to the conversion of an existing dwellinghouse to flats.

2) Conversion of House and Other Buildings to Flats

The proposal is to convert this detached dwellinghouse to four 2 bedroom self-contained flats. Two of the flats would be located on the ground floor, one on the first floor and one split over the first and loft floors. In refusing the previous application, the Council raised a number of concerns about the internal arrangement of the proposed flats, as well as the provision of amenity space.

Although the proposed extensions have been reduced in size compared to the previous application, the room sizes of the proposed flats would still be acceptable (room sizes shown in table below). There would however still be a potential conflict between noise sensitive rooms and living areas, by reason of stacking. Although the Council included this as a reason for refusal in determining the previous application, the Inspector in determining the subsequent appeal concluded that sound insulation is a matter for Building Regulations and that the minor stacking issues would not amount to a reason why planning permission should be withheld. The current proposals would not result in more significant stacking issues as compared to the previous appeal proposal and therefore, given the Inspectors conclusion on this matter, no objection can be raised to the proposed arrangement of the conversion in relation to the amenities of the future occupiers of the proposed flats.

Summary of Floorspace Figures for Proposed Flats			
Flat 1 (GF)	M2	Flat 3 (FF)	M2
Living Area	26.77	Living Area	25.75
Bedroom 1	11.92	Bedroom 1	11.6
Bedroom 2	8.06	Bedroom 2	7.78
Flat 2 (GF)		Flat 4 (FF/Loft)	
Living Area	24.09	Living Area	20.78
Bedroom 1	14.07	Bedroom 1	13.1
Bedroom 2	7.56	Bedroom 2	11.66

It is proposed to divide the garden into three parcels to provide a private garden for each of the two ground floor flats and a shared garden for the two upper floor flats. In refusing the previous application, the Council considered that the communal garden area would be inadequate to serve the two upper floor flats, both of which could potentially be occupied by families. In determining the subsequent appeal however, the Inspector stated that 'I am not persuaded that there is any objection to the sharing of such a space'. Given this conclusion and that the proposed individual garden areas would be of an adequate size, no objection can be raised to the proposed provision of private amenity space.

3) Character and Appearance of the Area, the Adjacent Conservation Area, Metropolitan Open Land and Historic Park

The property is located at the end of a row of houses on the north side of Whitchurch Lane. Abutting the site to the east is Canons Park, an historic area of open space which forms part of the Canons Park Estate Conservation Area and is also designated Metropolitan Open Land and a Historic Park. The eastern elevation of the property faces the park and is clearly visible in views from along Whitchurch Lane, as well as from within the park itself. At present, the existing catslide roof design reduces the visual impact and bulk of the property in relation to Canons Park and does not intrude into the historic landscape.

The proposed single and two-storey side extensions would extend this elevation towards the park. The proposed two storey side extension would result in a 2.3 metre projection towards the boundary with the park and would incorporate a similar catslide roof design to the existing situation. Compared to the two-storey side extension proposed under the previous application (ref P/1618/08), the current proposal is a significant improvement, with a modest easterly projection resulting in the eaves level of the extension being 1.5 metres from the boundary at its closest point and 4.5 metres from the boundary at the front of the property. Drawing 731/5 Rev B compares the current proposal with the previously refused scheme.

In determining the previous appeal, the Inspector considered that the irregular stepped design of the proposed two-storey side extension would appear contrived and overbearing, and would, to an extent, 'close down the entrance into the park'.

In contrast, the revised two-storey side extension would not have an irregular stepped design, but would continue the existing catslide design, thereby ensuring that the building would still 'lean away' from the park. In conjunction with the reduction in width of 2.8 metres at eaves level, it is considered that the proposed revised extension would resolve the concerns of the Inspector, would preserve the character and appearance of the adjacent Conservation Area and Historic Park, and would not unacceptably harm the openness of the Metropolitan Open Land.

The proposed extension is also considered to be of an acceptable scale in relation to the size of the property itself and would therefore not be detrimental to the character and appearance of the property.

The omission of the single-storey front extension previously proposed also serves to reduce the overall bulk of the proposed extensions. This part of the proposal is therefore considered to satisfy the Inspectors' concerns and would therefore comply with UDP policies D4, D14, D15, D18 and EP43.

The proposed single-storey side extension attached to the eastern elevation would contain the bin store for the development and would replace an existing lean-to structure of a similar size, abutting the boundary with the park. It is considered that this modest feature, as well as the modest single-storey rear extension, would have an acceptable appearance, would preserve the character and appearance of the adjacent Conservation Area and would not unduly impact on the openness of Canons Park.

The sprawling and bulky roof extensions previously proposed have been omitted in favour of a small rear dormer, which measures 2.15 metres in width and 1.5 metres in height. This dormer would comply with the Council's SPG and would be a similar size to the dormer on the neighbouring property at No.185. It is considered that the amended dormer would satisfy the concerns of the Inspector and this part of the proposal would therefore have an acceptable appearance and would preserve the character and appearance of the adjacent Conservation Area.

Waste Management

Given the four units proposed, 12 refuse bins would be required in order to meet the requirements of the Council's Waste Management Policy Officer.

These bins would be stored within the proposed single-storey side extension, with access from the front. It is considered that the proposed siting of the refuse storage would be acceptable as the bins would be concealed from the street. It is also considered that the bins would be sited an acceptable distance from the flats so as not to inconvenience future occupiers of the building when depositing rubbish. A condition is imposed requiring the bins to be stored in this area, except on collection days. In determining the previous appeal, the Inspector considered that the use of the previously proposed temporary bin store area on the frontage for use on collection days would not have a harmful effect on the streetscene.

It is proposed to re-surface the front garden of the property with a pervious green paving surface such as 'Grasscrete', to provide four parking spaces. UDP policy D9 seeks to resist proposals to hard surface the whole of front gardens. In refusing the previous application, the Council raised concerns about the lack of soft landscaping and also about the nature of the proposed surface itself, in terms of achieving an acceptable street scene appearance. However, in determining the appeal relating to this refusal, the Inspector placed weight on the fact that the front garden of the property is currently predominantly hard surfaced. Concluding on this issue, the Inspector considered that this element of the proposal to be 'neutral' and therefore did not raise specific objections. The Inspector also stated that the planting and the type of surface treatment could be dealt with by condition and conditions are imposed in this respect. Therefore, taking into account the appeal decision it is considered that this aspect of the proposal would not adversely affect the street scene.

It is proposed to install an additional entrance door on the front elevation of the property, to provide separate access to one of the ground floor flats. In refusing the previous application, the Council raised concerns about this part of the proposal, as it was felt that the additional door would fail to preserve the appearance of the property and a single-family dwellinghouse. However, in determining the subsequent appeal, the Inspector concluded that the second front door would not be harmful in this context as it would be akin to the appearance of a pair of semi-detached houses. Therefore, whilst noting the Council's previous concerns, it is not considered that the impact of the additional front door on the character and appearance of the property would be such as to warrant a refusal of permission on these grounds.

4) Residential Amenity

As discussed above, given the Inspectors' conclusions were contrary to the Council's view that the stacking and provision of external amenity space were inadequate, on balance the proposed conversion which reflects the previous refused layout provides an adequate standard of accommodation and would therefore have an acceptable impact on the amenities of future occupiers.

The Council, in refusing the previous application, also raised a concern about the impact of the proposed conversion on the amenities of neighbouring residential occupiers, particularly the adjacent property at No.185, in relation to additional disturbance and general activity. However, in determining the subsequent appeal, the Inspector commented that 'the property is located on a busy main road and that neither of the front doors would be unduly close to the adjoining property'. The Inspector went on to conclude that there would not be any significant increase in the level of disturbance to neighbours. Given this conclusion, it is considered that no objection is raised to the impact on the amenities of neighbouring residential occupiers, by reason of increased activity and disturbance.

The proposed single-storey rear extension would project 2.3 metres beyond the existing single-storey rear extension and would be centrally located within the plot, 4.6 metres from the boundary with No.185. The proposed extension would not technically comply with the two for one rule from No.185, as set out in the Council's SPG. Although the Council included this as a reason for refusal in determining the previous application, the Inspector, in determining the subsequent appeal, considered that there would not be any significant effect on the adjoining property, given the distance to the boundary with No.185 and its modest scale. It is therefore considered that this part of the proposal can be accepted.

5) Traffic and Parking

The proposal incorporates four parking spaces in the front garden, two of which would be wide enough for use by persons with disabilities. Although the spaces would be arranged at right angles to the street, given the size of the front garden, there would be adequate manoeuvring space within the site so that vehicles could enter and leave in forward gear. The visibility from the vehicular access would also be adequate.

In refusing the previous application, the Council raised concerns that the proposal would result in an unacceptable level of vehicular activity, which would be prejudicial to highway and pedestrian safety. However, in determining the subsequent appeal, the Inspector, noting that Whitchurch Lane is a busy thoroughfare and that the site is in a relatively accessible location, concluded that the proposal would not harm highway safety, in relation to demand for on-street parking. It is therefore considered that no objection can be raised in terms of a highways impact.

6) Accessible Homes

In determining the previous appeal, the Inspector placed greater weight on the accessibility requirements of the London Plan, given that the Council's Accessible Homes SPD is based on UDP policy H18 which has been deleted by a direction from the Secretary of State. The requirements of the London Plan are less onerous than the Council's SPD and, despite the Council raising a concern about compliance with the SPD, the two proposed ground floor flats would both comply with the requirements of the London Plan in relation to Lifetime Homes Standards. In the light of the conclusion of the Inspector in determining the previous appeal, it is considered that the proposed development would have adequate provision for people with disabilities.

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:

- Would set a precedent to other areas: Each proposal is considered on its own merits based on individual site circumstances. Accordingly it is not considered that this application would set a precedent for other sites.

- Front dormers would be out of character: It is confirmed from the submitted drawings that front dormers are not proposed.
- Potential problems with drainage and utilities: This is not a concern in relation to this application.
- Impact on local schools and medical facilities: There are no identified concerns in relation to these issues.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, the recent appeal decision relating to a similar development and other material considerations, including the comments received in response to publicity and consultation, as set out above this revised proposal is considered to satisfy the concerns of the Inspector that determined the previous appeal and accordingly 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 and Country Planning Act 1990.

2 The materials to be used in the construction of the external surfaces of the extensions 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. Hard landscaping details shall include samples of the proposed surface for the front parking area.

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 not be occupied or used until the disabled access forecourt parking spaces shown on the approved plans have been made available for use. The spaces shall be allocated and retained for use by the occupants of the ground floor flats 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.

6 The hard surfacing hereby permitted 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.

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

7 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage areas, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality.

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 The roof area of the single-storey side and single-storey rear extensions hereby permitted shall not be used as balconies, roof gardens or similar amenity areas without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

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: 731/1; Rev B; 2 Rev C; 3 Rev C; 4 Rev B; 5 Rev B; BLC080147 Rev C;
Design and Access Statement

28-36 SHAFTESBURY CIRCLE, SOUTH HARROW, HA2 0AT P/1718/09/HG/W

Ward HARROW ON THE HILL

PROPOSED EXTERNALLY ILLUMINATED DOUBLE SIDED TOTEM SIGN AT SOUTH-EAST CORNER FRONTING SHAFTESBURY AVENUE; RETENTION OF FOUR NON-ILLUMINATED VEHICLE ENTRANCE/EXIT SIGNS AND THREE NON-ILLUMINATED SIGNS WITHIN THE CAR PARK

Applicant: Tesco Stores Ltd

Agent: CgMs Consulting

Statutory Expiry Date: | 15-OCT-09

RECOMMENDATION

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

REASON

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

Policies:

National Guidance

PPG19 – Outdoor Advertisement Control

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Amenity and Public Safety (PPG19, D4)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Adverts

Council Interest: None

b) Site Description

- Ground floor commercial unit which forms part of a three storey crescent shaped terrace building on the southern side of Shaftesbury Circle at the junction with Shaftesbury Avenue.
- The upper floors are occupied by flats.
- Site has a car park to the rear and vehicle access from Shaftesbury Circle and Shaftesbury Avenue.

- The rear boundary of the site is shared with a two storey semi-detached building comprised of purpose built flats which are sited at a 90 degree angle to the application site.
- Site was granted planning permission for an A1 use under reference P/4096/07 on 29/02/2008 and is currently occupied by a Tesco Express store.
- Properties to the west on Shaftsbury Circle are comprised of three storey terrace buildings with a variety of commercial uses on the ground floor, including three A1 uses (Mount Supermarket, Convenience Store and Londis) and flats above.
- Properties to the east are three storey flats.
- Properties to the south-east are two storey semi-detached purpose built maisonettes.

c) Proposal Details

Retention of various car park signage including four 700mm x 800mm welcome/goodbye/no exit signs at the vehicle entrances and three 400mm x 400mm signs within the car park of the site and a proposed 5m high externally illuminated totem sign fronting Shaftsbury Avenue.

Revisions to Current Application:

- One sign to be installed on the flank wall of the building at first and second floor level has been omitted from the proposal as it was considered to be situated in an obtrusive position.

d) Relevant History

P/4096/07	SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 29-FEB-08
P/3523/08	CERTIFICATE OF LAWFUL PROPOSED USE: PROPOSED SUB-DIVISION OF THE PREMISES TO PROVIDE UP TO 4 RETAIL SHOPS WITH ALTERATIONS AND EXTENSION IN ACCORDANCE WITH PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 INVOLVING SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO FOUR SELF CONTAINED SHOP / RETAIL (CLASS A1) UNITS WITH NEW SHOP FRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 15-DEC-08
P/2032/09	APPROVAL OF DETAILS PURSUANT TO CONDITIONS 2 & 3 OF PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 FOR 'SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR'.	GRANTED 29-SEP-09

P/1719/09	INTERNALLY ILLUMINATED FASCIA SIGNS ON THE FRONT AND REAR ELEVATIONS AND INTERNALLY ILLUMINATED PROJECTING SIGN ON THE FRONT ELEVATION	CURRENT
P/1721/09	INSTALLATION OF CASH MACHINE (ATM) ON FRONT ELEVATION	CURRENT
P/1722/09	TWO NEW SHOPFRONTS ON THE FRONT AND REAR ELEVATIONS AND EXTERNAL ALTERATIONS TO THE REAR ELEVATION	CURRENT
P/1723/09	INSTALLATION OF 7 ILLUMINATED BOLLARDS ADJACENT TO SOUTHERN SITE BOUNDARY AND A COMBINATION OF 7 DROP DOWN AND FIXED BOLLARDS FRONTING SHAFTESBURY AVENUE	CURRENT
P/1724/09	INSTALLATION OF PLANT EQUIPMENT AND A CLOSE BOARD TIMBER SCREEN TO THE REAR	CURRENT

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Highway Engineer: no objection.

Notifications:

Sent: 18

Replies: 3

Expiry: 08-OCT-09

Summary of Responses: object to the expansion of Tesco's and the impact this will have on local convenience shops; object to illuminated sign on flank wall of building; I have not given permission for this sign and contravenes the terms of my lease.

APPRAISAL

1) Background

The site was granted planning permission for a change of use from a car show room (sui generis) to 4 self contained-contained shop/retail (Class A1) units and a single storey rear extension with parking at the rear. This permission did not include a condition that would prevent amalgamation of the units into a single unit without the benefit of a further planning permission. The site has a certificate of lawful proposed use for sub-division of the premises to provide up to 4 retail shops which has established that use of the premises as a single A1 unit is lawful. Tesco Express currently occupy three out of the four units.

The applicant has not implemented the rear extension of the previously granted scheme. It is noted this element could be implemented at a later date.

2) Amenity and Public Safety

The proposed 5m high totem sign would be sited in the same position as the previous Suzuki totem sign and therefore this sign would have no additional impact when compared to the previous sign. Although the sign would be in front of the building line of the maisonettes to the south-east the occupants would only have an angled view of the sign which is not considered to be such an adverse impact so as to warrant refusal of consent. Overall it is considered the proposed car parking signage would be an improvement in design, character and amenity terms when compared to the previous signage when the property was occupied by the Suzuki car dealership. It is considered that the proposed signage would not lead to visual clutter in the street scene or have an adverse impact on the amenity of the area.

The signs would not obstruct vehicle sight lines, traffic signs or pedestrians and the Council's highway Engineer has raised no objection to the scheme. It is therefore considered that the advertisements would not have an adverse impact on public safety.

It is considered that overall the advertisements contained in this application and the related advertisement application for this site (P/1719/09) would not lead to visual clutter. Overall the proposed advertisements are considered to comply with PPG19 and policy D4 of the Harrow UDP 2004.

3) S17 Crime & Disorder Act

It is considered that the proposed advertisements would not result in and security concerns for the site.

4) Consultation Responses

Objection to Tesco and impact on local convenience shops

The use of the premises as a single A1 unit is permitted and objections relating to this matter cannot be considered as part of this application. The LPA cannot control what type of retail companies occupy the premises.

Objection to sign on flank wall at first and second floor level

This sign has been omitted from the proposed scheme.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: In the interests of highway safety and amenity.

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

REASON: To safeguard the amenities of the locality.

INFORMATIVES

1 INFORMATIVE:

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: Site Plan; Location Plan; Design and Access Statement; 9196-120 REV A;
6023ELE1C (Proposed Side Elevation); 9196-101; 9196-102;
6023ELE1PRED; 6023ELEPREC

28-36 SHAFTESBURY CIRCLE, SOUTH P/1721/09/HG/W
HARROW, HA2 0AT

Ward HARROW ON THE HILL

INSTALLATION OF CASH MACHINE (ATM) ON FRONT ELEVATION

Applicant: Tesco Stores Ltd

Agent: CgMs Consulting

Statutory Expiry Date: | 15-OCT-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-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:

London Plan Consolidated with Alteration since 2004:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document:

Access for All (2006)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Character and Appearance (4B.1, D4)
- 3) Accessibility (C16; SPD Access for All)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor Other

Council Interest: None

b) Site Description

- Ground floor commercial unit which forms part of a three storey crescent shaped terrace building on the southern side of Shaftesbury Circle at the junction with Shaftesbury Avenue.

- The upper floors are occupied by flats.
- Site has a car park to the rear and vehicle access from Shaftesbury Circle and Shaftesbury Avenue.
- The rear boundary of the site is shared with a two storey semi-detached building comprised of purpose built flats which are sited at a 90 degree angle to the application site.
- Site was granted planning permission for an A1 use under reference P/4096/07 on 29/02/2008 and is currently occupied by a Tesco Express store.
- Properties to the west on Shaftesbury Circle are comprised of three storey terrace buildings with a variety of commercial uses on the ground floor, including three A1 uses (Mount Supermarket, Convenience Store and Londis) and flats above.
- Properties to the east are three storey flats.
- Properties to the south-east are two storey semi-detached purpose built maisonettes.

c) Proposal Details

Installation of an ATM in the front elevation on the western side of the building. The ATM would be 650mm above ground level and the control panel would be 950mm above ground level.

Revisions to Current Application

The proposed bollards in front of the ATM have been omitted from the proposal due to concerns the bollards could be a potential trip-hazard to the visually impaired and would result in visual clutter in the street scene.

d) Relevant History

P/4096/07	SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 29-FEB-08
P/3523/08	CERTIFICATE OF LAWFUL PROPOSED USE: PROPOSED SUB-DIVISION OF THE PREMISES TO PROVIDE UP TO 4 RETAIL SHOPS WITH ALTERATIONS AND EXTENSION IN ACCORDANCE WITH PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 INVOLVING SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO FOUR SELF CONTAINED SHOP / RETAIL (CLASS A1) UNITS WITH NEW SHOP FRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 15-DEC-08
P/2032/09	APPROVAL OF DETAILS PURSUANT TO CONDITIONS 2 & 3 OF PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 FOR 'SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1).	GRANTED 29-SEP-09

	UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR'.	
P/1718/09	EXTERNALLY ILLUMINATED DOUBLE SIDED REPLACEMENT TOTEM SIGN AT SOUTH-EAST CORNER FRONTING SHAFTESBURY AVENUE; SEVEN NON-ILLUMINATED CAR PARKING SIGNS (TWO SITED ON SHAFTESBURY AVENUE FRONTAGE; TWO SITED FACING SHAFTESBURY CIRCLE AND THREE LOCATED WITHIN THE REAR CAR PARK)	CURRENT
P/1719/09	INTERNALLY ILLUMINATED FASCIA SIGNS ON THE FRONT AND REAR ELEVATIONS AND INTERNALLY ILLUMINATED PROJECTING SIGN ON THE FRONT ELEVATION	CURRENT
P/1722/09	TWO NEW SHOPFRONTS ON THE FRONT AND REAR ELEVATIONS AND EXTERNAL ALTERATIONS TO THE REAR ELEVATION	CURRENT
P/1723/09	INSTALLATION OF 7 ILLUMINATED BOLLARDS ADJACENT TO SOUTHERN SITE BOUNDARY AND A COMBINATION OF 7 DROP DOWN AND FIXED BOLLARDS FRONTING SHAFTESBURY AVENUE	CURRENT
P/1724/09	INSTALLATION OF PLANT EQUIPMENT AND A CLOSE BOARD TIMBER SCREEN TO THE REAR	CURRENT

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Highway Engineer: no objection.

Crime Prevention: no objection.

Notifications:

Sent: 13

Replies: 2

Expiry: 08-OCT-09

Summary of Responses: object to the expansion of Tesco's and the impact this will have on local convenience shops

APPRAISAL

1) Background

The site was granted planning permission for a change of use from a car show room (sui generis) to 4 self contained-contained shop/retail (Class A1) units and a single storey rear extension with parking at the rear. This permission did not include a condition that would prevent amalgamation of the units into a single unit without the benefit of a further planning permission. The site has a certificate of lawful proposed use for sub-division of the premises to provide up to 4 retail shops which has established that use of the premises as a single A1 unit is lawful. Tesco Express currently occupy three out of the four units.

The applicant has not implemented the rear extension of the previously granted scheme. It is noted this element could be implemented at a later date.

2) Character and Appearance

The ATM would be a minor modification to the front of the building and it is considered that the siting and design of the ATM would be in keeping with the character of the property and would not detract from the appearance of the street scene.

It is therefore considered the ATM would comply with policy 4B.1 of the London Plan and policy D4 of the Harrow UDP (2004).

3) Accessibility

The dimensions and height of the ATM would meet the guidelines contained in the SPD: Access for All (2006). The proposed ATM would be constructed at a level that would provide adequate access and use for both able bodied and disabled persons and it is therefore considered the proposed ATM would comply with policy C16 of the Harrow UDP (2004).

4) S17 Crime & Disorder Act

It is considered that the proposed ATM would not result in security concerns for the site. The ATM would be in a position with a high degree of natural surveillance and the Crime Prevention Officer has not raised any objection to the proposed scheme.

5) Consultation Responses

Objection to Tesco and impact on local convenience shops

The use of the premises as a single A1 unit is permitted and objections relating to this matter cannot be considered as part of this application. The LPA cannot control what type of retail companies occupy the premises.

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 and Country Planning Act 1990.

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: Site Plan; Location Plan; Design and Access Statement; 9196-111 REV A; 9196-112 REV C; 6023ELE1C (Proposed Front Elevation); 9196-120 REV A; 9196-101; 9196-102

**28-36 SHAFTESBURY CIRCLE, SOUTH P/1719/09/HG/W
HARROW, HA2 0AT**

Ward HARROW ON THE HILL

INTERNALLY ILLUMINATED FASCIA SIGNS ON THE FRONT AND REAR
ELEVATIONS AND INTERNALLY ILLUMINATED PROJECTING SIGN ON THE
FRONT ELEVATION

Applicant: Tesco Stores Ltd

Agent: CgMs Consulting

Statutory Expiry Date: | 15-OCT-09

RECOMMENDATION

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

REASON

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

Policies:

National Guidance

PPG19 – Outdoor Advertisement Control

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Amenity and Public Safety (PPG19, D4)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Adverts

Council Interest: None

b) Site Description

- Ground floor commercial unit which forms part of a three storey crescent shaped terrace building on the southern side of Shaftesbury Circle at the junction with Shaftesbury Avenue.
- The upper floors are occupied by flats.
- Site has a car park to the rear and vehicle access from Shaftesbury Circle and Shaftesbury Avenue.

Item 2/13 : P/1719/09/HG/W continued/...

- The rear boundary of the site is shared with a two storey semi-detached building comprised of purpose built flats which are sited at a 90 degree angle to the application site.
- Site was granted planning permission for an A1 use under reference P/4096/07 on 29/02/2008 and is currently occupied by a Tesco Express store.
- Properties to the west on Shaftsbury Circle are comprised of three storey terrace buildings with a variety of commercial uses on the ground floor, including three A1 uses (Mount Supermarket, Convenience Store and Londis) and flats above.
- Properties to the east are three storey flats.
- Properties to the south-east are two storey semi-detached purpose built maisonettes.

c) Proposal Details

- Two internally illuminated fascia signs on the front and rear elevations of the building and an internally illuminated projecting sign on the front of the building.
- These signs have already been installed.

d) Relevant History

P/4096/07	SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 29-FEB-08
P/3523/08	CERTIFICATE OF LAWFUL PROPOSED USE: PROPOSED SUB-DIVISION OF THE PREMISES TO PROVIDE UP TO 4 RETAIL SHOPS WITH ALTERATIONS AND EXTENSION IN ACCORDANCE WITH PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 INVOLVING SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO FOUR SELF CONTAINED SHOP / RETAIL (CLASS A1) UNITS WITH NEW SHOP FRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 15-DEC-08
P/2032/09	APPROVAL OF DETAILS PURSUANT TO CONDITIONS 2 & 3 OF PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 FOR 'SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR.	GRANTED 29-SEP-09
P/1718/09	EXTERNALLY ILLUMINATED DOUBLE SIDED REPLACEMENT TOTEM SIGN AT SOUTH-EAST CORNER FRONTING SHAFTESBURY AVENUE;	CURRENT

	SEVEN NON-ILLUMINATED CAR PARKING SIGNS (TWO SITED ON SHAFTESBURY AVENUE FRONTAGE; TWO SITED FACING SHAFTESBURY CIRCLE AND THREE LOCATED WITHIN THE REAR CAR PARK)	
P/1721/09	INSTALLATION OF CASH MACHINE (ATM) ON FRONT ELEVATION	CURRENT
P/1722/09	TWO NEW SHOPFRONTS ON THE FRONT AND REAR ELEVATIONS AND EXTERNAL ALTERATIONS TO THE REAR ELEVATION	CURRENT
P/1723/09	INSTALLATION OF 7 ILLUMINATED BOLLARDS ADJACENT TO SOUTHERN SITE BOUNDARY AND A COMBINATION OF 7 DROP DOWN AND FIXED BOLLARDS FRONTING SHAFTESBURY AVENUE	CURRENT
P/1724/09	INSTALLATION OF PLANT EQUIPMENT AND A CLOSE BOARD TIMBER SCREEN TO THE REAR	CURRENT

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Highway Engineer: no objection.

Notifications:

Sent: 18

Replies: 2

Expiry: 08-OCT-09

Summary of Responses: object to the expansion of Tesco's and the impact this will have on local convenience shops

APPRAISAL

1) Background

The site was granted planning permission for a change of use from a car show room (sui generis) to 4 self contained-contained shop/retail (Class A1) units and a single storey rear extension with parking at the rear. This permission did not include a condition that would prevent amalgamation of the units into a single unit without the benefit of a further planning permission. The site has a certificate of lawful proposed use for sub-division of the premises to provide up to 4 retail shops which has established that use of the premises as a single A1 unit is lawful. Tesco Express currently occupy three out of the four units.

The applicant has not implemented the rear extension of the previously granted scheme. It is noted this element could be implemented at a later date.

2) Amenity and Public Safety

It is considered that the proposed signage does not lead to visual clutter in the street scene or have an adverse impact on the amenity of the area. The two fascia signs are sited 2.689m above ground level and have a height of 1m and the projecting sign extends 860mm forward of the front wall and has a height of 650mm.

It is considered these signs have a modern design and are in keeping with the scale of the building and do not detract from the character and appearance of the street scene.

The signs do not obstruct traffic signs and are of a size that would not distract road users and the Council's Highway Engineer has raised no objection to the scheme. It is therefore considered that the advertisements do not have an adverse impact on public safety.

It is considered that overall the advertisements contained in this application and the related advertisement application for this site (P/1718/09) would not lead to visual clutter. Overall the advertisements are considered to comply with PPG19 and policy D4 of the Harrow UDP 2004.

3) S17 Crime & Disorder Act

It is considered that the advertisements do not result in and security concerns for the site.

4) Consultation Responses

Objection to Tesco and impact on local convenience shops

The use of the premises as a single A1 unit is permitted and objections relating to this matter cannot be considered as part of this application. The LPA cannot control what type of retail companies occupy the premises.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

Item 2/13 : P/1719/09/HG/W continued/...

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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

REASON: In the interests of highway safety and amenity.

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

REASON: To safeguard the amenities of the locality.

Plan Nos: Site Plan; Location Plan; Design and Access Statement; 9196-111 REV A; 9196-112 REV C; 9196-120 REV A; 9196-101; 9196-102; 6023ELE1C (Proposed Front Elevation); 6023ELE1C (Proposed Side Elevation); 6023ELE1C (Proposed Rear Elevation)

28-36 SHAFTESBURY CIRCLE, SOUTH HARROW, HA2 0AT **Item: 2/14**
P/1722/09/HG/W

Ward HARROW ON THE HILL
RETENTION OF TWO SHOPFRONTS ON THE FRONT AND REAR ELEVATIONS
AND EXTERNAL ALTERATIONS TO THE REAR ELEVATION

Applicant: Tesco Stores Ltd
Agent: CgMs Consulting
Statutory Expiry Date: | 15-OCT-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-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:

London Plan Consolidated with Alteration since 2004:
4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:
D4 – The Standard of Design and Layout
D25 – Shopfronts and Advertisements
C16 – Access to Buildings and Public Spaces

Supplementary Planning Document:
Access for All (2006)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Character, Appearance and Accessibility (4B.1, D4, D25, C16, SPD Access for All)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor Other
Council Interest: None

b) Site Description

- Ground floor commercial unit which forms part of a three storey crescent shaped terrace building on the southern side of Shaftesbury Circle at the junction with Shaftesbury Avenue.
- The upper floors are occupied by flats.
- Site has a car park to the rear and vehicle access from Shaftesbury Circle and Shaftesbury Avenue.
- The rear boundary of the site is shared with a two storey semi-detached building comprised of purpose built flats which are sited at a 90 degree angle to the application site.
- Site was granted planning permission for an A1 use under reference P/4096/07 on 29/02/2008 and is currently occupied by a Tesco Express store.
- Properties to the west on Shaftesbury Circle are comprised of three storey terrace buildings with a variety of commercial uses on the ground floor, including three A1 uses (Mount Supermarket, Convenience Store and Londis) and flats above.
- Properties to the east are three storey flats.
- Properties to the south-east are two storey semi-detached purpose built maisonettes.

c) Proposal Details

Retrospective permission for the installation of two shopfronts on the front and rear elevations constructed of aluminum frames and automatic double sliding doors. Minor alterations to the rear of the building to infill the previous flank windows and roller shutters.

Revisions to Current Application

Bollards on the public footpath in front of the building have been omitted from the proposal due to concerns that the bollards could be a potential trip-hazard to the visually impaired and would result in visual clutter in the street scene.

d) Relevant History

P/4096/07	SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 29-FEB-08
P/3523/08	CERTIFICATE OF LAWFUL PROPOSED USE: PROPOSED SUB-DIVISION OF THE PREMISES TO PROVIDE UP TO 4 RETAIL SHOPS WITH ALTERATIONS AND EXTENSION IN ACCORDANCE WITH PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 INVOLVING SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO FOUR SELF CONTAINED SHOP / RETAIL (CLASS A1) UNITS WITH NEW SHOP FRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 15-DEC-08

P/2032/09	APPROVAL OF DETAILS PURSUANT TO CONDITIONS 2 & 3 OF PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 FOR 'SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR'.	GRANTED 29-SEP-09
P/1718/09	EXTERNALLY ILLUMINATED DOUBLE SIDED REPLACEMENT TOTEM SIGN AT SOUTH-EAST CORNER FRONTING SHAFTESBURY AVENUE; SEVEN NON-ILLUMINATED CAR PARKING SIGNS (TWO SITED ON SHAFTESBURY AVENUE FRONTAGE; TWO SITED FACING SHAFTESBURY CIRCLE AND THREE LOCATED WITHIN THE REAR CAR PARK)	CURRENT
P/1719/09	INTERNALLY ILLUMINATED FASCIA SIGNS ON THE FRONT AND REAR ELEVATIONS AND INTERNALLY ILLUMINATED PROJECTING SIGN ON THE FRONT ELEVATION	CURRENT
P/1721/09	INSTALLATION OF CASH MACHINE (ATM) ON FRONT ELEVATION	CURRENT
P/1723/09	INSTALLATION OF 7 ILLUMINATED BOLLARDS ADJACENT TO SOUTHERN SITE BOUNDARY AND A COMBINATION OF 7 DROP DOWN AND FIXED BOLLARDS FRONTING SHAFTESBURY AVENUE	CURRENT
P/1724/09	INSTALLATION OF PLANT EQUIPMENT AND A CLOSE BOARD TIMBER SCREEN TO THE REAR	CURRENT

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Highway Engineer: no objection.

Notifications:

Sent: 15

Replies: 2

Expiry: 08-OCT-09

Summary of Responses: object to the expansion of Tesco's and the impact this will have on local convenience shops.

APPRAISAL

1) Background

The site was granted planning permission for a change of use from a car show room (sui generis) to 4 self contained-contained shop/retail (Class A1) units and a single storey rear extension with parking at the rear. This permission did not include a condition that would prevent amalgamation of the units into a single unit without the benefit of a further planning permission. The site has a certificate of lawful proposed use for sub-division of the premises to provide up to 4 retail shops which has established that use of the premises as a single A1 unit is lawful.

Tesco Express currently occupy three out of the four units.

The applicant has not implemented the rear extension of the previously granted scheme. It is noted this element could be implemented at a later date.

2) Character, Appearance and Accessibility

It is considered that the shopfronts and external alterations have a modern design and do not detract from the visual appearance of the property or the area.

Both the front and rear entrances have a level threshold which provides step-free access to the building. This design meets the guidelines contained in the SPD: Access for All (2006) and is considered acceptable.

It is therefore considered the shopfronts and external alterations comply with policy 4B.1 of the London Plan, policies D4, D25 and C16 of the Harrow UDP (2004) and the SPD: Access for All (2006).

3) S17 Crime & Disorder Act

It is considered that the shopfronts do not result in security concerns for the site.

4) Consultation Responses

Objection to Tesco and impact on local convenience shops

The use of the premises as a single A1 unit is permitted and objections relating to this matter cannot be considered as part of this application. The LPA cannot control what type of retail companies occupy the premises.

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.

Plan Nos: Site Plan; Location Plan; Design and Access Statement; 9196-101; 9196-102; 9196-111 REV A; 9196-112 REV C; 6023ELE1C (Proposed Front Elevation); 6023ELE1C (Proposed Rear Elevation); 6023ELE1PRED; 6023ELE1PREC; 9196-120 REV A

28-36 SHAFTESBURY CIRCLE, SOUTH HARROW, HA2 0AT P/1723/09/HG/W

Ward HARROW ON THE HILL

RETENTION OF INSTALLATION OF 7 ILLUMINATED BOLLARDS ADJACENT TO SOUTHERN SITE BOUNDARY; A COMBINATION OF 7 DROP DOWN AND FIXED BOLLARDS FRONTING SHAFTESBURY AVENUE AND 6 BOLLARDS ALONG THE REAR OF THE BUILDING

Applicant: Tesco Stores Ltd

Agent: CgMs Consulting

Statutory Expiry Date: | 15-OCT-09

RECOMMENDATION

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

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:

London Plan Consolidated with Alteration since 2004:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

D5 – Residential Amenity

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Character and Appearance and Residential Amenity (4B.1, D4, D5)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor Other

Council Interest: None

b) Site Description

- Ground floor commercial unit which forms part of a three storey crescent shaped terrace building on the southern side of Shaftesbury Circle at the junction with Shaftesbury Avenue.
- The upper floors are occupied by flats.

- Site has a car park to the rear and vehicle access from Shaftesbury Circle and Shaftesbury Avenue.
- The rear boundary of the site is shared with a two storey semi-detached building comprised of purpose built flats which are sited at a 90 degree angle to the application site.
- Site was granted planning permission for an A1 use under reference P/4096/07 on 29/02/2008 and is currently occupied by a Tesco Express store.
- Properties to the west on Shaftsbury Circle are comprised of three storey terrace buildings with a variety of commercial uses on the ground floor, including three A1 uses (Mount Supermarket, Convenience Store and Londis) and flats above.
- Properties to the east are three storey flats.
- Properties to the south-east are two storey semi-detached purpose built maisonettes.

c) Proposal Details

- Retention of installation of bollards within the rear car park of the property.
- 7 illuminated bollards adjacent to the common boundary shared with no.117/119.
- 6 non-illuminated bollards along the rear of the building within the site.
- 7 drop-down and fixed bollards at the entrance to car park fronting Shaftesbury Avenue.

d) Relevant History

P/4096/07	SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 29-FEB-08
P/3523/08	CERTIFICATE OF LAWFUL PROPOSED USE: PROPOSED SUB-DIVISION OF THE PREMISES TO PROVIDE UP TO 4 RETAIL SHOPS WITH ALTERATIONS AND EXTENSION IN ACCORDANCE WITH PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 INVOLVING SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO FOUR SELF CONTAINED SHOP / RETAIL (CLASS A1) UNITS WITH NEW SHOP FRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 15-DEC-08
P/2032/09	APPROVAL OF DETAILS PURSUANT TO CONDITIONS 2 & 3 OF PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 FOR 'SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR'.	GRANTED 29-SEP-09

P/1718/09	EXTERNALLY ILLUMINATED DOUBLE SIDED REPLACEMENT TOTEM SIGN AT SOUTH-EAST CORNER FRONTING SHAFTESBURY AVENUE; SEVEN NON-ILLUMINATED CAR PARKING SIGNS (TWO SITED ON SHAFTESBURY AVENUE FRONTAGE; TWO SITED FACING SHAFTESBURY CIRCLE AND THREE LOCATED WITHIN THE REAR CAR PARK)	CURRENT
P/1719/09	INTERNALLY ILLUMINATED FASCIA SIGNS ON THE FRONT AND REAR ELEVATIONS AND INTERNALLY ILLUMINATED PROJECTING SIGN ON THE FRONT ELEVATION	CURRENT
P/1721/09	INSTALLATION OF CASH MACHINE (ATM) ON FRONT ELEVATION	CURRENT
P/1722/09	TWO NEW SHOPFRONTS ON THE FRONT AND REAR ELEVATIONS AND EXTERNAL ALTERATIONS TO THE REAR ELEVATION	CURRENT
P/1724/09	INSTALLATION OF PLANT EQUIPMENT AND A CLOSE BOARD TIMBER SCREEN TO THE REAR	CURRENT

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Highway Engineer: no objection.

Notifications:

Sent: 3

Replies: 2

Expiry: 08-OCT-09

Summary of Responses: object to the expansion of Tesco's and the impact this will have on local convenience shops

APPRAISAL

1) Background

The site was granted planning permission for a change of use from a car show room (sui generis) to 4 self contained-contained shop/retail (Class A1) units and a single storey rear extension with parking at the rear. This permission did not include a condition that would prevent amalgamation of the units into a single unit without the benefit of a further planning permission. The site has a certificate of lawful proposed use for sub-division of the premises to provide up to 4 retail shops which has established that use of the premises as a single A1 unit is lawful. Tesco Express currently occupy three out of the four units.

The applicant has not implemented the rear extension of the previously granted scheme. It is noted this element could be implemented at a later date.

2) Character and Appearance and Residential Amenity

The applicant has stated the bollards are required as a security measure and to ensure vehicles do not damage the building or the fence on the common boundary shared with no.117/119.

All of the bollards are sited within the rear car park and have a height of 1m. The 6 bollards along the rear of the building are obscured from the view of the street scene and the bollards fronting Shaftesbury Avenue are sited 13m from this boundary. Given the bollards are sited within the curtilage of the property and sited well away from the highway boundary, it is considered the development does not lead to visual clutter or have an adverse impact on the character and appearance of the area. The illuminated bollards are located on the other side of the boundary fence. The boundary fence to 117/119 therefore mitigates any unreasonable impacts and the bollards prevent vehicles damaging the fence. Conditions are recommended to ensure the luminance of the illuminated bollards do not have an adverse impact on the amenities of the locality.

The Council's Highway Engineer has raised no objection to the scheme.

It is therefore considered the bollards comply with policy 4B.1 of the London Plan and policy D4 of the Harrow UDP (2004).

3) S17 Crime & Disorder Act

It is considered that the bollards do not result in security concerns for the site.

4) Consultation Responses

Objection to Tesco and impact on local convenience shops

The use of the premises as a single A1 unit is permitted and objections relating to this matter cannot be considered as part of this application. The LPA cannot control what type of retail companies occupy the premises.

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

REASON: In the interests of highway safety and amenity.

2 All illumination of the illuminated bollards shall be non-intermittent unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the amenities of the locality.

3 The illuminated bollards hereby granted shall not be illuminated except between the period from 15 minutes before the premises are open for use by the public, to 15 minutes after the premises are closed to the public.

REASON: To safeguard the amenities of the locality.

Item 2/15 : P/1723/09/HG/W continued/...

Plan Nos: Site Plan; Location Plan; Design and Access Statement; 9196-101; 9196-102;
9196-111 REV A; 9196-112 REV C; 6023ELE1C (Proposed Front Elevation);
6023ELE1C (Proposed Rear Elevation); 9196-120 REV A

**28-36 SHAFTESBURY CIRCLE, SOUTH
HARROW, HA2 0AT**

**Item: 2/16
P/1724/09/HG/W**

Ward HARROW ON THE HILL
RETENTION OF INSTALLATION OF PLANT EQUIPMENT AND A CLOSE BOARD
TIMBER SCREEN TO THE REAR

Applicant: Tesco Stores Ltd
Agent: CgMs Consulting
Statutory Expiry Date: | 15-OCT-09

RECOMMENDATION

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

REASON

The decision to GRANT permission has been taken having regard to the national guidance and 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:

National Guidance:
PPG24 – Noise

London Plan Consolidated with Alteration since 2004:
4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:
EP25 - Noise
D4 – The Standard of Design and Layout

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Character, Appearance and Amenity (4B.1, EP25, D4)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor Other
Council Interest: None

b) Site Description

- Ground floor commercial unit which forms part of a three storey crescent shaped terrace building on the southern side of Shaftesbury Circle at the junction with Shaftesbury Avenue.

Item 2/16 : P/1724/09/HG/W continued/...

- The upper floors are occupied by flats.
- Site has a car park to the rear and vehicle access from Shaftesbury Circle and Shaftesbury Avenue.
- The rear boundary of the site is shared with a two storey semi-detached building comprised of purpose built flats which are sited at a 90 degree angle to the application site.
- Site was granted planning permission for an A1 use under reference P/4096/07 on 29/02/2008 and is currently occupied by a Tesco Express store.
- Properties to the west on Shaftesbury Circle are comprised of three storey terrace buildings with a variety of commercial uses on the ground floor, including three A1 uses (Mount Supermarket, Convenience Store and Londis) and flats above.
- Properties to the east are three storey flats.
- Properties to the south-east are two storey semi-detached purpose built maisonettes.

c) Proposal Details

Installation of a condenser unit and three A/C units to the rear of the building enclosed by a boarded fence.

d) Relevant History

P/4096/07	SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 29-FEB-08
P/3523/08	CERTIFICATE OF LAWFUL PROPOSED USE: PROPOSED SUB-DIVISION OF THE PREMISES TO PROVIDE UP TO 4 RETAIL SHOPS WITH ALTERATIONS AND EXTENSION IN ACCORDANCE WITH PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 INVOLVING SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO FOUR SELF CONTAINED SHOP / RETAIL (CLASS A1) UNITS WITH NEW SHOP FRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR	GRANTED 15-DEC-08
P/2032/09	APPROVAL OF DETAILS PURSUANT TO CONDITIONS 2 & 3 OF PLANNING PERMISSION REF: P/4096/07 DATED 29/02/08 FOR 'SUB-DIVISION AND CHANGE OF USE OF CAR SHOWROOM (SUI GENERIS) TO 4 SELF-CONTAINED SHOP/RETAIL (CLASS A1). UNITS; WITH NEW SHOPFRONTS AND SINGLE STOREY REAR EXTENSIONS; EXTERNAL ALTERATIONS AND PARKING AT REAR'.	GRANTED 29/09/2009

P/1718/09	EXTERNALLY ILLUMINATED DOUBLE SIDED REPLACEMENT TOTEM SIGN AT SOUTH-EAST CORNER FRONTING SHAFTESBURY AVENUE; SEVEN NON-ILLUMINATED CAR PARKING SIGNS (TWO SITED ON SHAFTESBURY AVENUE FRONTAGE; TWO SITED FACING SHAFTESBURY CIRCLE AND THREE LOCATED WITHIN THE REAR CAR PARK)	CURRENT
P/1719/09	INTERNALLY ILLUMINATED FASCIA SIGNS ON THE FRONT AND REAR ELEVATIONS AND INTERNALLY ILLUMINATED PROJECTING SIGN ON THE FRONT ELEVATION	CURRENT
P/1722/09	TWO NEW SHOPFRONTS ON THE FRONT AND REAR ELEVATIONS AND EXTERNAL ALTERATIONS TO THE REAR ELEVATION	CURRENT
P/1723/09	INSTALLATION OF 7 ILLUMINATED BOLLARDS ADJACENT TO SOUTHERN SITE BOUNDARY AND A COMBINATION OF 7 DROP DOWN AND FIXED BOLLARDS FRONTING SHAFTESBURY AVENUE	CURRENT
P/1721/09	INSTALLATION OF CASH MACHINE (ATM) ON FRONT ELEVATION	CURRENT

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Environmental Health: no objection.

Notifications:

Sent: 18

Replies: 2

Expiry: 08-OCT-09

Summary of Responses: object to the expansion of Tesco's and the impact this will have on local convenience shops

APPRAISAL

1) Background

The site was granted planning permission for a change of use from a car show room (sui generis) to 4 self contained-contained shop/retail (Class A1) units and a single storey rear extension with parking at the rear. This permission did not include a condition that would prevent amalgamation of the units into a single unit without the benefit of a further planning permission. The site has a certificate of lawful proposed use for sub-division of the premises to provide up to 4 retail shops which has established that use of the premises as a single A1 unit is lawful. Tesco Express currently occupy three out of the four units.

The applicant has not implemented the rear extension of the previously granted scheme. It is noted this element could be implemented at a later date.

2) Character, Appearance and Amenity

The plant equipment is sited to the rear of the property and is enclosed by a timber fence. Given the siting, it is considered the plant equipment and fence does not detract from the character and appearance of the property or the street scene.

The nearest residential properties are nos. 7, 9 and 11 Hillside Crescent to the rear which are separated from the application site by a service road. The applicant has submitted a noise impact assessment report by KR Associates Limited. This report concluded that noise emissions from the plant would not have an adverse effect on the surrounding residential properties. The Council's Environment Health Department have advised that the noise impact assessment report is accurate and that the plant equipment would not have an adverse impact on the amenities of the surrounding residential occupiers.

It is therefore considered the proposed fence and plant equipment complies with PPG24, London Plan policy 4B.1 and policies EP25 and D4 of the Harrow UDP (2004).

3) S17 Crime & Disorder Act

It is considered that the proposed plant equipment and screening fence does not result in security concerns for the site.

4) Consultation Responses

Objection to Tesco and impact on local convenience shops

The use of the premises as a single A1 unit is permitted and objections relating to this matter cannot be considered as part of this application. The LPA cannot control what type of retail companies occupy the premises.

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 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise and vibration into any neighbouring premises.

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

Plan Nos: Site Plan; Location Plan; Design and Access Statement; 9196-101; 9196-102; 9196-111 REV A; 9196-112 REV C; 9196-120 REV A; Noise Impact Assessment submitted by KR Associates Limited; 6023ELE1PRED; 6023ELE1PREC

**BENTLEY WOOD HIGH SCHOOL, BINYON P/2157/09/OS/E
CRESCENT, STANMORE, HA7 3NA**

Ward: STANMORE PARK

SINGLE STOREY TEMPORARY BUILDING TO PROVIDE 3 CLASSROOMS (3 YEARS)

AGENT: Mr Simon Bird

APPLICANT: Harrow Council

Statutory Expiry Date: | 25-NOV-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 and the land at Bentley Wood High School, Binyon Crescent, Stanmore, HA7 3NA

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

REASON: - The decision to GRANT 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 provide an appropriate form of development, taking account of the need to provide additional educational facilities and maximising the usage of educational land, without impacting upon the Character and Appearance of the Area, the Green Belt or the Area of Special Character or impinging upon the amenity of the neighbouring occupiers, in accordance with policies C7, D4, EP25, EP31 and EP32 of the Harrow Unitary Development Plan (2004) and policy 3A.24 of the London Plan (2008)

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 who intends to carry out the development and the land at Bentley Wood High School, Binyon Crescent, Stanmore, HA7 3NA.

The grant of planning permission for this development falling within Regulation 3 shall ensure 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) New Educational Facilities (C7, London Plan policy 3A.24)
- 2) Character and Appearance of the Area, the Green Belt/Area of Special Character (EP31, EP32, D4)
- 3) Residential Amenity (EP25, D4)
- 4) Accessibility, Traffic and Parking (C16, T13, SPD – Accessible Homes)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Private (Co. or Individual)
Council Interest: Council Owned Land
Floor Area: 185.95m²

b) Site Description

- Bentley Wood High School is sited within the Green Belt, north of Uxbridge Road, Stanmore.
- Access to the site is gained at the junction of Binyon Crescent and Sitwell Grove. The entrance drive runs along the south of the site towards the main school building.
- The main school building is a low-rise brick built structure which has two wings extending westwards at the northern and southern ends of the structure. It also features a part three / part four storey extension to the north wing of the school, which was granted under P/3803/07.
- There are currently four mobile classroom units sited on a hardsurfaced play area on the eastern side of the main building.
- Planning permission was granted for the three units closest to the main school building, under P/2737/08, for a period of two years.
- The easternmost unit received planning permission on 26-July-2007, under P/1510/07, for a period of two years.
- A number of mature trees are sited to the east and within close proximity of the proposed siting of the structure.
- Residential properties of Binyon Crescent and Bridges Road are sited south of the application site.

c) Proposal Details

- Temporary planning permission is sought for the erection of a single storey temporary building which would provide three classrooms.
- The structure would be sited immediately east of the existing southernmost temporary structure, such that it would be 32 metres east of the main school building.
- The structure would be approximately 21 metres in length and approximately 9 metres in width.

- The proposed structure would have a flat roof. Having regard to the existing ground-levels of the site, the structure would be 4.3 metres in height when viewed from the main school building and would be 4.8 metres in height when viewed from the entrance drive.
- The structure would feature 3 no. door openings and 3 no. window openings on the elevation facing west towards the main school building and the existing southernmost temporary structure,. It would feature window openings on both the south and the east elevation. The elevation facing north towards the existing outermost temporary building would not feature any fenestration.
- An existing ramp which is utilised for the existing southernmost temporary structure would also serve the proposed temporary classroom building such that it would be accessible to wheelchair users

d) Relevant History

P/1002/06/CFU	REPLACEMENT DOUBLE MOBILE UNIT, AND TEMPORARY CLASSROOM UNIT (2 YEARS)	TEMPORARY CLASSROOM TRIPLE CLASSROOM	GRANTED 04-JUL-06
P/1510/07	SINGLE STOREY CLASSROOM FOR TEMPORARY PERIOD	DOUBLE TEACHING UNIT TWO YEAR	GRANTED 26-JUL-07
P/3887/07	ONE SINGLE STOREY BUILDING TO TEMPORARY CLASSROOMS TO PROVIDE A SCIENCE BLOCK	AND ONE TWO STOREY PORTACABIN TO PROVIDE	GRANTED: 17-JAN-08
P/2737/08	RETENTION OF 3 MOBILE CLASSROOMS (2 YEARS)		GRANTED: 16-OCT-08

e) Applicant Statement

- Design and Access Statement submitted
- From 2010 all community schools in Harrow will be re-organised and all Year 7 pupils will be in High Schools. Resultantly, the pupil capacity at Bentley Wood High School will be increased by 180 Year 7 pupils.
- The proposed structure is a temporary measure in advance of the Government’s Building Schools for the Future programme, whereby it is expected that Bentley Wood High School will secure investment to rebuild, remodel and/or refurbish the school site.
- The proposed structure would provide three general teaching classrooms.
- The access platforms for the new modular building would tie into existing platforms and existing ramps would be used.

- The site cover 4.5 hectares
- The school's sports fields would be unaffected
- The proposed building would be located away from existing trees
- There would be no impact on parking provision or vehicular access
- Fire escape routes would not be affected by the proposal.

f) Consultations

Traffic and Parking Engineer: No objections received

Tree Officer: No objections to the proposed development

Notifications:

Sent: 37

Replies: 0

Expiry: 23-OCT-09

Summary of Responses:

- None

APPRAISAL

1) Provision of New Educational Facilities

Policy C7 of the HUDP (2004) states that the Council will seek to ensure that appropriate education facilities are provided. Having particular regard to the need for Bentley Wood High School to expand in order to provide adequate facilities for Year 7 students which will increase pupil capacity by 180, the provision of an additional temporary structure is therefore considered appropriate in principle.

2) Character and Appearance of the Area, the Green Belt/Area of Special Character

The proposed temporary classroom structure would be sited within the existing building envelope. It would be similar in terms of appearance to the existing temporary structures within this building envelope. Although the proposed structure would be slightly higher than the existing temporary structures, it would not appear dominant in the context of these structures or the main school building, particularly given the existing ground levels of the site.

The proposed temporary structure is not considered to be detrimental to the character of the Green Belt and Area of Special Character in the longer term, as the openness and character of this area would be restored following the removal of the structure at the expiration of any permission. A temporary permission for the proposed structure would therefore allow the provision of improved educational facilities, in line with the aims of Policy C.7, while preserving the character and appearance of this sensitive area in the longer term.

The proposed temporary classroom building would be sited within close proximity to a number of mature trees, one of which would need to be pruned to accommodate the structure. However, having regard to the fact that a temporary permission is sought thereby not prejudicing the long term viability of the tree, it is considered that the subject proposal is acceptable, without the need for conditions to protect the tree.

3) Residential Amenity

The proposed structure would be visible from the rear gardens of residential properties of Binyon Crescent. However, it is considered that the distance proposed between these properties and the proposed classroom structure, which would be similar to that of the main school building and existing temporary structures, would ameliorate any potential harm to the amenity of these properties.

4) Accessibility, Traffic and Parking

An existing ramp which is utilised for the existing southernmost temporary classroom structure would also serve the proposed temporary classroom building such that it would be accessible to wheelchair users, thereby complying with Policy C16 of the HUDP (2004) and the Council's SPD. The proposal would retain a gap of at least 3 metres to the nearest temporary structures, providing sufficient access, circulation and ease of movement around the buildings. There are no objections to the proposed temporary classroom in terms of traffic, the increased capacity not being considered to have any detrimental impacts upon the traffic and parking situation locally.

5) S17 Crime and Disorder Act

It is considered that the proposed development does not have any adverse crime or safety concerns.

6) Consultation Responses

- None

CONCLUSION

CONDITIONS:

A temporary building is considered acceptable and appropriate for a period of 3 years to allow for a reassessment after that time period has expired.

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, the Officer considers that amenity and appearance issues have been adequately addressed. The application is therefore recommended for grant, subject to the following condition(s):

1 The single storey temporary building 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 single storey modular building hereby permitted shall be removed and the land restored to its former condition within three years of the date of this permission, in accordance with a scheme of work submitted to, and approved 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 development hereby permitted shall not commence until samples of the materials and colours 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: external surfaces of the temporary modular buildings

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 and the visual amenity of neighbouring residents.

INFORMATIVES:

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the 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

Harrow Unitary Development Plan: C7, D4, EP25, EP31, EP32

2 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 **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: 1000E-00-M1-01 – REV.A, 1000E-31-M1-02, 1000E-31-M1-01-REV.A, 1000E-21-GE-02-REV.C, 1000E-21-M1-01-REV.B, 1000E-24-M1-01-REV.C, 1000E-31-M1-01-REV.B, Design and Access Statement, Ground Appraisal Report

SECTION 3 - APPLICATIONS RECOMMENDED FOR REFUSAL

Item: 3/01

84 STANMORE HILL, STANMORE, HA7 3BU P/1278/09/ML/E

Ward STANMORE PARK

CONSTRUCTION OF THIRD FLOOR (FOURTH STOREY) TO EXISTING HOUSE (REVISED)

Applicant: Mr & Mrs G Adebayo
Agent: Anthony Byrne Associates
Statutory Expiry Date: | 12-AUG-09

RECOMMENDATION

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

- 1 The proposed third floor by reason of its height, scale and bulk, would result in a visually obtrusive and incongruous form of development which would be detrimental to the host property, the attached property and would detract from the character of the area, the Green Belt and the Harrow Weald Ridge Area of Special Character, contrary to the provisions of PPG2, London Plan policy 3D.8, and policies EP31, EP32, EP34 and D4 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance – Extensions: A Householders Guide (2008).
- 2 The proposed northern flank window would allow overlooking of the rear gardens of the adjacent properties and result in an unreasonable loss of privacy to neighbouring occupiers, contrary to Policy D5 of the Harrow Unitary Development Plan (2004).

REASON

The decision to REFUSE 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 proposal would be detrimental to the character and appearance of the property, the area, the Green Belt and the Harrow Weald Ridge Area of Special Character.

PPG2 Green Belts

London Plan (2008):

3D.8 Green Belt

Harrow Unitary Development Plan (2004):

D4 Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D10 Trees and New Development

EP31 Areas of Special Character

EP32 Green Belt – Acceptable Land Uses

EP34 Extensions to Buildings in the Green Belt

Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Character and Appearance of the Area, the Area of Special Character and the Green Belt (D4, D10, EP31, EP32, EP34, SPG)
- 2) Residential Amenity (D5, SPG)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to the Committee at the request of a Nominated Member. It was deferred from the meeting of 14th October 2009 for a Member's Site Visit on 31st October 2009.

a) Summary

Statutory Return Type: Householder
Council Interest: None

b) Site Description

- The subject site is occupied by a three storey semi detached house, and is located on the north eastern side of Stanmore Hill, within the Harrow Weald Ridge Area of Special Character and the Green Belt.
- The site has a long front drive shared with the adjoining house No.82.
- The front of the site is occupied by an electrical sub station and detached garage, which obscures the view of the attached dwelling, No.82, from the street.
- The subject dwelling has a large reception porch at the front and a single storey front extension.
- The attached dwelling No. 82 is unextended and on a lower building slab than the subject dwelling.
- The application property's rear garden extends beyond and to the rear of the garden at the adjacent property No.82.
- The application site borders Stanmore Hill Conservation Area which runs along its frontage and along the southern flank boundary of No.82.

c) Proposal Details

- Raising the height of the roof of the dwelling by 2m in order to construct a third floor (fourth storey).
- The proposed third floor would be 5.5m wide for the majority of its length, being set back by 1.5m from the front wall of the building and projecting back to its existing rear wall, for a depth of 12m, and across the northern slope of the roof.
- Over the southern roof slope a wider section of the extension would facilitate the staircase required to access the third floor, this element being 4.85m deep and bringing the total width of this section to 8m, this deeper section being set back by 4m from the front wall of the proposed northern element and 1.6m high.
- There would be three rooflights in the roof of the proposed third floor extension.
- The additional floor would facilitate an additional three bedrooms and a bathroom.

- A single window is shown in each of the east, north and west elevations of the new floor.

Revisions since the previously refused application P/3754/07/DFU:

- The height of the dwelling is increased by an additional 0.7m.
- A setback of the extension from the front of the building by 1.5m is shown.
- The addition of an extra bedroom in the proposed third floor.
- The addition of a window in the northern flank wall of the third floor extension.
- The addition of two rooflights and the deletion of a glazed roof over the extended stairwell.

d) Relevant History

LBH/6613	Demolish existing house and erect pair of semi detached houses and double garages.	GRANTED 22-SEP-71
EAST/199/02/FUL	Single storey front extension and alterations to elevations.	GRANTED 10-APR-02
P/2048/05/CFU	Single storey rear extension. (Unimplemented, expires 10-NOV-10)	GRANTED 11-NOV-05
P/3754/07/DFU	Third floor extension.	REFUSED 20-FEB-08

Reason for Refusal:

The proposed development, by reason of excessive height, scale and bulk, and unsatisfactory design, would result in disproportionate additions to the original building, giving rise to an excessive loss of openness, and an overbearing relationship with regard to the attached dwelling, to the detriment of the character and appearance of the property, the area, the Green Belt and the Harrow Weald Ridge Area of Special Character, contrary to the provisions of PPG2; London Plan policy 3D.8; and policies EP31, EP32, EP34 and D4 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance – Extensions: A Householders Guide (2008).

e) Pre-Application Discussion

- No formal pre-application submission was made to the Council.

f) Applicant Statement

- Planning permission and Building Regulations approval were obtained for the one existing extension on site.
- Design & Access Statement submitted.

g) Consultations:

- *Stanmore Society* – No response received.
- *CAAC* – Objection: The site is screened by trees to a certain extent but an additional floor would be obvious above the treetops. The property is already top heavy and therefore it would be out of proportion and out of balance to create an additional floor here. It would also be disproportionately large in comparison to the neighbouring property and would detract from the setting of the conservation area.

Notifications:

Sent: 3

Replies: 2

Expiry: 22-JUL-09

Site Notice

Posted: 9-JUL-09

Expiry: 30-JUL-09

Summary of Responses:

- Will interfere with neighbour's at No.82 rights to light and air,
- Will interfere with foundations and demise of No.82
- Lorries and skips will block the shared access to No.82
- A former garage at No.84 is being used as a separate dwellinghouse with its own entrance without planning permission or compliance with Building Regulations which should be investigated
- Occupiers of No.82 are not in agreement with the proposal contrary to the submitted information
- Overdevelopment of the property
- Will be considerably higher than No.82 and out of keeping with surrounding development
- PPG3 referenced by the application does not apply as the house is already overdeveloped.

APPRAISAL

1) Character and Appearance of the Area, the Area of Special Character and the Green Belt

The subject site is within the Harrow Weald Ridge Area of Special Character and the Green Belt. The site is part way up Stanmore Hill on the incline, and the front of it abuts the northern end of the Stanmore Hill Conservation Area. There is a mixture of building designs and layouts in the local area, with the buildings within the Conservation Area being of a significantly older more compact nature, whilst the dwellings to the north in Spring Lake are large detached dwellings with significant open space.

The subject property is one of a pair of 3 storey semi detached dwellings that were built in the early 1970's. They are matching dwellings of modern design with skillion roofs of varying heights and interesting facades with alcoves and projections which enhances the overall standard of development. The two dwellings are at the southern end of the Green Belt, which extends to the north and as such the subject site is an important interface between the more developed area of Stanmore Hill, and the larger detached properties to the north. Therefore, it is considered that the relationship between the subject site and the plots to the north is considered important to the overall character of the local area, with the openness and greenness that characterises the subject plot, and those to the north, an essential feature to maintain.

The features of the subject site are the large front setback of the houses from the street frontage, the standard of design of the two dwelling houses and the interconnected relationship between the two dwellings.

The constraints of the site include its relationships with the Green Belt, Area of Special Character, Conservation Area and neighbouring house, together with the compact nature of the site, given the existing building footprints and small rear garden of No.82, particularly when compared to the plots to the north. It is therefore considered of primary importance to retain the standard of design of the dwelling, without impinging on the existing openness or the relationship with the attached dwelling.

The Green Belt location of the property dictates that any extensions would need to be appropriate in terms of bulk, height and site coverage and not result in disproportionate additions over and above the size of the original dwelling. The dwellinghouse has been previously extended and the following table outlines the increases in footprint and floor area that have resulted on site, as well as what is proposed with this scheme.

	Original	Existing	% Increase Over Original	Proposed	% Increase Over Original
Footprint	138m ²	160m ²	16%	164m ²	19%
Floor Area	334m ²	341m ²	2%	413m ²	24%
Volume	1002m ³	1023m ³	2%	1173m ³	17%

The above proposed figures also include an unimplemented but still valid permission for a small 2.7m x 1.6m single storey rear extension. The additional floor area would be located in the extension to the roof area of the existing dwellinghouse, resulting in an increase in height and bulk that is considered to be inappropriate development within the Green Belt location and contrary to policy EP34(A). In comparison with the previously refused application, which although not set back from the front of the property included an extension 0.7m lower than that currently proposed, this latest application proposes an increase in volume 3% more than that which was refused as part of the application P/3754/07/DFU.

The impact of the proposed extension on the character of this part of the Green Belt and Area of Special Character is exacerbated by the narrow nature of the site, and the resultant lack of space about the building, which are both existing elements that limit the sense of openness on the site and require the proposal to 'borrow' openness from around the dwelling.

The proposed increase in height, which would enable an additional storey on the dwelling house, is considered to significantly impact on the relationship between the subject dwelling, and the attached dwelling. Given the sloping nature of the site, the subject dwelling already sits slightly higher than the attached dwellinghouse, with the increase in height proposed this would increase from 900mm to 2.5m at its closest point, with a maximum difference in the ridge maximum height of the two dwellings of 3m.

The result is considered to be harmful to the balance of this pair of houses and detrimentally affect the overall appearance of and relationship between the buildings and the skyline. The subject dwelling would appear dominating and overbearing when compared with the attached building and the loss of balance between the two buildings would be harmful to the character of the properties and the area.

This revised proposal, in comparison to the refused application P/3754/07/DFU, although setback from the front of the property by 1.5m, actually proposes a larger extension due to the increase in the height of the proposal by an additional 0.7m which would contain an extra bedroom, resulting in an 8 bedroomed property on this modest sized plot.

The revisions made to the proposal are therefore considered to reinforce the reason for refusal of the previous application rather than address and overcome the concerns relating to a scheme of this nature on this site.

Given the above, it is considered that the proposal would not preserve the appearance of the area, but would harm the structural features that contribute to the character and appearance of the Area of Special Character, the Green Belt, the local area and the dwelling itself.

2) Residential Amenity

The previously refused scheme P/3754/07/DFU was not considered to have a detrimental impact upon the residential amenities of neighbouring occupiers. Despite the increase in height proposed as part of this application it is considered that this current application would not be detrimental to the outlook of neighbouring properties or unduly overshadow them due to the siting of the adjacent properties. However, a proposed bedroom window in the northern flank wall of the extension would result in the direct overlooking of the rear of the adjacent properties on Spring Lake, which would result in a perceived and actual loss of privacy to the detriment of the amenities of neighbouring occupiers, contrary to policy D5 of the UDP.

3) S17 Crime & Disorder Act

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

4) Consultation Responses:

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

- *Objection, will interfere with neighbour's at No.82 rights to light and air* – The right to air is not a material planning consideration. The proposed extension is to the north of No.82 and so is considered of no detriment to natural light to No.82.
- *Will interfere with foundations and demise of No.82, lorries and skips will block the shared access to No.82* – These issues are not material planning considerations.

- *A former garage at No.84 is being used as a separate dwellinghouse with its own entrance without planning permission or compliance with Building Regulations which should be investigated* – Following investigation by the Planning Enforcement Team it was concluded that the alleged unauthorised use of the property as two dwellings is unfounded, and that the use of the front extension as a Granny Annexe is immune from enforcement action and therefore the case was closed.

CONCLUSION

This proposal for a third floor extension conflicts with the relevant design and Green Belt policies contained within the UDP. It is considered that the proposed development would have an adverse impact upon the character and appearance of the area the Green Belt and Area of Special Character and upon the residential amenity of neighbouring occupiers.

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 refusal.

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

PPG2 Green Belts

London Plan (2008):

3D.8 Green Belt

Harrow Unitary Development Plan (2004):

D4 Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D10 Trees and New Development

EP31 Areas of Special Character

EP32 Green Belt – Acceptable Land Uses

EP34 Extensions to Buildings in the Green Belt

Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008)

Plan Nos: 5536/1, 5536/2A, 5536/A4/9

58 TINTERN WAY, HARROW, HA2 0SA

Item: 3/02

P/1447/09/SM/W

Ward WEST HARROW

ONE ILLUMINATED SIGN IN THE FRONT WINDOW AND ONE NON-ILLUMINATED BANNER SIGN ABOVE FRONT WINDOW OF SEMI-DETACHED DWELLINGHOUSE FOR HOME BEAUTY BUSINESS

Applicant: Mrs Bina Thakrar

Statutory Expiry Date: | 13-OCT-09

RECOMMENDATION

REFUSE consent for the development described in the application and submitted plans, for the following reason:

The signs by reason of their design and siting are incongruous and unduly obtrusive in the streetscene and out of character with the host dwelling and generally detrimental to the amenity of the area, contrary to the provisions of PPG19: Outdoor Advertisement Control 1992.

National Planning Policy

PPG19: Outdoor Advertisement Control (1992)

Saved Policies of the London Borough of Harrow UDP

Policy D4 - The Standard of Design and Layout

London Borough of Harrow Unitary Development Plan [2004]:

- 1) Amenity (PPG 19)
- 2) Public Safety (PPG 19)
- 3) S17 Crime & Disorder Act (D4)

Planning Policy Guidance 19: Outdoor Advertisement Control (1992)

MAIN CONSIDERATIONS AND POLICIES

- 1) **Amenity** (PPG 19)
- 2) **Public Safety** (PPG19)
- 3) **Section 17 Crime & Disorder Act** (UDP policy D4)
- 4) **Consultation Responses**

INFORMATION

This application is reported to Committee because a petition of 39 signatures has been received in support of the application.

a) Summary

Statutory Return Type: Adverts
Site Area: 233 m²
Council Interest: None

b) Site Description

- The site is located on the western side of Tintern Way.
- The site contains a semi-detached dwellinghouse.
- Tintern Way is characterised by two storey dwellinghouses, all of which are residential properties.

c) Proposal Details

- An internally illuminated flashing neon sign at ground floor level inside the front window. The illuminated sign is 0.55m in width and 0.35m in height and is located 1.2m above floor level. It has an area of 0.19 square metres.
- Non-illuminated plastic banner sign at ground floor level above the front window. It is 1.2m in width and 0.15m in height and is located 2.4m above floor level. It has an area of 0.18 square metres.
- Both signs have been installed.

d) Relevant History

P/1920/07	CERTIFICATE OF LAWFUL PROPOSED USE: USE OF ONE ROOM OF SEMI- DETACHED DWELLINGHOUSE FOR BEAUTY TREATMENTS	GRANTED 11-SEP-07
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e) Pre-Application Discussion

- None

f) Applicant Statement

- N/A

g) Consultations:

Highways Engineer: No objection

Notifications:

Sent: 4	Replies: 11 9 objection letters 1 letter in support One petition containing 39 signatures in support	Expiry: 09-SEP-09
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Summary of Response:

In objection:

- The illuminated signs and banners appear cheap and tacky and are out of character with the residential nature of the street.
- The signage is more appropriate for a high street shop rather than a residential street.
- The flashing lights from the neon sign shine into habitable rooms of a neighbouring house and are left on until 11pm most nights. This affects neighbouring amenity.

- The signs affect neighbouring privacy.
- The owner asked neighbouring properties to sign a form saying they did not object to the sign and lied about planning rules and that no other neighbours had objected.
- This has been an ongoing issue and the question was raised as to why the applicant's are able to apply for planning permission rather than immediate enforcement action to be taken.
- Devaluation of neighbouring property.
- Increase in traffic along Tintern Way.
- The windows are full of posters and there is a sandwich board at the front of the drive.
- The petition was falsely presented as people were told it was to run a business from home and not as shown on the top to agree to a neon sign. The people who signed the petition live at the end of the road so the light does not affect them.
- The council should send someone round to view and photograph and maybe speak with the residents most directly affected.

In support:

- The neon light helps the business.
- The signage helps customers locate the salon easily.
- The signs make the area look more vibrant.
- The signs assist security in the area.

APPRAISAL

1) Amenity

The subject site is a residential dwellinghouse and is in a road characterised by residential dwellinghouses. The signage is located in a highly visible location. The signs are considered to be incongruous in the streetscene and are unacceptable in a residential setting. The flashing neon sign is not considered to be part of the character of the residential street and is considered to be harmful to neighbouring amenity. It is considered that the signage is inappropriate and out of character with the residential nature of the area and therefore is visually obtrusive and unacceptable in terms of amenity.

2) Public Safety

It is considered that the signs pose no danger to public safety. The signage is not distracting, nor does it cause confusion to passing drivers.

3) S17 Crime & Disorder Act

The signage does not have any adverse impacts on the security and safety of the locality.

4) Consultation Responses

- The impact on the character of the area and residential amenity has been discussed in the report above.

Item 3/02 : P/1447/09/SM/W continued/...

- The concern that the applicant apparently lied and asked neighbouring residents to sign a form agreeing that they had no issue to the signage is irrelevant as once an objection is received for an advert application, it immediately invalidates/overrides that particular neighbour's signature on the petition.
- Immediate enforcement action could not be taken as the correct process involving applying for advertisement consent was undertaken. During the advertisement consent process, an assessment and subsequent decision is made.
- Property values are not a material planning concern.
- Traffic and highway safety has been assessed in this report under public safety above.
- The comment that the signs help the business and location of the business cannot be considered as part of this advertisement consent application, where the remit of the LPA is to assess this application on the basis of amenity and public safety as required by PPG19.
- It is outside the Council's remit to control posters in front windows if they are not advertisements.
- The sandwich board did not form part of this application and therefore has not been assessed. If the sandwich board is greater in area than 0.3sqm, planning permission is required; otherwise the necessary enforcement action will be taken.
- A site visit is undertaken as part of every planning application made to the Council. Photographs are taken at the time of the site visit. Unfortunately, due to time restraints, it is not possible to talk to potentially affected neighbours, however all neighbours who are considered to be potentially affected by an application are notified by the Council and are given the opportunity to provide a letter of objection or letter of support. These written responses are taken into consideration when making a decision on the application.

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 refusal.

Plan Nos: 0642.1, 0642.2 and site plan

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

Item: 4/01
CHESTERFIELD HOUSE, 9 PARK LANE, P/2008/09
WEMBLEY HA9 7RH

Ward ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING BOROUGH: DEMOLITION OF EXISTING BUILDING AND ERECTION OF A 29-STOREY BUILDING, COMPRISING LEISURE FACILITIES INCLUDING SWIMMING POOL (USE CLASS D2) AND VEHICULAR/CYCLE PARKING AT BASEMENT LEVELS, RESTAURANTS AND CAFES (USE CLASS A3) AND RETAIL (USE CLASS A1) AT GROUND FLOOR LEVEL, RESTAURANT (USE CLASS A3) AND OFFICE SPACE (USE CLASS B1) AT FIRST FLOOR LEVEL, 815 HOTEL ROOMS (USE CLASS C1) AT UPPER FLOOR LEVELS, GREEN ROOFS AND AMENITY TERRACES AT ROOF LEVEL AND ASSOCIATED LANDSCAPING TO SITE.

Applicant: LONDON BOROUGH OF BRENT
Statutory Expiry Date: 22-OCT-09

RECOMMENDATION

INFORM London Borough of Brent that Harrow Council raises no objection to this application having any unacceptable impact on the Borough of Harrow.

REASON

The decision to raise no objection 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.

National Planning Policy:

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 6: Planning for Town Centres
Planning Policy Guidance 13: Transport
Planning Policy Statement 22: Renewable Energy
Good Practice Guide on Planning for Tourism

The London Plan [2008]:

2A.8 Town Centres
3A.3 Maximising the potential of sites
3B.1 Developing London's economy
3B.11 Improving employment opportunities for Londoners
3C.2 Matching development to transport capacity
3C.21 Improving conditions for walking
3C.23 Parking strategy
3D.7 Visitor accommodation and facilities
4A.3 Sustainable design and construction
4A.4 Energy assessment
4A.7 Renewable energy
4B.1 Design principles for a compact city
4B.2 Promoting world-class architecture and design
4B.5 Creating an inclusive environment

Saved Policies of the London Borough of Harrow Unitary Development Plan [2004]:

S1 The Form of Development and Pattern of Land Use

D4 The Standard of Design and Layout

EM15 Land and Buildings in Business, Industrial and Warehousing – Outside Designated Areas

EM24 Town Centre Environment

R15 Hotels and Guest Houses

C16 Access to Buildings and Public Spaces

T6 The Transport Impact of Development Proposals

T13 Parking Standards

Harrow's Sustainable Community Strategy [Mar 09]

Harrow-On-The-Hill Station Planning Brief

Harrow Town Centre Development Strategy

MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & Saved Policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance]

1) Scale, Design and Layout [Landscaping]

The London Plan 2008: 3A.6, 4A.1, 4A.4, 4A.7, 4A.21, 4B.1.

London Borough of Harrow UDP 2004: D4, D10.

2) S17 Crime & Disorder Act

London Borough of Harrow UDP 2004: D4

INFORMATION

a) Summary

Statutory Return Type: Consultation by adjoining Borough

Council Interest: Adjoining Borough

b) Site Description

Situated in Wembley at Park Lane with High Road.

c) Proposal Details

- As above

d) Relevant History

- None

e) Consultations:

- None

APPRAISAL

1) Scale, Appearance and Landscaping

The issue is to assess the impact of the proposed development on the Borough of Harrow, particularly in regard to transport matters. It is considered the site and the proposal is sufficiently distant from the Borough of Harrow for any perceived harm to occur.

7) S17 Crime & Disorder Act 1998

The proposed development is intended to reduce and minimise the opportunities for crime and disorder.

CONCLUSION

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, it is recommended that NO OBJECTION be made.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

NONE.