

SECTION 1 – MAJOR APPLICATIONS

Item: 1/01

**CEDARS MYPLACE YOUTH & P/2441/09/SL/MAJ
COMMUNITY CENTRE, CHICHELEY ROAD**

Ward HARROW WEALD

DEMOLITION OF EXISTING CEDARS YOUTH AND COMMUNITY CENTRE, REDEVELOPMENT COMPRISING NEW CEDARS MYPLACE YOUTH AND COMMUNITY CENTRE, ASSOCIATED ALL WEATHER PLAYING SURFACE, PARKING, LANDSCAPING AND REFUSE.

Applicant: WATFORD FC COMMUNITY SPORTS & EDUCATION TRUST & LONDON BOROUGH OF HARROW

Agent: LOM ARCHITECTURE AND DESIGN

Statutory Expiry Date: | 22-JAN-10

RECOMMENDATION

That planning permission be granted subject to the conditions contained within this report.

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 promotes health, wellbeing and independence] and any comments received in response to publicity and consultation.

MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & Saved Policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance].

The following policies are considered relevant:

The London Plan [2008]

3D.8 Realising the value of open space and green infrastructure

3D.9 Green belt

3D.10 Metropolitan Open Land

3D.11 Open space provision in DPDs

3D.12 Open Space strategies

3D.13 Children and young people's play and informal recreation strategies

3D.14 Biodiversity and nature conservation

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

S1 The Form of Development and Pattern of Land Use

C2 Provision of Social and Community Facilities

D4 The Standard of Design and Layout

D10 Trees and New Development

D23 Lighting, including Floodlighting

EP25 Noise
EP28 Conserving and Enhancing Biodiversity
EP31 Areas of Special Character
EP32 Acceptable Land Uses
EP38 Recreational Uses in the Green Belts
EP43 Green Belt and Metropolitan Open 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

In addition to the Development Plan policies, the following documents are also considered relevant:

PPS1 Delivering Sustainable Development [Sep 06]
PPG2 Greenbelts [1995]
PPG13 Transport [2001]
PPG17 Planning for Open Space, Sport and Recreation
DETR: By Design [May 00]
Harrow's Sustainable Community Strategy [Mar 09]
Harrow's Play Strategy [2007-2012]
Providing for Children and Young People's Play and Informal Recreation [Mar 06]
Harrow's Draft Planning Obligations SPD [Aug 09]
Harrow's Designing New Development SPG [Mar 03]
Harrow's Access For All SPD [2006]

INFORMATION

a) Summary

Statutory Return Type:	Major Development
Site Area:	0.61 ha
Proposed Works Area	0.4 ha
Car Parking:	Existing: Two Proposed: Eight [including two disabled spaces]
Council Interest:	Council-owned

b) Site Description

- The site is located at the junction of Chicheley Road with Chicheley Gardens, positioned on the fringe of Cedars Park.
- The area is characterised by predominantly two-storey residential properties. A church is located opposite the site on the east side of Chicheley Road. The subject site does not adjoin any residential properties.
- The two-storey residential properties along the south part of Chicheley Gardens are at a higher level due to the topographical nature of the area.
- The site currently comprises an existing single-storey Cedars Youth Centre and an enclosed tarmac basketball court.

- The wider area [Cedars Park] comprises a children’s play area, open space and a football pitch with goal posts. This part of the area [Cedars Park] is designated Green Belt; Area of Special Character [Harrow Weald Ridge]; and a Site of Nature Conservation Importance. Part of the site is situated within these designations.
- Access to the two existing car parking spaces is from Chicheley Road.
- Cedars Park has many mature trees, none of which are subject to any Tree Preservation Order. However, they are all located on the Council’s land / public parks.

c) Relevant History

None relevant to this site.

Cedars Hall to the north of the site granted planning permission [Ref: 1829/09] on 5th November 2009 for ‘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’.

d) Pre-Application Discussion

PAM/ENQ/000101/04/08/09 dated 17th August 2009. This proposal was the subject of a formal pre-application meeting with Harrow Council on 4th August 2009. The comments from the Council welcomed the proposal in principle, which is not too dissimilar to the proposal for consideration. There were issues arising in terms of sustainability, biodiversity, landscaping and parking in particular, which are addressed within this report.

The applicant has also carried out an extensive resident consultation programme prior to the submission of the planning application, with the support from the local residents and existing users for the redevelopment of the community facility. The Statement of Community Involvement is detailed in the Design and Access Statement.

e) Consultations

Advertisement:	Major Development	Site Notices displayed on Chicheley Road [2] and Courtenay Avenue [1].
Notifications:		
Sent: 114	Neighbour Replies:	One response received with 63 signatories from users of the existing development supporting the proposal.

Summary of Responses:

Urban Design and Conservation	No objection.
Highways Engineer	Having reviewed the applicant's Travel Plan, no objection.
Tree Protection Officer	No objection.
Landscape Architect	No objection.
Environmental Health Officer	No comment to make.
Drainage Services	The proposals include development in close proximity to a tributary of The Byelaw 10. This will prejudice flood defence interests and adversely affect the character of the watercourse, and restrict necessary access to the watercourse for maintenance. Recommend drainage conditions be attached to any planning consent.
Waste Management Policy Officer	No response received. A condition is recommended to secure details of refuse storage / servicing as part of any planning consent.
Building Control	Bollards required where doors open outward and hard landscaping around building required in the interest of health and safety.
Biodiversity Officer	Provision of brown, grass and sedum roofs acceptable. It will help compensate for loss of SINC land if done carefully. Where species are to be planted, strongly advise they are from native stock as these plants will generally be more attractive to wildlife. Bird and bat boxes should be incorporated into the development; the latter should be positioned as recommended by the Bat Conservation Trust and bird boxes should cater for species highlighted in the London BAP.
Thames Water Utilities	Public sewers cross the site. Approval must be sought by Thames Water where the erection of a building or extension or underpinning work would be over the line of, or would come within 3m of a public sewer.
Environment Agency	This application is assessed as having a low environmental risk, therefore no comment to make.
Crime Prevention Design Advisor	No response received.
Sport England	Supports the proposal subject to two recommended conditions.
Hatch End Residents Association	No response received.

APPRAISAL

1) Principle of Development and Land Use

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises the London Plan 2008 and saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

Policy C2 of Harrow's UDP has regard to the retention of existing and promotion of new community facilities based upon satisfactory compliance with public transport accessibility; proximity to client groups; availability / suitability of alternative premises; and suitability of premises for other related uses.

The existing community building is situated partly within the Area of Special Character as defined in Harrow's UDP. The proposal would result in a replacement community facility building in the same location. In addition, the proposed all-weather pitch would be located within Area of Special Character, Green Belt and Site of Nature Conservation Importance.

Green Belt

Paragraph 3.4 of PPG2 Green Belts states, '*The construction of new building inside a Green Belt is inappropriate unless it is for... essential facilities for outdoor sport and outdoor recreation... which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it*'.

Part of the proposal [all-weather pitch] would be sited within the edge of the Green Belt. The all-weather pitch would still maintain and preserve the openness of the Green Belt and would not conflict with the purposes of including land in it. The proposed all-weather pitch is acceptable in principle however, there may be issues regarding potential consequential adverse impacts that need to be addressed as a result of the proposal. In particular, the proposed all-weather pitch raises issues in respect of boundary treatment and floodlighting. A suitable and acceptable boundary treatment that respects the Green Belt would contribute to its preservation and definition. The aim of Green Belt policy [PPG2] is to prevent urban sprawl by keeping land permanently open. The most important attribute of Green Belts are their openness. The proposed all-weather pitch would still maintain the openness of Cedars Open Space. The acceptability of use of land within the Green Belt is also supported by PPG2, where it would provide opportunities for outdoor sport and recreation near urban areas; and secure nature conservation interest.

Accordingly, development within the Green Belt for an all-weather pitch is acceptable in principle and the management of any aforementioned consequential impacts arising from this part of the proposal can be managed through the imposition of conditions to any planning permission.

Area of Special Character [Harrow Weald Ridge]

The proposal would not compromise the objectives set out in Policy EP31 of Harrow's UDP. The policy stipulates the Council will:

- Resist the loss of, or damage to, features which contribute to the Area of Special Character;
- Preserve architectural and historic features which contribute to the character of the area;
- Protect skylines and views from intrusive development; and
- Ensure that redevelopment schemes preserve or improve the character and appearance of the area.

Harrow's Conservation Team have been notified and considers the proposal accords with the above Policy EP31 relating to Areas of Special Character. The proposal would not damage existing architectural and historic features which contribute to the character of the area. Accordingly, the proposal is considered acceptable on these grounds.

Site of Nature Conservation Importance

There will be a partial loss of Site of Nature Conservation Importance land although this is currently mown grass of limited value. Notwithstanding, this provides an opportunity for new planting and boundary treatment that would be more attractive to wildlife whilst respecting the Green Belt. Harrow's Biodiversity Officer supports the proposal and a condition is recommended to ensure measures to attract wildlife is secured as part of any planning permission including the inclusion of green / brown / sedum roofs or any other nature conservation measure.

2) Scale, Design and Character of the Proposed Development

PPS1 states that development should respond to their local context and create or reinforce local distinctiveness. Paragraph 33 of PPS1 states, '*Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development*' and that '*good design is indivisible from good planning.*' Paragraph 34 of PPS1 states, '*Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.*'

The positive impact of the proposal on this site would contribute as a significant and improved community facility to this part of the Borough.

The Design and Access Statement explains the design rationale and the emerging concept behind this proposal, which has undergone extensive pre-application consultation with the community and with Harrow Council.

Explanatory paragraph 4.10 of Policy D4 of Harrow's UDP 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 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*'.

The proposed redevelopment of the existing community facility would represent a distinct building of merit. The existing building is one and a half storeys. The proposal would be two storeys in height. The neighbouring residential properties are predominantly two storeys and are sufficiently set away from the proposal for any adverse impact to occur in terms of any overlooking / loss of privacy as any viewing point above ground floor level from the site would be at least 20m away from the nearest habitable room window of nearby residential properties. This separation distance is considered acceptable.

In terms of design, the proposed contemporary building would make a positive contribution to the character and appearance of the area and represent a significant improvement to the existing building. The design of the scheme has been considered in respect of accessibility and disability. The proposed building seeks to accommodate the widest range of people with a variety of sensory impairments, physical disabilities and medical needs. As such, the proposal would comply with the requirements of the Disability Discrimination Act 1995.

The proposal is acceptable on scale and design grounds for the reasons given above.

3) Impact on Neighbouring Amenity

The proposed development would represent an improvement in appearance and would be visible from the neighbouring residential properties, particularly those situated on Chicheley Road and Chicheley Gardens.

The proposal, given the overall height and distances from the façade of the nearest residential properties along Chicheley Road and Chicheley Gardens [approximately 20m+], would not have a detrimental impact on the residential amenities on the occupiers of these neighbouring properties by way of overlooking / loss of light / overshadowing. Rather, it would represent a visual improvement to the existing. The separation distance between the proposed terracing area adjacent to the all-weather pitch and the façade of the caretaker's building would also be in excess of 20m therefore; there this is considered acceptable in terms of overlooking to nearby residential properties. Accordingly, the proposal is acceptable for the reasons stated above.

An 'hours of operation' condition is recommended to be attached to any planning consent to ensure the operation of the proposed development would respect the amenities of occupiers of the nearby residential properties in terms of noise and noise output from traffic generation arising from the development. In addition, a condition is recommended to ensure no hot food shall be cooked on the premises without the prior written permission of the local planning authority. This ensures any such proposal requires approval from the Council, which would address any odour issues, to respect the occupiers of the nearby residential properties.

Paragraph 3.19 of PPG2 states '*In all cases, the layout, design and landscaping of the scheme must preserve, so far as possible, the openness and visual amenity of the Green Belt. Particular care will be needed on matters, such as floodlighting...*' There is existing floodlighting on-site. No details of external lighting or floodlighting have been proposed however, any such proposal would potentially have an impact on the designation of this land stated in Harrow's UDP. Therefore, this would need to be carefully managed to respect the designations. Accordingly, the acceptability of any external / floodlighting could be adequately addressed by the imposition of a suitable condition as part of any planning permission.

4) Parking and Highway Safety

The applicant proposes eight car parking spaces [including two to disabled standard], accessed from Chicheley Road, which is an increase from the three spaces currently on-site located in the same area.

There will be an increase in traffic movements associated with the proposed new community facility however; the applicant has submitted a Travel Plan to address the objective of minimising travel by car.

To manage travelling arrangements on event days where there is likely to be an increase in the number of people using / on the site [e.g. a football tournament] with potential congestion in the area, a condition is recommended to secure appropriate transport provisions for users arriving and departing the site. The condition would also address noise issues regarding impact in transport terms of such event days on the occupiers of neighbouring residential properties.

Secure parking provision for 20 cycles would be located fronting Chicheley Road near to the proposed disabled car parking spaces.

Harrow's Highways Engineer raises no objection to the proposal.

5) Other Matters Environmental Impact Assessment

The site is not subject to an Environmental Impact Assessment. A Screening Opinion was carried out. It is considered the proposed development would not require the submission of an Environmental Impact Assessment under the terms of Circular 02/99 and the Environmental Impact Assessment (England & Wales) Regulations 1999.

GLA and GOL Referral

The application is not subject to referral to GLA nor GOL.

Sustainability

The applicant has submitted a Sustainability Statement in support of the application. The proposal would be sustainable in operation [low emissions, low resource consumption, low running costs, etc.] with an impact equal to or lower than the existing facility even though it would be more than double the size. The Sustainability Statement demonstrates the design rationale having regard to aspirations for sustainability. The new building would incorporate an ecological roof, solar wall, irrigation measures through a rainwater collection tank and waste management facilities to reduce quantity sent to landfill. The applicant will investigate possible on-site renewable energy measures that could be incorporated into the scheme's design at the next stage of the design process, which could be secured as a condition to any planning permission. Possible sources could include ground source heat pumps; solar air and hot water; and / or photovoltaics.

Landscaping

The applicant has provided a Landscape Masterplan. Harrow's Landscape Architect raises no objection to the proposal however, seeks further details, which can be secured as a planning condition to any planning permission.

Refuse Arrangement

The refuse storage area would be situated at the junction of Chicheley Road with Chicheley Gardens, integrated within the building. The location is considered acceptable in planning terms for the purposes of servicing requirements by reason of its proximity to the highway [less than 10m].

Site Ownership

The site is owned by Harrow Council.

6) S17 Crime & Disorder Act 1998

The proposed design and layout would offer natural surveillance. Policy D4 of Harrow's UDP 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 seeks to ensure that developments should address security issues and provide safe and secure environments.

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

7) Consultation Responses

One response received with 63 signatories from users of the existing development supporting the proposal.

CONCLUSION

The proposal would result in a new, contemporary building with state-of-the-art community facilities, which would represent a significant improvement over the existing facility.

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

CONDITIONS

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

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

2 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 shall not commence until there has been submitted to and approved in writing by the local planning authority, a scheme of hard and soft landscape works to include species to attract wildlife. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. Bird and bat boxes should be incorporated into the development; the latter should be positioned as recommended by the Bat Conservation Trust and bird boxes should cater for species highlighted in the London BAP.

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

4 All construction works and ancillary operations [including 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 hrs to 1800 hrs Monday to Friday and 0800 hrs to 1300 hrs 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.

5 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.

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 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.

8 No development shall take place until a schedule of landscape maintenance for a minimum period of five 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.

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

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

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

a: the extension / building(s)

b: the ground surfacing

c: the boundary treatment

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

REASON: To safeguard the appearance of the locality.

11 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.

12 Prior to commencement of the development/use details of the **design and layout** of, which shall comply with Sport England Design Guidance Notes and include consideration of 'Access for Disabled People 2002', this shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The proposed facilities (external and internal) shall be constructed in accordance with the approved design and layout details and be suitable for disabled persons.

REASON: To ensure the development is fit for purpose, subject to high quality design standards and sustainable practices.

13 Within three months of the completion of the development, a **Management and Maintenance** shall be submitted which shall provide details of a Scheme for a period of 20 years to include measures to ensure the replacement of all artificial surface/s within the next 10 years and, management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the school site by the applicant.

Reason: To ensure that new facilities are capable of being managed and maintained to an acceptable standard which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (PPG17 Par 14).

14 The development hereby permitted shall be carried out in accordance with the following approved plans:

1025-20-GD-01; 1025-00-EL-01; 1025-00-SP-01; 1025-30-SE-01; 1025-20-ST-01; 1025-30-SE-02; 1025-20-01-01; 1025-20-LC-01; 1025-30-EL-01; 1025-30-EL-02; TPP-01 Rev A; Design and Access Statement [Oct 2009]; and Travel Plan [Oct 2009]

unless otherwise agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt and in the interests of proper planning.

15 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.

16 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.

17 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.

18 The building and use hereby permitted shall not operate outside the following times:-

a: 0900 hours to 2200 hours, Monday to Friday inclusive; and

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.

19 Prior to commencement of development, details of any external lighting including floodlighting and hours of operation of such lighting hereby permitted shall be submitted to and approved in writing by the local planning authority. Such details as approved shall be implemented prior to first occupation of the building and thereafter permanently retained. Any proposal for external lighting including floodlighting thereafter [upon completion and first occupation of the development] shall be subject to the relevant Regulations, details which will be submitted to and agreed in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, the Green Belt and Site for Nature Conservation Importance and Area of Special Character.

20 Notwithstanding the information shown on the submitted plans and supporting documentation, details of a management strategy for event days in respect to parking shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development. Such details as approved shall thereafter be permanently retained unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the amenities of neighbouring residents.

21 No hot food shall be cooked on the premises without the prior written permission of the local planning authority.

REASON: To safeguard the amenities of neighbouring residents.

22 The premises shall be used for the purposes specified on the application and for no other purpose including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification).

REASON: To safeguard the amenities of neighbouring residents.

23 No more than eight car parking spaces as shown on Drawing No. 1025-20-GD-01 shall be provided, and shall be marked out prior to first use of the development and thereafter permanently retained.

REASON: In the interest of pedestrian and highway safety.

24 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 permanently 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.

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]

3D.8 Realising the value of open space and green infrastructure

3D.9 Green belt

3D.10 Metropolitan Open Land

3D.11 Open space provision in DPDs

3D.12 Open space strategies

3D.13 Children and young people's play and informal recreation strategies

3D.14 Biodiversity and nature conservation

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

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C10 Community Buildings and Places of Worship
C17 Access to Leisure, Recreation, Community and Retail Facilities

2 INFORMATIVE:

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

3 INFORMATIVE:

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.

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.

(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.)

Plan Nos: 1025-20-GD-01; 1025-00-EL-01; 1025-00-SP-01; 1025-30-SE-01; 1025-20-ST-01; 1025-30-SE-02; 1025-20-01-01; 1025-20-LC-01; 1025-30-EL-01; 1025-30-EL-02; TPP-01 Rev A; Design and Access Statement [Oct 2009]; and Travel Plan [Oct 2009].

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

6 NORMAN CRESCENT, PINNER, HA5 3QN	Item: 2/01 P/2368/09/EJ/W Ward PINNER
SINGLE STOREY FRONT, SINGLE AND EXTENSIONS	TWO STOREY SIDE AND REAR
Applicant: Mr Siva	
Agent: Mr Rishi Patel	
Statutory Expiry Date: 10-DEC-09	

RECOMMENDATION

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

London Plan 2008: 4B.1,

Harrow Unitary Development Plan: D4, D5 and SPG - Extensions: A Householders Guide (2008).

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

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

INFORMATION

This application is reported to the Committee as a petition of 11 signatures opposing the proposal was received. This application was deferred from Committee on 13th January 2010 for a site visit which is scheduled to take place on 30th January 2010.

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- The subject site is located on the northern side of Norman Crescent. The site contains a two storey detached dwelling with a single storey rear extension and a single storey garage to the side of the dwelling
- The neighbouring property to the east, no. 4 Norman Crescent, is a two storey detached dwelling with an attached single storey garage to the side of the dwelling
- The neighbouring property to the west, no. 8 Norman Crescent, is a two storey detached dwelling with a side and rear dormer and a single storey side to rear extension
- The surrounding area is characterised by two storey detached dwellings

c) Proposal Details

- To construct a single storey front and single and two storey side to rear extension.
- The proposed two storey side extension would project 2.55m in width from the flank wall of the dwelling
- The two storey side extension would extend from the main front wall of the dwelling to the main rear wall of the dwelling
- A space of approximately 1 metre would be retained between the flank wall of the two storey side extension and the boundary shared with 6 Norman Crescent
- The first floor element of the side extension would be set back 1m from the main front wall of the dwelling
- It would have a subordinate hipped roof over
- It would then wrap around to create a two storey rear element. This would have a depth of 2.2m from the main rear wall of the existing dwelling
- There would be a single storey rear element that would project to a depth of 1m from the proposed two storey element (3.2m from the main rear wall of the existing dwelling.)
- It would have a pitched roof with a height of 2.9m at the midpoint of the pitch.
- The proposed single storey side element would have a pitched roof with a height of 2.5m at the eaves.
- There would be a window at ground and first floor level in the front elevation of the proposed two storey side extension
- There would be windows and patio doors on the rear elevation and three rooflights in the roof of the proposed ground floor rear extension
- There would be two high level flank windows and one window at ground floor level and one window at first floor level on the eastern flank wall of the dwelling
- There would be two windows and an access door at ground floor level and one large window to serve the stairwell at first floor level to the western flank elevation.

d) Revisions to the previously withdrawn application P/1587/09:

- The width of the two storey side extension from 3.5m to 2.55m
- Reduction in height of the two storey side extension
- The first floor element of the side extension would be set in 1m from the main front wall of the dwelling
- Removal of the proposed bay window and porch on the front elevation
- Removal of the single storey side extension

e) Relevant History

P/1587/09	Single storey front single and two storey side and rear extensions	WITHDRAWN
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f) Pre-Application Discussion

- None

g) Applicant Statement

- None

h) Consultations:

The Pinner Association: No response

Notifications:

Sent: 11

Replies: 3

Expiry: 17-NOV-09

Plus 1 petition containing 11

signatures objecting to the proposal

Summary of Response:

Summary of responses:

Size and scale of proposal would be out of place and overbearing

Bulky and not in keeping with the character of the locality

Will result in overshadowing, loss of amenity and outlook

Flank windows would impact privacy

APPRAISAL

1) Character and Appearance of the Area

Saved policy D4 in Part 2 of the Harrow Unitary Development Plan (2004) requires high standards of design in all new development, including extensions to existing buildings. The policy requires that the design of new development be considered in the context of its site and surroundings and have regard to the scale and character of the surrounding environment.

Paragraph B.10 of the SPG requires a minimum set back of the first floor front wall by at least 1m behind the main front wall with a subordinate pitched roof. As the proposed first floor side element would be set back 1m from the main front wall of the dwelling, it is considered that the extension would be acceptable as it would be subordinate to the main dwelling and would be in keeping with the detached character and appearance of the dwelling and the area.

It is considered that the proposed two storey rear element would not have a detrimental effect on the character and appearance of the area. The extension would project to a depth of 2.2m and would respect the scale and character of the existing dwelling.

It is considered that the proposed single storey rear extension would not have a detrimental impact on the character and appearance of the dwelling or the surrounding area. The single storey extensions would appear subordinate and the materials would match the existing dwelling.

It is considered that the proposed two storey side extension and single storey front extension would not have a detrimental effect on the character and appearance of the dwelling in the street scene and it would comply with saved policy D4 of the Harrow Unitary Development Plan or the SPG.

2) Residential Amenity

The proposed two storey side to rear extension would not have an adverse effect upon the amenity of the neighbouring property at no. 8 Norman Crescent. The extension would be sited 1m from the shared boundary and approximately 3m to the flank wall of no. 8. It is considered that due to the separation distance the extension would not result in any loss of light to no. 8.

There would be two windows at ground floor level to serve the proposed WC and utility room and one window at first floor level to serve the stairwell. It is considered that the proposed two storey side extension would not result in an unreasonable loss of privacy to No. 8 Norman Crescent, the proposed flank windows would not serve habitable rooms and it is considered there would be no unreasonable overlooking to the neighbouring property. There would also be a door to the western flank wall to provide access to the utility room, paragraph 3.8 of the SPG outlines that new doors in the side walls of extensions may give rise to overlooking of existing doors or windows in an adjacent elevation. They can also result in unreasonable disturbance and activity where they are sited within 3 metres of a shared boundary. The proposed flank door would be located approximately 1m from the side boundary and 3m to the flank wall of the dwelling at no. 8 Norman Crescent. It is considered that the proposed flank door would not result in an unreasonable level of disturbance or loss of privacy to no. 8 as there are no flank windows to the dwelling at no. 8, furthermore the door would be located to the rear of the dwelling at no. 8.

The proposed single storey rear extension would project to a depth of 3.2m from the main rear wall of the subject dwelling. It would project approximately 3.2m from the main rear wall of no. 4 and 8 Norman Crescent. The SPG states that single storey rear projections of up to 3m beyond the main rear wall of adjacent detached dwellings would normally be acceptable. Where a greater depth is acceptable the additional element should be set away from the boundary with an attached dwelling by twice the amount of additional depth – the two for one rule (paragraphs C.2 and C.5). Although the proposed single storey rear extension would project an additional 0.4m it would be set away approximately 4.5m from the flank wall of no. 8 Norman Crescent and approximately 2m from the flank of the attached garage at no. 4 Norman Crescent. It is considered that due to this separation distance the proposal would not result in a loss of light or appear overbearing and would comply with the SPG.

The proposed first floor element of the side and rear extension would not be intersected by the 45-degree angle (paragraph 3.14(i) of the SPG) measured from the first floor front or rear corners of the adjacent dwelling at No. 8 Norman Crescent. The proposed first floor extension would be located adjacent to the shared boundary with No. 8. No. 8 does not have any protected windows located on the flank wall. The proposal would not result in the over shadowing of any habitable rooms.

It is considered that the proposed first floor rear extension would not have an unreasonable effect on the neighbouring dwelling at no. 4 Norman Crescent, the proposed extension would not interrupt the 45° splay when taken from the first floor rear corner and would therefore not result in an unreasonable loss of light to this dwelling.

It is considered that the proposed windows in the eastern flank elevation at ground floor level would no result in a loss of privacy to No. 4 Norman Crescent. Although the proposed windows would serve habitable rooms, they would be obscure glazed and high level therefore there would be no unreasonable overlooking to the neighbouring dwelling, furthermore the proposed windows would face the single storey garage extension and no. 4 where there are no flank windows.

It is considered that the proposed glazing to the rear would result in no unreasonable loss of privacy to the neighbouring properties, any overlooking from the proposed windows on the rear elevation would be at oblique angles over the neighbouring rear gardens.

It is considered that the proposal would comply with the SPG and saved policies D4 and D5 of the UDP and would not have an unreasonable effect on the residential amenity of the neighbouring occupiers.

3) S17 Crime & Disorder Act

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

4) Consultation Responses:

Size and scale – addressed in section 1 of the report

Character – addressed in section 1 of the report

Overshadowing, loss of amenity and privacy – addressed in section 2 of the report

CONCLUSION

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

CONDITIONS

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

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

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

REASON: To safeguard the appearance of the locality.

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

REASON: To safeguard the amenity of neighbouring residents.

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

a) be of purpose-made obscure glass,

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

REASON: To safeguard the amenity of neighbouring residents

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: 4B.1

Harrow Unitary Development Plan: D4, D5 and SPG – Extensions: A Householders Guide 2008

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: P0100 Rev E, P/0101 Rev A

Item: 2/02

LANCSVILLE YARD, LAND TO THE SIDE AND REAR OF 110 - 116 GREENFORD ROAD, HARROW, HA1 3QL

Ward HARROW ON THE HILL

CHANGE OF USE OF EXISTING BUILDERS YARD (SUI GENERIS) TO A BUILDERS MERCHANT (SUI GENERIS) AND THE ERECTION OF 2 NO. BUILDINGS FOR THE DISPLAY, SALES AND STORAGE OF BUILDING, TIMBER AND PLUMBING SUPPLIES, PLANT AND TOOL HIRE, INCLUDING OUTSIDE DISPLAY AND STORAGE AND EXTERNAL ALTERATIONS INCLUDING NEW FENCING

Applicant: Travis Perkins Plc.

Agent: RPS Planning & Development Ltd.

Statutory Expiry Date: 22-DEC-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 national guidance and the policies and proposals in 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:

Planning Policy Statement 4: Planning for Sustainable Economic Growth

London Plan:

3B.4 – Industrial Locations

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

D11 – Statutorily Listed Buildings

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

T15 – Servicing of New Developments

Supplementary Planning Document: Access for All (2006)

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

- 1) Principle of Change of Use (PPG4, 3B.4, EM15)
- 2) Character and Appearance of Area, Impact on Residential Amenity and Character and Appearance of the adjacent Listed Building (4B.1, D4, D11)
- 3) Parking and Servicing (T6, T13, EM15)
- 4) Accessibility (C16, SPD – Access for All 2006)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is reported to Committee as the development involves non-residential development on a site over 0.1ha which falls outside the schedule of delegation to the Director of Planning.

A member's site visit was conducted on 30th January 2010.

a) Summary

Statutory Return Type:	18 - Minor Other
Site Area:	0.177 ha
B1 Car Parking	Standard 2 Justified 6 Provided 6
Council Interest:	None

b) Site Description

- Irregular shaped plot on the eastern side of Greenford Road. Site is currently vacant and has permission for use as a builders yard (Sui Generis).
- This site has a concrete hard surface and contains two covered storage sheds constructed of corrugated iron, a storage building, a container and a raised portacabin.
- The building at no.110 has a single storey rear extension and a portacabin on top of the extension. No.110 is used as an office in conjunction with the yard. This does not form part of the application site.
- Site is not sited within a designated business zone.
- No.116 Greenford is a two storey detached dwellinghouse that shares its side and rear boundaries with the application site.
- To the south of the application site is a residential development on Hussain Close consisting of ten terraced and four semi-detached 2 storey dwellinghouses granted under reference WEST/562/96/FUL. Nos. 7 and 8 share a boundary with the application site.
- The site to the north is a builders yard (Sui Generis) and is occupied by warehouse buildings and a hard surface.
- To the rear of the site are fields and a club house within the London Borough of Brent.
- Greenford Road is a London Distributor Road.

c) Proposal Details

- Change of use from builders yard (Sui Generis) to builders merchant (Sui Generis) to enable the applicant to display, store and sell building materials and plant hire to the general public as well as traders and contractors.
- Demolition of the two storage sheds constructed of corrugated iron and removal of a container.
- Construction of a tempastore building in the southern rear corner of the site which would measure 15m wide by 10 long. This building would have a gable end roof with a ridge height of 6.86m and an eaves height of 5.3m and would be set away 2m from the common boundary shared with no. 8 Hussain Close and set away 1m from the rear boundary.

- Construction of a portacabin used for offices and sales area which would measure 17m long by 9.87m wide by 3m high and would be set away 1.7m from the southern side boundary shared with no.8 Hussain Close and the highway Hussain Close.
- 6 parking spaces on the southern side boundary adjacent to Hussain Close and no.7 Hussain Close.
- Carcassing timber storage area adjacent to no.116 Greenford Road to a maximum height of 2.4m.
- Proposed bricks, blocks and aggregates storage area adjacent to the northern side boundary shared with no.92 – 108 to a maximum height of 4.5m.
- Retention of the portacabin to the rear of no.110 and retention of the warehouse in the northern rear corner.
- Proposed 2.4m high palisade fencing along the site boundaries.

d) Relevant History

WEST/126/ 96/CON	CONTINUED USE OF LAND AS BUILDERS YARD FOR STORAGE OF PLANT, MATERIALS AND EQUIPMENT WITH ASSOCIATED OFFICES (CLASS B8)	GRANTED 29-JUL-96
29/07/1996	CHANGE OF USE FROM RESIDENTIAL TO ANCILLARY OFFICES	GRANTED 26-OCT-88
LBH/7545/1	ERECTION OF SINGLE STOREY WORKSHOP BUILDING FOR USE ANCILLARY TO THE BUILDERS YARD	GRANTED 30-MAR-78

e) Applicant Statement

- Design and Access Statement submitted.

f) Consultations

Highway Engineer: The proposal would involve formalising the access and layout. The change of use is considered to not be detrimental in transport terms.

Environmental Health Services: Awaiting response.

Environment Agency: Awaiting response.

London Borough of Brent: No response received.

Notifications:

Sent: 30

Replies: 1

Expiry: 26-NOV-09

List of Neighbours Consulted:

Flats 1 to 8 Greville Court	103 Greenford Road
Greville Court	110 – 114 Greenford Road
Flats 1 to 9 Orley Court	112 Greenford Road
Orley Court	114 Greenford Road
92 – 108 Greenford Road	116 Greenford Road
92A Greenford Road	Nos. 6 to 9 Hussain Close

Summary of Responses: No objection to Travis Perkins.

APPRAISAL

1) Principle of Change of Use

The change of use from a builders yard (Sui Generis) to builders merchant (Sui Generis) would enable the applicant to display, store and sell building materials and plant hire to the general public as well as traders and contractors.

Various appeal decisions have established that both builders yards and builders merchants are considered to be Sui Generis as the operation and nature of the uses do not fall within any particular class specified in the Use Classes Order 1987. Accordingly, it is considered there would be no departure to saved policy EM15 which recommends that the Council should resist the loss of land or buildings from use classes B1, B2 and B8 to other uses outside these classes.

The site would be occupied by Travis Perkins and would employ 8 people and it is therefore considered the proposed change of use would comply with Planning Policy Statement 4: Planning for Sustainable Economic Growth which seeks to generate employment opportunities and that the principle of the change of use would be acceptable.

2) Character and Appearance of Area, Impact on Residential Amenity and Character and Appearance of the adjacent Listed Building

Overall it is considered the proposed development would improve the appearance of the property and would have a reduced impact on the amenities of the surrounding residential occupiers when compared to the existing site.

The proposal would involve the demolition of a storage shed in the southern corner that abuts the common boundary of no.6 Hussain Close and has a flat roof with a height of 6.2m. The replacement tempastore would be set away 2m from the common boundary shared with no.6 and have a gable roof with an eaves height of 5.3m and a ridge height of 6.86m. It is considered the proposed siting and design of the replacement tempastore would have a reduced impact on the occupiers at no.6 when compared to the existing shed that abuts the rear garden of this property.

The proposed flat roof portacabin would be set away 1.7m from southern side boundary and would have a height of 3m which would project marginally above the 2.4m high fencing. It is considered this new building would not be a prominent or unduly obtrusive feature when viewed from Hussain Close or the rear garden of no.6 Hussain Close and that this element would be acceptable.

The application proposes a storage area at the front of the site adjacent to no.116 to store timber to a height of 2.4m. The materials would not project above the fence and therefore the proposed storage area would have a minimal impact on the character and appearance of the street scene and the amenities of the occupiers at no.116.

The application proposes a second storage area adjacent to the northern side boundary. Materials in this area would be stored to a height of 4.5m. However, the materials would be obscured from the street scene by the building at no.110 and would be separated by a distance of 22.6m to the nearest residential properties and Hussain Close.

It is considered this siting in relation to the street scene of Greenford Road and Hussain Close and residential properties of Hussain Close would mitigate any harmful impact on the character of the area and residential amenities.

Conditions are recommended to ensure that materials, supplies and plant machinery are not stored outside the designated storage areas, tempastore building and existing warehouse and that materials in the southern storage area do not exceed 2.4m in height and the materials in the northern storage area do not exceed 4.5m in height. Conditions are also recommended to restrict opening, staff and vehicle delivery times and it is considered these conditions would protect the amenities of surrounding occupiers and the character of the area.

It is considered the proposed 2.4m high palisade fencing along the site boundaries would be an improvement in character and appearance terms.

On balance it is considered the proposed change of use and development would maintain a suitable relationship with the surrounding residential properties and street scene and that the scheme would not have an unreasonable impact on the amenities of surrounding occupiers or the character and appearance of the area. It is therefore considered the proposal would comply with London Plan Policy 4B.1 and saved policy D4 of the Harrow UDP (2004).

On the opposite side of Greenford Road is a property called Lancsville (no.105 Greenford Road) which is a Listed Building. The application site would be sited 20m from this property and given the scale and siting of the proposal compared to the existing lawful use of the site as a builders yard it is considered the impact on the setting of the Listed Building would be de minimus. To this end it is considered the proposal would comply with saved policy D11 of the Harrow UDP (2004).

3) Parking and Servicing

This application seeks to formalise the access and layout of the site and includes a 16.5m turning circle in the middle of the site. The proposal also includes 6 parking spaces along the southern side boundary. The Council's Highway Engineer has raised no objection to the proposed scheme and it is therefore considered acceptable in parking and servicing terms and in accordance with the recommendations of saved policies T6 and T13 of the Harrow UDP (2004).

4) Accessibility

The proposal includes provision of a disabled parking space in close proximity to the portacabin which would contain the offices and sales counter. This portacabin would have ramped access. It is therefore considered the proposed scheme would comply with saved policy C16 of the Harrow UDP (2004) and the adopted SPD Accessible Homes 2006 and Access for All 2006.

5) S17 Crime & Disorder Act

It is considered that the proposed development and change of use would not have a material impact upon community protection.

6) Consultation Responses

No objection to Travis Perkins.
This comment has been noted.

CONCLUSION

The proposal would generate employment opportunities and would not have a material impact on the character and appearance of the area, residential amenity or highway safety. For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, this application is recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans JLK0430; JLK0430-02; JLK0430-03 Rev B; JLK0430-04 Rev A; JLK0430-05; JLK0430-06; JLK0430-07 Rev A; JLK0430-08 Rev B; JLK0430-09; Design and Access Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

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

a: 0730 hours to 1700 hours, Monday to Friday inclusive,

b: 0800 hours to 1200 hours on Saturday,

without the prior written permission of the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residents.

4 The builders merchants hereby permitted shall only be open to staff between the following times:-

a: 0700 hours to 1800 hours, Monday to Friday inclusive,

b: 0730 hours to 1300 hours on Saturday,

without the prior written permission of the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residents.

5 Deliveries of materials, supplies and plant machinery to the site shall not take place outside the following times:-

a: 0730 hours to 1700 hours, Monday to Friday inclusive,

b: 0800 hours to 1200 hours on Saturday,

without the prior written permission of the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residents.

6 Materials shall not be stored outside the designated storage areas, tempastore and warehouse as shown on approved plan no. JLK0430-03 Rev B without the prior written permission of the Local Planning Authority.

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

7 Materials to be stored in the designated storage area adjacent to the northern side boundary shall not exceed 4.5m in height and materials to be stored in the designated area adjacent to southern side boundary shall not exceed 2.4m in height in accordance with approved plans JLK0430-03 Rev B; JLK0430-07 Rev A and JLK0430-08 Rev B, without the prior written permission of the Local Planning Authority.

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

8 No floodlighting shall be installed on the site without the prior written permission of the Local Planning Authority.

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Planning Policy Statement 4: Planning for Sustainable Economic Growth

London Plan:

3B.4 – Industrial Locations

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

T15 – Servicing of New Developments

EM15 – Land and Buildings in Business, Industrial and Warehousing Use – Outside Designated Areas

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 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.

Item 2/02 : P/2312/09/HG/C continued/...

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: JLK0430-01; JLK0430-02; JLK0430-03 Rev B; JLK0430-04 Rev A; JLK0430-05; JLK0430-06; JLK0430-07 Rev A; JLK0430-08 Rev B; JLK0430-09;
Design and Access Statement

NOWER HILL HIGH SCHOOL, PINNER ROAD, HA5 5RP **Item: 2/03**
P/2003/09/LM/C

Ward: HEADSTONE NORTH

PROPOSED USE OF EXISTING CAR PARKING AREA AS HARDSURFACED PLAY AREA AND RETENTION OF HARDSTANDING ADJACENT TO NEW POST 16 BLOCK FOR CAR PARKING (31 SPACES)

Applicant: Harrow Council – Mr Allen Gibbons

Agent: LOM Architecture and Design – Mr Simon Bird

Statutory Expiry Date: | 20-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.

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.

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:

London Plan:

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

Harrow Unitary Development Plan:

- D4 - The Standard of Design and Layout
- EP12 – Control of Surface Water Run-Off
- EP22 – Contaminated Land
- EP25 – Noise
- EP47 – Open Space
- T6 – The Transport Impacts of Development Proposals
- T13 – Parking Standards
- C7 – New Education Facilities
- C16 – Access to Buildings and Public Spaces

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) Use and Character and Appearance of the Area (C7, EP47 & D4)
- 2) Residential Amenity (EP25)
- 3) Surface Water Run-Off and Contaminated Land (EP12 & EP22)
- 4) Parking and Highway Safety and Access For All (C16, T6 & T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

The application is reported to Committee because the Council is the land owner.

a) Summary

Statutory Return Type: Minor Developments, all others

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

b) Site Description

- The site is adjacent to George V Avenue, with frontages to both George V Avenue and Pinner Road
- The original school was built in 1929 and since then has been extended over the years.
- The school is made up of a number of buildings 2-4 stories in height, mainly located to the south of the site. Playing fields and games courts are located to the north of the site.
- The site is accessed from both George V Avenue and Pinner Road
- Part of the site is designated open space

c) Proposal Details

- Proposed use of approximately 730m² hardsurfaced existing car parking area adjacent Sport and Expressive Arts Block for play area.
- Retention of approximately 1000m² of hardsurfacing for 31 car parking spaces, including two disabled parking spaces, adjacent new post 16 building.

d) Revisions to Current/Previous Application:

- N/A

e) Relevant History

P/1179/08CFU	THREE-STOREY EXTENSION TO SCHOOL TO PROVIDE POST-16 EDUCATION FACILITY AND ASSOCIATED WORKS	GRANT 09-JUN-08
P/2645/08	RETENTION OF TWO TEMPORARY CLASSROOMS FOR TWO YEARS TO NORTHERN SIDE OF SCHOOL	GRANT 21-NOV-08
P/3864/08	VARIATION OF CONDITIONS NO.S 2 (INVESTIGATION OF CONTAMINATION), 3 (VEHICULAR ACCESS), 7 (MATERIALS), 8 (SEWAGE), 9 (SURFACE WATER DRAINAGE) AND 10 (SURFACE WATER ATTENUATION) ATTACHED TO PLANNING PERMISSION P/1179/08/CFU DATED 09-JUN-08 FOR THREE-STOREY EXTENSION TO SCHOOL TO PROVIDE POST-16 EDUCATION FACILITY	GRANT 31-DEC-08
P/3898/08	DETAILS PURSUANT TO CONDITION 2 (LAND CONTAMINATION) ATTACHED TO PLANNING PERMISSION P/1179/08/CFU	GRANT 03-APR-09

P/1030/09	APPROVAL OF DETAILS PURSUANT TO CONDITION 2 (CONTAMINATION) OF PLANNING PERMISSION P/1179/08/CFU DATED 09/06/08 FOR THREE STOREY EXTENSION TO SCHOOL TO PROVIDE POST-16 EDUCATION FACILITY AND ASSOCIATED WORKS.	GRANT 24-JUN-09
P/2156/09	2 NO. 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	CURRENT

f) Applicant Statement

- From September 2010 all schools in Harrow will be reorganised and all Year 7 pupils will be in high schools. This process will transfer an additional 2,000+ pupils from primary sector to community high schools.
- Nower Hill High School will increase in pupil capacity by 300 Year 7 pupils. There are currently 1500 pupils on the school roll. Previous, current and future planning applications have/are/will provide for this increase from a building infrastructure viewpoint.
- Currently insufficient hard play space for pupils and as such additional space must be provided.

g) Consultations

Highways Engineer: No Objection

Drainage Engineers: No Objection subject to standard conditions

Sport England: No objection provided one of five exceptions met

Notifications:

Sent: 12

Replies: 0

Expiry: 29-DEC-09

Summary of Responses:

A

APPRAISAL

1) Use and Character and Appearance of the Area

Saved Policy C7 of the HUDP states that Council will seek to ensure that appropriate education facilities are provided. The reorganisation of schools within the Borough would incorporate Year 7 pupils to high school. This would increase the capacity of Nower Hill High School by approximately 150 additional pupils. As such, additional informal hard play area is required and has been proposed as using an existing hard surfaced car parking area.

The displaced vehicle parking would be replaced, and added upon, in an area of hardsurfacing utilised as a contractors storage compound and site entrance in relation to building infrastructure work taking place.

Saved Policy EP47 states that the Council will protect and where appropriate enhance the boroughs open spaces regardless of ownership. A large area of approximately 8000m² would still remain as grassed playing area and the area for parking remains open in the fact there are no buildings proposed. Furthermore, the parking area would not impact upon the actual use of playing fields themselves but the adjoining grassed area only and would serve as an ancillary function for both the school and the use of the playing fields. As such, it is considered that the proposed hard play area and vehicle parking area would be consistent with the operational functioning of the increased capacity of Nower Hill High School while maintaining the character and appearance of the area and the open space and would comply with saved Policy C7, EP47 and D4 of the HUDP.

2) Residential Amenity

The parking area is situated approximately 80m from the nearest residential boundary. As such, it is considered that this distance would adequately mitigate any undue detrimental impacts upon the residential amenities of surrounding properties.

The proposed hard play area is situated within the grounds of the school. Adjoining residential properties would expect a higher level of disturbance. However, in this instance, the proposed hard play area is situated behind the Sport and Expressive Art Block which would mitigate any unreasonable detrimental impacts in respect of disturbance from the hard play area to adjoining residential properties.

3) Surface Water Run-Off and Contaminated Land

All surface water would be directed to the existing water storage/attenuation tank located under the hardsurfacing which regulates the release of flow to the main stormwater discharge systems. It is considered that these measures would satisfy the objectives of the saved policy EP12 of the HUDP.

Previous planning permissions approved within the last year relating to large scale building works have highlighted issues surrounding contamination of the site with levels of lead and benzopyrene above recommended guidelines. Conditions relating to approval of surface water details and earthworks have been discharged recently with no objection raised from the Environment Agency. Subsequently, it is considered that the retention of the hardsurfacing for carparking is relatively minor and it is considered unreasonable to further impose a similar condition that has previously been addressed. As such, It is considered that the previous measures have satisfied the objectives of the saved policy EP22 of the HUDP.

4) Parking and Highway Safety and Access For All

The development would not result in the loss of any off street parking spaces. In fact, the application would increase the number of parking spaces overall by three (including two additional disabled spaces). The Council's Highways Engineer has not raised any objections with the proposal. A Travel Plan update is considered unnecessary as the new car parking spaces themselves are not providing for the increase in numbers. It is considered that any proposed new teaching facilities/building infrastructure would more adequately address this Travel Plan update requirement as a condition.

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 saved policies T6 and T13 of the HUDP.

Being a public building, an integral part of the design and layout of the site centres around the requirements and objectives of easy mobility for all. The applicant has addressed this by increasing the number of disabled parking spaces by two overall. As such, it is considered that the proposal makes adequate provision for access in this respect and would be consistent with saved policy C16 of the HUDP and Supplementary Planning Document: Access For All (2006).

7) S17 Crime & Disorder Act

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

8) Consultation Responses

The proposal would meet two of the stated five exceptions as noted within the consultation response from Sport England, being the development is ancillary to the principal use of the site as a school and would not effect the quality or quantity of pitches and that the development would not result in the loss or inability to make use of any playing pitch.

CONCLUSION

This application, if granted, would result in additional hard play area and would provide additional parking spaces, in line with the projected increase of pupils in Year 7. 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:

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:

C7, C16, D4, EP12, EP22, EP25, T6 & 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.

Plan Nos: 1000C-20-CP-01 Rev A, 8382/01A, and Design and Access Statement

Item: 2/04

**6 COLUMBIA AVENUE, EDGWARE, P/2476/09/ML1/E
MIDDLESEX HA8 5DQ**

Ward EDGWARE

CONVERSION OF DWELLING HOUSE INTO 4 FLATS; ALTERATIONS TO ROOF TO FORM END GABLES AND REAR DORMERS; PROVISION OF 2 CAR PARKING SPACES

Applicant: Mr Dhirendra Patel - Crossville Developments Ltd.

Agent: Mr Graham Poole - Building Design (UK) Ltd.

Statutory Expiry Date: | 06-JAN-10

RECOMMENDATION

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

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 the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development makes efficient use of land whilst contributing to the provision of additional 'homes' targets, as detailed in the London Plan 2008, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character of the area.

Harrow Unitary Development Plan:

- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- C16 Access to Buildings and Public Spaces
- T13 Parking Standards

Supplementary Planning Guidance Extensions: A Householders Guide (2008)
Supplementary Planning Document Accessible Homes (2006)

London Plan: 3A.1, 3A.5
Draft London Housing Design Guide (2009)

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 (C16, 3A.5, SPD)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Minor Dwellings

Council Interest: None

b) Site Description

- Two storey, detached property on Columbia Avenue opposite the entrance to the Mill Yard Industrial Estate, originally built as a pair of semi-detached houses which have been combined to form one detached house.
- There is an existing single storey rear projection at the property.
- There are rooflights in the main roof at the front and rear of the property.
- The adjacent property at No.7 has an end gable and rear dormer roof extension and a similar single storey rear projection to that at the application property.
- There is a carriage driveway to the mainly hardsurfaced frontage of the application property.
- No.6 has a rear garden depth of approximately 12m.

c) Proposal Details

- Alterations of the property's hipped roof to form gable ends on both sides.
- Two 4.2 wide flat roofed rear dormers, sited 1m from each other and the gable ends, and 1.4m up the roof slope and 1.3m down from the ridge of the roof.
- Conversion of the extended property into two x one bedroom flats on the ground floor and two x one bedroom flats on the first floor and second floor roofspace.
- The relocation of two rooflights in the front roofslope.
- Two disabled parking spaces and a grassed area on the frontage.
- Covered refuse storage for 12 bins in the rear gardens, comprising two stores containing 6 bins each.
- The rear garden would be split between the proposed four flats accessed via passageways on either side of the building.
- Access to all the flats would be via a single door in the front elevation of the property, with entrance doors to the four units provided internally.

Revisions to previous application P/0180/09:

- The separation of the previously proposed 9.4m wide dormer into two separate dormers.
- Regrading of the frontage of the property to provide a level entrance.
- Entrance door widths and bathrooms on the ground floor have been revised to meet Lifetime Homes requirements.
- The internal arrangement of rooms in the first and second floor units has been amended, living rooms have been moved to the roofspace and replaced with bedrooms of the first floor.

d) Relevant History

EAST/1262/02/FUL	Two pairs of part single, part 2 storey, semi-detached houses with integral garage and forecourt parking.	GRANTED 13-FEB-03
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P/2169/03/DCO	Retention of detached house with integral garage.	GRANTED 14-JAN-04
P/3207/08	Conversion of dwellinghouse into four flats and two studio apartments; alterations of roof from hipped to gable ends, rear dormer and first floor rear extension.	REFUSED 04-DEC-08

Reasons for Refusal:

1. The proposed first floor rear extension and rear dormer, by reason of excessive rearward projection, unacceptable design and excessive bulk, would be incongruous, unduly obtrusive, result in loss of light and overshadowing, and would be detrimental to both the visual and residential amenities of the occupiers of the adjacent property and to the character and appearance of the area, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and the Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008).
2. The proposed conversion would result in an over-intensive use of the property which, by reason of increased potential disturbance and general activity, would detract from the residential amenities of the occupiers of neighbouring properties and future occupiers of the proposed development and be out of character in the locality, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004).
3. The proposed conversion by reason of the cramped layout in terms of floorspace and floor to ceiling height and failure to provide access to private amenity space for the second floor studio units would be detrimental to the amenities of future occupiers of the proposed development, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004).
4. The proposed layout of the frontage of the property, by reason of an excessive amount of hard surfacing and prominently sited refuse storage, would be unattractive, unduly obtrusive and would detract from the appearance of the streetscene, to the detriment of the appearance of the property and the streetscene and the visual amenities of future occupiers, contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).
5. The proposed development would fail to comply with Lifetime Home Standards, contrary to policy 3A.5 of the London Plan and the Supplementary Planning Document 'Accessible Homes' (2006).
6. The increased intensity of use of the proposal would encourage additional and injudicious parking 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).

P/0180/09	Conversion of dwellinghouse into four flats; Alterations to roof to form end gables and rear dormer	REFUSED 24-MAR-09
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Reasons for Refusal:

1. The proposed rear dormer, by reason of unacceptable design and excessive bulk, would be incongruous and unduly obtrusive which would be detrimental to the character and appearance of the area, contrary to policy D4 of the Harrow Unitary Development Plan (2004) and the Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008).

2. The proposed conversion by reason of unacceptable layout would result in unacceptable disturbance between the flats which would be detrimental to the amenities of future occupiers of the proposed development, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004).

3. The proposed development would fail to comply with Lifetime Home Standards, contrary to policy 3A.5 of the London Plan, policy C16 of the Harrow Unitary Development Plan (2004), and the Supplementary Planning Document 'Accessible Homes' (2006).

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design & Access Statement submitted.

g) Consultations:

None.

Notifications:

Sent: 39

Replies: 1

Expiry: 08-DEC-09

Summary of Responses:

Existing four flats nearby are associated mostly noisy, violent and disgusting behaviour almost every night to which neighbours are subjected to, drugged and intoxicated people reside there; Difficult for neighbours to go out when it is dark or into the garden, the neighbourhood does not feel safe anymore; Another four flats would not be bearable; Understand that house cannot sell in this climate, but it seems unfair that he should create flats to be let out to people to increase profits; Do not want to listen to wild parties every night, normally happens in rented accommodation; The Mill House opposite the site receives deliveries by big trucks even during the night and it is hard to park anywhere, four flats will increase congestion.

APPRAISAL

1) Character and Appearance of the Area

The conversion of this 6 bedroom property into four, one bedroom flats is considered not to have any detrimental impacts upon the character and appearance of the area, the conversion resulting in a decrease in the total number of bedrooms and therefore not potentially increasing the intensity of use of this property as it would accommodate a similar number of residents in comparison with the existing property.

The submitted plans show designated refuse storage areas contained within two screened enclosures in the rear gardens of the property which would be accessed independently, thereby avoiding any siting of bins on the frontage. The two parking spaces proposed at the front of the property with the provision of a wide area of lawn in-between is considered acceptable in terms of appearance given the wide site frontage, ensuring the character and appearance of the area would be improved in line with policy D9.

The proposed end gable and rear dormer extensions are 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 and being akin to matching extensions to a pair of semi-detached properties.

This revised proposal is therefore considered to address this reason for refusal of the previous application P/0180/09 and is acceptable in terms of its impact upon the character and appearance of the area.

2) Residential Amenity

The proposed use of the site as 4 flats is considered to have an acceptable level of impact upon the amenities of neighbouring occupiers. Each flat would be likely to accommodate up to two people, so that the maximum total of residents in the four flats would be broadly equivalent to the number which could be accommodated in the existing six bedroom property.

It is considered that the size of the proposed flats overall would meet the needs of the intended occupiers as the room sizes proposed would be compliant with the standards contained within the Draft London Housing Design Guide (2009). The proposed internal layouts would be adequate as bedrooms and living areas are generally located above and below one another. The rear garden would be subdivided so that each flat would have an adequate area of amenity space with direct access to the rear garden provided via side passageways.

The proposed end gable and rear dormer extensions are considered acceptable in terms of their impacts upon the residential amenities of neighbouring occupiers given their size, siting and compliance with the adopted Householder SPG.

This revised proposal is therefore considered to address this reason for refusal of the previous application P/0180/09 and is acceptable in terms of its impact upon residential amenity.

3) Parking

The Council's UDP sets maximum car parking standards and as such there is no minimum. The proposal can incorporate the provision of two accessible on site parking spaces. The Council's Highways Engineer considers that this would be sufficient given the local reasonable level of public transport provision.

4) Accessibility

As stated above, the proposed development allows for disabled parking spaces for use by the ground floor flats in line with Lifetime Homes standards. The proposed layout of the ground floor flats 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 the regrading of the frontage of the property as shown on the submitted plans. The proposed ground floor units are therefore considered to comply with the requirements of Lifetime Home Standards and are therefore acceptable in this regard.

This revised proposal is considered to address this reason for refusal of the previous application P/0180/09 and is acceptable in terms of its compliance with Lifetime Homes standards.

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:

- *An existing four flats nearby are associated mostly noisy, violent and disgusting behaviour almost every night to which neighbours are subjected to, drugged and intoxicated people reside there; Difficult for neighbours to go out when it is dark or into the garden, the neighbourhood does not feel safe anymore; Another four flats would not be bearable; Do not want to listen to wild parties every night, normally happens in rented accommodation* – These issues which relate to other properties in the locality cannot be directly applied to the proposed conversion and the current application cannot be assumed to result in the same outcome as has been described in the notification response received.
- *Understand that house cannot sell in this climate, but it seems unfair that he should create flats to be let out to people to increase profits* – The reason for this planning application is not a material planning consideration.
- *The Mill House opposite the site receives deliveries by big trucks even during the night and it is hard to park anywhere, four flats will increase congestion* – As indicated above, it is considered that the proposed provision of two off-street parking spaces can be accepted in this location.

CONCLUSION

This proposal for the conversion of the dwellinghouse into 4 flats and alterations to the roof to form end gables and rear dormers complies with policies contained within the UDP and SPG as outlined above. It is considered that the proposed development, subject to safeguarding conditions, would have an acceptable impact upon both the character and appearance of the area and upon the residential amenities 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 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 spaces shown on the approved plans have been made available for use. The wheelchair accessible spaces shall be allocated 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.

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 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.

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

9 The windows in the first floor flank walls of the building 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.

10 Before occupation of the development hereby permitted the areas of the rear garden space for each flat shown on drawing no.639/1 Rev.A shall be provided, allocated to each flat and retained thereafter.

REASON: In the interests of residential amenity.

11 The development hereby permitted shall be carried out in accordance with the following approved plans: 639/1 Rev.A, 2 Rev.B; Design & Access Statement.

Reason: For the avoidance of doubt and in the interests of proper planning.

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.

Item 2/04 : P/2476/09/ML1/E 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.

4 INFORMATIVE:

Please note: Guidance on permeable paving has now been published by the Environment Agency at

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

Plan Nos: 639/1 Rev.A, 2 Rev.B; Design & Access Statement

PARK VIEW COURT, ELMS ROAD, HARROW WEALD, HA3 6BD

Item: 2/05

P/2737/09/LM/C

Ward HARROW WEALD

CONVERSION OF TWO INTEGRAL GARAGES TO FLAT WITH EXTERNAL ALTERATIONS, DEMOLITION OF THREE ADJOINING ATTACHED GARAGES AND NEW BIN ENCLOSURE

Applicant: Mr H Sundavadra

Agent: Mr Keith Simpson – Simpson McHugh

Statutory Expiry Date: | 14-JAN-10

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:

London Plan:

3A.1 – Increasing London’s Supply of Housing

3A.5 – Housing Choice

4B.1 – Design Principles for a Compact City

Harrow Unitary Development Plan:

D4 - The Standard of Design and Layout

D5 – Residential Amenity

D9 – Streetside Greenness and Forecourt Greenery

EP25 – Noise

T6 – The Transport Impacts of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

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

Supplementary Planning Document: Access For All (2006)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Statement 3: Housing (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) Character and Appearance of the Area (D4 & D9)
- 2) Residential Amenity (D5, EP25 & SPG)
- 3) Traffic and Parking (T6 & T13)
- 4) Trees and New Development (D4 & D10)
- 5) Accessible Homes (London Plan: 3A.5; C16 & SPD)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Minor Dwelling

Type:

Council Interest: None

b) Site Description

- Three storey block of five flats, occupying the northern corner site of High Road and Elms Road.
- The property currently has five lock up garages, two of which are located in an undercroft of the existing building, whilst the other three extend out to the eastern boundary of the site.
- Vehicular access to the site is via a crossover from Elms Road and an area of hardsurfacing provides access to the garages, as well as bin storage for the flats.
- The pedestrian entrance to the building is on the Elms Road (south) elevation, with a communal entrance hall/stairs and separate entrances to the five flats provided internally.
- The area to the west of the building, adjacent to High Road, is a soft landscaped garden area.
- There are a number of trees along the Elms Road and High Road boundary that are subject to Tree Preservation Orders.
- To the north of the site is No.376A High Road, a two storey detached dwelling and there is a step up of approximately 1.0 metre between the application site and this property.
- To the east of the site, is No.1A Elms Road, a detached single storey dwelling and there is also a step up of approximately 1.0 metre between the application site and this property.
- To the south of the site, on the other side of Elms Road, is Harrow Weald Memorial Hall.

c) Proposal Details

- Conversion of the two garages within the built footprint of the building to a self contained one bedroom flat.
- New walls with windows would be installed in the ground floor south and east elevations, to facilitate the proposed flat. The proposed flat would not extend beyond the existing built footprint of the block of flats.
- A new window would be inserted into the northern elevation of the ground floor, to serve the bathroom of the proposed flat.
- Entry to the new flat would be via the main front door, with a new entrance door provided off the ground floor communal lobby.
- The remaining three garages would be demolished and replaced with a garden area and a single parking space for the proposed flat and a new refuse storage enclosure for the block of flats. A total of 5 open parking spaces would remain for the other 5 flats.

d) Revisions to Current Application (P/1842/09):

- Removal of flank wall window serving living room
- Removal of one car parking space adjoining flank wall of proposed flat and replacement with area of soft landscaping
- Addition of refuse storage enclosure

Revisions to Current Application:

- None

e) Relevant History

HAR/7514/S	ERECT 5 FLATS, 2 GARAGES AND 3 CAR PORTS	GRANTED 30-OCT-64
P/1842/09	CONVERSION OF TWO INTEGRAL GARAGES TO FLAT WITH EXTERNAL ALTERATIONS, DEMOLITION OF THREE ATTACHED GARAGES	REFUSED 02-OCT-09

Reasons for Refusal:

1. The proposal, by reason of a lack of provision for refuse storage, would potentially result in a cluttered appearance, that would be detrimental to the character and appearance of the property in the street scene, contrary to policy D4 of the Harrow Unitary Development Plan (2004).
2. The proposed new ground floor flat, by reason of its siting adjacent to the external parking area for the building, would result in unacceptable disturbance and general activity to the future occupiers of the flat, arising from vehicle movements, to the detriment of the amenities of the future occupiers of the proposed flat, contrary to policy D5 of the Harrow Unitary Development Plan (2004).

f) Applicant Statement

- See Design and Access Statement.

g) Consultations

Highways Engineer: No objection.

Tree Officer: No comment (proposal was acceptable on tree grounds subject to condition under refused application P/1842/09).

Notifications:

Sent: 13

Replies: 1

Expiry: 25-DEC-09

- 1 – 5 Park View Court
- 1A, 3, 4, 6, 8 Elms Road
- Memorial Hall, 376 High Road
- 376A and 378 High Road

Summary of Responses:

- Decrease security of property at 376A High Road
- Loss of privacy
- Potential noise and disturbance
- Additional flat will increase pressure on drains
- Overdevelopment of area

APPRAISAL

1) Character and Appearance of the Area

The application proposes external alterations that would involve enclosing the undercroft garage area with two walls, comprising windows to serve the proposed flat. Given that the proposal would not extend the building, subject to a condition requiring the materials used in these alterations to match those used in the existing building, it is considered that this part of the proposal would have an acceptable appearance. It is also considered that the demolition of the remaining three garages and the addition of one flat within the existing building footprint would not have a detrimental appearance on the character and appearance of the building and the area. A condition requiring a scheme for hard and soft landscaping has been imposed which would require additional planting and details of the arrangement of the layout of the new garden. The other alterations proposed, the internal entrance door and flank wall window, are considered to have an acceptable appearance.

At present, there are 10 bins serving the five flats and these bins are sited along the eastern boundary of the site, adjacent to No.1A Elms Road. The new flat would require a minimum of 2 bins, making 12 in total. A previous reason for refusal under application P/1842/09 found that the failure to provide information regarding bin storage could potentially result in a cluttered appearance, which would be detrimental to the character and appearance of the property in the street scene. The applicants have provided a bin storage enclosure in the north east corner of the site to accommodate the bins. Given the set up of the surrounding properties, it is considered that this enclosure would not give rise to detrimental impacts upon the character of the area and the residential amenity of surrounding neighbours. A condition has been placed on the decision notice requiring details of the bin enclosure to be submitted and approved by the Local Planning Authority.

2) Residential Amenity

The applicant has addressed the second reason for refusal relating to the proximity of the new flat to the car parking area by adding a landscaped area (1.5m wide by 4.5m long) running approximately half way down and parallel to the flank wall of the proposed flat and removing the previously proposed window on the flank wall serving the living room of the ground floor flat. It is considered that the removal of the living room window and the proposed landscaping area adjoining the flank wall and bedroom window of the ground floor flat would provide a satisfactory buffer area which would mitigate any unreasonable disturbance to the future occupiers of the proposed flat and would comply with the objectives of saved policy D5 of the HUDP.

The room sizes and layout of the proposed flat were considered acceptable in the previous planning application and these sizes have not altered. The flat would also stack up adequately with the flat above and there would therefore be no conflict between noise sensitive rooms and living areas.

Given that only one parking space is proposed on the boundary with No.376A High Road, it is considered that the disturbance would not be detrimental to the amenities of the occupiers of this property. As the proposed flat is on the ground floor of the existing block of flats and that the existing dwellinghouse at no. 376A is well set up from the subject site, the proposed flat would not have an undue detrimental impact in respect of potential noise and disturbance. It is noted that open parking is currently sited adjacent to the boundary with No.1A Elms Road and, given that there would be no change, it is considered that the proposal would not adversely affect the amenities of the occupiers of this property.

The proposed east facing window would be sited at ground floor level, 9.5 metres from the boundary with No.1A Elms Road, and due to the rise in levels between the application site and No.376A High Road, would be sited below the level of the boundary fence to this property. The proposed south facing ground floor windows would face the front gardens and the highway, with Harrow Weald Memorial Hall beyond and would therefore not unreasonably impact on neighbouring residential occupiers. The proposed north facing wall window, which would serve the bathroom of the proposed flat, would be adjacent to the boundary with No.376A High Road, would be high level and would face the flank wall of this property. Subject to a condition requiring this window to be obscure glazed and fixed closed below 1.7m above the internal finished floor level, it is considered that this window would not result in an unacceptable level of overlooking to the occupiers of No.376A High Road.

3) Traffic and Parking

The proposed parking arrangement would provide six off street spaces to serve the resulting six flats and would utilise the existing vehicular access from Elms Road. The Council's Highways Engineer considers the proposed parking provision to be adequate to serve the proposal and it is considered that the use of the existing access is acceptable. The proposal is therefore considered to be acceptable in this regard.

4) Trees and New Development

There are a number of protected trees located along the Elms Road and High Road frontages. The Council's Tree Officer has not commented. However, under the previous application P/1842/09 he considered that these trees would not be adversely affected.

5) Accessible Homes

Level access is currently provided to the main entrance door of the flats, via a small ramp. The internal arrangements of the proposed flat would comply with Lifetime Homes standards and the proposal is therefore considered to comply with saved HUDP policy C16, London Plan policy 3A.5 and the Council's SPD: Accessible Homes.

6) S17 Crime & Disorder Act

It is noted that the existing garages would be removed but this would make no difference in terms of the possible access to the adjoining properties. However, it is considered that the provision of habitable room window in the eastern elevation, in conjunction with the existing first and second floor windows, would result in an adequate level of natural surveillance to this area. The proposal is therefore considered not to result in unreasonable security concerns.

7) Consultation Responses

- Decrease security of property at 376A High Road
This matter has been addressed within Section 6 of the Appraisal
- Loss of privacy
This matter has been addressed within Section 2 of the Appraisal
- Potential noise and disturbance
This matter has been addressed within Section 2 of the Appraisal
- Additional flat will increase pressure on drains
This is not a material planning consideration
- Overdevelopment of area
This matter has been addressed within Section 1 of the Appraisal
- Problems with rats
This is not a material planning consideration
- Increased pressure on street parking
This matter has been addressed within Section 3 of the Appraisal

CONCLUSION

This application, if granted, would result in the demolition of the existing garages and a new flat converted from an integral garage on the ground floor of a block of residential units. The proposed development would not have a detrimental impact upon the character or appearance of the area, external or internal residential amenity, traffic and parking, accessibility or trees within the vicinity of the development.

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 and 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 be carried out in accordance with the approved plans 2682/1 and 2682/3.

REASON: For the avoidance of doubt and in the interests of proper planning.

4 The development hereby permitted shall not commence until a scheme for the storage and disposal of refuse/waste 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.

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

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

7 The development hereby permitted shall not be occupied until the forecourt parking space, as shown on the approved plans adjoining the northern boundary of the subject site, has been made available for use. The car parking space shall be allocated for use by the occupants of the hereby permitted 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.

8 Prior to the development hereby permitted commencing, the demolition of the three adjoining garages on the site shall be undertaken.

REASON: To safeguard the character and appearance of the area and the amenity of neighbouring and future residents.

9 The window in the rear wall of the approved development shall:

a) be of purpose-made obscure glass,

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

REASON: To safeguard the amenity of 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 policies 3A.1, 3A.5, 4B.1

UDP policies C16, D4, D5, D9, EP25, T6, T13;

Supplementary Planning Guidance: Extensions: A Householders Guide (2009)

Supplementary Planning Document. Accessible Homes (2006);

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008);

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Statement 3: Housing (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

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: 2682/1, 2682/3 and Design and Access Statement

87 KINGSFIELD AVENUE, HARROW, HA2 P/2652/09/LM/C
6AR

Ward HEADSTONE NORTH

ERECTION OF DETACHED TWO STOREY HOUSE WITH GARAGE AND NEW VEHICLE CROSS OVER AT REAR FRONTING ALLINGTON ROAD. RETENTION OF TWO SEMI DETACHED HOUSES AT FRONT (EXTENSION TO TIME LIMIT FOR IMPLEMENTING PLANNING PERMISSION P/3299/06 ALLOWED ON APPEAL 13/06/07)

Applicant: Shield Homes Limited

Agent: Mr Philip Dusek

Statutory Expiry Date: | 03-FEB-10

RECOMMENDATION

The decision to GRANT permission has been taken having regard to the policies and proposals in the London Plan and/or the Harrow Unitary Development Plan and any other relevant guidance 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.5 – Housing Choice

4B.1 – Design Principles for a Compact City

Harrow Unitary Development Plan

C16 – Access to Buildings and Public Spaces

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

H10 – Maintenance and Improvement to Existing Housing Stock

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

Supplementary Planning Guidance (2003) “Designing New Development”

Supplementary Planning Document (2006) “Accessible Homes”

Supplementary Planning Document (2009) “Sustainable Building Design”

Code of Practice for the storage and collection of refuse and materials for recycling in domestic properties (2007)

Greater Flexibility for Planning Permissions (2009)

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area, Residential Amenity, Traffic and Parking and Lifetime Homes (London Plan 3A.5, HUDP D4, D5, D9, D10, H10, T6, T13 and SPD)
- 2) S17 Crime & Disorder Act (HUDP D4)
- 3) Consultation Responses

INFORMATION

This application is reported to the Committee due to the recommendation of a Nominated Member.

a) Summary

Statutory Return Type: Minor Dwellings
Council Interest: None

b) Site Description

- Site located on the corner of Kingsfield Avenue and Allington Road.
- Site has an existing pair of semi detached houses. The existing dwellinghouses have a projecting two storey bay window and a first floor bay window above the porch entrance. The properties have integral garages and a single storey rear projection on each pair. Primary elevation and vehicle access is via Kingsfield Avenue.
- Adjoining property at no. 89 is a two storey detached dwellinghouse with a part single/part two storey side extension and part single/part two storey rear extension.

c) Proposal Details

- Extension of time limit to implement planning permission allowed on appeal on 13 June 2007 for a detached two storey house with garage and new vehicle cross over at rear fronting Allington Road and retention of two semi detached houses at front.

Revisions to Current Application

- None

Revisions to Previous Applications

- None

d) Relevant History

WEST/576/02/OUT	OUTLINE: DETACHED TWO STOREY BUILDING TO PROVIDE 4 FLATS WITH ACCESS AND PARKING	REFUSED 16-DEC-02 APPEAL DISMISSED
P/863/06/DFU	TWO ADJOINING SEMI-DETACHED DWELLING HOUSES	GRANTED 31-MAY-06
P/2542/06	DETAILS OF MATERIALS AND REFUSE STORAGE PURSUANT TO CONDITIONS 2 AND 6 ATTACHED TO PLANNING PERMISSION REF: P/863/06/DFU DATED 30/05/2006 INVOLVING DEMOLITION AND ERECTION OF TWO SEMI-DETACHED HOUSES AND ASSOCIATED DEVELOPMENT.	GRANTED 02-NOV-06

Item 2/06 : P/2652/09/LM/C continued/...

P/3299/06	DETACHED 2 STOREY HOUSE WITH GARAGE AND NEW CROSS OVER, AT REAR, FRONTING ALLINGTON ROAD; RETENTION OF TWO SEMI-DETACHED HOUSES AT FRONT.	REFUSED 15-JAN-07 APPEAL ALLOWED 13-JUN-07
P/0493/07	RETENTION OF TWO HOUSES WITH ALTERATIONS TO THE APPROVED SCHEME.	GRANTED 04-MAY-07
P/0212/08	DETAILS PURSUANT TO CONDITION NO.S 2 (LANDSCAPING) 3, (MATERIALS) AND 5 (STORAGE OF REFUSE/WASTE) ATTACHED TO PLANNING PERMISSION P/3299/06/DFU ALLOWED ON13/06/07 (APPEAL REF APP/M5450/A/07/2036991) FOR DETACHED TWO STOREY HOUSE WITH GARAGE AND NEW CROSS OVER, FRONTING ALLINGTON ROAD; RETENTION OF TWO FRONT HOUSES	GRANTED 02-APR-08

f) Applicant Statement

- Principle for the use and development have been established by the current planning consent
- Sitting for the two semi detached houses front Kingsfield Avenue remain as approved and constructed.
- The scale of the proposed dwelling to the rear remains unchanged to that previously approved at appeal

g) Consultations

- **Highways:** Principle established at appeal hence my only comment is to restrict the crossing width to a maximum of 3.6m
- **Waste Management Officer:** No comment

Notifications:

Sent: 106

Replies: 4

Expiry: 11-JAN-10

Kingsfield Avenue:

40, 50, 56, 58, 60-80, 84,
86-91, 97, 100-109 (odds),
111, 113, 117

Kingsfield Crescent:

1, 2, 7, 9, 13, 15, 17, 22,
24, 26

Apsley Close:

2, 6, 9, 13-20, 25, 26

Allington Road:

1-5 (odd), 11 – 17 (odd),
12, 18, 20, 26

Chaucer House
Canterbury Road:
132, 132A, 141, 141A-C, 143, 155
Allerford Court: 1-11
Holsworth Close: 14, 28
Harrow View: 18, 18A

Summary of Responses:

- Loss of open/green spaces; excessive concreted areas in Harrow; site is not 'open to view' as described in appeal; if house not built within time land added to 87a and 87b; no access to site; loss of privacy; overshadowing; traffic and parking concerns; pressure on drainage and flooding.

APPRAISAL

1) Character and Appearance of the Area, Residential Amenity, Traffic and Parking and Lifetime Homes

Applications for the extension of the time limits for implementing planning permission was brought into force on 01/10/09 within the legislative context of the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

The measure was introduced to allow planning permission to remain alive longer to allow implementation as economic conditions improve. No primary legislation has been altered and as such all such legislation which applies to ordinary planning applications, apply to extension of time limits.

Notwithstanding this, it is also important to note that there is no material changes proposed to this application which was allowed on appeal on 13/06/07. It is only to extend the life of the unimplemented planning permission. As such, in this instance, it is the Local Planning Authority's responsibility to assess those material changes in national and local legislation and policies (including Development Plans and any other relevant documents) that have been altered or been newly adopted between the time of approval and the application for the extension of time and their applicability to the proposal.

The only relevant London Borough of Harrow Council document which has been altered or adopted since the application was approved on 13/06/07 is the new Supplementary Planning Document: Sustainable Building Design (adopted May 2009). All other relevant supplementary documents and guidance and saved policies of the Harrow Unitary Development Plan (2004) were the same as when the appeal decision was allowed and were referred to in the appeal decision, including Lifetime Homes.

It is considered that the Sustainable Building Design Vision contained within the SPD can be adequately addressed by the imposing of a condition on the proposed development which would satisfactorily address sustainability matters and ensure that the development will achieve the appropriate level to meet the Code for Sustainable Homes or Buildings Research Establishment Environmental Assessment Method (BREEAM) standards. The Council has the ability to impose new conditions as stated within section 30 of the document *Greater Flexibility for Planning Permissions (2009)* issued by Communities and Local Government.

Planning permission P/0212/08 was granted on 02/04/08 for the details pursuant to conditions 2 (landscaping) and 5 (storage of refuse/waste) of planning permission P/3299/06 allowed on appeal. However, as the previous planning permission has expired, this approval of detail permission is considered void. As such, conditions have been included requiring the approval of details relating to landscaping, materials and refuse storage as per the appeal decision.

4) S17 Crime & Disorder Act

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

5) Consultation Responses

These matters have been addressed within Section 1 the Appraisal section of the above report.

CONCLUSION

It is considered that the proposed new detached dwellinghouse and retention of two semi detached houses would not have a detrimental impact upon the character and appearance of the area, the residential amenities of adjoining neighbouring properties and future occupiers. It is also considered that the proposal provides for adequate parking and vehicular access and makes satisfactory provision for refuse storage and front garden greenery/landscaping. 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 begin before the expiration of three years from the date of this decision.

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

2 The development hereby permitted shall be carried out in accordance with the approved plans 1011/P/1, 1011/P/2 and 1011/P/3.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To safeguard the appearance of the locality.

4 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for the storage and disposal of refuse/waste, which should be implemented before the dwelling is occupied.

REASON: To safeguard the appearance of the locality and amenity of surrounding neighbours.

5 No development shall take place until full details of both hard and soft landscape works, including boundary treatment and surfaces, have been submitted to and approved in writing by the local planning authority and these works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

REASON: To safeguard the appearance of the locality and amenity of surrounding neighbours.

6 The proposed garage and parking spaces shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the use of the premises as a single family dwellinghouse 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.

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-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 locality and the amenity of adjoining neighbours.

8 Development of the proposed dwellinghouse, hereby permitted, shall not be commenced until the applicant has demonstrated that the development will achieve the appropriate level to meet the Code for Sustainable Homes or BREEAM Standards. To this end, the applicant is required to provide certification and other details submitted to, and approved in writing, by the Local Planning Authority.

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

REASON: To ensure that the proposed development is sustainable.

INFORMATIVES

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

London Plan 3A.1; 3A.5; 4B.1

HUDP C16, D4, D5, D9, D10 H10, T6, T13,

Code of Practice for the storage and collection of refuse and materials for recycling in domestic properties (2007)

Supplementary Planning Document (2006) "Accessible Homes"

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: 1011/P/1, 1011/P/2, 1011/P/3, Site Plan and Design and Access Statement

SECTION 3 - APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

1-3 THE MALL, HARROW, HA3 9TF

Item 4/01

P/0054/10/SL

Ward ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING BOROUGH: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF TWO 3-, 4- & 5-STOREY BLOCKS TOTALLING 143 DWELLINGS, COMPRISING 18 X ONE-BEDROOM FLATS, 27 X TWO-BEDROOM FLATS, 30 X THREE-BEDROOM FLATS, 11 X FOUR-BEDROOM MAISONETTES, 2 X FIVE-BEDROOM MAISONETTES (AFFORDABLE) AND 13 X ONE-BEDROOM FLATS & 42 X TWO-BEDROOM FLATS (PRIVATE HOUSING), WITH 27 SURFACE AND 81 BASEMENT CAR-PARKING SPACES, AMENITY SPACE, CHILDREN'S PLAY AREA AND BIN STORES.

Applicant: LONDON BOROUGH OF BRENT

Statutory Expiry Date: 04-FEB-10

RECOMMENDATION

INFORM that the London Borough of Brent be advised that the Council raises **NO OBJECTION** to the proposal subject to the proper consideration of the matters raised in this report with regard to highway impacts.

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 Guidance 13: Transport

The London Plan [2008]:

3A.3 Maximising the potential of sites
3C.2 Matching development to transport capacity
3C.23 Parking strategy
4A.3 Sustainable design and construction
4B.1 Design principles for a compact city
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
C16 Access to Buildings and Public Spaces
T6 The Transport Impact of Development Proposals
T13 Parking Standards

Harrow's Sustainable Community Strategy [Mar 09]

MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & Saved Policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance]

- 1) **Design**
The London Plan 2008: 3A.3, 4B.1, 4B.5.
London Borough of Harrow UDP 2004: S1, D4, C16
- 2) **Highways**
The London Plan 2008: 3C.2, 3C.23.
London Borough of Harrow UDP 2004: T6, T13.
- 3) **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 near Kingsbury Circle Roundabout.

c) Proposal Details

As above.

d) Relevant History

None

e) Consultations:

Urban Design Officer and Highways Officer.

APPRAISAL

1) Design

The issue is to assess the impact of the proposed development in design terms on the Borough of Harrow. It is considered the site and the proposal is sufficiently distant from the Borough of Harrow for any perceived or adverse impact to occur.

2) Highways

On Highways matters and its impact on Harrow Borough, Harrow's Highways Engineer states no concern to the proposal. This is on the presumption that in peak hour use intensity, the proposal is unlikely to affect Harrow's domain and any movement or indeed parking generation is expected to affect Brent's highway network only.

Accordingly, on the basis of the number of units and car parking spaces proposed, this would not have any consequential or adverse impact on the freeflow of traffic towards the nearest junction at Kingsbury Circle Roundabout, which is where the Borough boundary is shared between London Borough of Brent and Harrow.

3) 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.