

SECTION 1 – MAJOR APPLICATIONS

Item: 1/01

**TEMPLE HOUSE, 221-225 STATION P/2016/09/GD/MAJ
ROAD, HARROW, HA1 2TH**

Ward GREENHILL

OUTLINE: CHANGE OF USE FROM B1 OFFICE TO C1 HOTEL INVOLVING REDEVELOPMENT COMPRISING A THREE-TO-FIVE STOREY BUILDING WITH 93 BEDROOMS AND TWO DISABLED CAR PARKING SPACES (REVISED DESCRIPTION)

Applicant: M P & G Trading

Agent: Kenneth W Reed & Associates

Statutory Expiry Date: 22-MAR-10

REPORT TO FOLLOW ON A SUPPLEMENTAL AGENDA

Item: 1/02

**SHERIDAN HOUSE, 17 ST ANN'S ROAD, P/1375/09/SL/MAJ
HARROW**

Ward GREENHILL

CHANGE OF USE OF EXISTING SEVEN-STOREY BUILDING [B1 USE] TO HOTEL [C1 USE] WITH 114 BEDROOMS. DEMOLITION OF EXISTING PLANT FLOOR AT 6TH FLOOR LEVEL AND REPLACEMENT WITH ADDITIONAL TWO FLOORS TO CREATE EIGHT-STOREY BUILDING

Applicant: ICICI Investments Limited

Agent: Aros Architects

Statutory Expiry Date: 19-OCT-09

RECOMMENDATION

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 6 months of the date of the Council's decision, to include the following Heads of Terms:
 - i) **Public realm and public transport improvements:** Payment of £40,000 towards two-way Station Road improvements [£20,000 prior to commencement of development and £20,000 prior to first use / operation of the development];
 - ii) **Local training and employment:** Contribution of £10,000 towards local training and employment initiatives prior to commencement of development;
 - iii) **Legal fees:** Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
 - iv) **Planning administration fee:** Payment of £2,500 administration fee for the monitoring of and compliance with this agreement.

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

REASON

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 economic development, as detailed in Harrow's Sustainable Community Strategy [Mar 09], and any comments received in response to publicity and consultation.

National Planning Policy:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 6: Planning for Town Centres

Planning Policy Guidance 13: Transport

Planning Policy Statement 22: Renewable Energy

Good Practice Guide on Planning for Tourism

The London Plan [2008]:

2A.8 Town Centres
3A.3 Maximising the potential of sites
3B.1 Developing London's economy
3B.11 Improving employment opportunities for Londoners
3C.2 Matching development to transport capacity
3C.21 Improving conditions for walking
3C.23 Parking strategy
3D.7 Visitor accommodation and facilities
4A.3 Sustainable design and construction
4A.4 Energy assessment
4A.7 Renewable energy
4B.1 Design principles for a compact city
4B.2 Promoting world-class architecture and design
4B.5 Creating an inclusive environment

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

S1 The Form of Development and Pattern of Land Use
D4 The Standard of Design and Layout
EM15 Land and Buildings in Business, Industrial and Warehousing – Outside Designated Areas
EM24 Town Centre Environment
R15 Hotels and Guest Houses
C16 Access to Buildings and Public Spaces
T6 The Transport Impact of Development Proposals
T13 Parking Standards

Harrow's Sustainable Community Strategy [Mar 09]

Harrow-On-The-Hill Station Planning Brief

Harrow Town Centre Development Strategy

MAIN CONSIDERATIONS AND POLICIES [The London Plan 2008 & saved policies of The London Borough of Harrow Unitary Development Plan 2004]

- 1) Principle of Development and Land Use [Loss of B1 Floorspace]**
The London Plan 2008: 3A.3, 3D.7, 4B.1.
London Borough of Harrow UDP 2004: S1, EM15, EM24, R15.
- 2) Design and Character of the Area**
The London Plan 2008: 4B.1, 4B.2.
London Borough of Harrow UDP 2004: D4.
- 3) Access**
The London Plan 2008: 3D.7, 4B.5.
London Borough of Harrow UDP 2004: C16.
- 4) Sustainability**
The London Plan 2008: 4A.3, 4A.4, 4A.7.
- 5) Highways**
The London Plan 2008: 3C.2, 3C.21, 3C.23.
- 6) Local Employment and Training**
The London Plan 2008: 3B.1, 3B.11

- 7) **S17 Crime & Disorder Act**
London Borough of Harrow UDP 2004: D4

8) **Consultation Responses**

INFORMATION

a) **Summary**

Statutory Return Type: Major
Site Area: 1,148m²
Car Parking: One disabled space
Wheelchair Standards: 6 wheelchair accessible rooms [Exceeds Approved Document M of the Building Regulations 2000]
Council Interest: None

b) **Site Description**

Six-storey building situated on the corner of St Ann's Road and Havelock Place and comprises retail on the ground floor with B1 offices above and one level of enclosed plant on the roof. Access to the offices is via a reception on the corner of St Ann's Road and Havelock Place. Car park and servicing to the rear of the site.

c) **Proposal Details**

Change of use of existing seven-storey office building (B1 use) to Hotel (C1 use) with 114 bedrooms. Demolition of existing plant floor at 6th floor level and replacement with additional two floors to create eight-storey building.

d) **Relevant History**

Application P/1297/07 for change of use of the fifth floor from offices to residential and façade treatment at the fifth floor refused but allowed on appeal [Ref: APP/M5450/A/08/2065342] on 21 May 2008.

e) **Pre Application Discussion**

The Agent held pre-application meetings with Harrow Council prior to the submission of this planning application.

f) **Applicant Statement**

The scheme proposes converting the existing five floors of office space into hotel rooms, adding 735 sqm of floorspace and replacing the existing roof plant room with two new storeys.

114 bedrooms will be created, maintaining the small reception on the ground floor; the main reception will be on the first floor with the kitchen and dining facilities. The plant area will be contained on the first floor. The bedrooms will be on the upper floors.

The additional storeys will extend the full width of the roofspace and using existing architectural features forms a seamless extension from the existing building with the upper most level set back behind the red brick pillars to minimise visual top loading.

g) Consultations

Greater London Authority [The application is referable to the GLA by virtue of Category 3E of the Town and Country Planning (Mayor of London) Order 2008].

The GLA's Stage 1 Report identifies three issues: wheelchair accessible rooms should be increased; Revision of energy strategy report; and transport matters [including provision of one disabled space] to be addressed.

Notifications:

Sent: 33 Replies: 15
Site Notice

Summary of Responses:

15 representations received [seven supporting and eight objecting to the proposal] on the following grounds:

Support

Economic benefits;
Hotel demand;
Increase vitality / vibrancy in town centre; and
Employment opportunities.

Object

No demand for hotel;
Loss of existing B1 employment;
Increased competition; and
Excess number of hotels in existence.

APPRAISAL

1) Principle of Development and Land Use [Loss of B1 Business Floorspace]

The applicant has provided sufficient evidence to demonstrate the loss of B1 business floorspace on this site. Not all of the upper floors are occupied and in some instances, there has been long-term vacancies. It is noted that the fifth floor, being empty for over four years has been marketed since 2007.

Accordingly, the principle of development is considered acceptable, as a result of the lack of demand for B1 business use. The Inspector's decision in allowing an appeal for residential use is also noted.

The proposal therefore complies with the London Plan 2008 Policies 3A.3, 3D.7, 4B.1 and London Borough of Harrow UDP 2004 Policies S1, EM15, EM24 and R15.

2) Design and Character of the Area

The proposal seeks to add two additional floors to this 1980s building and would represent a significant improvement to the appearance of the parade, which this forms part and also to the streetscene in general.

Accordingly, the proposal complies with the London Plan 2008 Policies 4B.1 and 4B.2 and London Borough of Harrow UDP 2004 Policy D4.

3) Access

The proposal incorporates over 5% [6 rooms] of the 114 rooms as wheelchair accessible with 10% as ambulant rooms. This exceeds the requirements set out in Approved Document M of The Building Regulations 2000 and is therefore considered acceptable and complies with London Borough of Harrow UDP 2004 Policy C16.

4) Sustainability

The applicant is currently undertaking a revised energy strategy report [due for completion beginning of October] to meet the requirements of the GLA and the policies set out in the London Plan 2008 [reduction in carbon dioxide emissions by at least 20% from on site renewable energy generation]. The applicant is undertaking work to demonstrate measures to comply with the London Plan 2008 Policies 4A.3, 4A.4 and 4A.7 in undertaking this process. Accordingly, a condition is recommended to ensure the proposal is acceptable on these grounds, subject to referral to the GLA and acceptance of the revised energy strategy report.

5) Highways

The site is in a highly-accessible location. Therefore the lack of car parking provision for this proposal is encouraged. Harrow's Highways Engineer is satisfied with the proposal. One disabled car parking space is provided, along with cycle storage to the rear of the site, which is considered acceptable. In addition, a contribution request of £40,000 towards the two-way Station Road improvement project], which is due for commencement in 2010 is requested. This is a combined public transport / public realm improvement and would form part of the legal agreement.

6) Local Employment and Training

The applicant proposes to recruit locally all employees and provide construction and hospitality training to the anticipated 10-12 full-time and 25-28 part-time employees, which is supported. A contribution of £10,000 is requested, which would contribute towards local employment and training initiatives.

Accordingly, the proposal complies with the London Plan 2008 Policies 3B.1 and 3B.11.

7) S17 Crime & Disorder Act

It is considered that the proposal would not have any detrimental impact upon community safety and is therefore acceptable on these grounds.

8) Consultation Responses

Greater London Authority

In addition to the points raised above, which have been comprehensively addressed, this planning application, as part of the consultation process was referred to the GLA under Category 1E of the Town and Country Planning (Mayor of London) Order 2008. The GLA has concluded in the Stage 1 Report [appended] three main issues to be addressed:

- Access: The number of wheelchair accessible rooms should be increased.
- Climate change mitigation and adaption: Further information and revision of the energy strategy is required.
- Transport: Provision of on-site disabled parking space, secured cycle parking for staff, electric vehicles charging points, a revised survey on trip generation and improvements to the travel plan are necessary.

In response to these three issues:

- Access: The applicant has now provided in excess the number of ambulant rooms [10% as opposed to 5% originally] and continues to conform to the number of wheelchair accessible rooms [5%] in accordance with Approved Document M of The Building Regulations 2000]. Accordingly, the proposal is considered acceptable on these grounds.
- Climate change mitigation and adaption: The applicant is preparing an updated energy strategy report due for completion for the beginning of October. This will be referred to the GLA for approval. The current energy strategy report is considered acceptable at a local level.
- Transport: The applicant has provided one on-site disabled parking space and secured cycle parking for staff to the rear of the site in the parking area. A revised survey on trip generation and improvements to the travel plan has also been provided. Accordingly, the proposal is considered acceptable at a local level.

This application will be referred back to the GLA under Article 5(2) of the Town and Country Planning (Mayor of London) Order 2008 for the Stage 2 report.

Other Consultation Responses

15 representations received [seven supporting and five objecting to the proposal] on the following grounds:

Support

- Economic benefits;
- Hotel demand;
- Increase vitality / vibrancy in town centre; and
- Employment opportunities.

Object

- No demand for hotel;
- Loss of existing B1 employment;
- Increased competition; and
- Excess number of hotels in existence.

In response to the objections received, Travelodge will be occupying the development. The acceptability of the loss of B1 business floorspace is acceptable for the reasons stated earlier in this report. Economic competition is not a material planning consideration. The proposal would enhance the vibrancy and vitality of Harrow Town Centre, which is encouraged.

CONCLUSION

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

CONDITIONS

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

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

2 No construction / works in connection with the proposed development shall be carried out before 0800hrs or after 1800hrs on weekdays and any time on Saturdays, nor at any time on Sundays or Bank Holidays.

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

(a) the extension/building(s)

(c) the boundary treatment

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

REASON: To safeguard the appearance of the locality.

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

(a) The storage and disposal of refuse/waste

(b) and vehicular access thereto

has been submitted to, and approved in writing by, the local planning authority. The use hereby permitted shall not be commenced until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

5 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, no advertisements shall be erected / displayed at the hotel hereby approved without the prior written permission of the Local Planning Authority.

REASON: To enable the Local Planning Authority to ensure that any such adverts are carried out in a manner which will not be harmful to the character and appearance of the development or the locality.

6 Prior to first operation of the development, details of a lighting scheme for the development including hours of operation shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To meet the needs for safety and security for users of the site.

7 The development shall provide for people with mobility impairments, to gain access to and egress from the building within the need to negotiate steps. The development shall not be occupied or used until the works have been completed and thereafter permanently retained.

REASON: To ensure that the development will be accessible for people with disabilities.

8 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise and vibration into any neighbouring premises.

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

9 The development hereby permitted shall not be occupied until the car parking, turning and loading area(s) shown on the approved plan number(s) PL11A have been constructed and surfaced with permeable materials, or drained in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces shall be permanently marked out and used for no other purpose, at any time, without the written permission of the local planning authority.

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

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

(a) The storage and disposal of refuse/waste

(b) and vehicular access thereto

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

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

11 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality.

12 Prior to commencement of development, details of measures indicating a reduction in carbon dioxide emissions of at least 20% from on-site renewable energy generation unless it can be demonstrated that such provision is not feasible is submitted to and approved in writing by the local planning authority. The details as approved shall be implemented prior to first use of the development and thereafter permanently retained.

REASON: In the interest of sustainability, improving energy efficiency and increasing the proportion of energy used generated from renewable sources.

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]:

2A.8 Town Centres

3A.3 Maximising the potential of sites

3B.1 Developing London's economy

3B.11 Improving employment opportunities for Londoners

3C.2 Matching development to transport capacity

3C.21 Improving conditions for walking

3C.23 Parking strategy

3D.7 Visitor accommodation and facilities

4A.3 Sustainable design and construction

4A.4 Energy assessment

4A.7 Renewable energy

4B.1 Design principles for a compact city

4B.2 Promoting world-class architecture and design

4B.5 Creating an inclusive environment

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

S1 The Form of Development and Pattern of Land Use

D4 The Standard of Design and Layout

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

EM24 Town Centre Environment

R15 Hotels and Guest Houses

C16 Access to Buildings and Public Spaces

T6 The Transport Impact of Development Proposals

T13 Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE:

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

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

5 INFORMATIVE:

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.

6 INFORMATIVE:

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

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

7 INFORMATIVE:

With regard to water supply, this comes within the area covered by the Three Valleys Water Company, PO Box 48, Bishops Rise, Hatfield, Herts AL10 9AL. 01707 268111.

Plan Nos: PL00, PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08, PL11, PL11A, PL12A, PL13A, PL14A, PL15A, PL16A, PL17A, PL18A, PL19, PL20, PL21, PL22, PL23 and PL30.

ROYAL NATIONAL ORTHOPAEDIC HOSPITAL, BROCKLEY HILL, STANMORE, HA7 4LP

Item: 1/03

P/0083/10/NR

Ward CANONS

EXTENSION TO THE TIME LIMIT FOR IMPLEMENTING OUTLINE PLANNING PERMISSION P/1704/05/COU DATED 15/01/2007 FOR PARTIAL REDEVELOPMENT TO PROVIDE NEW HOSPITAL AND ASSOCIATED FACILITIES, HOUSING (INCLUDING STAFF), REVISED ROAD JUNCTION, CAR PARKING AND OPEN SPACE

Applicant: Royal National Orthopaedic Hospital NHS Trust

Agent: Drivers Jonas

Statutory Expiry Date: | 05-MAY-10

SUMMARY

This application seeks to renew an earlier outline planning permission for redevelopment of the Royal National Orthopaedic Hospital (RNOH) site. That original outline planning permission was approved on the basis that the redevelopment of the hospital would be procured through a Private Finance Initiative (PFI). The RNOH Trust has been unable to secure Government funding for the redevelopment to date but have re-stated their commitment to secure redevelopment of this renowned facility at Stanmore.

This application seeks to take advantage of the recently introduced provisions enabling planning applications to be renewed. Guidance prepared in association with this legislative change makes it clear that Local Planning Authorities should focus their attention on development plan policies and other material considerations which may have *changed significantly* since the original grant of permission.

Since the original assessment, the development plan has changed, with a number of UDP policies having been deleted following a direction from the Secretary of State whilst new policies, contained within the consolidated London Plan (2008) now have Development Plan status. National Policy, expressed in Planning Policy Guidance Notes (PPG) and Planning Policy Statements (PPS) have also evolved in line with the wider agenda to deliver high quality, sustainable development. Having regard to the principle of development, the status of PPG2 relating to development on Major Developed Sites within the Green Belt is unchanged.

The report also considers physical changes in the site and its environment which may have occurred in the period since the earlier grant of outline planning permission. Specifically, the footprint on the hospital site has reduced. This has implications for the quantum of development that would be acceptable against PPG2 criteria. This is discussed within the report in more detail. Changes in environmental and other physical conditions on the site have been considered and are discussed below.

Subject to a revised S106 and planning conditions that respond to the changes in circumstances the report considers that the principle of redevelopment on this site remains acceptable and recommends approval of this application.

RECOMMENDATION

- 1) **INFORM** the applicant that the proposal is acceptable, subject to:
 - A) The completion of a legal agreement to secure the delivery of the heads of terms set out below within one year of the date of the Committee decision on this application.
- 2) A formal decision to **GRANT** permission for the development described in the application and submitted plans, and subject to planning conditions, will be issued only upon the completion of the aforementioned legal agreement.

REASON FOR APPROVAL

The proposal represents an acceptable form of development on this Major Developed Site (MDS) within the green belt which, subject to the S106 and conditions, satisfies the requirements of PPG2 and accords with the provisions of the development plan for the area. Having regard to the impacts of the development set out in the environmental statement, the information provided in support of the application which updates that environmental statement and the provisions of the development plan, the proposals, are considered not to raise any new material planning considerations or change the consequential impacts arising from the development which would make the development unacceptable having regard to the development plan and all material planning considerations.

The application and associated changes to the planning conditions and S106 respond to the requirements of PPG2, changes in policy in relation to sustainable development, renewable energy, affordable housing and flood risk. The applicant has also demonstrated that traffic conditions on surrounding highways have not worsened and that the proposed highways works are still considered appropriate.

MAIN CONSIDERATIONS (A list of all relevant policies within The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004 used to define these considerations is included as an informative at the end of this report)

- 1) Principle of development
- 2) Character and Appearance of the Green Belt, Area of Special Character and Adjacent Conservation Area / Trees
- 3) Health Care Provision / Suitability of the Proposed Use
- 4) Environmental Impact Assessment / Ecology / Flood Risk
- 5) Access, Traffic and Transport
- 6) Archaeology / Impact on Eastgate House
- 7) Residential Amenity
- 8) Affordable Housing
- 9) Sustainability / Renewable Energy
- 10) S.17 Crime and Disorder Act (2004)
- 11) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: (E) All other largescale major development

Site Area: 33.7 hectares

Council Interest: None

Major Developed Site in the Green Belt

Car Parking: East Zone: 1.5 spaces per dwelling
Central Zone (Hospital): 780
West Zone: 1.5 spaces per dwelling and 50 for RM
hostel

b) Site Description

- The application site occupies an area of 33.7 hectares (ha) towards the north eastern borough boundary with the London Borough of Barnet.
- The site is bounded to the east by the A5 at Brockley Hill and to the south by Wood Lane.
- To the north of the site is Brockley Hill Farm, Green Belt land and the M1 motorway beyond.
- To the west of the site are Grove Farm and other residential properties on Warren Lane, with the former BAE Systems site, now a housing development, beyond.
- The existing site comprises more than a hundred buildings with a total permanent footprint of 37,270sqm, set in woodland and grassland, within the Harrow Weald Ridge Area of Special Character.
- The buildings are mostly in use as hospital facilities or as uses ancillary to the hospital, such as staff accommodation, plant and storage buildings, offices and teaching/research centres.
- The site is a designated Major Developed Site (MDS) in the Green Belt and benefits from outline planning permission for partial redevelopment to provide new hospital and associated facilities, housing (including staff), revised road junction, car parking and open space (ref P/1704/05/COU), granted on the 15th January 2007.

Changes in Site Circumstances Since the Original Grant of Permission

- Since the original approval, there have been a number of changes in the site circumstances.
- A portion of the eastern part of the site adjacent to Brockley Hill, including a number of permanent buildings, has been disposed of by the Trust.
- A number of buildings within the site have been demolished, including the Medical Records Store, green houses, Bed Store, Theatre 4 and Sterile Store.
- A number of temporary buildings have been constructed, although it is noted that for the purposes of PPG2, these footprints are not included in the overall calculation for the redevelopment.
- These changes have resulted in a current permanent site footprint of 37,270sqm, compared to 38,349sqm at the time of the original approval.
- Full planning permission was granted on the 4th February 2010 for demolition of Graham Hill Unit and construction of three storey Ronald McDonald House (ref P/0963/09). This provides for an additional building with a footprint of 657sqm.

c) Proposal Details

- Permission is sought to extend the time limit for the implementation of planning permission P/1704/05/COU.
- This is an outline approval, granted on the 15th January 2007, with only means of access determined.
- The approved development comprises: groundworks, partial demolition of existing hospital buildings and redevelopment for new hospital and associated uses (Class C2), educational facilities (Class D1, re-use of Zachary Merton building as the Ronald McDonald parent accommodation hostel (Sui Generis), staff accommodation, private and affordable housing (Class C3), re-use of Spinal Injuries Unit for trust offices (Class B1), partial demolition and re-use of Eastgate House for housing (Class C3), relocation of helipad, landscaping, parking and highway works.
- The Parameter Plans forming part of the earlier application fix the land use mix, maximum building footprint, maximum building height and maximum parking standards for each of the three development zones:

East Development Zone:

Maximum Footprint - 2,250sq.m (Housing)

Maximum Floorspace - 9,000sq.m

Maximum Height of Buildings - AOD 151.24

Part demolition of Eastgate House and conversion of remainder to flats and construction of mixed housing, along with the proposed highways improvements (new roundabout) to the junction of Brockley Hill and Wood Lane.

Central Development Zone:

Maximum Footprint – 19,080sq.m (New Hospital Buildings); 3,569sq.m (Institute & Education); 3,060sq.m (Staff Housing)

Maximum Floorspace – 48,117sq.m (New Hospital Buildings); 6,900sq.m (Institute & Education); 6,350sq.m (Staff Housing)

Maximum Height – AOD 148.10

Minimum Public Open Space – 3000sq.m

Siting of main hospital building, as well as associated educational uses and staff housing.

West Development Zone:

Maximum Footprint – 2,555sq.m (Private Housing); 1,272sq.m (Retained Building for RMcD Hostel)

Maximum Floorspace – 5,100sq.m (Private Housing); 3,700sq.m (Retained Building for RMcD Hostel)

Number of Buildings – Minimum 10, Maximum 14 (Private Housing)

Maximum Height – AOD 149.36 (North End); AOD 155.65 (South End)

Private housing would be located in this area, within the parameters above, along with private open space.

- The Parameter Plans have also been used as a basis for the Environmental Impact Assessment, to enable any likely significant environmental impacts to be assessed.
- Illustrative drawings indicate how the site might be developed in the context of the Parameter Plans.

d) Relevant History

P/1704/05/COU	Outline: Partial redevelopment to provide new hospital and associated facilities, housing (including staff), revised road junction, car parking and open space	GRANTED 15-JAN-07
P/0963/09	Demolition of graham hill unit and construction of three storey Ronald McDonald House (Sui Generis)	GRANTED 04-FEB-10

e) Applicant's Statement

- As a national centre of excellence, the RNOH treats patients from across the country. However, approximately 60% of the Trust's Estate at the RNOH is over 60 years old, and many of the buildings are therefore no longer suitable for the delivery of high quality health care.
- The Trust has not been able to secure the necessary funding from Central Government to bring this development forward and the existing outline consent has remained unimplemented. The Trust is in the process of re-applying for funding and it is an essential prerequisite of securing this funding that the extant planning consent remains live.
- The relevant policy changes since the grant of consent relate to:
 - affordable housing;
 - sustainable development;
 - renewable energy;
 - ecology; and
 - flood risk.
- These issues have been considered in detail and updated assessments have been undertaken for the relevant documents submitted as part of the original application. The following reports are submitted in support of this application to address the changes in planning policy:
 - Report Assessing Development Viability and the Provision of Affordable Housing;
 - Sustainability Statement Update;
 - Energy Assessment Statement Update;
 - Environmental Impact Assessment Screening and Scoping Report; and
 - Ecology Update Report (included as Appendix 3 of EIA Report).
- The applicant has demonstrated that the development permitted by the extant outline planning consent satisfies the requirements of the new or replacement planning policies since the grant of the extant outline planning consent pertaining to affordable housing, ecology and flood risk.
- The applicant will enter into a Deed of Variation to the existing Section 106 Agreement to:
 - use all reasonable endeavours to include details that build on the commitments put forward in the Sustainability Statement Update Report when submitting application for the approval of reserved matters pursuant to the outline consent; and
 - provide 20% on site renewable energy by one or a combination of the alternative renewable energy options.

- This will ensure that the proposal is acceptable in light of the changed policy circumstances pertaining the sustainable development and renewable energy. It is considered that there are no other changes in planning policy that need to be addressed in this application, nor are there any other material considerations that have changed since the grant of the existing consent in January 2007.

f) Consultations:

Notifications:

Sent: 1,393 Replies: 3 Expiry: 16-FEB-10

EIA Notification:

Sent: 6 Replies: 2 Expiry: 04-MAR-10

Site Notices:

Major Development/
Character of a
Conservation Area 28-JAN-10 Expiry: 18-FEB-10

EIA Development 04-FEB-10 Expiry: 25-FEB-10

Advertisements:

Major Development/
Character of a
Conservation Area 04-FEB-10 Expiry: 25-FEB-10

EIA Development 11-FEB-10 Expiry: 04-MAR-10

Addresses Consulted:

Consultations have been carried out to all addresses on Brockley Hill, Wood Lane and Warren Lane. All addresses on Little Common, the former BAE systems site and the former Government Offices site on Brockley Hill. Properties at the top end of Dennis Lane and Stanmore Hill, including roads off have been consulted, as well as properties along The Common, Common Road, Heathbourne Road and Magpie Hall Road. Consultations have been carried out in the neighbouring boroughs of Barnet and Hertsmer. In total, **1,393 neighbours have been consulted.**

Summary of Response:

At the time of preparing the report, three letters of support have been received.

Environment Agency

Response awaited.

English Heritage

Nothing has changed on the site, nor has any further archaeological work been undertaken since the last approval. Conditions imposed on the previous approval relating to field work and foundation design should be carried over.

Hertfordshire County Council

S106 agreement could include obligation to improve public rights of way improvements to link Stanmore Common to Bushey.

Natural England

No objection.

Thames Water

Response awaited

The Greater London Authority (GLA)

The application does not raise any additional strategic issues and no additional comments will be made. No Stage 2 referral will be necessary.

Stanmore Society

Response awaited.

Hertsmere District Council

Response awaited.

London Borough of Barnet

Response awaited.

APPRAISAL

1) Principle of Development

National Planning Policy

Despite changes across national planning policy statements (PPS1, PPS4, PPS25), which contribute to the consideration of specific elements of the proposed development, the status of the site within national planning policy (principally PPG2) has not changed. Development within the green belt is nevertheless rightly restricted and in considering whether the principal of development remains acceptable, officers have sought to re-visit the criteria within PPG2 that justified the earlier outline planning permission having regard to the reduction of building footprint across the site.

The disposal of part of the site and the demolition of some permanent buildings within the site has resulted in buildings with a footprint of 1079sqm being removed from the total Major Developed Site footprint. These buildings can therefore no longer form part of the footprint for the purposes of PPG2 calculations.

The approved Ronald McDonald Hostel would have a footprint of 657sqm, if it were to be constructed pursuant the extant permission. This is a stand alone permission that could be constructed in addition to the parameters of this outline proposal and the footprint of this development would therefore have to be considered as an addition to the overall existing permanent footprint on the site. The height of the development would be 144.45 metres above ordnance datum, which is 3.65 metres below the maximum height of buildings within the outline approval.

The remaining (residual) building footprint available for re-development in line with Criteria in Annex 2 of PPG2 has accordingly fallen to 36,613sqm, compared to 38,349sqm as existing during the previous assessment. The applicant's have elected to reduce the footprint of the proposed hospital building in the Central Development Zone, in order to account for the change in the existing built footprint on the site. The revised figures are outlined in the table below.

Retained RNOH Buildings	New Build Hospital	Replacement Educational Uses	New Staff Housing	New Residential	Total Retained and New Build
4,827m ²	19,080m ²	4,841m ²	3,060m ²	4,805m ²	36,613m ²

Under this extension of time application, it is therefore proposed that the new build hospital would be reduced from 20,121sqm to 19,080sqm. This could be secured through a condition and revised requirement in the legal agreement, restricting future development to this proposed figure. Given that this is an outline planning application, this approach to regulating the floorspace permitted is considered to be appropriate and acceptable. The reduced floorspace would not require the development to exceed the parameters set out for building height, and site layout which were previously considered to be acceptable (and which are unchanged against PPG2 criteria). This would accordingly have no implications for the Environmental Statement. The quantum set out in the schedule accompanying the parameters plans would however need to be adjusted to qualify these parameters within any replacement permission.

For the above reasons and subject to the required conditions and revised to the S106, It is considered that the proposal still represents appropriate redevelopment of a designated Major Developed Site in the Green Belt. The proposal, by virtue of the improved building layout, contribution to Green Belt objectives and height and footprint limitations, would continue to meet the criteria set out in Annex C of PPG2 and would therefore comply with current policy.

Relevant changes in development plan policies

Since the original grant of planning permission, the revised London Plan has been published (February 2008). In addition, a number of policies within the Harrow Unitary Development Plan (2004) (UDP) have been deleted following a direction from the Secretary of State. The saved policies of the UDP and the regional policies of the London Plan now form the statutory development plan for the purposes of considering this application.

It is considered that the relevant changes in policy since the grant of the original consent relate to:

- affordable housing;
- sustainable development;
- renewable energy;
- ecology; and
- flood risk.

Updated statements and supporting documents have been submitted by the applicant in respect of the above matters and are considered in more detail in the relevant sections below.

Relevant changes in material considerations

A number of physical changes on the site and surroundings have taken place since the grant of the original outline consent, including the disposal of part of the site, the demolition of some buildings and the construction of some temporary buildings (pursuant to planning permissions). The implications for the footprint of the proposed redevelopment are discussed in more detail below.

Full planning permission has also been granted for 'demolition of Graham Hill Unit and construction of three storey Ronald McDonald House' (ref P/0963/09). The impact of this permission on the parameters plans have been considered previously (as part of that application). The proposed building itself is considered to have no material impact on the consequential impacts of the sites redevelopment and raises no other new issues.

Other relevant changes in circumstances in the surrounding area include:

- Construction of a new housing development on the former BAE Systems site on Warren Lane, approximately 200 metres to the west of the western site boundary; and
- Completion and occupation of a new housing development on the former Government Offices site to the west of Brockley Hill, approximately 1km to the south east of the site.

Further consideration of the likely impacts on the occupiers of these developments is undertaken in the appraisal sections below.

2) Character and Appearance of the Green Belt, Area of Special Character and Adjacent Conservation Area / Trees

The site is identified as a Major Developed Site (MDS) in the Green Belt under saved policy EP35 of the UDP, which clearly outlines the continuing principle of redevelopment on this site, under the criteria set out in Annex C of PPG2. The provisions of Green Belt policy have not changed significantly since the grant of the original permission, with PPG2 still relevant and saved UDP policies EP32, EP34 and EP35 still forming part of the development plan. London Plan policy 3D.9 also re-iterates the spirit of PPG2.

As discussed above, the proposed redevelopment would continue to meet the criteria set out in Annex C of PPG2 and would therefore comply with current Green Belt policy, which has not changed. There has been no significant change in circumstances in relation to the adjacent Conservation Area, the Harrow Weald Ridge area of Special Character or the protected trees on the site.

3) Health Care Provision / Suitability of the Proposed Use

Strategic health care policy is set out under London Plan policies 3A.20-22, which supports the provision of healthcare uses in appropriate locations, accessible by public transport. Policy 3A.22 supports the expansion of specialist facilities. Saved UDP policy C8 seeks to ensure sufficient appropriate health and social care provision in the borough and supports the provision of new or extensions to existing facilities, provided that certain criteria is met. It also makes specific reference to the potential development of the RNOH site and to the controls that will be necessary to avoid any significant adverse impact on the Green Belt.

In summary, the redevelopment of the hospital is supported by the London Plan and saved UDP policies, as it was at the time of the original outline approval. Comprehensive redevelopment for hospital and residential uses is considered suitable in Green Belt terms.

4) Environmental Impact Assessment / Ecology / Flood Risk

The original outline application was subject to an Environmental Impact Assessment (EIA), under the EIA regulations, as an Environmental Statement (ES) was submitted with the application. A revised Environmental Impact Assessment Screening and Scoping Report has been submitted as part of this application and this proposal is therefore also an EIA proposal and has been consulted on accordingly.

The original and updated ES provides a detailed assessment of the likely significant effects of development on a range of environmental topics, both in the short term during construction, and on a more permanent basis. It is considered that the supporting information included in the updated ES adequately addresses the likely environmental impacts of the proposal, with no further evidence of protected species being recorded. The previous S106 heads relating to the submission of environmental and ecological management plans are carried over to this recommendation and it is therefore considered that there are no new environmental or ecological matters of material significance.

Awaiting Environment Agency comments on flood risk.

5) Access, Traffic and Transport

An up to date traffic assessment has been undertaken, which concludes that the anticipated growth in traffic set out in the original Transport Assessment and 2005 ES had not been reached in 2009 and would not be expected to in 2010.

The updated assessment also concludes that the site's accessibility remains unchanged since the 2005 ES and that the number of accidents has decreased. The updated assessment takes into account the recently occupied developments on the former BAE systems site on Warren Lane and on the former government offices site on Brockley Hill.

Private parking for the residential elements of the scheme would be provided at a maximum of 1.5 spaces per dwelling, consistent with UDP and London Plan standards, which have not changed since the original grant of outline permission.

In summary, the updated traffic assessment concludes that highways conditions on Brockley Hill and Wood Lane have not worsened since the approval of the original outline consent. The proposed Travel Plan, roundabout and S106 contributions relating to traffic calming and the extension of bus services are all still considered to be appropriate. The proposed extension of time is therefore considered to be acceptable on access, traffic and transport grounds.

6) Archaeology / Impact on Eastgate House

English Heritage has advised that there has been no change on the site in relation to archaeology, nor has any further archaeological work been undertaken since the original approval. The conditions imposed on the original consent relating to archaeology are carried over to this application. The designation of Eastgate House has not changed since the original approval and the part demolition and impact of the new development on this locally listed building is still considered acceptable.

In summary, planning policy and the circumstances of the site have not changed significantly since the grant of the original outline approval in this respect. A departure from the original position on archaeology and built heritage is therefore not warranted in relation to this extension of time application and the proposal is considered acceptable in this regard.

7) Residential Amenity

Other than the new developments at the former BAE systems and former government offices sites, there have been no additional residential developments close to the site. These two new developments are located approximately 200m and 1km away from the site respectively. It is therefore envisaged that no material harm would occur to the amenities of neighbouring land uses. No vehicular access is to be provided from Warren Lane, so any increase in traffic would not have a significant affect on the new residential properties in that area.

8) Affordable Housing

The affordable housing provision in the original permission was considered adequate in relation to the Councils UDP policies. These policies have subsequently been deleted following a direction from the Secretary of State and the affordable housing target for the Borough is now set out under London Plan policy 3A.9.

This policy states that 50% of all new housing should be affordable (on developments of 10 or more units, referring to policy 3A.11) and within this 70% social housing provision and 30% intermediate. London Plan policy 3A.10 states that ‘targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements’, with a view to encouraging rather than restraining development.

The affordable housing provision in the original permission, as compared to that now proposed, is summarised in the table below. It should be noted that, as the application is in outline only, details of the precise numbers of new homes are not known at this stage. The percentage of the total floorspace, which would be set in the Parameter Plans, would therefore be the most accurate figure. The majority of the affordable housing would be provided as family homes for rent, whilst the proposed staff housing would be considered as key worker affordable housing for occupation by hospital staff (re-provision of 247 bedspaces, plus additional 41 new bedspaces).

	% of Anticipated New Homes	% of Total Habitable Rooms	% of Total Floorspace
Original Approval / Now Proposed	32.39%	37.29%	25.64%

The applicant refers to a revised draft London Plan (October 2009), which has not yet been adopted and therefore carries little weight. The revised policy referred to (3.12) also relates to Local Development Framework preparation, as opposed to setting out specific percentage targets.

A report has been submitted in support of the application as an update to the original, justifying the provision of affordable housing as originally approved, in relation to development viability. The report reflects an optimistic view on the level of capital receipt that might be achieved in the current market, which is broadly comparable to the original 2005 assessment.

Given the particular circumstances of the site with the funding necessary for the redevelopment of the hospital, the capital required for necessary costs related to the development to be met by the Trust, and the associated acknowledged benefits of the scheme, it is considered that the original provision of 25% affordable housing would be acceptable and that sufficient justification has been provided by the applicant to demonstrate that this provision would meet the requirements of London Plan policy 3A.9. The Greater London Authority (GLA) has confirmed that they are satisfied that the proposed extension of time does not raise any additional concerns and the proposed affordable housing provision is therefore considered to be acceptable.

The proposed affordable housing contribution would be prescribed within the S106 agreement along with the target mix of housing units to be provided, which cannot be accurately quantified at outline stage. This will ensure that, whilst the numbers of homes to be provided will inevitably vary, the percentage of affordable to private would remain as originally proposed.

9) Sustainability / Renewable Energy

Since the original grant of planning permission in January 2007, the London Plan 4A set of policies have superseded a number of UDP policies on sustainable development, although a number of UDP policies remain saved. The Council have also adopted the Supplementary Planning Document: Sustainable Building Design (2009), which sets out the requirements for ensuring that developments are sustainable. A revised Sustainability Statement Update has been submitted in support of this application, to address the new sustainable development policies.

This report addresses the criteria set out in the Mayor's Sustainable Design and Construction Supplementary Planning Document (2006), the requirements of which are similar to the Council's SPD. The report demonstrates a desire to comply with a number of the criteria, including use of 100% sustainable timber, incorporation of water efficient sanitary systems, the creation of new habitats, the promotion of more sustainable means of transport and a commitment to achieve BREEAM 'Excellent' and Code for Sustainable Homes Level 4 ratings for the proposed buildings. As the proposal is in outline only, it is noted that adequate detail on the majority of these matters could not reasonably be provided at this stage. The commitment to achieving the measures put forward in the Sustainability Statement Update is included as a new head in the S106 to ensure that all reasonable endeavours are used to carry out these measures at reserved matters stage and to ensure that the proposed buildings meet the desired sustainability criteria.

Since the original grant of permission, the UDP policies relating to renewable energy have been superseded by the London Plan 4A set of policies. London Plan policy 4A.3 encourages developments to use less energy by adopting the highest standards of sustainable design and construction. Policy 4A.6 requires that heating, cooling and power systems within new developments are more efficient. Policy 4A.7 requires that 20% of carbon dioxide emissions are off set by on site renewables, where this is feasible.

As discussed above, there is a commitment to achieve high levels of sustainable design and construction. An Energy Assessment Statement has also been submitted, which explores the use of measures such as natural ventilation and natural daylight, a Combined Heat and Power plant and a number of renewable energy solutions. The conclusions of the report are considered to be acceptable in relation to the London Plan policies on renewable energy. There is a commitment to providing additional on site renewables, as compared to the original approval, to meet the revised requirement under policy 4A.7. The head of the S106 agreement relating to renewable energy would therefore be amended to require 20% on site renewable energy.

In summary, it is considered that the additional information submitted in support of the extension of time application adequately addresses the changes in planning policy in this regard, since the original outline approval. The development would therefore be consistent with current London Plan policies relating to sustainability and renewable energy.

10) S.17 Crime and Disorder Act

It is considered that the application of time would not give rise to adverse implications in relation to this legislation.

11) Consultation Responses

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

- No other issues have been raised at the time of preparing this report.

CONCLUSION

Full consideration has been given above to any changes in adopted policy, site circumstances or other material considerations since the original outline approval. It is considered that the relevant policy changes and changes in circumstances have been addressed by the applicant in the submitted application documents and revised S106 agreement and planning conditions. This report concludes that the proposed redevelopment is still supported by the current London Plan's health policies and the proposed redevelopment is still considered to be acceptable in principle and in line with the provisions of Annex C of PPG2. The proposal meets the tests set out in Green Belt policy for the redevelopment of a Major Developed Site, which have not changed since the original approval. The submissions accompanying the application have demonstrated that the environmental impacts of the proposal remain acceptable and that no new impacts, requiring re-consideration of the wider merits of the proposal previously found to be acceptable have arisen in the intervening period.

The proposal is therefore considered to be acceptable and is recommended for grant, subject to the completion of a legal agreement to ensure the terms outlined below within one year of the date of the Committee decision on this application, and the controls provide by the appended conditions.

LEGAL AGREEMENT HEADS OF TERMS

- (i) Within 3 years from the first occupation of the main hospital building the Trust shall have completed the laying out and construction of publicly accessible areas of open space, as agreed in writing by the Council, including the provision of a network of publicly accessible footpaths (not being a public right of way). The Trust shall thereafter take on responsibility for maintaining these areas.
- (ii) A sum of £300,000 towards the improvement of bus services.
- (iii) The submission and approval of Travel Plans (to include car park management arrangements) for the hospital and residential developments prior to their occupation.
- (iv) The payment to the Council of a sum of £50,000 for traffic calming measures in Wood Lane, on implementation of the development.
- (v) Prior to the implementation of the development, submission to and approval by the LPA of a scheme which:
 - a) provides affordable housing of a level, type and mix set out in the Committee Report, the social rented units to be managed by an RSL, subject to a nomination agreement with the Council;
 - b) ensures that the affordable housing units are available for occupation in accordance with a building and occupation programme to be submitted to and approved in writing by the LPA prior to the commencement of work on site.

- (vi) The provision of all staff housing shall be for that purpose solely.
- (vii) Any submission of reserved matters pursuant to the planning permission or to the discharge of conditions imposed on the planning permission should comply strictly with the Parameter Plans.
- (viii) The permanent building footprint within the Major Developed Site comprising Royal National Orthopaedic Hospital shall at no time, (unless with the prior approval of the Local Planning Authority) exceed 37,270 sqm.
- (ix) The submission of, and compliance with, a phasing plan prior to the submission of any application for approval of reserved matters pursuant to the planning permission that ensures that the first phase of development is the construction of the hospital. The phasing plan shall include full details of the phasing of the demolition of those existing buildings to be demolished as part of the development.
- (x) The use of reasonable endeavours by the applicants to promote and recruit employees, contractors and sub contractors from within the Council's geographical area throughout the construction phase of the development.
- (xi) Compliance with an Environmental Management Plan to be agreed in writing with the Council prior to the implementation of the development. This will mitigate the impact of the demolition of the buildings on the land and the construction of the development of the surrounding environment.
- (xii) Compliance with the Ecological Management Plan submitted with the application, or an amended plan as agreed in writing with the Council.
- (xiii) Compliance with the Landscape Management Plan submitted with the application, or an amended plan as agreed in writing with the Council.
- (xiv) The provision of 20% renewable energy in the development by one or a combination of the alternative renewable energy options set out in the Renewable Energy Statement that has been submitted with the application.
- (xv) Prior to the demolition of the southern extensions to Eastgate House, the preparation of an appropriate standing building record of the building following any necessary survey that shall be submitted to the Council for its retention, and the use of all reasonable endeavours to retain key structural elements from the aforesaid demolition and to incorporate in these new structures where possible.
- (xvi) The submission within eighteen months of the implementation date of details of works for the restoration and continued maintenance of the Ancient Monuments, to include provision of paths and seating and the erection of interpretation boards, and the agreement of arrangements for public display of any archaeological finds from the site.
- (xvii) The payment to the Council of a Green Belt Management contribution of £250,000.
- (xviii) Access to the car parking area adjacent to the existing sports field shall be maintained, and the car park retained, for public use in accordance with details to be agreed in writing with the Council.
- (xix) The provision of a replacement Hospital School and measures to ensure continuity of provision during, and post, construction, in conjunction with the Local Education Authority.

- (xx) To enter into highway agreements, prior to implementation, with the Council and other highway authorities as appropriate regarding works to:
 - The access off Wood Lane on the southern and western boundaries;
 - Improvements to the main access from Brockley Hill; and
 - The construction of a new roundabout at the existing Brockley Hill / Wood Lane priority junction at the south east of the land.
- (xxi) The use of reasonable endeavours to include details that build on the commitments put forward in the Sustainability Statement Update Report when submitting applications for the approval of reserved matters.
- (xxii) The provision of all new buildings to BREEAM 'Very Good' and Code for Sustainable Homes Level 3 as a minimum.

The permission will also be subject to the following conditions:

CONDITIONS

1 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. The development hereby permitted shall commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2 Prior to the commencement of each phase of the development, approval of the details shown below (the "reserved matters") for that phase of the development shall be obtained from the Local Planning Authority:

- (a) siting of the building(s)
- (b) design of the building(s)
- (c) external appearance of the building(s)
- (d) landscaping of the site.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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

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

4 Prior to the commencement of each phase of the development, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority an access statement, identifying the applicants' design approach to ensure that for that phase of the development, buildings, facilities and services are accessible to disabled and non-disabled people.

REASON: To ensure that the development will be accessible to all users.

5 Before each phase of the development commences a detailed site investigation for that phase of the development shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present and to determine the potential for the pollution of the water environment. The method of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work for each phase of the development. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall be submitted to and approved in writing by the Local Planning Authority before the development of each phase commences. The development of that phase shall then proceed in strict accordance with the approved measures.

REASON: To prevent pollution of water environment.

6 The construction of storage facilities for oils, fuels or chemicals shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before development is commenced.

REASON: To prevent pollution of the water environment.

7 Before the development is commenced, details of the nature of the material to be used as infill (e.g. source, type) shall be submitted to and approved in writing by the Local Planning Authority. Where a risk from migrating gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.

REASON: To protect people on or close to the site from the risks associated with migrating landfill gas.

8 No development approved by this permission shall be commenced until a landfill gas risk assessment has been submitted to and approved in writing by the Local Planning Authority. Where a risk from migrating gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.

REASON: To protect people on or close to the site from the risks associated with migrating landfill gas.

9 The construction of the foul and surface discharge draining system for the phase of development shall be carried out in accordance with details submitted to and approved in writing by the Local planning Authority before the development of that phase commences.

REASON: To prevent pollution of the water environment.

10 No phase of development shall take place until the applicant has secured the implementation of a programme of archaeological work for that phase of the development in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

REASON: To secure the provision of archaeological excavation and the subsequent recording of the remains in the interests of national and local heritage.

11 No work on site for each phase of the development shall take place until a detailed design and method statement for the foundation design and all new ground works for that phase of the development has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the significant archaeological remains both within and outside the scheduled area remain in situ.

12 Details of the provision of children's play equipment and areas, including a play area to local enhanced equipped area for play standard (LEAP), and the approved scheme shall be implemented in accordance with the approved details. No phase of any development shall be occupied prior to completion of the relevant play area to which it is linked in accordance with the approved details and plans.

REASON: To ensure that suitable facilities are available to support future family housing.

13 The existing vehicular access to the site from the adjacent highway, Warren Lane (to the south-west corner of the site) shall remain closed to vehicular traffic, by means of a locked gate and retained thereafter. This access shall only be available for pedestrian and or cycle access, through the use of an appropriately-sized access gate. Details of these arrangements shall be submitted to, and approved in writing by, the Local Planning Authority and carried out as approved. No emergency vehicular use of this access shall be made without the prior written permission of the Local Planning Authority.

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

14 No site works or development of each phase 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 for that phase, 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.

15 The development of each phase 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 that phase which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development for that phase is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

16 Development of each phase shall not begin until surface water drainage works for that phase have been carried out in accordance with details to submitted to and approved in writing by the Local Planning Authority. Prior to submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDs) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPG25, and the results of the assessment shall be provided to the Local Planning Authority with the details. Where a SuDs scheme is to be implemented, the submitted details for each phase shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters; and
- b) specify the responsibilities of each party for the implementation of the SuDs scheme, together with a timetable for that implementation; and
- c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

17 Each phase of the development hereby permitted shall not be commenced until surface water attenuation / storage works for that phase 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 Prior to the commencement of each phase of the development hereby permitted, details that show how the principles and practices of the Secured by Design Award Scheme are to be incorporated into that phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works of that phase of the development. Once approved, that phase of the development shall be carried out in accordance with the agreed details.

REASON: In the interest of creating safer, sustainable communities and residential amenity.

19 Prior to the commencement of each phase of the development hereby permitted details showing features / measures capable of providing a safe, secure and sustainable environment compatible with the type of business proposed for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works of that phase of the development. Once approved, that phase of the development shall be carried out in accordance with the agreed details.

REASON: In the interest of providing a safe, secure environment compatible with its proposed usage and amenity.

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

REASON: In the interest of providing a safe parking environment compatible with delivering safer, sustainable communities and residential amenity.

21 All planting, seeding or turfing comprised in the approved details of landscaping for each phase of the development shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of each phase 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.

22 The plans and particulars for each phase of the development submitted in accordance with the approval of landscaping condition shall include:

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

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

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

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

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

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

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

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

24 None of the existing trees on the site shall be lopped, topped, felled or uprooted without the prior written permission of the local planning authority. Any topping or lopping which is approved shall be carried out in accordance with British Standard 3998 (Tree Work).

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

25 Each phase of the development hereby permitted shall not be occupied until works for the disposal of sewage for that phase 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.

26 Improvements to the accesses in Wood Lane and Brockley Hill, construction of a new roundabout at the junction of Brockley Hill and Wood Lane and traffic calming measures in Wood Lane, shall be carried out in accordance with details to be agreed in writing with the Council, and completed prior to occupation of the first phase of the development.

REASON: To ensure satisfactory access to the site and safeguard the amenities of neighbouring residents.

27 Prior to occupation of the main hospital building, a traffic management and signage scheme to regulate the movement of traffic to from and within the site shall be submitted to and approved by the Local Planning Authority, following consultation with London Borough of Barnet as Local Highway Authority for Brockley Hill (A5).

REASON: To safeguard highway safety.

28 Notwithstanding the approved footprint details on the parameter plans, a revised existing and proposed building schedule shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the development hereby permitted. The development shall be carried out in accordance with the details submitted and shall be thereafter retained.

REASON: To account for the changes in the permanent built footprint on site since the original consent and to ensure that the development complies with the provisions of PPG2.

29 Each phase of the development shall be carried out in strict compliance with the Parameters Plans submitted with the application and shown on drawing nos.: 050.00, 100.00, 200.01 & 300.00.

REASON: The proposed development is the subject of an Environmental Impact Assessment and any material amendment may have an impact that has not been assessed through that process.

Item 1/03 : P/0083/10/NR continued/...

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

REASON: In the interest of creating safer, sustainable communities and residential amenity.

31 The standard for all window sets on the ground floor of the development shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

REASON: In the interest of creating safer, sustainable communities and residential amenity.

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

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

Plan Nos: 010-01; 011-01; 020-00; 050-00; 100-00; 200-01; 300-00; 2004-076/DWP4

Item: 1/04

1 MILL FARM CLOSE, PINNER, HA5 3SS P/2415/09/SL/MAJ

Ward PINNER

REDEVELOPMENT TO PROVIDE 158 RESIDENTIAL UNITS [FLATS AND HOUSES], ALTERATION TO MILL FARM CLOSE ACCESS ROAD, CREATION OF COMMUNAL GREEN SPACE, PLAY AREAS WITH PLAY EQUIPMENT, ASSOCIATED LANDSCAPING, PARKING AND REFUSE [REVISED DESCRIPTION].

Applicant: CATALYST HOUSING GROUP

Agent: POLLARD EDWARD THOMAS ARCHITECTS

Statutory Expiry Date: 20-JAN-10

RECOMMENDATION

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within six months of the date of the Council's decision, to include the following Heads of Terms:
 - i) **Affordable Housing Provision:** The provision of at least 82 social rented units and at least 16 shared ownership units to be managed by a Registered Social Landlord subject to a nomination agreement with the Council.
 - ii) **S278 Agreement:** To be made in respect of all works to the adopted highway.
 - iii) **Code for Sustainable Homes:** The 98 affordable housing units shall be constructed to meet at least Level 4 of Code for Sustainable Homes. The private sale units shall be constructed to meet at least Level 3 of Code for Sustainable Homes.
 - iv) **Education:** Prior to commencement of development, contribution of **£42,000** towards refurbishment / upgrade of a primary and / or secondary school within a one-mile radius of the site.
 - v) **Health:** Prior to commencement of development, contribution of **£40,000** towards NHS Harrow.
 - vi) **Sports Facilities:** Prior to commencement of development, contribution of **£15,000** towards the maintenance and / or upgrade of Harrow Arts Centre, Uxbridge Road, Hatch End HA5 4EA.
 - vii) **Parks:** Prior to commencement of development, contribution of **£15,000** towards the maintenance and / or upgrade of Montesole Playing Fields.
 - viii) **Public Realm:** Prior to commencement of development, contribution of **£5,000** towards public realm improvements in Harrow Borough.
 - ix) **Community Facilities:** Prior to commencement of development, contribution of **£12,000** towards the maintenance and / or upgrade of Pinner Library, Marsh Road, Pinner HA5 5NQ.
 - x) **Transport for London:** Prior to commencement of development, contribution of **£28,000** towards bus stop improvements in the Borough;
 - xi) **Phasing Plan:** Prior to commencement of development, to submit to the Council for approval a programme of phasing works comprised in the development;

- xii) Legal Fees:** Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
 - xiii) Planning Administration Fee:** Payment of **£7,850** administration fee for the monitoring of and compliance with this agreement.
2. A formal decision notice to **GRANT** permission for the development described in the application and submitted plans and materials, subject to referral to the Mayor of London [and any required planning conditions as a consequence of that referral] and planning conditions will be issued upon completion by the applicant of the aforementioned legal agreement.

REASON

The proposed development would contribute to the regeneration of the Mill Farm Estate through replacement of existing poor quality housing stock. The proposal would deliver a mix of large family houses and flats to address the specific housing needs of the Mill Farm Estate, in accordance with London Plan policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.7, 3A.8, 3A.9 and Harrow UDP Policies EP20 and H7.

The layout of the site and the design and layout of the buildings would improve permeability within and across the site. The new open space and play facilities would promote the importance of play for children through good quality, secure and stimulating play provision in accordance with Harrow's Play Strategy and the London Plan SPG, 'Providing for Children and Young People's Play and Informal Recreation'.

The proposed development would provide a modern, contemporary design that responds appropriately to the local context, and would provide appropriate living conditions for existing and future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is acceptable.

The decision to **GRANT** planning permission [and subject to referral and approval of the Mayor of London] has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations, to meet the Vision of the Council in promoting a diverse community, which is celebrated and valued and create better cohesion, as detailed in Harrow's Sustainable Community Strategy [Mar 09], and any comments received in response to publicity and consultation.

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

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].

The London Plan [2008]:

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

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

- EP20 Use of Previously-Developed Land
- EP25 Noise
- D4 The Standard of Design and Layout
- D5 New Residential Development – Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- D10 Trees and New Development
- H7 Dwelling Mix
- T6 The Transport Impact of Development Proposals
- T13 Parking Standards

Other Relevant Guidance:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport
- Harrow's Sustainable Building Design SPD [May 09]
- Harrow's Accessible Homes SPD [Apr 06]
- Harrow's Access for All SPD [Apr 06]
- Harrow's Sustainable Community Strategy [Mar 09]

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

INFORMATION

a) Summary

Statutory Return Type:	Major Development
Site Area:	2.13 ha
Density	244 HRH [Compliant with The London Plan Density Matrix of between 150-250 HRH]
Car Parking:	Provided: 158 [1 space per unit]
Lifetime Homes	100%
Council Interest:	None.

b) Site Description

- Residential area, Mill Farm Close as a cul-de-sac, with access from Pinner Hill Road.
- The site comprises seven four-storey blocks containing 110 flats, surrounded by large open grassed areas with areas of lock-up garages at the site boundaries.
- The site lies within 300m of A404 Rickmansworth Road. The nearest bus stop is approximately 150m on Pinner Hill Road and is served by one bus. There are also bus services along A404 Rickmansworth Road.

c) Proposal Details

This scheme has been reduced in the number of units from the originally submitted proposal containing 165 units, as a consequence of arboricultural and landscaping matters. The proposal would now provide 158 units, having regard to comments received by Harrow's Landscape Architect and Tree Protection Officer.

The proposal is for the demolition of 108 units and replacement with 158 units with 158 car parking spaces. The existing tenants will be re-sited within the existing site over a phased development to ensure there will be no net loss in existing tenants.

The proposal would comprise:

- 29no. x one-bed flats;
- 63no. x two-bed flats;
- 3no. x three-bed flats;
- 21no. x two-bed houses;
- 29no. x three-bed houses;
- 9no. x four-bed houses; and
- 4no. x five-bed houses.

The proposal would provide 98 units as affordable housing [82 as social rented and 16 as shared ownership].

d) Relevant History

None.

e) Pre-Application Discussion

Catalyst Housing Group were selected by LB Harrow, together with the Mill Farm Steering Group in October 2008 and given preferred partner status, to develop the design of the scheme. This started with an Open Day in Jan 2009 and was followed by a series of Design Workshops, regular meetings with neighbours as well as two large public neighbourhood consultation meetings, in 2009. These meetings culminated in the planning application submission in October 2009. The applicant has also submitted a Statement of Community Consultation document submitted with the application.

The neighbourhood consultation has continued into 2010, addressing the revisions to the site layout required by the latest planning amendments.

Throughout the pre-application period Catalyst Housing Group were liaising with LB Harrow Housing to ensure that the new development would meet the Borough's requirements with regard to both housing need, the mix of units to be provided [in terms of both size and tenure], as well as meeting phase-by-phase decant requirements. The applicant has also had pre-application meetings with LB Harrow Planning [3no. starting from 12 Feb 2009], LB Harrow Highways and the GLA as part of the pre-application consultation.

f) Consultations [External]

Mayor of London: This planning application, as part of the consultation process was referred to the Greater London Authority under Category 1A of the Town and Country Planning (Mayor of London) Order 2008. Category 1A is: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

The Mayor's Stage 1 Report recommendation states:

'That Harrow Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan... but that the possible remedies set out in his [the Mayor of London] report could address these deficiencies'.

The applicant has provided additional information in response to the Mayor of London's Stage 1 report and are addressed in the Appraisal section of this report.

Advertisement: Major Development and
Development on a Right of
Way

Notifications:

Sent: 1,364 Replies: 6

Re-Consultation

10.02.10 [Following revised plans illustrating amendments to the design from 165 to 158 units].

Summary of Responses:

Six representations received [five objections and one supporting the proposal] in total, as detailed in the following Appraisal.

APPRAISAL

1) Principle of Development and Land Use

The principle of development of the Mill Farm Estate is considered acceptable having regard to the existing residential development on-site as well as Harrow's designation as set out in the UDP 2004. The site is illustrated as white land in accordance with the Proposals Map. It is noted that part of the estate towards the cul-de-sac end of Mill Farm Close is situated within an Archaeological Priority Area. This does not prejudice development for replacement housing, provided the applicant is able to satisfy English Heritage as part of the consultation process, which is detailed later in the body of this report.

The proposed development remains consistent with London Plan Policies 3A.3 and 3A.15 in that it contributes to the overall regeneration of the Estate, providing an increase in overall residential unit numbers on the Estate and renewing and improving the housing stock within Mill Farm Close. Accordingly, the proposal for residential development is considered acceptable in principle.

2) Design and Character of the Area

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

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

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

Explanatory paragraph 4.11 of Policy D4 in Harrow's UDP 2004 states that *'All new development should have regard to the scale and character of the surrounding environment and should be appropriate in relation to other buildings adjoining and in the street.'*

The redevelopment of the site proposes a complete revision to the existing layout, involving the provision of a new road layout to Mill Farm Close. The scale, design, style of buildings, landscaping and spaces would define the Mill Farm Close Estate and would increase permeability within the wider estate.

The scale of development has been designed to complement and respect the built form and scale of the existing development and surrounding residential properties. Where the development sits adjacent to existing residential properties, the scale of development increases or decreases to respond to the existing form of development.

The scale of the proposed development, ranging from between two-to-four storey buildings would represent a significant improvement to the Estate and would not be out of place amongst the surrounding residential properties. The revised layout of the proposed development results in the creation of an access path into the estate where it abuts Ohio Cottage. There are further breaks in the built form with gaps between buildings further into the site near to the vehicle turning area. This reduces a 'terracing effect', which was proposed as part of the originally-submitted drawings.

The revised road layout introduces traffic-calming measures at various points, which would also provide natural surveillance from the proposed residential buildings, thereby reducing the risk of crime at these areas.

The proposed site layout provides a green open space and play area, which acts as a central point to the development. This assists in achieving a reduction in the impact of parked cars and serves to introduce much-needed greenery to reflect the suburban location and enhance the landscaping of the site

The scale and design of the proposed development is considered to be appropriate for both the site and in relation to the wider site development context. Accordingly, the scale, layout and design of the proposal would comply with Policies 4B.1 and 4B.4 of the London Plan 2008; Policies D4 and D5 of Harrow's UDP 2004, and Harrow's Supplementary Planning Guidance: Designing New Development 2003.

3) Residential Amenity

Future Occupiers of the Proposed Development

Policies D4 and D5 of Harrow's UDP 2004 requires new residential development to provide adequate amenity for future occupants. London Plan Policy 3D.13 seeks to ensure that children have safe access to good quality, well designed, secure and stimulating play and informal recreation provision. London Plan Supplementary Planning Guidance: Children and Young People's Play and Informal Recreation, requires well-designed play and recreation space for every child to be accommodated in new housing development. Specifically, appropriate and accessible facilities within 400m for 5-11 year olds or within 800m for 12 plus age group alternatives are recommended.

The London Borough of Harrow Play Strategy [2007-2012] seeks to ensure that new development recognises and addresses the importance of incorporating good quality, inclusive, safe and stimulating play spaces. The GLA's requirement, based on this proposal for 158 residential units is to provide 1,119sqm of play area. Harrow's requirement is 800sqm. A condition is recommended as part of any planning permission to ensure the appropriate provision of child play space.

The proposed residential units would be provided both as houses and flats, which would include a desirable mix of larger family units. Nearly all of the proposed houses would be provided with private rear gardens of varying sizes. The creation of the green space and play area would provide a communal living experience for existing and future occupiers of this Estate.

Impact on Occupiers of Existing Neighbouring Properties

The proposal has been designed to ensure it would provide adequate separation distance to all of the neighbouring residential properties.

The proposed two-storey houses at the northern most part of the site have been orientated in a manner, which would provide a further separation distance from the rear of the properties along Greenway [15m approx].

The proposed one-storey house and the row of proposed houses and block of flats, which face the rear of the Greenway properties [Nos. 17-37] are also sufficiently set away from these properties [15m approx].

The depth of the row of houses sited to the east of the neighbouring residential block at Northcote have been significantly reduced to respect trees sited along this boundary [20m approx]. This would also provide a greater separation distance to the residents of Northcote.

As you enter further into the development, the properties to the north and south of the revised Mill Farm Close road layout would narrow in towards each other. This would provide a more enclosed development whilst simultaneously increasing in some parts, the separation distance to the neighbouring residential properties surrounding the site [at least 15m approx. to Audley Court properties]. The distance of the proposed row of properties which would back towards those properties along Miller Close would be at least 18m.

All of the units would be expected to receive adequate levels of daylight / sunlight. The living conditions of the proposed development are therefore considered to be acceptable with no adverse impact on occupiers of neighbouring residential properties.

All of the houses and flats would benefit from private rear / communal gardens. In addition to the private rear gardens to the buildings, the open green space and play area would also provide additional amenity to the future occupiers of the proposed development.

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

4) Housing Provision and Density

The proposal would represent 158 units to Harrow's housing stock, which would make a positive contribution in meeting annual housing targets for the Borough. The scheme would provide:

- 29no. x one-bed flats;
- 63no. x two-bed flats;
- 3no. x three-bed flats;
- 21no. x two-bed houses;
- 29no. x three-bed houses;
- 9no. x four-bed houses; and
- 4no. x five-bed houses.

Of the above, 82 units are proposed as social rented units and 16 as shared ownership housing. This would represent 98 units as affordable housing, which would equate to 62% as affordable provision. This exceeds the London Plan requirement of 50% and is considered acceptable.

The proposed development would result in a density of 244HRH, based on a site area of 2.13ha and 520 habitable rooms. The density levels are in accordance with those recommended by Policy 3A.3 and Table 3A.2 of the London Plan 2008.

5) Parking and Highway Safety

The proposed 1:1 parking provision is acceptable on this site where it is PTAL 2. Harrow's Highways Engineer is satisfied with the proposal. 16 disabled car parking spaces would be provided, along with cycle storage, which is considered acceptable. In addition, a contribution of £28,000 towards bus stop improvements, as requested by Transport for London would form part of any legal agreement.

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

6) Accessible Homes

The proposed development complies with Harrow's Accessible Homes SPD 2006, which requires 100% of all new residential developments to be built to meet the Lifetime Homes Standards. In this case, all 158 units would meet Lifetime Homes standards furthermore, 16 of the units would meet Wheelchair standards.

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

7) S17 Crime & Disorder Act 1998

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

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

8) Consultation Responses

Greater London Authority

This planning application, as part of the consultation process was referred to the GLA under Category 1A of the Town and Country Planning (Mayor of London) Order 2008. The GLA has concluded in his Stage 1 Report that further information would be required on:

- Urban Design;
- Child Play Space;
- Energy; and
- Transport.

The applicant has revised the scheme, in consideration of the Mayor of London's Stage 1 Report and has submitted a detailed response to the GLA, which it is considered addresses the matters raised.

The Mayor of London will consider the applicant's response to his Stage 1 Report when this application is referred back to him under Article 5(2) of the Town and Country Planning (Mayor of London) Order 2008 for his Stage 2 Report.

Environment Agency

No objection, subject to a condition to ensure appropriate measures as detailed in the Flood Risk Assessment are implemented.

English Heritage

No objection subject to a condition for the implementation of archaeological work.

Thames Water

No objection.

Neighbour Responses

Six representations received [one in support] with five objecting to the proposal on the following grounds:

- Potential loss of light to occupiers at Northcote;
- Parking;
- Density;
- Risk of flooding;
- Impact on local facilities such as schools, parks and highways;
- Impact on access between Greenway and Miller Close;
- Effect of the proposal on property prices; and
- Increased crime as a consequence of housing association tenure properties;
- Loss of existing access rights;
- Insufficient consultation and notification.

Since the revisions to the scheme were made, the loss of light concern to properties at Northcote has been addressed through the setback in depth of the row of proposed houses which it would face. This would further increase the separation distance between habitable room windows to these Northcote properties.

The proposal would provide 1:1 parking and Harrow's Highways Engineer is satisfied with the proposal. The proposal would accord with the London Plan density matrix and therefore, this aspect of the proposal raises no issues on density grounds. The Environment Agency is satisfied with the proposal in respect of flood risk subject to a condition, which is recommended as part of any planning permission.

Any impact of the proposal on local highway network, amenities and community facilities would be addressed through the applicant's various S106 contributions. It is noted that the proposal would effectively provide an additional 48 residential units as the site currently benefits from 110 units.

The applicant, through the S106 contributions would be applicable to education, health facilities, sports facilities, parks and community facilities. This would not only benefit the future occupiers of the proposed development but also to existing occupiers of neighbouring residential properties. Indeed, the proposal would enhance the local area and on these grounds, the scheme is considered acceptable.

The issue of Planning on property prices is not a material consideration, nor is the assumption of linking housing association tenants with an increase in crime. Notwithstanding the crime issue, a condition is recommended as part of any planning permission for the development to aspire to Secured by Design standards. The loss of existing access rights, a subject which is ongoing with the objector and the Council is a civil matter and would not preclude development on these grounds alone.

Neighbour consultation has been carried out for both the 165 and the revised 158-unit scheme. Site notices have been displayed on both occasions. The 165-unit scheme was advertised in the Harrow Observer on 5 November 2009 and the advert for the 158 scheme was in the same local newspaper on 18 February 2010.

Accordingly, the representations set out above have been addressed and are not considered to outweigh the extensive benefits that the proposed development would have to existing and future occupiers of the development, to neighbouring properties in terms of amenity and to the area in general.

CONCLUSION

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

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above, this application is recommended for **GRANT** subject to the following conditions, referral to the Mayor of London for his Stage 2 Report [and any required planning conditions as a consequence of that referral] and completion of the legal agreement.

CONDITIONS

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

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

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

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

3 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 permanently retained.

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

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

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

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to the occupation of the building(s), or the completion of the development, whichever is the sooner. Any new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

6 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.

7 No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to, and approved by, the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

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

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

9 Prior to commencement of development hereby permitted, details of samples of materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be permanently retained.

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

10 The development hereby permitted shall not be occupied until a scheme for:

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

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

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

11 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.

12 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.

13 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.

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

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

15 At least 16 units hereby permitted shall be built as wheelchair accessible housing and thereafter permanently retained.

REASON: To ensure a reasonable provision of wheelchair accessible housing is provided as part of the development.

16 No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

REASON: To secure the provision of archaeological excavation and the subsequent recording of the remains in the interest of national and local heritage.

17 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment Ref: 5652 dated July 2009 and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Sustainable Drainage Systems to be utilised across the site in the form of green roofs and swales.

REASON: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to prevent the increased risk of flooding, to improve and protect water quality and improve habitat and amenity.

18 The proposed parking spaces shall be used only for the parking of private motor vehicles in connection with the development hereby permitted and for no other purpose.

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

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

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

(a) amenity space

(b) parking space

and to safeguard the amenity of neighbouring residents.

20 Prior to completion of the first phase of the development hereby permitted, details of a Travel Plan shall be submitted to and approved in writing by the local planning authority. Such details as approved shall be implemented prior to completion of all phases of the development and to continue to comply with the Travel Plan as approved throughout the lifetime of the development unless otherwise agreed in writing by the local planning authority.

REASON: In the interest of sustainable transport.

21 The tree protection plan contained in DF Clark Bionomique Limited Arboricultural Impact Assessment DFC 342 Rev A dated 8 February 2010 [Drawing No. 342 TPP C] shall be implemented prior to demolition of any part of the development.

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

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

1. all main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets';
2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

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

23 Notwithstanding the information shown on the submitted plans, details of the child play space including floor area shall be submitted to and approved in writing by the local planning authority prior to commencement of development. Such details as approved shall be provided within two years of the date of this permission and thereafter permanently retained.

REASON: To ensure adequate play facilities for the development.

24 Notwithstanding the information shown on the submitted plans, details of car parking shall be submitted to and approved in writing by the local planning authority. The car parking spaces as approved shall be implemented prior to first occupation of each phase of the development and thereafter permanently retained. The car parking spaces shall only be used for cars and motor vehicles and for no other purpose.

REASON: To ensure adequate provision of parking and a satisfactory form of development.

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

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

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

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

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

INFORMATIVES

1 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]:

3A.1 Increasing London's supply of housing

3A.2 Borough housing targets

3A.3 Maximising the potential of sites

3A.5 Housing choice

3A.6 Quality of new housing provision

3A.8 Definition of affordable housing

3A.9 Affordable housing targets

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

3A.11 Affordable housing thresholds

4A.1 Tackling climate change

4A.4 Energy assessment

4A.7 Renewable energy

4A.21 Waste strategic policy and targets

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

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

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

EP20 Use of Previously-Developed Land

EP25 Noise

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

D10 Trees and New Development

H7 Dwelling Mix

T6 The Transport Impact of Development Proposals

T13 Parking Standards

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

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

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

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

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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

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

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

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

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

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

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

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

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

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

Plan Nos: TBC

TOWNSEND HOUSE, 160 NORTHOLT ROAD, SOUTH HARROW, HA2 0PG

Item 1/05

P/0216/10/SL/MAJ

Ward ROXBOURNE

VARIATION OF CONDITION 7 OF PLANNING PERMISSION REF: P/2457/09 DATED 15 JANUARY 2010 FOR 'CHANGE OF USE OF EXISTING BUILDING FROM B1 (OFFICE) USE TO D1(C) EDUCATION USE.

Applicant: MR MAHASH PATEL
Agent: PRESTON BENNETT PLANNING
Statutory Expiry Date: 04-MAY-10

RECOMMENDATION

APPROVE permission subject to the conditions set out in this report.

REASON

The decision to recommend **APPROVAL** has been taken having regard to the conditions of the existing planning consent.

INFORMATION & BACKGROUND

At its meeting on 13 January 2010, the Planning Committee resolved to grant planning permission for the change of use of the above property subject to conditions. A copy of the Committee report is appended. At the Committee meeting, Members agreed with the officer's proposal for the deletion of the recommended Condition 7 and its replacement with two conditions both relating to hours of use. However, when the decision notice was issued, Condition 7 was not deleted.

Following this, the applicant, instead of requesting a removal of Condition 7 in the interest of completeness, has agreed for this Condition to be varied to restrict the use of the building to D1(c) Education use only, which is the subject of this application.

Condition 7 shall now read:

THE PREMISES SHALL ONLY BE USED FOR THE PURPOSE SPECIFIED IN THE APPLICATION [D1(C) EDUCATION USE] AND FOR NO OTHER PURPOSE, INCLUDING ANY OTHER PURPOSE IN CLASS D 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 AMENITY OF NEIGHBOURING RESIDENTS AND THE CHARACTER OF THE LOCALITY.

The effect of the application would be to replace the earlier planning permission with a new decision, which would have regard to the Committee's original resolution with the benefit of further restricting the use to that granted.

Item 1/05 : P/0216/10/SL/MAJ continued/...

This application raises no new matters, which have not previously been considered by the Planning Committee in the appended report. Furthermore, it would restrict the proposal to D1(C) Education use only. Any further change of use on this site would require the submission of a planning application.

Accordingly, the principle of development and terms of the permission are considered to be acceptable and approval of this application is therefore recommended.

CONCLUSION

For all the reasons considered above, this application is recommended for **APPROVAL**.

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

THE BUNGALOW, ALMA ROW, HARROW, HA3 6HN
Item: 2/01
P/2746/09/GL/C

Ward HARROW WEALD

REDEVELOPMENT: CONSTRUCTION OF THREE TWO STOREY HOMES WITH PARKING SPACES AND LANDSCAPING; DEMOLITION OF EXISTING BUNGALOW

Applicant: Mr M Kanbi

Agent: Saloria Architects

Statutory Expiry Date: | 15-FEB-10

RECOMMENDATION

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

REASON:

The decision to GRANT planning permission has been taken as the proposal would provide good quality additional housing in the borough that would comply with Lifetime Homes standards and having regard to the policies and proposals of the London Plan 2008 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 1 – Delivering Sustainable Development
Planning Policy Statement 3 – Housing

London Plan:

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

3A.2 – Borough housing targets

3A.3 – Maximising the potential of sites

3A.5 – Housing choice

4A.7 – Renewable Energy

4B.1 – Design principles for a compact city

4B.8 – Respect local context and communities

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

EP12 – Control of Surface Water Run-off

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions: A Householder's Guide (2008)

Supplementary Planning Document, Accessible Homes (2006)

Sustainable Planning Document, Sustainable Building Design (2009)

Draft London Housing Design Guide (2009)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008, Saved Policies in the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Principle of Development and Character of the Area (London Plan 3A.1, 3A.2, 3A.3, 4B.1, 4B.8, D4, D5, D9, EP12, SPG)
- 2) Residential Amenity, including Lifetime Homes (London Plan 3A.5, D4, D5, C16, SPD)
- 3) Parking/Highways Considerations (T6, T13)
- 4) Sustainable Development (4A.7, SPD)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings	
Lifetime Homes	3	
Wheelchair Homes	0	
Parking	Standard	3.6
	Provided	3
Residential Density	48 dph / 238 hrph	
Council Interest:	None	

b) Site Description

- The application site is a rectangular plot (approximately 20m x 30m) on the north side of Alma Row at its junction with Elm Terrace, which contains a single-storey family dwelling house.
- Both Alma Row and Elm Terrace are private unmade streets
- Alma Row has a recently-built three-storey block of 14 flats on the north-eastern side near the junction with High Road, with two two-storey blocks of two purpose-built flats immediately adjacent to the application site. The south side of Alma Row has the rear gardens of properties on High Road and Weighton Road, together with a development of three two-storey blocks of two purpose-built flats arranged off an access road between Alma Row and Weighton Road
- Elm Terrace comprises 19 two-storey Victorian terraced houses on its western side. The southern part of the eastern side of Elm Terrace has the return frontage of the application site, with the rear of the High Road bus depot beyond

c) Proposal Details

- Demolition of existing single-storey dwellinghouse
- Construction of a terrace of three two-storey dwellinghouses facing onto Alma Row with a single parking space, vehicular access and landscaping in each of the front gardens
- The terrace would be a total of 17.7m long and 10.1m deep (maximum), with each house having a two-storey bay window.
- The terrace would have a hipped roof with a ridge height of 7.8m.
- The houses would each have a living/dining room, a kitchen and a WC on the ground floor and three bedrooms (one with en-suite) and a bathroom on the first floor

- Refuse storage for the two end houses would be in the rear gardens, with the refuse storage for the centre house in a shielded enclosure

Revisions to previous application:

Following the previous refusal of planning permission (reference P/2878/08), the following amendments have been made:

- Number of proposed dwellinghouses reduced from five to three
- Orientation of development changed from facing onto Elm Terrace to facing onto Alma Row
- Accommodation in roofspace removed
- Integral garages removed

Revisions to current application:

The following amendments have been made to the current application:

- Number of proposed dwellinghouses reduced from four to three.

d) Relevant History

		GRANTED
		29-OCT-54
HAR/9823	Erection of bungalow	GRANTED
		03-DEC-54
HAR/9823/A	Erection of bungalow and garage	GRANTED
		07-MAY-56
HAR/9823/C	Increase height of flank wall	REFUSED
		17-JUL-57
HAR/13145	Refused	REFUSED
	17-Jul-1957	07-FEB-68
LBH/2932	Erection - 8 flats, pair s/d houses and detached house and garages	

Reason for Refusal:

The proposal represents an overdevelopment of the site

LBH/2932/1	Erection – 6 flats, pair of semi detached houses and detached house with garages – outline	GRANTED
		18-APR-68
P/2878/08	Redevelopment: Construction of five two-storey terraced homes with accommodation in the roof space and integral garages; demolition of existing bungalow	REFUSED
		23-OCT-08
		APPEAL DISMISSED
		08-SEP-09

Reasons for Refusal:

- The proposal, by reason of inappropriate siting, excessive site coverage, poor design and inappropriate materials, would represent an overdevelopment of the site, and would fail to respect the local context of development, to the detriment of the character and appearance of the area and the visual and residential amenities of neighbouring occupiers, contrary to policy D4 of the Harrow Unitary Development Plan (2004).
- The proposal, by reason of poor design and inappropriate siting, would result in overlooking of the rear gardens of neighbouring properties, to the detriment of the residential amenities of neighbouring occupiers, contrary to policies D4 & D5 of the Harrow Unitary Development Plan (2004).

- Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s) and the amenity of neighbouring residents, contrary to policies D4, T6, and T13 of the Harrow Unitary Development Plan (2004).
- The proposal would result in the unacceptable loss of trees of significant amenity value which, in the opinion of the local planning authority, would be detrimental to the character and appearance of the locality, contrary to policies D4, D9 and EP29 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

PAT/ENQ/4023/2/7/2008 (Part 2, part 3 storey building to provide 9 x 1 & 2 bed flats)

Overdevelopment of site – considered to be excessive in scale and massing, and 3 storeys height would be out of keeping with modest scale of adjacent residential development in Elm Terrace and Alma Row

PAT/ENQ4023/17/07/2008 (6 x 3-bed dwellings)

Design considered bulky and blocky, too big for this modest corner site and completely out of scale with neighbouring residential properties. Proposal for a maximum of 2-3 units or a block of 4 flats more likely to be acceptable

PAT/ENQ/00005/20/1/2009 (4 x 3-bed dwellings)

Boundary to boundary width still considered excessive and visually obtrusive, particularly on Elm Terrace frontage

Excessive hard surfacing to front with minimal landscaping provision considered unacceptable

Parking frontage should have a minimum of 4.8m, proposal varies between 3 – 4.5m

Obtrusive refuse storage – refuse storage should be designed as an integral part of the buildings or sited at side or rear

Suggest site can take a maximum of 2 to 3 small houses to allow reasonable spacing to boundaries and a more satisfactory appearance in the streetscene

Whilst the proposal appears to comply with Part M (Building Regulations), it does not comply with Lifetime Homes standards – each unit should comply with all relevant Lifetime Homes Standards

f) Applicant Statement

- Site has good public transport links and local facilities; design of properties would respect the scale of development in the locality; new dwellings would conform to Lifetime Homes standards

g) Consultations

Thames Water: Developer needs to make proper provision for surface and foul water drainage. Storm flows need to be attenuated. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

There are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

Drainage Engineers: Conditions regarding foul and surface water drainage and surface water storage and attenuation required.

Landscape Architect: Conditions regarding hard and soft landscaping, including permeable driveways, required

Highways Engineers: If one parking space is provided per dwelling there is no objection

Planning Arboricultural Officer: Previous trees on site have been removed

First Notification:

Sent : 48

Replies : 7

Expiry : 13-JAN-10

Plus petition with 29 signatures

Neighbours consulted:

1 – 7 (odd) Weighton Road

435, 465 High Road

Azure, 465 High Road (14 flats)

3, 4, 5, 6 Ravenscourt, Alma Row

6 – 12 (even) Alma Row

1 – 19 (consecutive), Elm Terrace

Summary of Responses:

- Overdevelopment; parking pressure in unadopted road; loss of light to properties in Elm Terrace; risk of flooding from pressure on drains; lack of landscaping on Elm Terrace boundary; damage to road surface during construction; no access to Boxtree Park as stated in Design and Access Statement; danger to pedestrians; insufficient access for emergency vehicles; out of character with area

Second Notification (amended proposal):

Sent: 48

Replies: 12

Expiry: 23-FEB-10

Plus petition with 20 signatures

Summary of Responses:

Overdevelopment; parking pressure in unadopted road; loss of light to properties in Elm Terrace; risk of flooding from pressure on drains; lack of landscaping on Elm Terrace boundary; damage to road surface during construction; no access to Boxtree Park as stated in Design and Access Statement; danger to pedestrians; insufficient access for emergency vehicles; out of character with area; change in proposal should warrant a fresh planning application

APPRAISAL

1) Principle of Development and Character and Appearance of the Area

The principle of the redevelopment of this site for residential purposes is considered acceptable, subject to consideration of a number of relevant strategic, local and supplementary planning policies.

Alma Row and Elm Terrace were among the first areas to be developed in this part of Harrow Weald. Maps from 1896 show terraced houses on the west side of Elm Terrace and the north side of Alma Row.

Although all the terraced houses that used to occupy Alma Row before World War 2 have now been demolished and redeveloped into either purpose-built flats or, in the case of the application site, a bungalow, the original terraced houses on Elm Terrace have remained largely unaltered since the nineteenth century. Although these houses are neither statutorily nor locally listed, and are not in a Conservation Area, they retain a distinctive character and are of historic interest. Any development proposal in the vicinity of these cottage-style dwellings should respect the built form of the terrace, as required by London Plan policy 4B.8 and UDP policy D4.

The previous refused application, P/2878/08, involved a proposal for five terraced houses facing Elm Terrace. This would have contrasted with the historical arrangement in which the original terraced houses in Alma Row were aligned to face Alma Row. Although the Inspector, in dismissing the appeal against that refusal, did not comment on the orientation of the then proposed terrace, he did concur with the Council's reason for refusal relating to the cramped nature of the proposed development and the overdevelopment of the site.

This current application would provide three two-storey terraced dwellinghouses facing onto Alma Row. This would, in officer's opinion, better reflect the historical arrangement of development in the area.

The proposal would result in three two-storey houses that would be centrally located within the plot. The terrace would have space at either end, which would maintain an element of space around the development.

An indicative landscaping scheme for the front garden is shown on the submitted drawings. Approximately half of the front gardens would be given over to car parking. Subject to a detailed hard and soft landscaping scheme being approved and implemented, it is considered that this would provide a reasonable level of streetside greenness and forecourt greenery, as required by saved policy D9 of the UDP.

Between the refusal of the previous application and the Inspector's site visit, the applicants removed the mature trees and hedging on the Elm Terrace boundary of the site. These trees, which were not worthy of statutory protection, nevertheless provided a useful screen to the site, and made a significant contribution to streetside greenery in this location. Any proposed landscaping scheme would need to include the provision of trees or hedges on the Elm Terrace boundary to mitigate the impact of the development on that boundary and to improve streetside greenness.

The refuse storage arrangements for the two end dwellinghouses would be in the rear gardens. This is considered acceptable. The refuse storage for the central dwellinghouse would be at the front of the house, in an area below the WC window. This position is considered acceptable, although full details of any screening enclosure for these bins would need to be submitted and approved in writing before the development commences to ensure that it would have a satisfactory appearance.

The proposed site coverage of the dwellinghouses has been optimised. Therefore, in order to restrict extensions of the dwellinghouses, and to limit the coverage of land by buildings and hard surfaces, a condition removing permitted development rights in Classes A, B, D, E and F has been attached.

Neighbouring occupiers have expressed concerns about the capacity of the drains in Elm Terrace and Alma Row to cope with additional surface and foul water. Connection to public sewers is a matter that is covered by other legislation. However, the sewerage undertaker has the right to impose conditions on flow rates into the public sewers. Notwithstanding this, saved policy EP12 of the Harrow Unitary Development Plan requires that appropriate attenuation measures should be incorporated in all development generating surface water run-off. To this end, conditions requiring surface and foul water drainage, together with surface water storage and attenuation details, to be approved and implemented before the development of buildings on the site have been attached.

2) Residential Amenity, including Lifetime Homes

The room sizes in the proposed dwellinghouse would meet the needs of the intended occupiers and would comply with the previously adopted Environmental Health Standards and the Draft London Housing Design Guide (2009).

The internal arrangements of the proposed new dwellings are considered acceptable, and conform to the requirements of Lifetime Homes, as required by saved policy C16 of the Harrow Unitary Development Plan, London Plan policy 3A.5 and the adopted SPD, "Accessible Homes".

Saved policy D5 of the UDP requires new residential development to provide an adequate area of amenity space as a usable amenity area for the occupiers of the development. Although the UDP does not have minimum sizes for garden areas, the reasoned justification, at paragraph 4.30, states that the form and amount of usable amenity space that should be provided in new development will depend on the character of the surrounding area and the configuration of the site.

The house nearest Elm Terrace would have a rear garden area of approximately 110 sqm, and the other two houses would have rear garden areas of approximately 90 sqm. These garden areas are comparable with other properties in the area and are considered acceptable.

The proposed terrace would comply with the horizontal 45 degree code with respect to the neighbouring block of maisonettes, Nos. 6 & 8 Alma Row. The proposed dwellings would have windows only to the front and rear and would not result in overlooking of neighbouring properties.

The flank wall of the proposed terrace facing the properties in Elm Terrace would be 10.1m from the front windows in Elm Terrace at its closest point. This complies with the vertical 45 degree code with respect to these properties and would not result in overshadowing of the dwellings in Elm Terrace. The proposed terrace would have a hipped roof, which would lessen the impact of the bulk of the proposed terrace and it is considered that the proposed development would not have an overbearing impact on the occupiers of the properties in Elm Terrace.

3) Parking/Highways Considerations

Each of the proposed dwellinghouses would have a single off-street parking space. This is less than the maximum permitted by schedule 5 attached to saved policy T13 of the UDP. Given the level of public transport accessibility in the area, this is considered adequate.

Both Alma Row and Elm Terrace are private unmade roads. There have been representations regarding the effect that the development would have in terms of overspill parking resulting from the development itself, and the loss of existing on-street parking facilities in Alma Row itself.

The Inspector, in dismissing the appeal against the earlier refusal, noted that both Alma Row and Elm Terrace are heavily parked and that the existing arrangement has the potential for pedestrian and vehicle conflicts given the restricted manoeuvrability and the volume of parked vehicles.

In that refused scheme, the proposed garages would not have been adequate to accommodate a single car without overhanging onto the highway.

In the current scheme, the proposed parking areas would each be adequate to accommodate a car, and the previous concerns have largely been addressed. It is considered that the proposed parking arrangements are adequate. The number of associated vehicle movements with two additional dwellings would not have any significant highway safety implications, especially as the condition of the highway does not lend itself to driving at high speed.

The control of parking on these private roads would be outside the remit of the Council, and the impact of the development is not considered to warrant refusal on these grounds.

In addition to the concerns about overspill parking, concerns have been raised about potential damage to the roadway. As both Alma Row and Elm Terrace are private roads, this would be a private matter between the developer and the frontagers.

4) Sustainable Development

The Design and Access Statement makes some reference to sustainable building techniques and methods of reducing the environmental impact of the proposed development.

Harrow Council has recently approved a new Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

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.

5) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

6) Consultation Responses

Overdevelopment; risk of flooding from pressure on drains; lack of landscaping on Elm Terrace boundary; out of character with area – *these issues have been addressed in the Character and Appearance of the Area section of the appraisal above*

Loss of light to properties in Elm Terrace – *this issue has been addressed in the Residential Amenity section of the appraisal above*

Parking pressure in unadopted road; damage to road surface during construction; danger to pedestrians; insufficient access for emergency vehicles – *these issues have been addressed in the Transport Impact section of the appraisal above*

No access to Boxtree Park as stated in Design and Access Statement – *although there is no direct access from Elm Terrace to the Recreation Ground, the Recreation Ground is a short walk from the application site, and this error is not considered sufficient to warrant refusal of the scheme.*

Change in proposal should warrant a fresh planning application – *the applicant is free to amend a planning application during the course of its consideration. All neighbours were consulted on the revised scheme.*

CONCLUSION

The principle of the development, which involves a reduced scheme of three units, is considered acceptable. The proposal would provide three additional Lifetime Standard homes for the borough that would not have a detrimental impact on the residential amenities of neighbouring occupiers. Conditions have been attached to ensure that the dwellinghouses are not extended and that the privacy of neighbouring occupiers is maintained.

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

CONDITIONS

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

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

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

a: the 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.

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

8164-00-P0; 8164-09-P1; 8164-10-P4; 8164-11-P5; Design and Access Statement

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

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

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

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 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.

6 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.

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

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

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

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

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

REASON: To ensure that adequate drainage facilities are provided.

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

REASON: To ensure that adequate drainage facilities are provided.

11 The development of any buildings hereby permitted shall not be commenced until surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To prevent the increased risk of flooding.

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

a: 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.

13 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the appearance of the locality.

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

a: the frontage

b: the boundary

of the site is enclosed by a close boarded fence to a minimum height of 2 metres.

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

REASON: In the interests of amenity and highway safety.

15 The vehicular access hereby permitted shall not be used until a fence or wall of a maximum height of 600mm has been provided on the remainder of the property frontage, such fence or wall to be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

16 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

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

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

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

London Plan:

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

3A.2 – Borough Housing Targets

3A.4 – Housing Choice

3A.5 – Large Residential Developments

4A.7 – Renewable Energy

4B.1 – Design principles for a compact city

4B.8 – Respect local context and communities

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions: A Householder's Guide (2008)

Supplementary Planning Document, Accessible Homes (2006)

Draft London Housing Design Guide (2009)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

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

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE

There may be public sewers crossing / adjacent to the site, so no building will be permitted within 3m of the sewers. The applicant should contact the Area Service Manager, Mogden, at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel: 0645 200 800

5 INFORMATIVE

Note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

6 INFORMATIVE:

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

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

Plan Nos: 8164-00-P0; 8164-09-P1; 8164-10-P4; 8164-11-P5; Design and Access Statement

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

Ward HEADSTONE SOUTH

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

Applicant: Mr Aalok Soni

Agent: Jackson Property Consultancy Ltd

Statutory Expiry Date: 04-SEP-09

RECOMMENDATION

GRANT permission for the retention of the as-built development described in the application and submitted plans, subject to conditions

REASON:

The decision to GRANT planning permission has been taken as the proposal would provide additional housing in the borough that would comply with lifetime homes standards and having regard to the policies and proposals of the London Plan and the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

- 3A.1 – Increasing London's supply of housing
- 3A.2 – Borough housing targets
- 3A.3 – Maximising the potential of sites
- 3A.5 – Housing choice

Harrow Unitary Development Plan:

- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- D9 – Streetside Greenness and Forecourt Greenery
- EP12 – Control of Surface Water Run-off
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards
- C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions: A Householder's Guide (2008)

Supplementary Planning Document, Accessible Homes (2006)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008, Saved Policies in the Harrow Unitary Development Plan 2004 and any other relevant guidance)

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

INFORMATION

This application is referred to Committee at the request of a nominated member.

a) Summary

Statutory Return Type: Minor Dwellings
Lifetime Homes 2
Wheelchair Homes 0
Council Interest: None

b) Site Description

- The site is to the rear of No's 176-182 Harrow View adjacent to No.2 Bolton Road. Construction of the proposed dwellinghouses has now largely been completed on site.
- Site previously formed part of rear gardens of No's 176-182 Harrow View
- Area is predominately characterised by two-storey semi detached and terraced houses with the houses located on the side streets and set back from the rear gardens of houses fronting onto the main road.
- Nos 176-178 Harrow View are also owned by the applicant and have been converted into four flats (two per dwellinghouse), with the benefit of Certificates of Lawful Existing Development.

c) Proposal Details

- Retention of two five-bedroom two-storey semi-detached dwellings with single-storey side additions and accommodation in roof, incorporating access and two parking spaces
- The footprint, height, bulk and scale of the dwellinghouses is as approved by the previous grant of planning permission (P/2759/07/DFU)
- The following amendments to the approved scheme have been made:
- Revised arrangements of rooflights: approved scheme would have had one rooflight and a solar panel on the front roofslope of each house, current scheme has two rooflights only on the front roofslope of each dwellinghouse
- Single-storey side additions to each house now has a flat roof rather than a mono pitched roof with 3.2m mid point height
- Internal alterations to approved scheme comprising relocation of stairs such that they are towards the front of the dwellinghouses as opposed to being in the centre; the first floor bathrooms have been relocated from the flank elevation to the centre of the dwellinghouses and the use of the room on the flank elevation as a study

d) Relevant History

P/2639/05/CFU	Construction of terrace of 4 two storey houses with accommodation in roof, access and parking	WITHDRAWN 19-DEC-05
P/265/06/CFU	Construction of terrace of 3 two storey houses with accommodation in roof, access and parking	REFUSED 24-APR-06 APPEAL DISMISSED 07-DEC-06

P/1423/07/DFU	Two, two-storey houses with accommodation in roof incorporating roof terrace, side and rear dormers; access and parking	REFUSED 06-JUL-07
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Reasons for Refusal:

- The proposal by reason of bulk, massing, height, design incorporating roof terraces and side dormers and siting would be unduly obtrusive, overbearing, result in loss of outlook to neighbouring dwellings, and would detract from the established pattern of development in the street scene and would be detrimental to the visual and residential amenities of the neighbouring occupiers and the character of the locality, contrary to policies, SH1, SH2, SD1, D4 and D5, of the Harrow Unitary Development Plan (2004), and Supplementary Planning Guidance: Extensions a Householders Guide (2003).
- The proposed forecourt hard surfacing to the side of the dwellings would erode front garden leaving inadequate scope for soft landscaping which would detract from the appearance of the property in the street scene to the detriment of the amenities of future occupiers of the site and neighbouring occupiers contrary to policies SD1, D4, and D9 of the Harrow Unitary Development Plan (2004).

P/2759/07/DFU	Two, two-storey houses with accommodation in roof; access and parking	GRANTED 20-JAN-08
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Planning permission for the pair of houses has previously been granted. Current proposal represents minor changes to approved scheme. Change of roof style for side projections reduces bulk of scheme
- Second rooflight is required to provide natural light to relocated stairwell. Completed dwellinghouses have enhanced energy efficiency measures that outweigh benefits that could come from a solar panel.

g) Consultations

Environment Agency: No response received

Drainage Engineers: No response received, but response to previous application requested that drainage conditions be applied

Notifications:

Sent : 63 Replies : 3

Expiry : 26-AUG-09

Neighbours consulted:

1 – 23 (odd) Bolton Road

2 – 20 (even) Bolton Road

Harley Court, Harrow View (8 flats)

153 – 185 (odd) Harrow View

162 – 188 (even) Harrow View

Summary of Responses:

- Parking pressure; development is too obtrusive for plot; detrimental to character of area; concerns about the number of variations to a planning permission can be allowed; clear windows have been inserted into side elevation; perceptions of overlooking; development built closer to site boundaries than approved.

APPRAISAL

This application is required as the development has commenced on site, and the applicant has proposed amendments to the approved scheme that cannot be considered as non-material amendments. Additionally, the conditions precedent attached to the approved scheme are no longer capable of being discharged.

The Local Planning Authority has been engaged in lengthy negotiations with the applicant to achieve an acceptable scheme.

1) Principle of Development and Character and Appearance of the Area

The principle of the development for two dwellings has been established by planning permission P/2759/07/DFU granted on 20 January 2008.

The size, bulk, scale and massing of the dwellinghouses have previously been approved, and the footprint and envelope of the building has been constructed in accordance with the approved plans.

The buildings are centrally located within the plot. This maintains a good separation distance between properties on Bolton Road and the dwellings on Harrow View. The two-storey bulk of the building is set approximately 5m from each of the boundaries of the site, with a 0.8m separation on the ground floor. The development retains space about the buildings and sits well within the context of the surroundings.

In order to ensure that the development retains a suitable relationship with other properties in the area, to prevent excessive site coverage by buildings and hard surfaces, and to preserve the visual and residential amenities of neighbouring occupiers, a condition restricting permitted development by way of extensions and roof alterations has been attached.

The existing building would have flat roofs on the single-storey side elements as opposed to the previously-approved mono-pitched roofs. The use of flat roofs is required as the previous pitch angle would have been too shallow to have been satisfactorily constructed with a tiled roof. This "as built" roof form is considered acceptable as many properties in the area have flat roofed single-storey side extensions.

The previously approved scheme would have had one rooflight and one solar panel on the front roofslope of each dwellinghouse. However, the "as-built" scheme has two rooflights on the front roofslope of each dwellinghouse. The 'as-built' scheme also includes internal alterations compared to the previously-approved scheme whereby the stairways are towards the front of the dwellinghouses rather than in the middle of the dwellinghouses.

The applicants have justified this change to the treatment of the front roofslopes as the additional inner rooflights on the front roof plane provide natural light to the stairways, and the development incorporates energy-efficient measures that would offset the electricity that could be generated by solar panels. Given the circumstances, this change does not cause such a visual intrusion in the streetscene so as to warrant a refusal.

The development accommodates adequate numbers of bins and recycling facilities to the sides of the properties. The facilities would be shielded from the street scene by a fence.

Amenity space of 96m² for each property is provided, as previously submitted, which is appropriate for these houses and accords with the Draft London Housing Design Guide (2009). However, a condition removing permitted development rights concerning the construction of outbuildings, or other extensions to the houses, has been attached to ensure that an adequate area of amenity space is maintained.

The frontage of the property provides one parking space to the side of both of the dwellings with the majority of the frontage dedicated to soft landscaping. The development makes a contribution to the street scene in the form of forecourt greenery and would provide adequate parking provision for the use of the properties.

Notwithstanding this, conditions have been attached requiring landscaping of the front garden to be approved, and implemented, before the development is occupied to ensure that a high standard of forecourt greenery is provided.

2) Residential Amenity and Accessibility

The dwellinghouses have been positioned so as to respect the 45 degree sight line with respect to No. 2 Bolton Road. The development has windows on the first floor flank elevation facing No. 2 Bolton Road, which would serve a study. Any potential overlooking of No. 2 Bolton Road would be minimised as these windows are located over 3m from the boundary and would therefore comply with the requirements of the SPG on householder extensions. Notwithstanding this, a condition requiring these flank windows to be obscure glazed and non-openable below a height of 1.7m above finished floor level has been added to avoid any perceived overlooking of neighbouring properties.

The proposed flank windows located within the single storey side extension elements and would be secondary windows and would be obscure glazed and non-openable below a height of 1.7m above finished floor level. These windows would not create any undue overlooking onto rear gardens of properties along Harrow View or Bolton Road and would not prejudice any future development on adjoining sites. Conditions to ensure that the flank windows on the ground floors remain obscure glazed have been attached.

The part of the development that is located towards the boundary with properties along Harrow View is considered to respect, as far as possible, the outlook from the rear windows of No. 176-182 Harrow View.

An operational condition has been attached preventing the use of the roofs of the single-storey side elements as a balcony or roof terrace to prevent overlooking of other properties.

The room sizes are sufficient to provide turning circles for a wheelchair user. Door widths, corridor widths and access into the property would be suitable with scope to provide a lift internally should the need arise. Both of the proposed dwellings respect the requirements of the Accessible Homes SPD and are considered acceptable.

3) Parking/Highways Considerations

There are two parking spaces, one for each dwelling, which is considered acceptable. Although concerns have been raised by neighbouring occupiers that the proposal would increase parking pressure on the public highway, the highways engineers have raised no objection to the proposed arrangements. Notwithstanding this, a condition is attached requiring that the part of the frontage of the property not to be used for vehicular access is closed with a 600mm high fence or wall to prevent indiscriminate crossing of the footway.

4) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

5) Consultation Responses

Parking pressure; development is too obtrusive for plot; detrimental to character of area – these issues were addressed when planning permission was originally granted and have been further addressed in the appraisal above.

Concerns about the number of variations to a planning permission can be allowed – this application was required as the proposal represented a material variation to the original grant of planning permission. Although minor non-material amendments may, in certain circumstances, be accepted, in this instance it is considered that the changes are sufficient to require a further grant of planning permission.

Clear windows have been inserted into side elevation; perceptions of overlooking – these matters have been dealt with by the use of conditions and have been addressed in the residential amenity section.

Development built closer to site boundaries than approved – the approved plans indicate that the previous building envelope would also have been 800mm from the side boundaries.

CONCLUSION

The principle of the development has been established, and the material changes to the previously approved scheme are considered acceptable. Conditions have been attached to ensure that the dwellinghouses are not extended and that the privacy of neighbouring occupiers is maintained. There have been no material changes in the development plan or other circumstances since the previous grant of planning permission.

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

CONDITIONS

1 The 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.

2 Apart from at the authorised vehicular access points, a fence or wall of a maximum height of 600mm shall be provided on the remainder of the property frontage, such fence or wall to be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

3 The development hereby permitted shall not be occupied 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 approval of the details of landscaping. 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.

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

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents.

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

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

7 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality.

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

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

London Plan:

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

3A.2 – Borough Housing Targets

3A.4 – Housing Choice

3A.5 – Large Residential Developments

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions: A Householder's Guide (2008)

Supplementary Planning Document, Accessible Homes (2006)

Draft London Housing Design Guide (2009)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE:

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

5 INFORMATIVE:

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

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

Plan Nos: Site Plan; boltonrd-2a /1A; /2; /3; /5; /6; /7; /8; Design and Access Statement; Supporting statement

12 GREENACRES DRIVE, STANMORE, MIDDLESEX, HA7 3QJ **Item: 2/03**
P/2557/09/FOD/E
Ward STANMORE PARK
TWO STOREY SIDE EXTENSION

Applicant: Mr Lalit Shan
Agent: Mr Navtej Singh
Statutory Expiry Date: | 17-FEB-10

RECOMMENDATION

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

Reason: - The decision to GRANT planning permission has been taken having regard to the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed extensions would provide an appropriate form of development and preserve the character of the area without unduly impinging on the amenity of neighbouring occupiers.

London Borough of Harrow Unitary Development Plan 2004

EP43 – Green Belt and Metropolitan Open Land Fringes

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

Supplementary Planning Guidance: Extensions – A Householder’s Guide (2008)

MAIN CONSIDERATIONS AND POLICIES (London Borough of Harrow Unitary Development Plan 2004 and any other relevant policy considerations)

- 1) Character and Appearance of the Area and Development on Metropolitan Open Land Fringes (D4, EP43, SPG)
- 2) Residential Amenity (D5, SPG)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to Committee as a petition signed by more than 5 persons conflicting with the recommendation has been received

a) **Summary**

Statutory Return Type: Householder Development
Council Interest: None

b) **Site Description**

- Greenacres Drive is a T-shaped enclave accessed off Gordon Avenue which is to the north and is characterised by detached dwellings. The application site lies adjacent to the entrance to Greenacres Drive.
- The dwellings within the enclave are oriented with gables facing the highway and are finished in red brick and white uPVC.

Item 2/03 : P/2557/09/FOD/E continued/...

- The application dwelling is a two-storey detached dwellinghouse on the southern side of Greenacres Drive.
- The dwelling replicates the predominate style of dwelling within the enclave and features a large integral garage on the eastern side of the house. A single storey study extension has been added at the rear of the garage
- To the rear, the dwelling features an original two-storey projection on the eastern side of the rear elevation which is replicated on the adjacent dwellings and along those properties on the northern side of Greenacres Drive.
- The rear garden extends 13 metres beyond the rear wall of the dwelling and the southern boundary of the site abuts Stanmore Golf Course, an area of Metropolitan Open Land (MOL).
- The neighbouring dwelling to the east, No.11, features a two-storey front extension which is finished in white uPVC.

c) Proposal Details

- It is proposed to erect a two-storey side extension.
- The proposed two-storey side extension would be attached to the rear wall of the single storey projection on the eastern side of the dwelling and would be set back 5.1 metres from the main front wall.
- The proposed two-storey extension would have a depth of 4.2 metres and would be 2.6 metres wide. It would have a hipped roof with a ridge height 850mm below that of the main roof ridge.

d) Relevant History

LBH/641	EXTENSION TO PROVIDE STUDY	GRANTED 28-NOV-65
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e) Pre-Application Discussion

- None

f) Applicant Statement

- None

g) Consultations:

Notifications:

Sent: 4	Replies: 2	Expiry: 03-FEB-10
Petition of 14 signatories received		

Neighbours Consulted:

Greenacres Drive: No.'s 10, 11, 13, 14

Summary of Responses:

- Overdevelopment of the site; out of character with the area and at odds with the surrounding area; noise, disturbance and pollution as a result of building works; issues in relation to the cleaning of gutters; loss of light to kitchen window

APPRAISAL

1) Character and Appearance of the Area and Development on Metropolitan Open Land Fringes

The proposed two-storey side extension would be set back over 5 metres from the front main wall of the dwelling. The roof of the proposed two-storey extension would be set 850mm below the main roof ridge, providing a sympathetic and subordinate extension of the dwellinghouse which would harmonise with the character of the building. The proposed extension, being set back over 5 metres from the front main wall of the dwelling would not be obtrusive nor disrupt the natural rhythm of the streetscene. The first floor front extension to the adjacent dwelling No.11 Greenacres Drive would further obscure views of the proposed side extension within the streetscene. The use of eaves details which would more closely mirror those of the existing dwelling than originally proposed would help the extension blend in with the existing building. As such, it is considered that the proposal would be in accordance with saved policy D4 of the HUDP (2004) and the Council's SPG on householder extensions (2008).

Saved policy EP43 sets out three criteria for assessing development within MOL fringes, focusing primarily on the impact that development would have on the openness of the MOL, ecological and nature conservation impacts of development. It is considered that the development would not result in any impact upon ecological and nature conservation within the site or MOL, given the modest scale of the proposed extension and its separation distance from the MOL boundary. In view of this, it is considered that the extension would not have an impact on the character of the MOL at the rear of the site, in accordance with saved policy EP43 of the HUDP (2004).

2) Residential Amenity

The proposed two-storey side extension would project marginally beyond the rear wall of No.11. Given the separation distance between No.11 and the proposed two-storey rear extension, the proposal would comply with the horizontal 45° code, as set out within the paragraph 3.14 of the Council's SPG on extensions.

The western flank wall of No.11 contains a kitchen window at ground floor level which faces No.12. It is considered, by virtue of its location in the side wall and close proximity to the existing flank wall of No.12 that this window is secondary to the primary protected window on the front elevation which has an open aspect. In any event, the proposed two-storey side extension would comply with the vertical 45° code in relation to this window as the proposed extension would *"not interrupt an upward plane angled at 45° from the lower edge of the glazed area of that window, measured across the whole width of the opening"* (paragraph 3.14 of the Council's householder extensions SPG). As such, the proposed development would not result in any undue overshadowing or an overbearing impact to No.11 in relation to this window. No windows are proposed in the eastern flank wall and as such, it is considered that no overlooking of No.11 would occur.

No.13 would be buffered from the development by the existing dwellinghouse and there are no residential properties to the rear. The proposed two-storey side extension would therefore accord with saved policy D5 of the HUDP (2004) and the Council's SPG on householder extensions (2008).

3) S17 Crime & Disorder Act

It is considered that the proposed development would not have any adverse crime or safety concerns.

4) Consultation Responses

Issues relating to loss of light and the character and appearance of the area have been discussed in sections 3 and 2 above respectively.

Issues relating to the noise, disturbance, pollution as a result of building works and the cleaning of gutters and drains are not material planning considerations and cannot be assessed within the remit of the planning application

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, the application is considered to provide an appropriate form of development which would provide a harmonious extension of the dwelling, respecting the character and scale of the original dwellinghouse without unduly infringing upon the amenity of neighbouring occupiers. The application is therefore recommended for grant:

CONDITIONS

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

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

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

REASON: To safeguard the appearance of the locality.

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s) shall be installed in the eastern flank wall 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 development hereby permitted shall be carried out in accordance with the following approved plans: GD/01, GD/02, GD/03 Rev 1, GD/03.1 Rev 1, GD/04, GD/4.1 Rev 1 (received 23/02/2010), GD/06, GD/06.1 Rev 1, GD/07 Rev 1, GD/08 Rev 1 (received 23/02/2010), Location Plan

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.

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E-mail: communities@twoten.com

Plan Nos: GD/01, GD/02, GD/03 Rev 1, GD/03.1 Rev 1, GD/04, GD/4.1 Rev 1 (received 23/02/2010), GD/06, GD/06.1 Rev 1, GD/07 Rev 1, GD/08 Rev 1 (received 23/02/2010), Location Plan

Item: 2/04

**DUDLEY HOUSE, 31 LOWER ROAD, P/2711/09/SB5/W
HARROW, HA2 0DE**

Ward HARROW ON THE HILL

CONVERSION OF DWELLINGHOUSE INTO TWO FLATS WITH NEW ENTRANCE ON FRONT ELEVATION; BIN STORE AT REAR; NEW 1M HIGH BRICK WALL AND GATE TO FRONT AND SIDE BOUNDARIES

Applicant: Mr Patrick McHugh

Agent: Mr D Higgins

Statutory Expiry Date: | 02-MAR-10

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans:

The decision to grant 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 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 proposed development makes efficient use of land whilst contributing to the provision of additional homes targets as detailed in the London Plan, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers and the character of the area.

National Guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13: Transport

London Plan:

4B.1 – Design Principles for a Compact City

3A.1 - Increasing London's Supply of Housing

3A.2 - Borough Housing Targets

3A.4 - Efficient Use of Stock

3A.5 - Housing choice

London Plan Draft Housing Design Guide (2009)

Harrow Unitary Development Plan:

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

D12 Locally Listed Buildings

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

T13 Parking Standards

H10 Maintenance and Improvement to Existing Housing Stock

C16 Access to Buildings and Public Spaces

Supplementary Guidance/ Documents

Supplementary Planning Guidance, Extensions; A Householders Guide (2008)
Supplementary Planning Guidance, Designing New Development (2003)
Supplementary Planning Document 'Accessible Homes'" (2006)
Roxeth Hill Conservation Area Appraisal 2008
Roxeth Hill Management Strategy 2008

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

- 1) Principle of Development (H10, London Plan: 3A.1, 3A.2, 3A.4, 3A.5)
- 2) Character and Appearance of the Conservation Area/ Locally Listed Buildings (D4, D5, D12, D14, D15, SPG)
- 3) Conversion of Buildings to Flats (D4, D5, D9, H10)
- 4) Accessible Homes (SPD, London Plan 3A.5)
- 5) Parking Standards (T13)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type:	13: Minor Dwellings
Conservation Area:	Roxeth Hill
Car Parking	Standard 2.4
	Justified 0
	Provided 0
Lifetime Homes:	1
Wheelchair Standards:	0
Council Interest:	None

b) Site Description

- Two storey semi-detached dwelling house located on the western side of Lower Road;
- The property is a locally listed building, the local list description reads: Attractive mid-Victorian cottage which appears on an OS map of 1864. Striking barge boards with single timber first floor casement window with pediment, stuccoed central section and ground floor square bay with sash windows;
- The dwellinghouse has been extended at the rear with a single storey rear extension;
- The existing dwellinghouse has no rear garden, only a front garden which is small and completely hardsurfaced;
- At present the refuse bins are located in the front garden;
- The existing dwellinghouse does not benefit from any off street parking provision;
- Attached neighbouring property no.33 was converted into two self contained flats back in the early 1980's,
- There is an access road at the side of the dwellinghouse which provides access to the small office building at the rear of the application site;

- This section of Lower Road is characterised by a mixture of flats and dwellinghouses;
- Application site is located within walking distance of nearby open spaces and South Harrow District centre.

c) Proposal Details

- Conversion of dwellinghouse into two self-contained flats;
- External alterations to dwellinghouse – insertion of a door at the front (in the side wall of the porch entrance);
- At ground floor a one bedroom flat is proposed, with an open plan kitchen and living area;
- At first floor level a one bedroom flat is proposed, with a separate kitchen and living area;
- Each flat would have its own entrance – the ground floor flat would be accessed via the new side entrance and the first floor flat would be accessed from the existing front entrance;
- Refuse storage is proposed at the rear.

Revisions to Previous Application:

Following the previous decision (P/3770/08) the following amendments have been made:

- Refuse stores moved to the rear
- The entrance door to the ground floor flat re-sited from the flank elevation to the front

d) Relevant History

LBH/30864	CHANGE OF USE FROM RESIDENTIAL TO OFFICES	REFUSED 04-DEC-86 APPEAL DISMISSED 11-NOV-87
WEST/58/00/FUL	SINGLE STOREY SIDE EXTENSION	REFUSED 12-MAY-00

Reasons for Refusal:

1. The proposed extension by reason of unsatisfactory siting, size, design and appearance, would detract from the character and appearance of this part of the Conservation Area.
2. The proposed extension, by reason of excessive bulk and prominent siting, would be unduly obtrusive, result in loss of light and overshadowing, and would be detrimental to the visual and residential amenities of the occupiers of the adjoining property, and the character of the locality.
3. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s).

P/3770/08	CONVERSION OF DWELLINGHOUSE INTO TWO FLATS WITH NEW ENTRANCE ON SIDE ELEVATION; BIN STORE AT FRONT	REFUSED 01-JUL-09
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Reasons for Refusal:

1. The proposal by reason of the siting of excessive number of bins on the forecourt would be visually obtrusive and detrimental to the visual amenity of nearby occupiers, the street scene and the character of the area and would fail to preserve or enhance the character or appearance of the Roxeth Hill Conservation Area and would adversely impact upon the setting of this locally Listed Building contrary to policies D4, D9, D12, D14 and D15 of the Harrow Unitary Development Plan (2004).
2. The proposed side entrance door, by reason of inappropriate location would receive inadequate natural surveillance to the detriment of the safety of future occupiers of the dwelling, contrary to policy D4 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion

None

f) Applicant Statement

- This application is supported by a Design and Access statement, which is summarised below:
 - External appearance of the house remains unaltered other than for the insertion of new front door.
 - Ground floor flats designed in accordance with Lifetime Homes standards.
 - Room sizes as shown to comply with Harrow Design Guidelines for residential accommodation.
 - Proposal does not affect any trees on the site.
 - Existing forecourt areas to be enclosed with a new 1m high wall and to be landscaped with lawn and planting.
 - New entrance gate and pathway to be provided.
 - Secure bin store will be provided to the rear to serve both flats.
 - Building will be designed to enable and assist the occupiers to meet their obligations under the current DDA.
 - The entrance to each flat will have level threshold.
 - There are no car parking spaces available for the existing dwellinghouse or for the conversion scheme.
 - Main entrances to both flats are in a prominent location and easily identifiable to both pedestrian and vehicular traffic.

g) Consultations

CAAC: awaiting comments

Advertisement: Character of Conservation Area Expiry: 28-JAN-10

Notifications:
Sent: 25 Replies: 1 Expiry: 27-JAN-10

List of Neighbours Consulted

28 , 29, 29A , 30, 32, 33A, 33B, 35 and 35A Lower Road
34, 34A, 36, 38, 40, 42, 42A, 44, 44A, 46, 46A, 48 and 48A, Dudley Court Lower Road
The Cottage, Middle Road

Summary of Responses:

- Object to the increase of cars entering and exiting the flats.
- Volume of traffic at present causes sufficient hold ups
- Consideration should be given to the children of John Lyon School in Middle Path making dashes across Lower Road to catch their buses each day.

APPRAISAL

1) Principle of Development

National and Local planning policies seeks to maximise the potential use of scarce land to provide future housing needs. Policy 3A.1 of the London Plan sets out the target for housing supply for each London Borough, for Harrow this being a provision of 4,000 additional homes for the next ten years and an annual monitoring target of 400. It is considered that the principle to convert the existing dwellinghouse into flats would to be in accordance with the London Plan policies 3A.1 and 3A.3.

2) Character and Appearance of the Conservation Area/ Locally Listed Buildings

Roxeth Hill Conservation Area is characterised by a mixture of houses and flats of different style and characters. It is considered that the application to convert this property into two flats would not alter the character and appearance of this property. The insertion of the new door on the side elevation of the existing porch entrance, subject to the use of suitable matching materials, would be acceptable and would preserve the character and appearance of the conservation area and the locally listed building. Likewise, the proposal to construct a 1m high wall along the front and side boundaries of the front garden, subject to the use of matching brickwork would preserve the character and appearance of the conservation area. The proposal is therefore considered to be acceptable in this regard.

3) Conversion of Buildings to Flats

This application follows on from a previous application P/3770/08 for the same development which was refused planning permission for the reasons stated above. In this current application, the applicant has amended to the scheme to show the refuse storage at the rear and the entrance to the ground floor flat at the front. Each aspect of the proposed conversion in the context of saved policies D4 and D5, and the Draft London Housing Design Guide is addressed accordingly below.

Circulation and Layout

In terms of size, circulation and layout, the proposed internal layout to both flats would comply with the minimum space standards as set under Housing Quality Indicators (HQI) with reference to the Draft London Housing Design Guide (2009). It is considered that the vertical stacking of the rooms is acceptable. The design and layout of the flats would ensure a vertical stacking that would mitigate any potential noise disturbance between the dwellings.

Access to Amenity

The existing single family dwellinghouse does not have access to a private rear garden. Taking into consideration that the proposed development seeks to provide two x one-bedroom flats (which is most likely to be occupied by singles/ couples), and the fact that the application site is located within walking distance of nearby open public spaces, it is considered that a refusal on grounds of no amenity provision can not be substantiated in this case.

Landscaping

Paragraph 4.21 of saved policy D4 recognises the contribution front gardens can make to the character of an area or locality. The LPA will seek their retention, reinstatement and enhancement in proposals as stipulated in policy D9. This is to ensure that the greenery of the front gardens is enhanced to improve the appearance of the development and the street scene. The proposed development has shown soft landscaping of the front garden, which would improve upon the existing situation and enhance the appearance of the development in the streetscene. It is therefore considered that subject to a condition requiring a detailed landscaping plan, the proposed development would meet the objectives set out under saved policies D4 and D9 of the Harrow UDP.

Refuse Storage

Paragraph 4.24 of the reasoned justification to saved policy D4 requires that the storage of refuse bins must be included in such a way to minimise its visual impact. The applicant has also shown the adequate provision of refuse and recycling bins for the proposed development at the rear, which would overcome the reason for refusal on the previous application.

Impact on Neighbouring Amenity

It is acknowledged that the conversion may increase residential activity on the site, expressed through comings and goings to the property. However, given the modest size of the proposed flats compared to the existing 3 bedroom property, it is considered that this proposal would not be detrimental to the amenity of neighbouring occupiers or the character of the locality.

4) Accessible Homes

The Council's adopted supplementary planning document (SPD) on 'Accessible Homes' seeks to ensure that new homes can be adapted to meet Part M of the Building Regulations, Lifetime Home Standards and Wheelchair Standard Homes.

This proposal does not fully meet all the standards laid out for Lifetime Homes as the proposed development would not provide off-street parking. However, it is considered that there is adequate width to allow access via the internal and external doors and corridors for the ground floor flat and adequate space in the bathroom and kitchen to allow easier access and mobility within these rooms. On balance it is considered that the proposed conversion would meet most of the objectives set out in the Council's SPD on Accessible Homes.

5) Parking Standards

The existing 3 bedroom dwelling house does not benefit from any off street parking. Taking into consideration that the proposed development is for two x one bedroom flats and the location is also sustainable close to local amenities and public transport, it is considered that the proposed development would not have an adverse impact upon highway safety. In addition to this, this section of Lower Road is subject to parking restrictions which would prevent any injudicious kerbside parking. Based on these factors, a refusal on the grounds of parking and highway safety cannot be substantiated in this case.

6) S17 Crime & Disorder Act

In the previous application P/3770/08, it was proposed to install a new entrance door on the flank elevation of the building to serve the ground floor flat. This entrance door would have fronted the service road to the Dudley House Offices at the rear of the application site and would have also faced the flank site boundary of No.29 Lower Road. This new entrance would have been set considerably back from the active street frontage (approximately 11m) and there would have been very little natural surveillance from passers by and from adjacent properties. This formed one of the reasons for refusal in the previous application.

In this current application, the applicant has amended the scheme to show the entrance door to the ground floor flat located on the side wall of the existing porch entrance. This porch entrance is located at the front and therefore it is afforded natural surveillance from Lower Road, nearby properties and passers by. It is considered that the proposed development has overcome the previous reason for refusal and therefore the proposed development would not have a material impact upon community protection. The proposed development is therefore considered to be acceptable.

7) Consultation Responses

- The existing dwellinghouse does not benefit from off street parking and the proposed development does not seek to provide off street parking. The justification in this case for no parking provision has been set out under section 5 of the above appraisal.
- It is noted that Lower Road is a main road and subject to high levels of traffic during peak times. However, there are parking restrictions in place along this stretch of Lower Road to deter injudicious parking and therefore as discussed under section 5 above a reason on the grounds of traffic cannot be substantiated in this case.
- With regard to the children of John Lyon School crossing Lower Road. There are sufficient pedestrian crossing and traffic control measures in place along Lower Road which would allow for the safe crossing of Lower Road. If children choose to not use the designated crossings, it is not a material consideration in terms of assessing the current planning application. Furthermore as discussed above the proposal does not seek to provide any off-street parking.

CONCLUSION

The proposed revised development for the conversion of the dwellinghouse into two flats has overcome the previous reasons for refusal. The proposal is compatible with the established pattern of development in Lower Road and there would not be an adverse impact upon the neighbouring residential amenities. 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 approval subject to conditions:

CONDITIONS

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

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

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

a: The new door

b: The refuse stores

c: The boundary wall

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

REASON: To safeguard the appearance of the locality and to preserve the character and appearance of the Conservation Area and the Locally Listed Building.

3 Notwithstanding the details shown on drawing no. 2657/1 REV C, 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 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.

5 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: to safeguard the appearance of the locality.

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

1501/ 1A; 2657/ 1 REV C; 2657/ 2, Design and Access Statement, and the details to be approved under the requirements of Condition 2 and 3.

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.

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Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 INFORMATIVE:

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

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

Plan Nos: 1501/ 1A; 2657/ 1 REV C; 2657/ 2; Design and Access Statement

**LAND AT BRIDGE HOUSE, 125 WAXWELL LANE, P/2977/09/SB5/W
PINNER, HA5 3ER**

Ward: PINNER

DEMOLITION OF EXISTING BRIDGE HOUSE BUILDING AND REDEVELOPMENT IF SITE TO PROVIDE FOUR X SINGLE AND TWO- STOREY DETACHED DWELLINGHOUSES WITH HABITABLE ROOF SPACE; NEW VEHICULAR ACCESSES (RESUBMISSION)

APPLICANT: Mr Neil Cottrell

Statutory Expiry Date: 05-MAR-10

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans:

The decision to GRANT 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 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 proposed development makes efficient use of land whilst contributing to the provision of additional homes targets as detailed in the London Plan, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers and the character of the area.

National Guidance

PPS1: Delivering Sustainable Development

PPS3: Housing

PPG13:Transport

London Plan:

4B.1 – Design Principles for a Compact City

4A.1 – Tackling Climate Change

3A.1 - Increasing London's Supply of Housing

3A.2 - Borough Housing Targets

3A.4 - Efficient Use of Stock

3A.5 - Housing choice

London Plan Draft Housing Design Guide (2009)

Harrow Unitary Development Plan:

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

D10 Trees and New Development

D12 Locally Listed Buildings

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

D20 , D21, D22 Sites of Archaeological Importance

T13 Parking Standards

H10 Maintenance and Improvement to Existing Housing Stock

C16 Access to Buildings and Public Spaces

Supplementary Guidance/ Documents

Supplementary Planning Guidance, Extensions; A Householders Guide (2008)
Supplementary Planning Guidance, Designing New Development (2003)
Supplementary Planning Document 'Accessible Homes'" (2006)
Supplementary Planning Document Pinner Conservation Areas: Waxwell Close Conservation Area Appraisal and Management Strategy Appendix (2009)

MAIN CONSIDERATIONS AND POLICIES (National Planning policies, London Plan & saved policies of the Unitary Development Plan (2004))

- 1) Principle of Development (PPS 1;PPS:3, London Plan: 3A.1, 3A.2, 3A.4, 3A.5)
- 2) Character and Appearance of the Area (D4, D9, SPG; London Plan 4B.1, 3A.3, 4A.1)
- 3) Residential Amenity (D4, D5, EP25, SPG)
- 4) Impact on the Character and Appearance of the Conservation Area and Setting of Listed Buildings (D4, D11, D12, D14, D15)
- 5) Trees and Biodiversity (EP26, EP27, EP28, D10)
- 6) Accessibility (London Plan Policy 3A.5, SPD)
- 7) Parking Standards (T13)
- 8) Noise (EP25, D4)
- 9) Impact on Floodplain (EP11, EP12)
- 10) S17 Crime & Disorder Act (D4)
- 11) Other Matters
- 12) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	13: Minor Dwellings
Conservation Area:	Adjacent to Waxwell Close Conservation Area
Car Parking	Standard 7.2
	Justified 8
	Provided 8
Lifetime Homes:	Yes
Wheelchair Standards:	0
Council Interest:	None

b) Site Description

- The application site is situated on the southern part of the grounds forming part of The Grail, 125 Waxwell Lane, which is a Grade II Listed former farmhouse building (located outside the application site).
- The Grail Centre is located to the north of the application site and is extensively surrounded by an open green area, is owned by a religious order that has occupied the site for a considerable time. The Grail is used as a retreat centre;
- Bridge House that is sited on the application site is a 1960's/70s constructed building, which is used as ancillary accommodation for the users of the retreat centre;
- The front and side boundaries of the application site comprises a mature hedgerow;
- There are a number of trees in the front part of the site, of which three Oak Trees are subject to a Tree Preservation Order;

- The rear part of the site is mainly laid to lawn with intermittent planting of shrubs and trees;
- There is a small outbuilding located in the rear garden (southwest);
- The surrounding area is characterised by a mixture of detached, terraced and semi-detached dwellinghouses of varying sizes and styles of architecture.
- Directly opposite the site (Waxwell Lane) is characterised by two-storey detached dwellinghouses located on generous sized plots.
- Olwen Mews, which abuts the southern and western site boundaries, is a small cul-de-sac comprising of two-storey terraced dwellinghouses. At the end of the cul-de-sac and located at the rear of the western site boundary are a number of garages;
- To the south of the application site Nos.105 to 113 is a row of two-storey dwellinghouses situated on small sized plots.
- To the south east of the application site is Waxwell Close, which is characterised by two-storey semi-detached dwellinghouses. Waxwell Close is a designated Conservation Area.
- The Grail and its surrounding grounds is designated as a Site of Local Nature Conservation Importance (Grade II).

c) Proposal Details

- The proposal seeks to demolish the existing Bridge House building and redevelop the site to provide four, single and two-storey detached dwellinghouses.
- The proposed development would have a total of three vehicular access points. A double width crossover would serve the dwellinghouses on Plots 1 and 2. Dwellinghouses on Plots 3 and 4 would have individual vehicular access points.
- Each dwellinghouse would have provision for off street parking for up to 2 vehicles, of which one space would be located in the garage.

Revisions to Previous Application:

Following the previous decision (P/1947/09) the following amendments have been made:

- Design and layout of proposed development amended to show a staggered pattern of development.
- Previously proposed front and rear dormers omitted.
- Previously proposed rear balcony omitted.
- Previously proposed mini service road omitted to provide area for additional soft landscape works.
- A total of three vehicular access points proposed instead of the previously proposed two.
- Design of houses changed from uniform design to each house having slightly different character by introducing stepped building lines and bay windows.

d) Relevant History

LBH/958	ERECT OF 2 -STOREY DORMITORY BLOCK FOR STAFF	GRANTED 09-FEB-66
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P/1947/09	Demolition Of Existing Bridge House Building And Redevelopment Of Site To Provide Four X Two-Storey Detached Dwellinghouses With Rear Balcony And Habitable Roof Space Incorporating Front And Rear Dormers; New Vehicular Access	REFUSED 09-NOV-09 APPEAL LODGED 27-NOV-09 (written representations)
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Reasons for Refusal:

1. The proposed development by reason of its layout, siting, scale, bulk, massing and uniform design would be visually obtrusive, incongruous and fail to contribute positively to the character of Waxwell Lane, would be overbearing in appearance and would result in unacceptable levels of privacy for the future occupiers of the site, to the detriment of the character and appearance of the area and the residential amenities of the future occupiers of the site and neighbouring occupiers, contrary to policy 4B.1 of the London Plan (2008) and the saved policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance 'Designing New Development' (2003) and Supplementary Planning Guidance; Extensions: A Householders Guide (2008).
2. The proposed development by reason of its layout would lead to excessive site coverage by buildings and hardsurfacing which would be detrimental to the character and appearance of the proposed development and the area, contrary to saved policies D4 and D9 of the Harrow Unitary Development Plan (2004).
3. The proposal by reason of its unacceptable layout, design and failure to comply with Lifetime Homes standards would provide substandard accommodation to the detriment of the amenities of future occupiers of this site, contrary to policy 3A.5 of the London Plan (2004), and saved policies D4 and C16 of the Harrow Unitary Development Plan (2004), and the Council's Supplementary Planning Documents 'Accessible Homes' (2006).
4. The proposal would give rise to the excessive provision of on site parking which would conflict with the maximum levels of car parking provision prescribed by saved policy T13 of the Harrow Unitary Development Plan (2004) and Government Policy to reduce reliance on the use of the private motor car contained in Planning Policy Guidance 13:Transport (2001)
5. The proposed development fails to provide sufficient information regarding the proposed air source heat pumps and in the absence of such information the Local Planning Authority are unable to carry out a full assessment of the proposal on the potential harm it may have on the residential amenities of the future occupiers of the site, the nearby occupiers and the character and appearance of the area, contrary to saved policies EP25 and D4 of the Harrow Unitary Development Plan (2004).

e) Pre-Application Discussion
PAT/ENQ00085/07/07/09
Principle / Context / Scale / Character / Amenity Impact

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

- Sited in a Site of Nature Conservation Importance – Grade II
- The Grail site is of local nature conservation importance and extremely significant in terms of areas A & B
- The site falls within Flood Zone 3 therefore a Flood Risk Assessment would be required as part of your application
- A site survey is required to identify protected species e.g. uncommon bat species and habitats of interest.
- You are advised to retain any dead wood on site if any trees are to be removed – for biodiversity reasons
- There are 2 x Tree Preservation Orders (TPOs) to the front of the site, therefore a Tree Constraints Plan would be required
- Footprint of the site must remain the same size as existing
- Advised to consider houses rather than flats as this is likely to be more in keeping with the established character of the surrounding area
- Propose more hardsurfacing than existing, then you may need mitigation elsewhere (ecologically)
- The proposal to construct a separate road serving the development would:
 - increase the hard surfaced area
 - be visually obtrusive, and
 - is considered to be unnecessary and an overdevelopment of the site by adding to the built form
- We suggest 2 accesses to alleviate the visual impact of unnecessary hardsurfacing
- It was agreed that there would be no impact on the listed building (Grail farmhouse)
- Frontage screen can provide hiding places.
- Issue raised with refuse located to the front of the proposed buildings - storage containers should not be kept on frontage of site, but need to be accessible for collection – or appropriate arrangements made

f) Applicant Statement

- This application is supported by a Design and Access statement, which is summarised below:
 - Development is a high quality design that is appropriate to the application site and to the surrounding area.
 - No physical or other constraints lie within or around the site to preclude residential development.
 - The proposal addressed all the reasons for refusal relating to application P/1947/09.
 - The proposal would provide additional residential development, providing greater choice and would also make more efficient use of the site.
 - The proposal is considered to comply with relevant Development Plan policies.

g) Consultations

CAAC:

This property is within the setting of Waxwell Close Conservation area. It would involve the removal of a hedge. We are concerned by the southern houses proximity to the boundary and the removal of hedges and trees. It is the view of the southern elevation of plot one house that we are also concerned about and the view of the frontage. It would not enhance the setting of the listed building on the other side. We have the same comments as before. It does not address our previous comments. We wanted to introduce screening.

Previous CAAC comments relating to P/1947/09:

This would further fill up the line up of houses. It would use the existing entrance and add a new driveway entrance, and two pedestrian exits under each tree. It would be better than building in the green belt behind. It is good that just two accesses and not four are proposed. But the buildings are very deep. The side elevation is not that brilliant. It is bland and this will be viewed from the conservation area. The extent of the depth is a bit much. They should propose to plant a hedge so you cannot see that from the conservation area. They should suggest a planting scheme. So there should be a landscaping condition. In considering the application, they should be compared with buildings in the surrounding area to ensure they are not over-dominant.

The Pinner Association: No comments received

Advertisement: Character of Conservation Area Expiry: 11-FEB-10

Notifications:

Sent: 29

Replies: 11

Expiry: 03-FEB-10

Summary of Responses:

- Would increase CO2 emissions, building size and ground area.
- Layout, siting, scale and bulk would be visually obtrusive.
- Siting of house in plot 3 and 4 set further back in the plot.
- Siting of Plot 2 has not changed.
- Siting of Plot 1 at the back has been pulled forwards by a derisory 2.5m.
- Proposed siting of the houses is double that of other houses.
- Houses could be pulled forward without impacting on tree ball protection area.
- Would like to see the front of the building mirror the existing building.
- Increase number of windows on Plot 1 overlooking Olwen Mews – would result in loss of privacy.
- Front and rear dormers would make the properties 3 storey then 2 storey.
- Excessive site coverage by buildings.
- Excessive site coverage by hardsurfacing – detrimental to character of area.
- As there will be 4 entrances not 2 – this will lead to additional destruction of the hedge at the front of the plot.
- Removal of hedge will severely impact the wildlife visiting and living in our lane. – bats are known to inhabit this site.

- Proposal will result in the topping/ lopping and potential loss of protected trees as well as further loss to the hedge at the front of the site.
- Would severely impact on flooding on existing properties.
- Adverse impact on road safety and volume of traffic – will cause problems for pedestrians.
- Preferable to improve the traffic flow.
- There is provision for business use.
- The land borders Waxwell Lane Conservation Area – the appraisal considers a need to preserve open space to create an overall medium density character in area.
- Hard surfaced area disrupts the original division between public and private spaces.
- Backland development.
- Development will set the way for further development.
- Main drains system cannot cope adequately at times of significant rain fall and flash floodings.
- Any future development should take place without destruction to trees, full flood risk assessment should be carried out in full consultation with neighbours, and no front dormers should be allowed. No granting of business use.
- Harrow Council inform English Heritage when important historical sites are threatened – Harrow Council did not inform English Heritage.
- With excessive development this would diminish the value of houses.
- Disruption while development takes place.
- Future permitted development rights would lead to overdevelopment of the site.

APPRAISAL

1) Principle of Development

National and Local planning policies seek to maximise the potential use of urban land to provide future housing needs. Policy 3A.1 of the London Plan sets out the target for housing supply for each London Borough, for Harrow this being a provision of 4,000 additional homes for the next ten years and an annual monitoring target of 400. It is considered that the principle to redevelop this site for residential proposes would to be in accordance with the London Plan policies 3A.1 and 3A.3.

2) Character and Appearance of the Area

This application follows on from a previous application (P/1947/09) for a similar development, which was refused planning permission for the reasons stated above and is currently the subject of an appeal. In this current application the applicant has revised the scheme to address the previous reasons for refusal.

The existing Bridge House building itself is not of any architectural merit and therefore the removal of this building would not impact upon the character and appearance of the area. The surrounding area is characterised by a mixture of detached, terraced and semi-detached dwellinghouses of varying sizes and styles of architecture. Directly opposite the site (Waxwell Lane) is characterised by two-storey detached dwellinghouses located on generous sized plots. Olwen Mews, which abuts the southern and western site boundaries, is a small cul-de-sac comprising of two-storey terraced dwellinghouses.

To the south of the application site Nos.105 to 113 Waxwell Lane is a row of two-storey dwellinghouses situated on small sized plots. The front gardens are characterised by a mixture of forecourt treatments, but are generally green and leafy which enhances the suburban character of Waxwell Lane.

In this current scheme, the layout of the development has been revised to show a staggered pattern of development as opposed to the previously proposed uniform layout. It is considered that the overall design and the staggered layout of the development would respect the pattern of development of the large detached dwellinghouses located directly opposite. The varying character and appearance of the proposed development would now add visual interest in the streetscene and form a positive contribution to the overall character and appearance of the area as opposed to the uniform design proposed under P/1947/09.

It is noted that the depth of the building has been increased slightly from that previously proposed under P/1947/09 and that this would be visible in the streetscene on the corner plot with Olwen Mews. However, the front building line of the proposed house on Plot 1 has been brought forward into the plot and the building lines of all four houses are shown to be stepped to reduce the perception of bulk in the streetscene and to reflect the established pattern of development directly opposite the site in Waxwell Lane. In particular the two storey front projections would have subordinate hipped roofs, which would improve upon the previous design which presented a design which was more "box like". It is considered that although the footprint of the development has marginally increased, this is offset by a much improved design and well articulated form of development which would respect the context and scale of the surrounding area.

In conclusion, it is considered that the scale, bulk and character of the proposed development would be in keeping with the context and pattern of development in the surrounding area and it would therefore comply with the objectives set out under policies 4B.1 of the London Plan and saved policy D4 of the Harrow UDP, and the Council's SPG. The proposed development would also comply with the objectives set out in the national policy guidance PPS 1 and PPS3 which seeks to make efficient use of land through high quality and inclusive design.

Landscaping

The previous proposal (P/1947/09) sought to provide a communal hardsurfaced area to form a mini service road. In this current proposal the layout of the parking access has been increased from the previously two access points to three, which would allow each dwellinghouse to have its individual vehicular access (note the dwellinghouses on Plots 1 and 2 would have a shared double width vehicle access). The amended vehicle access points and reduction in the number of off street parking spaces has given the opportunity for more soft landscaping of the front gardens of the dwellinghouses. The proposal has shown an indicative layout for the soft landscaping of the front gardens, which would maintain adequate forecourt greenery.

It is noted that the creation of the additional vehicle access points would result in the loss of part of the hedge along the front boundary with Waxwell Lane. It is also proposed to reduce the height of this hedge. The existing hedge is not protected and therefore the loss of this hedge cannot be resisted.

The reduction in the height of the hedge is required to meet the safety objectives set out under paragraphs 4.19 and 4.20 of saved policy D4. It is considered that the loss of part of the hedge would be off-set by the proposed low level soft landscaping of the front gardens. It is considered that the detailed soft and hard landscape works can be controlled by a planning condition and therefore the proposed indicative landscape works would be in accordance to the objectives set out under saved policy D9 of the Harrow UDP.

Refuse Storage

Paragraph 4.24 of the reasoned justification to saved policy D4 states that provision for bin and refuse storage, and goods to be recycled must be made in proposals for new development. Refuse storage must be sited in a way to minimise its visual impact while providing a secure and convenient facility for occupiers and collectors. The proposed development has not provided any information on where the proposed bin storage would be located for each dwellinghouse and the number of bins for each dwellinghouse. Notwithstanding this, given that there would be scope to locate the refuse bins for each dwellinghouse in the rear garden, the number of bins and the location can be controlled by a suitably worded planning condition. A condition is suggested to this effect.

Sustainable Design

London Plan policy 4A.1 and saved policy D4 of the Harrow UDP seeks to ensure that new development proposals takes into account climate change and promote design which has regard to energy efficiency and minimises emissions of carbon design. A Supplementary Planning Document 'Sustainable Building Design' (2009) has recently been adopted by the LPA. This application is supported by a sustainability report which sets out the feasible measures that can be incorporated into the proposed development to tackle climate change. The proposed development seeks to install solar panels on the southern roof slope of the proposed dwellinghouses. Although, the proposed solar panels have not been shown on plan, it is considered that this element of the proposed development is considered to be acceptable and it would also be regarded as permitted development under Class A, Part 40 of the General Permitted Development Order (as amended) 2008.

The proposed development is also seeking to install air source heat pumps to each dwellinghouse. This would incorporate the installation of external fan units, similar in appearance to an air conditioning unit. In the previous application, the applicant failed to provide sufficient information in relation to the proposed fan units. In this current application, the applicant has submitted details to show where the air source heat pumps would be located in relation to the proposed dwellinghouses and has also provided information with regard to the background noise from such units. Environmental Health have reviewed this information and have raised no objections to the information submitted. The proposal is considered to be acceptable in this regard and it would therefore overcome the previous reasons for refusal.

3) Residential Amenity

Residential Amenity For Future Occupiers of The Site

In the previous application (P/1947/09), the proposed design of the dwellinghouses incorporated a balcony at first floor level, which was considered to be unacceptable due to the introduction of direct overlooking of the neighbouring rear gardens. In this current application, the applicant has amended the scheme by omitting the first floor balconies and thus the proposed development would overcome the previous reason for refusal.

The proposal seeks to install a flank elevation window to the study room at ground floor level, a door serving the garage and small windows at ground and first floor serving the bathrooms/ WC on each dwellinghouse. The proposed window serving the study room and the flank elevation door to each of the proposed dwellinghouses would face out onto the site boundary of the proposed neighbouring dwellinghouse. The proposed flank elevation windows serving the WC would be small and the windows serving the bathrooms would serve non-habitable rooms. Based on these factors it is considered that there would be no unreasonable harm upon the residential amenities of the future occupiers of the site by the installation of these windows and door. A condition is suggested to ensure that the first floor windows are obscurely glazed and fix shut below 1.7m above internal finished floor level.

Impact on Existing Residential Amenity

In assessing the impact of the proposed development on the residential amenities of the occupiers at Olwen Mews, the proposed dwellinghouses would be sufficiently sited away from the nearest dwellinghouse on Olwen Mews (approximately 20m) and Nos.113 Waxwell Lane (approximately 14 m) A distance of at least 50 metres would be maintained between the proposed rear elevation of the dwellinghouse and the rear elevation of the dwellinghouse at No.11 The Dell. It is considered that these distances would mitigate any unreasonable overlooking of neighbouring dwellings.

The proposed building line of the dwellinghouse on Plot 1 (on the corner junction with Olwen Mews) has been brought forward in the plot and the overall staggered building lines would help mitigate the perception of visual bulk of the development. On balance it is considered that the proposed layout, scale and bulk of the proposed development together with the distance maintained between the proposed development and the existing dwellinghouses at Nos.1-4 Olwen Mews and No.113 Waxwell Lane would not have a detrimental impact upon the visual amenities of the occupiers of these nearby neighbouring properties. The proposal is therefore considered to be acceptable in regard to the objectives set out under saved polices D4 and D5 of the Harrow UDP.

4) Impact on the Character and Appearance of the Conservation Area and Setting of Listed Buildings

The application site forms part of the grounds of Waxwell Lane Farmhouse (The Grail) which is a Grade II Listed Building and therefore any proposed development should seek to preserve the setting of this listed building. To the southeast of the application site is Waxwell Close Conservation Area, which is a small close comprising of 14 semi-detached dwellinghouses.

The application site is located at least 63 metres away from the listed building. It is acknowledged that the addition of four dwellinghouses to the south of the listed building in place of a medium sized building could change the setting of this listed building. However, it is considered that this could be overcome by further green screening on the northern boundary between the proposed dwellinghouse and the boundary with The Grail listed building. It is considered that the addition of the green screening could be controlled as part of the landscape works. Taking into account the distance maintained between the proposed dwellinghouses and the listed building, it is considered that the proposed development would not have a detrimental impact upon the setting of the listed building.

Likewise, the application site is located at least 20 metres away from the boundary of the Waxwell Close Conservation Area. It is considered that the distance maintained and subject to the green screening along the southern site boundary which could be controlled by condition, the proposed development would preserve the character and appearance of this Conservation Area.

5) Trees and Biodiversity

Trees

The application site has 3 Oak Trees located at the front, of which one of the oak trees is located near the northern boundary with the development site. This application is supported by a Tree Report, which identifies the three Oak Trees as T1, T2 and T8. These Oak Trees are subject to a Tree Preservation Order No.25. The layout of the development has been amended from the previous refusal to ensure that the proposed development would not give rise to any post development pressure on the retained trees on this site. The Council's Tree Officer is satisfied with the revised layout subject to a condition requiring a Tree Protection Plan and a Method Statement for the installation of a minimal-dig construction for the proposed driveway.

Biodiversity

The application site is located in a designated Local Site of Importance for Nature Conservation (SINC). This application is supported by an Ecological Report which incorporated a field and desk survey of the SINC. The survey shows that the formal gardens forming part of The Grail does have a mix of habitats which have some value for biodiversity. Bats were observed during the visit and the site is well used by foxes and birds.

The Ecological report concludes that whilst the gardens of the application site are aesthetically attractive they do not offer specific value for biodiversity. There is no evidence that bats are using the site including the main Bridge House building and the out building. However as The Grail is a designated SINC, the report recommends that all efforts should be made to protect, enhance and conserve biodiversity and features of conservation value. Amongst the recommendations made, the report concludes that the footprint of the site should remain as existing, and that the rear gardens of the development should be retained and enhanced. It is noted that the footprint of built development would be increased on this site over and above the footprint of the existing Bridge House building. However, in comparison to the previous application (P/1947/09), the additional increase in the footprint would be offset by the proposal to minimise the amount of additional hard-surfacing required in the front gardens.

On balance, the Council's Biodiversity Officer is satisfied with the information provided and such mitigation measures could be controlled by a suitably worded planning condition.

6) Accessibility

The proposed development has been shown to meet all 16 of the Lifetime Homes Standards (as relevant) as stipulated in the Council's Supplementary Planning Document 'Accessible Homes'. The proposed development would have level threshold access, wider corridor and adequate internal door widths. The proposal also shows a room at entrance level, which can be used as a convenient temporary bed space; a wheelchair accessible entrance level WC and future space provision for a wheelchair lift. The proposed development is considered to be acceptable in this regard and would be in accordance with saved policy C16 of the UDP and with Policy 3A.5 of the London Plan and the Council's Supplementary Planning Document 'Accessible Homes'.

7) Parking Standards

The Council's maximum parking standards set out under Schedule 5 of saved policy T13 of the Harrow UDP requires no more than 2 parking spaces per dwellinghouse. In the previous scheme (P/1947/09), the applicant sought to provide 3 parking spaces per dwellinghouse. This exceeded the Council's maximum parking standards and was considered to be contrary the national guidance set under PPG13 and the Council's saved policy T13.

In this current application, the applicant is proposing to provide two parking spaces per dwellinghouse. The proposed number of parking spaces would be in accordance the Parking Standards set out under Schedule 5 of the Harrow UDP appended to saved policy T13 of the UDP. It is considered that the proposed development would not have a detrimental impact on the free flow and safety of traffic on the adjacent highway.

8) Noise

The proposed development seeks to provide air source heat pumps to each of the dwellinghouses. The applicant in this current application has submitted sufficient details with regard to the proposed location of the air source heat pump units, including details of the background noise levels from emanating from the units and therefore the information that has been provided overcomes the previous reasons for refusal. It is considered that the proposed air source heat pumps would not give rise to any unreasonable harm upon the occupiers of nearby neighbouring properties.

9) Impact on Floodplain

The application site is located outside the designated Woodridings Flood Plain. Planning Policy PPS25 and local plan policy EP11 only requires a flood risk assessment to be provided by a developer in cases where the development would be sited in a floodplain. Therefore the proposed development does not require a flood risk assessment.

The application site is at present partially obscured from the view of the streetscene by the existing hedgerow, along the front boundary facing Waxwell Lane. The proposed development seeks to remove parts of this hedgerow to allow space for the new vehicular accesses. The proposed streetscene elevation shows that the hedge would have a lower height to allow adequate views of the front elevation of the dwellinghouses, whilst also maintaining an adequate level of streetscene greenery. It is considered that the proposed layout of the development would result in natural surveillance of each property, which would comply with the objectives set out under paragraphs 4.19 and 4.20 of Policy D4 of the Harrow UDP. It is considered that the proposed development would not have a material impact upon community protection.

11) Other Matters

It is considered necessary to restrict certain permitted development rights in the interest of the neighbouring residential amenities, the character of the area and in the interest of preserving and enhancing the biodiversity of the local area. This follows on from the advice contained in the applicant's supporting ecological report which concludes that the footprint of the site should remain as existing, and that the rear gardens of the development should be retained and enhanced. In the interests of preserving biodiversity, protecting the character and appearance and the residential amenities of nearby occupiers the following Classes of permitted development should be restricted:

Class A

Permitted development which falls under Class A of Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, should be restricted. Under Class A, a 4 metre deep extension could be constructed at the rear which would significantly increase the footprint of the dwellinghouses. This encroachment into the rear garden could potentially have a harmful effect on the biodiversity of the area. Class A would also permit a 3m deep first floor rear extension, which would substantially increase the bulk of the development which would potentially have a harmful impact upon the character and appearance of the locality and the visual amenities of the nearby occupiers in Olwen Mews. Class A also permits a single storey extension to be constructed at the side of the dwellinghouses. This would infill the gap between the dwellinghouses and the boundaries, which would also have a harmful impact upon the open and detached character and appearance of the area.

Class B

Permitted development rights under Class B permits the extension and alteration of the roof of a dwellinghouse. This could potentially allow the future occupiers to construct gable ended roof and/ or side and rear dormers. Such development would significantly alter the character and appearance of the approved development and as a consequence would have a significant impact upon the character and appearance of the area. In particular, if such a development is permitted for the dwellinghouse on Plot 1, such extensions (i.e. end gable and side dormer) would appear unduly bulky and visually obtrusive in the streetscene.

Class E

Under this class, the future occupiers would be permitted to construct an outbuilding in the rear garden which could potentially occupy up to 50 per cent of the total plot area (excluding the ground area of the dwellinghouse itself). As discussed above any further encroachment could have an adverse impact upon the biodiversity of the area.

Class F

Under this class, future occupiers could construct hardstanding within the curtilage of a dwellinghouse. It is considered that by allowing permitted development rights within this class could reduce the level of soft landscaping which plays a fundamental importance to the biodiversity of the area and the character and appearance of the area.

12) Consultation Responses

- Increase of CO² emissions – this application is supported by a Sustainability Statement which sets out that the proposed dwellings will achieve Code for Sustainable Homes level 3 rating, which is considered to be acceptable. The proposal design has taken into consideration measures that can be incorporated in the development to tackle climate change. These have been addressed under section 2 of the above appraisal.
- Matters relating to the scale, character and appearance and the siting of development have been addressed under section 2 of the above appraisal.
- Impact on the residential amenities of the nearby neighbouring occupiers has been addressed under section 3 of the above appraisal.
- With regard to the reference to front and rear dormers- this appears to have been an administrative error in the description of the development. The proposal does not include any front or rear dormers, it does however include a habitable roof space which would have rooflights.
- Excessive site coverage with built development and matters relating to hardsurfacing have been addressed under sections 2 and 5 of the above appraisal.
- Removal of the hedge – the hedge is not protected and therefore the removal of part of this hedge cannot be resisted. It is considered that there would be sufficient lower level soft landscaping in the front garden to maintain the leafy green character of this part of Waxwell Lane.
- Impact on wildlife has been addressed under section 5 of the above appraisal.
- Impact on trees – the Council's Tree Officer raises no objections to the proposed layout of the development. The dwellinghouses on Plots 3 and 4 have been pushed further back into to the plot to ensure that the development does not give rise to post development pressure to top or lop the trees. All other matters relating to the trees on the site have been addressed under section 5 of the above appraisal.
- Matters relating to parking and highway safety have been addressed under section 7 of the above appraisal. The Council's highway engineer has not raised any objection on the grounds that the proposed development would lead to additional traffic in Waxwell Lane. Off- street parking space has been shown. There are no objections raised to the proposed vehicular access points.

- With reference to the point about the provision for business use – it appears that the supporting Sustainability Statement states that the development provides the ability for the residents to work from home in the context of a sustainable development. The application is for a residential development and not for any business use. Any future changes of use of part of the dwellinghouse as business use would require planning permission. The use of a dwellinghouse as a home office (with no customers and employees) subject to retaining the overall use as residential use would not necessarily require planning permission.
- The proposed development is considered to not constitute backland development, as the site is readily accessible directly from Waxwell Lane and it is not situated or forms part of a 'backland' area of another site/ building.
- In terms of setting a precedent for other properties, each application is dealt with on its own merits taking into consideration the site circumstances and the character of the locality. An approval of a development at one site does not automatically mean that planning permission would be granted elsewhere.
- Matters relating flooding and drainage have been addressed under section 9 of the above appraisal. Suitable planning conditions are recommended to ensure that the development has the capacity to control surface water drainage within the site itself.
- With regard to not consulting English Heritage – in the previous application P/1947/09, English Heritage confirmed in writing that they did not wish to offer any comments in that occasions and that it is not necessary for the LPA to consult English Heritage again on this application. Their recommendation was that the application be determined in accordance with national and local policy guidance, and on the basis of the LPA's own specialist conservation advice. For these reasons, English Heritage was not consulted given that the current application was also for four detached dwellinghouses.
- Impact on property values and disruption during the construction process are not material planning considerations.
- With regard to restricting future permitted development rights this has been addressed under Section 11 of the above appraisal.

CONCLUSION

For the reasons set out above, it is considered the proposed development addresses the previous reason for refusal. The proposal is compatible with the established pattern of development in Waxwell Lane and there would not be an unreasonable harmful impact on the neighbouring residential amenities.

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.

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

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

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

a: the 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.

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

4 The development hereby approved shall not commence unless a detailed scheme incorporating measures to protect existing trees has been submitted to, and approved by the local planning authority. The approved measures shall be implemented before the commencement of works and shall be retained during the course of construction, unless otherwise agreed by the local planning authority.

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

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 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.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with saved policy C16 of the Harrow Unitary Development Plan and policy 3A.5 of the London Plan.

7 The development hereby approved shall not be occupied until a suitable boundary treatment such as a fence or wall of a maximum height of 2000mm has been provided along the line of the proposed sub-division of the plot. Such fence or wall shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the privacy and amenity of future occupiers and neighbouring residents.

8 The window(s) in the first floor flank wall(s) of the approved development shall:

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

REASON: To safeguard the amenity of neighbouring residents.

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

REASON: To safeguard the biodiversity and character of the area, and by restricting the amount of site coverage and size of dwelling in relation to the size of the plot and availability of and to safeguard the amenity of neighbouring residents.

10 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

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

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

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

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

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

12 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.

13 The roof area of the single storey rear projections of each dwelling hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

14 Development of any buildings hereby permitted shall not be commenced until surface water drainage works have been carried out in accordance with details to submitted to and approved in writing by the Local Planning Authority. Prior to submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDs) in accordance with the principles of sustainable drainage systems set out in Appendix F of PPS25, and the results of the assessment shall be provided to the Local Planning Authority with the details.

Where a SuDs scheme is to be implemented, the submitted details shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters; and
- b) specify the responsibilities of each party for the implementation of the SuDs scheme, together with a timetable for that implementation; and
- c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

15 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.

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

01 (Site Survey as Existing); 010682/ PL.200; 201 REV A; 202; 203; 204; 205; 206; 207 (Plot 3 Elevations); 207 (Site Layout Showing Locations of Air Source Heat Pumps); 208; 209; 210; 211; BAN 17084-01; Design and Access Statement; Ecological Report; Tree Report; Arboricultural Implications Assessment and Sustainability 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

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Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 INFORMATIVE:

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

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

Plan Nos. 01 (Site Survey as Existing); 010682/ PL.200; 201 REV A; 202; 203; 204; 205; 206; 207 (Plot 3 Elevations); 207 (Site Layout Showing Locations of Air Source Heat Pumps); 208; 209; 210; 211; BAN 17084-01; Design and Access Statement; Ecological Report; Tree Report; Arboricultural Implications Assessment; Sustainability Statement

ROXETH MANOR SCHOOLS, P/2489/09/HG/W
(HEATHLAND SCHOOL), EASTCOTE
LANE, HARROW, HA2 9AG

Item: 2/06

P/2489/09/HG/W

Ward ROXBOURNE

NEW CANOPY TO MAIN ENTRANCE ON FRONT ELEVATION; EXTERNAL ALTERATIONS; REPLACEMENT AND NEW 2M HIGH SECURITY FENCING WITH GATES ALONG ACCESSWAY, CAR PARK, PLAY AREAS AND SITE BOUNDARY; SOFT LANDSCAPING; WIDENING OF VEHICLE ACCESS TO EASTCOTE LANE AND ALTERATIONS TO PEDESTRIAN ENTRANCE; RAISED FOOTPATH AND HARDSURFACING; ILLUMINATED BOLLARDS AND LIGHTING; MODIFICATIONS TO CAR PARK LAYOUT; NEW REFUSE STORAGE AREA, BIKE STORAGE AND PARKING AT THE ENTRANCE; REMOVAL OF SHEDS

Applicant: Harrow Council

Agent: Wintersgill LLP

Statutory Expiry Date: | 08-FEB-10

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 Roxeth Manor School is owned by LB Harrow.

REASON

The decision to GRANT permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as the proposal would improve access and pedestrian safety and would be acceptable in design terms.

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

D23 – Lighting, Including Floodlighting

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C7 – New Education Facilities

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document: Access for All (2006)

MAIN CONSIDERATIONS AND POLICIES (Saved policies of the Harrow Unitary Development Plan 2004 and any other relevant guidance)

- 1) Character and Appearance of the Area and Residential Amenity (D4, D23)
- 2) Access and Safety (D4, T6, T13, C7, C16, SPD)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to Committee as the development involves over 0.1ha of land.

a) Summary

Statutory Return Type: Minor Other
Site Area: 1.0ha
Listed or Locally Listed Building: No
Council Interest: Council owned school

b) Site Description

- Backland school site with access via Eastcote Lane.
- Site is occupied by the Roxeth Manor First and Middle School which has recently been amalgamated and renamed Heathland School.
- Site is occupied by a 1930's three storey building, unmarked car park to the west of the building, vehicle and pedestrian access and play areas which have insecure fencing.
- Site is to the rear of semi-detached dwellinghouses of nos 246 to 272 Eastcote Lane and nos 1 to 3 Tithe Farm Avenue.
- Rooks Heath Secondary School is to the east of the site.

c) Proposal Details

- The application proposes various works to improve vehicle and pedestrian access into and within the site.
- Vehicle access from Eastcote Lane to be widened with a new segregated pedestrian path with illuminated bollards.
- This would subsume the side garden of the caretakers house.
- New refuse storage near the entrance and cycle storage in front of the building.
- Car park to be formalised with line markings.
- 4 x 8m high lighting column in car park and driveway.
- Two echelon disabled parking spaces provided near the entrance.
- New light weight arched canopy to the main entrance.
- New 2m high fencing and gates along the front and side boundaries of the site and around a play area and the main car park.
- New gated pedestrian access with view lines to the main entrance
- Soft landscaping and new pedestrian access in front of the building.
- Removal of two outbuildings and gates in the south-eastern corner of the site.

Revisions to Current Scheme:

- Echelon disabled bays repositioned at a 90 degree angle so vehicles drive into the bays.
- One disabled parking space has been removed and the other two have been widened by 500mm.

d) Relevant History

None.

e) Applicant Statement

- Design and Access Statement submitted and correspondence dated 09.02.10.

f) Consultations

Highway Engineer: no objection.
Vehicle Crossings Officer: no objection.
Waste Management Services: no objection.
Lighting Engineer: No objection

Notifications:

Sent: 27

Replies: 0

Expiry: 18-JAN-10

List of Neighbours Consulted:

262 Eastcote Lane	248 Eastcote Lane
264 Eastcote Lane	250 Eastcote Lane
266 Eastcote Lane	252 Eastcote Lane
268 Eastcote Lane	254 Eastcote Lane
270 Eastcote Lane	256 Eastcote Lane
272 Eastcote Lane	258 Eastcote Lane
181 Eastcote Lane	260 Eastcote Lane
183 Eastcote Lane	274 Eastcote Lane
191 Eastcote Lane	Rooks Heath High School
195 Eastcote Lane	1 Tithe Farm Avenue
197 Eastcote Lane	3 Tithe Farm Avenue
244 Eastcote Lane	5 Tithe Farm Avenue
246 Eastcote Lane	7 Tithe Farm Avenue

Summary of Responses: N/A.

APPRAISAL

1) Character and Appearance of the Area and Residential Amenity

Saved policy D4 of the Harrow UDP (2004) seeks a high standard of design and layout in all development proposals and will take into consideration inter alia the site and setting, context, scale and character when assessing planning applications.

In terms of design, it is considered the proposal would make a positive contribution to the character and appearance of the school.

The proposal involves installation of a light weight arched canopy above the main entrance to the school building. It is considered this design would respect the rounded arch entrance and would not be of a size to detract from the appearance of the building.

The current pedestrian access is in a state of disrepair and is it considered that the new pedestrian with illuminated bollards, vehicle access and soft landscaping would be an improvement to the appearance of the property.

The refuse store, cycle store and new 2m high fencing are considered to be minor additions that would not detract from the character and appearance of the area. The lighting columns would be similar in appearance to street lighting which is considered to be acceptable.

The applicant has submitted a technical lighting report by a qualified consultant that states the lighting would not have an adverse impact with regard to light trespass, sky glow or glare on the surrounding residential properties. The Council's Senior Engineer for Structures and Lighting Operations has agreed with this assessment and considers that the proposed lighting columns would not have a harmful impact on neighbouring residential amenities. This element of the proposal would be in accordance with saved policy D23 of the UDP.

With regard to the visual impact of the lighting columns, the nearest dwellinghouse to any of the columns would be separated by some 29m and the column would be sited at an angle to the property. It is therefore considered this would not have an unreasonable impact on the amenities of the occupiers of this property. The other columns would be sited at a sufficient distance so as to mitigate any harm to the amenities of the surrounding residential occupiers.

Given the scale of the proposed works and siting in relation to the surrounding residential properties, it is considered the development would not result in unreasonable harm to the amenities of the occupiers.

The proposal would involve subsuming the side garden of the dwellinghouse no. 272 Eastcote Lane. This property would still maintain a rear garden area that would be in keeping with the sizes of the rear gardens of properties along Eastcote Lane and it is therefore considered this would meet the needs of the occupants.

2) Access and Safety

The proposal seeks to formalise and upgrade the existing pedestrian and vehicle access and car park.

The works would maintain separate pedestrian and vehicle access with traffic calming devices along the driveway to the school and would also provide a new pedestrian access to the rear of the site that would be separated from the car park by a fence. The car park is currently a hardsurface which is used in an informal manner and the proposal would involve painting line markings to improve the efficiency and safety and ensure adequate manoeuvring for emergency vehicles.

The Council's Vehicle Crossing Officer and Highway Engineer have raised no objection to the scheme and overall it is considered that the proposal would improve vehicle and pedestrian flows into and within the site and pedestrian safety in accordance with saved policies T6 and T13.

The proposal would provide two disabled parking spaces that would have level access and be within close proximity to the gated pedestrian access of the school in accordance with saved policy C16 of the Harrow UDP (2004) and SPD – Access for All.

3) S17 Crime & Disorder Act

The proposal seeks to upgrade security of the site and comply with the requirements of the Office for Standards in Education, Children’s Services and Skills (Ofsted). A new pedestrian access to the school grounds is proposed within view of the building and administration offices in order to enable surveillance and control access to the school. The illuminated bollards and lighting columns along the approach to the school and within the car park would also improve security. Currently there is 1m high fencing enclosing two of the play areas and the proposal would replace this fencing with 2m high fencing in order to improve security. It is therefore considered the proposal would comply with supporting paragraphs 4.19 and 4.20 of saved policy D4 and is considered acceptable in safety terms.

4) Consultation Responses

None

CONCLUSION

The proposal would improve pedestrian and vehicular access and the safety of the site and would not have a material impact on the character and appearance of the area or residential amenity. For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, 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:

1194/001; 1194-002 REV A; 1194 WD15 REV H; 1194 WD16 REV J; 1194 WD43; 1194 WD44 REV B; 1194 WD45; Design and Access Statement; Jacksons Fencing and Access Solutions; Pell Frischmann Report and DIALux Pages 1-10.

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Item 2/06 : P/2489/09/HG continued/...

Harrow Unitary Development Plan 2004:

D4 – The Standard of Design and Layout

D23 – Lighting, Including Floodlighting

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C7 – New Education Facilities

C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance: Designing New Development (2003)

Supplementary Planning Document: Access for All (2006)

Plan Nos: 1194/001; 1194-002 REV A; 1194 WD15 REV H; 1194 WD16 REV J;
1194 WD43; 1194 WD44 REV B; 1194 WD45; Design and Access
Statement; Jacksons Fencing and Access Solutions; Pell Frischmann
Report and DIALux Pages 1-10.

Item: 2/07
16A UXBRIDGE ROAD, STANMORE, HA7 P/2813/09/NR/E
3LG

Ward STANMORE PARK
EXTENSION OF TIME FOR IMPLEMENTATION OF PLANNING PERMISSION
P/822/06/CFU DATED 15/12/2006 FOR RE-DEVELOPMENT TO PROVIDE 3
FLATS IN 2 STOREY BUILDING WITH ROOMS IN ROOF, ACCESS, PARKING

Applicant: Mr S N Bowery
Agent: James Ross Architects
Statutory Expiry Date: 22-JAN-10

RECOMMENDATION

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

REASON

This application is for an extension of time to an existing permission and the relevant issue is whether there have been any relevant changes to the development plan or other material considerations since the original grant of planning permission which indicate that the proposal should no longer be considered favourably. Full consideration has been given to any changes in adopted policy, site circumstances or other material considerations in the appraisal section. It is considered that there have not been any such material changes in the intervening period since the original grant of permission. The proposal is therefore considered to comply with current policy and it is recommended that an extension of time be approved.

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing

The London Plan 2008:

2A.1 – Sustainability Criteria
3A.1 – Increasing London's Supply of Housing
3A.2 – Borough Housing Targets
3A.3 – Maximising the Potential of Sites
3A.5 – Housing Choice
3A.6 – Quality of New Housing Provision
4A.22 – Spatial Policies for Waste Management
4B.1 – Design Principles for a Compact City
London Housing Design Guide – Draft for Consultation (2009)

London Borough of Harrow Unitary Development Plan 2004

D4 – The Standard of Design and Layout
D5 – New Residential Development – Amenity Space and Privacy
D9 – Streetside Greenness and Forecourt Greenery
D10 – Trees and New Development
EP25 – Noise
T6 – The Transport Impact of Development Proposals
T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance: Extensions: A Householder's Guide (2008)

Supplementary Planning Document: Accessible Homes (2006)

Supplementary Planning Guidance: Designing New Development (2003)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Development (PPS1, PPS3, 2A.1, 3A.3)
- 2) Character and Appearance of the Area (4A.22, 4B.1, D4, D9, SPG:Extns)
- 3) Residential Amenity (D5, EP25, SPG:Extns)
- 4) Traffic and Parking (T6, T13)
- 5) Trees and New Development (D10)
- 6) Accessible Homes (C16, 3A.5, SPD:Access)
- 7) Housing Provision and Density (3A.1, 3A.2, 3A.3, 3A.5)
- 8) S17 Crime & Disorder Act (D4, 3A.6, SPG's)
- 9) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: 13. Minor Dwellings
Lifetime Homes: 3
Council Interest: None

b) Site Description

- Application site comprises 660m² of land, located on the north side of Uxbridge Road.
- The site was previously occupied by a single storey dwelling, which has been demolished, and the site is now vacant.
- The site has an existing vehicular access to Uxbridge Road.
- The site is covered by a number of Tree Preservation Orders.
- To the north east of the site is Riverine Lodge, a three/four storey block of 15 flats, incorporating a covered car park at the rear. There is a rise in levels of approximately 900mm to this property.
- To the south west of the site is The Channies, a development of 14 flats in two blocks, two-storey in height with habitable roofspace. There is a drop in levels of approximately 1.6 metres to this property.
- To the rear (north west) of the site is the residential dwelling Caprice, which fronts Old Lodge Way.
- Opposite the site is the recent Stanmore Park residential development of dwellings and flats.

c) Proposal Details

- Planning permission was approved on the 15th December 2006 (ref P/822/06/CFU) for re-development to provide 3 flats in 2 storey building with rooms in roof, access and parking.

- This application seeks to extend the implementation of this planning permission, which expired on the 15th December 2009, under new government measures to enable developers to keep planning permissions alive for longer.
- The proposed building would be located between 1.5 and 3.8 metres from the boundary with Riverine Lodge, between 800mm and 2.4 metres from the boundary with The Chantries, 15 metres from the rear boundary of the site and approximately 22 metres from the front boundary with Uxbridge Road.
- The proposed building would have a pitched roof, with a maximum height of 10.5 metres and an eaves height of 6.3 metres.
- The hard surfaced parking area would be located to the south east (front) of the site, comprising 5 spaces, with vehicular access from the existing crossover to Uxbridge Road.
- Refuse storage would be located along the northern site boundary, adjacent to the car park.
- There would be a communal garden at the rear, as well as a private garden area at the front of the building to serve the ground floor flat.

d) Relevant History

P/822/06/CFU	Re-development to provide 3 flats in 2 storey building with rooms in roof, access, parking	GRANTED 15-DEC-06
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e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design and Access Statement.

g) Consultations:

Notifications:

Sent: 52

Replies: 1

Expiry: 31-DEC-09

Addresses Consulted:

- Flats 1-15 Riverine Lodge, Old Lodge Way
- Caprice and The Nook, Old Lodge Way
- 1 & 2 Glanville Mews
- 15 Dearne Close
- Flats 1-10 Vardy House, Hodgkins Mews
- Flats 1-10 Caernafon House, Lady Aylesford Avenue
- Flats 1-14 The Chantries, Uxbridge Road

Summary of Response:

One response in objection, re-iterating previous concerns and emphasising that traffic has become worse.

APPRAISAL

1) Principle of Development

Paragraph 27(viii) of PPS1 promotes the more efficient use of land through the use of suitably located previously developed land and this is re-iterated in London Plan policies 2A.1 and 3A.3. Annex B of PPS3 states that 'previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land'. As the site previously comprised a residential dwellinghouse, it is considered to be previously developed land for the purposes of PPS3 and therefore housing development is acceptable in principle. There has been no alternative policy designation for the site in the period since the original permission was granted.

2) Character and Appearance of the Area

In approving the initial application (ref P/822/06/CFU), the Council considered that the appearance of the proposed development was acceptable in relation to current policy at the time. The principal policy for assessing the standard of design and layout at the time was UDP policy D4 and this policy still applies, having been saved following a direction from the Secretary of State. In addition to this policy, London Plan policy 4B.1 sets out a number of design principles for developments to adhere to, although it is considered that the broad principle of this policy is broadly in line with UDP policy D4. There has been no material change in circumstances on the site, or in the character and appearance of the surrounding area, that would warrant a different view on the appearance of the proposed development, or its effect on the character and appearance of the area, including the proposed provision of refuse storage close to the boundary with Riverine Lodge, adjacent to the parking area. The proposed development is therefore considered to be acceptable in relation to current policy, subject to a similar condition as previously attached in relation to approval of material samples.

The policies for assessing the provision of landscaping in new developments at the time the initial application was considered were UDP policies D4 and D9 and these policies still apply to the current proposal for extension of time. As the provision of soft landscaping is the same as previously approved, it is considered to be acceptable, subject to a condition requiring details of planting, as was imposed on the initial permission.

3) Residential Amenity

UDP policy D5, which was referred to in the approval of the initial permission, still forms part of the development plan and forms the basis for the assessment of amenity impact in relation to new residential developments. In approving the previous development, the impact on the occupiers of neighbouring properties in terms of overshadowing, outlook and overlooking was considered to be acceptable. There has been no change of circumstances on surrounding sites in the intervening period, to warrant a different view on the impact of the development on the amenities of neighbouring residents.

The proposed flats were considered to be of an acceptable size in relation to the space standards applied at the time of the original approval. The Council now refers to the Draft London Housing Design Guide, which gives a minimum floor area of 70m², for a two bedroom, four person unit, which the proposed flats would all comfortably satisfy. The size of the proposed flats is therefore still considered to be acceptable. The provision of amenity space for the future occupiers of the proposed development was also considered acceptable and, given that UDP policy D5 is still current in this regard, the amenity space provision is therefore considered to be acceptable.

4) Traffic and Parking

In approving the initial proposal, the level of parking provision was considered to be adequate in relation to the Council's parking standards and UDP policy T13, both of which still apply. Despite the concerns raised by a neighbouring resident, it is considered that there has been no material increase in traffic in relation to this proposal, since the previous approval, nor has there been a change in circumstances in relation to the visibility from the vehicular access to the site. The Council's parking standards would still be met and the proposed extension of time would therefore be acceptable in this regard.

5) Trees and New Development

A number of protected trees are located on the site, including a large oak to the north of the site. The previous proposal for a 'no-dig' geotextile surface for the parking area was considered acceptable as part of the previous application and is also considered to be satisfactorily in relation to this extension of time application, as the size of the parking area and arrangement of the spaces are the same. The conditions previously imposed relating to tree protection are carried over to this recommendation and this is considered to satisfy UDP policy D10.

6) Accessible Homes

The Council's policy in relation to accessible homes that was applied in relation to the previous application has subsequently been deleted by way of a direction from the Secretary of State. The Council now refers to saved UDP policy C16, relating to accessibility of buildings and London Plan policy 3A.5, relating to housing choice. London Plan policy 3A.5 requires that all new dwellings comply with Lifetime Homes Standards. In assessing the previous application, all units were considered to comply with Lifetime Homes Standards, subject to a condition which is carried over to this recommendation. The proposal is therefore considered to be acceptable in relation to accessibility.

7) Housing Provision and Density

The proposal represents an additional 3 units to the Borough's housing stock and this is supported in principle. The proposed development, at 45.5 units per hectare and 182 habitable rooms per hectare satisfied the density requirements as set out in the UDP and the London Plan at the time of approval. The proposal would also be within the current density levels set out in table 3A.2 of the London Plan and it is considered that the development would satisfy current policy on residential density.

8) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

9) Consultation Responses

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

- None.

CONCLUSION

For all the reasons considered above, the proposed extension of time application is considered to be acceptable, as the development complies with current policy and there are no policy changes or other material considerations that would warrant the proposal now being viewed unfavourably. The proposal is therefore recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 20467/10, 20467/11, 0141 03 Rev C, 0141 04 Rev C, 0141 05 Rev C, Design and Access Statement, Arboricultural Assessment (11th December 2006).

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

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

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

4 None of the existing trees on the site shall be lopped, topped, felled or uprooted without the prior written permission of the local planning authority. Any topping or lopping which is approved shall be carried out in accordance with British Standard 3998 (Tree Work).

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

5 The development hereby permitted shall not be commenced until surface water attenuation/storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To prevent the increased risk of flooding.

6 The development hereby permitted shall not be occupied until visibility is provided to the public highway in accordance with dimensions to be first agreed in writing by the local planning authority. The visibility splays thereby provided shall thereafter be retained in that form.

REASON: To provide a suitable standard of visibility to and from the highway, so that the use of the access does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

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

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

8 The plans and particulars submitted in accordance with the approval of landscaping condition shall include:

- (i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- (ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- (iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

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

9 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.

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 before occupation of the development and shall thereafter be retained.

REASON: To safeguard the appearance of the locality.

11 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.

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

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

13 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

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

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

S.

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

INFORMATIVES

1 INFORMATIVE:

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

Plan Nos: 20467/10; 20467/11; 0141 03 Rev C; 0141 04 Rev C; 0141 05 Rev C;
Design and Access Statement; Arboricultural Assessment (11th
December 2006)

**TRINOMINIS HOUSE, 125-129 HIGH P/2591/09/NR
STREET, EDGWARE, HA8 7DB**

Ward CANONS

TWO STOREY FRONT EXTENSION TO PROVIDE RETAIL/FINANCIAL & PROFESSIONAL/BUSINESS USES (CLASSES A1/A2/B1) IN ASSOCIATION WITH CHANGE OF USE OF PART OF EXISTING GROUND AND FIRST FLOORS, ADDITION OF THIRD FLOOR EXTENSION WITH CONVERSION OF EXISTING SECOND FLOOR TO PROVIDE 8 FLATS, EXTERNAL ALTERATIONS, PARKING

Applicant: Mr Manos Shah

Agent: Preston Bennett Planning

Statutory Expiry Date: | 26-JAN-10

RECOMMENDATION

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

REASON

The decision to recommend grant of planning permission has been taken having regard to the policies and proposals in The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy encouraging more efficient use of land for housing and business use, as well as to all relevant material considerations including any comments received in response to publicity and consultation. The proposed mixed use development is considered to be acceptable and appropriate for its location. The proposed extensions and alterations would have an acceptable impact on the character and appearance of the area and the amenities of neighbouring residents. Adequate business use space would be maintained, along with the proposed flats, and the alterations to the building would enhance its appearance and the appearance of this part of Edgware.

National Planning Policy:

PPS1 – Delivering Sustainable Development

PPS3 – Housing

The London Plan 2008:

2A.1 – Sustainability Criteria

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

3A.2 – Borough Housing Targets

3A.3 – Maximising the Potential of Sites

3A.5 – Housing Choice

3B.2 – Office Demand and Supply

3D.1 – Supporting Town Centres

4A.22 – Spatial Policies for Waste Management

4B.1 – Design Principles for a Compact City

London Housing Design Guide – Draft for Consultation (2009)

Housing: The London Plan Supplementary Planning Guidance (2005)

London Borough of Harrow Unitary Development Plan 2004

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D7 – Design in Retail Areas and Town Centres

D9 – Streetside Greenness and Forecourt Greenery

D10 – Trees and New Development

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

D18 – Historic Parks and Gardens

EP25 – Noise

EM13 – Land and Buildings in Business Use – Designated Areas

EM20 – Change of Use of Shops Outside Town Centres

EM22 – Environmental Impact of New Business Development

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance: Extensions: A Householder's Guide (2008)

Supplementary Planning Document: Accessible Homes (2006)

Supplementary Planning Document: Access For All (2006)

Supplementary Planning Guidance: Designing New Development (2003)

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Mixed Use Development (PPS1, PPS3, 2A.1, 3A.1, 3A.2, 3A.3, 3D.1, LPSPG:Housing)
- 2) Character and Appearance of the Area and Adjacent Conservation Areas and Historic Park and Garden (4A.22, 4B.1, D4, D7, D9, D14, D15, D18, SPG:Extns)
- 3) Residential Amenity (D5, EP25, SPG:Extns)
- 4) Employment and Retail Policy (3B.2, EM13, EM20, EM22)
- 5) Traffic and Parking (T6, T13)
- 6) Trees and New Development (D10)
- 7) Accessibility and Accessible Homes (C16, 3A.5, SPDs:Access)
- 8) S17 Crime & Disorder Act (D4, 3A.6, SPG's)
- 9) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Offices/Minor Dwellings

Lifetime Homes: 0

Council Interest: None

b) Site Description

- Application site comprises a three storey building with a shallow pitched roof on the west side of Edgware High Street, a busy Distributor Road.
- The building has undercroft parking and two commercial units on the ground floor, occupied by a shop (A1) and an estate agent (A2). The first and second floors have office use (B1).

- The building is set back approximately 11 metres from the main footpath, in line with the other properties on this side of the High Street and forms the most northerly plot in this row of commercial properties.
- The site is within Ballards Mews designated business use area and the boundary with Edgware District Centre is approximately 70 metres to the south of the site.
- The access road from the High Street to Ballards Mews bounds the south of the site and provides access to the ground floor undercroft parking area within the building and the main entrance to the building's first and second floors.
- The Ballards Mews industrial (B1 and B2) units are located to the south/south west of the site.
- To the south of the site is the parade of commercial properties Nos.113-123 High Street, which comprise a mixture of retail and restaurant uses, many of which have flats above.
- To the north of the site are the residential flats at Edgware Court, arranged in 3 blocks. A number of protected trees are located on this property, close to the boundary with the application site.
- To the east of the site, on the other side of the High Street, is a further parade of retail and food and drink uses, with offices and flats above, within the London Borough of Barnet.
- The site is located between two Conservation Areas, the boundary of Edgware High Street Conservation Area being 45 metres to the south of the site, whilst the entrance gateposts to Canons Park Estate Conservation Area are located approximately 30 metres to the north.

c) Proposal Details

- Two storey front extension with a forward projection of 10.6 metres, a width of 9.2 metres and a height of 6.2 metres, incorporating a chamfered south east corner and a flat roof design.
- The extension would accommodate retail, financial and professional, or business use classes (A1/A2/B1), with the existing ground floor and first floors to be used for these purposes.
- Addition of flat roofed third floor extension, replacing the existing shallow pitched roof, set 2.2 metres from the northern flank elevation, 4.2 metres from the western flank elevation, 1.5 metres from the existing main front elevation to the east and with a height of 2.75 metres.
- The third floor extension would accommodate 3 flats with roof terraces to the front and back, with the existing second floor to be converted to 5 flats.
- The proposal would result in 2 x studio flats, 3 x 1 bed flats and 3 x 2 bed flats.
- It is proposed to alter the external appearance of the building and make alterations to windows.
- Access to the upper floors would be provided from the existing office entrance off the Ballards Mews access road.
- Car parking for the commercial uses would be located within the existing undercroft parking area, along with cycle storage and refuse storage.

d) Relevant History

LBH/4338/4	Erection - 3 storey building to provide 2 shops on ground floor w/offices and warehouse carom. over and parking facilities at rear - outline revised	GRANTED 30-JUN-70
LBH/25388	Replacement of flat roof with pitched roof	GRANTED 12-JUN-84
EAST/1155/02/FUL	Change of use: offices to residential (class B1 to C3) to provide four flats on first & second floors	REFUSED 15-APR-03

Reasons for Refusal:

- 1) The proposal would give rise to the loss of employment floorspace within a designated Business Use area, to the detriment of employment opportunities within the Borough and contrary to the relevant provisions of the Adopted and replacement Deposit Draft Harrow Unitary Development Plan.
- 2) The proposed enlarged windows in the northern flank wall of the building would give rise to the overlooking of Edgware Court, with a consequent loss of privacy and residential amenity.

e) Pre-Application Discussion (PAM – HA/2008/ENQ/04822)

- The building marks the northern extent of the west side of the town centre and there could be an opportunity for a visual stop at this point, especially as the emphasis is for a glazed extension and that there is already closure in the street scene from the existing trees at the frontage of Edgware Court.
- The proposed third floor would be rather bland and box-like, and would be more readily seen from Edgware Court. Consideration of the impact of the amenities of the occupiers of Edgware Court would need to be made by the case officer and following consultation.
- Alterations suggested to mitigate impact on Edgware Court and improve the design of the external alterations.

f) Applicant Statement

- Planning Statement.
- Design and Access Statement.
- Arboricultural Implications Assessment and Arboricultural Method Statement.
- Daylight, Sunlight and Shade Report.

g) Consultations:

1st Notifications:

Sent: 39 Replies: 4 Expiry: 31-DEC-09

2nd Notification on Amendments:

Sent: 39 Replies: 4 Expiry: 24-FEB-10

Addresses Consulted:

- Flats 1-27 Edgware Court, High Street
- Garages Adjacent 19 Edgware Court and The Lodge, Edgware Court
- 113-123 (odd) High Street, Edgware (Including Properties Above)
- 1-16 Ballards Mews and Repair Garage Adjacent to Unit 3
- 112-136 (even) High Street, Edgware (Including Properties Above: Barnet Addresses)

Advertisement (CCA): 17-DEC-09 Expiry: 07-JAN-10

Site Notice (CCA): 21-DEC-09 Expiry: 11-JAN-10

Summary of Response:

- Terraces and roof areas would potentially overlook Edgware Court, resulting in a loss of privacy;
- Third floor addition would affect the light to Block A of Edgware Court and may affect 'Rights to Light';
- Parking provision would be inadequate and could become a serious problem and exacerbate existing problems;
- Trees and shrubs at Edgware Court would be affected;
- The proposed front extension would exceed the existing building line, spoiling the line with other properties, would be overbearing in the area and could affect pedestrian movement;
- The noise and dust would affect all the residents of Edgware Court;
- Third floor would be out of keeping;

Conservation Officer:

- The existing building is bland whereas the proposed replacement building would be stepped forward forming a visual stop on this prominent site at the end of the town centre.
- Although Edgware High Street Conservation Area has a recessed building line which should be retained, it is positive in this instance for a replacement to be set forward since it would provide this visual stop.
- The proposal would comply with Harrow UDP policy D14 and D15.

Conservation Area Advisory Committee:

- Object to coming out in front of the existing building line. The existing building line should be adhered to.
- Would cut out the vista up the High Street towards Canons Park and do the same the other way with an even larger detrimental impact on the streetscene.
- Consideration of the additional third storey should be measured in relation to the buildings to the south on the left hand side. They are ground, first and second floors but go no higher than that.

Urban Design Observations:

- The retention of the commercial use on the first two floors would seem to provide an acceptable balance with the requirements of Policy EM14, particularly on this edge of town centre site with a principal frontage to the High Street.
- The introduction of residential development above the commercial lower floors is very much a reflection of the adjacent and opposite commercial premises, and visually would be quite appropriate.
- The proposals have been amended to reflect pre-application advice from September 09, particularly in respect of the roof level alterations. Only noticeable omission appears to be the lack of any finishing detailing to the roof extension. The result is unfortunate, appearing as a box-like structure with no elevational interest.
- The two storey front extension would visually close off the perceived northern extent of the centre, whilst still retaining long views of the significant tree screen in the adjacent site (Edgware Court).
- The introduction of a canopy detail to the south, east and west elevations would add design interest without increasing the bulk of the extension in relation to Edgware Court.

London Borough of Barnet (Neighbouring Authority):

- No objection.

Highways Engineer:

- No objection.

APPRAISAL

1) Principle of Development

Paragraph 27(viii) of PPS1 promotes the more efficient use of land through the use of suitably located previously developed land and this is re-iterated in London Plan policies 2A.1 and 3A.3. Annex B of PPS3 states that 'previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land'. As the site currently comprises a commercial building, it is considered to be previously developed land. The conversion and extension of an existing building is considered acceptable in principle, subject to the implications of the uses proposed, which are discussed in more detail below. The principle of a mixed use development is considered acceptable in this town centre location and would be consistent with the character of the area, whereby residential flats are located above commercial premises.

2) Character and Appearance of the Area

Saved UDP policy D4 states that 'buildings should respect the form, massing, composition, proportion and materials of the surrounding townscape, and attention should be paid to the urban "grain" of the area in terms of building form and patterns of development'. It goes on to state that 'where a particular built form contributes significantly to local character (for example, frontage widths, and plot sizes, building height, massing or spaces between buildings) it should be respected in all development'.

Policy D7 states that 'the design and layout of buildings and public spaces should contribute to the attractiveness of the town centre in which they are located. Buildings should create interest, and maintain a scale complementary to the town centre'. It goes on to state that 'on prominent sites, there is the opportunity to create a landmark through the development of distinctive buildings that are focal points, yet compatible with their surroundings'.

The existing building on the site has a dated appearance and does not have a positive effect on the character and appearance of this town centre location. The proposed front extension would extend out over the forecourt of the site to within 500mm of the public footway. The extension would be rendered and painted white, with extensive glazing and would have a chamfered corner facing onto the High Street. It is considered that the proposed extension would provide a visual end stop to the town centre at its northern extent and would create visual interest in this commercial location. The proposed two storey extension would maintain an appropriate scale to the host building and to its surroundings and the mature trees to the north of the site, within Edgware Court, would still be visible above the extension. It is therefore considered that the proposed two storey front extension would have an acceptable appearance.

The proposed external alterations to the existing building would involve rendering the south and east elevations and painting them white, replacing the windows and the installation of a timber brise soleil feature on the glazed stairwell. Timber louvres would also be installed on the ground floor openings to the undercroft parking. It is considered that the proposed external alterations would improve the appearance of this dated building.

The proposed third floor extension would be set in from the north, west and east flank elevations of the building and would have a staggered building line to the south elevation. The surrounding area is generally characterised by two and three storey buildings with pitched roofs, although there are some examples of four storey buildings in the locality. The application building is detached from neighbouring buildings and, as discussed, sits at the northern end of the town centre. The proposed extension would replace a shallow pitched roof, so would therefore be more noticeable from surrounding properties and from the street. The proposed extension would result in the height of the building being 1.4 metres higher than the neighbouring buildings to the north, at Edgware Court and 400mm higher than the ridge of the existing roof. However, the third floor extension, by virtue of its set back from the flank elevations, would have a subservient appearance. It is considered that the proposed third floor extension would have an acceptable appearance, given its subservient nature and its siting on this detached building, and would provide a focal point at the northern end of the centre. Revisions have been submitted following comments from the Council's Urban Design Officer, showing a projecting eaves feature and it is considered that this overcomes the concerns of the Pre-Application Team about the box-like form of the structure. The proposed third floor extension is therefore considered to have an acceptable appearance. The proposed obscure glazed visibility screens would be acceptable in visual terms.

Canons Park Estate Conservation Area is located 30 metres to the north, whilst Edgware High Street Conservation Area is located 45 metres to the south of the site. Given the separation distance and the existence of built development between the application site and Canons Park, it is considered that the proposals would preserve the character and appearance of this Conservation Area. The comments of the Conservation Area Advisory Committee in relation to the front extension and its impact on Edgware High Street Conservation Area are noted. However for the reasons given above, it is considered that the proposed front extension would be acceptable. The extension would be sited 45 metres from the Conservation Area boundary and although it would project forward of the established building line, it is considered to provide an attractive end stop to the town centre. This proposal would not set a precedent for extensions further south of the site, as the circumstances would not be comparable. The proposals are therefore considered to preserve the character and appearance of Edgware High Street Conservation Area.

Refuse storage is proposed within the undercroft parking area, as is the current arrangement for the existing offices. Adequate space would be provided for the storage of bins to serve the 8 flats and the commercial uses and its proposed location can be supported.

3) Residential Amenity

The nearest residential properties that would be most affected by the proposed development are the flats in Edgware Court, to the north of the site, although there are residential flats located above the parade to the south, the nearest being No.123A Edgware High Street. Protected habitable room windows are located in the south elevation of the flats in Edgware Court, facing the application site, with Block A being the closest to the application building.

The proposed two storey front extension would be sited some 15 metres from the nearest habitable room windows of the flats in Edgware Court and would have an oblique relationship with both the front and rear windows of these flats. Given this separation distance it is considered that the proposed front extension would not result in unacceptable loss of light or outlook to the occupiers of these properties.

The proposed third floor extension would be set back 2.2 metres from the northern flank elevation as discussed. Although this part of the proposal would be more apparent from Edgware Court than the existing pitched roof, it would comply with the 45 degree code on the vertical plane from the nearest ground floor habitable room window in Edgware Court, as required by paragraph 3.14 of the SPG. It is noted that the orientation of the proposed extension would be to the south of these properties, however the building is angled so that a 45 degree splay taken from this closest window would not be interrupted by the proposed extension. The impact of the proposed third floor extension on the occupiers of Edgware Court would therefore not be worse than the existing situation and the proposal is therefore considered acceptable in this regard.

The applicant has also submitted a Daylight, Sunlight and Shade report, demonstrating that the proposal conforms to BRE good practice for daylight and sunlight. The flank wall windows of No.123A Edgware High Street are secondary windows and are therefore not protected and consequently no adverse amenity impact is expected in relation to the occupiers of this property.

The application proposes two roof terraces to serve two of the third floor flats, one at the front and a larger one at the rear. Obscure glazed screens are proposed, set an additional 1.3 metres in from the northern flank wall of the proposed third floor extension, with a height of 1.9 metres. It is considered that these screens would adequately mitigate overlooking of Edgware Court from these roof terraces. It is considered that the use of the roof terraces would not generate excessive noise, given their modest size and ambient background noise levels in this commercial location. A condition is imposed to ensure that the other flat roofed areas, including the small void on the north-western corner of the building, would not be used as balconies or amenity areas, without planning permission.

It is considered that the alterations proposed to the windows on the south and east elevations would not result in an unacceptable impact, as the number of windows would not be materially increased and these elevations do not face directly onto residential properties. Two of the windows of the north elevation would be enlarged and a new window would be inserted in a void in the west elevation. Each of these enlarged windows would serve bedrooms. However, despite being enlarged, these windows would remain as high level windows and would therefore not result in unacceptable overlooking of Edgware Court. The new window in the proposed west elevation would be set back from the main elevation, by virtue of the proposed void and would therefore not allow direct overlooking of Edgware Court. The remaining windows would remain as existing, with the exception of the windows in the lightwell, which would be reduced. The north facing windows within the lightwell, the existing building and the proposed third floor extension, would all be subject to a condition requiring them to be obscure glazed and fixed closed below a height of 1.7 metres above finished floor level. Subject to this condition, it is considered that the proposal would result in an acceptable impact on the amenities of neighbouring residents with regard to overlooking.

Given the town centre location, it is considered that the provision of no external amenity space for 6 of the 8 flats would be acceptable. The sizes of the proposed flats within the conversion are considered to provide adequate living conditions for future occupiers. It is noted that the layout of the proposed second and third floors do not stack up in terms of like rooms being sited above and below each other. However, as the proposal involves a new third floor extension, it is considered that a scheme for sound insulation could be provided by condition, in order to mitigate noise transmission between the proposed flats. The proposed development would therefore provide an adequate standard of accommodation for future occupiers.

4) Employment and Retail Policy

The existing building comprises a retail unit (A1) and an estate agent (A2) on the ground floor, with two floors of offices (B1) over. Despite fronting onto the High Street, the site is not located within Edgware District Centre.

The site is in fact located within the Ballards Mews Business Use Area, which includes all adjacent High Street properties to the east. However, the character of Ballards Mews is quite different from these adjacent properties which face the High Street and comprise offices, shops and related uses, and flats, whereas Ballards Mews itself is generally characterised by light industrial uses. Notwithstanding this, saved UDP policy EM13 resists the loss of land and buildings in business use in these areas. Saved UDP policy EM20 resists the change of use from retail outside of town centres.

The existing ground floor A1/A2 space totals 96m², whilst the existing B1 office space totals 548m², making a total A1/A2/B1 space of 644m² as existing. It is noted that the proposal is to re-provide 526m² of space on the first and second floors, including within the proposed two storey front extension. The proposal is for A1/A2/B1, so the ground and first floor could be occupied by retail, financial and professional services or offices. It is considered that the loss of 118m² of commercial space can be accepted in this location, given the improvements proposed to the building, which would potentially increase its marketing potential and demand for B1 office use, as well as enhancing the vitality of this part of Edgware as a whole. If the property were occupied as offices, the loss of the ground floor retail unit would be acceptable, given the out of centre location and the close proximity of the site to Edgware District Centre, which has a good provision of retail units. The proposal is therefore considered to be acceptable in relation to employment and retail policies.

The proposed A1/A2/B1 uses would not be detrimental to neighbouring amenity and the shared access with the proposed flats would also be acceptable and not uncommon in such a location. The proposal would therefore comply with saved UDP policy EM22.

5) Traffic, Parking and Pedestrian Movement

The Council's Highways Engineer has confirmed that no parking provision would be necessary for the proposed flats, given the location and high level of public transport accessibility (PTAL rating 4). The existing parking provision within the undercroft parking area (12 spaces, plus 1 disabled space) is considered to be adequate to serve the commercial use, as this parking area currently serves a larger area of office space. The existing vehicular access would be utilised and this is considered to be an acceptable arrangement.

Concerns have been raised that the proposed two storey front extension would obstruct pedestrian movement on the High Street. However, the proposed extension would not obstruct the public footway, which would retain a width of over 6 metres. The extension would affect pedestrians as they walk from Ballards Mews north up the High Street, as they would not be able to cut across the forecourt of the property as is currently possible. This is however considered to be only a minor inconvenience and not unduly detrimental to pedestrian movement.

No undue highways or pedestrian safety concerns are therefore envisaged as a result of the proposed front extension.

6) Trees and New Development

A number of protected trees are located within Edgware Court, close to where the proposed front extension would be built and these trees have a significant amenity value as discussed above. The proposed extension would however be sited to the south of the existing boundary wall to this property and there is therefore unlikely to be a significant amount of tree roots beyond this wall. An Arboricultural Report has been submitted in support of this application, which concludes that there would be no adverse impact on these trees as a result of the extension. The Council's Tree Officer considers that the submitted report adequately addresses the impact of these trees and the proposal is therefore considered to be acceptable in this regard.

7) Accessibility and Accessible Homes

The proposed front extension would incorporate level access and a lift would be provided internally. The proposed A1/A2/B1 use would therefore be accessible.

Given that the proposed flats would be located on the second and third floors of an existing building with no lift, it is considered that it would be unreasonable for these units to comply with Lifetime Homes Standards, particularly given that no disabled accessible parking space is available to serve the flats. It is therefore considered that strict compliance with London Plan policy 3A.5 requiring all new dwellings to comply with Lifetime Homes Standards would not be justified in this case.

8) S17 Crime & Disorder Act

It is considered that the proposal would not give rise to undue safety and security concerns and would therefore be acceptable in relation to this legislation.

9) Consultation Responses

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

- The noise and dust would affect all the residents of Edgware Court: It is assumed that this refers to noise and dust from building works as the proposed uses would not be unduly noisy or dusty. Temporary disruption and inconvenience from building works is dealt with by Environmental Health legislation and would not warrant the refusal of a planning application.
- Third floor may affect 'Right to Light': The Right to Light is not a material planning consideration, being covered by other legislation. An appraisal of the impact on the living conditions of neighbouring occupiers has been undertaken above.

CONCLUSION

For all the reasons considered above, the proposed mixed use development is considered to be acceptable and appropriate for its location. The proposed extensions and alterations would have an acceptable impact on the character and appearance of the area and the amenities of neighbouring residents. Adequate business use space would be maintained, the proposed flats would be of a satisfactory standard, and the alterations to the building would enhance its appearance and the appearance of this part of Edgware. The proposal is therefore recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: PLAN 200 SHEET 1 of 1 ISSUE A, D001, D002, D003 Rev A, D004 Rev A, D005 Rev B, D006 Rev D, D007 Rev F, D008 Rev E, D009 Rev E, Design and Access Statement, Planning Statement, Arboricultural Implications Assessment and Arboricultural Method Statement (October 2009) and Daylight, Sunlight and Shade Report.

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

3 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces of the approved extensions and alterations have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality.

4 The development hereby permitted shall not be occupied until the obscure glazed privacy screens have been installed, as shown on the approved plans. These privacy screens shall remain in place, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent overlooking of the Edgware Court properties.

5 The roof areas of the development hereby permitted, other than the areas shown on the approved plans as roof terraces, shall be accessed for maintenance only and shall not be used as balconies, roof terraces or other amenity areas, without the further grant of specific permission from the Local Planning Authority.

REASON: To prevent overlooking of the Edgware Court properties.

6 The north facing windows on the north elevation facing Edgware Court shall be obscure glazed and fixed closed below a height of 1.7 metres above finished floor level and shall be thereafter retained.

REASON: To prevent actual and perceived overlooking of the Edgware Court properties.

7 Before the development commences, a scheme for sound insulation between the proposed second and third floor flats shall be submitted and approved by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

8 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.

INFORMATIVES

1 INFORMATIVE:

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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- 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: D001; D002; D003 Rev A; D004 Rev A; D005 Rev B; D006 Rev D; D007 Rev F; D008 Rev E; D009 Rev E; Design and Access Statement; Planning Statement; Arboricultural Implications Assessment and Arboricultural Method Statement (October 2009); Daylight, Sunlight and Shade Report.

Item: 2/09

55 GORDON AVENUE, STANMORE, HA7 3QN P/2394/09/ML1/E

Ward STANMORE PARK

REDEVELOPMENT TO PROVIDE FOUR TERRACED TWO STOREY HOUSES WITH ROOMS IN ROOFSPACE FRONTING GORDON AVENUE, PARKING AND PERGOLAS AT FRONT, ACCESS FROM WEYMOUTH WALK (REVISED)

Applicant: Banner Homes Ltd., Mr Neil Cottrell

Statutory Expiry Date: | 29-DEC-09

RECOMMENDATION

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

REASON

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development makes efficient use of land whilst contributing to the provision of additional 'homes' targets, as detailed in the London Plan 2008, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character of the area.

London Plan: 3A.1, 3A.5

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

EP25 Noise

T6 The Transport Impact of Development Proposals

T9 Walking

T13 Parking Standards

Supplementary Planning Guidance 'Extensions: A Householders Guide' (2008)

Supplementary Planning Guidance 'Designing New Development' (2003)

Supplementary Planning Document 'Accessible Homes' (2006)

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

- 1) Character and Appearance of the Area (3A.1, D4, D9, SPGs)
- 2) Residential Amenity (3A.5, D5, EP25, SPD, SPGs)
- 3) Parking and Highway Safety (T6, T9, T13)
- 4) Accessibility (3A.5, SPD)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Dwellings
Council Interest: None

b) Site Description

- The application site has recently been cleared and some ground works have taken place in connection with its redevelopment.
- Prior to its recent demolition, the site contained a large two-storey detached building with accommodation in the roofspace sited on the southern side of Gordon Avenue, on the corner with Weymouth Walk to the west.
- The recently demolished property had been previously extended and converted into 4 flats.
- Long and relatively narrow site, measuring approximately 53m in depth and 24m in width (1272m² site area).
- Approximate footprint of the recently demolished property was 218m².
- There is a public footpath approximately 2m in width running along the site's eastern boundary.
- The site's front boundary is marked by large trees and planting.
- No.53C Gordon Avenue to the east has a long single storey front projection, its two storey bulk being set approximately 3.5m rearward of the location of a two storey front extension which formed part of the previous house at No.55.
- The flank of the single storey front extension at No.53C contains habitable room windows facing the application site.
- No.53C has a single storey rear extension in the form of a glazed conservatory close to its western boundary.
- The properties on the northern side of Gordon Avenue opposite the application site are at a ground level approximately 1.5 to 2m lower than No.55.
- The recently demolished property's rear garden was used as a communal amenity space for the four flats and was approximately 18m deep, with an approximate area of 342m².
- Gordon Avenue is characterised by mixed forms of residential development comprising detached, semi-detached and terraced houses together with flats.

c) Proposal Details

- Erection of four x two-storey 4 bedroomed houses with accommodation in the roofspace.
- The approximate footprint of the proposed terrace is 307.75m² and its front building line would be slightly staggered.
- Main entrance doors to three of the four units would front Gordon Avenue, the fourth being contained within the flank return wall along Weymouth Walk.
- The terrace would have two front dormers and four rear dormers.
- There would be a single storey link in the centre of the row of terraced properties, so that the upper floors would appear as the two pairs of semi-detached dwellinghouses.

- Each of the two two-storey sections of the development would have crown roofs with front gable details
- Eight car parking spaces (4 of which would be wheelchair accessible spaces) are proposed on the site's frontage, accessed from Weymouth Walk in the north western corner of the site. Four of these spaces would be beneath the two proposed pergolas which would be open at the front, sides and rear with a lightweight roof
- One pergola would be 6.55m wide x 5m deep x 2.6m high and accommodate 2 wheelchair accessible parking spaces, and one would be 5.4m wide x 5m deep x 2.6m high and accommodate 2 standard parking spaces.
- The proposed houses would have rear gardens which would be approximately 12/13m deep and 5-7m wide within which refuse and cycle storage would be contained.
- Access to the rear gardens of the western three units would be possible without passing through the houses due to a rear pathway from Weymouth Walk, and to the easternmost unit via a footpath along the eastern side of the building.

Revisions since the previously approved application P/0130/09

- Rearrangement of the frontage including resiting the parking area, increasing the depth of soft and hard landscaping immediately in front of the properties including two small semi-private areas of amenity space enclosed by 1.25m high railings, relocating and resizing the pergolas.
- Increase in size of a gable roof feature located 5.5-11.3m rearward of the building adjacent to the eastern site boundary.
- Replacement of a window with French doors at ground floor level in the front elevation of the property within plot 3 to provide access to the enclosed amenity space.
- Removal of the western most ground floor window in the front elevation.
- The insertion of five windows at first floor level in the development's 'internal' flank elevations to serve an ensuite, a laundry and a bathroom in property 2 and an ensuite and bathroom in property 3.
- Other aspects of the proposal in terms of siting, footprint, height, garden areas, refuse storage etc. remain as approved by planning permission P/0130/09.

d) Relevant History

P/3305/06/CFU	Demolition of existing dwelling and redevelopment to provide single, two and three storey block of 8 self contained flats with balconies to side and front; forecourt and rear parking, vehicular access from Weymouth Walk, bin and cycle store at front.	DEEMED REFUSAL APPEAL DISMISSED 10-01-08
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P/1757/07/CFU	Demolition of existing building and redevelopment to provide terrace of 4 two storey houses with rooms in roofspace fronting Gordon Avenue, with double garage and parking at front with access from Weymouth Walk, detached 2 storey house fronting Weymouth Walk with integral garage	REFUSED 15-08-07 APPEAL DISMISSED 10-01-08
P/0830/08/CFU	Demolition of existing building and redevelopment to provide terrace of 5 x two storey houses with rooms in roofspace fronting Gordon Avenue, with parking and pergola at front and double garage at rear accessed from Weymouth Walk (revised).	REFUSED 24-04-2008 APPEAL DISMISSED 29-01-09
P/0130/09	Demolition of existing building and redevelopment to provide four terraced two storey houses with rooms in roofspace fronting Gordon Avenue with parking and pergolas at front accessed from Weymouth Walk.	GRANTED 28-07-09

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design and Access Statement submitted.

g) Consultations:

- *Stanmore Society* – No response.
- *Environment Agency* – We have assessed this application as having a low environmental risk within our remit. Therefore we will not be providing comments on this application.
- *Thames Water* – No objection in relation to sewerage infrastructure. Surface water storage and attenuation recommended, together with informative.

Notifications:

Sent: 49

Replies: 3

Expiry: 07-DEC-09

Summary of Responses:

- Loss of foliage fronting Gordon Avenue, developers have removed most of the bush type greenery and just kept the few trees, exposes the development in the streetscene.
- Object to carport structures in the front part of the development as they would be completely exposed, would impact upon properties across the road; Having these structures along the front part of the property would not be in keeping with the character of the road and would be an eye sore; Would much rather be able to see the frontage of the houses; Still concerned about the impact of the 4 houses but these have been set back from the front line.

APPRAISAL

It will be seen that this site has a long planning history which includes several refusals of permission and dismissed appeals. This application is a revised version of the application P/0130/09 which was granted planning permission in July 2009. In the interim period the detached property on the application site has been demolished and some ground works have taken place without authorisation.

1) Character and Appearance of the Area

The style of the proposed houses which is as previously approved is considered to be appropriate in this location which is characterised by mixed types of housing, and the siting of the building is also as granted previously. The apparent semi-detached form of the buildings together with the front gable features and front dormers would provide an acceptable impact on the streetscene, subject to the use of satisfactory materials.

The revisions made to this scheme in comparison with the previously approved application P/0130/09 are considered not to have a detrimental impact upon the character and appearance of the area. The proposed layout of the Gordon Avenue frontage of the site shows hard surfacing to provide 8 off-street car parking spaces, 4 of which would be sited under two pergolas. The hardsurfacing would be approximately 10m from the front boundary and the frontage would contain existing trees with new soft landscaping which would help to screen the parking area. Access to the parking would continue to be from Weymouth Walk. The size and style of the proposed pergolas would mean that they would not be prominent when viewed in the streetscene of Gordon Avenue and so they are considered to be acceptable components of the scheme.

The relocation of a pergola on the frontage would not have a detrimental impact upon the streetscene, and the additional soft landscaping in front of the properties would soften their appearance. The proposed increase in the size of the gable feature located on the eastern elevation of the building is required to provide sufficient internal head height to access the roofspace as previously approved. The submitted drawing PL-4-01 Rev.A demonstrates that the previously approved scheme had insufficient floor to ceiling height to allow access to the roofspace in property 4. As the increased gable feature would be set well back from the front of the property, some 5.5-11.3m, it is considered that this alteration would not have a detrimental impact upon the character and appearance of the area as views of it from the streetscene and neighbouring properties would be limited.

Other aspects of the scheme remain unaltered in terms of impact on character and appearance.

2) Residential Amenity

The revisions made to this scheme in comparison with the previously approved application P/0130/09 are considered not to have a detrimental impact upon the residential amenities of neighbouring occupiers. The gable feature which it is proposed to increase in size is located on the eastern elevation of the development, due west of the adjacent property 53C Gordon Avenue. The increase in the size of this element is considered not to have a detrimental impact on the amenities of the occupiers of this adjacent property, it being sited opposite the blank flank two storey wall at the adjacent property. The fact that this element is set well back from the front of the property, some 5.5-11.3m and located adjacent to a two storey element of 53C Gordon Avenue, is also considered to limit any of the area as views of it from the neighbouring properties and so ensure an acceptable impact in terms of visual amenity. The proposed windows on the 'internal' flank walls of the development at first floor level are considered to have an acceptable appearance and would not result in a loss of privacy due to overlooking as they would be obscure glazed and fixed shut below 1.7m above finished floor level.

Other elements in relation to this issue are as previously granted.

3) Parking and Highway Safety

The Council's UDP sets maximum car parking standards and as such there is no minimum. The proposed provision would allow for eight off-street parking spaces at the front of the site, utilising the existing vehicular crossover from Weymouth Walk thereby providing 2 spaces for each unit. This is considered to be acceptable given the size of the proposed houses.

4) Accessibility

The proposed development allows for a disabled parking space for use by each dwellinghouse in line with Lifetime Homes standards. The proposed layout of the ground floor of each of the dwellinghouses as shown on the submitted plans would meet the requirements of the Accessible Homes SPD, with the possibility for future adaptations allowing access to the first floor via a ceiling lift. Level entrances are shown on the submitted plans. The dwellinghouses are therefore considered to comply with the requirements of the SPD and so are acceptable in this regard.

5) S17 Crime & Disorder Act

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

6) Consultation Responses:

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

- *Loss of foliage fronting Gordon Avenue, developers have removed most of the bush type greenery and just kept the few trees, makes the development exposed* – Conditions suggested in line with comments from the Council's Arboricultural officer will ensure tree protection and the submission of a scheme detailing soft and hard landscaping in the site frontage.

- *Object to carport structures in the front part of the development as they would be completely exposed, would impact upon properties across the road; Having these structures along the front part of the property would not be in keeping with the character of the road and would be an eye sore; Would much rather be able to see the frontage of the houses – As discussed in the appraisal above, the proposed car ports in the form of the two pergolas would be lightweight structures which would be screened by soft landscaping along the front of the development. As these structures would not block views through them to the frontage of the properties proposed it is considered that they would not have a detrimental impact upon the character and appearance of the area or neighbouring residential amenity.*

CONCLUSION

This proposal for the redevelopment of the site to provide 4 dwellinghouses complies with policies contained within the UDP and other adopted guidance 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 polices and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above this application is recommended for grant.

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 building, the pergolas and the car parking area shall be carried out in accordance with the approved details contained within the submitted document 'Schedule of External Materials' and shall thereafter be retained.

REASON: To safeguard the appearance of the locality.

3 The windows in the first floor flank walls of the properties within plots 3 and 2 as shown on the submitted drawing P.02 Rev.P 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 residential amenities of the occupants of the properties.

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

REASON: To safeguard the character of the area by restricting the site coverage and size of building in relation to the size of the plot, the availability of amenity space and the appearance of the building.

5 The development shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority. The boundary treatment shall be completed before the building is occupied in accordance with the approved details and shall thereafter be retained.

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

6 The development hereby permitted shall not be occupied until the car parking area shown on the approved plans, including four wheelchair accessible parking spaces, has been constructed and surfaced with either porous materials 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. The car parking spaces shall be permanently marked out and the proposed parking spaces shall be used only for the parking of private motor vehicles in connection with the development hereby permitted and for no other purpose.

REASON: To prevent any increased risk of flooding, to ensure the satisfactory provision of parking areas in the interests of highway safety and also to ensure suitable parking provision for people with disabilities in association with the provision of 'Lifetime Homes Standards' housing.

7 The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

8 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

9 The development hereby permitted shall not recommence until there has been submitted to, and approved in writing by, the local planning authority, a Tree Protection Plan and an Arboricultural Method Statement. The erection of staked fencing for the protection of any retained trees shall be undertaken in accordance with the details submitted in the Tree Protection Plan before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

10 The development of any buildings hereby permitted shall not be recommenced until surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To prevent the increased risk of flooding.

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

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

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

REASON: To ensure that adequate drainage facilities are provided.

13 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.

14 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.

15 The development hereby permitted shall be carried out in accordance with the following approved plans: TS06-131A\1; P.01, 02 Rev.P, 03 Rev.H; PD.01, 02; 616/117 Rev.E; 616/124 Rev.D; PL-4-01 Rev.A; Design and Access Statement; Schedule of External Materials.

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.
- 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:

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Item 2/09 : P/2394/09/ML1/E continued/...

Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

REASON: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Plan Nos: TS06-131A\1; P.01, 02 Rev.P, P03 Rev.H; PD.01, 02; 616/117 Rev.E; 616/124 Rev.D; PL-4-01 Rev.A; Design and Access Statement; Schedule of External Materials.

ABERCORN ARMS, 78 STANMORE HILL, STANMORE HA7 3BU

Item: 2/10
P/2957/09/ML/E

Ward STANMORE PARK

PLANNING APPLICATION

MAIN BUILDING:

RETROSPECTIVE DEMOLITION OF SINGLE STOREY REAR EXTENSION; CONSTRUCTION OF SINGLE AND TWO STOREY REAR EXTENSION WITH SIDE DORMERS AND ROOFLIGHTS TO PROVIDE RESTAURANT/ANCILLARY FUNCTION ROOM AND KITCHEN; EXTERNAL STAIRCASE; EXTERNAL ALTERATIONS TO EXISTING BUILDING.

STABLE BLOCK:

CHANGE OF USE FROM STORAGE TO PROVIDE ANCILLARY OFFICE AND STAFF RESIDENTIAL ACCOMMODATION, WITH EXTERNAL ALTERATIONS.

Applicant: Redklove Ltd
Agent: Pegasus Planning Group
Statutory Expiry Date: | 11-FEB-10

ABERCORN ARMS, 78 STANMORE HILL, STANMORE HA7 3BU

Item: 2/11
P/2963/09/LH

Ward STANMORE PARK

LISTED BUILDING CONSENT

MAIN BUILDING:

RETROSPECTIVE DEMOLITION OF SINGLE STOREY REAR EXTENSION; CONSTRUCTION OF SINGLE AND TWO STOREY REAR EXTENSION WITH SIDE DORMERS AND ROOFLIGHTS TO PROVIDE RESTAURANT/ANCILLARY FUNCTION ROOM AND KITCHEN; EXTERNAL STAIRCASE; EXTERNAL ALTERATIONS TO EXISTING BUILDING AND INTERNAL ALTERATIONS INCLUDING: INSERTION OF LIFT FROM GROUND TO FIRST FLOOR, RETROSPECTIVE DEMOLITION WORKS, FURTHER DEMOLITION WORKS, NEW STAIRCASES AND WALLS AND RAISING HEIGHT OF PARTS OF THE GROUND FLOOR CEILING AND STRENGTHENING WORKS TO ROOF.

STABLE BLOCK:

PROPOSED CHANGE OF USE FROM STORAGE TO PROVIDE ANCILLARY OFFICE AND STAFF RESIDENTIAL ACCOMMODATION, WITH EXTERNAL ALTERATIONS

Applicant: Redklove Ltd
Agent: Pegasus Planning Group
Statutory Expiry Date: | 11-FEB-10

P/2957/09

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to the completion of a legal agreement and conditions.

REASON

The decision to GRANT planning permission has been taken having regard to the saved policies of the Harrow Unitary Development Plan 2004, listed below, and all relevant material considerations, as the proposed development would secure and improve a Listed building for an appropriate use and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers, and the character of the area.

PPG15 Listed Buildings

Harrow Unitary Development Plan:

- D4 Standard of Design and Layout
- D11 Statutorily Listed Buildings
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- EM22 Environmental Impact of New Business Development
- EP25 Noise
- EP31 Areas of Special Character
- T6 The Transport Impact of Development Proposals
- T9 Walking
- T13 Parking Standards

Supplementary Planning Document 'Accessible For All (2006)

P/2963/09

RECOMMENDATION

GRANT Listed Building Consent for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to GRANT Listed Building Consent has been taken having regard to the saved policy of the Harrow Unitary Development Plan 2004, listed below, as the proposed development would secure the use of the Listed Building and would preserve its character.

PPG15 Listed Buildings

Harrow Unitary Development Plan:

- D11 Listed Buildings

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

- 1) Character and Appearance of the Area, the Listed Building and the Conservation Area (D4, D11, D14, D15, EP31, PPG15)
- 2) Residential Amenity (D4, EM22, EP25)
- 3) Traffic and Parking (T6, T9, T13)
- 4) Accessibility (SPD)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Main building:
Minor Development and Listed Building alterations including demolition works

Stable block:
Change of use and Listed Building alterations including demolition works

Listed Building Main building: Grade II
Stable block: Curtilage Grade II

Council Interest: None

Conservation Area: Stanmore Hill

b) Site Description

- The site is on the northeastern side of Stanmore Hill just north of Hill Close.
- It contains a large two-storey detached Public House (Class A4) with accommodation in the roofspace and decking on the southern side of the building adjacent to a grassed and wooded area.
- The Public House is an 18th century building, although it has been much altered internally and, prior to recent demolition works, had single storey rear extensions of various ages.
- The property became grade II listed in 1983 and the list description reads:
18th century. Red brick. Two and a half-storeys. At right angles to road. Three sash windows (side ones 3-light, ground floor ones with glazing bars). Painted, plain coped parapet. Gable to street forms pediment, with lunette. Three sash windows with glazing bars on this front, with central arched doorway (radial-bar fan). Rudimentary veranda. Left ground floor window altered to bay, probably at same time as Edwardian addition of 2 storeys and 3 bays to the rear, which is not of special interest.
- Works commenced in October 2009 for the demolition of the single storey rear extensions and some internal demolition works including wall partitions pursuant to the recently approved Listed Building Consent and Planning Permission (our references: P/2383/08/DFU and P/2386/08/DLB).
- Works ceased at the request of Officers since the applicant had not complied with the recently approved Listed Building Consent and Planning Permission (Refs.: P/2383/08/DFU and P/2386/08/DLB) and pre-commencement conditions had not been discharged.

- The property has since been made watertight following the cessation of works.
- On the north side of Stanmore Hill, just north of the main building, and behind No.80 Stanmore Hill is an ancillary two storey building that once operated as a stable block to the main Listed Building.
- It is an attractive red brick building with attractive polychromatic brick work and a large opening at first floor level for the former hayloft .
- The two storey building became curtilage grade II listed in 1983 when the Abercorn Arms became a Listed Building.
- Until October 2008 the two storey building was used for storage.
- Works commenced in October 2009 for its conversion to ancillary staff accommodation but works have since ceased since they were not wholly in accordance with the Listed Building Consent and Planning Permission granted in January 2009.
- Both the Abercorn Arms and the ancillary, former stable, building are sited within the Stanmore Hill Conservation Area and the Harrow Weald Ridge Area of Special Character.
- There are two vehicular accesses to Stanmore Hill at the front of the site serving parking areas at the front and rear of the site.

c) Proposal Details

Main Building (Public House):

External alterations:

- Demolition of a single storey rear extension (retrospective) and construction of single and two storey rear extension incorporating at ground floor level a relocated bay window and a mansard roof and three dormers in its southern roofslope, two rooflights at the rear and two windowless dormers in the northern roofslope.
- Other external alterations comprising extension of the rear gable ended first floor element, alteration to fire escape stairs, new railings, demolition of rear chimney, enlarge existing decking, screened air conditioning units; two extraction ducts; ,one air inlet fan housing and a hoist encloser, CCTV cameras to replace existing cameras, external lighting on modern parts of the building.

Internal alterations:

Use of proposed first floor rear extension as a restaurant or as an ancillary function room; opening to the extensions; installing a lift; remove some walls and staircase at ground and first floor level; remove second floor stud partitions demolition and rebuild existing internal chimney flue; install two staircases (works commenced but not completed); altering ground floor ceiling heights (works commenced but not complete); adding a pedestal floor to parts of first floor; strengthening works to the second floor roof area and preservation and repair of lathe and plaster.

Former stable block

External alterations:

Two rooflights; retain new ground floor window; replace modern door; retain timber door installed adjacent south-east side elevation; new brick pillar to the west of and adjoining the frame to this timber door; install extractor cooker hood grille and boiler flue vent grille; extractor fan grille; repair of stable doors; removal of original hayloft doors (retrospective) and replacement with new doors to match (retrospective).

Internals alterations:

Change of use from storage to provide ancillary staff residential and office accommodation that cannot be accessed from the residential accommodation; retain new layout at ground and first floor levels and return the original wall dividing the two former stables towards the rear of the former stable block to its original condition and new timber staircase.

Revisions since the previously approved application P/2383/08/DFU and P/2386/08/DLB (for the main building) and P/2810/09 and P/2805/09 (for the stable block)

Main building (Public House):

External alterations:

- Construction of a single and two storey rear extension rather than a single and first floor rear extension.
- A single storey rear extension element that is larger than previously proposed with a proposed floor area of approximately 3.5 square metres greater.
- Demolition of single storey rear extension (retrospective) and demolition of modern rear chimney.
- Extension of decking on the south-east elevation by approximately 5 square metres.
- Part of the single storey rear extension to the north-west of the building previously proposed as a bin store now proposed as a fridge and freezer store.
- Cladding of part of the single storey rear extension in cedar cladding.
- Two extraction ducts and one air inlet fan housing on the single storey rear extension.
- CCTV cameras to replace existing CCTV cameras on historic parts of the building and new CCTV cameras.
- Install external lighting on the north-west side and rear elevations.

Internal alterations:

- Demolition of further internal walls and stud partitions;
- Altering the height of parts of the first floor by adding a pedestal floor above the existing floor.
- Altering the height of parts of the ground floor ceiling.
- Strengthening works to the second floor roof area that would not involve any alteration to the lathe and plaster including the installation of a steel beam.
- Preservation and repair of lathe and plaster in the second floor/ roof area.

- **Former stable block:**
- **External alterations comprising:**
 - Retain new window installed on the south-east side elevation.
 - Replace new door installed on the south-east side elevation immediately adjacent the new window.
 - Retain the timber door installed adjacent to a brick pillar on the south-east side elevation of this building.
 - Build new brick pillar to the west and adjoining the frame of this new door.
 - Extractor cooker hood grille, Soil Vent Pipe and boiler flue vent grille to be installed on the front elevation.
 - Removal of stable doors on the rear elevation for repair (retrospective) and their return.
 - Removal of original hayloft doors (retrospective) and replacement with new doors to match (retrospective).
- **Internal alterations comprising:** Amended layout of proposed residential and office accommodation by: revised location of a proposed bathroom on the first floor; insertion of first floor storage areas; altered design of the proposed timber staircase; altered location of proposed bathroom at ground floor level.
- Return the original wall dividing the two former stables towards the rear of the former stable block to its original condition.

d) Relevant History

P/2807/07/DLB	Listed Building Consent: Internal alterations and refurbishment to ground & first floors.	GRANTED 10-OCT-07
P/2810/08/DLB	Change of use of stable block from storage to provide ancillary office and staff residential accommodation, with external alterations.	GRANTED 27-JAN-09
P/2805/08	Change of use of stable block from storage to provide ancillary office and staff residential accommodation, with external alterations	GRANTED 27-JAN-09
P/2383/08/DFU	Single storey side to rear and first floor rear extensions to provide restaurant (Class A3) / ancillary function room (Sui Generis); External alterations	GRANTED 31-MAR-09

e) Pre-Application Discussion

Since works have ceased the applicant has been involved in pre-application discussions with the Conservation Officer, Planning Officer, Service Manager, Development Management, and the Planning Team Leader of the East Team. Further discussions took place after submission of the application. These discussions have resulted in amendments that are more in keeping with the character of the Listed Building and the curtilage Listed Building.

f) Applicant Statement

- The applicant has submitted various documents that illustrate the proposal would meet Harrow UDP policy D11 and PPG 15 to preserve the character, integrity and important historic and architectural features and fabric of the statutory Listed Abercorn Arms building and the curtilage listed former stable block and the surrounding Conservation Area.
- For example, to illustrate how the proposal would preserve this statutory Listed Building and the surrounding Conservation Area the applicant has submitted: a Design and Access Statement, a report by a historic building specialist from the Architectural History Practice Ltd, a report by structural engineers, a schedule of works for both the main building and the former stable block and further letters clarifying how aspects of their proposal would preserve the character of the Listed Building.

g) Consultations:

CAAC: Objection: Georgian style fenestration is needed to give better relief. Currently there are disproportionate windows. Upper floor extension is out of proportion. No architectural merit and crashes into the existing building. Out of proportion in terms of scale and mass. The crown and pitch roof demonstrates how awkward a design it is. It would overshadow and overbear the listed building. It does not preserve or enhance. A more human scale is required with better articulation and better detailing. More greenery is also required.

The following bodies were consulted and any responses were due by 25th January, 2010 but no responses have been received:

- Victorian Society
- Georgian Society
- The Council for British Archaeology
- Stanmore Society

Advertisements: Alteration/Extension of Listed Building & Character of Conservation Area Expiry: 25-JAN-10

Notifications:

Sent: 51 Replies: 1 + 43 signature petition of objection Expiry: 25-JAN-10

Summary of Responses:

Object to size and scale of the proposed development and the impact it will have on the neighbourhood; Development will increase the number of people the site can accommodate and almost doubles the floor space for entertaining patrons which will increase noise due to comings and goings (both on foot and by car), put a strain on local parking and potentially increase litter; Locals rely on on-street parking, existing pub goes park outside properties, new development does not include additional parking provision.

APPRAISAL

These applications are revised versions of the applications P/2383/08/DFU and P/2386/08/DLB (for the main building) which were granted Planning Permission and Listed Building Consent in March, 2009 and P/2810/09 and P/2805/09 (for the stable block) which were granted Planning Permission and Listed Building Consent in January 2009. The applications subject of this report were submitted following the cessation of works which were not in accordance with the approved plans and, for the main building, were conducted without clearing pre-commencement conditions.

1) Character and Appearance of the Area, the Listed Building and the Conservation Area

Alterations to the main building (Public House) similar to those previously approved

Many of the proposed alterations to the main building are similar to those previously approved, for example, the rear extensions (although now marginally larger than previously granted) and air conditioning units. These are considered acceptable since the main focal points of the property, i.e. the front and side frontages, already had extensions to the rear, some of which are specifically named as of no special interest within the list description. The proposed single and two storey rear extension with a mansard roof, dormers and rooflights, would be subservient to the main building. The proposed dormers on the north-east elevation would be in keeping with the building given that they match the design and spacing of existing adjacent first floor dormers on the north-east elevation of the main block of the building. Carefully incorporating new extensions in this way would not be out of keeping with the appearance of the building or harmful to its character. The proposed air conditioning units would be tucked away amongst existing rear additions behind screening so they would only be obliquely visible from the rear elevation. Their siting would therefore be very discreet. The proposed railings on the rear extension would match the existing railings. A site inspection by Officers revealed that some internal works had been conducted for which no Listed Building Consent had been sought or granted such as the removal of lathe and plaster. Although the proposal, as before, shows that some walls and historic joists would be removed to install a staircase and lift shaft, these are not considered very significant historically and, importantly, other historic features including other walls and historic floor joists would be retained. The structural surveyors report shows that the installation of the lift shaft would not affect the structural integrity of the building. A photographic recording prior to any removal is considered appropriate. This will be safeguarded by condition. A condition is included to ensure that the installation of the staircase and removal of walls would not harm the structural integrity of the building. Given the proposed conditions, these proposals would therefore on balance meet Harrow UDP policy D11 to only permit alterations that preserve the character and setting of the Listed Building and any features of architectural or historic interest which it possesses both internally and externally.

The proposed extensions and alterations as amended are considered to be of an acceptable scale and design. The siting of the proposed extensions at the rear would not result in any additional loss of openness on the site. The site is at present occupied by a public house and the proposed ancillary restaurant and function room uses are considered not to conflict with the existing use of the site.

New proposals for external alterations to the main building (Public House)

The new proposals for external alterations to the main building are considered to preserve the character of this statutory Listed Building and the surrounding Conservation Area. This is because the single storey rear extension that was demolished was not historically significant since it was a relatively modern addition. The proposed loss of a rear chimney is considered acceptable since it is a relatively modern addition to the building. The proposed extension to the decking would add an area of just 5 square metres to the north of existing decking which is adjacent to the south-east elevation and would simply run alongside the proposed rear extension to this building. Part of the single storey rear extension to the north-west of the building would now be used as a fridge and freezer store and this would be clad in cedar cladding. This would provide it with a temporary and reversible character. Otherwise, materials of the extensions and details, for example, for the windows, obscure glazing, two extraction ducts and one air inlet fan housing will be conditioned. The CCTV cameras would be acceptable since they would be of a small size and therefore not unduly obtrusive and there are similar cameras already located on this building. The external lighting would be located on the extensions to the main building and would be of a small size and therefore not unduly obtrusive.

New proposals for internal alterations to the main building (Public House)

Internal walls that have been removed, and those internal walls that it is now proposed to remove (as shown on the plans), are considered not to be very historically significant. Since other walls would be retained removal can be supported and their photographic recording prior to their removal is considered appropriate. This will be safeguarded by condition. It is proposed to alter the height of parts of the ground floor ceiling by removing an area that comprises a modern metal ceiling and removing historic joists that are very fire damaged and rebuilding the ceiling at a different height. Since these areas are either damaged or consist of modern fabric, their removal is considered to preserve the character of the Listed Building as long as historic joists are photographically recorded prior to their removal. Also, a condition is proposed to ensure that the removal of walls shown within the plans and the altering the height of parts of the ground floor ceiling would be achieved without damaging the structural stability of the building.

It is proposed to alter the height of the first floor by adding a pedestal floor above the existing floor which would be retained. A method statement has been submitted for strengthening works to the roof including the installation of a steel beam and avoiding any works to lathe and plaster within the roof space. This is necessary for the ongoing stability of the building. It is also proposed to repair lathe and plaster in the second floor/ roof space.

This is necessary according to the historic building surveyor's report submitted as part of this application (see submitted document: ARCHITECTURAL HISTORY PRACTICE LTD STATEMENT TO ACCOMPANY REPEAT LBC APPLICATION). However, according to this report this should follow an assessment of the condition of the plaster. Therefore, the preservation and repair of this lathe and plaster is to be conditioned within three months of this approval following the submission of a method statement following its inspection by a suitable specialist, to ensure any works would preserve the character and integrity of historic fabric of this statutory Listed Building.

Alterations to the former stable block similar to those previously approved

The proposal for the former stable block is very similar to the previously approved scheme. As before, it is considered that conversion to ancillary staff accommodation would help ensure the building is much better maintained. The external rooflights are proposed on the north-west side so that they are not visible from the highway or the public house's grounds and they would be small.

New proposed external alterations to the former stable block

The new ground floor window installed on the south-east side elevation matches the design of one shown on a historic plan of this building and the design of the proposed door on the south-east elevation adjacent to this window will be conditioned. The timber door installed west of a brick pillar on the south-east side elevation of the building would preserve the character of this building as would the new brick pillar adjacent to this, the material of which will be conditioned. The extractor cooker hood grille, Soil Vent Pipe and boiler flue vent grille to be installed on the front elevation are considered to be minor additions that would not be detrimental to the character of this building.

New proposed internal alterations to the former stable block

The amended layout of the residential and office accommodation proposed within these applications and the new design of the timber staircase is considered acceptable since these proposals do not entail the removal of any further historic fabric and the original roof trusses are still visible and can be 'read'. The original wall dividing the two former stables towards the rear of the former stable block has been altered as it has been plastered and now extends fully to the ceiling. It is proposed to return this to its original state and a condition will ensure that this happens. Also, although the original hayloft doors have been removed these were in a poor state of repair and to ensure the protection of the character of this Listed Building a condition will be attached to ensure that the proposed replacement doors are installed and match the original ones. The original stable doors have been removed from the building for repair, and a condition will be attached to ensure these are returned and fixed to the building as before. The proposed alterations to the former stable block are therefore considered, on balance, to comply with Harrow UDP Policy D11 to only allow alterations to listed buildings if they preserve its character and setting and any features of architectural or historic interest which it possesses.

2) Residential Amenity

The proposed extensions and alterations to the public house are not considered to be detrimental to the visual amenities of neighbouring residents, as the proposed additional elements would be unobtrusive and contained well within the site. The impact of the scale of the proposed expanded facilities upon the amenities of neighbouring residential properties in terms of activity would be as previously accepted as part of the approved application.

The proposed use of the stable block as ancillary staff residential accommodation would result in the provision of four bedrooms, a living room, kitchen and two bathrooms for the use of staff. This equates to the accommodation provided in the previous permissions for this building, and as the accommodation would be restricted to use by staff working on site it is considered to provide satisfactory living conditions for the intended occupiers.

In terms of the amenities of neighbouring residents, the proposed change of use is considered not to be detrimental in terms of generating unacceptable additional levels of noise and activity within the context of the site.

3) Traffic and Parking

A comprehensive Transportation Statement has been submitted with this application which has been assessed by the Council's Highways Engineer. Whilst the proposed scheme in terms of its impacts upon traffic and parking issues is generally considered to be satisfactory, there are concerns as previously that a potential increase in on-street parking may result from the development which may require future on-street parking controls in the locality. It is therefore suggested as before that planning permission should be granted subject to a contribution by the Applicant of a sum of £6250 to the Council to fund the monitoring of traffic and parking conditions in the locality and the preparation and installation of on street parking controls, for a period of five years from scheme completion.

In terms of the stable block it is considered that the impacts of the change of use in terms of traffic and parking issues would be minimal. The provision of staff accommodation on site should reduce the need amount of vehicular journeys to and from the site by staff. Any parking related to the change of use could be accommodated within the existing on site parking provision.

4) Accessibility

Amendments have been made to the main building to improve the accessibility of the first floor additional element, key to this being the proposed installation of a lift. Door widths have also been increased and disabled toilet facilities provided. It is therefore considered that the proposed development would improve the accessibility of this existing public house and ensure access for all to the new facilities.

5) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

6) Consultation Responses:

All material planning considerations raised are addressed by the Appraisal.

CONCLUSION

This proposal for both the main Listed Building and the former stable block complies with policies contained within the UDP and other adopted guidance 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 Listed Building, the Conservation 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.

PLANNING APPLICATION

P/2957/09

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 6 months (or such period as the Council may determine) of the date of the Committee decision on this application, the terms of the legal agreement to include the following:
 - i) The contribution by the Applicant of a sum of £6250 to the Council for the monitoring of traffic and parking conditions in the locality and the preparation and installation of on street parking controls.
 - ii) Legal Fees: payment of the Council's reasonable costs in preparation of the agreement.
2. A formal decision notice, subject to planning conditions noted below will be issued upon the completion by the applicant of the aforementioned legal agreement.

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 main Listed Building (Public House) shall be completed in accordance with the planning permission to the satisfaction of the Local Planning Authority, prior to first occupation of the former stable block.

REASON: To ensure the satisfactory completion of the development and protect the Listed Building

3 The proposed extensions to the main Listed Building shall not be used at any time other than for purposes ancillary to the use of the site as a Public House.

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

4 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour / fume into any neighbouring premises.

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

5 No works permitted by this permission shall be recommenced until staked Heras fencing has been erected along the grass strip edge on the north-eastern side of the site. . The fencing should be constructed before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

6 The rating level of noise (as defined by BS4142:1997) emitted from the ventilation/extract unit shall not exceed the level above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

7 An appropriate automatic noise control device shall be used for any amplified sound emanating from the site. The device shall be set so that the volume of any amplified sound emanating from the site is inaudible at the façade of any noise sensitive premises and shall be maintained at a level as agreed in writing by the Local Planning Authority.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise.

8 No refuse collection shall be carried out from the site outside the following times 07.00 to 19.00 hours Monday to Saturday nor at any time on Sundays, Bank or Public Holidays.

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

9 The stable block shall be used for the purpose specified in the application and for no other purpose without the prior written permission of the Local Planning Authority.

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

10 The development hereby permitted shall be carried out in accordance with the following approved plans: RK/ TP/ 847/ 01 A; RK/ TP / 847/ 01-A A; RK/ TP/ 847/ 02; RK/ TP/ 847/ 02-A; RK/ TP / 847/ 03; RK / TP/ 847/ 04 F; RK / TP/ 847/ 05 G; RK / TP / 847 / 06 I; RK / TP / 847 / 07 H; RK / TP / 847 / 08 A; RK / TP / 847 / 09 A; RK / TP / 847 / 10 B; RK/ TP/ 847/ STB01 C; RK/ TP/ 847/ STB02 G; RK/ TP/ 847/ STB03 B; RK/ TP/ 847/ STB04 D; NOTES IN CONNECTION WITH LISTED BUILDING CONSENT AT ABERCORN ARMS 78 STANMORE HILL SAGE ISSUE C; ARCHITECTURAL HISTORY PRACTICE LTD STATEMENT TO ACCOMPANY REPEAT LBC APPLICATION; METHOD STATEMENT STRENGTHENING OF AN EXISTING ROOF SPACE TIMBER PURLIN ISSUE A; SKRR01; DETAILS OF HERAS FENCING; ABERCORN ARMS SCHEDULE OF WORKS UPDATED FEB 2010; SCHEDULE OF WORKS STABLE BLOCK UPDATED FEB 2010; EMAIL FROM RACKHAM RECEIVED 16/02/2010 AT 1052; DESIGN AND ACCESS STATEMENT (EXCLUDING APPENDICES 16, 18 AND 21); TRANSPORT STATEMENT; ACOUSTIC REPORT

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

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:

PPG15 Listed Buildings

Harrow Unitary Development Plan:

- D4 Standard of Design and Layout
- D11 Statutorily Listed Buildings
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- EM22 Environmental Impact of New Business Development
- EP25 Noise
- EP31 Areas of Special Character
- T6 The Transport Impact of Development Proposals
- T9 Walking
- T13 Parking Standards

Supplementary Planning Document 'Accessible For All (2006)

2 INFORMATIVE:

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 INFORMATIVE:

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

4 INFORMATIVE:

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: RK/ TP/ 847/ 01 A; RK/ TP / 847/ 01-A A; RK/ TP/ 847/ 02; RK/ TP/ 847/ 02-A; RK/ TP / 847/ 03; RK / TP/ 847/ 04 F; RK / TP/ 847/ 05 G; RK / TP / 847 / 06 I; RK / TP / 847 / 07 H; RK / TP / 847 / 08 A; RK / TP / 847 / 09 A; RK / TP / 847 / 10 B; RK/ TP/ 847/ STB01 C; RK/ TP/ 847/ STB02 G; RK/ TP/ 847/ STB03 B; RK/ TP/ 847/ STB04 D; NOTES IN CONNECTION WITH LISTED BUILDING CONSENT AT ABERCORN ARMS 78 STANMORE HILL SAGE ISSUE C; ARCHITECTURAL HISTORY PRACTICE LTD STATEMENT TO ACCOMPANY REPEAT LBC APPLICATION; METHOD STATEMENT STRENGTHENING OF AN EXISTING ROOF SPACE TIMBER PURLIN ISSUE A; SKRR01; DETAILS OF HERAS FENCING; ABERCORN ARMS SCHEDULE OF WORKS UPDATED FEB 2010; SCHEDULE OF WORKS STABLE BLOCK UPDATED FEB 2010; EMAIL FROM RACKHAM RECEIVED 16/02/2010 AT 1052; DESIGN AND ACCESS STATEMENT (EXCLUDING APPENDICES 16, 18 AND 21); TRANSPORT STATEMENT; ACOUSTIC REPORT

LISTED BUILDING CONSENT
P/2963/09

CONDITIONS

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

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The development hereby approved shall be the subject of phasing to ensure that the former stable block shall not be fully occupied for both commercial and residential purposes until the main Listed Building (Public House) is completed in accordance with the planning permission to the satisfaction of the Local Planning Authority.

REASON: To ensure the satisfactory completion of the development and protect the Listed Building

3 Detailed drawings, specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun:

- a) roof tiles
- c) two extraction ducts
- d) one air inlet fan housing
- e) brick pillar adjacent to the former stable block
- f) obscure glazing
- h) brickwork for extensions in terms of type, size and brickwork bond
- i) hoist encloser;
- j) ground floor door on the south-east elevation of the former stable block
- k) replacement hayloft doors on the first floor south-east elevation of the former stable block.

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

REASON: To protect the special architectural or historic interest of the listed building.

4 A report by a structural engineer shall be provided to the Council for approval in writing prior to the recommencement of the relevant parts of the work to confirm how the structural stability of the main Public House building would remain in tact following the removal of: the internal first floor walls, the alteration of the height of parts of the ground floor ceiling and the installation of a staircase as shown within the plans.

REASON: To protect the special architectural or historic interest of the listed building.

5 The following should be recorded in their present state and submitted for approval as a formal record by the Council prior to their removal:

- a) Parts of the ground floor ceiling to be removed.
- b) The remaining part of the flue at the junction of the proposed extension and the main building.
- c) The walls to be removed at ground and first floor level.

REASON: To protect the special architectural or historic interest of the listed building.

6 The lathe and plaster within the roof of the main building shall be repaired as outlined within the ARCHITECTURAL HISTORY PRACTICE LTD STATEMENT TO ACCOMPANY REPEAT LBC APPLICATION following inspection of the plaster by a suitably qualified specialist and the submission of a method statement for approval to the Council within three months of this approval.

REASON: To protect the special architectural or historic interest of the listed building.

7 The internal wall towards the rear of the former stable block dividing two former stables shall be returned to its original condition prior to the change of use of this building by:

- a) removing its plaster coating to reveal the original white painted brickwork underneath
- b) ensuring the brick wall does not exceed 2.8m in height, by not exceeding the original brick on edge detail at the top of this wall

The wall shall be retained in this state thereafter.

REASON: To protect the special architectural or historic interest of the listed building.

8 The original stable doors on the rear elevation of the former stable block shall be secured to the rear elevation using the original fixings as shown in the approved plan RK/TP/847/STB02 G and retained thereafter prior to the change of use of this building hereby approved.

REASON: To protect the special architectural or historic interest of the listed building.

9 The replacement hayloft doors to the first floor south east elevation of this building shall be made available for inspection on site by the council for approval prior to the use of this building and retained thereafter.

REASON: To protect the special architectural or historic interest of the listed building.

10 All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any conditions(s) attached to this consent.

REASON: To protect the special architectural or historic interest of the listed building.

11 If previously unknown evidence is discovered about historic character which would be affected by the works hereby granted, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be approved in writing by the local planning authority before any of the permitted works are begun.

REASON: To protect the special architectural or historic interest of the listed building.

12 Suitable precautions shall be taken to secure and protect interior features against accidental loss or damage during the building work hereby granted, and no such features may be disturbed or removed, temporarily or permanently, except as indicated on the approved drawings or with the prior approval in writing of the local planning authority.

REASON: To protect the special architectural or historic interest of the listed building.

13 Only those parts of the ceilings shown as hatched in plan RK / TP/ 847/ 04 F may be altered in height and in all other areas (with the exception of the proposed stairway/lift shaft area) the height of the ceilings should not be altered and historic lathe and plaster and historic joists must be retained.

REASON: To protect the special architectural or historic interest of the listed building.

14 Please provide a method statement outlining how the lift and adjoining staircase will be installed whilst limiting the loss of historic fabric such as timber joists and lathe and plaster prior to the commencement of this aspect of the works.

REASON: To protect the special architectural or historic interest of the Listed Building.

15 The development hereby permitted shall be carried out in accordance with the following approved plans: RK/ TP/ 847/ 01 A; RK/ TP / 847/ 01-A A; RK/ TP/ 847/ 02; RK/ TP/ 847/ 02-A; RK/ TP / 847/ 03; RK / TP/ 847/ 04 F; RK / TP/ 847/ 05 G; RK / TP / 847 / 06 I; RK / TP / 847 / 07 H; RK / TP / 847 / 08 A; RK / TP / 847 / 09 A; RK / TP / 847 / 10 B; RK/ TP/ 847/ STB01 C; RK/ TP/ 847/ STB02 G; RK/ TP/ 847/ STB03 B; RK/ TP/ 847/ STB04 D; NOTES IN CONNECTION WITH LISTED BUILDING CONSENT AT ABERCORN ARMS 78 STANMORE HILL SAGE ISSUE C; ARCHITECTURAL HISTORY PRACTICE LTD STATEMENT TO ACCOMPANY REPEAT LBC APPLICATION; METHOD STATEMENT STRENGTHENING OF AN EXISTING ROOF SPACE TIMBER PURLIN ISSUE A; SKRR01; DETAILS OF HERAS FENCING; ABERCORN ARMS SCHEDULE OF WORKS UPDATED FEB 2010; SCHEDULE OF WORKS STABLE BLOCK UPDATED FEB 2010; EMAIL FROM RACKHAM RECEIVED 16/02/2010 AT 1052; DESIGN AND ACCESS STATEMENT (EXCLUDING APPENDICES 16, 18 AND 21); TRANSPORT STATEMENT; ACOUSTIC REPORT

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT:

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

London Plan: PPG 15

Harrow Unitary Development Plan:

D11 Statutorily Listed Buildings

2 INFORMATIVE:

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

3) Notwithstanding the detail shown on plan RK / TP / 847 / 06 I and plan RK / TP / 847 / 07 H this permission does not include the stand alone lighting shown in front of the main building or the signage attached to the main building, both of which will require a separate Listed Building Consent and Planning Application or Advertisement Consent Application.

Plan Nos: RK/ TP/ 847/ 01 A; RK/ TP / 847/ 01-A A; RK/ TP/ 847/ 02; RK/ TP/ 847/ 02-A; RK/ TP / 847/ 03; RK / TP/ 847/ 04 F; RK / TP/ 847/ 05 G; RK / TP / 847 / 06 I; RK / TP / 847 / 07 H; RK / TP / 847 / 08 A; RK / TP / 847 / 09 A; RK / TP / 847 / 10 B; RK/ TP/ 847/ STB01 C; RK/ TP/ 847/ STB02 G; RK/ TP/ 847/ STB03 B; RK/ TP/ 847/ STB04 D; NOTES IN CONNECTION WITH LISTED BUILDING CONSENT AT ABERCORN ARMS 78 STANMORE HILL SAGE ISSUE C; ARCHITECTURAL HISTORY PRACTICE LTD STATEMENT TO ACCOMPANY REPEAT LBC APPLICATION; METHOD STATEMENT STRENGTHENING OF AN EXISTING ROOF SPACE TIMBER PURLIN ISSUE A; SKRR01; DETAILS OF HERAS FENCING; ABERCORN ARMS SCHEDULE OF WORKS UPDATED FEB 2010; SCHEDULE OF WORKS STABLE BLOCK UPDATED FEB 2010; EMAIL FROM RACKHAM RECEIVED 16/02/2010 AT 1052; DESIGN AND ACCESS STATEMENT (EXCLUDING APPENDICES 16, 18 AND 21); TRANSPORT STATEMENT; ACOUSTIC REPORT

**12 COURTFIELD CRESCENT, HARROW, HA1
2JZ**

**Item: 2/12
P/0046/10/AT/C**

Ward GREENHILL

CONVERSION OF DWELLING TO TWO SELF CONTAINED FLATS WITH SEPARATE GARDENS; SINGLE STOREY REAR EXTENSION; INTERNAL BICYCLE AND REFUSE STORAGE; PARKING SPACE; EXTERNAL ALTERATIONS (RESIDENT PERMIT RESTRICTED)

Applicant: Mr Shaihid Rajan Bawa
Agent: Get Planning Ltd
Statutory Expiry Date: | 17-MAR-10

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 2004 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 – Design principles for a compact city
- 3A.1 – Increasing London’s supply of housing
- 3A.5 – Housing choice

Draft London Housing Design Guide (2009)

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
- H10 – Maintenance and Improvement to Existing Housing Stock
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards

Supplementary Planning Guidance – “Extensions: A Householder Guide” (2008)
Supplementary Planning Document (2006) “Accessible Homes”

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

- 1 Character and Appearance of the Area (4B.1, D4 and SPG)
- 2 Conversion of a Dwellinghouse to Two Flats (3A.1 3A.5, C16, D4, D5, D9, H10 and SPD)
- 3 Residential Amenity (D5 and SPG)
- 4 Traffic and Highway Safety/Parking (HUDP saved policies T6 & T13)
- 5 S17 Crime & Disorder Act (HUDP D4)
- 6 Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: 13 - Minor Dwellings

Council Interest: None

b) Site Description

- Two storey semi-detached dwellinghouse located on the north eastern side of Courtfield Crescent, which is a cul de sac.
- The rear garden is approximately 20.5 metres deep and 9.8m wide
- The subject dwelling has a single storey side extension which replaced an attached garage. This extension has a front door and a front window which connect to a self contained unit.
- The front garden of the subject dwelling consists of mostly hard surfacing, with soft landscaping sited close to the shared border with no.11 and two trees which are set on the boundary with the highway.
- The forecourt is approximately 4.7 metres deep at the deepest section.
- The subject dwelling has been converted into four flats without planning permission. The lawful established use of the property is that of a dwellinghouse.
- The adjoining dwellinghouse at no.11 has a single storey rear extension which is sited on the shared boundary with the subject dwelling. The single storey rear extension at no.11 has a monopitch roof and is 3.2m in depth.
- The dwellinghouse at no.13 is set at an oblique angle to the subject site. No.13's dwellinghouse rear wall is 8m away from the boundary with the subject site.
- This part of Courtfield Crescent is characterised by semi detached dwellinghouses which frequently have front drives with hard standing and a little foliage.

c) Proposal Details

- **Convert the dwellinghouse into two self-contained units:**

Ground Floor Flat (Flat A): Four Person, Two Bedroom Flat

- Living Room: 17.1m²
- Kitchen/Dining: 14m²
- Bedroom 1: 16.8m²
- Bedroom 2: 15.5m²
- Total: 63.4m²

First Floor and Loft Maisonette (Flat B): Four person, Two bedroom Flat

- Living Room: 17m²
- Kitchen/Dining: 10.5m²
- Bedroom1: 13.5m²
- Bedroom 2: 22m² (excluding the ensuite)
- Total 63m²

- Refuse bins and bicycle storage for the proposed flats would be located inside the existing single storey side extension in designated areas, with access from the front garage style doors.
- Access to the rear garden for the ground floor flat would be from the kitchen/dining room and the two bedrooms. Access to rear garden space for the first floor flat would be from an internal corridor underneath the stairs at the rear of the communal hall.
- There would be separate rear gardens for each flat. The Ground floor flat would have a garden of 80.8m² while the first floor flat would have a garden of 83.3m². A 1.8m high close boarded timber fence is proposed in order to separate the gardens
- One car parking space (for persons with disability) would be provided in the front garden area.
- A level pedestrian access is proposed to be provided to the main entrance.
- A scheme of soft landscaping is proposed in parts of the front garden including additional planting in front of the single storey side extension and along the shared boundary with no.11.
- **Proposed single storey rear extension:**
- This extension would have a crown roof and would measure 7.7m wide by 3.2m deep and would have a top section height of 3.15m and an eaves height of 2.1m. To allow access to Flat B's rear garden the proposed extension would be set away from the shared boundary with no.11 by 0.85m. The proposed extension would be set off the shared boundary with no.13 by 1.2m.
- **External Alterations:**
- The external alterations to the front of the property would involve the replacement of the existing second door and front window (which currently serves the single storey side extension) with timber double doors with two top, six paned light panels. These doors would give the single storey side extension the appearance of a garage.
- Two rooflights would be provided above the proposed ground floor flat kitchen/dining room and proposed bicycle storage area.

Revisions to Current Application

- The proposed bicycle storage has been moved from the rear of the property to within the existing single storey side extension, behind the internal refuse bin storage area.
- To make space for the relocation of the proposed bicycle storage, the internal room layout of the proposed ground floor flat has been reordered so that a bathroom and dining area has been removed and replaced with a kitchen/dining room.
- The proposed single storey rear extension has been reduced in height.

Revisions to Previous Application (P/1754/09):

- Replacement of proposed refuse bin storage in the front garden with additional soft landscaping.
- Replacement of a proposed window on the front of the existing single storey side extension with proposed garage style doors.
- Relocation of proposed refuse bin and bicycle storage from the rear and front garden to the within the existing single storey side extension.
- To make space for the relocation of the proposed bicycle and refuse bin storage, the internal room layout of the proposed ground floor flat has been reordered so that a proposed bedroom has been moved to the rear and the proposed dining room has been integrated into a proposed kitchen/dining room.
- The window of the proposed kitchen has been replaced with a glazed door.
- The proposed single storey rear extension has been reduced in height.
- Additional proposed rooflights would be provided above the proposed kitchen/dining room and proposed bicycle storage.

Revisions to Previous Application (P/0945/08/DFU):

- Rearrangement of internal layout so that all rooms can be accessed from halls and corridors.
- The proposed single storey rear extension has been reduced in width (from 9.8m to 7.7m) and height (from 3.9m to 3.1m). The roof design has been changed from a monopitch roof to a crown roof.
- The proposed bin storage would no longer be in the front garden (it was previously proposed to provide six bins in the front garden).
- The trees in the front of the property would be retained. There is now a scheme of hard and soft landscaping.
- This scheme provides a direct access to a separate rear garden for the occupier of the proposed first floor and loft maisonette.

d) Relevant History

LBH/14716	ERECTION OF SINGLE STOREY GARAGE AND STORE EXTENSION TO SIDE OF DWELLINGHOUSE	GRANT 04-MAY-79
P/0945/08/D FU	CONVERSION OF DWELLINGHOUSE INTO TWO SELF-CONTAINED FLATS; SINGLE-STOREY REAR EXTENSION; EXTERNAL ALTERATIONS (RESIDENT PERMIT RESTRICTED)	REFUSED 01-MAY-08

Reasons for Refusal:

1. The proposal by reason of inadequate layout, room sizes, non-compliance with Lifetime Home standards and lack of private amenity space, would provide substandard accommodation to the detriment of the amenities of future occupiers of the flats, contrary to the provisions of policies 3A.5 of the London Plan and D4 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Accessible Homes (2006).

2. The proposal does not make satisfactory provision within the site for the storage of refuse and recycling material for the proposed flats, and there would be insufficient soft landscaping in the front garden area to the detriment of the amenity of neighbouring and future occupiers of the site, and character and appearance of the property and the locality contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).

3. The proposed single storey rear extension, by reason of its height and design, would be unduly obtrusive and would result in loss of light and outlook, to the detriment of the residential and visual amenities of occupiers of No. 13 Courtfield Crescent and the street scene, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance - Extensions: A Householders' Guide (2003).

ENF/0380/07 /P	UNAUTHORISED CONVERSION AND USE OF THE DWELLING HOUSE AS FOUR SELF-CONTAINED FLATS	FORMAL 28-MAY-09
P/1754/09	CONVERSION OF DWELLING (IN UNAUTHORISED USE AS FOUR FLATS) TO TWO SELF CONTAINED FLATS; SINGLE STOREY REAR EXTENSION; BICYCLE STORAGE; FRONT/REAR REFUSE BINS STORAGE ONE PARKING SPACE PLUS EXTERNAL ALTERATIONS (RESIDENT PERMIT RESTRICTED)	REFUSED 03-NOV-09

Reasons for Refusal:

1. The proposed conversion would involve a poor standard of refuse storage arrangements due to a lack of external pedestrian access, which would adversely affect the amenities of the occupiers of the development and also neighbouring residents, thereby detracting from the character of the local area contrary to saved policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance "Designing New Development" (2003).
2. The proposed development would not incorporate a satisfactory provision of enclosed bicycle storage, contrary to Policy 3C.1 of the London Plan (2008) and saved policies S1 and D4 of the Harrow Unitary Development Plan (2004).

e) Applicant Statement

The Design and Access Statement may be summarised as follows:

- The applicant has carried out pre-application liaison with the Local Planning Authority, and has amended the design in accordance with the Council's advice. The applicant believes that PPS3 should be considered when the planning department makes a decision.
- The bin storage area will be screened by double garage style doors.
- Graded access at the front will ensure that the house is accessible for disabled persons. One lifetime home standard parking space will be provided.
- Soft Landscaping introduced in the front. Trees on the site will not be affected by the development and are not subject to Tree Preservation Orders.

- Secure bicycle storage areas are proposed. Therefore the proposal encourages the use of alternative, energy efficient forms of transport.
- Access will be via a graded entrance.
- The layout of the new build achieves generous flat sizes, with adequate private amenity spaces.

f) Consultations

- **Highways Engineer:**

As previously we need to apply a resident permit restriction to this sustainable location. Otherwise no objection.

- **Waste Management Officer:**

No problem with the proposed storage position. However the residents will need to move the bins to the front curtilage on collection day.

- **Corporate Estates:**

No response.

- **Housing:**

No response.

Notifications:

Sent: 12

Replies: 1

Expiry: 11-FEB-10

Neighbours Consulted:

3 Courtfield Crescent

8 Courtfield Crescent

10-20 Courtfield Crescent (Inclusive)

Summary of Responses:

3 letters of objection:

1. Insufficient parking space for two separate flats given that the area has double yellow lines and 'visitors parking' is 7 minutes away. This is illustrated by there being currently three cars parked at the site at weekends, blocking the pavement. Visitors and deliveries park in the restricted area or use the grass verges to the detriment of the local environment. Can the Council insist that tenants have just one car between them?

2. Many of the tenants of the bed sits at this property do not know the rules regarding which rubbish is appropriate for each bin. The result is that bins are not emptied the rubbish 'overflows' when the wind blows and becomes unsightly and a health hazard.

3. The council has ignored our previous generic objections and rejected earlier application on specific construction details alone.

4. The cycle storage is a pander to environmental concerns and is without substance. The proposed cycle storage area in the back garden is unlikely to be used and has no access to it except through the house.

5. Once permission is granted the owners will be able to continue to operate the property as a multiple occupancy bed-sit dwelling as current. No reason why 2X2 bedroom flats would share 4 bathrooms unless multiple occupancy is intended. It's obvious to all the local residents that this property is purely a business and a revenue generator and will continue to do so for the maximum time available.

They have a proven disregard of the planning process.

6. The plans make no sense; Flat A's hall, study/diner, 2 bathrooms and kitchen have no windows. Flat B's first floor bathroom has no window and the second floor bedroom and bathroom and lit only by velux rooflights.

7. Four flats or two flats are not in keeping with the rest of the houses in Courtfield Crescent.

APPRAISAL

1) Character and Appearance of the Area and Residential Amenity

The houses on this part of the street have the appearance of being single family dwellinghouses. The proposed removal of the second door and window and replacement with a garage door to the front of the side extension of the subject property would help to restore the appearance of the subject property to that of a dwellinghouse and then it would be in keeping with the character and appearance of the area.

The proposed single storey rear extension has been reduced in height, depth and width in relation to the previously refused scheme, ref: P/0945/08DFU and reduced in height in relation to the other previously refused scheme, ref: P/1754/09.

It would have a roof design which would not be very visible from the street as it would be mostly screened by the host building and the single storey side extension at the property. The proposed single storey rear extension would be less bulky than the single storey rear extension at no.11 because the proposed extension would have a crown roof (whereas no.11 has a monopitch roof), would not be as high as no.11's and would be a subordinate addition to the subject dwellinghouse because of its height and design. The proposed single storey rear extension's bulk would be further reduced because it would be set off the shared boundaries with no.11 and no.13.

The proposed single storey rear extension would be set away from the main dwellinghouse at no.13 by at least 9.2m. This distance allows this proposed extension to comply with the 'two for one' rule (paragraph C.5 of the extensions SPG). The proposed single storey rear extension would be set away from the shared boundary with no.11 by 0.85m, but it would be no deeper than the extension at no.11.

In summary the proposed extension meets the criteria contained in the Council's SPG, Extensions: A Householders Guide and is acceptable on its own merits.

The proposed landscaping for this scheme would represent an improvement on the existing hard surfacing currently at the site, and an improvement over a previously refused scheme (ref: P/0945/08/DFU) which had no proposed soft landscaping. The two trees on the front boundary of the site would be unaffected by the proposal. It is considered that the proposed front garden layout would enhance the appearance of the property as soft and hard landscaping has been shown in conjunction with a car parking space which complies with Lifetime Home standards.

A detailed landscape plan would need to be submitted showing full details of hard and soft landscaping works in order to ensure that a high quality of street-side and forecourt greenery would be provided to meet the objectives of policies D4 and D9. This has been addressed by a condition.

Policy D4 also refers to the storage of refuse and waste and states that this should not be to the detriment of the visual and residential amenities or detrimental to the character of the area. A total of six bins would be required for the proposed development. The proposed refuse bin storage would not be visible to public view because it would be stored inside the existing single storey rear extension and thus would have no impact upon the character of the area. In order to protect the character and appearance of the area, a condition is attached requiring that these bins be stored in this designated location other than on collection days. The proposed refuse storage represents an improvement over the existing refuse storage arrangement which is at a very visible location, and an improvement over the refuse storage areas for the previously refused schemes (ref: P/0945/08/DFU and P/1754/09).

Taking the above into account, it is considered that the proposal would be in keeping with the character and appearance of the subject property and the area and would not have a detrimental impact on the residential amenities of the neighbouring occupiers.

2) Conversion of a Dwellinghouse to Flats

The ground floor flat would consist of a four person, two bedroom flat. The proposed room sizes are above the London Plan's minimum rooms sizes requirements. As such it is considered that the proposed living areas are acceptable. The ground floor would provide for adequate Lifetime Homes standards including a level entrance, level entrances to the rear amenity space and acceptable circulation throughout the ground floor. The proposed layout of the ground floor flat (Flat A) represents an improvement over the previously refused scheme (ref: P/0945/08/DFU) as the proposed rooms would be accessed through a common lobby (whereas the previously refused scheme proposed access through rooms).

The first floor and loft maisonette would consist of a four person, two bedroom unit. The proposed layout and the total habitable floor area would comply with the London Plan's guidelines and therefore is considered to comply with London Plan policy 3A.5 and Policy D4 of the Harrow UDP.

Policy D5 of the UDP relates to amenity space and privacy and seeks to ensure that all residential development should provide private garden space, which is sufficient as a usable accessible amenity area for the occupiers of the development. The rear garden is approximately 20.5 metres in depth and 10m wide. It would be subdivided into two separate areas for the ground floor flat and the unit above. The ground floor flat would have access to a private amenity space of 80.8m² while the maisonette above would have access to a private amenity space of 83.3m². This level of provision is considered adequate.

The proposed outdoor amenity spaces also represents an improvement over one of the deficiencies in the previously refused scheme (ref: P/0945/08/DFU) as there is now a direct access to private garden spaces for the occupiers of the proposed first floor and loft maisonette as well as the ground floor flat.

3) Traffic and Highway Safety/Parking

The proposal allows for one Lifetime Home Standard car-parking space to be provided in the front garden and this is considered acceptable. The site is located in a sustainable location, being within Public Transport Accessibility Location 3, and in a Controlled Parking Zone. No objection has been raised from the Highways Engineer given that the site is in a sustainable location. It is therefore considered that the proposal would comply with Policies T6 and T13 of the Harrow Unitary Development Plan, 2004.

An informative has been attached to advise the applicant that the relevant traffic order will impose a restriction making residential occupiers of this building ineligible for residents parking permits in the surrounding controlled parking zone.

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. The implementation of this scheme will end the unauthorised use of the dwelling as four flats and hopefully improve the dwelling and the locality.

5) Consultation Responses

1. Issues of parking are considered in section 3 of the appraisal above.
2. Issues of refuse storage are considered in section 1 of the appraisal above.

CONCLUSION

It is considered that the proposed development has overcome the deficiencies of the previously refused scheme (P/1754/09) by providing adequate internal refuse and cycle storage facilities. If the recommendation for permission is granted and was implemented and the current unauthorised use for 4 flats then ceased, this would obviate the need for further enforcement action.

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

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

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

2 The 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 following approved plans:

01 Rev C, 02, 03, 04 Rev E, 05 Rev E, 06 Rev D, Design and Access Statement

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

4 The development hereby permitted shall not be occupied as two separate flats 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.

5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

6 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated for use by the occupants of the ground floor flat only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

REASON: To ensure suitable parking provision for people with disabilities in association with the provision of 'Lifetime Homes Standards' housing.

7 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

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

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

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

8 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/s.

REASON: to safeguard the appearance of the locality.

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

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

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

REASON: To safeguard the amenity of neighbouring residents.

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

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES

1 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; 3A.1; 3A.5
- Saved policies C16, D4, D5, D9, H10, T6 and T13 of the Harrow Unitary Development Plan
- Supplementary Planning Guidance - "Extensions - A Householder's Guide" (2008)
- 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 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

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

Plan Nos: 01 Rev C, 02, 03, 04 Rev E, 05 Rev E, 06 Rev D, Design and Access Statement

**STANBURN FIRST & MIDDLE SCHOOL,
ABERCORN ROAD, STANMORE, HA7
2PJ**

**Item: 2/13
P/0048/10/NR/E**

Ward BELMONT

TEMPORARY SINGLE STOREY BUILDING TO NORTH OF MAIN BUILDING FOR
USE AS CLASSROOMS (SIX MONTHS)

Applicant: Harrow Council
Agent: Wintersgill LLP
Statutory Expiry Date: | 18-MAR-10

RECOMMENDATION

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

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is LB Harrow and the land at Stanburn First and Middle School, Abercorn Road, Stanmore, HA7 2PJ.

REASON

The decision to recommend grant of planning permission has been taken having regard to national planning policy, the policies of The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation. The proposal is considered to comply with the relevant education policies and would enable the continued provision of education for a six month period during the construction of the recently approved first floor extension. The proposal would only temporarily affect an area of designated open space and would not unduly impact on the amenities of local residents, highway safety or the character and appearance of the area.

Legal Comments

Regulation 3 of the Town and Country Planning General Regulations 1992 [Statutory Instrument 1992/1492] provides [in relevant part] that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under Section 77 of the Town and Country Planning Act 1990 for determination by him.

The application is made by LB Harrow who intends to carry out the development and the land at Stanburn First and Middle School, Abercorn Road, Stanmore, HA7 2PJ.

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

National Policy

PPG17 – Planning for Open Space, Sport and Recreation

A Sporting Future for the Playing Fields of England: Policy on Planning Applications for Development on Playing Fields (Sport England)

The London Plan 2008:

3A.24 – Education Facilities

3D.8 – Realising the Value of Open Space and Green Infrastructure

3D.13 – Children and Young People’s Play and Informal Recreation Strategies

London Borough of Harrow Unitary Development Plan 2004

D4 – Standard of Design and Layout

C7- New Education Facilities

C16 – Access to Buildings and Public Spaces

EP11 – Development Within Floodplains

EP25 – Noise

EP47 – Open Space

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

Supplementary Planning Document: Access For All (2006)

MAIN CONSIDERATIONS AND POLICIES (National Policy, The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Development (C7)
- 2) Education Policy (C7, 3A.24)
- 3) Open Space Policy (PPG17, 3D.8, 3D.13, EP47, Sport England Policy)
- 4) Character and Appearance of the Area (D4)
- 5) Residential Amenity (D4, C7, EP25)
- 6) Traffic and Parking (T6, T13)
- 7) Accessibility (C16, SPD)
- 8) Development Within Floodplains (EP11)
- 9) S17 Crime & Disorder Act (D4)
- 10) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: 18. Minor Development, all other

Council Interest: The Council is applicant and landowner

b) Site Description

- Site comprises Stanburn First and Middle Schools, on the west side of Abercorn Road.
- The site is occupied by a two/three storey main building, comprising four main wings set around a central courtyard, with a two storey annexe to the rear (west) elevation and other temporary buildings occupy the site.
- The main building has been extended to the west, by way of a single storey rear extension.

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- The area to the south of the main building is hard surfaced and is in use as a playground and overspill parking area.
- The area to the west of the main building comprises a playground and playing field, which is designated as open space in the UDP.
- The area to the east of the main building comprises the main car park and entrance to the school, from Abercorn Road.
- Residential dwellings in Wemborough Road and Belmont Lane back onto the southern and western site boundaries respectively, approximately 45 metres from the main building.
- Residential properties in Belmont Lane and Abercorn Road abut the north of the site, between 40 and 70 metres from the main building.

c) Proposal Details

- Temporary single storey building to provide 3 classrooms.
- The building would be located on part of the school playing field, 8.3 metres to the west of an existing modular classroom, which is positioned outside of the playing field.
- The building would be sited approximately 35 metres from the western boundary of the site and 20 metres from the northern boundary of the site.
- The temporary building would be constructed of steel panels with UPVC windows and timber access ramps.
- The building is proposed for a 6 month period, to accommodate classroom space that will be temporarily lost due to the development of the approved first floor extension.

d) Relevant History

LBH/3503	Erection of a two-storey four class unit	GRANTED 12-AUG-68
EAST/699/00/LA3	Single storey rear extension to provide 4 class rooms, boilerhouse and ancillary rooms to replace existing horsa huts	GRANTED 08-SEP-00
P/1511/09	Solar panels on roof of southern wing of main teaching block	GRANTED 26-AUG-09
P/2071/09	First floor rear extension, with demolition of linked two storey annexe to rear elevation; alterations to fenestration at rear	GRANTED 02-DEC-09

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design and Access Statement.

g) Consultations:

Notifications:

Sent: 50

Replies: 1

Expiry: 16-FEB-10

Addresses Consulted:

- 80-110A (even) Wemborough Road
- 40-44 (even) Belmont Lane
- 61-97 (odd) Belmont Lane
- 24, 25, 86 and 87 Abercorn Road
- Stanmore Society

Summary of Response:

Concerns about an increase in disruption, noise, rubbish and traffic; the school has already expanded more than is reasonable; not clear how long the classrooms would be there.

Sport England: Objection on the grounds of the loss of playing field space.

Environment Agency:

APPRAISAL

1) Principle of Development

The educational use of this site is established and, under UDP policy C7, there is no in principle objection to the extension of existing educational facilities, subject to consideration of the need for new facilities, the accessibility of the site and safe setting-down and picking-up points within the site.

Detailed consideration of these and other policy requirements and material considerations is undertaken in the sections below. In summary, the temporary classroom building is considered to be acceptable in principle, as the building would provide temporary classroom space during construction works, would not result in the expansion of the school, and would result in only a short term loss of playing field facilities.

2) Education Policy

As discussed above, the proposed temporary building is proposed in order to accommodate classroom space during construction works. The approved first floor extension is due to be constructed in time for the beginning of the next academic year in September. The four classrooms on the ground floor below where the proposed extension would be built, would not be habitable during building works, due to noise, dust etc. Whilst one classroom would be able to be re-located within the building, three temporary classrooms are required for a 6 month period. Given that the application proposes only temporary replacement classroom space, it is considered that the number of pupils and staff are unlikely to increase as a result of the proposal. It is therefore considered that the proposal would comply with the criteria set out in UDP policy C7.

3) Open Space Policy

In assessing the previous application for a first floor extension to the school, it was noted that the associated demolition of the two storey annexe would result in an increase in the amount of open space around the school, for the recreational use of the school pupils. Whilst the concerns of Sport England are understood, given that the current proposal for a temporary building would reduce the amount of available recreational space for only a temporary 6 month period, it is considered that this temporary loss of playing field space would be justified, given the long term benefits of the removal of the two storey annexe and the provision of improved educational facilities. A condition is imposed requiring the playing field to be made good following removal of the temporary building and the proposal is therefore considered to comply with saved UDP policy EP47.

4) Character and Appearance of the Area

The building would be constructed of steel panels, with steel doors and UPVC windows. Timber ramps and steps would provide access. These are similar materials to those used in the other modular classrooms on the site and, given that a temporary permission is sought, the proposed appearance would be acceptable. It is therefore considered that the proposed temporary building would not adversely affect the character and appearance of the area.

5) Residential Amenity

The proposed building would be sited some 35 metres from the rear boundaries of the residential properties on Belmont Lane to the west and some 25 metres from the boundary of the nearest residential property to the north. Given the modest scale of the building, with a height of 3.5 metres, it is considered that the proposal would not give rise to undue loss of outlook or overlooking of neighbouring residential properties.

6) Traffic and Parking

As discussed above, given the temporary nature of the proposed building and its connection with the approved development, the proposal is unlikely to result in an increase in the number of pupils studying at the school and an increase in staff members would also be unlikely to occur. The proposal would not result in the loss of parking space and it is therefore considered that no undue traffic and parking impacts would occur.

7) Accessibility

Disabled access ramps are proposed to the three classrooms and the door widths would be adequate to accommodate wheelchair access. It is noted that an accessible toilet is not provided within the building. However, the main school building, with accessible facilities would be located only some 30 metres away and, given the temporary nature of the proposal, this is considered acceptable. The proposal would therefore comply with saved UDP policy C16 and the SPD.

8) Development Within Floodplains

In view of the Environment Agency (EA) objection a Flood Risk Assessment (FRA) is awaited from the applicant. This recommendation for grant is on the anticipated basis that a satisfactory FRA will be received, otherwise the application will be recommended for deferral at the meeting.

9) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

10) Consultation Responses

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

- None.

CONCLUSION

In summary, for all the reasons considered above, the proposal is considered to comply with the relevant policies listed. The proposal is considered to comply with the relevant education policies and would contribute to the Vision of the Council in terms of the provision of educational facilities, by enabling the continued provision of education during construction work on the previously approved extension. The proposal would only temporarily affect an area of designated open space used as a playing field and on balance, given the need for the temporary classroom space and the benefits of the approved extensions, this temporary loss of playing field space is considered to be justified in this case. The proposal would not unduly impact on the amenities of local residents, highway safety or the character and appearance of the area. In conclusion, weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above this application is recommended for grant, subject to the following conditions:

CONDITIONS

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

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

2 The building hereby permitted shall be removed and the land restored to its former condition as a playing field within six months of the date of this permission.

REASON: To reflect the particular circumstances of this proposal and in the interests of the long term provision of open space for recreation.

3 The teaching units shall be for school use only, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent an over-intensive use of the site.

INFORMATIVES

1 INFORMATIVE:

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

2 INFORMATIVE:

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

Plan Nos: 1202/P14; P15; P16; P17; Design and Access Statement

39 SWIFT CLOSE, HARROW, P/0014/10/SL
MIDDLESEX HA2 OTL

Item: 2/14

Ward ROXBOURNE

THREE-STOREY RESIDENTIAL BUILDING COMPRISING 3NO. X ONE-BED AND 3NO. X TWO-BED FLATS, LANDSCAPING AND REFUSE STORAGE.

Applicant: HOME GROUP

Agent: MEPK ARCHITECTS

Statutory Expiry Date: | 03-MAR-10

RECOMMENDATION

GRANT planning permission as described in the development subject to conditions.

REASON

The proposed development would contribute to the regeneration of the Rayners Lane Estate with additional high-quality housing. The proposal would deliver a mix of flats to address the specific housing needs as part of the wider regeneration of the Estate, in accordance with London Plan policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.7, 3A.8, 3A.9 and Harrow UDP Policies EP20 and H7.

The proposed development would provide a modern, contemporary design that responds appropriately to the local context, and would provide appropriate living conditions for future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is also acceptable.

The decision to **GRANT** planning permission has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations, to meet the Vision of the Council in promoting a diverse community, which is celebrated and valued and create better cohesion, as detailed in Harrow's Sustainable Community Strategy [Mar 09], and any comments received in response to publicity and consultation.

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

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].

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

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings
Site Area:	0.08 ha
Density	250 HRH
Car Parking:	Provided: 0
Lifetime Homes	100%
Wheelchair Standards	1 unit
Council Interest:	None

b) Site Description

- Area of land to the south-east part of Swift Close and to the rear of the properties situated along Coles Crescent comprising part of the Rayners Lane Estate redevelopment area.
- Consented development on either side of this 'corner' site within the new redevelopment comprises new three-storey houses.
-

c) Relevant History

WEST/112/02/ OUT	OUTLINE: REGENERATION OF ESTATE INCLUDING DEMOLITION OF 515 FLATS AND MAISONNETTES AND CONSTRUCTION OF 329 HOUSES AND 406 FLATS WITH PARKING, COMMUNITY BUILDING, ESTATE OFFICE / SHOP AND PROVISION OF PUBLIC OPENS SPACE WITH PLAY AREAS AND NEW ROAD LAYOUT	GRANT 16-OCT-02
P/1905/09	CONSTRUCTION OF 143 RESIDENTIAL DWELLINGS AS PART OF THE RAYNERS LANE ESTATE REGENERATION COMPRISING 5 X 5 BED HOUSES 27 X 4 BED HOUSES 46 X 3 BED HOUSES 44 X 2 BED FLATS AND 21 X 1 BED FLATS; NEW ACCESS ROAD RE-ALIGNED FOOTPATHS PROVISION OF 157 CAR PARK	GRANT 22-DEC-09

e) Pre-Application Discussion

This scheme has been re-designed following discussions between the applicant and London Borough of Harrow. This has resulted in changes to the height of the building and its design.

f) Consultations [External]

None received.

Advertisement: None

Notifications:

Sent: 172

Replies: 0

Expiry: 01-FEB--10

Summary of Responses:

No representations received.

APPRAISAL

1) Principle of Development and Land Use

The application proposes a three-storey residential building comprising 6 units in between two existing four-storey blocks of flats [to be demolished as part of a separate planning permission Ref: P/1905/09 and replaced with three-storey houses].

The site is indicated as white land [no specific designation] in Harrow's UDP 2004. A proposed residential development would be acceptable in principle in an area characterised by residential land uses. Outline planning permission Ref: WEST/112/02/OUT has previously been granted for redevelopment of the wider area for residential uses.

2) Design and Character of the Area

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

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

Explanatory paragraph 4.11 of Policy D4 in Harrow's UDP 2004 states that '*All new development should have regard to the scale and character of the surrounding environment and should be appropriate in relation to other buildings adjoining and in the street'.*

The proposal would result in a three-storey, flat-roofed building, which would be no taller than the proposed houses, granted planning permission in 2009 Ref: P/1905/09. This scheme represents a reduction in the height and scale of development from the originally submitted scheme for this site and would now be consistent with the scale of development of the neighbouring properties. Accordingly, the proposal would have regard to the scale and pattern of development in the wider context. The architectural style mirrors that of the earlier proposals for renewal of the area.

The scale, layout and design of the proposal is considered to satisfy Policies 4B.1 and 4B.4 of the London Plan 2008; Policies D4 and D5 of Harrow's UDP 2004, and Supplementary Planning Guidance: Designing New Development 2003. The impact of the development on the character of the area is accordingly acceptable.

3) Residential Amenity

The separation distance between the proposed flats and those properties along Coles Crescent would be at least 20m. The design of the proposed building is considered to have regard to the amenity of the surrounding properties in terms of overbearing, loss of privacy and loss of light. The third floor element to the rear would be set back from the main rear wall of the boundary by over 2m, thereby creating an additional separation distance to the rear elevation of the properties along Coles Crescent. Consequently, the separation distance afforded to Coles Crescent properties is therefore considered acceptable.

The front and side elevation of the proposal would not pose any harm to existing or future occupiers as they would face either an area of open green space or the side elevation of the proposed houses.

Accordingly, it is considered the proposal is acceptable on these grounds as it would not adversely affect residential amenity and would comply with Policies EP25 and D5 of Harrow's UDP 2004.

4) Housing Provision and Density

The proposal represents six affordable units to Harrow's housing stock, which would make a positive contribution in meeting annual housing targets for the borough. It is not a requirement to provide for affordable housing for schemes of less than ten units, therefore, no legal agreement would be entered into between the applicant and London Borough of Harrow. However, the application, as part of the wider regeneration seeks these six units as social rented tenure, which would be secured as a condition. The scheme provides 3no. x one-bed flats and 3no. x two-bed flats. This aspect of the development is therefore supported in principle.

The proposed development would result in a density of 250 HRH, based on a site area of 1,400m² and 35 habitable rooms. The density levels are in accordance with those recommended by Policy 3A.3 and Table 3A.2 of the London Plan 2008.

5) Parking and Highway Safety

The proposal would provide car parking, which was previously granted under planning permission Ref: P/1905/09 dated 22 December 2009. This consent for 135 residential units provides for 157 car parking spaces. 15 of these spaces would be situated within Swift Close, and it is the intention that six of these spaces would be used for the future occupiers of this proposal. The parking for the 135-unit consented scheme is not allocated and it is for this reason that a small proportion of these spaces could be used by the future occupiers of this development. Harrow's Highways Engineer is satisfied with the proposal. Servicing would be carried out from Swift Close.

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

6) Accessible Homes

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

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

7) S17 Crime & Disorder Act 1998

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

8) Consultation Responses

No representations received.

CONCLUSION

The proposal would represent a satisfactory form of development, which would be consistent with the form of development as part of this comprehensive renewal project. The proposed design, scale and separation distances to existing nearby residential dwellings has been carefully considered and accordingly, this proposal is acceptable in planning policy terms.

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, is not considered to result in harm to the amenities of surrounding properties. Accordingly, 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 commencement of development hereby permitted, details of samples of materials to be used in the construction of the external surfaces noted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be permanently retained.

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

3 The development hereby permitted shall not be occupied until a scheme for:

a: 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.

4 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.

5 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.

6 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.

7 At least one of the ground floor units hereby permitted shall be built as wheelchair accessible housing in accordance with the relevant regulations. Such details as approved shall thereafter be permanently retained in accordance.

REASON: To ensure a reasonable provision of wheelchair accessible housing is provided as part of the development.

8 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. Details of any trees to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

9 Prior to first occupation of the development, a scheme for communal transmission of digital and terrestrial television signals throughout the building shall be implemented in accordance with details to be submitted to and approved in writing by the local planning authority.

REASON: To avoid the proliferation of antennae and satellite dishes on the building in the interest of the appearance of the development.

10 The development hereby permitted shall be carried out in accordance with the following approved plans: P-300; P-301; P-302; P-303; P-304; P306; P307; P308; and P-309.

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

11 The six units hereby permitted shall be permanently used for affordable housing only unless otherwise agreed in writing by the local planning authority.

REASON: To ensure an appropriate level of affordable housing provision as part of the wider regeneration of the Estate.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

London Plan:

3A.1 Increasing London's supply of housing

3A.2 Borough housing targets

3A.3 Maximising the potential of sites

3A.5 Housing choice

3A.6 Quality of new housing provision

3A.8 Definition of affordable housing

3A.9 Affordable housing targets

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

3A.11 Affordable housing thresholds

4A.1 Tackling climate

4A.4 Energy assessment

4A.7 Renewable Energy

4A.21 Waste strategic policy and targets

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

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

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D10 Trees and New Development

EP25 Noise

T6 The Transport Impact of Development Proposals

T13 Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

4 INFORMATIVE:

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

5 INFORMATIVE:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

6 INFORMATIVE:

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

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

7 INFORMATIVE:

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.

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- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: P-300; P-301; P-302; P-303; P-304; P306; P307; P308; and P-309.

SECTION 3 - APPLICATIONS RECOMMENDED FOR REFUSAL

190 STATION ROAD, HARROW, HA1 2RH

Item: 3/01

P/2271/09/AT/C

Ward GREENHILL

VARIATION OF CONDITION 5 ATTACHED TO PLANNING PERMISSION NO. EAST/1407/02/FUL GRANTED ON 14/10/2004 TO PERMIT OPENING ON SUNDAY FROM 10:30 HOURS TO 23:00 HOURS; MONDAY TO WEDNESDAY FROM 08:00 HOURS TO 24:00 HOURS; THURSDAY FROM 08:00 HOURS TO 02:00 HOURS; AND FRIDAY AND SATURDAY FROM 08:00 HOURS TO 03:00 HOURS

Applicant: Mr Farhad Davarzani

Statutory Expiry Date: 26-NOV-09

RECOMMENDATION

REFUSE variation of condition No.5 (concerning hours of operation) of planning permission ref: EAST/1407/02/FUL (granted 14/10/2004) described in the application and submitted plans, for the following reason:

1 The proposed variation of condition to allow extended opening hours would give rise to additional activity and disturbance at unsocial hours outside the premises, which would be detrimental to the residential amenities of neighbouring existing and future occupiers, contrary to Planning Policy Guidance 24: Planning and Noise (1994) and Saved Policies EM25 and EP25 of the Harrow Unitary Development Plan (2004).

REASON:

The decision to **REFUSE** a variation of condition has been taken having regard to the policies and proposals in the London Plan and the saved policies Harrow Unitary Development Plan 2004 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:

National Planning Policy:

Planning Policy Guidance 24: Planning and Noise (1994)

Saved Policies of the Harrow Unitary Development Plan (2004):

- EP25 - Noise
- EM25 – Food, Drink and Late Night Uses
- T13 – Parking Standards
- D4 – The Standard of Design and Layout

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

- 1) Noise, Late Night Uses and Amenity (PPG 24, HUDP EP25 and EM25)
- 2) Parking (HUDP T13)
- 3) S17 Crime & Disorder Act (HUDP D4)
- 4) Consultation Responses

INFORMATION

This application is reported to the Committee because a petition of 12 signatures has been received in support of the application.

a) Summary

Statutory Return Type: Minor Retail Distribution & Servicing
Council Interest: None

b) Site Description

- Four storey building on corner of Station Road and Bonnersfield Lane.
- Ground floor, mezzanine and basement used as restaurant (A3).
- Upper floors appear to be vacant flats.
- Building is set back from adjacent small parade of shops to the north with offices at first floor and flats at second floor level.
- Two storey parade adjacent on Bonnersfield Lane; solicitors office at no.10, office and flat over at no.12, 2 flats at no.14.
- The site can currently be open from 08:00 hours to 01:00 hours because of an approval of a variation of the condition that restricts the opening hours (ref: P/2960/05/DVA).

c) Proposal Details

To vary condition No.5 of Planning Permission EAST/1407/02/FUL so as to allow altered opening hours. The proposed opening hours would be:

- Sunday 10:30 Hours To 23:00 Hours
- Monday - Wednesday 08:00 Hours To 00:00 Hours (12 midnight)
- Thursday 08:00 Hours to 02:00 Hours
- Friday - Saturday 08:00 Hours to 03:00 Hours.
- The proposal is identical to a previous application that has been withdrawn.
- The applicant has indicated in a representation submitted to the Council that the opening hours proposed could be less than currently submitted (see applicant statement below). The Council has contacted the applicant three times by telephone and emailed the applicant requesting that specific details of the new proposed opening hours be provided, but no details have been received to date.

d) Relevant History

EAST/1407/02/F UL	CHANGE OF USE:CLASS A1 TO A3 ON GROUND & 1ST FLOORS WITH NEW SHOPFRONT, FUME EXTRACTOR DUCT AT REAR & NEW WINDOWS	GRANTED 14-OCT-04
P/2960/05/DVA	VARIATION OF CONDITION 5 ON PLANNING PERMISSION EAST/1407/02/FUL TO PERMIT OPENING 08:00 HOURS TO 01:00 HOURS DAILY	GRANTED 24 -JAN-06

P/2462/06	INTERNALLY ILLUMINATED SIGNS ON FIRST AND SECOND FLOORS FRONT ELEVATION	REFUSED 02-NOV-06
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Reason for Refusal:

The proposed advertisement, by reason of its size and siting, would be unduly obtrusive in the streetscene and detrimental to the visual amenity of the area, contrary to Policies SD1, D4, D26 & EM24 of the Harrow Unitary Development Plan.

P/4160/07/CVA	VARIATION OF CONDITIONS 2 (SAMPLES OF MATERIALS) AND 5 (HOURS OF OPERATION OF RESTAURANT) PURSUANT TO PERMISSION P/3017/05/CFU DATED 09-FEB-2006 FOR EXTENSIONS AND ALTERATIONS TO PROVIDE A 3 STOREY BUILDING, RESTAURANT (A3 USE) AT GROUND FLOOR AND 12 FLATS AT FIRST AND SECOND FLOORS (RESIDENT PERMIT RESTRICTED)	REFUSED 13-MAR-08
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Reason for Refusal :

The proposed variation of condition to allow extended opening hours would give rise to additional activity and disturbance at unsocial hours, which would be detrimental to the residential amenities of neighbouring occupiers, contrary to policies EM25 and EP25 of the Harrow Unitary Development Plan (2004).

P/1519/09	WITHDRAWN (APPLICANT) - VARIATION OF CONDITION 5 ON PLANNING PERMISSION NO. EAST/1407/02/FUL GRANTED ON 14/10/2004 TO PERMIT OPENING ON SUNDAY 10:30 HOURS TO 23:00 HOURS, MONDAY - WEDNESDAY 08:00 HOURS TO 00:00 HOURS (12 MID NIGHT) THURSDAY 08:00 HOURS TO 02:00 HOURS AND FRIDAY - SATURDAY 08:00 HOURS TO 03:00 HOURS.	WITHDRAWN 30-SEP-09
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f) Applicant Statement

Noise Disturbance Mitigation Measures:

- Adequate insulation to the front elevation of the premises to Environmental Health's satisfaction for the containment of sound.
- We will supply and install suitable noise limiting device to Environmental Health's satisfaction for the prevention of noise and sound.
- SIA registered security personnel used for disbursement of crowd in an orderly fashion at night time and prevent arguments and problems.

- The equipment is the standard used by the industry and more importantly is approved by Noise Control Dept. Environmental Health. The noise limiter cuts out when music is played excessively loud as set by the council.

Late representation from applicant

Summary of email received from applicant on 12/01/10:

- Are willing to accept a deferral decision by the committee to enable submission of full material evidence that opening hours are not detrimental to the area.
- Would accept a reduction in the proposed opening hours to 2am.
- Station Road is the main route connecting Harrow and Wembley to Stanmore and the M1. A recent council report shows that more than 40 cars pass in front of Freddy's per minute during the day 11am after rush hour and approx. 20 cars per minute after midnight or 1am.
- A petition of more than 50 local residents in Bonnersfield Lane have no objection to the application (not substantiated).
- Request the opportunity to present our case in detail to the right decision makers in the Planning Department.

General Context/Other Matters:

Please see correspondence sent by applicant on the file.

Consultations:

Environmental Health:

The sound insulation scheme is sufficient to cope with any music noise issues.

Metropolitan Police:

No response

Notifications:

Sent:

76

Replies:

4 letters of objection

One petition containing 12 signatures in support

First Expiry:

02-NOV-09

4

0

Second Expiry:

04-NOV-09

Neighbours Consulted:

1 Sheepcote Road

182-190 Station Road (evens)

10-28 Bonnersfield Lane (evens)

229-259A Station Road (Odds)

1 Sheepcote Road

1-3 Manor Parade, Sheepcote Road

29 Northwick Park Road

9 Hill Road

Summary of Responses:

Four letters of objection:

- The patrons of this restaurant often park in nearby residential roads and are often not very considerate when leaving. It's quite disturbing at the current closing times. They talk loudly at night and bang their car doors. It would inevitably be worse with later times.
- Any further increase in noise would be unwelcome in this largely residential area.
- Lack of parking in the area is exacerbated by the customers of the nearby restaurants and public houses.
- The top floor of this building if one was also to build to the same level with planning permission, breaches rules regarding light because windows have been installed in what would be a party wall.

One petition of 12 signatures in support:

- No objections to 3am.

APPRAISAL

1) Noise, Late Night Uses and Amenity

Policy EM25 of the UDP notes that the Council will seek to ensure that proposals for food and drink uses do not have a harmful effect on residential amenity. Regard will be given to the location of the premises; the proximity of residential properties; the type of use proposed; hours of operation and parking and servicing arrangements.

The nearest residential premises are on the upper floors of the building. There are further residential properties on the upper floors of the nearby buildings in Station Road, as well as dwellinghouses in Bonnersfield Lane.

Following consultation with Environmental Health, it is understood that the subject site has adequate insulation in regard to preventing the transmission of noise nuisance. In addition, other noise prevention measures are in place such as noise limitation controls on the loudspeakers, an acoustic lobby with secondary doors and Security Industry Authority registered security personnel.

Given the above, it is considered that there are existing noise disturbance mitigation measures at the subject site.

However, as is pointed out by the consultation responses, there are other associated forms of noise which are generated outside of the site which cannot be effectively controlled, such as people talking when leaving and entering the premises and traffic associated noise. Given that there are flats above this site (currently unoccupied), flats adjacent to the site (flats A-D Greenhill House) and that the site is on the edge of Harrow Metropolitan Centre and within proximity to residential streets (including Courtfield Avenue and parts of Bonnersfield Lane), the site is clearly within a noise sensitive area. With this in mind, a further extension of opening hours would indirectly contribute to noise nuisance at unreasonable hours.

Taking the above into account, it is considered that the proposed variation of condition to allow extended opening hours would give rise to additional activity and disturbance at unsocial hours outside the premises, which would be detrimental to the residential amenities of neighbouring existing and future occupiers, contrary to Planning Policy Guidance 24: Planning and Noise (1994) and Saved Policies EM25 and EP25 of the Harrow Unitary Development Plan (2004).

2) Parking

In the previous identical withdrawn application (Ref: P/1519/09) the highways engineer was consulted and had no objection in regard to parking. As the use of the property is already established it is considered that the proposed increase in opening hours would not raise any issues in regard to parking.

3) S17 Crime & Disorder Act

It is considered that the proposal would not raise any issues in regard to the above act.

4) Consultation Responses

Considered in the report above. The petition does not specify why there are no objections to the proposal. Issues regarding windows on the top floor of the building do not relate to this application.

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 refusal.

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan (2008), saved Policies of the Harrow Unitary Development Plan and any other relevant guidance are relevant to this decision:

HUDP EP25, EM25, T13 and D4.

Planning Policy Guidance 24: Planning and Noise (1994)

Plan Nos: Site Plan, Existing & Proposed Ground Floor Plan (No Change), Proposed Mezzanine Level Plan & Existing (No Change), SL2000 Sound Limiter, Gyproc SoundBloc Product data sheet, Photos, Emails x 2 (received 09/11/2009)

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.