
**NORTH HARROW ASSEMBLY HALL,
STATION ROAD, [INC 34 AND 36
CANTERBURY ROAD AND 37 AND 39
GLOUESTER ROAD], HARROW,
MIDDLESEX HA1 4PE**

**Item: 1/05
P/1953/10/SL**

Ward HEADSTONE SOUTH
DEMOLITION OF ALL EXISTING BUILDINGS ON THE SITE AND CONSTRUCTION OF
A COMMUNITY CENTRE COMPRISING A SPORTS HALL, GYMS, PRAYER HALL,
LIBRARY WITH SEMINAR ROOMS AND ANCILLARY CAFÉ / RESTAURANT AND
CHILDREN'S PLAY CENTRE [REVISED APPLICATION]

Applicant: B W FOUNDATION LIMITED
Agent: MENTOR MILESTONES LIMITED
Statutory Expiry Date: 22-OCT-10

RECOMMENDATION A

GRANT permission subject to the conditions outlined and the prior completion of the S106 Legal Agreement detailed below with authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the S106 Legal Agreement and issue of the planning permission, subject to any minor amendments to the conditions or the S106 Legal Agreement.

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of the Legal Agreement within 3 months of the date of the committee to include the following Heads of Terms:
 - i) **Green Travel Plan:** A contribution of a **£20,000** bond prior to first use of any part of the development to guarantee the performance of the Green Travel Plan to be agreed with the Local Planning Authority in writing prior to first use of any part of the development;
 - ii) **Hours of Operation:** Unless otherwise agreed in writing by the Local Planning Authority or in accordance with other terms of this agreement, The premises shall only be open or occupied: Mon-Thu inclusive [08:00hrs-23:00hrs]; Fri-Sat inclusive [08:00hrs-00:00hrs] and Sun [08:00hrs-22:00hrs] with the exception of the gym facilities, which shall only be open or occupied Mon-Sat inclusive [06:00hrs-23:00hrs].
 - iii) **Capacity:** The development hereby permitted shall not be occupied by more than 350 persons at any time except for on Event Management Days;

- iv) **Event Days Management:** Prior to first use of any part of the development, the applicant shall submit in writing to the Director of Planning, details of an Event **Management** Plan / Strategy for marshalling of users of the development for Event Days. [Event Days are considered as weddings, birthdays or any other function outside of the normal operation of the development, which would exceed the maximum permitted number of people on-site [350] at any one time but shall not exceed more than 600 persons]. Such details of an Event Management Plan / Strategy shall thereafter be reviewed on the first anniversary of the planning permission and thereafter reviewed bi-annually to be submitted to and approved in writing by the Director of Planning and shall remain in force unless otherwise stated in writing by the Director of Planning.
- v) **Maximum Number of Event Days:** There shall be no more than six Event Days per calendar year [Jan–Dec inclusive] unless otherwise agreed in writing by the Director of Planning, not less than 28 days prior to such additional events occurring;
- vi) **Parking Controls:** A contribution of £40,000 prior to first use of any part of the development towards the cost of the implementation of any combination of parking controls [including a Controlled Parking Zone] within the locality of the development, if so required;
- vii) **Green Wall and Brown Roof Management:** The Green Wall and Brown Roof shall be maintained for the life of the development and would include the submission of a Method Statement for the long term maintenance and upkeep of the Green Wall prior to first use of any part of the development;
- viii) **Legal Fees:** Payment of Harrow Council's reasonable costs in the preparation of the S106 Legal Agreement; and
- ix) **Planning Administration Fee:** Payment of **£3,000.00** 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 conditions will be issued upon completion by the applicant of the aforementioned S106 Legal Agreement.

REASON FOR DECISION

The proposal amounts to the redevelopment of the previously-developed site on the edge of North Harrow District Centre to provide new and enhanced community facilities within a building of appropriate and acceptable design and without significant and unmanageable (though conditions and the S106) adverse impacts upon interests of acknowledged importance in accordance with the objectives of planning policies contained within PPS1, PPS4, PPG13, PPS24 and PPS25 and London Plan 2008 Policies 2A.9, 3A.3, 3A.17, 3A.18, 3A.19, 3A.26, 3C.23, 4A.1, 4A.2, 4A.3, 4A.4, 4A.7, 4A.11, 4A.12, 4A.13, 4A.14, 4A.16, 4A.21, 4B.1, 4B.2, 4B.5, 6A.4 and 6A.5; and LB Harrow UDP 2004 Policies S1, SEM2, EM5, EP11, EP15, EP16, EP20, EP25, EP26, EP28, D4, D10, H11, T6, T13, C2, C10, C11, C16, C17 and R13.

RECOMMENDATION B

That if the S106 Legal Agreement is not completed within **THREE MONTHS** of the date of the Planning Committee, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning for the following reason:

The proposed development, in the absence of a completed S106 Legal Agreement would result in unacceptable and adverse impacts upon the amenities of surrounding properties and would lead to unmanaged and indiscriminate parking on the local highway network with consequent harm to highway safety and residential amenity, contrary to Policies 6A.4 and 6A.5 of the London Plan [2008].

PLANNING POLICY CONTEXT

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 LB 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].

National Planning Policy

PPS1 Delivering Sustainable Development [2005]
PPS4 Planning for Sustainable Economic Growth [2009]
PPG13 Transport [2001]
PPG24 Noise [1994]
PPS25 Development and Flood Risk [2010]

The London Plan [2008]

2A.9 The Suburbs: supporting sustainable communities
3A.3 Maximising the potential of sites
3A.17 Addressing the needs of London's diverse population
3A.18 Protection and enhancement of social infrastructure and community facilities
3A.19 The voluntary and the community sector
3A.26 Community strategies
3C.23 Parking strategy
4A.1 Tackling climate change
4A.2 Mitigating climate change
4A.3 Sustainable design and construction
4A.4 Energy assessment
4A.7 Renewable energy
4A.11 Living roofs and walls
4A.12 Flooding
4A.13 Flood risk management
4A.14 Sustainable drainage
4A.16 Water supplies and resources

4A.21 Waste strategic policy and targets
4B.1 Design principles of a compact city
4B.2 Promoting world class architecture and design
4B.5 Creating an inclusive environment
6A.4 Priorities in planning obligations
6A.5 Planning obligations

London Borough of Harrow Unitary Development Plan [2004]

S1 The form of development and pattern of land use
SEM2 Hierarchy of Town Centres
EM5 New Large Scale Retail and Leisure and other Development
EP11 Development within Floodplains
EP15 Water Conservation
EP16 Waste management, disposal and recycling facilities
EP20 Use of previously-developed land
EP25 Noise
EP26 Habitat Creation and Enhancement
EP28 Conserving and Enhancing Biodiversity
D4 The standard of design and layout
D10 Trees and New Development
H11 Presumption Against the Loss of Residential Land and Buildings
T6 The Transport Impact of Development Proposals
T13 Parking Standards
C2 Provision of Social and Community Facilities
C10 Community buildings and places of worship
C11 Ethnic Communities
C16 Access to Buildings and Public Spaces
C17 Access to Leisure, Recreation, Community and Retail Facilities
R13 Leisure Facilities

Supplementary Planning Guidance and any other relevant guidance

London Borough of Harrow Sustainable Community Strategy [2009]
Sustainable Design & Construction: The London Plan Supplementary Planning Guidance [2006]
Sustainable Building Design SPD [2009]
Access For All Supplementary Planning Document [2006]

MAIN CONSIDERATIONS

- 1) **Principle of Development and Land Use**
- 2) **Flood Risk**
- 3) **Design**
- 4) **Landscaping, Trees and Biodiversity**
- 5) **Impact Upon Amenity**
- 6) **Traffic Impact and Highway Safety**
- 7) **Sustainable Design and Renewable Energy**
- 8) **Access for All**
- 9) **Section 17 Crime & Disorder Act**
- 10) **Matters Arising From Consultation**

INFORMATION

a) Summary

Statutory Return Type:	Major Development	
Site Area:	0.35 ha	
Floorspace:	3,535m ²	D1 Non-residential institutions [563m ²] D2 Assembly and Leisure [2,972m ²]
Car Parking:	UDP [D2 use]:	Each development proposal to be assessed on its own merits within the context of restraint based standards and the national advice in PPG13.
	Provided:	31
Council Interest:	None	

b) Site Description

- The site is situated to the northern edge of the North Harrow District Centre;
- Existing single-storey assembly hall and part of a series of single-storey huts with a gross floor area of 400m² and ancillary parking for up to 27 cars [randomly parked];
- Proposal site also includes a pair of semi-detached houses at Nos. 34 and 36 Canterbury Road [residential use] and another pair of semi-detached houses at Nos. 37 and 39 Gloucester Road [used as nursery];
- Petrol filling station directly across Station Road to the west;
- To the north, south and east are two--storey residential, semi-detached properties on Canterbury Road, Cumberland Road and Gloucester Road;
- Along Station Road at its junction with Pinner Road is the Genesis Housing Association development on the site of the former bowling alley and Safeway supermarket;
- North Harrow District Centre with shopping and other services approximately 85m from site;
- North Harrow Underground Station on the Metropolitan Line approximately 250m to the south of the site;
- Station Road to the front of the site is a designated Borough Distributor road; and
- Site located within an area with a high probability of flooding [flood risk area Zone 3a] with the Yeading Brook in the form of a culvert running through the middle of the site.

c) Proposal Details

The proposal comprises two separate buildings. The northern building will have a total gross area of approximately 4,500m² whilst the southern building will be 650m².

The proposed development comprises:

Basement Level 2

- A five-a-side football pitch, which would also be used as 4no. x badminton courts, a male gym, male changing room, male WC and storage and plant room.

Basement Level 1

- The provision of a female gym, female changing room, female WC, a small beauty salon, kitchen, storage, seminar room and plant room.

Ground Floor Level

- An open area for all-purpose use at ground floor level described as exhibition space together with a café / restaurant including dining area ancillary to the Community Centre, male and female WC, shoe zone, prayer area, electricity substation, car park for 31 spaces, landscaping and children's play area.

First Floor Level

- Hall, shoe zone, library, male and female WCs, seminar room[s] and storage.

Second Floor Level

- 3no. x party rooms, boardroom, management office, IT / security office and female WC.

Other Details Including Use

- The applicants claim that the number of staff would comprise 1no. x full-time centre manager, 1no. x full-time receptionist / administration assistant and 2no. x assistants to staff the sports hall and gym and the kitchen area facilities.
- Voluntary work by members of the community will continue.
- Hours of operation Mon-Thu [08:00 hrs – 23:00 hrs], Fri-Sat [08:00 hrs – 00:00 hrs] and Sun [08:00 hrs – 22:00 hrs]. The gym facilities would be available at 06:00 hrs between Mon-Sat.
- With regard to Friday prayer meetings, it is claimed that an average of 75 persons would attend the Centre. At other times during the week, it is claimed that the number of people using the prayer hall would be between 30-40.
- Wedding services would be capped at 600 persons. Traffic management measures would be implemented through the provision of a Green Travel Plan.

Environmental Impact Assessment

On 11 June 2010, the applicant under The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, requested an EIA Screening Opinion in respect of the proposed redevelopment of the North Harrow Community Centre. The EIA Regulations relate to a European Union Directive [Directive 85/337/EEC as amended by Directive 97/11/EC] on the assessment of the effect of certain public and private projects on the environment], and give planning authorities a means of ensuring that they can take account of the environmental implications of individual developments in their decisions on planning applications.

The local planning authority considered that the proposal falls within the description at paragraph 10b) of Schedule 2 of the above Regulations [Infrastructure projects: urban development projects] but has a site area of only 0.35ha and therefore does not exceed the relevant threshold applicable to Schedule 2 development, namely an area of 0.5ha or more.

Having regard to the character of the site and surrounding area, the intensity of the current lawful uses, the form and built quality of existing properties on the site and in the vicinity, and the nature and scale of the proposed development, the local planning authority does not consider that the proposal would have a significant effect on the environment. Accordingly, it is of the opinion of the local planning authority that the development proposed does not require an Environmental Impact Assessment.

d) Relevant History

LBH/22536	OUTLINE: COMMUNITY HALL & CAR PARKING.	GRANTED 13-JAN-83
P/2376/08	DEMOLITION OF BUILDINGS, CONSTRUCTION OF COMMUNITY CENTRE INCLUDING SPORTS HALL, GYM, PRAYER HALL FOR UP TO 200 PEOPLE, LIBRARY, CHILDRENS PLAY CENTRE, CAFÉ/RESTURANT, 24 BED NURSING HOME AND 8 FLATS.	REFUSED 27-JUL-09

REASONS FOR REFUSAL:

1. The proposed development, by reason of failing to address all of the requirements of the exception test of Planning Policy Statement 25 (PPS25), would result in an unsafe development in an area with a high probability of flooding and is likely to result in flood risk elsewhere contrary to PPS25, policy 4A.12 of the London Plan 2008 and policy EP11 of the Harrow Unitary Development Plan 2004.
2. The proposed development, by reason of excessive bulk, massing and footprint, would appear unduly bulky, obtrusive, overbearing and over dominant and would have a detrimental effect on the amenities of neighbouring occupiers at numbers 49, 51, 53 and 55 Cumberland Road and number 38 Canterbury Road contrary to policies 4B.1 of the London Plan 2008, D4, and D5 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance: Designing New Development (March 2003) and Supplementary Planning Guidance: Extensions a Householders Guide (March 2008).

3. The proposed development, by reason of excessive site coverage by buildings, hard-surfaced areas and increase in on-street parking with associated disturbance and general activity, lack of green space and loss of trees, would be an over-intensive use, and amount to an overdevelopment of the site to the detriment of neighbouring residential amenity, the free flow and safety of vehicular traffic and pedestrians on the public highway and to the character and appearance of the area, contrary to policies 4B.1 of The London Plan 2008, D4, D5, D9, D10, T6, T13 and EP25 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance Designing New Development (March 2003) and Supplementary Planning Guidance: Extensions a Householders Guide (March 2008).

e) Pre Application Discussion

One of the purposes of The Planning & Compulsory Purchase Act 2004 is to improve community involvement in the planning process. The Government encourages developers to undertake pre-application public consultation, particularly on major schemes. One of the principles of sustainable development described in PPS1 is the involvement of the community in the planning process. In accordance with this, the applicant implemented a public consultation programme to engage with stakeholders to help them better understand the proposal. The applicant's engagement programme also had regard to the principles set out in LB Harrow's Statement of Community Involvement [August 2006].

Since the refused scheme P/2376/08, pre-application meetings with LB Harrow have been held:

- 3 September 2009;
- 25 February 2010; and
- 13 May 2010.

A public exhibition was held on 19 June 2010. Approximately 150 visitors attended the public exhibition and 93 completed feedback forms. The majority of those attending lived in the immediate area. 71% of respondents believed the proposals represented an improvement on the previous scheme and 64% stated they would use the community centre as proposed [compared to 55% that currently use it]. 71% of respondents indicated that they felt the public exhibition was extremely useful [with 50 ticking the most useful box 5 and 15 ticking 4].

The applicant's responses to the feedback received during the consultation programme is provided:

'Proposal only beneficial to Muslim section of the community.' The applicant disagrees. The Centre is intended to benefit the whole of the local community. It will welcome people irrespective of race, religion or background. To ease any concern, the scheme would be run by a board and that two seats on the management board will be reserved for non-Muslim representatives of LB Harrow and a local resident.

'Similar facilities already exist in the local area.' The applicant believes there is a demand for more facilities from within the local community.

'Insufficient car parking provision.' 31 spaces are proposed. Site constraints prevent any further car parking provision on-site. A Green Travel Plan has been submitted with the planning application to encourage users of the centre to use public transport or walk and cycle to the new centre. A greater concern to residents of the roads immediately around the site is off-street parking during Friday prayers and other major events. The new prayer area can accommodate fewer people than the existing facility. The current high usage of the existing facility is a result of significant numbers of Muslims sharing the facility whilst a purpose-built mosque for the Muslim community is being constructed in Harrow opposite the Civic Centre. Once the Harrow Mosque becomes fully operational [expected 2011], this will significantly ease the usage of the North Harrow site.

'Provide disabled car parking.' The proposal comprises two disabled spaces, as LB Harrow determines.

'Surrounding roads not suitable for additional traffic movements.' The impact on Station Road, which carries an estimated 15,000 to 20,000 vehicles per day, will be negligible. The projected amount of traffic generation from the proposed centre is circa 129 trips per average weekday. This is explained in the Transport Assessment. Usage during Friday prayers and events is likely to be far less than the present situation. A Green Travel Plan has also been submitted explaining how users of the new centre will be encouraged to utilize public transport and non-car options. The applicant will also liaise with a local resident who offered assistance in providing a bus to the centre for elderly members of the community.

'The architecture is out of character with the surrounding area.' Design is subjective and the applicant recognizes that the design has polarized people. The applicant believes this modern and unique building will be a positive addition to this part of North Harrow.

'The building is too high.' The centre is mostly two storeys high with three storeys at either end. Heights have been significantly reduced from the scheme first submitted to LB Harrow in 2008. The height appears to be an issue only for people who live very close to the site.

'The building will affect our view [Gilbert Court or western side of Station Road].' In addition to the above points made on height, the scheme has significant soft landscaping proposed adjacent to neighbouring properties to minimize adverse impact it may have on the views of the closest local residents.

'Can there be a multi-faith room on the plan?' A quiet room facility for other faiths will be provided if requested.

'The scheme will have a negative impact on property prices.' Property values are affected by a wide range of factors and the applicant cannot predict what, if any, effect the proposed centre would have on the values of nearby properties.

'What modifications will happen after construction?' None.

'Ensure the premises close by 9pm.' Mon-Thu 8am to 11pm; Fri and Sat 8am-12am and on Sundays from 8am-10pm. The possibility of having the gym open from 6am is being looked at.

'Noise is a big issue.' A façade cladding system will mitigate noise pollution.

Taking all of the above considerations into account, the applicant has designed a **scheme** that has regard to the comments made at the pre-application consultation stage.

f) Applicant Statement

BWF is a registered UK charity [1121549] who purchased the North Harrow Assembly Hall off London Borough of Harrow 1992. BWF would like to make some significant and positive contribution to the community. The intention is to embark on this multimillion pound development for the benefit of ALL Harrow residents. The aim of the project is to create a state of the art, futuristic building comprising of leisure facilities for all age groups with a special emphasis on the young.

It is hoped that such an environment will act as a catalyst for intercultural and interfaith cohesion, with emphasis on family values, health and well being and countering stereotyping.

g) Consultations

Government Office for London

This planning application as part of the consultation process was **not required** to be referred to the Government Office for London. The Government Office for London is responsible for issuing decisions on whether to call-in planning applications referred under the Departure, Green Belt, Shopping, Playing Field and Flooding Directions in London.

The Direction relevant to this planning application where it could have been called-in or referred to the Government Office for London would be The Town and Country Planning (Flooding) (England) Direction 2007. The Direction, which is made under the Town and Country Planning (General Development Procedure) Order 1995 (Statutory Instrument 1995/419), came into force on 1 January 2007. The Direction requires the local planning authority to notify the Secretary of State of any application for major development in a flood risk area [as defined in the Direction], where it is minded to grant permission, against advice on flood risk grounds from the Environment Agency. As the Environment Agency raises no objection to this proposal for the redevelopment of the Community Centre, this application has not been referred to, nor has it been called-in by the Government Office for London.

Greater London Authority [Mayor of London]

The Town and Country Planning (Mayor of London) Order 2008, which came into force on 6 April 2008 sets out which planning applications must be referred to the Mayor of London, the process for considering them and the test the Mayor must apply to decide whether his intervention would be justified. By virtue of the criteria set out in The Town and Country Planning (Mayor of London) Order 2008, it was **not required** to consult the Mayor of London on this planning application.

External Consultees:

Environment Agency

No objection subject to the following condition:

The development hereby permitted shall only be carried out in accordance with the approved FRA dated June 2010 Ref: 100611-NHCC by WSP Ltd and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 year critical storm with an allowance for climate change to the Greenfield run-off rate of 5 l/s as detailed in Section 8.1.11 of the FRA;
- Provision of a minimum of 75 cubic metres compensatory flood storage on the site as detailed in Section 8.1.21 of the FRA;
- Installation and operation of a water level sensor in the culvert on site to provide accurate warning when the culvert is nearing capacity as detailed in Section 8.1.31 of the FRA; and
- There shall be no ground raising in external areas or storage of materials or equipment in the land liable to flood as detailed within Section 8.1.24 and 8.1.26 of the FRA.

REASON: To prevent flooding by ensuring satisfactory storage of / disposal of surface water from the site. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To ensure satisfactory warning to enable safe access and egress from and to the site. To ensure that there will be in increase risk of flooding to other land / properties due to impedance of flood flows and / or reduction of flood storage capacity.

Sport England

No objection.

Crime Prevention Design Adviser

No objection subject to proposal according with objectives of Secured By Design through an appropriate planning condition.

Internal Consultees:

Environmental Health Officer

No objection subject to the following:

Demolition: & Construction

1. A Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site and the demolition of the buildings and structures on the site shall be carried out in accordance with the approved Demolition Method Statement. The statement shall include details of facilities and methods to accommodate construction vehicles and deliveries during demolition and the construction of the building.

2. Works shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects, based on the Department of Environmental Services' Code of Deconstruction and Construction Practice, has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved scheme

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network.

Emission Control

i) All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

ii) No fires to be lit on site at any time.

iii) a wheel-wash facility shall be provided for the duration of the works to ensure levels of soil on roadways near the site are minimised.

iv) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

v) All building materials shall be stored within the site.

Noise Control

(a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.

Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

(b) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.

Highways Officer

It is accepted that the site is currently an active Community Centre and hence this is the 'baseline' i.e. starting point for assessing the impact of the proposed additional activities linked to this planning application.

It is recognized that local residents have raised concerns with regard to the current and proposed activities following statutory consultation by the Council and community engagement by the applicant. Issues such as obstructive parking have been cited together with generally increased parking levels associated with the current use.

As a result comparative observation studies have been undertaken by officers in order to determine the difference in parking levels as compared to peak activity periods such as mid day prayers on Friday [the most frequent and intense in patron number terms] and other days of the week when the centre is inactive. Photographic evidence has been collated during these active and inactive periods i.e. from mid day onwards on a Thursday and Friday during consecutive weeks in September 2010. The findings suggest there is little variance in the overall parking levels in neighbouring residential roads such as Canterbury Road, Cumberland Road, Gloucester Road and Southfield Park which exhibited high levels of parking on each of the surveyed days. This accords with earlier surveys from 2007.

It is therefore assumed that the consistently high level of parking 'take up' throughout this area during the week, irrespective of the Community Centre activities, can be reasonably attributed to local business workers / station commuters and residents themselves. It is noted that very few concerns have come forward from the local community with regard to the current site use and parking situation prior to receipt of this and the previous planning application [P/2376/08]. This lack of direct concern can be possibly attributed to the 'self regulating' nature of the road network as it cannot physically accept more parking. It is likely that residents have accepted the current parking situation as a "fait accompli" and compensated by way of maximising usage of their own off-street parking facilities thereby avoiding the need to park on-street.

The applicants claim that Friday prayer and wedding related patronage will potentially decline once the main Central Harrow Mosque is fully up and running. This could be managed through a S106 obligation. This is reflected in the reduction in proposed floor space for prayer use of 45% which is accepted and welcomed.

Other religious events would give rise to a small increase [in some cases no change] in activity compared to the existing use however their relative infrequency is a positive in minimising their presence and impact on the public realm. A Travel Plan 'performance bond' would be expected to further lessen any potential impact in traffic generation / parking terms.

The proposed Community Centre activities would be distributed throughout the day thereby lessening impact on the surrounding road network. Peak demand is not expected to exhibit unacceptable levels of activity and hence there are no acknowledged or predicted concerns with regard to additional traffic generation and related parking from the proposal site as a whole.

It is envisaged that any additional parking demand would be accommodated within the nearby North Harrow Car Park for both 'religious' and Community Centre related activities owing to the spare capacity available at most times.

In order to make the development acceptable in planning terms, a sum of £40,000 would be secured under a S106 Legal Agreement to enable parking controls to be deployed if a future need arose. A 'performance bond' of £20,000 would be secured as part of the Travel Plan and would assist in ensuring conformity and act as an incentive to meet specified private car use reduction targets in order to ensure that the effect of the proposal on the local community is minimised. The scope to introduce specific management and controls through the S106, to limit large events at the site is also considered to be beneficial to parking and highway management around the site.

Landscape Architect

No objection in principle to this proposal subject to the following hard and soft landscape conditions:

- Landscaping to be approved including irrigation proposals;
- Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape;
- Green Wall and brown roof;
- Levels;
- Boundary Treatment;
- Landscape Management Plan and Maintenance Schedule, for a minimum period of 5 years; and
- Future management and maintenance of the green wall – as outlined in comments above.

Drainage Engineer

No objection to the proposal subject to the implementation of the following conditions / informatives to any planning consent:

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 the necessary construction and design criteria for the development proposals follow approved conditions.

The applicant should contact Thames Water Utilities Limited 0845 850 2777 and Harrow Drainage Section at the earliest opportunity on 020 8424 1586.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS25.

The applicant should contact Harrow Drainage Section at the earliest opportunity on 020 8424 1586.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in PPS25 & PPS25 Practice Guide.

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

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS25.

For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity on 020 8424 1586.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in PPS25 & PPS25 Practice Guide.

Waste Management Officer

No objection subject to further details of refuse storage and waste management.

Arboricultural Officer

No objection subject to following the recommendations set out in the submitted Arboricultural Report by Hayden's Arboricultural Consultants in order to minimise damage to retained / existing trees.

Biodiversity Officer

No objection to the proposal subject to condition[s] to ensure a bat survey is commissioned to assess whether bat species have colonised the site in the interim. Works should proceed under a watching brief for bats. If any bat species are discovered during the course of any works on site, all works should cease and a licensed bat worker be consulted.

Notifications:

Sent: 1,864

Replies:

Expiry: 12 August 2010

5no. x Site Notices displayed around the perimeter of the site on 27 July 2010

Advertised in Harrow Observer as a Major Development: 29 July 2010

Summary of Responses:

At the time of writing this report, 259 representations received objecting to the proposal on the following grounds:

Principle of Development and Land Use

- Site is not within a Site Specific Allocation;
- Site is outside of a major centre yet is being considered for major commercial use;
- Loss of housing;
- Loss of historic building used in WW II as a Warden's Post; and
- Loss of nursery facilities in Gloucester Rd to the general community.

Flood Risk / Drainage Issues

- Water drainage and high risk of flooding.

Design

- Intrusive and overbearing design;
- Out of character, size and scale;
- Layout and siting inappropriate;
- Location of refuse area adjacent to neighbouring residential properties; and
- Loss of trees and lack of communal green space.

Impact Upon Amenity

- Adverse impact on quality of life of residents;
- Increased noise, pollution, dust and disturbance;
- Effect on privacy of residents;
- Increase in hours of operation;
- Overlooking; and
- Daylight and sunlight impact.

Highways

- Insufficient off-street parking provision and increased traffic and on-street parking displacement;
- Construction period would lead to adverse highway issues;
- Development likely to increase the need to travel by car as many representations in support of the proposal reside further away from the site; and
- Major development should be on sites with a PTAL of 4-6 and this site has a PTAL of 3.

Community

- Social exclusion;
- Community building should be available to all members of the community and not used for religious purposes;
- Would not meet needs of the local community; and
- Increase in anti-social behaviour.

Other Matters Raised

- Question the need for use proposed;
- Inappropriate development at this location;
- Gym should be unisex;
- Insufficient pre-consultation;
- Not all alternative sites considered; and
- Intensification of use.

At the time of writing this report, 522 representations received supporting the proposal on the following grounds:

- Benefit the community with modern facilities.
- Encourages social cohesion as the centre will be open to all members of the community;
- Contemporary architecture;
- Good management of the proposed centre;
- Ease of access and parking provision;
- Expansion in types of uses proposed; and
- Ease of use.

Headstone Residents Association

No response received at the time of writing this report. A meeting between LB Harrow and members of the Residents Association to discuss the scheme was held on 28 September 2010.

The Pinner Association

The Pinner Association have concerns about this application for a building that will attract a large volume of vehicular traffic at certain times to a restricted site on a busy road near to a major junction.

Residents travelling to central Harrow from the Pinner or Hatch End directions use the Pinner Road, and hence the major junction with Station Road in North Harrow, and if they wish to access the Civic Centre, the Civic Amenity site, Harrow Crown Court, and other destinations in the Wealdstone direction they need to travel along Station Road, past the site of this application.

This site is situated very close to a major traffic junction, controlled by traffic lights. The Pinner Road / Station Road junction in North Harrow is almost invariably busy, even at relatively quiet times. During peak traffic times long traffic queues can build up on the roads approaching this junction. This means that a line of stationary vehicles, waiting to approach the junction, is formed on the carriageway along the road frontage of the Assembly Hall site. Any vehicle wishing to turn onto the site from the North Harrow direction would have to wait for a gap in this line of traffic, and itself would cause an obstruction to vehicles travelling towards Wealdstone, away from the junction. This could result in traffic building up back to the junction itself, with all the concomitant problems that this would cause.

The proposed redevelopment would have insufficient on-site, off road, car parking for the number of vehicles that may be bringing persons to the building at certain times. This would inevitably result in increase on-street parking in the area. The residential side roads off the Pinner Road are narrow, having been constructed when volumes of traffic were far lower than in the present day. Any additional on-street parking in these roads would not only cause grave inconvenience for the local residents, but also interfere with the smooth progress of vehicles along these roads, with all the concomitant problems that such obstruction would cause.

We request that the impact on the traffic flow in the area of the site of this application be considered as a part of the decision on this application. Pinner Road and Station Road are very busy public coach and bus routes. Any additional traffic congestion from the extra vehicles accessing the North Harrow Assembly Hall site would inevitably result in considerable delays to these bus and community coach services.

Please review this site for both parking and for all road users. There are a very high proportion of public services vehicles using this area together with both residents and businesses from Harrow and not forgetting the infamous school runs.

Torbay Road Residents Association Committee

Object to the proposal on the following grounds:

- Intrusive and overbearing design;
- Size and function will greatly impact on existing community;
- Impact on local residents;
- Overdevelopment and inappropriate location;
- Increase in traffic and insufficient car parking;
- High risk of flooding; and
- Does not serve all members of the community.

APPRAISAL

1) Principle of Development and Land Use

Planning Policy Statement 1 [PPS1] states that *'The Government is committed to development strong, vibrant and sustainable communities and to promoting community cohesion in both urban and rural areas. This means meeting the diverse needs of all people in existing and future communities ...'*

Planning Policy Statement 4 [PPS4], introduced in December 2009 sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas. This Policy Statement considers community uses to fall within the definition of economic development. Policy EC10 encourages; *'Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.'*

One of the six key visions of Harrow's Sustainable Community Strategy [2009] is that:

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

Part of the site is currently in use as a community facility, which was granted planning permission on 13 January 1983 [LBH/0/22536/W]. The remainder of the site comprises two pairs of semi-detached properties at Nos. 34 and 36 Canterbury Road [including an attached single-storey residential annex known as 36A]; and Nos. 37 and 39 Gloucester Road. No. 39 Gloucester Road has been extended and is currently used as a Nursery.

Policies 3A.18 and 3A.19 and 3A.26 of the London Plan and Policies C2, C10 and C11 of the Harrow UDP would support the improvement (by redevelopment) of the current community centre building. There is nevertheless a presumption against the loss of residential land and buildings in Policy H11 of LB Harrow's UDP 2004. The proposal involves the loss of three original residential dwellings. Policy H11 of LB Harrow's UDP 2004 further states, *'The Council recognises and accepts that there may be exceptional circumstances where appropriate community uses would be allowed to locate within residential units or on land allocated for housing.'*

The site falls within Flood Zone 3b. Planning Policy Statement 25, "Development and flood risk" presumes against development in this flood zone unless the proposals satisfy both the "sequential" test and the "exceptions" test.

In addition therefore to the consideration of the acceptability of the development in land use terms, the applicant is also required to demonstrate the need for the proposal and that the facility cannot be reasonably accommodated elsewhere. The applicants submission provides a review of alternative sites as required by the sequential test and argues that the development would be acceptable having regard to the exceptions test in PPS25. The building design itself has also been developed in consultation with the Environment Agency who have indicated that they raise no objection, subject to the terms of the FRA being met, to the current proposal.

Policy EM5 of LB Harrow's UDP 2004 meanwhile requires proposals for new retail and leisure development to be located within the metropolitan and district centres. The proposed Community Centre includes a wide range of uses that would normally be found in town centres. As the site is on the edge of the designated North Harrow District Centre, the applicant must demonstrate that there is a need for this proposal outside of the District Centre and that all other sequential options are inappropriate. It must also be demonstrated that the vitality and viability of the North Harrow District Centre would not be compromised as a result of the proposed development. The applicant has therefore submitted supporting information in the form of a Sequential Test, which claims that there are no other alternative and available sites within the town or district centre that can accommodate this type of development. The proposed development does not represent a large retail development and the retail and other proposed uses would be ancillary to the predominant community use of the site.

Having regard to all of the above considerations, the acceptability of redevelopment of the site for community purposes requires a balance to be struck between arguably competing policy interests. Subject to the proper consideration of the matter of flood risk, it is considered that the balance in favour of the development means that, in principle, the redevelopment of the site could be acceptable. Indeed, the principle of redevelopment did not form the basis of refusal of the earlier planning application (ref P/2376/08).

Whilst there are a suite of more specific planning policy considerations relating to the design and impact of the proposals on highway conditions as well as residential and neighbourhood amenity, subject to the satisfactory resolution of flood risk interests, the principle of redevelopment on this site can, it is considered, be supported. This balance in favour of the development recognises that the proposal does result in a loss of three residential units from the site, and that the development lies on the edge, as opposed to within the defined centre of North Harrow.

2) Flood Risk

As mentioned in the previous section, the issue of flood risk is considered to be connected to the principle of development. Only if the applicant is able to demonstrate that there will be no flood risk, or that any risk of flooding can be addressed through a series of flood mitigation measures, would the proposal, be acceptable in principle.

Based on the Environment Agency Flood Map, the site is situated wholly within Flood Zone 3b [The Functional Flood Plain]. It is also illustrated as a Flood Plain on the Proposals Map of LB Harrow's UDP 2004. As stated in PPS25 Development and Flood Risk, the Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences. This Zone comprises land where water has to flow or be stored in times of a flood. Consequently, redevelopment of the site must pass both the Sequential Test and Exception Test under the requirements of PPS25.

The applicant has submitted a Flood Risk Assessment [FRA], which sets out the intention of meeting the requirements of PPS25 on the following:

- Identify the flood risk to the site in both existing and proposed scenarios;
- Suitably address flood risk issues for the development proposals; and
- Mitigate the impact of flood risk.

To meet the above objectives, the FRA states:

- The proposed ground floor footprint would not exceed the existing on-site arrangement;
- A water exclusion strategy is proposed to prevent flood waters from entering the proposed buildings;
- The proposed development is designed to accommodate the hydrostatic and dynamic forces associated with floods;
- A Yeading Brook Culvert maintenance / replacement strategy has been prepared;
- A Flood Evacuation Plan has been prepared;
- Surface water discharge rates would provide significant betterment over the existing on-site arrangement; and
- On-site storage in the form of underground tanks and geo-cellular units would provide storm water attenuation.

The Sequential Test submitted seeks to demonstrate that there are no other reasonably available alternative sites within Harrow Borough to suit their requirements. Based on the evidence submitted, officers are satisfied that no other suitable sites in a Flood Zone 1 or 2 are reasonably available for the development requirements. The Sequential Test should be applied at all stages of planning with the objective of diverting new development to areas at the lowest probability of flooding [Flood Zone 1]. In total, 14 sites were identified in the submitted report. However, the report concluded that there was no alternative site within an area of lower flood risk, which could accommodate the development.

The earlier planning application for the site which was refused included the following reason:

'The proposed development, by reason of failing to address all of the requirements of the exception test of Planning Policy Statement 25 (PPS25), would result in an unsafe development in an area with a high probability of flooding and is likely to result in flood risk elsewhere contrary to PPS25, policy 4A.12 of the London Plan 2008 and policy EP11 of the Harrow Unitary Development Plan 2004.'

Having satisfied the Sequential Test, the applicant must further address the criteria set out in the Exception Test. The proposed development must:

- a) Demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk...;
- b) Be on developable previously-developed land or, if it is not on previously-developed land, that there are no reasonable alternative sites on developable previously-developed land; and
- c) Demonstrate through a FRA that the development will be safe, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

Information submitted to support the Exception Test as part of the previously-refused scheme Ref: P/2376/08 satisfied the first two points but failed on the third point, hence the reason for refusal. The submitted PPS25 Sequential Test Evidence Base report for this planning application again applied these three separate requirements of the Exception Test to this revised proposal.

It is considered that all three above Criteria above are now satisfied. With regards to Criteria a), the provision of a modern community facility would have significant benefits for the surrounding community. This point is discussed in greater detail later in this report. With regards to Criteria b), the site is previously-developed and the applicant has demonstrated that there are no reasonable alternative sites for this type of development through the submission of a Sequential Test. This leaves Criteria c). The previously-refused application was refused as it did not meet all of the criteria in the Exception Test. Having received comments from the Environment Agency on these documents, they do not now object to the proposed development as the revised proposal now satisfactorily demonstrates that the development would be safe and would not result in the increase in flood risk elsewhere, therefore fulfilling Criteria c) of the Exception Test.

The Environment Agency's response to this planning application now raises no objection to the proposal subject to a condition to any planning consent to ensure flood mitigation measures are secured. This has been addressed through the imposition of an appropriately-worded planning condition. Harrow's Drainage Engineer also raises no objection to the proposal subject to the implementation of conditions to any planning consent.

Subsequently, it is considered that the site is sustainable in terms of flood risk and that the proposed development satisfies the objectives of PPS25 in regard to the Sequential and Exception Tests in accordance with PPS25, Policy 4A.12 of the London Plan 2008 and Policy EP11 of LB Harrow's UDP 2004.

Accordingly, having regard to Sections 1 and 2 of this report, the principle of [re]development of the site for a community centre is considered acceptable having regard to the existing use of most of the site as a community centre, which was granted outline planning permission on 13 January 1983 [LBH/0/22536/W] and to Policies C2 and C10 of LB Harrow's UDP 2004. The land use, including the change of use [in part] from C3 residential to D2 community facility is also considered acceptable having regard to Policy H11 of LB Harrow's UDP 2004.

3) Design

The earlier planning application saw a second reason for refusal on planning application based upon the principles of design and impact on occupiers of nearby residential properties:

'The proposed development, by reason of excessive bulk, massing and footprint, would appear unduly bulky, obtrusive, overbearing and over dominant and would have a detrimental effect on the amenities of neighbouring occupiers at numbers 49, 51, 53 and 55 Cumberland Road and number 38 Canterbury Road contrary to policies 4B.1 of the London Plan 2008, D4, and D5 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance: Designing New Development (March 2003) and Supplementary Planning Guidance: Extensions a Householders Guide (March 2008).'

The applicant has sought to compare this revised scheme with the scheme refused on 27 July 2009 as an indication of the progress made in addressing the second reason for refusal. Whilst any reduction in the revised proposal from the scheme refused would not necessarily assure the acceptability of the scheme in design terms, nevertheless, it does provide an indicator as to the extent to which the scheme has significantly improved from the refused proposal. The notable differences between the refused scheme and this proposal include:

- The site coverage reduced by 58% from 1,673m² to 978m², a reduction of 695m²; and
- The Gross External Floor Area reduced by 39% from 8,425m² to 5,132m², a reduction of 3,293m².

The proposal would result in the same number of storeys, however would now be at a reduced scale and separated into two buildings at the northern [4,488m²] and southern [644m²] parts of the site [the refused scheme involved a larger, singular block comprising 8,425m²].

The proposal comprises:

- A seminar room, a male gym and associated changing room, and a sports hall at Basement -2 providing a five-a-side football pitch, which could also be used as 4no. x badminton courts;
- A female gym with associated changing room and a small beauty salon at Basement -1;
- Prayer hall accommodating up to 200 persons, exhibition space with ancillary restaurant / café and children's play centre for ages 2-10 years with a maximum of 30 children at Ground Floor;
- Library and seminar room and dining area at First Floor; and
- Management offices and social rooms at Second Floor.

It is considered that this revised proposal addresses the design issues of the reason for refusal of the previous scheme in response to the scale, bulk, form and massing. In this regard, the proposal is considered to now accord with Policy D4 explanatory paragraph 4.11 of LB Harrow's UDP 2004, which states that *'buildings should respect the form, massing composition, proportion and materials of the surrounding townscape'*.

The character of the surrounding area is mostly semi-detached, two-storey residential houses, particularly along Canterbury Road, Gloucester Road and Cumberland Road. The character of Station Road is mixed. Heading toward the junction with Pinner Road consists of the three-to-four-storey, mixed-use Genesis housing development, the two-storey North Harrow Nursery and the two-to-three-storey retail properties on Pinner Road. Directly across Station Road is a petrol filling station and MOT garage. Surrounding the existing site heading north and west are predominantly semi-detached, two-storey houses.

On its own merits the design of the proposed building represents very high quality, contemporary form of architecture incorporating sustainable concepts and Islamic influences in its overall approach. It is acknowledged that this architectural style would be quite different to any other development in the locality. However, the development is considered to be appropriate in this setting, on the edge of the North Harrow District Centre, opposite a mixed variety of commercial buildings, including the recently-completed Genesis mixed retail and housing scheme. Although the site is bounded on the west / rear boundary by two-storey residential, it has the advantage of two separate road junctions to the north and south, providing a buffer to residential property on the opposite sides. Approaches to the building, via North Harrow or from surrounding streets presents a variety of contexts within which the new building would be seen.

The re-design of the proposal has reconsidered the scale and mass of the building, if not the architectural style. In response to specific (and differing) design parameters, the building seeks to reflect the need for modesty towards the dwellings to the rear with a stronger presence to the main frontage, where more contemporary and substantial buildings prevail. Although this futuristic design approach would be different to any other development in the locality, the proposed scheme is considered to be appropriate to the context and would, it is considered, meet development plan aspirations for high quality design.

The proposed development is considered to represent an acceptable form of development in design terms and would not be out of scale with the surrounding street scene, having regard to the increased separation distances to nearby residential properties, which will be further detailed in Section 5 of this report. The design approach has been consistent over the three-year period that the development of this site has been under consideration, and has been accepted in principle. There is no planning policy basis for concluding that the contemporary design approach is unacceptable in this context.

PPS1 advises that good design should contribute positively to making places better for people. It is considered the proposals would accord with the principles in PPS1 by providing design that is appropriate in its context, and takes the opportunities available for improving the character and quality of an area and the way it functions:

“...High quality and inclusive design should be the aim of all those involved in the development process. High quality and inclusive design should create well-mixed and integrated developments which avoid segregation and have well-planned public spaces that bring people together and provide opportunities for physical activity and recreation. It means ensuring a place will function well and add to the overall character and quality of the area, not just for the short term but over the lifetime of the development...”

London Plan 2008 Policy 4B.1 Design principles for a compact city, provides a design context for the development, the majority of which is relevant:

“The Mayor will, and boroughs should, seek to ensure that developments should:

- *Maximise the potential of sites;*
- *Promote high quality inclusive design and create or enhance the public realm;*
- *Contribute to adaptation to, and mitigation of, the effects of climate change;*
- *Respect local context, history, built heritage, character and communities;*
- *Provide for or enhance a mix of uses;*
- *Be accessible, usable and permeable for all users;*
- *Be sustainable, durable and adaptable in terms of design, construction and use;*
- *Address security issues and provide safe, secure and sustainable environments;*
- *Be practical and legible;*
- *Be attractive to look at and, where appropriate, inspire, excite and delight;*
- *Respect the natural environment and biodiversity, and enhance green networks and the Blue Ribbon Network and;*
- *Address health inequalities.*

These principles should be used in assessing planning applications and in drawing up area planning frameworks and DPD policies. Design and access statements showing how they have been incorporated should be submitted with proposals to illustrate their impacts.”

Explanatory paragraph 4.10 of LB Harrow’s UDP Policy D4 states that ‘*development should be designed to complement their surroundings and have a satisfactory relationship with adjoining buildings and spaces*’. In urban design terms, it is considered the proposal provides an appropriate response to the particular context.

Further, the design itself incorporates a high quality, contemporary expression with a curvilinear form that is unusual. The articulation of the buildings and relationship to the building lines on Station Road and the adjacent two residential roads is highly individual but designed in a form that would respect the scale of neighbouring properties and have no material amenity impact.

The combination of materials including, for example, ground floor glazing at entrance level, fibre cement rain screen cladding and sculptural elements above, would introduce unusual and articulated facades along the three main frontages that would diminish the perceived bulk of the buildings. The setback second floor element on the north building would create additional interest and variety in the elevations, whilst avoiding any potential overlooking of neighbouring residential properties.

The objections raised have always related to the massing and bulk, and the potential impact on adjacent residential development in Canterbury Road to the north, and Cumberland Road to the south. These concerns were expressed in the refusal of the previous application in 2009. Following the refusal, a series of further pre-application meetings have been held to address the specific problems identified in the planning refusal.

The development has now been amended and reduced in scale. These changes have principally addressed the potential residential amenity impact of the scheme, but have also resulted in a building that would relate more satisfactorily to the street scene. Amendments to the proposals have resulted in a development that is now clearly seen as two elements, rather than the previous scheme with a continuous bulk of building along the full length of the site. The removal of the proposed link bridge between the two buildings and the increased separation has resulted in tangible benefit. The design ethos of the scheme is retained, but there would be a substantial and a consequent significant improvement to the outlook and aspect for the residential properties in the west end of Cumberland Road, in particular Nos. 49-55 [odd].

As well as being reduced in scale and size, the buildings have also been sited further from the residential boundaries of Canterbury Road and Cumberland Road. This series of revisions, developed since the refusal have now resulted in a development with a material reduction in bulk and scale, and the setting between the application site and the adjacent residential properties would be significantly improved.

The south building would more than comply with the Council's 45° guidance, in relation to the adjacent property, No. 55 Cumberland Road. In respect of No. 38 Canterbury Road, the development would, technically, not comply with the 45° guidance. However, there are a number of site considerations that would mitigate the potential amenity impact:

- The separation distance between the house and the proposed building – a minimum of 19m;
- The lack of any windows in the rear wall of the new building;
- The orientation of the proposal in relation to the neighbours;
- Existing screening;
- Existing levels and site features; and
- The construction of a proposed green wall.

In the circumstances, it is considered that the proposals would provide a satisfactory relationship to the adjacent property.

It is considered that:

- This site can successfully accommodate the proposed level of development;
- The development would relate satisfactorily to the pattern of existing development;
- The development would respect the scale and massing of neighbouring buildings;
- The siting, orientation and alignment of the proposed buildings would neither be overbearing nor unduly obtrusive in relation to the existing adjacent residential development; and
- The development would have no significant or material amenity impact on the adjacent residential properties [Nos. 33 to 37 and 38 to 44 Canterbury Road, Nos. 39 to 55 Cumberland Road, and Nos. 35, 38 to 44 Gloucester Road].

The form and siting of the two buildings are considered to be appropriate in the street context, particularly in respect of the manner in which the development addresses the street and the established building lines, the proposed heights, and the relationship of the development to the neighbouring residential properties. The visual impact of the development is mitigated to a significant extent by concentrating the three-storey height at the northern and southern ends where they relate to the overall height of the adjacent residential development. The reduction in height at the centre of the site reduces the actual and perceived scale of the development, particularly when viewed from the rear of the Cumberland Road properties. Again, this is mitigated by, although not reliant on, the use of a Green Wall.

Accordingly, the design solution proposed is considered an acceptable form of development in design terms, which would not be out of scale with the surrounding street scene in accordance with Policy 4B.1 of the London Plan 2008, Policies D4, D9, and C10 of LB Harrow's UDP 2004 and Supplementary Planning Guidance: Designing New Development [March 2003].

4) Landscaping, Trees and Biodiversity

Landscaping

LB Harrow's Landscape Architect raises no objection in principle to this proposal subject to conditions / obligations to any planning permission to include the following:

- Landscaping to be approved including irrigation proposals;
- Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape;
- Green Wall and brown roof;
- Levels;
- Boundary Treatment;
- Landscape Management Plan and Maintenance Schedule, for a minimum period of 5 years; and
- Future management and maintenance of the green wall – as outlined in comments above.

In raising no objection to the proposal, the Landscape Architect's raised concerns that the proposed buildings and hard surface could dominate the site with little space or opportunity for soft landscape within the proposed development. The existing culvert also reduces the potential for structure planting and screening - there is a 3m setback outside the culvert edges where any substantial planting of trees and shrubs is not allowed [due to excess loading]. Buffer planting is restricted due to the proposed hard surfacing for the car park and frontage areas, culvert and attenuation tanks and the mass of the building.

The only structural type planting that has been proposed is a narrow strip of hedging around part of the rear of the development – No. 55 Cumberland Road and the end of the back gardens of Nos. 45-55 Cumberland Road. There is no available space for buffer planting to the side boundary of No. 38 Canterbury Road. The lack of available planting space for buffer planting makes the proposed Green Wall an extremely important element. The proposed Green Wall would provide greenery, some softening to the rear elevation of the building and be visually attractive. The long term survival of the Green Wall would be essential, its future management and maintenance must be ensured for its success to continue over time. The good health and long survival of the plants in the Green Wall is very important to the visual appearance and enhancement of it. The Green Wall would provide biodiversity benefits as habitats would be able to establish in the vertical wall.

Given the importance of the green wall, the applicant should be required to enter into a S106 Legal Agreement to ensure the Green Wall is maintained. The S106 Legal Agreement should be to maintain the Green Wall for the life of the building. A method statement explaining how the Green Wall is to be maintained would also be required.

The proposed hard landscape and seating on the frontage area adjacent to Station Road is predominantly hard surfacing. This would require careful selection and consideration during detailed design, since some concrete finishes can be visually unattractive. Care would also need to be taken that the proposed hard surface is in character with the area. The sculptural elements constructed in concrete to form planted areas would also require careful consideration. Some of the small planters would be likely to be too small to successfully support planting and the plants may fail in the future. The appearance of the smaller elements may provide a 'bitty' broken up appearance to the frontage [at the northern end adjacent to the dining area]. Conditions addressing the need for a comprehensive landscaping scheme are therefore considered important.

The proposed bike store to the east of the site, adjacent to the car park could possibly be relocated closer to the car park to release space for soft landscape and tree planting.

Notwithstanding the details submitted so far, the landscape assessment suggests that further work and a well-designed and comprehensive landscape scheme is required, based on the site survey and the site constraints. The landscape masterplan and details will need to be developed together with a Management and Maintenance Plan to ensure the future success of the landscape scheme. Through the use of appropriate planning conditions and careful consideration of the subsequent details, it is considered that the proposal is satisfactory in landscaping terms in accordance with Policy D4 of LB Harrow's UDP 2004.

Trees

The loss of trees and hedges on-site as a result of the development is regrettable even though there are no species worthy of statutory protection. However, new green space is proposed in the form of a Garden of Contemplation and a Green Wall. LB Harrow's Arboricultural Officer raises no objection to the proposal subject to the imposition of a condition to any planning permission to ensure the recommendations set out in the submitted Arboricultural Report are complied with in order to minimise damage to retained / existing trees.

The submitted tree survey covers 18 trees, two groups and two hedges. There are no trees of outstanding quality / value on the site. The most prominent trees are a Willow [T016] and Ash [TO15] located on the northern boundary of the site. The Willow is a B category, tree [BS5387 tree value guidelines]; the Ash a B / C grade. Adjacent to these trees is a group of Cypresses [G001], all C grade trees. Although of fairly low individual quality, as a group these trees, provide good natural screening / visual amenity. All these are to be removed to facilitate the development.

There is one other B grade tree, the Norway maple [T017], located on Canterbury Rd. This is an attractive, early-mature tree which adds to the streetscape. This is a street tree so is Council-owned. It is also proposed for removal although a replacement is proposed [location / species to be agreed]. Other trees in the survey proposed include: Two more rows of Cypresses in rear gardens of Canterbury Rd [T009-T013], an Ash, Purple Plum [T001-T004] Ash and Willow respectively, to the south of the site. These are all C grade trees and are also proposed for removal.

The trees being retained are all to the east of the site: 3no. x Sycamore, Ash, Willow, Silver Birch [T003-007] and a group of Ash & Sycamore [G002]. These are all in third party ownership so their retention is probably necessary. The group of Ash / Sycamore would require some facilitation pruning to allow for the proposed new Canterbury Road access / driveway.

The removal of the above-mentioned trees from the northern side of the site would result in complete loss of screening and greenery from the northern boundary, with insufficient room for replacements planting. It is proposed to replace T017, the Council-owned Norway Maple but due to the lack of suitable space, it is not immediately obvious where a replacement could be situated.

Any trees could be adversely affected by construction works / vehicles however, this can be avoided with tree protection measures recommended in the tree report

In this regard, the proposed development is considered to accord with Policy D9 of LB Harrow's UDP 2004.

Biodiversity

LB Harrow's Biodiversity Officer raises no objection to the proposal subject to condition[s] to any planning permission to ensure that a bat survey is commissioned to assess whether bat species have colonised the site in the interim. Works should proceed under a watching brief for bats. If any bat species are discovered during the course of any works on site, all works should cease and a licensed bat worker be consulted.

Accordingly, it is considered the proposal complies with Policies EP26 and EP28 of LB Harrow's UDP 2004.

5) Impact Upon Amenity

The third reason for refusal was in part, on the grounds of impact on neighbouring residential properties:

'The proposed development, by reason of excessive site coverage by buildings, hard-surfaced areas and increase in on-street parking with associated disturbance and general activity, lack of green space and loss of trees, would be an over-intensive use, and amount to an overdevelopment of the site to the detriment of neighbouring residential amenity, the free flow and safety of vehicular traffic and pedestrians on the public highway and to the character and appearance of the area, contrary to policies 4B.1 of The London Plan 2008, D4, D5, D9, D10, T6, T13 and EP25 of the Harrow Unitary Development Plan 2004, Supplementary Planning Guidance Designing New Development (March 2003) and Supplementary Planning Guidance: Extensions a Householders Guide (March 2008).'

It is recognised that the proposed development would result in some impact on residential amenity in particular the adjacent residential properties to the rear in Cumberland Road and Canterbury Road.

However, the changes in the siting, the scale and the size of the buildings proposed, when compared to the earlier application result in a development with a more acceptable and appropriate relationship with the adjacent residential properties.

The south building would more than comply with the Council's 45° guidance, in relation to the adjacent property, No.55 Cumberland Road. In respect of No. 38 Canterbury Road, the development would, technically, not comply with the 45° guidance. However, there are a number of site considerations that would mitigate the potential amenity impact:

- The separation distance between the house and the proposed building, at this point is a minimum of 19m;
- The lack of any windows in the rear wall of the new building;
- The orientation of the proposal in relation to the neighbours;
- Existing screening;
- Existing levels and site features; and
- The construction of a Green Wall.

The objections raised relate to the massing and bulk, and the potential impact on adjacent residential development in Canterbury Road to the north, and Cumberland Road to the south. The development has now been amended and reduced in scale. These changes have principally addressed the potential residential amenity impact of the scheme, but have also resulted in a building that would relate more satisfactorily to the street. Amendments to the proposals have resulted in a development that is now clearly seen as two elements, rather than the previous scheme with a clear break between the buildings. Whilst the design ethos of the scheme is retained, there would be a substantial and a consequent significant improvement to the outlook and aspect for the residential properties in the west end of Cumberland Road, in particular Nos. 49-55 [odd].

Accordingly, it is considered that:

- This site can successfully accommodate the proposed level of development;
- The development would relate satisfactorily to the pattern of existing development;
- The development would respect the scale and massing of neighbouring buildings;
- The siting, orientation and alignment of the proposed buildings would neither be overbearing, nor unduly obtrusive in relation to the existing adjacent residential development; and
- The development would have no significant or material amenity impact on the adjacent residential properties [Nos. 33-37 and 38-44 Canterbury Road, Nos. 39-55 Cumberland Road, and Nos. 35, and 38-44 Gloucester Road].

The form and siting of the proposed two buildings are considered to be appropriate in the street context, particularly in respect of the manner in which the development addresses the street and the established building lines, the proposed heights, and the relationship of the development to the neighbouring residential properties. The visual impact of the development is mitigated to a significant extent by concentrating the three-storey height at the northern and southern ends where they relate to the overall height of the adjacent residential development. The reduction in height at the centre of the site reduces the actual and perceived scale of the development, particularly when viewed from the rear of the Cumberland Road properties. Again, this is mitigated by, although not reliant on, the use of a Green Wall.

The issue of daylight and sunlight is addressed in the submitted Sustainability & Environmental Planning Report. The report concludes that in response to sunlight to neighbouring buildings, that the proposed development would retain good daylighting and sunlight levels to the surrounding residential properties. The development would also meet the minimum Building Research Establishment [BRE] Guidelines on daylight and sunlight.

Noise and related disturbance from the intensified use of the site is considered to be a potential issue with the proposed development. Explanatory paragraph 3.87 of Policy EP25 of LB Harrow's UDP 2004 states: *'So that people and sensitive environments are not subjected to excessive noise levels from new development or changes of use, noise generating development will not be permitted in noise-sensitive areas, unless developers can demonstrate that it would not have an adverse impact on neighbouring land uses ... Developers will be expected to ensure that noise arising from their proposals, including noise generated by people and vehicles arriving and leaving the premises, does not cause excessive disturbance to adjacent land uses.'*

The applicant has demonstrated through the submission of a Noise Impact Statement that any noise impact from the proposed development can be satisfactorily controlled. It is acknowledged that the increase in building capacity, parking and range of uses proposed has the potential to have additional harmful impacts in terms of disturbance and associated activity in the surrounding area. Whilst, Harrow's Environmental Health Officer raises no objection to the proposal in principle, proposals for the management and control of the operations at the site would, it is considered, serve to provide some additional elements of control, compared to current usage that would outweigh any additional risk of noise or disturbance from this new facility. Further, the re-orientation of entrance and egress to the building and scope for control through the s106 on event days represent an opportunity to more expertly manage the impacts of this community use upon the neighbouring properties.

Heads of Terms are recommended as part of any S106 Legal Agreement to control the hours of operation of the proposed community centre and to control events at the site. Subject to such controls it is considered that the proposed development would not result in any significant adverse impact on neighbouring amenity through increased noise disturbance or associated activity or loss of outlook, in accordance with Policy 4B.1 of the London Plan 2008, and Policies D4 and EP25 of LB Harrow's UDP 2004.

6) Traffic Impact and Highway Safety

The potential impact of traffic arising from the development has resulted in considerable submissions and widespread concern amongst residents in the area. This concern derives in part from local residents recent experience associated with the current use, particularly since the site started hosting Friday lunchtime prayers on behalf of Harrow Central Mosque.

The use of the site, based upon the current planning permission, is unregulated by planning conditions. The current use of the site is nevertheless lawful and represents a "baseline" condition, which is material to the consideration of any alternative proposals, including the current planning application.

This revised planning application proposes a reduction in Gross Internal Floor Area [GIFA] (from the earlier application) for the following elements of the proposal:-

- Flats [100%]
- Nursing Home [100%]
- Female Gym [64%]
- Beauty Salon [12%]
- Prayer Hall [1%]
- Library [43%]
- Dining Area [32%]

There are other reductions in Gross Internal Floor Area, however these economies are mainly concentrated in the corridor / circulation space which arguably is unlikely to reduce activity related demand of the overall complex.

There are also however proposed increases in GIFA as follows:-

- Male Gym [51%]
- Children Play Area [19%]
- Seminar Rooms [19%]
- Exhibition Area [12%]
- Management Staff Area [25%]
- Kitchen [130%]
- Boardroom [51%]
- IT [42%]

The Gross Internal Floor Area for the sports hall 594 sq.m remains unaltered. Compared to the previous application there is a 39% reduction in Gross Internal Floor Area.

Existing Use

The applicants claim that the existing approximate usage levels for the existing site are:-

	<u>Patronage</u>
• Friday mid day prayers	- 280-500
• Weekend seminars	- 150
• Ramadan	- 150 [30 times / year]
• Private weddings	- 500 [3 / year]
• Muharran nights	- 150 [11 / year]
• Ashura / Eid	- 300/200 [3 / year]

It is noted that all of the above take place outside of peak traffic activity and it is claimed that once the Central Harrow Mosque is fully operational, Friday prayer related events will diminish in attendance terms. The Council is unaware of any widespread traffic / parking concerns being raised in connection with the current Assembly Hall activities prior to the submission of this and the previous planning application [P/2376/08].

Friday Prayers

Observations suggest that some on-street parking can be affiliated to patrons of Friday prayers [the most frequent and regular activity] however outside of this period it is accepted that the surrounding residential roads are mostly parked to capacity due to take up by local workers / station commuters and residents. There is little available on-street parking capacity in these roads irrespective of parking purpose. The migration of patrons to the Central Harrow Mosque, once fully functional, is likely to have a positive impact on the surrounding area as the Hall's peak use intensity would be diminished by a claimed projected 50%. This intention is reflected in the proposed reduction in designated prayer floor space of 45%.

It is noted that North Harrow Car Park is underused at these and most other times so public off-street parking is available for users of the site. The 20 on-site spaces are currently well utilised.

Private Weddings

The frequency of events is predicted to be low (as is currently the case i.e. 3 / year). The same parking related characteristics and parameters apply as for Friday Prayers above. The applicants propose to promote usage of public transport and car sharing i.e. 'bussing' to such events to reduce private car usage. It is acknowledged that conventional public transport modes are not normally a 'first choice' travel option in such circumstances. However car sharing and 'bussing' is more likely to be achievable. A robust Travel Plan with a 'performance bond' could be secured to mitigate against potential adverse effects resulting from these events by promotion of such alternative sustainable travel modes alongside broader plans for event management at the site. Together these measures could help to ensure conformity and act as an incentive to meet specified private car use reduction targets.

North Harrow car park is recognised as an underused and available parking facility which patrons would be encouraged to use if traveling by private motor car cannot be avoided. The likelihood of significant local on-street parking generation would therefore be diminished.

It is acknowledged also that there is a trend toward holding wedding ceremonies at established Mosques hence it is possible that the frequency of such events may remain small once the Central Harrow Mosque is fully operational.

Proposed usage

The applicants submission claims approximate usage levels for the proposed development would be:-

- | | | |
|--------------------------|----------------------------|-------------|
| • Friday mid day prayers | - 75-128 [peak attendance] | [-] >50% |
| • Weekend seminars | - 150 | No change |
| • Ramadan | - 200 [30 times / year] | [+] 50 |
| • Private weddings | - 600 [3 / year] | [+] 100 |
| • Muharran nights | - 200 [11 / year] | [+] 50 |
| • Ashura / Eid | - 350 / 250 [3 / year] | [+] 50 / 50 |

The projected attendance level as compared with the current claimed use indicates minor increases or no change for some activities with the exception of Friday mid-day prayer attendance which will be substantively reduced once the Central Harrow mosque is fully operational. This explains the 45% reduction in the current designated prayer area. There is little variance in predicted frequency and attendance related to Wedding events.

Events such as EID, Ashura day, Ramadan, weekend seminars & Muharran are relatively low in frequency and moderate in patronage hence the opportunity to promote sustainable travel modes as an alternative to the private vehicle is more realistic and would be secured by the Travel Plan mechanism.

The **Sports Hall, Gym, Children's Play Area, Beauty salon, exhibition and library spaces** are non-existent at present and there will be an associated increase in activity and associated trips to the site. The overall trip generation figure for the above combined community centre use is claimed to peak at 40-50 vehicles [entering and leaving the site] during and distributed throughout the 'busiest' period of 6pm to 7pm during the weekday. This is considered to be realistic and not inconsistent with trip rates for comparable community uses elsewhere found on the highways reference database.

This level exceeds the on site parking provision of 31 spaces and there is the possibility that owing to on site parking accumulation that some patrons may park on street if space is available or in the nearby North Harrow public car park. Ancillary uses such as the Beauty Salon and Exhibition / Library facilities are spread out throughout the day in use terms and are not expected to significantly impact on the locality.

The parking provision proposed for the D1 use class exceeds the UDP maximum standard. However, following consideration of the current parking demands on the local road network, the proposed level of on-site parking provision is considered appropriate in order to help manage any impact on the public realm and respond to local residents concerns. The D2 use parking standard conforms to UDP and national restraint based standards.

Access and impact upon highway network

This site has a PTAL of 3 and whilst it does not possess the highest accessibility rating of 6, nevertheless, it is still considered to be in a highly accessible location with good public transport links with buses running along the Borough and London Distributor Roads of Station Road and Pinner Road respectively. North Harrow Tube Station is also within close proximity to the site, within walking distance.

The proposed access to the site and impact of vehicles attracted to the site on the free flow of the wider road network leading to the site is not considered to be significant. The highway officer is satisfied that the levels of traffic growth associated with the site in the context of existing flows would not justify refusal of the application on highway safety or network capacity grounds.

The representations received have nevertheless disputed the claimed trip generation rates and occupancy levels claimed by the applicants and highlighted the consequent impact upon car parking within surrounding roads arising from the unsatisfied on site parking demand.

The representations received therefore detail significant and real concern in relation to the potential impact of the development on highway conditions in the locality, particularly in relation to car parking. This concern stems from a particular concern that the impacts on local streets from indiscriminate parking arising around the site at the present time will be exacerbated by any new development.

Notwithstanding the applicants own transport submissions on this issue, officers have therefore carried out site visits to establish for themselves the baseline conditions associated with the current use of the site. The site visits took place on random days through September 2010 including on Fridays when it is envisaged there would be most activity on the current site [due to prayer activity] to observe parking patterns. This was undertaken in order to determine the difference in traffic and parking levels as compared to peak activity periods at the existing community centre such as midday prayers on Friday [the most frequent and intense in patron number terms] and other days of the week when the Community Centre is less active.

Specific vantage points along Southfield Park, Canterbury Road, Cumberland Road, Gloucester Road and Westmorland Road were assessed to confirm the car parking situation on-street during lunch time hours [12:00hrs-14:00hrs]. In addition to these stated vantage points, the car parking area within the existing North Harrow Community Centre and the occupancy levels at North Harrow Car Park [near to North Harrow Tube Station accessed from Pinner Road] were also noted. The results from officers own investigations conclude that at each time the survey was carried out, that parking on-street in the neighbouring residential area immediately surrounding the site were at full or near-full capacity. This was irrespective of whether the car parking within the site of North Harrow Community Centre was empty or full. It was also noted that at each time the survey was carried out, that the North Harrow Public Car Park always maintained a high level of vacancy.

Accordingly, the findings suggest there is little variance in the overall parking levels in neighbouring residential roads such as Canterbury Road, Cumberland Road, Gloucester Road and Southfield Park which exhibited high levels of parking on each of the surveyed days. It is therefore considered that existing observed levels of parking on the neighbouring residential streets is not directly attributable to the existing community use. The area is not within a Controlled Parking Zone and there are no parking restrictions. The consistently high level of parking 'take up' throughout this area during the week, irrespective of the Community Centre activities can therefore be reasonably attributed to local business workers / station commuters and possibly residents themselves.

The absence of spare capacity on the surrounding streets does mean that displaced parking demand not capable of being accommodated upon the site will be met either by existing car parks in North Harrow or by a combination of active travel planning and mode shift.

The applicants claimed patronage levels are also challenged by local residents. Based upon British Standard (BS9999:2008) typical floor space densities for use of an assembly hall or meeting room spaces already equate to a theoretical capacity in the existing building in excess of the proposed levels of use (and controls) outlined by the applicants (at 600 persons).

The proposed building has a 594 sq.m sports hall and a range of other rooms including 265 sq.m seminar rooms, 182 sq.m prayer room, 177 sq.m dining space and 269 sq.m male gym. Whilst the applicant's figures relating to occupancy levels may be disputed, the degree of segmentation within the proposed new building, by level and internal division, is notably greater than within the existing structure. Accordingly, whilst the floor space associated with the proposal increases when compared with the existing building, the applicants proposed control at 600 people (via a s106) serves to introduce a cap on occupancy of the new building that is lower than the existing theoretical capacity of the current building.

Whilst such control is acknowledged to be artificial, and dependence upon enforcement and monitoring by the local planning authority, the assessment by officers of the relative capacities of the existing and proposed facilities suggests that likely levels of occupancy will be less than the theoretical capacity of the building in either case. In seeking to manage the number of occupants of the building to a level below the theoretical capacity of the existing building, officers do consider that the net impact of the proposed use on parking demand in the locality (as well as noise and general disturbance) is not likely to be materially greater than the impacts already attributable to the existing use.

To provide further security in the event that both forecast and expected impacts on local parking demand prove to be inaccurate, officers do consider that a sum of £40,000 should be secured through the S106 Legal Agreement to enable parking controls to be deployed in the future in the event that local residents consider such controls to be necessary. A Travel Plan 'performance bond' of £20,000 could also be expected to further lessen any potential impact in traffic generation / parking terms, secured as a Head of Term of any S106 Legal Agreement. It would assist in ensuring conformity and act as an incentive to meet specified private car use reduction targets in order to ensure that the effect of the proposal on the local community is minimised.

For the above reasons and based upon all of the observed and submitted material, subject to the measures outlined it is not considered that the proposed development would lead to a significant increase in traffic generation and activity when compared with the use of the existing site.

In consideration of the car parking survey carried out by LB Harrow, the requested contributions to any S106 Legal Agreement for a performance bond and towards any CPZ, the proposed 31 car parking spaces for the community facility is considered sufficient. Of the proposed 31no. x car parking spaces, 2no. x spaces will be as disabled spaces. This is considered sufficient for a development of this size and nature. There will also be 2no. x motor cycle spaces and 13no. x Sheffield cycle racks.

The Green Travel Plan

The submitted travel plan is considered to be acceptable as it addresses all good practice requirements to achieve a modal shift away from the private motor car and toward a sustainable personal travel mode to and from the site. It is nevertheless considered that a secured financial 'performance bond' should be applied to act as a clear incentive towards achieving a successful Travel Plan.

The Travel Plan would therefore involve securing main components such as :

- A £20,000 bond via a s106 agreement. This would cover on-going monitoring costs and assist in guaranteeing the target based performance of the Travel Plan.
- The appointment of a Travel Plan coordinator who will take the responsibility of overseeing the implementation of the plan to ensure conformity to the satisfaction of the Council.

Cycling Provision

The provision of 13 spaces conforms to emerging London Plan standards and hence is considered acceptable.

Servicing

The anticipated frequency of on-site servicing of the D1 / D2 uses is considered minimal and would be insignificant in terms of traffic generation. The site management company would be responsible for ensuring that refuse paladins are positioned in proximity of the public highway on collection days via an appropriate condition.

S106 Requirements

The requirements are as follows:-

- A sum of £20,000 to secure a Travel Plan Bond.
- A sum of £40,000 for parking controls that may become necessary in order to mitigate against any highway issues arising.

It is considered that many of the concerns raised from the consultation process with parking, traffic generation and highway safety are addressed through the implementation and continued monitoring of an effective Green Travel Plan and S106 contributions toward a CPZ in the area. Accordingly, it is considered that these would be important in order to make the proposed development acceptable in planning terms.

7) Sustainable Design and Renewable Energy

The submitted Sustainability & Environmental Planning Report by ZEF states that the percentage of the proposed development's energy generated from renewables is expected to be in the range of 20%-24% while the associated reduction in carbon dioxide emissions would be 10%-11% through the implementation of a range of measures such as on site renewable energy generation and energy-saving design features and initiatives. The overall improvement on the Part L Target Emission Rates would be 25%.

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

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

To maximise the reduction in emissions, the preferred option is to heat the proposed development with heat pumps [air source and ground source] and generate electricity with Photovoltaics. Options have been presented for generating hot water with either solar panels or Central Heating Plant. Due to emerging technology, biofuel CHP is unlikely to be an option, however it will be considered during design development as more options become available. As the sustainability measures outlined above are in the early development stages of the design process, it is recommended that a planning condition be imposed to any planning permission to confirm that [where possible] to achieve a reduction of carbon emissions of 20% from renewable energy and passive sources to meet the requirements of Policy 4A.7 of the London Plan 2008.

Based on the submitted Sustainability & Environmental Planning Report by ZEF, it is considered that the proposed development would seek to achieve good levels of renewable energy measures and would effectively reduce carbon dioxide emissions. Accordingly, the proposal seeks to comply with Policy 4A.7 of the London Plan 2008.

8) Access for All

The proposed development would aim to accommodate the needs for disabled users through providing two disabled car parking spaces, level and ramped access to the ground floor level and lift access to the upper and lower levels. In addition, the design of the proposal could provide 8 WCs to disabled requirements:

- B-2 Level: 1no.;
- B-1 Level: 1no.;
- GF Level: 1no.;
- 1F Level: 4no; and
- 2F Level: 1no.

The applicant has not confirmed the number of disabled WCs however and a condition is recommended as part of any planning permission to ensure the provision of such facilities. The proposed development is therefore considered to comply with Policy 3A.5 of the London Plan 2008 and Policies D4, C16 and C17 of LB Harrow's UDP 2004.

9) Section 17 Crime & Disorder Act

The proposal has aroused strong feelings locally and through representations. The design of the building is not however considered to raise any intrinsic safety concerns within the area. The development follows the basic principles and practices of Secured by Design and Safer Places.

The applicant proposes security measures including 6 CCTV camera points to areas lacking in natural surveillance and all entrance points, a gated entrance to the car parking areas, concierge / security office, gated entrance to north eastern corner of site off Canterbury Road and garden wall off Cumberland Road.

There is a lack of detail regarding the landscaping to the Station Road frontage, particularly with regard to boundary treatment and how the development would restrict vehicular access to this area. It is considered however that this lack of detail could be addressed through the landscaping scheme requirements and would not warrant refusal in this instance.

10) Consultation Responses

At the time of writing this report, 259 representations have been received objecting to the proposal. The grounds of objection are summarised above and are considered substantively within the main report. The outstanding matters not covered in the sections above are considered below;

Construction impacts

There have been some concerns expressed regarding the impact of the construction phase of development on both traffic and residential amenity. The construction period would only be temporary and therefore any adverse highway impact would be of a short-term nature, including any noise, pollution, dust and disturbance. These short-term impacts can, it is considered, be addressed through appropriate control via planning condition.

Community

It is acknowledged that this proposed development is likely to be used primarily by members of the Muslim community. This would not be a significant material planning consideration. The applicants in their submission have nevertheless indicated that the proposed new Community Centre would be accessible to all members of the community. Whilst specific facilities support certain patterns of use by differing faith groups the project is not, it is claimed, designed to deliberately exclude any person.

Consultation by the Applicant

The applicant has carried out pre-application discussions with LB Harrow and held at least one public meeting / exhibition prior to the submission of this planning application. There is no statutory requirement to carry out pre-consultation meetings / exhibitions prior to the submission of a planning application however, this is encouraged.

Letters of Support

Some 522 letter of support for the proposal have also been received. The letters of support are drawn from a wider area but reflect and re-state the elements of the development that have been considered above. The letters of support and the matters material to the consideration of the planning application have been considered in the sections above.

CONCLUSION

This resubmitted and amended planning application has prompted considerable local interest. The proposed redevelopment of the site to provide new and replacement facilities for community use is supported by development plan policy. The loss of residential use and potential adverse impacts associated with the use and traffic impact are matters that, if unconstrained, could weigh against such a proposal.

The design of the building and its likely impact upon the character and appearance of the area is clearly a matter of some controversy although for the reasons outlined, officers consider that the design, siting and style of the building reflects the aspirations for high quality design in national, regional and local policy and is acceptable in this circumstance. The physical impact of the building upon the amenities of surrounding properties is meanwhile considered to be acceptable.

Following engagement with the Environment Agency at pre application stage and the submission of a Flood Risk Assessment and a sequential site assessment, officers are satisfied that subject to conditions, the impact of the development on flood risks in the area are acceptable and capable of mitigation. The EA has raised no objection to the proposal, subject to such measures.

In balancing all of the above considerations, including policy considerations and the assessment of potential impacts and their mitigation, officers have reached a conclusion that the benefits of the development justify approval of planning permission. Subject therefore to the required S106 terms, which seek to mitigate and manage the potential adverse impacts of the development, and the attached conditions, the proposed development is now considered to be acceptable and approval is accordingly recommended.

CONDITIONS

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

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

2 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. There shall be no raising of ground levels across the site otherwise than in accordance with details to be submitted to and approved in writing by the local planning authority.

REASON: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to ensure that the works are carried out at suitable levels in relation to the highway and adjoining in line with PPS25 and in the interests of the amenity of neighbouring residents, the appearance of the development, gradient of access and future highway improvement.

3 The development hereby permitted shall not commence until full details/specifications or samples of the external finished materials to be used in the construction of the building, and associated external fixtures and fittings have been submitted to, and approved in writing by, the local planning authority. Unless otherwise agreed in writing, the development shall be carried out only in complete accordance with the approved details.

REASON: To ensure that the appearance of the building hereby approved reflects the design and quality thresholds set by national, regional and local planning polices outlined in this report.

4 Prior to any demolition taking place on-site, details of a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The demolition of the buildings and structures on the site shall be carried out in accordance with the approved Demolition Method Statement. The statement shall include details of facilities and methods to accommodate construction vehicles and deliveries during demolition and the construction of the building.

REASON: To safeguard the amenities of surrounding properties from the effects of demolition and safeguard the appearance of the locality.

5 Works [including demolition] shall not commence on-site until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects, based on the Department of Environmental Services' 'Code of Deconstruction and Construction Practice', has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in accordance with the approved details.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network.

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

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions.

7 The development of any buildings hereby permitted shall not be commenced until details of the works for the disposal of surface water, surface water attenuation and storage works to meet the requirements of the Flood Risk Assessment have been submitted to, and approved in writing by, the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS25.

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 including cycle parking racks and irrigation proposals which shall also 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.

9 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 first use of any part of the development. Any 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.

10 Before any superstructure works commence on site details of the brown roof shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) Biodiversity based with extensive substrate base (depth 60-160mm);
- b) plant selection comprising predominantly native species appropriate to and applicable for aspect and use to encourage biodiversity; and
- c) An agreed mix of species to be planted within the first planting season as agreed in writing by the local planning authority, following the practical completion of the building works.

The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the local planning authority. Evidence that the roof has been installed in accordance with sub-points a) to c) above shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

11 Prior to the beneficial occupation of any part of the 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 prior to first use of any part of the development. 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.

12 A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for the Green Wall shall be submitted to, and approved in writing by the local planning authority prior to the occupation of any part of the development. The Landscape Management Plan shall be fully implemented within 6 months of the completion of the green wall construction. The landscape maintenance schedule shall include details of the arrangements for its implementation and shall run from implementation of final planting continuing for the lifetime of the building. Maintenance shall be carried out in accordance with the approved schedule in writing by the Local Planning Authority.

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

13 The development hereby permitted shall not be occupied until a scheme for the storage and disposal of refuse / waste and vehicular access thereto has been implemented in accordance with details to be submitted to and approved in writing by the local planning authority.

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

14 The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 [10 minutes] during which plant is or may be in operation. Following installation but before any new plant comes into operation, measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.

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

15 Notwithstanding the provisions of S55 of the Town and Country Planning Act 1990 (as amended) there shall be no external lighting installed on or to illuminate the buildings on the site unless in accordance with a detailed lighting scheme to be submitted to and approved in writing by the local planning Authority.

REASON: To safeguard the amenities of adjoining properties.

16 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment [FRA] dated June 2010 Ref: 100611-NHCC by WSP Ltd and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 year critical storm with an allowance for climate change to the Greenfield run-off rate of 5 l/s as detailed in Section 8.1.11 of the FRA;
- Provision of a minimum of 75 cubic metres compensatory flood storage on the site as detailed in Section 8.1.21 of the FRA;
- Installation and operation of a water level sensor in the culvert on site to provide accurate warning when the culvert is nearing capacity as detailed in Section 8.1.31 of the FRA; and
- There shall be no ground raising in external areas or storage of materials or equipment in the land liable to flood as detailed within Section 8.1.24 and 8.1.26 of the FRA.

REASON: To prevent flooding by ensuring satisfactory storage of / disposal of surface water from the site. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To ensure satisfactory warning to enable safe access and egress from and to the site. To ensure that there will be no increase in risk of flooding to other land / properties due to impedance of flood flows and / or reduction of flood storage capacity.

17 Prior to first use of any part 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 2004, and Section 17 of the Crime & Disorder Act 1998.

18 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, no advertisements shall be erected / displayed on the Community Centre 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.

19 Prior to commencement of development, details of measures seeking to achieve 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 shall be submitted to and approved in writing by the local planning authority. The details as approved shall be implemented prior to first use of any part 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.

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

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

21 The development hereby permitted shall not be brought into use until the car parking, turning and loading area(s) and cycle parking facilities as approved have been constructed and where appropriate surfaced in permeable materials in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces and cycle parking facilities shall be permanently marked out/retained 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.

22 Prior to commencement of development, an internal bat roost survey must be conducted by a Natural England licensed bat worker, the findings of which shall be submitted to and approved in writing by the local planning authority.

REASON: There has been no recent survey and there is a possibility of bats now being resident on site, which are legally protected under the EC Habitats Directive and in UK legislation by the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended) and by the Wildlife and Countryside Act (1981) (as amended).

23 During construction works on-site, a Watching Brief for bats shall be conducted by a Natural England Licensed bat worker, details which shall be submitted to and approved in writing by the local planning authority. Should bats be found on-site, all works shall cease and not commence again until such details to include measures for the protection of bats are submitted to and approved in writing by the local planning authority.

REASON: There is a possibility that bats, which are legally protected under the EC Habitats Directive and in UK legislation by the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended) and by the Wildlife and Countryside Act (1981) (as amended), may be discovered/become established during any onsite works.

24 Prior to commencement of any works on-site including demolition, details of any proposed culvert repairs and maintenance shall be submitted to and approved in writing by the local planning authority, including consultation with and approval by the Environment Agency. Such details / repairs of the culvert hereby permitted shall be carried out prior to commencement of development and the culvert maintained for the lifetime of the development.

REASON: To prevent any risk of flooding to the satisfaction of the Environment Agency.

25 Notwithstanding the information shown on the submitted plans, details for the provision of disabled WCs shall be submitted to and approved in writing by the local planning authority prior to commencement of development. Such details should aim to accord with disabled WC provision as set out by BS:6465-1:2006 'Sanitary Installations, Approved Document M of the Building Regulations and Access for Disabled People Design Guidance Note by Sport England. Such details as approved shall thereafter be permanently retained.

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

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

- 13209IB_9011_001; 13209IB_0030_001; 13209IB_0031_001; 13209IB_0032_001; 13209IB_0050_001; 13209IB_0080_001; 13209IB_0081_001; 13209IB_0100_001; 13209IB_0101_001;
- Design and Access Statement [20 July 2010] [Mangera Yvars Architects];
- Planning Statement [15 July 2010] [Howard J Green FRICS];
- Level Survey RG-07-736-01 [February 2007] [R G Surveys Limited];
- PPS25 Sequential Test Evidence Base [June 2010] [Iceni Projects Limited];
- PPS25 Flood Risk Assessment [June 2010] [WSP Development and Transportation];
- Flood Evacuation Plan [June 2010] [WSP Development and Transportation];
- Sustainability & Environmental Planning Report [12 July 2010] [ZEF Sustainability Consultants];
- Tree Survey and Arboricultural Implication Assessment [June 2010] [Hayden's Arboricultural Consultants];
- Public Consultation Statement [June 2010] [PPS [Local & Regional] Limited 2009];
- Compliance with Previous Planning Refusal Version 1 [July 2010] [Mentor Milestones Limited];
- Transport Assessment Version 3 [July 2010] [Mentor Milestones Limited];
- Green Travel Plan [Pre-Construction] Version 4 [September 2010] [Mentor Milestones Limited];
- Culvert Replacement and Method Statement [18 June 2010] [Quensh Consultancy Limited];
- Noise Impact Assessment [July 2010] [Equus Partnership Limited];
- Ground Investigation Report [September 2007] [Soiltechnics Limited];
- Classification of Waste Soils for Off Site Disposal [October 2007] [Soiltechnics Limited];
- Extended Phase 1 Habitat Survey [July 2008] [Middlemarch Environmental Limited]; and
- Culvert Inspection / Maintenance Manual [September 2007] [Up and Under Limited].

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

INFORMATIVES

1 The decision to grant planning 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:

The London Plan [2008]:

2A.9 The Suburbs: supporting sustainable communities
3A.3 Maximising the potential of sites
3A.17 Addressing the needs of London's diverse population
3A.18 Protection and enhancement of social infrastructure and community facilities
3A.19 The voluntary and the community sector
3A.26 Community strategies
3C.23 Parking strategy
4A.1 Tackling climate change
4A.2 Mitigating climate change
4A.3 Sustainable design and construction
4A.4 Energy assessment
4A.7 Renewable energy
4A.11 Living roofs and walls
4A.12 Flooding
4A.13 Flood risk management
4A.14 Sustainable drainage
4A.16 Water supplies and resources
4A.21 Waste strategic policy and targets
4B.1 Design principles of a compact city
4B.2 Promoting world class architecture and design
4B.5 Creating an inclusive environment
6A.4 Priorities in planning obligations
6A.5 Planning obligations

London Borough of Harrow Unitary Development Plan [2004]:

S1 The Form of Development and Pattern of Land Use
SEM2 Hierarchy of Town Centres
EM5 New Large Scale Retail and Leisure and other Development
EP11 Development within Floodplains
EP15 Water Conservation
EP16 Waste management, disposal and recycling facilities
EP20 Use of previously-developed land
EP25 Noise
EP26 Habitat Creation and Enhancement
EP28 Conserving and Enhancing Biodiversity
D4 The standard of design and layout
D10 Trees and New Development
H11 Presumption Against the Loss of Residential Land and Buildings
T6 The Transport Impact of Development Proposals
T13 Parking Standards
C2 Provision of Social and Community Facilities
C10 Community buildings and places of worship
C11 Ethnic Communities

C16 Access to Buildings and Public Spaces

C17 Access to Leisure, Recreation, Community and Retail Facilities

R13 Leisure Facilities

2 A wheel-wash facility shall be provided for the duration of the works to ensure levels of soil on roadways near the site are minimised.

3 The applicant should contact Thames Water Utilities Limited 0845 850 2777 and Harrow Drainage Section at the earliest opportunity on 020 8424 1586.

4 The applicant should contact Harrow Drainage Section at the earliest opportunity on 020 8424 1586 for allowable discharge rates and to ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in PPS25 & PPS25 Practice Guide.

5 The applicant's attention is drawn to the requirements in the 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.

6 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

7 **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.
- 13209IB_9011_001;
 - 13209IB_0030_001;
 - 13209IB_0031_001;
 - 13209IB_0032_001;
 - 13209IB_0050_001;
 - 13209IB_0080_001;
 - 13209IB_0081_001;
 - 13209IB_0100_001; and
 - 13209IB_0101_001.
-
- Design and Access Statement [20 July 2010] [Mangera Yvars Architects];
 - Planning Statement [15 July 2010] [Howard J Green FRICS];
 - Level Survey RG-07-736-01 [February 2007] [R G Surveys Limited];
 - PPS25 Sequential Test Evidence Base [June 2010] [Iceni Projects Limited];
 - PPS25 Flood Risk Assessment [June 2010] [WSP Development and Transportation];
 - Flood Evacuation Plan [June 2010] [WSP Development and Transportation];
 - Sustainability & Environmental Planning Report [12 July 2010] [ZEF Sustainability Consultants];
 - Tree Survey and Arboricultural Implication Assessment [June 2010] [Hayden's Arboricultural Consultants];
 - Public Consultation Statement [June 2010] [PPS [Local & Regional] Limited 2009];
 - Compliance with Previous Planning Refusal Version 1 [July 2010] [Mentor Milestones Limited];
 - Transport Assessment Version 3 [July 2010] [Mentor Milestones Limited];
 - Green Travel Plan [Pre-Construction] Version 4 [September 2010] [Mentor Milestones Limited];
 - Culvert Replacement and Method Statement [18 June 2010] [Quensh Consultancy Limited];
 - Noise Impact Assessment [July 2010] [Equus Partnership Limited];
 - Ground Investigation Report [September 2007] [Soiltechnics Limited];
 - Classification of Waste Soils for Off Site Disposal [October 2007] [Soiltechnics Limited];
 - Extended Phase 1 Habitat Survey [July 2008] [Middlemarch Environmental Limited]; and
 - Culvert Inspection / Maintenance Manual [September 2007] [Up and Under Limited].

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item: 2/01

HARROW ARTS CENTRE, UXBRIDGE P/2076/10/GL
ROAD, HATCH END, HA5 4EA

Ward HATCH END

NEW SINGLE STOREY MODULAR BUILDING TO REPLACE EXISTING GREENHILL BUILDING

Applicant: Harrow Council
Agent: Paul Moschini
Case Officer: Gerard Livett
Statutory Expiry Date: | 06-OCT-2010

RECOMMENDATION

GRANT planning 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 a modern building that would assist in the functioning of the Harrow Arts Centre as a community resource and would improve the setting of the nearby Listed Building when compared to the existing building the proposal would replace, and having regard to the policies and proposals of the London Plan 2008 and the saved policies of the Harrow Unitary Development Plan set out below, and to all relevant material considerations including comments received in response to publicity and consultation, as outlined in the application report:

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 5 – Planning for the Historic Environment

London Plan:

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 – Residential Amenity
D11 – Listed Buildings
T6 – The Transport Impact of Development Proposals
R11 – Protecting Arts, Culture, Entertainment and Leisure Facilities
C17 – Access to Leisure, Recreation, Community and Retail Facilities

Supplementary Planning Document, Access for All (2006)

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

- 1) Character and Appearance of the Area; Listed Buildings (PPS1, PPS5, 4B.1, 4B.8, D4, D11)
- 2) Cultural Facilities (R11, C17, SPD)
- 3) Residential Amenity, Traffic and Highway Safety (D5, T6)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is referred to the Planning Committee as the site is owned by Harrow Council and the floorspace proposed is over 100m².

a) Summary

Statutory Return Type: Minor Development, all other
Listed Building: Within Curtilage of Grade II Listed Building
Council Interest: Council owned site

b) Site Description

- The application site is a timber-framed modular building within the Harrow Arts Centre complex
- The Greenhill Building is located to the rear of the Rayner's Building and a new brick-clad modular building
- The existing building is 7.6m wide, 17.3m long and 3.3m high and is in a poor state of disrepair
- The main building on the site, the B. G. Elliot Hall, is a Grade II Listed Building. However, as the existing structure was not on the site when the Elliot Hall was included in the List of Buildings of Special Historic or Architectural Merit, the Greenhill building is not Curtilage Listed

c) Proposal Details

- The proposal is for the removal of the existing building and its replacement with a modular building
- The replacement modular building would be 8.8m wide, 15m long and with a shallow pitched roof with a maximum height of 3.3m
- The replacement building would have an access ramp (maximum slope 1:21) at the rear, stepped entrances at either end and two rainwater attenuation tanks

d) Relevant History

None specific to this part of the site, but note:

P/0918/09	Demolition of existing storage shed and erection of new brick clad modular building to provide multipurpose community learning and events facility	GRANTED 24-JUL-09
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e) Pre-Application Discussion

- None

f) Applicant Statement

- Existing building is of no historic value and does not match nearby buildings
- Modular building was originally used at Whitmore High School, and this proposal would allow for the reuse of that building
- Level access would be provided
- Rainwater attenuation would be provided

g) Consultations

Hatch End Association: No response received

Design and Conservation Officer: This would preserve the appearance of the statutorily Listed Elliot Hall

Highways Engineer: No objection

Advertisement Setting of a Listed Building Expiry: 23-SEP-10

Notifications:

Sent : 14 Replies : 0 Expiry: 09-SEP-10

Neighbours consulted:

151, 153a, 155, 157, 159, 163, 167, 169, 171, 173, 179, 299 Uxbridge Road

Hatch End Swimming Pool

Summary of Responses:

- N/A

APPRAISAL

1) Character and Appearance of the Area; Listed Buildings

Policy D11 of the UDP states that the Council will ensure the protection of the Borough's stock of Listed Buildings by, inter alia, only permitting developments within the curtilage of Listed Buildings, or adjoining buildings, that do not detrimentally affect their setting.

The principle of the demolition and replacement of the existing storage building is considered acceptable, and no objection is raised to the size, scale and use of the modular building that would be put in its place.

The roof height would match that of the building it would replace and of nearby buildings and is considered appropriate in this site.

Although the building is within the curtilage of the Grade II Listed Elliot Building within the Harrow Arts Centre complex, its location to the rear of other buildings means that, it would be largely shielded from the main views of Elliot Hall and the surrounding buildings from the car park.

The proposed materials for the building, which are of a grey stone chip aggregate panels, are considered to be an improvement on the structure it would replace. Furthermore, these materials suggest that the building would be more durable in the long term than the existing one. This indicates that the building would be easier to maintain and would preserve the setting of the Listed Building in the longer term.

2) Cultural Facilities

The proposal would improve the usable space in the Harrow Arts Complex, and would provide cultural and community facilities and would be in accordance with saved policy R11 of the Harrow UDP.

Additionally, the replacement building would be fully accessible, and would therefore comply with saved policy C17 of the Harrow UDP on access to public buildings.

3) Residential Amenity, Traffic and Highway Safety

The proposed modular building would be located in the interior of a substantial site that is currently in use for cultural and leisure purposes. The nearest residential facades are approximately 85m away on the other side of Uxbridge Road.

It is considered that, in light of this separation, and the nature of the site, the proposal would have no impact on residential amenities.

As the proposal is for a replacement building, the proposal would not generate any additional traffic movements, and would not have any detrimental effects on highway safety.

4) S17 Crime & Disorder Act

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

5) Consultation Responses

N/A

CONCLUSION

The proposal would provide a modern building that would assist in the functioning of the Harrow Arts Centre as a community resource and would improve the setting of the nearby Listed Building when compared to the existing building.

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 be carried out in accordance with the following approved plans and documents:

“TER6035/1 Rev C; TER6035/2 Rev D; TER6035/4; TER6035/6; Design and Access Statement”

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:

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 5 – Planning for the Historic Environment

London Plan:

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 – Residential Amenity
D11 – Listed Buildings
T6 – The Transport Impact of Development Proposals
R11 – Protecting Arts, Culture, Entertainment and Leisure Facilities
C17 – Access to Leisure, Recreation, Community and Retail Facilities

Supplementary Planning Document, Access for All (2006)

2 INFORMATIVE

CONSIDERATE CONTRACTORS' CODE OF CONDUCT

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

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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Textphone: 0870 1207 405

E-mail: communities@twoten.com

Item 2/01 : P/2076/10/GL/C continued/...

Plan Nos: TER6035/1 Rev C; TER6035/2 Rev D; TER6035/4; TER6035/6; Design and Access Statement

54 RICHMOND GARDENS, HARROW, HA3 6AJ

Item: 2/02

P/1819/10/GL

Ward HARROW WEALD

SINGLE STOREY REAR EXTENSION

Applicant: Mr Ramesh Parmar

Agent: Mr Ashou Parmar

Case Officer: Gerard Livett

Statutory Expiry Date: 16-SEP-10

RECOMMENDATION

GRANT planning 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 a typical form of householder extension to a dwellinghouse that would have no detrimental impact on the character or appearance of the area and would have no detrimental impact on the residential amenities of neighbouring occupiers, and having regard to the policies and proposals of the London Plan 2008 and the saved policies of the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – Residential Amenity

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

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

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

INFORMATION

This application is referred to the Planning Committee as the applicant's spouse is employed by Harrow Council.

a) Summary

Statutory Return Type: Householder Development

Council Interest: None

b) Site Description

- The property is a single-storey semi-detached dwellinghouse with accommodation in the roofspace on the west side of Richmond Gardens
- The dwellinghouse has been extended with a single-storey side garage, a 2.7m deep single-storey rear conservatory extension and a rear dormer window
- The neighbouring attached dwellinghouse to the north, No. 52 Richmond Gardens, has a 2.7m deep single-storey conservatory extension
- The neighbouring unattached dwellinghouse to the south, No. 56 Richmond Gardens, has a single-storey side extension
- Richmond Gardens is a cul-de-sac that is characterised by single-storey semi-detached dwellinghouses, many of which have been extended with side, rear and roof extensions

c) Proposal Details

- The proposal is for the demolition of the existing conservatory and the construction of a single-storey rear extension
- The extension would be 3m deep and would extend across the whole width of the dwellinghouse, including the side extension
- The extension would have a flat roof and would have a maximum height of 3m.

d) Relevant History

HAR/5362	Erection of garage	GRANTED 14-AUG-51
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e) Pre-Application Discussion

None

f) Applicant Statement

- None

g) Consultations

Notifications:

Sent : 3 Replies : 0

Expiry: 19-AUG-10

Neighbours consulted:

52, 56 Richmond Gardens

Wilsmere House, Wilsmere Drive

Summary of Responses:

- N/A

APPRAISAL

1) Character and Appearance of the Area

Policy 4B.1 of the London Plan, and saved policy D4 of the Harrow Unitary Development Plan require that new development proposals should respect the scale and character of the area, and require the Council to ensure that all development proposals achieve a high standard of design and layout, taking into consideration, amongst other things, site and setting, and context, scale and character.

New development should have regard to the character and landscape of the locality, and buildings should complement the wider area, and should respect the scale and character of the surrounding area.

The proposed single-storey rear extension would be a typical form of householder extension that would not be visible from the public realm.

For a semi-detached dwellinghouse such as this, the Council's adopted Supplementary Planning Guidance on householder extensions (SPG) would normally permit a single-storey rear extension with a rearward projection of up to three metres from the original rear wall of the neighbouring property and with a maximum roof height of 3m.

In this case, the proposal would comply with the requirements of the SPG and, subject to suitable materials being used for the external surfaces, would not be detrimental to the character and appearance of the area.

2) Residential Amenity

In terms of the residential amenities of neighbouring occupiers, both neighbouring properties would be directly affected by the proposal.

The neighbouring property to the north, No. 52 Richmond Gardens, has a similar single-storey rear extension, and no additional overshadowing or loss of light would occur to that property.

The neighbouring property to the south, No. 56 Richmond Gardens, has a similar side garage and the main dwellinghouse is set away from the boundary. It is therefore considered that no overshadowing or loss of light would occur to that property.

The glazing in the rear elevation of the proposed extension would not cause additional overlooking of neighbouring properties.

Notwithstanding this, any new window in the flank wall of the proposed extension could result in perceived overlooking of the neighbouring property. Therefore, an operational condition has been attached preventing the insertion of flank windows in the extension.

The use of the flat roof as a balcony or roof terrace could result in significant overlooking of neighbouring properties and gardens. Therefore, a further condition has been attached preventing the use of the flat roof as a balcony or roof terrace.

3) S17 Crime & Disorder Act

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

4) Consultation Responses

N/A

CONCLUSION

The proposal would provide a typical form of householder extension to a dwellinghouse that would have no detrimental impact on the character or appearance of the area and would have no detrimental impact on 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, 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 extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

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

“RICH 01A; RICH 02 (Site Plan only); RICH 02A; RICH 03A”

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

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

REASON: To safeguard the amenity of neighbouring residents, as required by saved policy D5 of the Harrow Unitary Development Plan.

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 windows or doors shall be installed in the flank walls of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents as required by saved policies D4 and D5 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 INFORMATIVE

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – Residential Amenity

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

2 INFORMATIVE

CONSIDERATE CONTRACTORS' CODE OF CONDUCT

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

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

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

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

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Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

Plan Nos: RICH 01A; RICH 02 (Site Plan only); RICH 02A; RICH 03A

**LAND ADJACENT TO 29 SUMMIT CLOSE, P/1146/10/OS
EDGWARE, HA8 6EJ**

Ward EDGWARE

DEMOLITION OF 2 BLOCKS OF LOCK UP GARAGES; REDEVELOPMENT TO PROVIDE THREE DETACHED SINGLE STOREY HOUSES WITH PARKING (REVISED)

Applicant: Mr C. Criscuolo
Agent: Carlo Criscuolo
Case Officer Olive Slattery
Statutory Expiry Date: | 12-JUL-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 policies and proposals in The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy encouraging more efficient use of land for housing, as well as to all relevant material considerations including any comments received in response to publicity and consultation. The proposed development is considered to be consistent with the character and appearance of the area, would not adversely affect the amenities of neighbouring occupiers and would not give rise to security issues.

National Planning Policy

PPS 1: Delivering Sustainable Development (2005)

PPS 3: Housing (2010)

The London Plan

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

3A.2 - Borough Housing Targets

3A.3 – Maximising the Potential Use of Sites

3A.4 - Efficient Use of Stock

3A.5 - Housing choice

3A.6 – Quality of New Housing Provision

4B.1 - Design Principles for a Compact City

4B.5 – Creating an Inclusive Environment

4B.6 – Safety, Security and Fire Prevention and Protection

London Housing Design Guide: Interim Edition (2010)

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

S1 – The Form of Development and Pattern of Land Use

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

EP20 – Use of Previously-Developed Land

EP21 – Vacant and Disused Land and Buildings
T6 – The Transport Impact of Development Proposals
T13 – Parking Standards

Supplementary Planning Guidance - Extensions: A Householder Guide (2008)
Supplementary Planning Document – Access For All (2006)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)
Supplementary Planning Guidance: Designing New Development (2003)

MAIN CONSIDERATIONS AND POLICIES (National Planning Policy, The London Plan 2008, Saved policies of the London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Development (PPS1, PPS3, 3A.1, 3A.2, 3A.3, 3A.5, EP20)
- 2) Character and Appearance of the Area (4B.1, D4, D9, SPG - Extensions)
- 3) Residential Amenity (D5, SPG - Extensions)
- 4) Traffic and Parking (T6, T13)
- 5) Accessibility (3A.5, C16, SPD – Access)
- 6) S17 Crime & Disorder Act (4B.1, 4B.6, D4, SPG – Design)
- 7) Consultation Responses

INFORMATION

This application is reported to Committee as the development is for three dwellinghouses.

a) Summary

Statutory Return Type: E(13) – Minor Dwellings
Council Interest: None

b) Site Description

- The subject planning application applies to an irregular shaped site located at the north-western corner of Summit Close.
- The residential dwellings within Summit Close were developed in 1959 when a proposal for 9 x 2 storey blocks of 4 maisonettes (36 dwellings in total) was approved. As part of the overall development 24 single garages were constructed at the north-eastern and north-western ends of Summit Close for the use of the residents of the dwellings.
- The application site consists of land in the north-western corner of Summit Close that currently accommodates 18 single storey, adjoining garages, and an adjacent wedge of land to the north that is covered with scattered vegetation.
- The land falls gently from the south to the north of the site.
- The existing garages are not currently in use and are in a poor state of repair.
- Access to these garages is prevented by temporary fencing.
- A public footpath, connecting Summit Close to Methuen Close (north-west of the site), runs along the eastern boundary of the application site.

- A 2m high corrugated iron fence separates the public footpath from Edgware Town Football Club which is to the east of the application site.
- The western boundary of the site is shared with the boundaries of the rear gardens of properties along Milford Gardens and Methuen Close.

c) Proposal Details

- It is proposed to construct three single-storey detached dwellinghouses on the application site.
- In order to carry out the proposed development, demolition of the existing garages is required.
- Each of the proposed dwellinghouses would be 6.6 m in depth and 15.2 m in width. The northern-most dwelling would feature a slightly chamfered north-western corner.
- Each of the proposed dwellinghouses would feature a raised monopitch roof with a maximum height of 5.4 m, beyond which a flat roof (3.5 m) would extend.
- Each of the proposed dwellings would feature three bedrooms, a kitchen/living room, a bathroom, an en-suite and a utility room.
- The front elevations of the proposed dwellings would face towards the existing public footpath to the east of the application site.
- The proposed private amenity space for Unit 1, 2 and 3 would occupy an area of approximately 88 m², 120 m² and 100 m² respectively
- Timber fences are proposed between the properties (fronting the pedestrian path). These fences would feature access gates to provide access to the rear gardens of the properties.
- A communal area of hardstanding and soft landscaping is proposed at the southern part of the site where four on-site parking spaces and an enclosure for refuse storage are proposed.

d) Relevant History

P/794/05/CFU Redevelopment: construction of terrace of 5 x
2 storey houses (revised)

REFUSED:
11-MAY-05

DISMISSED ON
APPEAL

Reasons for Refusal:

1. The proposed development, by reason of excessive number of units, site coverage by building and hard surfacing, a lack of space around the building and associated disturbance and general activity, would be an over-intensive use and amount to overdevelopment of the site to the detriment of neighbouring residents and the character of the area.

2. 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).

3. The proposed development, by reason of excessive size, bulk and unsatisfactory design, would be visually obtrusive and overbearing, would be out of character with neighbouring properties and would not respect the scale and massing of those properties to the detriment of the visual amenities of the neighbouring residents and the character of the locality.

P/2035/06	Demolition of 2 blocks of lock up garages and re-development to provide 3 detached single storey houses with parking	ALLOWED ON APPEAL 14-DEC-07 FOLLOWING NON- DETERMINATION
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- The applicant appealed to the Planning Inspectorate against non-determination.
- The Council's subsequent statement to the Planning Inspectorate stated that had an appeal not been lodged, planning permission would have been refused for the following reasons:
 1. The proposed houses, by reason of excessive site coverage, unsatisfactory siting, poor aspect/outlook and lack of satisfactory and adequate amenity space would give rise to an unacceptable and cramped form of development which would provide poor/unsatisfactory living conditions to the detriment of the character and appearance of the area and the amenities of future occupiers of the proposed development, contrary to policies SD1, SH1, D4 and D5 of the Harrow Unitary Development Plan (2004).
 2. The proposed development, by reason of inappropriate design and layout, would not meet Secured by Design or Lifetime Homes standards, contrary to policies SD1, D4 and H18 of the Harrow Unitary Development Plan (2004) and the Supplementary Planning Documents 'Accessible Homes' (2006) and 'Access for All' (2006).
- The appeal was subsequently allowed, subject to a number of conditions. In determining the appeal, the Inspector concluded:
 - The development would not appear overbearing to pedestrians (using the footpath) because of its limited height and elevations which are broken up in design terms and contain a number of windows.
 - There would be an adequate amount of garden space around the houses and the proposed layout and site coverage would sufficiently reflect the spaciousness of its locality.
 - The development would improve the character and appearance of the surrounding area.
 - The proposed development would contribute to housing choice by providing a type of home not currently available in the area. It would also secure the re-use of underused previously development land.
 - A number of windows would face onto the footpath and the additional lighting that would be brought into this area would contribute to the surveillance of the footpath and the general safety of the surrounding area.

- Whilst the outlook onto the footpath and its boundaries is not attractive, the proposal achieves an appropriate balance between the needs of future occupiers and safety, both real and perceived, of the residents in the area wishing to use the footpath, who would be subject to passive surveillance.
- The proposed development would provide accommodation to a high degree of accessibility which is desirable in single storey housing.

e) Revisions to previously allowed scheme, P/2035/06 (appeal reference APP/M5450/A/07/2045563):

- The dwellings under consideration would follow similar design principles to that of the dwellings previously allowed on appeal. Minor elevational changes are however proposed.
- The siting of the proposed dwellings has been revised. Compared to the previously allowed scheme, there would be a greater separation distance between the proposed dwellings and the existing footpath.
- The internal layout of the proposed dwellings has been revised.
- A similar number of parking spaces are proposed under the current scheme. However, additional soft landscaping is proposed in the southern part of the site and between the front elevations of the proposed dwellings and the footpath.

f) Pre-Application Discussion

- None

g) Applicant Statement

- Design and Access Statement submitted
- The Buildings are located in approximately the same location as previously approved, their repositioning being necessary due to the location of the foul and surface water sewers.
- The layout is in the form of detached units with living rooms having dual aspect and all bedrooms facing the private rear gardens
- Three distinctive single storey, family dwellings are proposed.
- The majority of the site is hard paved. The subject proposal will reduce this and existing mature planting where possible will be retained.
- The proposed dwellings will be timber clad with panels of glass to suit the internal layout
- The proposed layout provides enhanced security with overlooking onto the improved public footpath and new carpark
- The footpath will have the benefit of improved lighting
- The units have been designed to accommodate wheelchair users and the provision of all services will be to Lifetime Homes Standards.

h) Consultations:

Waste Management Policy Officer - No objections to the proposal

Landscape Architect - No objections to the proposal

Highway Engineer – No objections to the proposal

Drainage Engineer - No objections, subject to conditions

Environment Agency - The proposed development is outside of flood zone 2 and 3 – accordingly no objections are raised.

Thames Water - No objections, subject to conditions

Notifications:

Sent: 71

Replies: 4

Expiry: 10-JUN-10

Neighbours Consulted:

Milford gardens: 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20

Methuen Close: 21, 22, 23, 24, 25, 26, 27, 28

Summit Close: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 36, 38, 40, 42, 44

Portland Crescent: 1, 2, 3, 4, 5, 6

Edgware Town Football Club

Garages at rear of 23 Summit Close

Garages at rear of 44 Summit Close

Open space at rear of Football ground

Tennis Courts adjacent to Football ground

Summary of Response:

- Access to the site from Summit Close is inadequate
- It would be better to have this area for garages, parking or open space
- Parking;
 - The proposal will reduce the number of parking spaces available on the road
 - The proposal will exacerbate the shortage of parking spaces in Summit Close
 - Insufficient parking spaces for three 3-bedroom houses
- The smell from the bin enclosure would be unbearable as it would be adjacent to the garden of No. 23
- No access for emergency vehicles to units 1 and 2

APPRAISAL

The appeal decision relating to the previous scheme for 3 dwellinghouses (ref APP/M5450/A/07/2045563) is a material consideration in the assessment of this current proposal.

As per section (e) above, the primary difference between this and the previously allowed appeal is the re-siting of the proposed dwellings. This is necessary due to the location of the foul and surface water sewers in the application site. Compared to the previously allowed scheme, there would be a greater separation distance between the proposed dwellings and the existing footpath. This revised layout would therefore serve to accommodate drainage considerations and reduce the impact of the proposed dwellinghouses in relation to the existing footpath.

The internal layout of the proposed dwellings has been revised under the current proposal. As detailed in section (3) of the below appraisal, the room sizes of the proposed dwellinghouses would comply with the recommended room sizes of the London Housing Design Guide: Interim Edition (2010). This would represent an overall improvement to the layout of the scheme approved on appeal.

Further to this, additional soft landscaping is proposed in the southern part of the site and between the front elevations of the proposed dwellings and the footpath. This would be an improvement to the previously allowed scheme as it would reduce the overall impact of the proposed development and would assist in the integration of this proposed development into the site.

1) Principle of Development

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. Policy 3A.5 of the London Plan encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing.

PPS3 states that 'The priority for development should be previously developed land, in particular vacant and derelict sites and buildings'. Further to this, 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 and any associated fixed surface infrastructure.' Saved policy EP20 states that 'The Council will seek to secure all new build development to take place on previously-developed land, with the exception of ancillary development necessary to support appropriate open space, metropolitan open land and green belt uses'. As the site currently accommodates 18 single-storey garages, it is therefore previously developed land for the purposes of PPS3. Housing development is therefore considered appropriate in principle. The principle of a development has been established with the decision by The Planning Inspectorate to allow 3 detached single storey houses with parking on the site.

Accordingly, the redevelopment of this site for residential purposes is consistent with the London Plan Policies 3A.1 and 3A.5, PPS3 and saved policy EP20, as it proposes the redevelopment of the site while providing an increase in overall residential units in the Borough. Consideration needs to be given to the accessibility of the site to services and amenities and the policies of the London Plan (2008) and the HUDP (2004).

2) Character and Appearance of the Area

Policy 4B.1 of the London Plan 2004 seeks to ensure that developments should promote high quality inclusive design and create or enhance the public realm. Saved Policy D4 of the HUDP (2004) paragraph 4.10 states that "Buildings should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces".

Summit Close predominantly consists of two storey pitched roof blocks, each of which accommodates 4 maisonette flats. A more recent development approved in 2003 and constructed soon thereafter, encompassed 3 pairs of 2 storey semi-detached houses (6 dwellings), located at the entrance of Summit Close. The adjacent street Milford Gardens (backing onto the subject site) accommodates 2 storey semi-detached dwellings. Accordingly the predominant characteristic of the locality is of detached/semi-detached residential blocks.

It is acknowledged that the design of the proposed dwellings would be different to the established character of the neighbouring dwellings. However, it is considered that, due to the unique location of the application site at the very end of the cul-de-sac, abutting the rear gardens of residential properties, the site lends itself to take on a different type of development in place of replicating the existing pattern of development. The proposed development would be in accordance with the objectives set out under saved policy D4 of the Harrow UDP which seeks to ensure that all new developments achieve a 'sense of place' by either complementing the existing building form or by providing a distinct character of its own (Paragraph 4.10). It is considered that the most appropriate scale of residential redevelopment on this particular site is single storey.

In recommending the previous application for refusal, the Council considered that the proposed development by reason of excessive site coverage and unsatisfactory siting would give rise to an unacceptable and cramped form of development. In determining the appeal, the Inspector stated that 'Although the development would be close to the back of the footpath, I do not consider that the development would appear overbearing to pedestrians because of its limited height and elevations which are broken up in design terms and contain a series of windows'.

Although minor changes are proposed, the dwellings under consideration would follow similar design principles to that of the dwellings previously allowed on appeal. Compared to the previously allowed scheme, there would be a greater separation distance between the proposed dwellings and the existing footpath. Accordingly, no objection in relation to the proposed siting of the dwellings in relation to the existing footpath is raised.

Further to this, and having regard to the constrained nature of the site, it was considered that the proposed open space at the front of unit 1 'would be significantly more attractive than the run-down appearance of the existing garage block and hard standing'. The Inspector concluded that 'the proposed layout and site coverage would reflect the spaciousness of its locality.....the development would improve the character and appearance of the surrounding area'. Given this conclusion and the fact that the current proposal is similar in terms of design, size, scale, siting and number of proposed dwellings, an objection to the proposed site coverage, design or siting of the proposed dwellings could not reasonably be sustained.

Saved Policy D4 of the HUDP (2004) paragraph 4.22 states that '*Landscaping should be considered as part of the overall design of a site....Replacement planting will be required as needed*'. The majority of the application site is hard-paved. There are a number of semi-mature trees and a large mature oak tree on the application site. Similar to the previously allowed scheme, it is proposed to remove several of the semi-mature trees in order to construct the proposed dwellinghouses. However, soft landscaping is proposed in the communal area of hardstanding at the southern part of the site and between the front elevations of the proposed dwellings and the footpath.

This would be an improvement to the previously allowed scheme as it would reduce the overall impact of the proposed development and would assist in the integration of this proposed development into the site. It is therefore considered that subject to a condition requiring a detailed landscaping plan for the entire site, to include replacement trees, the proposed development would meet the objectives set out under saved policies D4 and D9 of the Harrow UDP. A condition is also suggested requiring the submission and implementation of a tree protection plan for the existing oak tree through the duration of construction.

Paragraph 4.24 of saved Policy D4 of the HUDP (2004) states that bin and refuse storage must be provided "in such a way to minimise its visual impact, while providing a secure and convenient facility for occupiers and collection". A bin enclosure is proposed towards the south-western site corner in which it is proposed to store refuse bins and recycling bins for the proposed three dwellinghouses. It is considered that the proposed siting of the refuse storage would be acceptable as the proposed enclosure would be largely concealed from the street. It is also considered that the bins would be sited an acceptable distance from the dwellinghouse so as not to inconvenience future occupiers of the when depositing rubbish. Conditions are suggested requiring the bins to be stored in this area, except on collection days and requiring the approval of materials for the proposed bin enclosure. It is therefore considered that the proposed bin enclosure would be compliant with saved policy D4 of the HUDP (2004). The subject planning application was referred to the Waste Management Policy Officer who has advised that there are no objections to the subject proposal.

3) Residential Amenity

- Impact on neighbouring dwellings:

The proposed dwellinghouses would be single storey in form. Each of the proposed dwellinghouses would feature a raised monopitch roof with a maximum height of 5.4 m. However, the flat roof profiles of the proposed dwellings would have a height of 3.5 m. Having particular regard to the single storey form and the design of the proposed dwellings, it is considered that no undue impact, in terms of overshadowing, overlooking or loss of outlook would result for the occupiers of neighbouring dwellings.

- Outlook and Private Amenity Space

In recommending the previous application for refusal, the Council considered that the proposed development by reason of poor aspect/outlook and lack of satisfactory and adequate amenity space would give rise to an unacceptable and cramped form of development which would provide poor/unsatisfactory living conditions to the detriment of the amenities of future occupiers.

Under the previously allowed scheme, the proposed kitchens and bedrooms faced onto the public footpath. In determining the appeal, the Inspector stated that 'whilst the outlook onto the footpath and its boundaries is not attractive, I consider that the proposal achieves an appropriate balance between the needs of future occupiers and the safety, both real and perceived, of residents in the area wishing to use this footpath who would be subject to passive surveillance'.

Under the current application, the proposed bedrooms would face towards the rear gardens, while the proposed kitchen/living room would have a dual aspect. Having particular regard to the Inspectors conclusions together with the revised internal layout, it is considered that this part of the proposal is acceptable.

Under this previous scheme, private amenity space of approximately 120 m², 93 m² and 175 m² was proposed for Unit 1, 2 and 3 respectively. In determining the subsequent appeal, the Inspector deemed that ‘the proposal would provide an adequate amount of garden space for future occupiers’. Under the current planning application, the proposed private amenity space for Units 1, 2 and 3 would occupy an area of approximately 88 m², 120 m² and 100 m² respectively. These proposed private amenity areas would be similar to those proposed under the previous application, particularly with respect to unit 1 and 2. Accordingly, and taking into account the appeal decision, it is considered that this aspect of the proposal would be acceptable.

- Room Size and Layout

When considering what is an appropriate standard of accommodation and quality of design the Council is mindful of the Housing Quality Indicators and the London Housing Design Guide: Interim Edition (2010).

The table below compares the room sizes of the proposed dwelling with the recommended room sizes of the London Housing Design Guide: Interim Edition (2010).

	Essential GIA (sq.m)	Bedroom	Kitchen/ Living
LHDG (2010)	3 b 4 p = 74 sq.m	12m ² =double 8m ² =single	4 p = 27m ²
Unit 1	87 sq.m	(1) 10 m ² (2) 8.7 m ² (3) 14.5 m ²	31 m ²
Unit 2	87 sq.m	(1) 8 m ² (2) 8.8 m ² (3) 17.5 m ²	32 m ²
Unit 3	87 sq.m	(1) 14 m ² (2) 8.8 m ² (3) 10 m ²	31 m ²

In relation to the above table, it is noted that the room sizes of the proposed dwellinghouses would comply with the recommended room sizes of the London Housing Design Guide: Interim Edition (2010) and the proposed layout and room sizes would be acceptable.

4) Traffic and Parking

Saved policies T6 and T13 of the HUDP state that the Council should have regard to the transport impact of development and whether a proposal is likely to create significant on-street parking problems and potential highway and traffic problems. Four car parking spaces are proposed in the south-western corner of the site. This would be similar to the previously allowed scheme and would be in accordance with Schedule 5 of the HUDP (2004). The Highways Engineer has advised that there are no objections to the proposed development on parking grounds.

5) Accessibility

Saved Policies D4 and C16 of the Harrow Unitary Development Plan and policy 3A.5 of the London Plan Consolidated with Alterations since 2004 (2008) seeks to ensure that all new housing is built to Lifetime Homes standard.

The proposed dwellings would be single storey in form and level access to the main entrance door is proposed. One proposed parking space of sufficient width and depth to provide for disabled users is proposed. External door widths and turning circles would be sufficient to accommodate wheelchair users. Accordingly, the proposed development would comply with the Council's SPD – Accessible Homes (2010), saved policy C16 of the Harrow Unitary Development Plan or policy 3A.5 of the London Plan Consolidated with Alterations since 2004 (2008). A condition is attached to ensure that the proposed dwellinghouse would be built to Lifetime Homes standards.

6) S17 Crime & Disorder Act

Saved 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 seek to ensure that developments should address security issues and provide safe and secure environments.

In recommending the previous application for refusal, the Council considered that the proposed development by reason of inappropriate design and layout would not meet Secured by Design standards.

The current proposal would have a similar design and layout to the previously allowed scheme. The Inspector, in allowing the previous appeal, did not agree with the Council's concerns about the security of the site. In determining this appeal, the Inspector stated that the 'number of windows, including additional habitable rooms, would face onto the footpath...this and additional lighting that would be brought into this area, would contribute to the surveillance of the footpath and the general safety of the surrounding area...The Residents in the area wishing to use this footpath would be subject to passive surveillance'.

The submitted Design and Access Statement advises that 'The proposed layout provides enhanced security with overlooking onto the improved public footpath and new carpark'. However, details of lighting levels and door and window security have not been submitted as part of the application.

A condition is recommended to request that these and other details relating to the security of the development are submitted before the occupation of the development. Having regard to the above, an objection in relation to security could not reasonably be sustained.

7) Consultation Responses

Access to the site from Summit Close is inadequate – The submitted plans show adequate vehicular and pedestrian access to the site. No objections have been raised by the Highways Engineer.

It would be better to have this area for garages, parking or open space – Discussed in Section 1 of the above report

Parking;

- The proposal will reduce the number of parking spaces available on the road
- The proposal will exacerbate the shortage of parking spaces in Summit Close
- Insufficient parking spaces for three 3-bedroom houses
 - Discussed in Section 4 of the above report

The smell from the bin enclosure would be unbearable as it would be adjacent to the garden of No. 23 – Environmental Health have raised no objections to the siting of the proposed refuse store.

No access for emergency vehicles to units 1 and 2 – the proposed area of hard standing at the southern end of the site would accommodate emergency vehicles.

CONCLUSION

For all the reasons considered above, the proposal is considered to comply with the relevant policies of The London Plan 2008 and saved policies of the Harrow Unitary Development Plan 2004. The development involves a similar scheme compared to that allowed on appeal, except for minor changes in building design and site layout, and would utilise previously developed land which is currently in disuse for the provision of housing. Taking into account the Inspectors conclusions in allowing the previous appeal, the proposed development is considered to be consistent with the character and appearance of the area, would not adversely affect the amenities of neighbouring occupiers and would not give rise to security issues. The proposal is therefore 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 development hereby permitted shall be carried out in accordance with the following approved plans and documents: Design and Access Statement, 01 Rev. B, 02 Rev. C, 03 Rev. C, 04 Rev. A, 05

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

3 Notwithstanding the details shown on the approved plans, 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 dwellings and refuse store

b: the ground surfacing

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, in accordance with saved UDP policy D4.

4 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority. The boundary treatment shall be completed before the buildings are occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality, in accordance with saved UDP policies D4 and D5.

5 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans including replacement trees, 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, in accordance with saved UDP policies D4 and D9.

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with saved UDP policies D4 and D9.

7 No demolition or site works in connection with the development hereby permitted shall commence before the boundary of the site is enclosed by a close boarded or other security 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, in accordance with saved UDP policy D5.

8 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, in accordance with saved UDP policy D4.

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 Homes' standard housing in accordance with London Plan policy 3A.5, saved UDP policy C16 and Supplementary Planning Document: Accessible Homes (2010).

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 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 development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption and in accordance with saved policy D4 of the HUDP and guidance in PPS 25 & PPS 25 Practice Guide.

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in PPS 25 & PPS 25 Practice Guide.

13 The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in PPS 25 & PPS 25 Practice Guide.

14 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.

15 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, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted 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 amenity space and to safeguard the amenity of neighbouring residents, in accordance with saved UDP policies D4, D5 and T13.

16 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.

17 The car parking spaces as approved shall be implemented prior to first occupation 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 in accordance with saved UDP policies T6 and T13.

INFORMATIVES:

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

The London Plan (2008)

3A.1 - Increasing London's Supply of Housing
3A.2 - Borough Housing Targets
3A.3 – Maximising the Potential Use of Sites
3A.4 - Efficient Use of Stock
3A.5 - Housing choice
3A.6 – Quality of New Housing Provision
4B.1 - Design Principles for a Compact City
4B.5 – Creating an Inclusive Environment
4B.6 – Safety, Security and Fire Prevention and Protection
London Housing Design Guide: Interim Edition (2010)

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

S1 – The Form of Development and Pattern of Land Use
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
EP20 – Use of Previously-Developed Land
EP21 – Vacant and Disused Land and Buildings
T6 – The Transport Impact of Development Proposals
T13 – Parking Standards

Supplementary Planning Guidance - Extensions: A Householder Guide (2008)

Supplementary Planning Document – Access For All (2006)

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

Supplementary Planning Guidance: Designing New Development (2003)

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

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

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

5 The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:198

6 All building materials shall be stored within the site.

7 The applicant should contact Thames Water Utilities Limited 0845 850 2777 and Harrow Drainage Section at the earliest opportunity on 020 8424 1586 for information relation to sewage works, the disposal of surface water and allowable discharge rates.

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

9 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. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

Plan Nos: Design and Access Statement, 01 Rev. B, 02 Rev. C, 03 Rev. C, 04 Rev. A, 05

ELLIOT HALL MEDICAL CENTRE, 167 UXBRIDGE ROAD, HATCH END, HA5 4EA

Ward HATCH END

MODIFY SECTION 106 AGREEMENT TO PLANNING PERMISSION WEST/756/97/FUL TO CHANGE THE OPENING AND CLOSING TIMES; NUMBERS OF VISITORS STAFF AND PATIENTS

Applicant: Dr Christopher Jenner

Case Officer: Gerard Livett

Statutory Expiry Date: 05-OCT-10

RECOMMENDATION

APPROVE modification of the section 106 Agreement which restricts the opening and closing times, numbers of visitors, staff and patients, subject to the applicant entering into a deed of variation with the following Heads of Terms;

That obligations 1, 2, 3 and 6 of The Second Schedule be deleted

Reason for Approval: - The decision to APPROVE the modification to the s106 agreement has been taken having regard to Government guidance contained within PPS1 and 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 including any comments received in response to publicity and consultation.

The Council is satisfied that removal of these obligations would enable Elliott Hall Medical Centre to provide suitable and more comprehensive medical services in the area and would accord with general government policy on the provision of primary health care

London Borough of Harrow Unitary Development Plan 2004

D4 – The Standard of Design and Layout

T6 – The Transport Impact of Development Proposals

C8 – Health Care and Social Services

MAIN CONSIDERATIONS AND POLICIES (The London Plan 2008 and the saved policies of the London Borough of Harrow Unitary Development Plan 2004)

- 1) **Health Care Provision, Transport Impacts, Residential Amenities (D4, T6, C8)**
- 2) **S17 Crime and Disorder Act (D4)**
- 3) **Consultation responses**

INFORMATION

This application is required to be determined by the Planning Committee as it falls outside the scheme of delegation.

a) Summary

Statutory Return Type: Minor Development, all other

Council Interest: Council owned freehold

b) Site Description

- The application site is a two-storey building with accommodation in the roofspace on the south side of Uxbridge Road
- The site is adjacent to the Harrow Arts Centre complex.

c) Background

- Planning permission LBH/F/41103 dated 17 January 1992 allowed for the construction of a single and two-storey building to provide a G.P. Surgery
- A Legal Agreement accompanying that planning permission granted a lease of 125 years at a peppercorn rent for the use of the building as a medical centre.
- A further planning permission, reference WEST/756/97/FUL, dated 19 February 1998 allowed for a first floor extension and new roof with additional accommodation within roofspace and single-storey rear extension to the Medical Centre.
- This second planning permission was accompanied by an Agreement under section 106 of the Town and Country Planning Act 1990
- The Agreement contains a number of obligations, including:
 - That the number of general practitioners qualified medical advisers and nursing staff seeing and consulting with patients within the surgery at any one time shall be limited to 8
 - That the number of non-medical ancillary staff attending the surgery in the course of their employment shall at any one time be limited to 13
 - That the total number of NHS or private patients eligible by virtue of registration to receive treatment within the surgery shall be limited at any one time to 12,000 patients
 - That the surgery shall only be open to patients visiting the surgery between the hours of 8am and 8pm on Mondays to Saturdays only except in the case of emergencies
- The proposed modification is to remove these restrictions to allow for better patient services to be provided by the surgery

d) Relevant History

LBH/41103	Two/Single storey building to provide G.P. Surgery	GRANTED 17-JAN-92
WEST/756/97/FUL	First floor extension and new roof with additional accommodation within roofspace and single-storey rear extension to the Medical Centre	GRANTED 23-FEB-98

e) Applicant Statement

- Health care provision has been transformed in the past ten years with a move to provide patient-centred care at local and convenient premises.
- Elliott Hall Medical Centre seeks to increase the range of services available to patients, including greater flexibility in opening times.
- Increased demand for patient services and proposed changes in GP commissioning indicate that more services could be provided within the centre, which would require more staff and the use of the upper floors for consultation

- Early morning and evening patient appointments would cater for changing needs of patients
- Parking restrictions in the vicinity assist in mitigating traffic impacts of the surgery
- The Local Primary Care Trust is seeing to reduce the number of GP surgeries, while maintain the total number of GPs. Elliott Hall Medical Centre is ably equipped to provide services to a larger list size and would accord with the government's commitment to abolish practice boundaries and allow patients free choice of where to register.

g) Consultations

Hatch End Association: No response received

Design and Conservation Officer: This would preserve the appearance of the statutorily Listed Elliot Hall

Advertisement Setting of a Listed Building Expiry: 07-OCT-10

Notifications:

Sent : 14 Replies : 0 Expiry: 28-SEP-10

Neighbours consulted:

132, 134, 136, 138, 140, 142, 155, 157, 159, 163, 167, 169, 171, 179 Uxbridge Road

Hatch End Arts Centre

Summary of Responses:

- N/A

APPRAISAL

1) Health Care Provision, Transport Impacts, Residential Amenities (D4, T6, C8)

The application is being recommended for approval as the restrictions in the s.106 legal agreement restrict the ability of the Medical Centre to provide a more comprehensive range of primary health care services.

Changes in government policy with respect to primary healthcare place a greater emphasis on the provision of a greater range of services at GP surgeries, and for the services to be available at times that are more suited to the needs of patients.

A primary reason for the restrictions being imposed in 1998 related to concerns over excessive parking on the Uxbridge Road. Since then, parking restrictions on the north side of Uxbridge Road have been introduced and are enforced, which helps ensure the free flow of traffic on this London Distributor Road.

In addition to the four parking spaces available to the surgery at the Harrow Arts Centre car park, patients are also permitted to park at the nearby supermarket car park. It is considered that this reason for the imposition of the restriction is no longer relevant.

There are residential properties on the north side of Uxbridge Road, and the principle consideration of the proposed modification of the s.106 Agreement is the impact this could have on the residential amenities of these occupiers.

The lifting of restrictions on the number of staff, both medical and ancillary, employed at the surgery, together with the removal of the limit of the patient list size, would result in increased comings and goings at the site. Similarly, the removal of restrictions on opening hours would potentially extend the hours of such comings and goings earlier in the mornings, later in the evenings and potentially on Sundays.

However, as noted above, Uxbridge Road is a London Distributor Road which has high levels of traffic flows, even outside peak hours. Furthermore, the surgery is close to both the Harrow Arts Centre and a superstore, both of which attract traffic movements in their own right.

Given that the surgery is on the opposite side of the road to the nearest residential properties, and the established uses and traffic flows in the area, any potential harm that would result from the proposed changes would not have a significant impact on the residential amenities of those properties.

The modification of the s.106 Agreement would allow for greater flexibility in the provision of healthcare at the site for local people, and the benefits that this would bring outweigh any potential harm to the amenities of the area.

2) S17 Crime & Disorder Act

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

3) Consultation Responses

N/A

CONCLUSION

For the reasons stated above it is considered that the release of the requested sections of the Agreement is acceptable as it would enable the Elliott Hall Medical Centre to provide suitable and comprehensive medical services in the area and would accord with general government policy on the provision of primary health care.

Plan Nos: 8205 Issue B

Item: 2/05

**OBSERVER HOUSE, 34 GREENHILL P/0675/10/AH
WAY, HARROW, HA1 1LE**

Ward GREENHILL

CHANGE OF USE OF GROUND AND FIRST FLOOR LEVELS FROM OFFICE TO
HOSTEL FOR MEN NOT REQUIRING CARE (CLASS B1 TO SUI GENERIS);

Applicant: Jaya Shree Krishna Charitable Trust

Agent: Humphreys & co

Statutory Expiry Date: | 08-JUN-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 Government guidance contained within PPS1, PPS3, PPG13 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 including any comments received in response to publicity and consultation. There is a need for this type of accommodation within Harrow and the application site is located in a highly sustainable location on the edge of Harrow Metropolitan Centre. The development will not have a detrimental impact on the character of the surrounding area, highway safety, give rise to undue security issues, or have a significantly detrimental impact on neighbouring occupiers.

National Planning Policy

Planning Policy Statement 1 – Delivering Sustainable Development (2006)

Planning Policy Statement 3 – Housing (2010)

Planning Policy Statement 4 – Planning for Sustainable Economic Growth (2009)

Planning Policy Guidance 13 – Transport (2001)

The London Plan 2008

Policy 3A.13 Special needs and specialist housing

Policy 3A.5 Housing Choice

Policy 4A.3 Sustainable Design and Construction

Policy 4B.1 Design Principles for a Compact City

London Borough of Harrow Unitary Development Plan 2004

D4: The Standards of Design and Layout

H15: Hostels

T13 – Parking Standards

D5 – New Residential Development – Amenity Space and Privacy

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

C16 – Access to Buildings and Public Spaces

MAIN CONSIDERATIONS AND POLICIES (National Planning Policy, The London Plan 2008 and the saved policies of the London Borough of Harrow Unitary Development Plan 2004)

- 1) Principle of Development (PPS1, PPS3, PPS4The London Plan policies 3A.13, 3A.5, Harrow Unitary Development Plan 2004 policy H15, EM15, C2)
- 2) Character and Appearance of the Area (PPS1, PPS3, The London Plan policy 4B.1, UDP policy D4)
- 3) Impact on Amenity of Residential Occupiers (PPS1, UDP policy D5)
- 4) Traffic and Parking (PPG13, Unitary Development Policies T13, T11)
- 5) Accessible Homes (The London Plan policy 3A.5, UDP policies C16 and D4)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

This application is reported to the planning committee as a petition with more than five signatures objecting to the proposal has been submitted to the Local Planning Authority.

This application was deferred by the planning committee on the 14th July 2010 for a site visit which took place on the 1st September 2010.

Amended plans have been submitted proposing a day warden room in place of the disabled room and a night warden room in place of the disabled shower. The loss of these facilities, however, is not considered to preclude disabled residents from using the hostel. Indeed, a stair lift is proposed in order for residents to use the shower on the first floor and the informal layout of the dormitories are adaptable to be occupied by a disabled resident.

The application was deferred by the planning committee on the 15th September 2010 for further information to be provided on the type of resident to be accommodated in the hostel.

a) Summary

Statutory Return Type: Minor Other
Council Interest: None

b) Site Description

- The application site lies on Greenhill Way (which forms a London Distributor Road) on the edge of the Metropolitan centre of Harrow.
- The original use of the site for the purposes of offices was granted under a certificate of lawfulness in July 1972 with the permission for the office building in its current physical form granted planning permission in 1982
- The building fronts Greenhill Way which is a busy wide highway with the rear elevations of the shops which front the main shopping street of Harrow centre align the opposite side of the road
- The rear gardens of Victorian terraced properties of some character which align Byron Road and Angel Road adjoin the application site
- The building is two storey in height as it fronts Greenhill Way and reduces to single storey at the rear of the site. The building covers the whole width of the site. the adjoining narrow alleyway would allow access to the rear of the site (the alleyway does not form part of the application site)

c) Proposal Details

- The application seeks planning permission for the change of use of the office building to a hostel (Sui Generis Use Class) for young men over 18 years old.
- The hostel will house a maximum of 15 young residents at any one time with the accommodation being split into a dormitory for 8 residents on the first floor and a dormitory for 6 residents on the ground floor and a purpose built room for a person with disabilities on the ground floor
- A washroom area with showers, kitchen, refectory and prayer room and store and wash-up will be provided as part of the development
- There will be no external changes to the building other than the removal of an external door and window in the west facing elevation and the replacement of the window with a door and small window.
- A small parking area (with provision for 6 cars) is located on Byron Road and the Design and Access Statement indicates that this will be for staff and visitors only. The small parking area does not form part of the application site. Secure cycle racks will be provided on the site for residents of the proposed hostel.
- The door which opens on to Greenhill Way will continue to be the main access to the building with the rear access door being used as an emergency access and for refuse
- As part of the proposals there will be 5 full time employees
- The applicant advises that a duty warden will be available 24 hours a day, 7 days a week to ensure that the residents of the hostel have sufficient support.

d) Relevant History

EAST/1529/02/ CRD	Circular 18/84 consultation: retention of 3 air conditioning units on the roof –	COUNCIL OBJECTION 29-NOV-2004 Objection on the basis of the noise generation of the units and the subsequent impact on neighbouring occupiers.
LBH/21930	Demolition of existing single storey building and erection of a new office building	GRANTED 09-SEP-82
LBH/21082	2 Storey Office Extension	GRANTED 30-JUN-82
LBH/U/3522/2	Application for Certificate of Established Use. Use Premises with Ancillary Store	GRANTED 07-JUL-72
LBH/3522/2	Erection of an external staircase	GRANTED 13- MAR-72
LBH/3522	Alterations to Store and Showroom	GRANTED 12-AUG-68

e) Pre-Application Discussion 02/09/09

Pre- application discussion took place with regard to the change of use of the building to a student hostel and the erection of a two storey extension. The main conclusions from the discussions were as follows;

- This is a highly constrained site, with a scale of development that is at or approaching capacity
- The principle of the use of the existing building is acceptable
- The proposals for a full floor of accommodation (whether two floor or only one floor) on the existing building would be objectionable and unacceptable – There is no potential for the form of development and proposed and very little potential for proposed extensions
- The only realistic form of extension that has potential would be the introduction of a small-scale hipped or crown roof as explained in the points above

(Note: The extension element has now been removed from the proposal)

f) Applicant Statements

Design & Access Statement

- The building is located in a sustainable location accessible to facilities and public transport connections
- No changes to street access, door will be fitted with a new pad access
- Residents will not be permitted to have private cars, the car park off Byron Road will remain for the purposes of staff and visitors
- Cycle racks will be provided
- Rear access will continue to be used for emergency access and refuse
- Door in the west elevation is to be blocked up
- Applicant will accept a condition with regard to samples of materials

Planning Statement

- The purpose of the facility is to provide temporary residential accommodation for young people over the age of 18 years
- It was originally hoped that the level of accommodation could be increased by extending the existing building. This was considered unacceptable by Council Officers hence the submission of this revised application.
- The need for this type of accommodation has been recognised by Harrow Council (Adults & Housing Services), Harrow Council (Housing Strategy & Performance), CfBT/Connexions harrow, London Assembly Member (Labour) for Brent & Harrow, Mr Navin Shah AM
- The narrow alleyway which runs alongside the building will be made more secure
- No new windows are proposed as part of the development thus the impact on neighbouring occupiers is considered to be neutral
- Only one planning issue which is the effect of the proposed change of use on the character and amenity of the area
- In pre-application discussions Council officers stated that any policy considerations to retain an employment use would be outweighed by the advantages to young people, to the community and to the borough as a whole of the young persons home proposed

- The location is highly sustainable
- The development will not cause any overlooking of neighbouring occupiers
- Wholly appropriate location to re-integrate young people as it provides a safe location which is not cut-off or remote from facilities

g) Consultations:

Traffic and Parking Engineer: *There is no substantive objection owing to existing robust on street parking controls hence the proposal conforms to national parking restraint policies.*

Environmental Health:

(a) Means of Escape from Fire and adequate Fire Precautions:- the property will benefit from an L2; Grade A automatic Fire Detection and Alarm system installation compatible to British Standard code of practice BS 5839 part 1: 2002 or latest. – The development will need to comply with building regulations. Providing the development complies with building regulations a license will not be required from Environmental Health for use as a hostel. If not compliant with building regulations then under section 278 of the Housing Act the Environmental Health team can retrospectively ensure that a fire escape and fire alarm is fitted

(b) Adequate Amenity provision - Amenity in this instance refers to the number of bathrooms and kitchens, a bathroom is required for every 5 residents and the Environmental Health Officer has indicated in principle that this scheme is acceptable.

(c) Management of the Hostel had already been covered in the documentation submitted with the application. However, it may be helpful to explore further if licensable activity may take place on the premises so that the licensing team can advise as appropriate. – Licensable activity refers to if there are any events /music which requires a license

(d) The proposed kitchen may need a commercial size extractor unit, depending on intensity of usage. If this is the case then Building Control section may be able to advise on the best possible unit to comply with relevant Approved Document under the Building Regulations. – Extractor unit will require planning permission

Councils Housing Provision Manager: *The application is supported from a housing need perspective.*

Notifications:

Sent: 117

Replies:

Expiry: 06-MAY-10

5 x letters of objection
1 x petition objecting to the development with 33 signatures
1 x petition objection to the development with 34 signatures

Neighbours Consulted:

Angel Road: No.'s 8 – 28 (even)

Byron Road: No.'s 9 – 29A (odd)

St Ann's Road: No's 46, 46A, 50, 52 – 54, 56, 60, 64 – 66, 68, 76, 80

Byron Court, Byron Road: No's 1 -79

Industrial Unit adjacent to Clarendon, Headstone Lane

Summary of Response:

Parking problems on Byron Road and Angel Road

Antisocial behaviour problems

Privacy and security issues as more people use the alleyway to the rear of Byron Road

Overlooking of neighbouring dwellings

Noise Problems

Increase in pollution due to increase in traffic

Limited access for emergency services

Increase in smells and vermin due to insufficient space being provided for refuse storage

The use of the building as a hostel will lead to the building gaining permission as a block of flats

APPRAISAL

1) Principle of Development

Policy 3A.13 of the London Plan 2009 states that 'Borough policies should provide for special needs housing, including sheltered housing with care support, staffed hostels and residential care homes, for older persons, children and other client groups'. The need for hostel accommodation within Harrow is further identified within policy H15 of the Harrow UDP.

This application will result in the loss of 321.75 square metres of office (B1 use) floor space and the applicant has not submitted evidence to substantiate the loss of this floor space in accordance with policy EM15 of the Harrow UDP 2004. In this instance, however, given the clear identified need for this type of temporary housing and subsequent overall community benefits of the scheme the need for this type of accommodation is considered to outweigh the detrimental impact of the loss of office space. This is also supported by Section EC4.1 of PPS4 which suggests that Local Development Frameworks should make the most efficient use of derelict or vacant land.

In addition to this given the location of the application site near to the Metropolitan Centre of Harrow and the fact there is a mixture of uses within the area and not a concentration of hostels, it is considered that the proposal will comply with policy H15 of the Harrow UDP.

In light of the above it is considered that the proposal will comply with Government guidance contained within PPS1 and PPS3, PPS4, policies 3A.13, 3A.5 of The London Plan and policies H15 and C2 of the Harrow Unitary Development Plan 2004

2) Character and Appearance of the Area

The application will not result in any physical changes to the building. It is therefore considered that the development would not have a significant impact on the character or appearance of the area. It is therefore considered that the proposal will comply with Government guidance contained within PPS1 and PPS3, policy 4B.1 of the London Plan and policy D4 of the Harrow UDP.

3) Impact on Neighbouring Occupiers

The application site lies in close proximity to a number of residential properties. Concerns have been raised with regard to the intensification of use of the building and associated noise and disturbance. Whilst it is acknowledged that the use of the building will be intensified in respect of the hours of use, it is not considered that as the street entrance remains the main entrance to the building (the rear access is for the purposes of refuse and emergency access) that the impact of this residential use would not be significantly harmful as to warrant refusal of the application.

In respect of overlooking, no additional openings are proposed at first floor level and the windows in the rear of the building are high level. As such it is considered, that the proposal would not cause any significant overlooking as to warrant refusal of the application.

The proposal does not involve any extensions to the building subsequently. It is therefore considered that the proposal would not cause any further overshadowing or have an overbearing impact beyond the existing impact of the development.

Concerns have been raised with regard to the refuse arrangements for the development and potential smells and vermin. The details of bin storage have not been provided as part of the application and as such a condition is recommended to be added to the permission indicating that details of bins storage are submitted to and approved in writing by the Local Planning Authority. The storage facilities must be provided within the application site (which the alleyway does not form part of) and be easily accessible for residents in accordance with Harrow Council, Community & Environment Services, Code of Practice for The Storage and Collection of Refuse and Materials for Recycling in Domestic Properties. Further to this if smells and vermin attributed to the accumulation of rubbish become a problem this will need to be addressed under the Environment Act.

4) Traffic and Parking

The application site lies within a highly sustainable location with good public transport links, which has a PTAL rating of 6A. It is considered that the proposed use would not result in an increase in vehicular trips to the building than is currently the case given the existing use of the building as an office.

There have been concerns raised with regard to parking problems attributed to the development scheme. However given the robust parking constraints within the area and the fact that a staff/visitor parking area is provided on Byron Road. It is considered that the proposal would not result in significant on street parking to the detriment of highway safety. Further to this, the Council's Highways Engineer has raised no objections to the proposal. It is therefore considered that the proposal complies with policy T13 of the Harrow UDP.

A new vehicular access is not proposed as part of the development.

With regard to the access for emergency services, this would not be affected by virtue of this development given there are no major physical changes to the building. It is also important to recognise that the development will need to comply with any relevant fire regulations (which lie outside the planning process).

The Design and Access Statement also advises that provision for cycle parking is made as part of the proposals and as such, it is recommended that a condition is added to the permission indicating that details of secure cycle parking provision is submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The proposal will therefore comply with policy T11 of the Harrow UDP.

5) Accessibility

The proposed development would not comply with Lifetime Homes standards. However, given it is specialist housing with the accommodation provided in dormitories it is not required in this instance to comply with these standards. The type of accommodation is such that the amenity and privacy standards proposed for occupiers are not as high as is required for bedsits/flats or HMO's. It is important to recognise, however, that this is specialist temporary accommodation which will provide for a short term need and as such, it is considered to be acceptable.

There is provision within the development for a person with disabilities. However, the access from Greenhill Way is not level. A condition is therefore recommended to be added to the permission indicating that the access is made level prior to the commencement of the use of the building as a hostel.

There is no amenity space provided as part of this scheme, However, given the close proximity of the application site to the town centre and the type of temporary accommodation proposed, the impact is not considered significantly harmful as to warrant refusal of the application in this case.

It is considered that the accessibility of the development is acceptable and the proposal will therefore comply with policies 3A.5 of the London Plan and policies D4 and C16 of the Harrow UDP.

6) S17 Crime & Disorder Act

Concerns have been raised with regard to the alleyway and security for the dwellings which back on to this alleyway. The applicant has advised within the Planning Statement that the rear access is to be used only for emergency access and refuse and that residents would not regularly use this access. On the basis of this access not being used as a main entrance to the building, it is considered that the proposed use would not be significantly harmful as to warrant refusal of the application. The applicant has advised within the Planning Statement the potential to improve security to the rear of the building. Whilst the applicant may voluntarily wish to improve the security of the alleyway given that the access does not form part of the application site and that there are different residential users of this access it is not considered justified in accordance with Circular 11/95 for any security improvements to be implemented via a planning condition.

Concerns have been raised with regard to potential anti-social behaviour attributed to this development. It is considered in this case that the use of this building as a hostel for young people would not likely result in an increase in the potential for anti social behaviour. This scheme seeks permission for specialist housing well integrated within a residential area for which there is an identified need.

It is therefore considered that the application will comply with policy D4 of the Harrow UDP and policy 3A.5 of the London Plan.

8) Consultation Responses

There have been concerns raised with regard to an increase in pollution attributed to the development. Given that parking will not be provided for residents, the sustainable location of the application site and that the proposal is not likely to result in a significant increase in trips associated with this development over and above what is existing, that there will not be any significant implications in respect of air pollution attributed to this proposal.

With regard to the approval of this application leading to the development of flats, to change the use of the building to flats would require a planning application which would need to be assessed on its own merits and according to different policy to the proposal for a hostel.

CONCLUSION

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

CONDITIONS

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

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

2 The materials to be used in the development shall match the external materials used in the existing building

REASON: In the interests of visual amenity in accordance with policy D4 of the Harrow UDP 2004

3 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 and in compliance with Policy D4 of the Harrow UDP 2004.

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

REASON: to safeguard the appearance of the locality in accordance with policy D4 of the Harrow UDP 2004

5 The development hereby permitted shall not commence until details of a scheme to provide a level entrance in order to facilitate access for disabled people, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure adequate provision of facilities for use by disabled people in accordance with policy C16 of the Harrow UDP 2004

6 The number of bedspaces available shall not exceed 15.

REASON: To safeguard the amenity of neighbouring residents in accordance with policy D4 of the Harrow UDP 2004

7 The development hereby permitted shall not commence until a scheme for the provision of cycle parking (including location and cycle stand details) has been submitted to and agreed in writing by the Local Planning Authority. The use hereby approved shall not commence until the cycle parking scheme has been implemented in accordance with the approved details and thereafter retained.

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with policy T11 of the Harrow UDP

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

- L578/13 Revision A
- L578/12 Revision A received 25/08/10
- L578/12 Revision A
- Drawing No. 1 Revision A
- Design and Access Statement

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

9 There shall be a warden available on site at all times.

REASON: To protect the amenities of the neighbouring residential occupiers and future occupiers of the building in accordance with policy D5 of the Harrow Unitary Development Plan.

10 The emergency fire/refuse disposal access door(s) shall only be used for those purposes and shall not be used for general ingress or egress for the residents and workers in the hostel

REASON: To ensure that the accesses are not detrimental to the environment/amenities of the adjoining occupiers in accordance with policy D4 of the Harrow Unitary Development Plan 2004

INFORMATIVES

1 INFORMATIVE

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Planning Policy Statement 1;
Planning Policy Statement 3;
Planning Policy Statement 4;
Planning Policy Guidance 13

London Plan: 3A.13, 3A.5, 4B.1

Harrow Unitary Development Plan: D4; D5; H15; T13; EM15; C16.

2 INFORMATIVE:

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

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

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

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

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

- Plan Nos:
- L578/13 Revision A
 - L578/12 Revision A received 25/08/10
 - L578/12 Revision A
 - Drawing No. 1 Revision A
 - Design and Access Statement

390 KENTON ROAD, HARROW, HA3 9DS

Item: 2/06

P/0829/10/AH

Ward KENTON EAST

GROUND, FIRST AND SECOND FLOOR EXTENSIONS AND THREE STOREY EXTENSIONS TO EXISTING COMMUNITY SCHOOL AND LINK TO EXISTING TEMPLE (REVISED)

Applicant: Skss Temple
Agent: Draper Neal Associates
Case Officer: Abigail Heard
Statutory Expiry Date: 28-JUL-10

RECOMMENDATION

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

Reason for Approval: - The decision to GRANT planning permission has been taken having regard to Government guidance contained within PPS1 and PPG13 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 including any comments received in response to publicity and consultation. The proposed development is required in order to meet the needs of the community and will enhance the facilities already available. The development is considered to be of a good contemporary design which complements the context of the site and will not be to the detriment of the streetscene. It is not considered that the proposal will be to the detriment of the amenities of any neighbouring occupiers and furthermore it is in a location accessible by public transport and will not result in any Highway Safety concerns. The proposed extension will be accessible to all and it is considered that a condition can be reasonably added to the permission to ensure that the proposal incorporates sustainable building design.

National Planning Policy

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 13 – Transport

The London Plan 2008

4A.1 Tackling climate change

4A.4 Energy assessment

4A.7 Renewable energy

4A14: Sustainable Drainage

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

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

3C.23 Parking Strategy

London Borough of Harrow Unitary Development Plan 2004

C2: Provision of Social and Community Facilities

C10: Community Buildings and Places of Worship

C11: Ethnic Communities

C16: Access to buildings and Public Spaces

C17: Access to leisure, recreation, community and retail facilities

D4: The Standards of Design and Layout

T13: Parking Standards

T6: The Transport Impact of Development Proposals

MAIN CONSIDERATIONS AND POLICIES (National Planning Policy, The London Plan 2008 and the saved policies of the London Borough of Harrow Unitary Development Plan 2004)

- 1) **Principle of Development and Land Use**
The London Plan 2008: 3A.1, 3A.3, 3A.6, 4B.5
London Borough of Harrow UDP 2004: C2, C10, C11
PPS1: Delivering Sustainable Development
- 2) **Design and Layout**
The London Plan 2008: 4B.1, 4B.5
London Borough of Harrow UDP 2004: D4, C10, C16, C17
PPS1: Delivering Sustainable Development
- 3) **Residential Amenity**
London Borough of Harrow UDP 2004: D4, C10
PPS1: Delivering Sustainable Development
- 4) **Parking and Highway Safety**
London Borough of Harrow UDP 2004: C10, T6, T13
The London Plan 2008: 3C.23
PPG13: Transport
- 5) **S17 Crime & Disorder Act**
UDP policy D4
- 6) **Consultation Responses**

INFORMATION

This application is required to be determined by the planning committee as it seeks permission for the development of over 400sqm of non-residential floor space.

a) Summary

Statutory Return Type: Minor Planning Application

Council Interest: None

b) Site Description

- The application site lies on Kenton Road although there is no access from Kenton Road to the Temple or Community School (the double doors are used only for the purposes of emergency access). The community building has a large car parking area with 100 car parking spaces
- The community school has an active frontage on Kenton Road, however it accessed from the rear through the gates to the temple
- There is a mixture of uses and styles of buildings within the streetscene with offices adjacent to the site and residential dwellings to the rear

c) Proposal Details

- The application seeks permission for the erection of a three storey extension to the community school and a new link to the Temple
- The proposed extensions will result in an additional 718.3 sq m of floor space and will comprise the erection of additional classrooms on the ground floor and first floor and a new activity hall on the third floor which will be linked to the Temple.
- The applicant has submitted a timetable of activities with the application which indicates that the education building would be open to the community between 8.00am and 9.00 pm except on Sundays and that the Temple building would be open to the community between 9.00 am and 8.00pm
- The timetable of activities indicates that there will be a maximum of 400 member of the public using the Timetable and the community school at any one time and this will be on Sunday evenings when the community school will not be open.
- The extension will be finished in render with tiling/rainscreen cladding and will have a curved roof which will be higher than the existing education school building
- The extension will not extend any further to the east of the site than the footprint of the existing building. It will be located on the area currently utilised as an outdoor play area for the school.
- A link will be provided at the first and second floor over the entrance lobby for the school to the existing Temple. This will provide an access from the Temple to the proposed activity hall at the 2nd floor to ensure that the activity hall does not need to be accessed through the school.
- An up to date travel plan has been submitted with the application which advises in order to reduce the impact of the development on the environment the following schemes will be implemented; car-sharing schemes, information on public transport on site and the provision of cycle racks on site

d) Relevant History

EAST/227/99/FUL	Change of Use: Offices to Education, Religious and Cultural Centre (Class D1) with single storey and 3 storey extensions	GRANTED 14-DEC-00
P/3721/08	Ground, first, second and third floor extensions to existing community school and link to existing temple	REFUSED 23-JAN-09

Refusal for Reasons:

1. The proposed first, second and third floor extension, by reason of its scale, bulk, height and unsatisfactory design would extend above the community building and temple, failing to respect the scale, massing and form of the existing building, appearing as an incongruent addition that would be unsympathetic to the temple building and would be detrimental to the character of the locality, contrary to policies 4B.1 and 4B.5 of the London Plan (Consolidated with Alterations Since 2004) 2008 and policies D4, D7 of the Harrow Unitary Development Plan.

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

3. The proposed development would fail to provide adequate access arrangements for persons with mobility disabilities, providing stepped access to the (second floor level) and inconvenient alternative access through the adjoining building and is therefore considered to be inconsistent with accessibility principles and contrary to 4B.1 and 4B.5 of the London Plan (Consolidated with Alterations Since 2004) 2008 and the Council's Supplementary Planning Document on Accessible Homes (April 2006).

e) Applicant Statements

Summary of Applicants Design & Access Statement

- The extension is designed to be complementary to the existing building and the elevations have been formed in consultation with the Councils planning department
- The extension is required to provide necessary facilities for users of the centre with an activity hall not currently provided in the centre
- The extensions are set to the rear of the site and are generally masked from the street scene on Kenton Road by the mass of the existing building
- The floor levels of the proposed extension are set by the floor levels of the existing building
- The 2nd floor hall areas roof/ceiling needs to be at the level shown to accommodate the uses proposed by the SKSS community in progressing various sport/dance/cultural activities
- Enhanced facilities are provided within the extension areas to cater for the needs of persons with mobility and other disabilities, i.e. lift access, disabled toilets etc
- Proposal does not alter the way in which the facility is accessed and indeed it improves and enhances this
- The existing facility has been in place and operational for several years and as such has proved to be beneficial and an essential asset to the community

Consultation Responses:

Highways Engineer: As there is already a substantive existing prayer/community use, the additional activities are not expected to impinge on the highway network during peak morning & afternoon hours which otherwise would be a point of concern. The Travel Plan complements the move toward a more sustainable form of travel to and from the site and is considered robust in its structure and hence is acceptable.

Drainage Engineer: Conditional Permission

London Borough of Brent: No Objections

Notifications:

Sent: 21 letters

Replies:

Expiry: 29-JUN-10

2 x letters of objection

Neighbours Consulted:

Blue Ginger

Westfield Drive:1 – 19 (odd)

Hillingdon Court

Hillingdon House

Cunningham House

Ventra Court: Flats A – F, unit 1

Kenton Road: 397, 411, 383, 415, 401, 405, 391, 413, 419, 421, 389, 417, 423, 395, 409, 399, 403, 407, 393, 396, 384

Scout Den next to Kenton Grange

Clock Cottage next to Kenton Grange

St Lukes Residential Hospice, Kenton Grange

Depot & Premises next to Clock Cottage

Kenton Kindergarten

Summary of Neighbours Responses:

- Parking Problems
- Traffic Congestion
- Noise and Disturbance
- Overdevelopment
- Building is too tall
- Development is out of keeping with the character of the surrounding area
- Overshadowing and loss of light

APPRAISAL

1) Principle of Development

Policy C2 of the Harrow Unitary Development Plan states that;

‘The Council will encourage the retention of existing community facilities and seek the provision of new ones, particularly in areas identified to be in need of such facilities or facilities required to meet the needs of particular communities’

The community group who worship at the Temple have indicated that an extension to the facility is required in order to meet the needs of the community. Subsequently it is considered that the proposal will comply with policy C2 of the Harrow UDP and policy C11 of the Harrow UDP which seeks to ensure that the diverse planning requirements of ethnic communities in the Borough are addressed.

Subject to the general duty imposed under section 71(1) of the Race Relations Act 1976, the Council is also required to consider whether the material and information at its disposal raises the need to consider the impact of the pending development on different racial groups.

In light of the requirement of section 71 it is considered that the proposed development would, as well as being of benefit to this Hindu Community, also benefit the wider local community and therefore that it would not have a detrimental impact upon the needs of different racial groups locally or elsewhere.

Whilst the principle of a facility to meet the needs of the community is acceptable the proposal also needs to be considered against policy C10 which states that; 'The Council will seek to maintain and retain existing premises used by the community or religious groups in the Borough. In considering proposals for new facilities, the Council will ensure that the development;

- (a) is located in the catchment population it serves;
- (b) Is accessible and well served by transport options including public transport
- (c) has no significant impact on neighbouring properties and does not detract from the visual amenity of the area and
- (d) provides appropriate levels of car parking and would not have an adverse effect on highway safety'

The development clearly is located in the catchment population it serves given the application seeks permission for the erection of an extension to the existing community facility. The other criteria will be assessed through the following sections.

2) Design and Layout

A previous application for a three storey extension was refused by the Local Planning Authority for a number of reasons which are outlined within the relevant history section of this report. The scheme has been completely redesigned since this previous proposal and now has a contemporary design rather than elongating the existing building.

The previous design was not considered to respect the scale, massing and form of the existing building given its scale, bulk, height and unsatisfactory design. The bulk and subsequently the scale of the building has been reduced since the previous refusal, given the contemporary contrasting design and curved roof. Further to this although the height is similar the roof and reduced bulk will now make the extension appear visually less intrusive and more subservient to the building facing Kenton Road.

The contrasting design and materials used in this proposal are considered to complement this unique setting which is characterised by a wide range of diverse and unique buildings (including the temple building which is considered to be of significant architectural merit). There is a clear distinction between the existing community school building and the extensions which prevents the extended building appearing bulky and elongated.

There were also concerns raised with regard to accessibility to the previously proposed building. These have been addressed within this scheme, particular concerns were previously raised with regard to adequate access to the activity hall. The activity hall can now be conveniently accessed by everyone through the provision of a lift and lift platform.

The previous scheme was also refused on the basis of the lack of provision of onsite renewable energy provision it is considered that this issue can be covered by a planning condition, with details submitted prior to the commencement of development.

The proposal is therefore considered to comply with Government guidance contained within PPS1, policies 4B.1 and 4B.5 of the London Plan and policies D4, C16, C10 and C17 of the Harrow Unitary Development Plan which seek to ensure that development is of a good design which respects the context of the application site.

3) Residential Amenity

The proposed development will result in an intensification of use of the site. However given the large numbers of people that currently use the existing development and the timetable of activities which indicates that the education building will not be used on a Sunday evening (the peak time for the Temple), the fact the facility will not be used before 7am in the morning and 9pm at night and the contribution this enhanced facility will make to the community, the impact is not considered significantly harmful.

It is not considered, given the distance from the proposed development to the properties to the east that the proposal will cause an unacceptable level of overlooking. With regard to loss of light, given the orientation of the application site and the siting of the proposed building it is not considered to cause an unacceptable loss of light. Whilst it is acknowledged that the three storey extension will have more of an impact on neighbouring occupiers than is currently the case, there are multi-storey buildings adjoining the application site and the building will extend no further to the east than the current education building.

It is also important to recognise that there were no objections made on the basis of residential amenity with regard to the previously refused scheme.

The proposal is therefore considered to comply with Government guidance contained within PPS1, policies D4 and C10 of the Harrow UDP.

4) Parking and Highway Safety

Policy C11 states that *inter alia* new community or religious facilities should be accessible and well served by a range of transport options including public transport. The application site is sited in a reasonably accessible location well served by public transport. Further to this the applicant has submitted a travel plan with the application identifying a number of sustainable methods of transport which is considered acceptable by the Councils Highways Engineer.

In respect of the parking levels and highway safety, the Highways Engineer has advised that the level of parking proposed is acceptable (no additional spaces are required) and as such the proposal is not considered to be to the detriment of highway safety. There are no changes proposed to the existing vehicular access. It is also important to recognise that no objections were raised by the Council with regard to the parking provision in respect of the previous scheme, and this was not a previous reason for refusal.

Accordingly, the proposal is considered to comply with policy C.23 of the London Plan and policies C10, T6 and T13 of Harrow's UDP 2004.

5) 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 development will therefore comply with policy D4 of the Harrow UDP.

6) Consultation Responses

It is not considered that the proposal will result in overdevelopment of the site given that the highway network and local infrastructure can cope with the development and the proposal will not be to the detriment of the amenities of any neighbouring occupiers.

CONCLUSION

The proposed development is required in order to meet the needs of the community and will enhance the facilities already available. The development is considered to be of a good contemporary design which complements the context of the site and will not be to the detriment of the streetscene. It is not considered that the proposal will be to the detriment of the amenities of any neighbouring occupiers and furthermore will not have a detrimental impact on Highway Safety. The proposed extension will be accessible to all and it is considered that a condition can be reasonably added to the permission to ensure that the proposal incorporates sustainable building design. It is therefore considered that the development will comply with PPS1, PPG13 and policies contained within Harrow UDP and The London Plan. It is recommended that the application is approved.

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 development shall commence on site until details of the proposed boundary treatment including position, external appearance, height and materials have been submitted to and approved by the Local Planning Authority. Before the development hereby permitted is occupied, a suitable means of his boundary treatment shall be implemented on site prior to the first occupation of the development and retained at all time on the future.

REASON In the interests of the visual amenity of the area and accordance with Policy D4 of the Harrow UDP 2004.

3 Samples of external materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the scheme is commenced on site and the development shall be carried out in accordance with the details approved.

REASON To ensure a satisfactory appearance of the development so as not to prejudice the visual amenity of the locality in accordance with Policy D4 of the Harrow UDP 2004.

4 No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved before the development is first occupied, or the use hereby approved is commenced. The hard landscaping details shall include proposed finished ground levels or contours; pedestrian access and circulation areas; and hard surfacing areas. The soft landscape works details shall include planting plans; written specifications; schedules of plants noting species, plant sizes and proposed numbers/densities where appropriate; implementation plan. All hard and soft landscape works shall be carried out in full accordance with the approved details. Any trees or plants which within a period of five 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.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy D4 and D5 of Harrow's UDP 2004.

5 The development hereby permitted shall be carried out in accordance with the following approved plans: 1050 17, 1050 15 Rev C, 1050 14 Rev B, 1050 13 Rev B, Design and Access Statement

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

6 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 any part of 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 and policy D4 of Harrow's UDP 2004.

7 The development hereby permitted shall not commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from the site, construction delivery hours, expected number of construction vehicles per day and car parking for contractors. The development shall be carried out strictly in accordance with the approved construction management plan.

REASON: In the interests of highway safety and to protect the amenities of the neighbouring occupiers in accordance with policy EP25 of Harrow's UDP 2004.

8 No development shall commence until details of a scheme (Working Method Statement) to control the environmental effects of demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

(i) control of noise

(ii) control of dust

The development shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to ensure that impact on neighbouring occupiers during the construction phase of the development is minimal in accordance with policy EP25 of the Harrow UPD and guidance contained within the SPD: Sustainable Building Design May 2009.

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 in accordance with Sewers for Adoption in accordance with policy EP12 of the Harrow UDP.

10 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS 25.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in PPS 25 & PPS 25 Practice Guide.

11 The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS 25.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in PPS 25 & PPS 25 Practice Guide.

12 The development hereby approved shall not be occupied until details of the external lighting for the development has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before the development hereby approved is first brought into use or is occupied.

REASON: In the interests of visual and residential amenity to accord with policy D4 of the Harrow UDP 2004.

13 The development hereby permitted shall not commence until details of a scheme for the storage and collection of refuse is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties in accordance with policy D4 of the Harrow Unitary Development Plan.

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION: The decision to GRANT planning permission has been taken having regard to Government guidance contained within PPS1 and PPG13 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 including any comments received in response to publicity and consultation. The proposed development is required in order to meet the needs of the community and will enhance the facilities already available. The development is considered to be of a good contemporary design which complements the context of the site and will not be to the detriment of the streetscene. It is not considered that the proposal will be to the detriment of the amenities of any neighbouring occupiers and furthermore it is in a location accessible by public transport and will not result in any Highway Safety concerns. The proposed extension will be accessible to all and it is considered that a condition can be reasonably added to the permission to ensure that the proposal incorporates sustainable building design.

2 COMPLIANCE WITH PLANNING CONDITIONS

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: 1050 17, 1050 15 Rev C, 1050 14 Rev B, 1050 13 Rev B, Design and Access Statement

REAR OF 10C – 12C STATION PARADE, NORTHOLT ROAD, HA2 8HB

Ward ROXETH

TWO x TWO STOREY DWELLINGHOUSES AT REAR OF 10-12 STATION PARADE (SEMI-DETACHED) AND PROVISION OF ACCESS BALCONY FROM STATION PARADE; ASSOCIATED CAR PARKING BEHIND 10 STATION PARADE

Applicant: Better Properties Limited

Agent: Rich Architecture

Case Officer: Sarah MacAvoy

Statutory Expiry Date: 15-SEP-10

RECOMMENDATION

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

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard national planning policy, the policies and proposals in the London Plan (2008), the saved policies of the Harrow Unitary Development Plan (2004), and to all relevant material considerations, including comment received in response to publicity and consultation, as outlined in the application report. The proposed development achieves sustainable development in line with PPS 1, provides high quality housing in accordance with PPS 3, 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 in accordance with the Harrow Unitary Development Plan (2004).

National Policy Guidance:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

The 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.1 Tackling Climate Change

4A.3 Sustainable Design and Construction

4B.1 Design principles for a compact city

Harrow Unitary Development Plan 2004:

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

T13 Parking Standards

EP25 Noise

C16 Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions, A householders Guide (2008)
Supplementary Planning Guidance, Designing New Development (2003)
Supplementary Planning Document 'Accessible Homes' (2010)
Supplementary Planning Document Sustainable Building Design (2009)

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

- 1) Principle of Development (PPS 1;PPS:3, London Plan: 3A.1, 3A.2, 3A.3, 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) Sustainable Building Design (D4, London Plan: 4A.1)
- 5) Accessibility (C16, SPD)
- 6) Parking Standards (T13)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

This application is reported to Committee as a petition objecting to the development has been received.

A similar scheme to the current proposal was refused by the LPA and the decision was upheld by the Inspector at appeal. This appeal decision, reference: APP/M5450/A/08/2085858 forms the basis for this report.

a) Summary

Statutory Return Type: 13: Minor dwellings
Council Interest: None
Car Parking: Standard: 3.2
Justified: 2
Provided 2

b) Site Description

- Site located behind the parade of shops and flats
- Currently used as shop yards and garages for the ground floor shops fronting Northolt Road
- Access and service route behind the parade
- Alexandra Park situated at the rear
- Existing flats served by pedestrian access from either side of the building as well as between No. 11 and 12 Station Parade.
- Self contained flats on each level of the first and second floors.
- The site has a PTAL of 2.

c) Proposal Details

- Demolish existing garages.
- Redevelopment to provide 2x two-storey semi detached houses. The whole building would be 12m wide, 6.4m deep and 4.59m high.
- Each house would contain two bedrooms, a ground floor, two bathrooms and a separate kitchen/dining and living room.
- Pedestrian access from existing balcony same as flats above the parade with a bridge linking to the houses.
- This bridge would provide access at first floor level.
- Vehicular access via the rear service road.
- Two parking spaces are proposed, which would be located within part of the rear service area for no.10 Station Parade. This would also incorporate an access path leading to the remaining servicing yard for the commercial premises at no.10 Station Parade.
- Cycle storage for 4 bicycles is proposed for the new dwellings at the rear of the car parking spaces.
- Refuse storage for the proposed dwellings is sited at ground level in a recessed area at the front of each house.

Revisions to Previous Application (if relevant):

- P/0172/08 – Refused (upheld at appeal).
 - A small amount of excavation resulting in a reduction in height of dwellinghouse measured from ground level.
 - Internal alterations.

d) Relevant History

P/2615/06/CFU	Two storey detached building with rooftop terrace at rear to provide six flats, and provision of covered service yards/access at ground level at rear of station parade shops	REFUSED 15-NOV-06
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Reasons for Refusal:

1. The proposed development by reason of its size, scale, bulk and siting would have an overbearing appearance resulting in a loss of outlook and residential amenities to nearby occupiers contrary to Policies SD1, D4 and D5 of the Harrow Unitary Development Plan.
2. The proposed development, by reason of its siting, would be unduly bulky and discordant when viewed from the neighbouring Alexandra Park detrimental to the visual amenities of the vicinity and character of the area contrary to Policies D4 and D5 of the Harrow Unitary Development Plan.
3. The proposed development by reason of its layout, design and proximity to nearby commercial properties would provide substandard accommodation to the detriment of the amenities of future occupiers, contrary to Policies H18 and EP25 of the Harrow Unitary Development Plan and Supplementary Planning Document: Accessible Homes.

4. The proposal represents an overdevelopment of the site and provides inadequate parking and would prejudice satisfactory servicing to adjoining commercial properties which would result in an increased demand for street parking to the detriment of highway safety contrary to Policies SD1, D4, T13 and T15 of the Harrow Unitary Development Plan.

5. The proposed development does not provide adequate provision for refuse storage or collection to the detriment of amenities of future occupiers of the site and nearby occupiers contrary to Policies SD1 and D4 of the Harrow Unitary Development Plan.

P/0795/07/DFU	2 x two storey dwelling houses (semi-detached) and provision of access balcony from station parade	REFUSED 13-JUN-07
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Reasons for Refusal:

1. The proposed back-land development, by reason of its size, scale, bulk and siting would be incongruous, unduly discordant with the existing pattern of development, visually intrusive when viewed from the neighbouring residences as well as Alexandra Park, and would have an overbearing appearance resulting in a loss of outlook and residential amenities of nearby occupiers and to the detriment of the character of the area contrary to policies SD1, SH1, D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance 'Designing New Development'.

2. The proposed development by reason of its layout, design unsatisfactory access and proximity to nearby commercial properties as well as failure to comply for Lifetime Homes Standards would provide substandard accommodation to the detriment of the amenities of future occupiers, contrary to policies SD1, SH1, D4, H18 and EP25 of the Harrow Unitary Development Plan (2004) and the Council's Supplementary Planning Documents 'Accessible Homes' and 'Access for All'.

3. The proposed integral garages would be unusable due to inadequate width of the service road which would provide inadequate provision for manoeuvring into and out from the site resulting in an increased parking stress in the locality which would be prejudicial to highway safety contrary to SD1, D4 and T13 of the Harrow Unitary Development Plan (2004).

4. The proposal would prejudice the satisfactory provision of refuse storage and servicing of the adjoining commercial units to the detriment of the functioning of those units and the amenities of the nearby occupiers contrary to policies SD1, D4, D8, T13 & EM24 of the Harrow Unitary Development Plan (2004).

P/0172/08	Two x two storey dwellinghouses at rear of 11-12 station parade (semi-detached) and provision of access balcony from station parade.	REFUSED 20-MAR-08 APPEAL DISMISSED
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Reasons for Refusal:

1. The proposed back-land development, by reason of its size, scale, bulk and siting would be incongruous, unduly discordant with the existing pattern of development, visually intrusive when viewed from the neighbouring residences as well as Alexandra Park, and would have an overbearing appearance resulting in a loss of outlook and residential amenities of nearby occupiers and to the detriment of the character of the area contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance 'Designing New Development' (2003).
2. The proposed development by reason of its layout, design unsatisfactory access and proximity to nearby commercial properties as well as 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), policies D4, D5, and EP25 of the Harrow Unitary Development Plan (2004), and the Council's Supplementary Planning Documents 'Accessible Homes' (2006) and 'Access for All' (2006)
3. The proposal would prejudice the satisfactory provision of refuse storage and servicing of the adjoining commercial units to the detriment of the functioning of those units and the amenities of the nearby occupiers contrary to policies D4, T13, T15 & EM24 of the Harrow Unitary Development Plan (2004).

e) Applicant's Statement

- The proposal is for the erection of 2 two storey, semi-detached houses at the rear of Station Parade.
- They are to be accessed from both the service road and the first floor access balcony of Station Parade.
- A similar development on the site was dismissed at appeal (Ref: APP/M5450/A/08/2085858. This revised application has been designed to address the specific reason given by the Inspector for dismissing the Appeal.
- The Inspector commented that the original proposal was "A well thought out scheme which could bring benefit to the local community by introducing a residential use into this neglected area". The new scheme retains all the beneficial characteristics of the original scheme but has been significantly improved by reducing any possible impact on neighbouring properties, by providing cycle storage and by improving the internal layout of the proposed dwellinghouses.

f) Consultations

- Highways Officer: No objection
- Drainage Services: No objections subject to conditions being imposed.

Advertisement: N/A

General Site Notice

Expiry: 22-SEP-10

Notifications

Sent
28

Replies
2+ 1 Petition with 17
signatures

Expiry: 31-AUG-10

Addresses consulted:

8, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 14A, 14B, 15, 15A, 15B, 16A, 16B, 17A, 17B, 18A, 18B, 6A, 6B, 7A, 7B, 19A and 19B Station Parade.

Summary of Response:

Amenity:

- Loss of view from neighbouring kitchen and second bedroom.
- Loss of sunlight into neighbouring flat.
- Loss of privacy.

Character/design:

- General appearance and design and appearance of proposal would be unacceptable.
- Not a good area to erect a new building.

Noise and Disturbance:

- Noise during construction and from other residents at all times of the night.
- Increased disturbance.

Other:

- Issue of how would customers and workers at the hairdressers of number 10 station parade get out in an emergency if the front of the shop was not accessible.
- Lack of parking behind the shops for delivery vans, which would create a lot of traffic congestion in front of the shops.
- The scheme is a money making affair with no consideration to the residents who live in the Parade.
- The same project has been rejected twice by the planning department as a result of contravention on Harrow Council's own planning policies and should be again.
- Attempt to railroad this scheme through by not informing residents of Station Parade.
- Overcrowding.
- Drug usage.
- Fly tipping.
- Dissatisfaction with Better Properties as a landlord.
- Better Properties are trying to advantage of the change of council.
- Rat problems due to insufficient bins.
- Drainage problems.
- Loss of property value.
- Rubbish, dust and other smells coming through doors/windows during construction.
- Allergies, stress and health problems during construction.

APPRAISAL

1) Principle of Development

Section 38 of the Planning and Compulsory Act 2004 requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. This reinforces the primacy of the development plan as previously stated in Section 54A of the Town and Country Planning Act 1990.

The development plan for the area comprises the Mayor of London's Spatial Development Strategy (the London Plan) and the saved policies of the Harrow Unitary Development Plan 2004.

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. Policy 3A.3 of London Plan seeks to ensure that development proposals maximise the potential use of site, in particular where development proposals *inter alia* are compatible with the local context and public transport capacity. Policy 3A.5 of the London Plan seeks to ensure that development proposals offer housing choice in terms of mix of housing sizes and types and ensuring that all new development proposals comply with the Lifetime Homes standards. It is considered that the principle to redevelop this site for residential proposes would be in accordance with the London Plan policies 3A.1, 3A.3 and 3A.5, as it located in an area which has easy access to public transport and is therefore in a sustainable location, offers a different size and choice of accommodation, and it would add to the Council's housing provision target. For these reasons this proposal is considered to be acceptable in principle, subject to the material considerations below.

A similar scheme on the site was dismissed at appeal (Ref: APP/M5450/A/08/2085858). The principle of residential development on this site was acceptable to the Inspector. The concerns raised in dismissing the appeal related to the details of the application, rather than the principle. These issues are addressed below. It is considered that this appeal decision is a material consideration and as such forms the basis for this report.

It is therefore considered that the principle to redevelop this site for residential development would be in accordance with National Policies PPS1, PPS3, and London Plan policies 3A.1 and 3A.3.

2) Character and Appearance of the Area

Policy 4B.1 of the London Plan seeks to maximise the potential of sites but also seeks to ensure new development respects the local context and character. Policy D4 of the Harrow UDP (2004) requires a high standard of design in all development proposals. Paragraph 4.10 of this policy states that buildings should be designed to complement their surroundings or provide a distinct character of their own. Paragraph 4.11 states that new development should have regard to the scale of surrounding environment and should be appropriate in relation to buildings in the street. In addition to this, the SPG: Designing New Development (2003) also recommends that new dwellinghouses should integrate with the surrounding area in terms of layout and massing.

The Inspector stated in the appeal reference: (APP/M5450/A/08/2085858, para 7) "I do not believe that the building would appear out of place or that it would harm the appearance of the locality. There are various outbuildings at the rear of, and detached from the shops/flats in Station Parade. The proposed houses would be 5 m away from the rear of the shops and would be in character with this pattern of development. The light coloured render would be in harmony with that on the existing flats. The site can be seen from Alexandra Park through the chain-link fence and a new building in place of the garages would not be particularly noticeable. It would, in my view, enhance this run-down area".

The current application would be similar in design to the scheme considered by the Inspector. Therefore, it is considered that the proposal would be acceptable and would not detrimentally affect the character of the area and would be in accordance with London Plan policy 4B.1 and saved policy D4 of the Harrow Unitary development Plan (2004).

Refuse Storage

Paragraph 4.24 of the reasoned justification to policy D4 states that provision for bin and refuse storage, and goods to be recycled must be made in proposals for new development. Such refuse storage must be made in a way to minimise its visual impact while providing a secure and convenient facility for occupiers and collectors.

The proposed development shows storage for refuse and recycling materials for the new houses that meet the requirements of the Council and this storage is in accordance with the Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008). It is therefore considered to be acceptable in this regard.

Density

The application site falls within a urban location and in a zone with a medium public transport accessibility (PTAL) (2) and seeks to provide 4 habitable rooms per dwellinghouse (total 8). The London Plan density matrix as set out under policy 3A.3, states that densities within such a location should be between 45-120 units/ per hectare and between 200-450 habitable rooms/ per hectare. The proposed development would have an overall density of 127 units per hectare and 510 habitable rooms per hectare.

Whilst the density of the development would be marginally higher than that set out in the London Plan density matrix, it is not significantly higher. This issue was not raised in the previous application and this density, although slightly high, would compare to other densities in the surrounding area. It would therefore not be justified to refuse the application for this reason.

3) Residential Amenity

Criterion B of policy D5 of the UDP (2004) states that new residential development should maintain adequate separation distance to site boundaries in order to protect the amenities of surrounding occupiers.

The proposed walkway from the first floor balcony would have screens on either side to hide the view down into the rear service yards, so that the general aspect of the two houses would be similar to that of the existing flats. The ground-floor windows would be recessed to ensure privacy from the service road.

The Inspector noted in the appeal decision (APP/M5450/A/08/2085858, para 10): “At first sight the proposal to locate two houses in a rear service yard does appear to be somewhat surprising. However, although the rear service road (and the various service yards and informal parking areas) are shabby and unattractive, for most of its length there are views through a chain-link fence into a park. It also appears to be little used, probably because there is an alternative service road at the front of the shops. There would be little need for future residents to use the service yard as pedestrian access will be provided direct from the street via the elevated walkway”.

The Inspector also stated in the appeal (Ref: APP/M5450/A/08/2085858, para 11) “The occupants of the new houses would be “insulated” from the fact that they were living next to service yards by the screening of the walkway and the single aspect outlook over the park. So far as the lack of outdoor amenity space is concerned, the houses would be no different from the flats in the main building. My conclusion is that the careful design of the scheme means that despite its unusual setting the building could provide a sufficient level of residential amenity for the occupants and subject to minor modifications the internal standard of accommodation would be acceptable. There is no justification for refusing the application on these grounds”.

It is therefore considered that there would be sufficient outlook from the flats. Also the access to the new dwellings via the elevated walkway is considered to be acceptable.

The only reason why the appeal was upheld by the Inspector was due to the proposal having a harmful effect on the kitchen windows of the first floor flats. The current proposal has been designed so that the new dwellinghouses would be sited lower than the kitchen windows of the first floor flats above the shops along Northolt Road. As such, the proposal would not unduly harm the outlook from the kitchen windows from the flats nor would the proposal result in loss of light from these windows due to the fact that the kitchen windows are located at a higher level than the highest point of the proposal. It is therefore considered that the Inspector’s concerns have been overcome.

Each of the new dwellinghouses would provide two bedrooms. The proposed two-storey development would have acceptable impact on the residential amenities enjoyed by the existing occupiers of the parade.

With regard to the Inspectors decision on the previously refused application, it is considered that the proposals would not have an adverse impact on the residential and visual amenities of adjoining occupiers or the occupiers of the subject site in accordance with saved Policy D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008).

Layout and Room Sizes

It is considered that due to broad compliance with the Interim London Housing Design Guide (August 2010), the living conditions of the potential occupiers of the new dwellinghouse would be acceptable, in accordance with saved policy D4 of the UDP and PPS1 and PPS3.

4) 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. These policies promote design which has regard to energy efficiency and minimises emissions of carbon design. A supplementary planning document 'Sustainable Building Design' (2009) has been adopted by the LPA. No details have been provided as to how the proposal will achieve sustainable design, however, details of this can be requested by a planning condition.

5) Accessibility

The London Plan policy 3A.5 (Housing choice), policy C16 of the UDP (2004) and the SPD: Accessible Homes (2006) seeks to ensure that new dwellinghouses can be adapted to meet Lifetime Home standards.

The proposed car parking spaces would not comply with Lifetime Homes standards. However, it is considered that there would be a sufficient transfer area from the car park closest to the boundary with no. 9 onto the service access for shops, which is considered to be acceptable.

The entrance, internal layout, door widths and room sizes are Lifetime Home compliant. A condition has been recommended to ensure compliance with Lifetime Homes standards.

6) Parking Standards

Saved policy T13 of the Harrow UDP, in accordance with PPG13, seeks to promote sustainable development and transport choice. The Council will expect new developments to make appropriate provision for car parking, but this should be no greater than the maximum levels set in Schedule 5.

The scheme proposes two parking spaces located adjacent to the new houses (within the rear part of the service yard to no.10 Station Parade). The location of these spaces are the same as the appeal scheme. The Inspector considered that the siting of the car parking spaces in this location was acceptable would still allow servicing of the commercial units. The proposed parking spaces are therefore considered to be acceptable.

It is considered that there would be no detrimental impact on the free flow or safety of the adjacent highway. The Council's Highway Engineer has raised no objection to the proposal and it is therefore considered the application complies with saved policies T6 and T13 of the UDP (2004).

7) S17 Crime & Disorder Act

The Inspector stated in the appeal decision (Ref: APP/M5450/A/08/2085858) that "The residential development of an under-used piece of land would increase activity in the area and improve surveillance and the safety of the area behind the shops". Therefore it is considered that the proposal complies with saved policy D4 of the Harrow Unitary Development Plan (2004) in regards to crime and disorder.

8) Consultation Responses

- Impact on neighbouring amenity has been assessed in the report above.
- Character and appearance of the area has been assessed in the report above.
- Noise during construction and from other residents is not a material planning consideration.
- Health problems, rubbish and dust during construction are not material planning considerations.
- Loss of property value not a material planning consideration
- Dumping of rubbish and rat issues is outside the realm of planning control and a matter for the Council's Environmental Health Department.
- Management issues do not form part of material planning consideration
- Drug issues are not a material planning consideration.
- The Council's Drainage Department have commented on this application and have recommended conditions.
- The Council's planning policies, neighbouring responses and any appeal history on this site have been taken into consideration in the report above.
- Emergency exits of the buildings are a matter for building control not that of the planning department.
- The Council has correctly notified the adjoining sites and has thus met its statutory notification requirements.
- Parking and highway safety has been addressed in the report above.

CONCLUSION

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

The proposed development achieves sustainable development in line with PPS 1, provides high quality housing in accordance with PPS 3, 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 in accordance with the Harrow Unitary Development Plan (2004).

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 external finishes in relation to the roof, windows and rainwater goods are to be in accordance with paragraph 4.3 of the approved Design and Access Statement. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the appearance of the development is in keeping with the surrounding area as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

3 The development hereby permitted shall not commence until a sample of the render including the colour to be used in the construction of the external surfaces of the dwellinghouses has been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: The details contained in the Design and Access statement do not specify the type or colour of the render. These details are required to ensure the appearance of the development is in keeping with the surrounding area as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

4 Notwithstanding the details on the approved drawing number 458-P05 and 438-P04, the development hereby permitted shall not commence until revised drawings showing full compliance with Lifetime Homes standards have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the homes have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure that, where the development is capable of meeting 'Lifetime Home' Standards, the development complies with saved policy C16 of the Harrow Unitary Development Plan.

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

REASON: To ensure that adequate drainage facilities are provided in accordance with the objectives set out under saved policies EP12 of the Harrow Unitary Development Plan 2004.

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

REASON: To prevent the increased risk of flooding in accordance with the objectives set out under saved policy EP12 of the Harrow Unitary Development Plan 2004.

7 The development hereby permitted shall not commence until the applicant has demonstrated that the development will achieve the appropriate level (Level 3) 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, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

8 The roof area of the dwellinghouses 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 protect the amenities of the neighbours with regard to overlooking in accordance with saved policy D5 of the UDP.

9 The development hereby permitted shall be carried out in accordance with the following approved plans: 438-P01A, 438-P02, 438-P03, 438-P04, 458-P05, 438-P06, 438-P07, 438-P08, 438-P09, 438-P10, 438-P11 and Design and Access Statement.

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:
Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing

The London Plan: 3A.1 ; 3A.2 ; 3A.3 ;3A.5 ; 4A.1; 4A.3; 4B.1

Harrow Unitary Development Plan 2004: D4; D5; T13; EP25; C16
Supplementary Planning Guidance, Extensions, A householders Guide (2008)
Supplementary Planning Guidance, Designing New Development (2003)
Supplementary Planning Document 'Accessible Homes' (2010)
Supplementary Planning Document Sustainable Building Design (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:

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: 438-P01A, 438-P02, 438-P03, 438-P04, 458-P05, 438-P06, 438-P07, 438-P08, 438-P09, 438-P10, 438-P11 and Design and Access Statement

SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None