

SECTION 1 – MAJOR APPLICATIONS

JUBILEE HOUSE, MERRION AVENUE, STANMORE, HA7 4RS **Item: 1/01**
P/1444/10

Ward CANONS

EXTENSION OF TIME OF PLANNING PERMISSION P/1220/07 DATED 27/09/2007 FOR 'TWO AND PART THREE STOREY EXTENSION TO OFFICE BUILDING TO PROVIDE THIRTY FIVE FLATS INVOLVING ALTERATIONS TO EXISTING ELEVATIONS, NEW LANDSCAPING TREATMENT, ENHANCED CAR PARKING LAYOUT AND CYCLE STORAGE PROVISION'

Applicant: AAG (HQ) Ltd
Agent: Preston Bennett Planning
Case Officer: Nicholas Ray
Statutory Expiry Date: 03-SEP-10

RECOMMENDATION

GRANT planning permission subject to conditions and the completion of a deed of variation to link the original S106 agreement to this replacement planning permission within six months of the date of the Committee decision on this application, and for authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the S106 agreement and to agree any minor amendments to the conditions or the legal agreement.

REASON

This application is for an extension of time to an existing permission and the relevant issue is whether there have been any relevant changes to the development plan or other material considerations since the original grant of planning permission which indicate that the proposal should no longer be considered favourably. Full consideration has been given to any changes in adopted policy, site circumstances and other material considerations in the appraisal section. The proposal is considered to comply with current policy on sustainability, subject to a condition. The provision of affordable housing proposed is considered to be acceptable, given the evidence provided. The decision to grant planning permission has been taken having regard to government guidance, the policies and proposals in the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004) set out below, and all relevant material considerations, including comments received in response to publicity and consultation.

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing

The London Plan 2008:

2A.1 – Sustainability Criteria
3A.1 – Increasing London's Supply of Housing
3A.2 – Borough Housing Targets
3A.3 – Maximising the Potential of Sites
3A.5 – Housing Choice
3A.6 – Quality of New Housing Provision

3A.8 – Definition of Affordable Housing
3A.9 – Affordable Housing Targets
3A.10 – Negotiating Affordable Housing in Individual Private Residential and Mixed-Use Schemes
3A.11 – Affordable Housing Thresholds
3D.13 – Children and Young People’s Play and Informal Recreation Strategies
4A.1 – Tackling Climate Change
4A.2 – Mitigating Climate Change
4A.3 – Sustainable Design and Construction
4A.4 – Energy Assessment
4A.6 – Decentralised Energy: Heating, Cooling and Power
4A.7 – Renewable Energy
4A.22 – Spatial Policies for Waste Management
4B.1 – Design Principles for a Compact City
4B.4 – London’s Buildings: Retrofitting
Interim London Housing Design Guide (2010)

London Borough of Harrow Unitary Development Plan 2004

D4 – The Standard of Design and Layout
D5 – New Residential Development – Amenity Space and Privacy
D9 – Streetside Greenness and Forecourt Greenery
D14 – Conservation Areas
D15 – Extensions and Alterations in Conservation Areas
EP25 – Noise
T6 – The Transport Impact of Development Proposals
T13 – Parking Standards
H7 – Dwelling Mix
EM15 – Land and Buildings in Business, Industrial and Warehousing Use – Outside Designated Areas
C16 – Access to Buildings and Public Spaces
Supplementary Planning Guidance: Extensions: A Householder’s Guide (2008)
Supplementary Planning Document: Accessible Homes (2010)
Supplementary Planning Guidance: Designing New Development (2003)

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

- 1) Principle of Development (PPS1, PPS3, 2A.1, 3A.3, EM15)
- 2) Character and Appearance of the Area and Adjacent Conservation Area (4A.22, 4B.1, D4, D9, D14, D15, SPG:Extns)
- 3) Residential Amenity (3D.13, D5, EP25, SPG:Extns)
- 4) Traffic and Parking (T6, T13)
- 5) Accessible Homes (C16, 3A.5, SPD:Access)
- 6) Housing Provision and Density (3A.1, 3A.2, 3A.3, 3A.5)
- 7) Affordable Housing (3A.8, 3A.9, 3A.10, 3A.11)
- 8) Sustainability (4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7, 4B.4)
- 9) S17 Crime & Disorder Act (D4, 3A.6, SPG’s)
- 10) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	12. Smallscale Major Development
Lifetime Homes:	31
Wheelchair Homes:	4
Density:	175 hrph 62.5 dph
Car Parking	Standard: 48 (maximum) Justified: 28 Provided: 28 (plus 61 spaces for office use)
Council Interest:	None

b) Site Description

- Site comprises Jubilee House, a three storey office building with car parking and planting, on the east side of Merrion Avenue.
- Car parking for the existing office use is on the forecourt of the building on the Merrion Avenue frontage and on the hard standing area that continues around it to the rear of the site.
- The building dates from the 1960's and is typical of that period, being flat roofed and functional in appearance, and constructed as a series of banded concrete columns with brick piers and vertical glazing. The faceted glass and concrete façade identifies the main entrance.
- To the north of the site is a yard owned by Transport for London, with Stanmore Station, a locally listed building located within Kerry Avenue Conservation Area, to the north and east.
- To the south of the site are the two storey dwellings on Merrion Avenue, set out in a uniform fashion, typical of the inter-war period.
- To the west of the site are the two storey maisonettes at Merrion Court and Nos.18-36 Merrion Avenue.

c) Proposal Details

- Extension to the time period for implementation of planning permission P/1220/07 for 'two and part three storey extension to office building to provide thirty five flats involving alterations to existing elevations, new landscaping treatment, enhanced car parking layout and cycle storage provision'.
- The proposal comprises a two and part three storey extension to the top of the existing building, to provide 35 flats (11x1 bed, 22x2 bed and 2x3 bed).
- The proposed extension would result in an increase in height of between 3.6 metres and 10.5 metres, with the three storey element to be located at the north end of the building.
- The proposal would also incorporate alterations and retrofitting of the existing building.
- Parking would be provided within the existing parking area, the forecourt would be enhanced with new soft landscaping and a play area would be provided, along with cycle and refuse storage.

d) Relevant History

P/1220/07	Two and part three storey extension to office building to provide thirty five flats involving alterations to existing elevations, new landscaping treatment, enhanced car parking layout and cycle storage provision	GRANTED 27-SEP-07
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e) Pre-Application Discussion

- None.

f) Applicant Statement

- Proposal complies with housing policy (PPS1 and PPS3) and the London Plan.
- Brownfield site in an area with a good public transport network and has Stanmore District Centre less than half a mile to the west. The commercial and residential mix maximises the sustainable nature of the site, providing the opportunity to live and work in the same area.
- Scheme will replace existing uninsulated brick and concrete exterior with high performance thermal cladding, to be combined with a low maintenance polymer render system and timber rainscreen. The new exterior treatment will reduce carbon emissions by increasing the thermal coefficient and reducing energy consumption.
- Proposed extension will respect the modernist form of the building in design and appearance. The additional floors will graduate upwards from the existing footprint and are set back on the fourth floor by between 1.5 and 2.5 metres, while the fifth floor is limited to a small area at the northern end of the building, more to provide articulation and definition on the main elevations.
- Two new vertical core elements are introduced at the front façade to provide additional points of access to the building and to provide further articulation of the existing façade on the Merrion Avenue site frontage.
- 122 parking spaces are provided within the site for the existing office use. Of these, 28 spaces would be made available for the residential scheme.
- Updated Affordable Housing Toolkit justification submitted.

g) Consultations:

Highways Engineer: No objection, as this is a renewal and the Council originally placed a resident permit restriction on the property.

Housing Officer: The submitted toolkit response is considered to be adequate to justify the provision of affordable housing in this case.

Landscape Officer: No objections as extension of time.

London Underground: No objection, informative requested.

Thames Water: No objection.

Environment Agency: Consultation not necessary.

Drainage Officer: Conditions suggested relating to surface water attenuation and sewage disposal.

Conservation Officer: Previous comments apply; the proposal would be set back from the station and conservation area and would not have a significant negative effect.

Conservation Area Advisory Committee: Re-iterate original comments, the extra height is unlikely to impact on the conservation area, however the height would not fit in with the immediate residential surroundings.

Site Notice: 10-JUN-10 Expiry: 01-JUL-10

Advertisement: 10-JUN-10 Expiry: 01-JUL-10

Notifications:

Sent: 111 Replies: 12 Expiry: 12-AUG-10

Addresses Consulted:

- 1-12 Merrion Court, Merrion Avenue;
- 18-58 (even) Merrion Avenue;
- 41-61 (odd) Merrion Avenue;
- 2-14 (even) Copley Road;
- 1-4 (conc) Sandymount Avenue;
- Flats 1-5, Amora, London Road;
- 1-25 (conc) White House Drive;
- 1-16 Kerry Court;
- Garages adj 16 White House Drive and adj 7 Kerry Court.

Summary of Response:

- Additional traffic would create noise;
- Traffic and parking problems and harm to pedestrian movement;
- Development would overlook neighbours causing a loss of privacy;
- There would be a loss of light to neighbours;
- Would adversely impact on the conservation area close by;
- The existing building is an eyesore and should not be added to;
- Would add to heavy burden placed on the infrastructure of the area by recent developments;
- Noise, pollution and disturbance from building works;
- Closing of Jubilee House would cause business to close down or relocate;
- Would impact on property values;
- Would adversely affect the residential character of the area.

APPRAISAL

1) Principle of Development

Paragraph 27(viii) of PPS1 promotes the more efficient use of land through the use of suitably located previously developed land and this is re-iterated in London Plan policies 2A.1 and 3A.3. Annex B of PPS3, revised in June 2010, states that 'previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land'. As the site currently comprises a permanent office building, it is considered to be previously developed land for the purposes of PPS3 and therefore housing development is acceptable in principle.

There would be no loss of business use space as a result of the proposed development and the proposal would therefore not conflict with saved UDP policy EM15. There has been no alternative policy designation for the site in the period since the original permission was granted.

2) Character and Appearance of the Area and Adjacent Conservation Area

In approving the initial application (ref P/1220/07), the Council considered that the appearance of the proposed development was acceptable in relation to current policy at the time. In the original Committee Report, it was noted that 'the building is very much an entity in its own right that does not relate to the surrounding built form of either the conservation area to the north, or the two storey housing to the south and west'. It was concluded that the proposed extensions would have a limited impact on the streetscene and would not have an adverse effect on the character and appearance of the Kerry Avenue Conservation Area, or the adjacent locally listed building.

The principal policy for assessing the standard of design and layout at the time was UDP policy D4 and this policy still applies, having been saved following a direction from the Secretary of State. In addition to this policy, London Plan policy 4B.1 sets out a number of design principles for developments to adhere to, although it is considered that the thrust of this policy is broadly in line with UDP policy D4. There has been no material change in circumstances on the site, or in the character and appearance of the surrounding area, that would warrant a different view on the appearance of the proposed development, or its effect on the character and appearance of the area. The proposed development is therefore considered to be acceptable in relation to current policy, subject to a similar condition as previously attached in relation to approval of material samples.

The policies for assessing the provision of landscaping in new developments at the time the initial application was considered were UDP policies D4 and D9 and these policies still apply to the current proposal for extension of time. As the provision of soft landscaping is the same as previously approved, it is considered to be acceptable, subject to a condition requiring details of planting, as was imposed on the initial permission.

3) Residential Amenity

UDP policy D5, which was referred to in the approval of the initial permission, still forms part of the development plan and forms the basis for the assessment of amenity impact in relation to new residential developments. In approving the development, the impact on the occupiers of neighbouring properties in terms of overshadowing, outlook and overlooking was considered to be acceptable. There has been no change of circumstances on surrounding sites in the intervening period, to warrant a different view on the impact of the development on the amenities of neighbouring residents.

The proposed flats were considered to be of an acceptable size in relation to the space standards applied at the time of the original approval. The Council now refers to the Draft London Housing Design Guide, which gives minimum floor areas for new housing, which the proposed flats would all comfortably satisfy. The size of the proposed flats is therefore still considered to be acceptable.

The provision of amenity space for the future occupiers of the proposed development, in the form of balconies, was also considered acceptable and, given that UDP policy D5 is still current in this regard, the amenity space provision is therefore considered to be acceptable.

4) Traffic and Parking

In approving the initial proposal, the level of parking provision was considered to be adequate in relation to the Council's parking standards and UDP policy T13, both of which still apply. It is considered that there has been no significant material increase in traffic in relation to this proposal, since the previous approval, nor has there been a change in circumstances in relation to the visibility from the vehicular access to the site. The site would also still be highly accessible by public transport, with a PTAL rating of 3. The Council's parking standards would still be met and the proposed extension of time would therefore be acceptable in this regard.

5) Accessible Homes

The Council's policy in relation to accessible homes that was applied in relation to the previous application has subsequently been deleted by way of a direction from the Secretary of State. The Council now refers to saved UDP policy C16, relating to accessibility of buildings and London Plan policy 3A.5, relating to housing choice. London Plan policy 3A.5 requires that all new dwellings comply with Lifetime Homes Standards and that 10% comply with Wheelchair Homes Standards. In assessing the previous application, all units were considered to comply with Lifetime Homes Standards, with 10% to be Wheelchair Homes. Given that the proposal would comply with current policy, the proposed extension of time is therefore considered to be acceptable in relation to accessibility.

6) Housing Provision and Density

The proposed development, at 62.5 units per hectare and 175 habitable rooms per hectare satisfied the density requirements as set out in the UDP and the London Plan at the time of approval. The proposal would also be within the current density levels set out in table 3A.2 of the London Plan and it is considered that the development would satisfy current policy on residential density.

7) Affordable Housing

The original planning permission secured a provision of 35% affordable housing (12 units in total) including 6 social rented (4x2 bed and 2x3 bed) and 6 shared ownership units (6x2 bed). This provision complied with the affordable housing policy set out in the UDP at the time of the application. The relevant policy on affordable housing has subsequently been deleted and London Plan policy 3A.9 is now relevant to the consideration of this extension of time application. The requirement for affordable housing under London Plan policy 3A.9 is 50%, with 70/30 split within this for social rented and intermediate provision respectively. However, policy 3A.10 states that 'targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements'. There is an emphasis on the need to encourage rather than restrain residential development and the 'Three Dragons Toolkit' is recognised as an appropriate instrument of policy in determining the economic viability of a scheme and its justifiable contribution to affordable housing provision.

The applicant has tested the provision of an additional 6 affordable housing units bringing the level of provision up to 18 affordable units (9 social rented and 9 shared ownership units), which would comply with the current 50% policy requirement. The scenarios tested have included with and without commercial appraisals in order to demonstrate the effect of the refurbishments cost and value attributable to the office element of the development. The Toolkit concludes that the delivery of the 12 affordable units proposed is only marginally viable and to seek an additional 6 units of any tenure would render the scheme unviable based on the detailed anticipated costs and sales values achievable. This is compounded by uncertainty over public subsidy and the forecast for open market residential values, as well as the unusual construction costs associated with the construction of the additional floors to this office building.

The Council's Housing Department agrees with the conclusions of the Toolkit assessment and the original provision of 35% affordable housing is therefore considered to be acceptable and justifiable in this case. In line with DCLG guidance, it is considered that a deed of variation to link the original S106 agreement to this replacement planning permission is appropriate and these terms have been agreed with the applicant. The proposed extension of time would therefore comply with London Plan policy on affordable housing.

8) Sustainability

London Plan policies on sustainability have been adopted as part of the revised 2008 plan, subsequent to the decision in relation to the original application. In particular, policy 4A.3 seeks to ensure that developments meet the highest standards of sustainable design and construction and policy 4A.7 requires that major developments achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation. Given this material change in policy, it is considered that these constraints should be addressed in the current application. It is however considered that a condition can be imposed, requiring a scheme to be submitted to demonstrate compliance with these policies. Subject to this condition, the proposal is considered to be acceptable.

9) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard. A condition was imposed on the original permission requiring details of how Secured by Design principles are to be built into the scheme. This condition has been carried forward to this permission.

10) Consultation Responses

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

- Would add to heavy burden placed on the infrastructure of the area by recent developments: This is not a material planning consideration.
- Noise, pollution and disturbance from building works: Temporary disturbance from building works would not be grounds to refuse planning permission.
- Closing of Jubilee House would cause business to close down or relocate: The existing offices are to be retained and there would therefore be no loss of business use space.

- Would impact on property values: This is not a material planning consideration.
- All other issues are addressed in the appraisal sections above.

CONCLUSION

For all the reasons considered above, the proposed extension of time application is considered to be acceptable, as the development complies with current policy and there are no policy changes or other material considerations that would warrant the proposal now being viewed unfavourably. The proposal is therefore recommended for grant, subject to the following deed of variation to the existing legal agreement and to conditions:

VARIATION TO THE LEGAL AGREEMENT

The wording of the existing legal agreement (ref: JL02/54299/1 EC-002748) be varied so that it is linked to the replacement planning permission (ref: P/1444/10).

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: 1430 EX 01, 02, 03, 04, PA 01, 02, 03, 04, 05, 06, 07, Site Plan and Design and Access Statement.

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

3 The development hereby permitted shall not commence until details that show how the principles and practices of the Secured by Design Award Scheme are to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime in accordance with the requirements of saved UDP policy D4.

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime in accordance with the requirements of saved UDP policy D4.

5 The standard for 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'.

REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime in accordance with the requirements of saved UDP policy D4.

6 The housing development hereby permitted shall include the provision of 100% Lifetime Homes and 10% Wheelchair Housing.

REASON: To ensure that the development will be accessible to people with disabilities, in compliance with London Plan policy 3A.5 and saved UDP policy C16.

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

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

8 No demolition or site works in connection with the development hereby permitted shall commence before the frontage of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety in accordance with saved UDP policy D5.

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

a: the extension / building(s)

b: the ground surfacing

c: the boundary treatment

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

REASON: To safeguard the appearance of the locality in accordance with saved UDP policy D4.

10 The development hereby permitted shall not commence until details of the provision for attenuation against externally generated noise and vibration have been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents, in accordance with saved UDP policies D5 and EP25.

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

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

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

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

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties in accordance with saved UDP policy D4.

12 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall 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 the provisions of PPS25.

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

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS 25.

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

REASON: To prevent the increased risk of flooding in accordance with the provisions of PPS25.

15 Before the occupation of the development hereby approved, details of secured cycle parking shall be submitted and approved in writing by the local planning authority and shall be retained as such thereafter.

REASON: In the interests of green travel, the safety and security of future occupiers and to prevent obstructions on the footpath in accordance with saved UDP policy D4.

16 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 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 the Harrow Unitary Development Plan (2004).

17 Before the development hereby permitted is occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme adequately addresses the sustainability requirements of saved UDP policy T13.

INFORMATIVES

1 PARTY WALL 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.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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 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.

4 LONDON UNDERGROUND

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting. Contact: Nathan Darroch, Information Manager, London Underground-Infrastructure Protection, Floor 2, 25 Ecclestone Place, London, SW1W 9NF, Tel: 0207 126 2774, Email: nathan.darroch@tube.tfl.gov.uk.

5 RELEVANT POLICIES

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

PPS1 – Delivering Sustainable Development

PPS3 – Housing

London Plan: 2A.1, 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.8, 3A.9, 3A.10, 3A.11, 3D.13, 4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7, 4A.22, 4B.1, 4B.4, Interim London Housing Design Guide (2010)

Harrow Unitary Development Plan: D4, D5, D9, D14, D15, EP25, T6, T13, H7, EM15, C16, Supplementary Planning Guidance: Extensions: A Householder's Guide (2008), Supplementary Planning Document: Accessible Homes (2010), Supplementary Planning Guidance: Designing New Development (2003)

Plan Nos: 1430 EX 01; 02; 03; 04; PA 01; 02; 03; 04; 05; 06; 07; Site Plan; Design and Access Statement

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item : 2/01
DAWSON HOUSE, 276-278 NORTHOLT ROAD, SOUTH HARROW, HA2 8EB
P/2304/10

Ward: ROXETH

CHANGE OF USE OF FIRST AND SECOND FLOOR LEVELS FROM MIXED USE OFFICE AND EDUCATION (USE CLASS B1/ D1) TO EDUCATION (USE CLASS D1)

Applicant: Mr Satchida Saha
Agent: David R Yeaman & Associates
Case Officer: Sushila Bhandari
Statutory Expiry Date: 28-OCT-10

RECOMMENDATION

GRANT permission for the development described in the application.

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. The proposed education use is considered appropriate in this location and would still retain an employment use on the site, and the proposed change of use would not result in an undue adverse impact on the amenities of adjoining occupiers.

National Policy Guidance

PPS 4: Planning for Sustainable Economic Growth (2009)

London Plan

3A.24 Education Facilities

3A.25 Higher and Further Education

Harrow Unitary Development Plan:

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

C7 New Education Facilities

C16 Access to Buildings and Public Spaces

EP25 Noise

T13 Parking Standards

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

- 1) Change of Use of Buildings in Business Use – Outside Designated Areas (EM15, C8)
- 2) Residential Amenity (EP25)
- 3) Access to Buildings (SPD, C16)
- 4) Parking (T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is reported to committee as it falls outside the scheme of delegation.

a) Summary

Statutory Return Type:	Change of Use		
Floor Area	609m ²		
Car Parking	Standard		2
	Justified		2
	Provided		2
Council Interest:	None		

b) Site Description

- The application site comprises a three storey mid terrace building located on the north-east side of Northolt Road within the South Harrow District Centre.
- The ground floor is used as an Iceland Supermarket (Use Class A1) and the first and second floor have recently been refurbished and have been set up to be used as a private college establishment (Use Class D1).
- The lawful use of the first and second floor is mixed class use (B1) offices and education (D1).
- The application site is located outside of the designated business use area of South Harrow.
- This section of Northolt Road is characterised by a mixture of commercial and residential development.

c) Proposal Details

- The proposal seeks to change the use of the first and second floors of the existing building from a mixed use class B1 (office) / D1 (education) to use class D1 (education).

Revisions to Previous Application:

- n/a

d) Relevant History

WEST/1196/02/FUL	Change of use: offices (class b1) to mixed use as training/education (class d1) and offices (class b1) on first and second floors	GRANT 14-MAR-03
P/2920/03/CFU	Use of first floor as banqueting suite (class d2)	REFUSED 08-JUL-04
		ALLOWED ON APPEAL 10-SEP-05

Reason for Refusal:

1. The proposed change of use would result in increased disturbance and general activity at unsocial hours to the detriment of the amenities of neighbouring residents

P/1335/06 Variation of condition 2 of appeal REFUSED
permission app/m5450/a/04/1157717 to 26-SEP-06
permit opening to customers from 9:00
hrs Sunday to Thursdays until 01:00 hrs
the following day and from 09:00 hrs
Friday and Saturdays until 02:00 hrs the
following day

Reason for Refusal:

1. The proposed variation of condition to allow extended opening hours would give rise to additional activity, noise and disturbance at unsocial hours that would be detrimental to the residential amenity of neighbouring occupiers.

P/1887/07 Change of use from storage & offices to REFUSED
eleven flats with third floor extension and 10-SEP-07
alterations to elevations

Reasons for Refusal:

1. The proposed development, by reason of failing to clearly demonstrate that the site is no longer suitable or required for office use (use class B1), would result in an unacceptable loss of B1 office space contrary to policy EM15 of the Harrow Unitary Development.
2. The proposed development, by way of inadequate accessibility and poor internal layout, would fail to meet the requirements of Lifetime Homes Standards, contrary to policy H18 of the Harrow Unitary Development Plan 2004 and the Council's Supplementary Planning Document on Accessible Homes (April 2006).

P/2587/08 Change of use from storage and offices to REFUSED
eight flats with third floor extension and 09-OCT-08
alterations to elevations.

Reasons for Refusal:

1. The proposed development, by reason of failing to clearly demonstrate that the site is no longer suitable or required for office use (use class B1), would result in an unacceptable loss of B1 office space contrary to policy EM15 of the Harrow Unitary Development (2004).
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 2008 and policy D4 of the Harrow Unitary Development Plan (2004).
3. The proposed development, by way of inadequate accessibility and poor internal layout, would fail to meet the requirements of Lifetime Homes Standards, contrary to policy 3A.5 of the Consolidated London Plan (Alterations Since 2004) 2008 and the Council's Supplementary Planning Document on Accessible Homes (April 2006).

P/1229/10 Certificate of lawful existing use: use of REFUSED
first and second floors as education use 05-AUG-10
(use class d1) and offices (use class b1)

Reasons for Refusal:

1. The existing use of the first and second floors as education/ training (class D1) is not in accordance with Condition 2 imposed under planning permission WEST/1196/02/FUL, which states that the floor area to be used for D1 purposes must not exceed 227 square metres.
2. North London ITEC vacated the premises on the 28th March 2007. The applicant took occupation of the first and second floors since 23 October 2009 and therefore the use of the first and second floors as education/ training (class D1) has not been in continual use in breach of this planning condition for more than 10 years.
3. The existing use is therefore not lawful.

e) Pre-Application Discussion

- None

f) Applicant Statement

- This application is supported by a covering letter. The key points with regard to the proposed change of use are outlined below:
 - The proposed educational use will be a great attribute to the area.
 - There is a heavy demand for the proposed courses which includes Business Studies, Computing, Accounting, Travel & Tourism, Social & Health Care.
 - The building is located on Northolt Road, which is excellent for public transport provision.
 - This location provides good accessibility to local shopping facilities.
 - 3 storey building is of modern (1980's) construction – each floor is accessible by lift. There is the statutory provision of Male and Female Toilet Facilities, together with Tea Room, Common Room, Library etc to serve the Student and Staff requirements.

g) Consultations

Advertisement: None Expiry: n/a

Notifications:
Sent: 30 Replies: 0 Expiry: 11-NOV-10 (Re-Consultation following change in description)

Addresses consulted

1 to 4 Crane Close, Harrow
266A, 268, 271A, 273A, 277A, 279A, 280B, 284A, 290A, 284-286, 274-278, 268A, 266, 271, 273, 275, 277, 279, 290, Garages adjacent to 290, 280, 281, 283, 272 Northolt Road, and First and Second Floor Offices Dawson House.

Summary of Responses: n/a

APPRAISAL

1) Change of Use of Buildings in Business Use – Outside Designated Areas

This application follows on from a previous application for a Lawful Development Certificate (P/1229/10), which sought to establish the existing lawful use of the premises as education purposes (use class D1), which was refused for the reasons stated above. The lawful use of the application site is mixed class use B1 (office) and D1 (education), which was granted planning permission under ref: WEST/1196/02/FUL. Subsequent to application WEST/1196/02/FUL, planning permission was granted on appeal under ref: P/2920/03/CFU to use the first floor as a banqueting suite (Use Class D2). The current applicant is now seeking full planning permission to use the entire two floors (first and second) for educational purposes (Use Class D1).

Saved policy EM15 of the Harrow UDP states that the loss of land or buildings from business, general industrial or warehouse use (use classes B1, B2 and B8) to other uses outside these classes will be resisted, unless it can be demonstrated that the site is no longer suitable for employment use. Applications for proposals to change the use from B class categories to other uses, must demonstrate how the proposal satisfies criteria a) to g) of saved policy EM15. Policy EC11 of Planning Policy Statement on Planning For Sustainable Economic Growth (2009) broadly reflects saved policy EM15 of the Harrow UDP (2004) in requiring planning authorities to give consideration to market and other economic information, take account of the longer term benefits as well as the costs and consider whether proposals help meet the wider objectives of the development plan. Saved policy C7 of the Harrow UDP states that the Council will seek to ensure that appropriate educational facilities are provided subject to three criteria; that there is a need for new education facilities in the area; accessibility levels of the site and availability of a safe-setting down and picking-up area.

The main thrust of PPS4 and saved policy EM15 of the Harrow UDP is to ensure that there are sufficient levels of employment land/ use retained within the borough. Given the current economic climate, the demand for office space within the Borough has seen a steady decline. This is reflected in the Council's monitoring reports on B1 office space in the Borough which shows an increase almost every year in the past ten years in the amount of vacant office floor space (currently at 11.89%) despite the decreasing overall provision of office floor space.

The applicant has not provided any marketing information and therefore would fail to meet the requirements set out under criterion C) of saved policy EM15. However, the supporting documentation from the management company supplied with this application confirms that the first and second floors were occupied North London ITEC (a training institute) between the period of 15.06.2003 and 28.03.2007. After this period, planning permission was sought for residential developments (P/1887/07 and P/2587/08), which were refused. Although both these applications were refused for the lack of marketing information and unsatisfactory evidence to support that the site is no longer suitable for B1 use, it is clear that the use as residential in both cases would have resulted in the loss of employment land. It is clear from the information supplied that the premises were unoccupied for over two years before the current applicant took occupation of the building on 23.10.2009, which would satisfy criterion D) of saved policy EM15.

On site inspection and from the floor plans submitted with this application, it is clear that some level of office function will be retained to support the D1 use. It is considered that the change of use from mixed B1/ D1 to solely D1 would on balance be acceptable as the proposed use would still retain employment use within the building. Furthermore, as the college would primarily be aimed at overseas students of adult age, this would encourage students to visit/ use other nearby commercial premises within the district shopping centre which in turn would be beneficial to the local economy.

Criterion E) and G) of saved policy EM15 are not applicable in this case, as the existing B1/D1 use had negligible harm on nearby residents and the proposed use is not likely to have any adverse impact on local residents. Likewise, the servicing of the existing premises can be done from the street and from the service road at the rear. The application site is accessible by public transport and therefore criterion F) of saved policy EM15 is not applicable in this case, although access to transport would satisfy the requirements of saved policy C7 of the Harrow UDP. As the proposed college would be primarily aimed at adults, it is unlikely the proposal would give rise to any conflict with regards to criterion C) of saved policy C7 which require the availability of safe setting-down and picking-up points.

Having regard to the extensive planning history relating to this site, it is considered that the proposed change of use would not pose any adverse impact upon the local economy and would retain an employment at the building and therefore it would comply with the main objectives of saved policy EM15 of the Harrow UDP and PPS 4. For the reasons set out above, this application is recommended for grant, subject to a condition restricting the D1 use to education only, to ensure that some form employment is retain on this site.

2) Residential Amenity

The existing use of the site is class B1/D1, the proposed change of use to D1 solely would not result in any adverse impact on neighbouring residential amenity over and above that which already exists in this part of the district centre. In view of this, it is considered that the proposed change of use would not lead to any significant harm upon nearby residential amenity.

3) Access to Buildings

The application site forms part of the first and second floors of the existing building. No external works are proposed to the building and therefore the access arrangement would remain the same as existing. Internally the uppers floors are served by a lift and there is a level threshold entrance to the building. However at the ground level (at street level) there are a small number of internal steps that lead to the landing where the lift is located. Due to the internal site constraints it is not possible to make the site full accessible for wheelchair users, without making substantial internal alterations to the staircase. Having full regard to these site constraints it is considered that a refusal on the grounds of lack of accessibility cannot be substantiated in this case.

4) Parking

The application site is located within South Harrow District Centre which is well served by public transport and has a public transport accessibility level of 3. In addition to this, the surrounding roads are subject to stringent parking controls. The application site has an allocation of two parking spaces which are located at the rear. The number of spaces would not exceed the maximum parking standards set out under Schedule 5 of the Harrow UDP.

It is considered that the proposal would not unduly impact upon highway safety and would be in accordance with the objectives set out under saved policy T13 of the Harrow UDP and the Council's Highways Engineer has not raised an objection to the application.

5) S17 Crime & Disorder Act

It is considered that the proposed change of use would not result in an increase in the risk of crime to the site.

6) Consultation Responses

None

CONCLUSION

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

CONDITIONS

1 The use 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 premises shall only be used for the purpose specified in the application (D1(c) education use) and for no other purpose, including any other purpose in Class D of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

REASON: To ensure that employment use is retained on this site to meet the objectives of Policy EC11 of Planning Policy Statement 4 on Planning For Sustainable Economic Growth (2009) and saved policy EM15 of the Harrow Unitary Development Plan (2004).

3 The education facility hereby permitted shall only be used for the following times:-

09:00 hours to 17.30 hours Monday to Friday for Students

07.30 hours to 20.00 hours Monday to Friday for Teachers

and at no time on Saturday, Sundays or Bank Holidays

REASON: To ensure that the hours of teaching are within reasonable hours in order safeguard the amenity of neighbouring residents in accordance with saved policy D5 of the Harrow Unitary Development Plan (2004).

4 The use hereby permitted shall be carried out in accordance with the following approved plans:

001; 002; 003; 004; 005; Business Plan: Helios International College; Veolia Environmental Services Letter

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

INFORMATIVES

1 INFORMATIVE:

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

Planning Policy Statement 4: Planning for Sustainable Economic Growth

HUDP 2004 Polices: EM15, EP25, T13, C7 and C16

Supplementary Planning Document: Access for All (2006))

URS London Borough of Harrow Employment Land Study 2006.

2 INFORMATIVE:

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

3 INFORMATIVE:

The applicant is reminded of the duties set out in the Disability Discrimination Act 1995 with regard to employment and service provision. An employer's duty to make reasonable adjustment is owed to an individual employee or job applicant. However, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. Failure to take reasonable steps at this stage to facilitate access will therefore count against the service provider if / when challenged by a disabled person from October 2004. The applicant is therefore advised to take full advantage of the opportunity that this application offers to improve the accessibility of the premises to people with mobility and sensory impairments.

Plan Nos: 001; 002; 003; 004; 005; Business Plan: Helios International College

34-36 CAMBRIDGE ROAD, HARROW, P/1643/10
HA2 7LD

Ward HEADSTONE NORTH

TWO STOREY BUILDING TO PROVIDE FOUR FLATS; NEW VEHICULAR ACCESS
AND PARKING (REVISED APPLICATION)

APPLICANT: Mr S Sanghera
AGENT: The Gillett Macleod Partnership
CASE OFFICER: Gerard Livett
Statutory Expiry Date: | 07-SEP-10

RECOMMENDATION

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

REASON

The decision to recommend **GRANT** of planning permission has been taken having regard to the policies and proposals of the London Plan 2008, saved policies of the Harrow Unitary Development Plan 2004 set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report, as the proposed development would provide good quality housing that would not have a detrimental impact on the character and appearance of the area or on the amenities of neighbouring occupiers.

Planning Policy Statement 1 – Delivering Sustainable Development (2006)
Planning Policy Statement 3 – Housing (2010)
Planning Policy Statement 9 – Biodiversity and Geological Conservation (2005)
Planning Policy Statement 25 – Development and Flood Risk (2010)

The London Plan:

3A.1 – Increasing London's supply of housing
3A.2 – Borough Housing Targets
3A.3 – Maximising the potential of sites
3A.4 – Efficient Use of Stock
3A.5 – Housing choice
4A.7 – Sustainable development
4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout
D5 – New Residential Development – Amenity Space and Privacy
D9 – Streetside Greenness and Forecourt Greenery
D10 – Trees and New Development
EP11 – Development in Floodplains
EP12 – Control of Surface Water Run-off
EP13 – Culverting and Deculverting
T6 – The Transport Impact of Development Proposals
T11 – Cycle and Motorcycle Parking

T13 – Parking Standards
H7 – Dwelling Mix
C16 – Access to Buildings and Public Spaces

Supplementary Planning Guidance, Extensions: A Householder's Guide (2008)
Supplementary Planning Document, Accessible Homes (2010)

Interim London Housing Design Guide (2010)

Harrow Strategic Flood Risk Assessment (2010)

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

- 1) Principle of Development (PPS3, PPS25, London Plan policies 3A.1 – 3A.5 Saved UDP policies D4, H7)
- 2) Flood Risk (PPS25, EP11, EP12, EP13)
- 3) Character and Appearance of the Area (London Plan policy 4B.1, Saved UDP policies D4, D9, H7)
- 4) Residential Amenity, including Lifetime Homes (London Plan policies 3A.1 – 3A.5, Saved UDP policies D4, D5, C16, SPD)
- 5) Transport and Highways Considerations (Saved UDP policies T6, T11, T13)
- 6) Landscaping, Trees and Environmental Considerations (PPS9, PPS25, London Plan policy 4A.7, Saved UPD policies D4, D9, D10, EP11, EP12, EP13, Strategic Flood Risk Assessment)
- 7) S17 Crime & Disorder Act (Saved UDP policy D4)
- 8) Consultation Responses

INFORMATION

This application is referred to Committee as it is outside the scope of the Scheme of Delegation.

a) Summary

Statutory Return Type	Minor Dwellings	
Site Area	812m ²	
Habitable Rooms	8	
Residential density	98 hrph 49 dph	
Lifetime Homes	4	
Wheelchair Homes	0	
Car Parking	Standard	5
	Provided	3
Council Interest	None	

b) Site Description

- The application site is a roughly triangular irregular shaped plot with a 30m frontage on Cambridge Road, a 28m return frontage on a footway from Cambridge Road to the North Harrow station car park (at the rear). The remainder of the site boundary is formed by a tributary of the Yeading Brook.

Item 2/02 : P/1643/10 continued/...

- The brook roughly bisects a larger area, and the similarly-shaped plot on the opposite side of the Brook contains a single-storey church building and an electricity sub-station.
- The site formerly contained a block of nine lock-up garages, but these have been demolished.
- There are two trees adjacent to the Brook on the opposite bank.
- There is a mature Lime tree outside the site on the footway.
- Cambridge Road is characterised by two-storey semi-detached dwellings.
- There are no parking controls in force in this area.

c) Proposal Details

- Redevelopment of the site to provide a two-storey block of four one-bedroom flats.
- The block would be 15m wide, and a maximum of 10m deep with a maximum roof height of 8.8m.
- The block would have the appearance of a pair of two-storey semi-detached houses, but with a central door.
- The block would have a staggered appearance, with each half of the block being 8.7m deep.
- The four flats would be arranged with two flats on each floor of the building.
- The block would be set 6.8m from Cambridge Road, and the flank wall of the block would be approximately 1.2m from the boundary with the footway.
- Three parking spaces would be provided at the front of the site: two immediately in front of the building and a third set away from the building towards the front of the site.
- Two vehicular access points would be provided, one to serve each parking area
- The refuse and recycling storage area would be adjacent to the building, with a cycle store to the rear of the bin store. No drawings of either the bin store or the cycle store have been submitted.
- A six-metre buffer zone adjacent to the Yeading Brook is proposed.

Revision to previous application

Following the previous refusal of planning permission (P/0825/09) the following amendments have been made.

- Dwelling mix adjusted from two x one bedroom flats and two x two-bedroom flats to four x one-bedroom flats
- Reduction in overall depth of block from 11.3m to 10m
- Design changed to allow for staggering of pairs of flats

Revisions to current application

Revised Flood Risk Assessment received 21-Sep-2010

d) Relevant History

LBH/9383	Demolition of existing lock-up garages and erection of pair of semi-detached houses with 2 lock-up garages at side (outline)	REFUSED 07-AUG-73
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Reasons for Refusal:

- The proposed development would be premature and likely to be prejudicial to the completion of studies and formulation of proposals for the area.
- The proposal represents overdevelopment of the site with insufficient rear amenity area available to flat 2.

LBH/9383/1	Demolition of existing lock-up garages and erection of 2-storied block of 4 flats with 4 lock-up garages at side (outline)	REFUSED 07-AUG-73
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Reasons for Refusal:

- The proposed development would be premature and likely to be prejudicial to the completion of studies and formulation of proposals for the area.
- The proposal represents overdevelopment of the site with insufficient amenity area.

WEST/533/99/LA3	Outline: two storey, five bedroom detached house with access and parking	DEEMED REFUSAL 18-DEC-01
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P/2124/08/DFU	Two storey building with rooms in roof space to provide six flats; new vehicular access and parking	REFUSED 31-OCT-08
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Reasons for Refusal:

- The proposal, by reason of poor design, would represent an overdevelopment of the site, and would fail to respect the local context of development, would detract from the appearance and proportions of the nearby houses to the detriment of the character and appearance of the area and the visual and residential amenities of neighbouring occupiers, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004), and Supplementary Planning Guidance, Extensions: A Householder's Guide (2008).
- The proposal, by reason of an inadequate buffer zone between the proposed development and the tributary of The Yeading Brook in the vicinity, would prejudice flood defence interests and would cause flooding within the site and elsewhere and would restrict access to the watercourse for maintenance, contrary to Policy EP11 of the Harrow Unitary Development Plan (2004) and PPG25.
- The proposed flats, by reason of poor design, inadequate room sizes and non-compliance with Lifetime Homes standards, would provide cramped and substandard accommodation, to the detriment of the residential amenities of future occupiers of the site, contrary to London Plan policy 3A.5, policies D4 and D5 of the Harrow Unitary Development Plan (2004), and Supplementary Planning Document, Accessible Homes (2006).
- The proposed parking arrangement would be cramped and leave little scope for soft landscaping which would detract from the appearance of the property in the street scene, contrary to Policies D9 and T13 of the Harrow Unitary Development Plan (2004).

- The proposed development, by reason of unsatisfactory provision of amenity space, would be detrimental to the residential amenities of future occupiers of the site contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance; Designing New Development (2003).
- The vehicular access to the proposed development would be in close proximity to a street tree of significant amenity value, which would be prejudicial to the long term survival of the tree, to the detriment of the visual amenity of the area, contrary to policies D4, D5, D9 and D10 of the Harrow Unitary Development Plan (2004).

P/0825/09	Two storey building to provide four flats with ramp on front elevation; new vehicular access and parking	REFUSED 23-JUN-09 APPEAL DISMISSED
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Reasons for Refusal:

- The proposal, by reason of poor design, would represent an overdevelopment of the site, and would fail to respect the local context of development, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004), and Supplementary Planning Guidance, Extensions: A Householder's Guide (2008).
- The proposed development, by reason of unsatisfactory provision of amenity space, would be detrimental to the residential amenities of future occupiers of the site contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance; Designing New Development (2003).

e) Pre-Application Discussion

- None

f) Applicant Statement

- Design and Access Statement:
- Proposal overcomes Inspector's reasons for refusal
- Proposal would maintain a buffer zone for the Yeading Brook
- Flats would be accessible

g) Consultations:

Environment Agency: Previous objection has been overcome with revised Flood Risk Assessment. Conditions would be required.

Waste Management: Applicant would need to provide 1 no. 1100 litre waste bin and 1 no. 1280 litre Blue Recycling Bin. The applicant is also recommended to install under-sink waste disposal units to deal with food waste.

Landscape Architect: Conditions regarding landscaping and maintenance should be attached

Highways Engineers: No objection

Drainage Engineers: Previous objection regarding flood risk has been overcome. Drainage conditions required.

Arboricultural Operations Manager/Planning Arboricultural Officer: Measures to protect street tree should be provided

Notifications:

Sent: 17

Replies: 2

Expiry: 06-AUG-10

Including petition with 29 signatures

Neighbours consulted:

30, 31, 31a, 32, 33, 35, 37, 38, 39, 39a, 40, 41, 46, 47 Cambridge Road
22 Cannon Lane Pinner (Gospel Hall Trust rear of 17 Broadwalk)

Summary of Response:

- Proposal would be detrimental to drainage at the site
- Out of character and overdevelopment
- Loss of privacy

APPRAISAL

1) Principle of Development

The principle of residential development on this site has been tested with recent planning applications and an appeal against the most recent reason for refusal of planning permission.

In dismissing the appeal against the most recent refusal of planning permission, the Inspector identified that the requirement to provide a buffer zone to the Yeading Brook restricted the availability of amenity space at the rear of the block. The consequence of this would result in the block of flats being located forward of the established building line of neighbouring dwellinghouses, which would be out of character with the pattern of development in the locality.

Furthermore, the Inspector concluded that the restrictions of the site would limit the availability of private amenity space, which would be detrimental to the residential amenities of the future occupiers of the development.

The Inspector did not question the principle of development of the site for residential purposes.

The revised design of the block of flats means that at the southern edge, adjacent to the entrance to the car park, the building would respect the established building line, with a small projection at the northern edge. Given that this would be separated from the adjacent dwellinghouse, No. 38 Cambridge Road, by a buffer zone for the Yeading Brook and the brook itself, it is considered that that previous first reason for refusal has been overcome.

Following correspondence with the Environment Agency, it has been accepted that the buffer zone may be considered as part of the amenity space provided the zone is permanently kept free from development and hard landscaping. The reduction in the size of the block of flats would allow for a larger rear garden, and it is therefore considered that the previous second reason for refusal has also been overcome. Although the buffer zone would have soft landscaping, its function as a buffer zone would only be impaired if hard landscaping or other built development were to encroach on the buffer zone.

2) Flood Risk

There is a watercourse on site along the northern aspect of the site. The applicants have proposed a 6m wide buffer zone for this watercourse. This is considered acceptable by the Environment Agency.

The flood risk assessment supplied by the applicants on 21-Sep-2010 is considered acceptable. In the absence of any objection from the Environment Agency, it is considered that the mitigation of the flood risk, together with measures for the protection of the Brook and its maintenance, can be addressed by suitable conditions.

3) Character and Appearance of the Area

Policies 4B.1 and 4B.8 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.

The proposed block, of itself, would have a similar appearance and be of similar proportions to the existing houses on the street, albeit with one central front door.

The site area of the application site is similar to that which would normally contain a pair of semi-detached houses. The previous proposal was for four flats with a total of 10 habitable rooms, whereas the subject application would only have eight habitable rooms. With this reduction in the scale of the development, it is considered that the previous reason for refusal based on overdevelopment of the site has been overcome.

The level of hardstanding and car parking is similar to the previous scheme. However, no details of the proposed hard and soft landscaping have been provided. It is considered that the lack of details of these matters can be adequately addressed by conditions, which are attached.

As noted in the principle of development section of the appraisal, the design of the block of flats has been modified to respect the scale and orientation of surrounding buildings and is considered acceptable in terms of the character and appearance of the area, subject to a condition requiring materials to be approved.

A refuse storage area is shown on the submitted drawings. However, no details of this have been included. Therefore, a condition requiring these to be submitted and approved is attached.

4) Residential Amenity, including Lifetime Homes

The internal layout of the proposed flats is considered acceptable.

The proposed flats would all have adequate room sizes and would comply with the Lifetime Homes standards.

The proposal would provide four two-person one-bedroom flats.

The flats would have a gross internal area of 49m², with a 12m² main bedroom and a 24m² living room/kitchen/diner. These floor areas are comparable to those contained in the Interim London Housing Design Guide (2010) and are considered acceptable.

London Plan policy 3A.5, which is supported by saved policy C16 of the UDP and the adopted Supplementary Planning Document, Accessible Homes (2010) requires that all new homes comply with the minimum requirements of Lifetime Homes. These are set out in the Council's adopted Supplementary Planning Document, Accessible Homes. The proposed development would comply with requirements of the Lifetime Homes standards.

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

Although, the bulk of the rear garden area would be taken up by a buffer zone for the protection of the Yeading Brook, provided this area is kept as a soft landscaped area with no structures, this could be considered to contribute to the amenity area of the proposed flats, albeit as a visual amenity.

Provision has been made to protect the privacy of the occupiers of the ground floor flats with respect to overlooking from the communal rear garden through the use of a screened patio area. Although details of the screening have not been provided, this can be assessed as part of a landscaping condition.

It is therefore considered that the previous second reason for refusal has been adequately addressed.

The proposed development would effectively be an island site, with a footpath to one side, the public highway on a second side and buffer zone and Yeading Brook on the third side. The proposed siting of the development in relation to other properties in the vicinity, including the nearby Church Hall, is considered not to have a detrimental impact on the amenities of nearby occupiers.

5) Transport and Highways Considerations

The level of parking provision is considered acceptable for the number of units proposed.

Although the proposal could result in overspill parking on the highway, this is not considered sufficient to justify a reason for refusal in itself, given the close location to public transport facilities.

The proposal includes provision of a cycle store, which would assist in delivering sustainable transport, as required by saved policies T6 and T11 of the Harrow Unitary Development Plan.

6) Landscaping, Trees and Environmental Considerations

Policy D9 of the UDP seeks to achieve and retain a high quality of streetside greenness and forecourt greenery in the borough. Policy D10 requires landscape schemes to be submitted with detailed planning applications.

There are trees on the site, although these are not worthy of statutory protection in and of themselves.

The proposed accesses to the site have been moved away from the mature Lime Tree in the street. In the applicant's tree survey, the plan indicates that a no-dig methodology for the parking area at the front of the block would be required. A suitable condition requiring details of the construction technique to be submitted and approved has been added.

Although the applicants have provided a landscaping plan, the details on the plan, especially of the hard landscaping, are insufficient to allow for a full assessment of the impact of this aspect of the proposal. Therefore, suitable conditions have been added requiring hard and soft landscaping details to be submitted and approved.

Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

In addition to the requirement to minimise flood risk discussed above, buffer zones to watercourses are required for the following purposes:

- (i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
- (ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
- (iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
- (iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
- (v) to allow, where appropriate, for the re grading of banks to a lower and safer profile, in areas where there is public access;
- (vi) to prevent overshadowing of watercourses by buildings; and
- (vii) to reduce the risk of accidental pollution from run-off.

A condition requiring details of the buffer zone to be approved and implemented prior to the commencement of development is therefore attached.

7) S17 Crime & Disorder Act

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

8) Consultation Responses

- Proposal would be detrimental to drainage at the site – *this matter is addressed through suitable conditions*

- Out of character and overdevelopment – *addressed in Character and Appearance of the Area section of the appraisal*
- Loss of privacy – *Addressed in Residential Amenity section of the appraisal*

CONCLUSION

The proposed development would provide good quality housing that would not have a detrimental impact on the character and appearance of the area or on the amenities of neighbouring occupiers and would not increase the flood risk at the site.

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

CONDITIONS

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

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

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

a: the building

b: the ground surfacing

c: the boundary treatment

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

REASON: To safeguard the appearance of the locality, 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:

Site Plan; 08/3200/1; /2; /3; 1188.2; Design and Access Statement; Flood Risk Assessment (received 21-Sep-2010), Arboricultural Report by Caroline Hay Associates

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

4 The finished floor levels of the buildings hereby permitted shall not be set lower than 48.28m Above Ordnance Datum (AOD) as detailed in Section 4.1 of the Flood Risk Assessment received 21-Sep-2010.

REASON: To reduce the risk of flooding to the proposed development and future occupants, as required by PPS9, PPS25, saved policy EP11 of the Harrow Unitary Development Plan (2004) and Harrow Strategic Flood Risk Assessment (2010).

5 The development hereby permitted shall not commence until an undeveloped buffer zone of at least six metres from the top of the bank of the Yeading Brook, as detailed in Section 3.1.3 of the Flood Risk Assessment received 21-Sep-2010 and drawing number 08/320/1 has been provided. The buffer zone shall thereafter be permanently retained.

REASON: To protect and allow for access to the watercourse to undertake routine and emergency maintenance and to maintain the structural stability of the riverbank, as required by saved policies EP11 and EP13 of the Harrow Unitary Development Plan (2004), Harrow Strategic Flood Risk Assessment (2010) and to comply with the provisions of the Land Drainage Act 1991, Bylaw 10.

6 Notwithstanding the details shown on the approved drawing number 1188.2, the development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

Hard ground surface landscape works 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.

The submitted details shall include a no-dig methodology for the forecourt of the site, together with measures for the protection of the Lime Tree in the street outside the site.

The landscaping shall be implemented in accordance with the approved details.

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: To safeguard the appearance and character of the area, to protect the street tree of significant amenity value and to enhance the appearance of the development, as required by saved policies D4, D9 and D10 of the Harrow Unitary Development Plan (2004).

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building, 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, as required by saved policies D4 and D9 of the Harrow Unitary Development Plan (2004).

8 The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme for the secure storage of bicycles. The bicycle store shall be implemented in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the proposal promotes sustainable transport, in accordance with saved policies T11 and T13 of the Harrow Unitary Development Plan (2004).

9 No demolition or site works in connection with the development hereby permitted shall commence before the frontage of the site is enclosed by a close boarded fence to a minimum height of 2 metres.

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

REASON: In the interests of amenity and highway safety, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

10 The existing access shall be closed when the new accesses hereby permitted are brought into use, and the highway shall be reinstated in accordance with details to be submitted to, and approved by, the local planning authority. The development shall not be used or occupied until the reinstatement works have been completed in accordance with the approved details. The works shall thereafter be retained.

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway, as required by saved policies D4, T6 and T13 of the Harrow Unitary Development Plan (2004).

11 The development hereby permitted shall not be occupied until visibility is provided to the public highway in accordance with dimensions to be first agreed in writing by the local planning authority. The visibility splays thereby provided shall thereafter be retained in that form.

REASON: To provide a suitable standard of visibility to and from the highway, so that the use of the access does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway, as required by saved policies D4, T6 and T13 of the Harrow Unitary Development Plan (2004).

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

REASON: To ensure that the parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards, as required by saved policies D4, T6 and T13 of the Harrow Unitary Development Plan (2004).

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

The Development shall be completed in accordance with the approved levels and thereafter retained.

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, as required by saved policies D4 and EP12 of the Harrow Unitary Development Plan (2004).

14 The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The surface water run-off generated by the 1 in 100 year critical storm shall not exceed 6.4 l/s as detailed in Section 5.3.2 of the Flood Risk Assessment received 21-Sep-2010). The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided and to prevent the risk of flooding, as required by PPS25, saved policies D4 and EP12 of the Harrow Unitary Development Plan (2004) and Harrow Strategic Flood Risk Assessment (2010).

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

REASON: To prevent the increased risk of flooding, as required by PPS25, saved policies D4 and EP12 of the Harrow Unitary Development Plan (2004) and Harrow Strategic Flood Risk Assessment (2010).

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

a: the storage and disposal of refuse/waste

b: and vehicular access thereto

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

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

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties, as required by saved policy D4 of the Harrow Unitary Development Plan (2004).

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with policy 3A.5 of the London Plan (2008), saved policy C16 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document, Accessible Homes (2010).

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 (2006)

Planning Policy Statement 3 – Housing (2010)

Planning Policy Statement 9 – Biodiversity and Geological Conservation (2005)

Planning Policy Statement 25 – Development and Flood Risk (2010)

Item 2/02 : P/1643/10 continued/...

The London Plan:

- 3A.1 – Increasing London's supply of housing
- 3A.2 – Borough Housing Targets
- 3A.3 – Maximising the potential of sites
- 3A.4 – Efficient Use of Stock
- 3A.5 – Housing choice
- 4A.7 – Sustainable development
- 4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- D9 – Streetside Greenness and Forecourt Greenery
- D10 – Trees and New Development
- EP11 – Development in Floodplains
- EP12 – Control of Surface Water Run-off
- EP13 – Culverting and Deculverting
- T6 – The Transport Impact of Development Proposals
- T11 – Cycle and Motorcycle Parking
- T13 – Parking Standards
- H7 – Dwelling Mix
- C16 – Access to Buildings and Public Spaces

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

Supplementary Planning Document, Accessible Homes (2010)

Interim London Housing Design Guide (2010)

Harrow Strategic Flood Risk Assessment (2010)

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.

5 INFORMATIVE:

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

6 INFORMATIVE:

Before implementing the planning permission hereby granted, the applicant is advised to contact the Council's Highways Crossings Officer on 020 8424 1799 or by email to frank.cannon@harrow.gov.uk to find out whether the construction of the crossover is acceptable in highway terms.

Plan Nos: Site Plan; 08/3200/1; /2; /3; 1188.2; Design and Access Statement; Flood Risk Assessment (received 21-Sep-2010); Arboricultural Report by Caroline Hay Associates

**LAND AT BRIDGE HOUSE, 125 WAXWELL LANE, P/1885/10
PINNER HA5 3ER**

Ward: PINNER

ADVERTISEMENT CONSENT : TWO X 6M HIGH FLAG POLES: ONE NON-ILLUMINATED FREESTANDING SIGN (4.2M)

Applicant: Banner Homes
Case Officer: Sushila Bhandari
Statutory Expiry Date: | 08-SEP-10

RECOMMENDATION

GRANT consent for the advertisement described in the application.

The decision to grant consent for the advertisement signs described above has been made having full regard to the national policy guidance PPG 19 on Outdoor Advertisements and relevant saved policies from the Harrow Unitary Development Plan (2004). Whilst noting that the signs are prominent in this residential locality, it is considered that any perceived harm to local residents would be off set by this temporary nature of the signs. Furthermore, the signs are non-illuminated and are sufficiently sited away from the Waxwell Lane Conservation Area and would therefore have no detrimental harm to this conservation area.

National Policy Guidance

PPG19: Outdoor Advertisement Control (1992)

Harrow Unitary Development Plan:

D4 Standard of Design and Layout
D14 Conservation Areas
D15 Extensions and Alterations in Conservation Areas

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

- 1) Amenity (PPG19, D14, D15)
- 2) Public Safety (PPG19)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to the planning committee due to public interest.

a) Summary

Statutory Return Type: 22: Advertisement Consent
Conservation Area: Adjacent to Waxwell Close Conservation Area
Council Interest: None

b) Site Description

- The application site is situated on the southern part of the grounds forming part of The Grail, 125 Waxwell Lane, which is a Grade II Listed former farmhouse building (located outside the application site).
- The Grail Centre, located to the north of the application site and extensively surrounded by an open green area, is owned by a religious order that has occupied the site for a considerable time. The Grail is used as a retreat centre.
- Bridge House that is sited on the application site, is a 1960's/70s constructed building, which is used as ancillary accommodation for the users of the retreat centre. This building has now been demolished as part of the redevelopment that was granted planning permission under ref. P/2977/09.
- The front and side boundaries of the application site comprise a mature hedgerow.
- There are a number of trees in the front part of the site, of which three Oak Trees are subject to a Tree Preservation Order
- The surrounding area is characterised by a mixture of detached, terraced and semi-detached dwellinghouses of varying sizes and styles of architecture.

c) Proposal Details

- Consent is sought for the display of a 4.2m high non-illuminated freestanding sign and two 6m high flag poles.
- The freestanding sign is in two sections, with each section having an overall width of 2.3m. The sign has been positioned in a 'v' shape fronting both sides of Waxwell Lane.
- The two flag pole signs are positioned at either side of the freestanding sign.

Revisions to Previous Application:

- n/a

d) Relevant History

P/2977/09	Demolition of existing bridge house building and redevelopment if site to provide four x single and two- storey detached dwellinghouses with habitable roof space; new vehicular accesses (resubmission)	GRANTED 16-MAR-10
P/1323/10	Submission of details pursuant to conditions 2(materials), 3(landscaping), 4(trees), 12(refuse), 14(drainage), and 15(levels) attached to planning permission P/2977/09 dated 16-MAR-10 for 'demolition of existing bridge house building and redevelopment if site to provide four x single and two- storey detached dwellinghouses with habitable roof space; new vehicular accesses (resubmission)'	APPROVED 30-SEP-10

Furthermore, such advertisement signs are temporary in nature and are generally displayed during the period of construction only. The applicant in this case is also seeking consent to display the advertisement signs until the 30-DEC-11. Whilst noting the objections raised by local residents, the advertisement signs are to be displayed on a temporary basis only and taking into consideration that no objections has been raised by the Council's Conservation Officer or the Conservation Advisory Area Committee, it is considered that to withhold consent in this case would be unsubstantiated in this case.

It is acknowledged that the signs are not within the size limitations set out Under Class 3 (Temporary Advertisements) and Class 7 (Flag Advertisements) of the Town and Country Planning (Control of Advertisements) Regulations (2007). However, the non-compliance with the requirements set out under Classes 3 and 7 does not automatically mean that the advertisement would be unacceptable. If particular types of advertisement signs fall outside the requirements set out in the Advertisement Regulations, then consent from the local planning authority (LPA) to display the advertisement sign is required.

On balance, it is considered that any perceived harm would be outweighed by the temporary nature of the signs and as such a condition is suggested to ensure that the signs have been removed by the 30th December 2011 and any disturbed land is made good. For these reasons, advertisement consent should be approved.

2) Public Safety

It is considered that the signs pose no danger to public safety. The signage is not distracting and are not situated near any traffic signals and therefore do not cause confusion to passing drivers.

3) S17 Crime & Disorder Act

The signage does not have any adverse impacts on the security and safety of the locality.

4) Consultation Responses

- All material planning considerations relating to the landscape works have been addressed in the above report.

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.

CONDITIONS

1 The two flag pole and free standing advertisement signs hereby consented shall be displayed on a temporary basis for a maximum period of up to the 30th December 2011, following which the advertisements shall be removed and the site reinstated.

REASON: To ensure that the advertisement signs do not pose any long term harm upon the visual amenities of the local residents and Waxwell Lane.

2 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

3 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

4 No advertisement is to be displayed without the permission of the owner of the site, or any other person with an interest in the site entitled to grant permission.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

5 Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

6 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF ADVERTISEMENT CONSENT:

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

Harrow UDP Policies

D4 Standard of Design and Layout

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

PPG19: Outdoor Advertisement Control (1992)

Plan Nos: 010682/PL.300 REV A

ELMGROVE SCHOOL BUNGALOW, KENMORE AVENUE, HARROW, HA3 8LU P/2105/10

Ward KENTON WEST

DEMOLITION OF EXISTING SINGLE STOREY DETACHED BUILDING TO WEST OF MAIN BUILDING; REPLACEMENT SINGLE STOREY DETACHED BUILDING FOR USE AS CHILDREN'S CENTRE; HARDSURFACING LANDSCAPING; NEW FENCING

Applicant: Harrow Council
Agent: The Wilson Partnership
Case officer: Olive Slattery
Statutory Expiry Date: | 06-OCT-10

RECOMMENDATION

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

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is LB Harrow and the land is at Elmgrove First and Middle School.

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 the protection and enhancement of social infrastructure and community facilities, 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 and would not adversely affect the amenities of neighbouring occupiers.

National Planning Policy

PPS 1: Delivering Sustainable Development (2005)

The London Plan

- 3A.18 – Protection and enhancement of social infrastructure and community facilities
- 4B.1 - Design Principles for a Compact City
- 4B.5 – Creating an Inclusive Environment
- 4B.6 – Safety, Security and Fire Prevention and Protection

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

- C2 – Provision of Social and Community Facilities
- C16 – Access to Buildings and Public Spaces
- D4 – The Standard of Design and Layout
- D9 – Streetside Greenness and Forecourt Greenery
- EP25 – Noise
- T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

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, 3A.18, C.2)
- 2) Character and Appearance of the Area (4B.1, D4, D9)
- 3) Residential Amenity (D5, EP20)
- 4) Traffic and Parking (T6, T13)
- 5) Accessibility (4B.5, C16, SPD – Access)
- 6) S17 Crime & Disorder Act
- 7) Consultation Responses

INFORMATION

This application is reported to Committee as the applicant is Harrow Council and the development is for 130 m² of floorspace on land owned by Harrow Council.

a) Summary

Statutory Return Type: E (18): Minor Development, All Other
Council Interest: Council Owned Land

b) Site Description

- Elmgrove First and Middle School lies on the eastern side of Kenmore Avenue. It is comprised of a series of interlinked single and two-storey blocks and is sited approximately 35 metres from the highway.
- Elmgrove School Bungalow which is the subject of this planning application lies to the south-west of this main school building.
- It is comprised of a small flat-roofed, brick built structure and is sited approximately 4 metres from the highway.
- The bungalow itself is currently vacant. The entire site occupies a footprint of approximately 440 m², with the building itself occupying some 90 m².
- Vehicular access to Elmgrove First and Middle School runs along the southern boundary of the bungalow site.
- The properties on the western side of Kenmore Avenue and to the north of the main school building are two-storey residential dwellings.
- A commercial building occupies the area to the south-west of the school site.

c) Proposal Details

- It is proposed to demolish the existing bungalow building and to construct a replacement single storey detached building for use as a children's centre.
- The proposed replacement building would have a floor area of 130 m²

- The front elevation of the proposed building would face towards Kenmore Avenue and would be set back approximately 5 m from the highway. The southern elevation would be sited 5.1 m from the southern site boundary while the northern elevation would abut the northern boundary with the main forecourt of Elmgrove First and Middle School.
- The proposed building would have a hipped, pitched roof. It would feature a rooflight which would project beyond the centre-most point of the roof. The main roof profile would also feature a subordinate hipped roof which would be incorporated into the south-western corner of the main roof profile.
- The building would have a height of 2.6 metres to the eaves, and 4.7 m to the highest point of the proposed rooflight.
- The proposed children's centre would feature a main entrance hall, an office, a waiting area, an interview room, a kitchenette, WC's and a large common room.
- A communal area of hardstanding is proposed at the front and southern side of the proposed building.
- One parking space for a person with disabilities and an enclosure for refuse storage is proposed between the proposed southern elevation and the southern site boundary.
- It is proposed retain the existing boundary treatment along the southern, western and part of the northern boundary of the site, while new boundary treatment is proposed along the remainder of the northern site boundary and the eastern site boundary. The northern site boundary would feature a gate to provide access to Elmgrove First and Middle School.
- Soft landscaping is proposed at the front and rear of the proposed Children's Centre.

d) Relevant History

EAST/517/97/LA3	CHANGE OF USE:	SCHOOL	GRANTED
	CARETAKERS	LIVING	31-JUL-97
	ACCOMMODATION TO	PRIVATE	
	RESIDENTIAL USE		
P/0791/09	SINGLE STOREY FRONT AND REAR		GRANTED
	EXTENSIONS WITH FRONT CANOPIES		03-JUN-09
	AND	EXTERNAL	
	ALTERATIONS; FRONT ACCESS RAMP		

e) Pre-Application Discussion

- Acceptable in principle subject to compliance with certain conditions.

f) Applicant Statement

- Design and Access Statement submitted
- Originally, the existing building was a bungalow for the school caretaker. However, it has not been used as such since 1997. The building stands vacant at present and has been subject to unauthorised entry whilst vacant.
- Within the proposed Elmgrove Children's Centre, the following small groups will be timetabled at different periods: Health visiting services, Dentistry services, Parents as First Teachers, Counselling services, Social welfare service, Outreach service, Health visiting, Financial Information Service, Ethnic Minority Advisory service and English as a second language classes, Job Centre Plus and Citizens Advice Bureau.

- It is important that the children's centre and the school are physically close to each other in order that a holistic approach to the raft of services for the centre are effective.
- All internal spaces are planned to enable wheel chair access throughout the building with compliant door widths. Low thresholds are formed at the entrance and at the doors into the rear garden. A disabled toilet is provided within the building and a disabled parking space is located within the site utilising existing dropped curb onto Kenmore Avenue.
- The proposal is to provide a building which is conducive to small groups of parents and children meeting for the various gatherings where they can benefit from emotional and practical support
- The building is to have a hipped pitched metal standing seam copper green coloured roof with a rooflight at the apex.
- The rooflight will have openable vents enabling passive natural ventilation throughout the building. The rooflight provides natural light to the central area of the building
- The three pyramid elements being the main roof, the rooflight and the entrance roof have been used to create a presence on this corner site.
- The entrance is identifies externally by a smaller hipped pitched roof on the corner of the building. This roof overhangs the corner to form a shelter at the entrance and for the buggy and bicycle area.
- Windows and doors allow natural light into the building from three sides and also enable good visual observation of the whole site.
- The bin area is discrete and in a galvanised cage for protection from vandals.
- The rear garden is separate from the front garden to provide security for the children's external play area.
- The new building will meet and exceed all current insulation standards.
- The existing concrete pavements in the front and side garden are replaced with permeable paving, and the concrete pavements in the rear garden are replaced with grass on the majority of the garden with the remaining to be permeable impact absorbing play surface.
- The aim of the proposal is to provide sensibly organised facilities (of adequate size) to enable the children's centre to provide useful, meaningful services and support for parents and children within the Borough

g) Consultations:

Waste Management Policy Officer –

- Storage for two bins required. This should consist of 1 No. 1100 bin and 1 No. 1280 bin.

Landscape Architect –

- There is a very large area of proposed hardsurfacing. The hard surface could be reduced in extent and replaced with grass. The area in front of the after school club, interview room and waiting room could be soft landscape.
- Proposed elevation required and detail of proposed height and colour of timber stain.
- Bow top fence and gates to rear garden – proposed elevation (or catalogue details) and proposed colour of fencing and gates required.

- The plant numbers in the rear garden would need to be increased to provide any meaningful softening and landscape impact – and also this would increase the chance of plant survival.
- Number of plants at front of Children’s Centre should be increased.

Highway Engineer –

- There is no objection in principle. Based on the submitted “predicted schedule of events” for the various uses, it is reasonable to assume that activities would be spread throughout the day avoiding peak traffic periods. Hence the projected patron number of approximately 30, which is not unreasonable for the scale of development, is acceptable in this context.

Drainage Engineer - No objections, subject to conditions

Director of Schools and Children’s Development - Supports the proposal

Notifications:

Sent: 31

Replies: 0

Expiry: 10-SEP-10

Neighbours Consulted:

Cullington Close: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

Dantry Close: 81, 82, 83, 84, 85

Kenmore Avenue: 2, 4, 6

Martock Close: 9, 10, 11

Elmgrove First and Middle School

Elmgrove School Bungalow

Kenmore Avenue Community Hall

Scout Hall, Kenmore Avenue

Summary of Response:

- None

APPRAISAL

1) Principle of Development

Policy 3A.18 of The London Plan (2008) seeks the protection and enhancement of social infrastructure and community facilities, stating that “Accessible and affordable community facilities are key to enabling the community to function” (paragraph 3.100). Following on from this, saved policy C2 of the HUDP (2004) 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”.

Accordingly, the redevelopment of this site, which is ancillary to Elmgrove First and Middle School, to provide a children’s centre to serve the local community is considered acceptable in principle, as it is consistent with the above policies. The proposed development would maximise the use of the site in line with the principal objectives of the Harrow Sustainable Community Strategy (2009). 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”.

Kenmore Avenue is characterised by buildings of varying designs and sizes towards the southern part of this road. The proposal seeks the demolition of the existing single-storey building on the site and the construction of a replacement single-storey, detached building for use as a childrens centre. The existing building is not of particular architectural merit and so the loss of this building is not considered objectionable.

The proposed Children’s Centre would be sited in a similar position to the existing building on site, albeit with an increase in footprint and would be sited within the building envelope of Elmgrove First and Middle School. Having particular regard to the siting of the existing structure on the application site, the single storey form of the proposed building, together with the character of the surrounding area, it is considered that this proposed siting would be acceptable at this location.

The existing building has a flat roof with an overall height of 3 m, while the proposed building would have a height of 4.7 m to the highest point of the proposed rooflight. The proposed building would have a hipped pitched roof profile, featuring a rooflight which would project beyond the centre-most point of the roof. The rooflight would not dominate the roof profile but it is considered that it would add an interesting, functional feature to the overall design of the proposed building. The main roof profile also would feature a subordinate hipped roof which would be incorporated into the south-western corner of the main roof profile, which is considered would break up the massing of the proposed front elevation. This would also provide a functional ‘canopy-style’ feature at the main entrance to the proposed building. Overall, it is considered that the proposed building would be acceptable in terms of design and detailing. It would have a satisfactory level of proportion and symmetry, and would not detract from the character of the surrounding area. The proposed design and scale of the building would satisfy saved policy D4 of the HUDP (2004) which requires a high standard of design and layout in all development proposals.

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’*. Saved Policy D9 states that *“The Council will seek to achieve and retain a high quality of streetside greenness and forecourt greenery in the Borough”*. The application site currently features an area of hardstanding towards the front boundary and a number of semi-mature trees along the rear boundary. The site also comprises of scattered overgrown, soft landscaping. Under the subject planning application, landscaping details have been submitted as part of the application documents. It is proposed to retain two of the existing semi-mature trees towards the rear site boundary and additional soft landscaping is proposed at the front and rear of the proposed Children’s Centre. It is considered that this would assist in the integration of this proposed development into the site.

The subject planning application was referred to the Council's Landscape Architect who has advised that the submitted landscaping scheme is not sufficient. However, a condition relating to the submission of a detailed landscaping plan for the entire site prior to the commencement of development is attached below. It is noted that the Council's Landscape Architect has also suggested that the area in front of the proposed building could be soft landscaped. However, it is considered that the proposed soft landscaping along the front boundary and north-western site boundary would aid the development in harmonising and blending in well with the surrounding area, in accordance with saved policies D4 and D9 of the HUDP (2004). Furthermore, this area would provide a usable and practicable space for the users of the building, in line with the principles of saved policy C2 of the HUDP (2004).

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 timber bin enclosure is proposed at the rear of the proposed building, towards the southern site boundary in which it is proposed to store refuse bins and recycling bins. Given the set back from the highway, it is considered that the proposed siting of the refuse storage would be acceptable as it would be largely concealed from the street. A condition is suggested requiring the bins to be stored in this area, except on collection days. 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

The proposed detached building would be single storey in form. It would be sited some 27 metres from the nearest residential properties to the west, on Kenmore Avenue and would not therefore result in any undue impact, in terms of overshadowing, overlooking or loss of outlook for the occupiers of neighbouring dwellings.

The submitted Design and Access Statement states that the proposed building would accommodate small groups, timetabled at different periods. Given the nature of the proposed activities and the expected number of people who will attend them, it is considered that the proposal would not be overly noisy and in this regards would not therefore give rise to any undue impact on neighbouring amenity.

Given the lawful use of the site (caretakers living accommodation used in association with Elmgrove First and Middle School) and the location of the site adjacent to existing educational facilities, it is considered that the proposed Children's Centre would be consistent with this adjacent land use and would not result in any significant harm to the amenity of the neighbouring properties, in accordance with saved policy D5 of the HUDP (2004).

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.

The site is located in a relatively sustainable location and there are no parking restrictions in place on much of the western side of the highway. One car parking space is proposed on the southern side of the site and cycle racks for future staff / visitors are also proposed. Having regard to these considerations, it is therefore considered that there would be no detrimental impact upon pedestrian safety or the free flow of vehicular traffic arising from the proposed development.

The Highways Engineer has advised that based on the submitted "predicted schedule of events" for the various activities, it is reasonable to assume that they would be spread throughout the day avoiding peak traffic periods, Accordingly, 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 buildings as well as public spaces are readily accessible to all.

The proposed Children's Centre 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 persons with disability is proposed. Internal door widths and turning circles would be sufficient to accommodate wheelchair users. Notwithstanding the proposed increase in footprint, the proposal would retain sufficient access, circulation and ease of movement around the building. Accordingly, the proposed development would comply with the Council's SPD – Access For All (2006), saved policies C16 and D4 of the Harrow Unitary Development Plan and policy 3A.5 of The London Plan (2008).

6) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

7) Consultation Responses

None received

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 proposed children's centre would serve the local community by providing necessary social infrastructure and community facilities. The proposed design and scale of the building would have a satisfactory relationship with neighbouring buildings and spaces and would not unduly impact on the amenities of neighboring residents. It would comply with all relevant policy considerations relating to highway safety and accessibility. 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.

Item 2/04 : P/2105/10 continued/...

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Design and Access Statement, Site Plan, 406/TP/01, 406/TP/02, 406/TP/03, 406/TP/04, 406/TP/06B, 406/TP/07B, 406/TP/08A, 406/TP/09A, 406/TP/10

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 buildings

b: the refuse store

c: the ground surfacing

d: the proposed boundary treatment

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

REASON: To safeguard the appearance of the locality, in accordance with saved UDP policy D4.

4 The boundary treatment shall be completed before the building is occupied.

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 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 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.

9 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.

10 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.

INFORMATIVES:

1 INFORMATIVE:

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.18 – Protection and enhancement of social infrastructure and community facilities

4B.1 - Design Principles for a Compact City

4B.5 – Creating an Inclusive Environment

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

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

C2 – Provision of Social and Community Facilities

C16 – Access to Buildings and Public Spaces

D4 – The Standard of Design and Layout

D9 – Streetside Greenness and Forecourt Greenery

EP 25 – Noise

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

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 INFORMATIVE:

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

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

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

3 INFORMATIVE:

All building materials shall be stored within the site.

4 INFORMATIVE:

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.

5 INFORMATIVE:

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

Plan Nos: Design and Access Statement, Site Plan, 406/TP/01, 406/TP/02, 406/TP/03, 406/TP/04, 406/TP/06B, 406/TP/07B, 406/TP/08A, 406/TP/09A, 406/TP/10

CEDARS COMMUNITY ARTS & YOUTH CENTRE, CHICHELEY GARDENS, HARROW, HA3 6QH

P/2042/10

Ward HARROW WEALD

VARIATION OF CONDITIONS 13, 14, 15 AND 16 OF PERMISSION P/2441/09 DATED 09/02/2010 TO EXTEND THE OPENING HOURS OF THE FACILITY AND TO AMEND CONDITIONS WITH REGARD TO FOUL AND SURFACE WATER DISPOSAL

Applicant: Watford FC Community Sports & Education Trust
Agent: LOM
Case Officer: Abigail Heard
Statutory Expiry Date: | 22-NOV-10

RECOMMENDATION

GRANT permission for the development.

REASON - The decision to GRANT the variation of conditions 13, 14, 15 and 16 of planning permission P/2441/09 has been taken having regard to Government guidance contained within PPS1 and PPS25 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 variation of the drainage/surface water conditions will not result in any additional floodrisk and it is considered that the extension in opening hours will not be to the detriment of the amenities of any neighbouring occupiers.

National Planning Policy

PPS1: Delivering Sustainable Development

PPS25: Development and Floodrisk

The London Plan 2008

4A12: Flooding

4A13: Flood Risk Management

4A14: Sustainable Drainage

London Borough of Harrow Unitary Development Plan 2004

D4: The Standards of Design and Layout

EP12: Control of Surface Water Runoff

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) Drainage and Flood Risk (PPS25, PPS1, 4A12, 4A13, 4A14, EP12)
- 2) Impact on neighbouring occupiers (PPS1, D4)

INFORMATION

a) **Summary**

Statutory Return Type:

Council Interest: None

b) **Site Description**

- The site is located at the junction Chicheley Road with Chicheley Gardens, positioned on the fringe of Cedars Park
- The area is characterised by predominantly two-storey residential properties. A church is located opposite the site on the east side of Chicheley Road. The subject site does not adjoin any residential properties
- The two-storey residential properties along the south part of Chicheley Gardens are at a higher level due to the topological nature of the area
- The site currently comprises an existing single-storey Cedars Youth Centre and an enclosed tarmac basketball court
- The wider area (Cedars Park) comprises a children's play area, open space and a football pitch with goal posts. This part of the area (Cedars Park) is designated Green Belt; Area of Special Character (Harrow Weald Ridge) and a Site of Nature Conservation Importance. Part of the application site is situated within these designations
- Access to the two existing car parking spaces is from Chicheley Road
- Cedars Park has many mature trees, none of which are subject to any Tree Preservation Order. However, they are all located on the Council's Land/Public Parks

c) **Proposal Details**

- The application seeks permission to amend conditions 13, 14, 15 and 16 of planning application reference P/2441/09 for a new community centre.
- **Condition 13;**
'The development hereby permitted shall not commence until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by the Local Planning Authority. The works shall thereafter be retained
REASON: To ensure that adequate drainage facilities are provided'
- It is proposed to amend Condition 13 to the following;
The development hereby permitted shall not commence until details of the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the works for the disposal of sewage have been carried out in accordance with the approved details.
REASON: To ensure that adequate drainage facilities are provided in accordance with policy 4A14 of The London Plan and policy EP12 of the Harrow Unitary Development Plan

- **Condition 14;**
The development of any buildings hereby permitted shall not commence until works for the disposal of surface water have been provided on site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be retained.
REASON: To prevent the increased risk of flooding

- Condition 14 is proposed to be amended as follows;
'The development hereby permitted shall not commence until details of the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works for the disposal of surface water have been carried out in accordance with the approved details'
REASON: To prevent the increased risk of flooding in accordance with policy 4A14 of The London Plan and policy EP12 of the Harrow Unitary Development Plan

- **Condition 15;**
'The development of any building hereby permitted shall not commence until surface water attenuation/storage works have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be retained
REASON: To prevent the increased risk of flooding'

- Condition 15 is proposed to be amended as follows;
The development shall not commence until details of surface water attenuation/storage works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the surface water attenuation /storage works have been implemented in accordance with the approved details
REASON: To prevent the increased risk of flooding in accordance with policy 4A14 of The London Plan and policy EP12 of the Harrow Unitary Development Plan

- **Condition 16;**
'The building and use hereby permitted shall not operate outside of the following times;-
(a) 0900 hours to 2200 hours, Mon – Fri inclusive; and
(b) 0900 hours to 1900 hours, Saturdays, Sundays or Bank Holidays
Without the prior written permission of the Local Planning Authority
REASON: To safeguard the amenities of neighbouring residents'

- Condition 16 as proposed;
The building and use hereby permitted shall not operate outside of the following times;-
(a) 0900 hours to 2200 hours, Mon – Fri inclusive; and
(b) 0900 hours to 2100 hours, Saturdays, Sundays or Bank Holidays
Without the prior written permission of the Local Planning Authority
REASON: To safeguard the amenities of neighbouring residents in accordance with policy D4 of the Harrow Unitary Development Plan

d) Relevant History

P/2441/09 Demolition of Existing Cedars Youth and Community Centre, Redevelopment Comprising New Cedars Myplace Youth and Community Centre, Associated All Weather Playing Surface, Parking, landscaping and Refuse APPROVED 09-FEB-10

g) Consultations:

Notifications:

Sent: 115 Replies: No letters of Objection or Support received

Neighbours Consulted:

Chicheley Road: 24, 25, 26, 28, 30, Artillery Place, Cedars Hall, Oak Hall
Courtenay Avenue: 150, 152, 154, 156, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205
Langton Road: 35, 37
Tillotson Road: 46, 48, 55, 57
Uxbridge Road: 208, 210, 214, 216, 212, Roger Bannister Sports Centre
Birch Park: 1-13, 20
Boniface Walk: 1, 2
Chicheley Gardens: 1-24

APPRAISAL

1) Drainage and Floodrisk

Conditions 13, 14, and 15 currently indicate that all drainage, surface water disposal and water attenuation /storage works need to be carried out before the development commences. The applicant has advised that this is extremely difficult and it would be more appropriate for the works to be carried out concurrently with the development. It is considered that this is appropriate and as such it is recommended that the conditions be amended so that details of the works are submitted prior to commencement of development and the works are carried out prior to occupation.

The amendment to the conditions will not have any implications in respect of the information submitted and will continue to ensure mitigation against floodrisk.

It is therefore considered that the proposal will comply with Government guidance contained within PPS25 and policies 4A12, 4A13 and 4A14 of The London Plan and saved policy EP12 of the Harrow Unitary Development Plan.

2) Impact on Neighbouring Occupiers

Condition 16 currently restricts the opening hours of the community centre to 7pm on a Saturday, Sunday and bank holiday.

The applicant has indicated within the application forms that MyPlace and The Department of Education who are providing the funding for the project have stated that the centre must provide positive activities for young people (11-19 years) on Friday and Saturday evenings till 9pm. It is considered that given the location of the community centre, the opening of the centre till 9pm on the weekends and bank holidays will not have a detrimental impact on the amenities of neighbouring occupiers.

It is therefore considered that the proposal will comply with Government guidance contained within PPS1 and policy D4 of the Harrow Unitary Development Plan.

CONCLUSION

The amendment of conditions 13, 14 and 15 has no implications in respect of increasing floodrisk and it is considered that extending the opening hours of the facility will not have a detrimental impact on the amenities of any neighbouring occupiers. The proposal will therefore comply with Government Guidance contained within PPS1 and PPS25, policies 4A12, 4A13 and 4A14 of The London Plan and saved policies D4 and EP12 of the Harrow Unitary Development Plan.

CONDITIONS

1 The development hereby permitted shall not commence until details of the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the works for the disposal of sewage have been carried out in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy 4A14 of The London Plan and saved policy EP12 of the Harrow Unitary Development Plan.

2 The development hereby permitted shall not commence until details of the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works for the disposal of surface water have been carried out in accordance with the approved details

REASON: To prevent the increased risk of flooding in accordance with policy 4A14 of The London Plan and saved policy EP12 of the Harrow Unitary Development Plan.

3 The development shall not commence until details of surface water attenuation/storage works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the surface water attenuation /storage works have been implemented in accordance with the approved details

REASON: To prevent the increased risk of flooding in accordance with policy 4A14 of The London Plan and saved policy EP12 of the Harrow Unitary Development Plan.

4 The building and use hereby permitted shall not operate outside of the following times;-

(a) 0900 hours to 2200 hours, Mon – Fri inclusive; and

(b) 0900 hours to 2100 hours, Saturdays, Sundays or Bank Holidays

Without the prior written permission of the Local Planning Authority

REASON: To safeguard the amenities of neighbouring residents in accordance with policy D4 of the Harrow Unitary Development Plan

Item 2/05 : P/2042/10 continued/...

5 The permission hereby granted is supplemental to planning permission Ref: P/2441/09 granted on the 9th February 2010. Save as modified by this permission, the terms and conditions of the planning permission Ref P/2441/09 dated 9th February 2010 are hereby ratified and remain in full force and effect unless otherwise agreed in writing by the Council.

REASON: In the interests of proper planning.

16A UXBRIDGE ROAD, STANMORE, HA7 3LG

**Item: 2/06
P/2653/10**

Ward STANMORE PARK

TWO STOREY BUILDING WITH ROOMS IN ROOFSPACE TO PROVIDE THREE FLATS, WITH PARKING AND ACCESS (REVISED APPLICATION)

Applicant: Mr S N Bowery
Agent: James Ross Architects
Case Officer: Nicholas Ray
Statutory Expiry Date: 24-NOV-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.

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing

The London Plan 2008:

2A.1 – Sustainability Criteria
3A.1 – Increasing London's Supply of Housing
3A.2 – Borough Housing Targets
3A.3 – Maximising the Potential of Sites
3A.5 – Housing Choice
3A.6 – Quality of New Housing Provision
4A.1 – Tackling Climate Change
4A.2 – Mitigating Climate Change
4A.3 – Sustainable Design and Construction
4A.4 – Energy Assessment
4A.6 – Decentralised Energy: Heating, Cooling and Power
4A.7 – Renewable Energy
4A.22 – Spatial Policies for Waste Management
4B.1 – Design Principles for a Compact City
Interim London Housing Design Guide (2010)

London Borough of Harrow Unitary Development Plan 2004

S1 – The Form of Development and Pattern of Land Use

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

D10 – Trees and New Development

EP25 – Noise

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

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

Supplementary Planning Document: Accessible Homes (2010)

Supplementary Planning Guidance: Designing New Development (2003)

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

- 1) Principle of Development (PPS1, PPS3, 2A.1, 3A.3)
- 2) Character and Appearance of the Area (4A.22, 4B.1, D4, D9, SPG:Extensions)
- 3) Residential Amenity (D5, EP25, SPG:Extensions)
- 4) Traffic and Parking (T6, T13)
- 5) Trees and New Development (D10)
- 6) Accessible Homes (C16, 3A.5, SPD:Access)
- 7) Housing Provision and Density (3A.1, 3A.2, 3A.3, 3A.5)
- 8) Sustainability (4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7)
- 9) S17 Crime & Disorder Act (D4, 3A.6, SPG's)
- 10) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: 13. Minor Dwellings

Lifetime Homes: 3

Council Interest: None

b) Site Description

- Application site comprises 660m² of land, located on the north side of Uxbridge Road.
- The site was previously occupied by a single storey dwelling, which has been demolished, and the site is now vacant and overgrown with vegetation.
- The site has an existing vehicular access to Uxbridge Road.
- The site is covered by a number of Tree Preservation Orders.
- To the north east of the site is Riverine Lodge, a three/four storey block of 15 flats, incorporating a covered car park at the rear. There is a rise in levels of approximately 900mm to this property.
- To the south west of the site is The Channies, a development of 14 flats in two blocks, two-storey in height with habitable roofspace. There is a drop in levels of approximately 1.6 metres to this property.

- To the rear (north west) of the site is the residential dwelling Caprice, which fronts Old Lodge Way.
- Opposite the site is the recent RAF Stanmore Park residential development of dwellings and flats.

c) Proposal Details

- Full planning permission for construction of two storey building with habitable roofspace and basement to provide 3 x 2 bedroom flats, with associated parking.
- There would be a flat on each of the ground and first floors and the third flat would be located on the second floor (roofspace).
- Building would be located 1.5 metres from the boundary with Riverine Lodge, between 1.5 and 2.7 metres from the boundary with The Chantries, 14 metres from the rear boundary of the site and approximately 21 metres from the front boundary with Uxbridge Road.
- The proposed building would have a maximum height of 9.4 metres and an eaves height of 6.9 metres.
- The hard surfaced parking area would be located to the south east (front) of the site, with vehicular access from the existing crossover to Uxbridge Road.
- The proposal would incorporate refuse storage adjacent to the northern boundary of the site, next to the parking area and underneath a pergola structure with planting.
- There would be a communal garden area at the rear, a front terrace area for the ground floor flat and the first floor and roofspace flats would each have front balconies.

Revisions to Previous Application (P/2648/09):

- Full planning permission now sought, with a slight increase in the footprint of the building to improve internal layout.

d) Relevant History (only recent history shown)

P/822/06/CFU	Re-development to provide 3 flats in 2 storey building with rooms in roof, access, parking	GRANTED 15-DEC-06
P/1517/09	Outline: two storey building with basement and rooms in roofspace to provide four flats, with parking and access. (layout, scale and access to be determined at outline stage)	REFUSED 25-AUG-09

Reasons for Refusal:

- 1) The proposal by reason of excessive size and bulk, and extent of hardsurfacing, would represent a cramped overdevelopment of the site with inadequate space around the building, rear garden depth and usable rear amenity space to the detriment of the character of the locality, contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004).

- 2) The proposal by reason of the lack of usable amenity space, inadequate layout, stacking of rooms and poor outlook from the basement flat, would result in unacceptable activity and general disturbance to future occupants, and would fail to provide an adequate standard of accommodation, to the detriment of the future occupiers of the proposed development, contrary to policy D5 of the Harrow Unitary Development Plan (2004).
- 3) The proposed first floor front balcony by reason of its prominence and proximity to Riverine Lodge, would give rise to overlooking and a loss of privacy to the detriment of the amenities of the occupiers of that property, contrary to policy D5 of the Harrow Unitary Development Plan (2004).

P/2813/09	Extension of time for implementation of planning permission P/822/06/CFU dated 15/12/2006 for re-development to provide 3 flats in 2 storey building with rooms in roof, access, parking	GRANTED 10-MAR-10
P/2648/09	Outline: Two storey building with rooms in roofspace to provide three flats, with parking and access (layout, access and scale to be determined at outline stage)	GRANTED 26-APR-10

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Design and Access Statement.
- Arboricultural Assessment.

g) Consultations:

Highways Engineer: No objection, parking provision is adequate.

Landscape Officer: Conditions requiring details of landscaping, details of green roof and landscape management are required.

Tree Officer: No objection, subject to condition relating to new planting.

Drainage Officer: Conditions suggested relating to surface water attenuation and sewage disposal.

Notifications:

Sent: 53

Replies: 0

Expiry: 26-OCT-10

Addresses Consulted:

- Flats 1-15 Riverine Lodge, Old Lodge Way
- Caprice & The Nook, Old Lodge Way
- 1 & 2 Glanville Mews
- 15 Dearne Close
- Flats 1-10 Caernafon House, Lady Aylesford Avenue
- Flats 1-10 Vardy House, Hodgkins Mews
- Flats 1-14 The Chantries, Uxbridge Road

Summary of Response:

- None received.

APPRAISAL

1) Principle of Development

Paragraph 27(viii) of PPS1 promotes the more efficient use of land through the use of suitably located previously developed land and this is re-iterated in London Plan policies 2A.1 and 3A.3. Annex B of PPS3 states that 'previously developed land is land which is or was occupied by a permanent structure, including the curtilage of the developed land'. As the site previously comprised a residential dwellinghouse, it is considered to be previously developed land for the purposes of PPS3 and therefore housing development is acceptable in principle. The proposal is considered to be consistent with the recent changes to PPS3, which excludes residential garden land from the definition of previously developed land, as the proposal would effectively be development on an area previously occupied by a dwelling, resulting in a minimal loss of residential garden land. Most of the garden land would be retained for the occupiers of the proposed flats. The principle of a flatted development has been established with the granting of previous permissions on the site for flats.

2) Character and Appearance of the Area

UDP policy D4 states that 'buildings should respect the form, massing, composition, proportion and materials of the surrounding townscape, and attention should be paid to the urban "grain" of the area in terms of building form and patterns of development'. It goes on to state that 'where a particular built form contributes significantly to local character (for example, frontage widths, plot sizes, building height, massing or spaces between buildings) it should be respected in all development'. This part of Uxbridge Road is characterised by large single family dwellings and flatted developments, set in spacious plots.

The footprint of the proposed building has been increased slightly since the previous outline permission (ref P/2648/09) and this is to achieve a better internal arrangement. The part of the building enlarged is at the side and would therefore have a minimal impact on the character and appearance of the area. The extent of the hardsurfaced parking area has remained the same. The proposed building footprint and extent of hardsurfaced parking would therefore be comparable with the extant outline permission and the full planning permission recently granted an extension of time (ref P/2813/09). It is therefore considered that the proposed development would have acceptable site coverage, would not be overly prominent and would have adequate space around the building, consistent with the character of this part of Uxbridge Road. The scheme would have a design which would be similar to other developments in the locality, including the adjacent development at The Channies. It is therefore considered that the proposed development would have an acceptable impact on the character and appearance of the area.

Saved UDP policy D9 states that 'the Council will resist proposals which include hardsurfacing of the whole of front gardens or the loss of landscaped areas forming a setting to flatted developments'. As discussed, the amount of hardsurfacing is the same as the previous outline approval, and is therefore considered to result in an acceptable amount of open space for soft landscaping and the proposal is therefore considered to comply with saved UDP policy D9.

Refuse Management

One 1100 litre waste bin and one 1280 litre blue bin ('paladin' style containers) would be required to serve the development, as set out in the Council's Code of Practice for waste storage. It is proposed to store these refuse bins adjacent to the northern boundary of the site with Riverine Lodge, similar to the approved siting on the extant planning permission. The bins would be sited some 11 metres from the front boundary and would be screened by a wooden pergola structure with planting. It is therefore considered that the proposed siting of the bins would be acceptable.

3) Residential Amenity

Saved UDP policy D5 states that new residential development should provide amenity space which is sufficient to protect the privacy and amenity of occupiers of surrounding buildings and as a usable amenity area for the occupiers of the development. The policy states that the form and amount of amenity space should depend on the character of the surrounding area.

An area of some 153m² is shown as a communal garden area. Each flat would also have access to a private area of amenity space in the form of a front terrace for the ground floor flat and front balconies for the upper floor flats. It is considered that this overall amenity space provision would be adequate to serve the occupiers of the proposed three flats and it would be consistent with the level and nature of provision in surrounding flatted developments. It is considered that the use of the communal rear amenity space would not be so intensive as to harm the amenities of the future occupiers of the proposed flats. The proposed building footprint would allow for room sizes to comply with the Interim London Housing Design Guide and the proposed flats would therefore provide acceptable living conditions for future occupiers.

The minimum separation distance between the proposed building and The Chantries would be 8.0 metres and the proposed building would therefore not transgress a 45 degree splay on the vertical plane taken from the ground floor windows. The proposal would also comply with the 45 degree code on the horizontal plane from The Chantries. The flank elevation of Riverine Lodge would be sited a minimum distance of 9.0 metres from the proposed building. The flank wall of Riverine Lodge has secondary windows to habitable rooms and bathrooms. It is considered that the spacing would negate any adverse impact on these windows and the 45 degree code on the horizontal plane would be complied with. It is therefore considered that the proposed building would not result in undue impact on The Chantries or Riverine Lodge by way of overshadowing or loss of outlook.

Given the separation distance of 15 metres between the rear of the proposed building and the rear boundary of the site, it is considered that the proposed building would not result in undue overlooking to the property at the rear, Caprice, particularly given that the application site abuts the side boundary of the rear part of the garden. The flank elevations of the proposed building would have minimal glazing, mainly comprising small bathroom windows and small windows to the stairwell, with the exception of the floor to ceiling window at the ground floor facing The Chantries. The flank glazing is considered to be acceptable, subject to a condition requiring the upper floor windows to be obscure glazed and fixed closed below a height of 1.7 metres above finished floor level. The living room windows in the north east elevation would not directly face Riverine Lodge and it is therefore considered that these windows would not result in unacceptable overlooking of this property.

The proposed balconies on the front elevation at first and second floor level would be largely recessed into the building and would therefore not result in unacceptable overlooking of adjacent residential properties.

Given the separation distance of 8.0 metres between the proposed parking area and Riverine Lodge, it is considered that this part of the proposal would not result in undue disturbance to the occupiers of these flats.

In summary, it is considered that the proposed development would have an acceptable impact on the future occupiers of the proposed flats, as well as on the amenities of the occupiers of neighbouring residential properties.

4) Traffic and Parking

The Council's parking standards sets a maximum provision and there is therefore no minimum. Three off street parking spaces are proposed on the hard surfaced area to the front of the building, the nearest to the building entrance being a 3.3 metre wide car parking space for persons with disabilities. It is considered that this would be adequate to serve the proposed scheme, given the location close to Stanmore District Centre and public transport links, and the car parking area would allow for sufficient turning space. The proposal is therefore considered to be acceptable in this regard.

It is considered that the three flats proposed would not unacceptably increase the level of traffic on Uxbridge Road. The existing vehicular access would be acceptable and would allow for adequate visibility. It is therefore considered that the proposal would not result in undue highway safety implications.

5) Trees and New Development

A number of trees on and close to the site are subject to Tree Protection Orders (TPO), including a large Oak tree on the boundary with Riverine Lodge. These trees represent an important amenity feature and are intrinsic to the character of this part of Uxbridge Road. An Arboricultural Report has been submitted as part of the application and the Council's Tree Officer considers this to adequately address the impact of the development on the trees.

Conditions are imposed requiring the tree protective fencing in the Report to be in place during construction and to ensure that the car parking area is constructed of a 'no dig' geotextile surface, to ensure that the roots of the protected trees are safeguarded. Details will also be sought in relation to the impact of the proposed pergola structure and bin store on the protected Oak. The Council's Tree Officer considers that the layout of the car parking area would be adequate to ensure that there would be no undue future impact from debris drop and the proposal is therefore considered to have an acceptable impact on the trees.

6) Accessible Homes

The proposed floor plans demonstrate that the flats would comply with Lifetime Homes standards in terms of their internal arrangements and room sizes, and level access could be provided to the main entrance door, with a lift to give access to all floors. The proposal would therefore comply with the adopted SPD on Accessible Homes, saved UDP policy C16 and London Plan policy 3A.5.

7) Housing Provision and Density

The proposal represents an additional 3 units to the Borough's housing stock and this is supported in principle. The proposed development, at 45.5 units per hectare and 182 habitable rooms per hectare satisfies the density requirements as set out in table 3A.2 of the London Plan and it is therefore considered that the proposed development would satisfy current policy on residential density.

8) Sustainability

The proposed building would incorporate a green sedum roof construction and the emphasis would be for the use of renewable materials, as set out in the Design and Access Statement. The proposal would therefore incorporate necessary sustainability features and would therefore satisfy London Plan policies and saved policies S1 and D4 of the Harrow UDP in this respect.

9) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

10) Consultation Responses

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

- None.

CONCLUSION

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 would utilise previously developed land for the provision of housing and 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 undue highways implications. The proposal is therefore recommended for grant, subject to the following condition(s):

CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 20467/10, 11, 12B, 21A, 22A, 23A, 25A, 26A, Design and Access Statement and Arboricultural Report (09 288).

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

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

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

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

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.

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

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

7 The plans and particulars submitted in accordance with the approval of landscaping condition shall include:

- (i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- (ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- (iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;
- (vi) details of the proposed green/sedum roof including plant species.

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.

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

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

9 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including the green/sedum roof), other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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

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

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

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

REASON: To safeguard the appearance of the locality in accordance with saved UDP policy D4.

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

REASON: To safeguard the appearance of the locality in accordance with saved UDP policy D4.

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

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

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

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

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with the provisions of PPS25.

14 The first floor windows in the flank walls of the approved development shall:

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

REASON: To safeguard the amenity of neighbouring residents, in accordance with saved UDP policy D5.

INFORMATIVES

1 PARTY WALL 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.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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 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.

4 DRAINAGE

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Plan Nos: 20467/10; 11; 12B; 21A; 22A; 23A; 25A; 26A; Design and Access Statement; Arboricultural Report (09 288)

128 PINNER VIEW, HARROW, HA1 4RN **Item: 2/07**
P/2231/10
Ward HEADSTONE SOUTH
TWO STOREY SIDE, SINGLE STOREY FRONT, SIDE AND REAR EXTENSION
INCORPORATING FRONT PORCH (REVISED DESCRIPTION)

Applicant: Anu Chandra
Agent: Simmonds Architectural Services
Case Officer: Fergal O'Donnell
Statutory Expiry Date: | 12-OCT-10

RECOMMENDATION

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

The decision to **GRANT** planning permission has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations, as the proposed extensions would provide an appropriate form of development and preserve the character of the area without unduly impinging on the amenity of neighbouring properties.

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

The following policies are considered relevant:

The London Plan [2008]

4B.1 Design Principles for a Compact City

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

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

Supplementary Planning Guidance: Extensions – A Householder's Guide [2008]

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

1) Character and Appearance of the Area

(4B.1, D4, Supplementary Planning Guidance: Extensions – A Householder's Guide 2008)

2) Residential Amenity

(D5, Supplementary Planning Guidance: Extensions – A Householder's Guide 2008)

3) S17 Crime & Disorder Act

(D4)

4) Consultation Responses

INFORMATION

This application is being reported to committee as a petition containing 14 signatures which conflicts with the recommendation has been received and the application therefore falls outside of the thresholds of the Scheme of Delegation.

a) Summary

Statutory Return Type: Householder Development
Council Interest: None

b) Site Description

- The property is located on the western side of Pinner View.
- The dwellinghouse on the site is a two-storey semi-detached property and has a two-storey rectangular front bay and a canopy over the front entrance door. The dwellinghouse is finished in render, painted white.
- The property has been extended with the addition of single and two-storey side extensions.
- The first floor element of the side extension is set back 1.4 metres from the main front wall of the dwellinghouse and the roof of the two-storey side extension is pitched and gabled, in contrast to the main roof of the dwellinghouse which is pitched and hipped.
- The rear elevation of the dwellinghouse has an original single storey rear projection which has a mono-pitched roof and extends 900mm beyond the rear main wall of the dwellinghouse.
- The single storey rear projection is replicated on the attached dwellinghouse, No.130. This dwelling also has similar single and two-storey side extensions to that of the application property.
- The neighbouring dwellinghouse to the south, No.126, is a detached two-storey property. The main entrance to the property is approximately half way down the northern flank wall of the dwellinghouse. The property has been extended with the addition of a single storey rear extension which projects approximately 3 metres beyond the rear main wall of the property.

c) Proposal Details

- It is proposed to remove the existing side extensions and construct a single storey front extension which would incorporate a front porch, single storey side and rear extensions and two-storey side extensions.
- The proposed single storey front extension would align with the front bay, projecting 700mm beyond the main front wall of the property and would have a mono-pitched roof.
- The proposed single storey front extension would project beyond, and link into the single storey side extension which would have a pitched and crowned roof.
- The proposed single and two-storey side extension would be 2.4 metres in width, retaining a gap of some 800mm to the southern boundary of the site.
- The first floor element of the proposed two-storey side extension would be set back 1.4 metres from the main front wall of the dwellinghouse. The roof of the two-storey side extension would be hipped and pitched and the ridge of the roof would be set down approximately 400mm from the main roof ridge.

- It is proposed to remove the existing single storey rear projection and construct a single storey rear extension which would project 3.9 metres beyond the rear main wall of the property (or 3 metres beyond the rear wall of the existing original single storey rear projection). This element would have a flat roof, would be 3 metres in height including the small parapets and would be 8.7 metres in width.

Revision to the current application:

Originally proposed two-storey rear extension has been removed from the proposed development

d) Relevant History

- None

e) Pre-Application Discussion

- None

f) Applicant Statement

- None

g) Consultations

Notifications:

Sent: 6 Neighbour Replies: 18

Replies consisted of 4 letters of objection and a petition of objection with 14 signatures

Re-Notifications (following the removal of the two-storey rear extension)

Sent: 6 Neighbour Replies: 0

Neighbour Consulted:

Pinner View: 69, 71, 126, 130

Hillfield Close: Headstone Lawn Tennis Club

Summary of Responses:

Loss of sunlight to rear garden and rooms on the rear elevation resulting from the single and two-storey rear extension; extension would impede on the privacy of the neighbouring occupiers; extensions exceed normal extensions of 3 metres; concern over parking issues; noise generated by the application property; extension would be uncharacteristic of others in the residential area; loss of privacy arising from window on southern flank wall; rear extension would be incongruous; concern over potential user of the property for single bed sitter tenancy.

APPRAISAL

1) Character and Appearance of the Area

Saved policy D4 of the Harrow Unitary Development Plan 2004 (HUDP) requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. The saved policies of the UDP broadly reflect policy 4B.1 of The London Plan (2008) which seeks to ensure that development should respect local context, history, built heritage and communities amongst other issues. The Council's adopted Supplementary Planning Guidance 2008 (SPG) requires extensions to dwellinghouses to harmonise with the scale and architectural style of the original building.

The proposed single storey front extension which would incorporate the front porch would not project significantly forward nor link in with the front bay window, thereby according with paragraphs A.1 and A.3 of the Council's adopted SPG. The design of the extension, with a mono-pitched roof is considered to be acceptable. Similar front extensions are evident within the area and it is considered that this extension would respect the appearance of the dwelling and the character of the area, in accordance with saved policy D4 of the HUDP (2004) and the Council's SPG on householder's extensions (2008).

The proposed single storey side extension would link into the single storey front extension. As the first floor element would be set well back from the main front wall of the dwellinghouse, it is considered that the crowned roof design of this element is the most appropriate design, ensuring that the proposed single storey side extension would not be intrusive in the streetscene. The proposed two-storey side extension, in setting the first floor element back 1.4 metres from the front main wall and keeping the ridge height below the main ridge, would provide a subordinate extension of the dwelling whilst the retention of the 800mm gap to the southern boundary of the site would provide an adequate setting for the extension of the property and ensure that space is retained around the building. The hipped and pitched design of the roof of the proposed two-storey side extension would help the extension integrate with the existing roof form of the property and would remove the existing uncharacteristic gabled ended roof form from the property.

The proposed single storey rear extension would have a flat roof, would not exceed 3 metres in height and would project 3.9 metres beyond the rear main wall of the property. It is considered that this extension would respect the scale of the existing dwellinghouse and, located to the rear of the property and outside of any public viewing points, the flat roofed design of the extension would not have an adverse impact on the character or appearance of the area.

It is therefore considered that the overall form and design of the dwelling would be retained and reinforced while the extensions of the dwelling would provide a harmonious and proportionate extension of the existing dwellinghouse, in accordance with saved policy D4 of the HUDP (2004) and the Council's adopted SPG.

2) Residential Amenity

The proposed single storey front and single and two-storey extensions would be buffered from the attached property, No.130, by the existing front bay and the existing dwellinghouse and as such, it is considered that there would be no undue impact on No.130 as a result of these extensions.

The proposed single storey rear extension would project 3 metres beyond the rear wall of the existing single storey rear projection to No.130 and would have a height of 3 metres adjacent to the boundary with No.130. The proposed single storey rear extension would therefore accord with paragraphs C.2 and C.7 of the Council's adopted SPG. Given the relatively modest rearward projection of the proposed single storey rear extension and the absence of any windows in the flank wall facing No.130, it is considered that the proposed single storey rear extension would not have an unreasonable overbearing or overshadowing effect on No.130, nor would there be any undue overlooking of the property.

The proposed single storey front and side extension would be sited approximately 3 metres from the northern flank wall of No.126. Given the modest scale of these elements, it is considered that there would be no undue impact on the amenity of this property as a result of these extensions.

The proposed two-storey side extension would be sited 3 metres from the northern flank wall of No.126. The northern flank wall of No.130 has the main entrance door to the property, covered by a small canopy and some obscure glazed panel light either side and above the door. Another small window adjacent of the entrance door serves the hallway of the property. At first floor level, the northern flank wall of the property has two obscure glazed windows, one large and one small, sited approximately above the main entrance door. The eaves of the proposed extension would be 5.4 metres in height and the proposed extension would therefore accord with the vertical 45° code, as set out within paragraph 3.14 of the Council's adopted SPG, in respect of the upper floor windows which would have lower sill levels of at least 4 metres above ground level. The proposed two-storey side extension would not extend any further forward or southward than the existing two-storey side extension which has a gabled ended roof. Though the proposed two-storey side extension would align with the rear main wall of the dwellinghouse, it is considered that any overbearing or overshadowing impact towards No.126 would not be substantially different from the existing situation. Further, as the extension would be located to the north of No.126 and the windows on the ground floor of the northern flank wall of No.126 are obscure glazed and serve a hallway, it is considered that any loss of light or overbearing impact resulting from the proposed two-storey side extension would not have an unreasonable impact on No.126. Windows (one at ground floor and one at first floor level) in the flank wall of the two-storey side extension would each serve bathrooms. Given the intended use of these rooms in which these windows would be installed, it is considered that a condition requiring these windows to be obscure glazed would be reasonable and would overcome any potential overlooking of No.126.

The proposed single storey rear extension would be sited 3 metres from the flank wall of No.126 and would project to approximately the same depth as the existing single storey rear extension to No.126. As such, it is considered that there would be no undue overbearing or overshadowing impact as a result of this single storey rear extension. A window to serve the kitchen is proposed on the southern flank wall of the proposed single storey rear extension. This window would look towards the blank flank wall of the existing single storey rear extension to No.126. Given the location of the existing outbuilding at No.126 directly adjacent to the existing rear extension at the property, the proposed flank window would not offer any views of the rear garden of No.126 and as such, would not unduly impinge on the privacy of the neighbouring occupiers. However, in order to protect the privacy of the occupiers of No.126 when entering the property, it is considered that a condition requiring this window to be obscure glazed is reasonable and necessary.

Subject to the conditions attached, it is considered that the proposed extensions would not have an undue impact on the amenity of the neighbouring occupiers, thereby accords with saved policy D5 of the HUDP 2004 and the Council's adopted SPG.

3) S17 Crime & Disorder Act 1998

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

4) Consultation Responses

Loss of sunlight to rear garden and rooms on the rear elevation resulting from the single and two-storey rear extension

The two-storey rear extension has been deleted from the proposal and the impact of the single storey rear extension has been discussed in Section 2 of the Appraisal above

Extension would impede on the privacy of the neighbouring occupiers

This issue has been discussed in Section 2 of the Appraisal above

Extensions exceed normal extensions of 3 metres

The proposed single storey rear extension would project 3.9 metres beyond the rear main wall of the property. In light of site circumstances, this depth of projection is considered to be acceptable in this instance.

Concern over parking issues

It is considered that the intensity of use is not likely to increase as a result of the proposed development as the use of the property would not change from a single family dwellinghouse. The proposal would not therefore generate greater levels of parking pressures than the existing and the application is considered acceptable in this respect.

Noise generated by the application property

This issue should be referred to Environmental Health and is not within the remit of a planning application.

Extension would be uncharacteristic of others in the residential area

This issue has been discussed in Section 1 of the Appraisal above

Loss of privacy arising from window on southern flank wall

This issue has been discussed in Section 2 of the Appraisal above

Rear extension would be incongruous

The proposed two-storey rear extension has been deleted from the current proposal

Concern over potential user of the property for single bed sitter tenancy.

The application can only be assessed in accordance with the submitted plans, not the surmised intended use of the premises. The application has been assessed as such. Were the property to be used for other purposes, the use may require planning permission and any potential resultant application would be assessed as such.

CONCLUSION

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

CONDITIONS

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

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

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

REASON: To safeguard the appearance of the locality, in accordance with saved policy D4 of the Harrow Unitary Development Plan 2004

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on approved plan no. 22128PV/D/103.2 shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, in accordance with saved policy D5 of the Harrow Unitary Development Plan 2004

4 The windows in the southern flank wall of the approved development shall:

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

REASON: To safeguard the amenity of neighbouring residents, in accordance with saved policy D5 of the Harrow Unitary Development Plan 2004

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

REASON: To safeguard the amenity of neighbouring residents, in accordance with saved policy D5 of the Harrow Unitary Development Plan 2004

6 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 22128PV/D/101.1 (21 Oct 2010), 22128PV/D/102.1 (21 Oct 2010), 22128PV/D/103.1 (19 Oct 2010), 22128PV/D/103.2 (19 Oct 2010), 22128PV/D/104 (19 Oct 2010), 22128/PV/X/001, 22128PV/X/002, 22128PV/X/003.1, 22128PV/X/003.2, 22128PV/X/003.3, 22128PV/X/004, Site Plan

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

INFORMATIVES

1 SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

The London Plan [2008]

4B.1 Design principles for a compact city

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

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

Supplementary Planning Guidance: Extensions – A Householder's Guide [2008]

2 CONSIDERATE CONTRACTORS CODE OF PRACTICE:

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 CONSTRUCTION MANAGEMENT REGULATIONS:

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

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

Item 2/07 : P/2231/10 continued/...

Plan Nos: 22128PV/D/101.1 (21 Oct 2010), 22128PV/D/102.1 (21 Oct 2010),
22128PV/D/103.1 (19 Oct 2010), 22128PV/D/103.2 (19 Oct 2010),
22128PV/D/104 (19 Oct 2010), 22128/PV/X/001, 22128PV/X/002,
22128PV/X/003.1, 22128PV/X/003.2, 22128PV/X/003.3, 22128PV/X/004,
Site Plan

35 SITES AROUND STANMORE & CANONS PARK

Item: 2/08

P/1689/10

Ward BELMONT, CANONS & STANMORE PARK

CONSTRUCTION OF POLE AND WIRE GATEWAYS AND SECTIONS OF GATES/FENCING TO FORM AN ERUV FOR STANMORE AND CANONS PARK (REVISED TO INCLUDE SITES COMPRISING HILLTOP WAY/FALLOWFIELD/AYLMER CLOSE/LITTLE COMMON, AND ABERCORN ROAD/BELMONT LANE/ OAK TREE CLOSE/ACORN CLOSE/ GOLF CLOSE/COURTENS MEWS/WOLVERTON ROAD)

Applicant: Mr Nigel De Kere Silver

Agent: Mr Abraham Wahnou

Case Officer: Matthew Lawton

Statutory Expiry Date: 18-AUG-10

RECOMMENDATION

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

REASON: The proposal would facilitate the creation of an Eruv in the Stanmore and Canons Park areas which would have an identified benefit to members of the local Jewish community and have no unduly detrimental impacts upon the wider community or the character and appearance of the area.

The decision to **GRANT** planning permission has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004] set out below, and to all relevant material considerations, to meet the Vision of the Council in promoting a diverse community, which is celebrated and valued, and create better cohesion, as detailed in Harrow's Sustainable Community Strategy [April 2009] and any comments received in response to publicity and consultation, as outlined in the application report.

Policies:

London Plan:

3D.9 – Green belt

3D.10 – Metropolitan open land

4B.1 – Design principles for a compact city

4B.5 – Creating an inclusive environment

HUDP 2004:

S1 – The Form of Development and Pattern of Land Use

EP11 – Development within Floodplains

EP28 – Conserving and Enhancing Biodiversity

EP29 – Tree Masses and Spines

EP31 – Areas of special character

EP32 – Green belt acceptable land uses

EP41 – Green Belt Management Strategy
EP43 – Green belt and metropolitan open land fringes
EP46 – Green Chains
D4 – The standard of design and layout
D10 – Trees and new development
D11 – Statutorily listed buildings
D12 – Locally listed buildings
D14 – Conservation areas
D15 – Extensions and alterations in conservation areas
D16 – Conservation area priority
D18 – Historic parks and gardens
D29 – Street furniture
C2 – Provision of Social and Community Facilities
C10 – Community buildings and places of worship
C11 – Ethnic communities
T6 – The Transport Impacts of Development Proposals

Kerry Avenue Conservation Area Policy Statement (1999)
Little Common Conservation Area Policy Statement (2003)
Canons Park Estate Conservation Area Designation and Policy Statement (1990)

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

Government Guidance:

PPS1 – Delivering Sustainable Development
PPS5 – Planning for the Historic Environment

Race Relations Act 1976

Harrow Council's Sustainable Community Strategy [2009]

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Background
- 2) Ethnic and Community Development (C10, C11, Race Relations Act 1976)
- 3) Design and Character of the Area, the Green Belt and the Public Realm (3D.9, 3D.10, 4B.1 & EP11, EP28, EP31, EP32, EP43, D4, D10, D11, D12, D14, D15, D16, D18, D29)
- 4) Residential Amenity (C10)
- 5) Highway Safety (T6)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

This application is being reported to the Planning Committee due to the planning history of the proposal and in accordance with proviso E of the Schedule of Delegation.

a) Summary

Statutory Return Type: Minor development, all other
Green Belt: Yes (sites: 2, 6, 7, 8, B8, 4001, 4002)

Conservation Area:	Little Common, Kerry Avenue, Canons Park Estate (sites: 2, 7, 8, B9, 4001, 4002)
Site Area:	40 sites which form part of an 11km (approx) boundary.
Council Interest:	None

b) Site Description

• **Site 1** – Car park entrance off Cleopatra Drive

Green belt, area of special character, golf course to north, new residential development to south.

• **Site 2** – Northern end of Kerry Avenue

Edge of green belt and area of special character, Kerry Avenue Conservation Area, end of residential road of 2-3 storey detached dwellings.

• **Site 3** – Northern edge of Knights Road

Edge of green belt and area of special character, end of residential road of 2 storey detached dwellings, adjacent to Site of Nature Conservation Importance.

• **Site 4** – Car park entrance off Dennis Lane

Edge of green belt, area of special character, adjacent to Site of Nature Conservation Importance, end of residential road with car park at end.

• **Site 5** – Dennis Lane

Edge of green belt, area of special character, end of residential road with car park at end.

• **Site 6** – Eastern side of Dennis Lane adjacent to Stanmore Country Park

Green belt, area of special character, partly within and partly within the setting of Little Common Conservation Area, residential area / semi-rural character, adjacent to Site of Nature Conservation Importance.

• **Site 7** – Dennis Lane junction with Wood Lane

Green belt, area of special character, Little Common Conservation Area, adjacent to Site of Nature Conservation Importance, residential area / rural character.

• **Site 8** – Wood Lane west of Stanmore Hall

Green belt, area of special character, Little Common Conservation Area, residential area / rural character and within the setting of several Listed Buildings.

• **Site 4002** – Junction of Little Common and Stanmore Hill

Green belt, area of special character, Little Common Conservation Area, within the setting of a Listed Building, residential area / rural character.

• **Site 4001** – Junction of Hilltop Way and Stanmore Hill

Green belt, area of special character, Little Common Conservation Area, London Distributor Road, within the setting of several Listed Buildings, residential area / rural character.

• **Site 11** – Gateway onto Bentley Priory from Aylmer Drive

Edge of green belt, site of nature conservation importance, area of special character, edge of historic park and garden, adjacent to Site of Special Scientific Interest, end of residential road, semi rural character.

• **Site 14** – Alleyway from Embry Way to Bentley Priory

Edge of green belt, site of nature conservation importance, historic park and garden and Site of Special Scientific Interest, area of special character, semi rural character.

• **Site 15** – Entrance from Old Lodge Way to Bentley Priory

Edge of green belt, site of nature conservation importance, area of special character, historic park and garden and Site of Special Scientific Interest, area of special character end of residential road, semi rural character.

- **Site 16** – Junction of Bentley Way and Uxbridge Road
London Distributor Road, residential area consisting of 3 storey blocks of flats and detached dwelling houses.
- **Site 17** – Junction of Jellicoe Gardens and Uxbridge Road
Mostly 2-storey detached residential dwellings.
- **Site 18** – Junction of Chartley Avenue and Uxbridge Road
2-3 storey detached dwelling houses.
- **Site 19** – Junction of Gordon Avenue and Berwick Close
Within the setting of a Listed Building, mostly 2-storey detached residential dwellings.
- **Site 20** – Southern end of May Tree Lane
End of residential street adjacent to golf course which is metropolitan open land and a site of nature conservation importance.
- **Site 21** – Footpath from Gordon Avenue across Stanmore Golf Course
Residential street backing onto golf course footpath leads to golf course which is metropolitan open land and a site of nature conservation importance.
- **Site 22** – Footpath from Sunningdale Close onto Golf Course
Residential street backing onto golf course footpath leads to golf course which is metropolitan open land and a site of nature conservation importance.
- **Site 23** – Gap in Gleneagles flat
Residential garden.
- **Site 25** – Gap between gate and fence Stanmore Golf Course
Car park backing onto Stanmore golf course which is metropolitan open land and a site of nature conservation importance.
- **Site 26** – Pedestrian access to Golf Club car park from Wolverton Road
Edge of metropolitan open land, site of nature conservation importance and green chain, residential character.
- **Site 4004** – Southern end of Belmont Lane
Residential street, mix of architectural types.
- **Site 4003** – Southern end of Abercorn Road
Borough distributor road, adjacent to designated Open Space.
- **Site 29** – Marsh Lane opposite gas works
London distributor road, mixed use character.
- **Site 30** – Longcrofte Road / Whitchurch Lane
Residential street, mix of architectural types.
- **Site 31** – Howberry Road / Whitchurch Lane
Mix of architectural types and land use, adjacent to parade of shops parallel fronting Whitchurch Lane, residential block of flats and semi-detached dwellings.
- **Site 32** – Canons Park Station western side
Close to site of nature conservation importance, urban character, retail shops and tube station.
- **Site 33** – Canons Park Station eastern side
Predominantly urban character, retail shops, tube station and residential properties.
- **Site 34** – Whitchurch Gardens
Residential character mostly 2-storey semi-detached properties.
- **Site 35** – Sonia Court fence
Residential character.

- **Site 36 – Montgomery Road / Whitchurch Lane**
Residential character mostly 2-storey semi-detached properties.

Borough Boundary Sites shared with Barnet

- **Site B9 – High Street Edgware (Edgware Road)**
Within the setting of a Historic Park and Garden, Canons Park Estate Conservation Area and several Listed Buildings, London Distributor Road.
- **Site B8 – Brockley Hill**
Green belt, Archaeological Priority Area, London Distributor Road, Area of Special Character.

c) Proposal Details

Creation of an Eruv around an 11km area covering Stanmore and Canons Park. The creation of the Eruv involves the following development:

- Construction of 2 x 76mm wide by 6m high poles with connecting thin wire 'gateways' over sites: 1, 2, 7, 8, 4002, 4001, 16, 17, 18, 21, 4004, 4003, 29, 30, 31, 32, 33, 34 and 36.
- Construction of 1 x 76mm wide by 6m high pole and application of one clip to an existing lamp post with connecting thin wire to site 19.
- Construction of a new fence and 2.5m high wooden poles and capping lintel at site 20.
- Construction of 2.5m high wooden poles and capping wire at site 26.
- Sites 3, 4, 5, 6, 11, 14, 15, 22, 23, 25 and 35 mostly involve the replacement or repair of existing fencing.
- Construction of a 76mm wide by 6m high pole with connecting thin wire to form 'gateways' by connecting with another pole over the borough boundary with Barnet at sites B8 and B9.
- This application is a revision to the approved application for an Eruv P/0405/09 granted in 2009, involving small additional areas to the north and south.

d) Relevant History

P/0405/09	Construction of pole and wire gateways and sections of gates/fencing to form an Eruv for Stanmore and Canons Park.	GRANTED 30-JUN-09
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e) Pre-Application Discussion

- No formal PAT or PAM advice was sought.

f) Applicant Statement

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

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

g) Consultations:

London Borough of Barnet: No objection.

English Heritage Archaeology: Waived requirement for an archaeological assessment.

The Garden History Society: No response.

CAAC: We are concerned about the increase in street furniture within and near to the Little Common Conservation Area.

Stanmore Society: No response.

London Underground: No comment to make on this application.

Canons Park Residents Association: No response.

Canons Park Estate Association: No response.

Advertisement:	Character of Conservation Area Setting of a Listed Building General Notification	Expiry: 05-AUG-10
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Notifications:		
Sent: 575	Replies: 126	Expiry: 20-AUG-10

Site Notices: Character of Conservation Area Expiry: 04-NOV-10
Setting of a Listed Building
General Notification

Summary of Response:

Those For (89 including 84 copies of a standard letter):

- The Eruv will make life much easier for orthodox Jews enabling young mothers to use pushchairs and the elderly to use wheelchairs on the Sabbath.
- The works as detailed in the planning application in view of the overall streetscape are all but invisible and would not constitute a hazard, cause a loss of visual amenity or detrimentally affect Conservation Areas.
- The ability of the Jewish community to enjoy the Sabbath is important to the overall community and would not adversely affect the amenity of others.

Those Against (37):

- Erection of poles, wires, gates and fences will be to the detriment of local residents on aesthetic grounds, spoiling the natural environment, especially in the open space and Conservation Areas.
- Comments on the need for an Eruv and the impact on the community as a whole; The Eruv would only serve one part of a multicultural community.
- Undetermined impact on property values.
- Visible intrusion in the community.
- Object to wires and poles on or across property.
- Level of traffic both pedestrian and vehicular traffic will increase, impacting on highway safety and access and increasing noise pollution.
- Poles could be the possible target for vandals, any vandalism would make the local area look poor.
- Cost of development to install and maintain during a recession.
- Environmentally unfriendly; Effects on local wildlife i.e. Birds.
- We should be looking to reduce street clutter rather than add to it especially within Conservation Areas.
- Concerned about the precedent set here.
- Request exclusion of Fallowfield.
- Do not want trees desecrated.
- Broken wires will be dangerous and regular maintenance disruptive.
- There are a lot of duplicate letters of support.
- Inadequate consultation.
- Land adjacent to Chartley Avenue (Site 18) is the site of major water supply pipes which could cause severe flooding to adjacent properties if damaged, an alternative to a pole in this location should be sought.

APPRAISAL

1) Background

Since planning permission was granted for the application P/0405/09 in June 2009 for works to form an Eruv in Stanmore and Canons Park, the Applicant has modified the proposal. This revised application now includes additional streets to the north of the previously approved Eruv including Hilltop Way, Fallowfield, Aylmer Close and Little Common within its boundaries, and also to the south to include Abercorn Road, Belmont Lane, Oak Tree Close, Acorn Close, Golf Close, Courtens Mews and Wolverton Road. The number of sites that constitute this application is 35, one less than the previously approved application as the location of some of the sites proposed has altered and some works are no longer required.

2) Ethnic and Community Development

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

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

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

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

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

The proposed Eruv would 'cover' a 11km wide area in the Stanmore and Canons Park area of the borough. However approximately 98% of the boundary is already in existence as garden boundary fences etc. count toward the boundary of the Eruv.

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

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

Furthermore policy C10 of the HUDP states that:

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

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

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

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

Some objectors to the proposal have expressed concerns that the proposed Eruv would be divisive insofar as that the Jewish community would be imposing their religious beliefs on the wider community. Whilst recognising that the proposed Eruv has meaning only to members of the Jewish community, this report considers the visual impact of the structures on the localities within which the proposed structures are to be sited. These impacts need to be considered in the context of adopted development plan policy and any other material planning considerations, and a balanced view then reached. A key material consideration is that the principle of the Eruv has been established by the planning permission granted in 2009. Subject to the general duty imposed under section 71(1) of the Race Relations Act 1976, the Council is 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, despite being primarily of benefit to the Jewish community, have no unduly detrimental impacts upon the needs of different racial groups locally or elsewhere.

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

3) Design and Character of Area, the Green belt and the Public Realm

Some of the 35 sites within the proposed Eruv are located in or adjacent to sensitive areas such as the Green belt, Conservation Areas, Site of Special Scientific Interest (SSSI), Listed Buildings and Walls, Locally Listed buildings, an Area of Special Character, Historic Park and Garden, Site of Nature Conservation Importance, Metropolitan Open Land, Green Chain, Open Space and Archaeological Priority Areas.

Of the 35 sites only 5 are new sites which were not considered as part of the 2009 planning permission (sites B8, B9, 4001, 4002, 4003 and 4004), the principle of development at the other 30 sites having been established by that permission. The extent of development and its physical impact upon the character and appearance of the locality, is considered minimal for sites 1, 16, 17, 18, 21, 29, 30, 31, 32, 33, 34, 36, 4003 and 4004. Two 6m high poles either side of a road or street with a thin connecting wire are likely to be quickly assimilated into the street scene as inconspicuous elements alongside other street furniture. Site 19 is slightly different and involves one 6m high pole to be erected and linked to an existing lamp post with connecting wire.

Sites 2, 6, 7, 8, 19, 4001, 4002 and B9 are considered to be located within sensitive settings.

Since the approval of the previous application P/0405/09 PPS5 has been introduced. Relevant policies include HE7.4 which states that 'Local planning authorities should take into account: - the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping', HE9.1 which states that 'There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be', and HE10.1 which states that 'When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset'. Significantly policy HE9.4 of PPS5 states that:

'Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should: (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.'

It is acknowledged that the proposed Eruv will have identifiable public benefits to the local Jewish community and it is in this context that the acceptability of this proposal where it affects sites identified as being sensitive is assessed.

Policy D14 of the HUDP 2004 states:

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

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

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

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

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

The proposed poles are considered to represent "unexceptional" structures within the street scene. Accordingly whilst unlikely to enhance the physical appearance of the street they would have a neutral or very limited impact on the appearance of Conservation Areas. In terms of the broader character of these areas the greater freedom granted to Jewish residents might be argued to enhance the character of the area for those residents able to benefit from the Eruv.

In the assessment of the previously approved application P/0405/09 the Council's Conservation Officer suggested that timber clad poles may be more appropriate than steel to reduce their impact on the character of Conservation Areas and setting of the Listed Buildings. A planning condition was attached to the previous permission to allow detailed consideration of the materials to be used for the poles as well as the nature of the proposed groundworks adjacent to Listed Buildings in order to assess their impact, particularly in sensitive locations. In discussion with the Agent for this current application the Council's Conservation Officer has assessed the suitability of timber clad poles with the benefit of being able to view timber Eruv poles installed in the neighbouring borough of Barnet. To address this point, the Agent provided additional information, a meeting was held with the Agent and the Council's Conservation Officer also carried out a site visit to Barnet. This research determined that timber poles would need to be 200mm thick if solid, 140mm thick if steel poles were clad in timber and 76mm thick if solid steel. The Conservation Officer observed damp and rot visible at the base of one Eruv pole in Barnet and cracking further up the pole suggesting that timber poles would not weather well. Steel poles used outside of Conservation Areas in Barnet were much thinner than the timber poles (only about 80mm thick). In a couple of places the grey paint had peeled off suggesting these do require ongoing maintenance but this would be easier than that required for the timber poles. The Agent's report states that timber poles would be difficult to remove once enclosed by undergrowth and that wooden poles have been more subject to vandalism which steel poles are more resistant to. The extent of groundworks required also differs significantly dependent on the type of pole used, the concrete plug would need to be 2m in diameter and 1.5m deep for a wooden pole, but for a steel pole only a 0.5m diameter and 1.05m deep plug is required, the deeper and wider the hole the greater the possibility of collision with existing tree roots and buried cables or pipes. On balance it is therefore considered that timber or timber clad poles would not be appropriate and an assessment of each of the sensitive sites was carried out on this basis.

Similarly the Council's Conservation Officer also suggested in their assessment of the previously approved application P/0405/09 that details of groundworks adjacent to Listed Buildings should be submitted for approval and that these should include the provision of permeable surfacing adjacent to the poles to be installed and the Listed Buildings. Further consideration of this issue with the assistance of the Council's Highways Engineers has, however, indicated that permeable surfacing may not actually benefit the Listed Buildings adjacent to proposed works and could actually be detrimental, and that the preferred surfacing in Highways terms would be to match the existing. It is therefore considered that this would be the most appropriate solution and that permeable surfacing in these locations would not be appropriate.

Site 2 is located on the edge of the Green belt and the Kerry Avenue Conservation Area at the northern end of Kerry Avenue and within the setting of five locally listed buildings and an Area of Special Character. The poles will be painted sage green, as opposed to the standard black, to preserve the character of the Conservation Area by helping them to blend in more with the surrounding greenery.

Site 6 is located on the eastern side of Dennis Lane adjacent to Stanmore Country Park where new fencing will be installed. This would be both within and in the setting of the Little Common Conservation Area within an Area of Special Character and bound a Site of Nature Conservation Importance. The semi-rurality of the land upon which this fence would bound is particularly important. Having discussed the proposed use of steel posts for the fences with the Council's Highways Engineers, considering the better weathering ability of steel posts, other steel posts nearby and the proposed siting this is considered acceptable.

Site 7 is located at the Dennis Lane Junction with Wood Lane and is within the Little Common Conservation Area, the Green belt and Area of Special Character. The site is characterised by semi rural qualities and is adjacent to a Site of Nature Conservation Importance. Both poles would be located near existing vegetation and painted sage green which would help to soften their appearance. In light of the information provided concerning the use of steel poles versus timber, on balance, this is considered acceptable.

Site 8 is located across Wood Lane east of Stanmore Hill and is also within the Little Common Conservation Area, Green belt, Area of Special Character, it is within the setting of several Listed Buildings and one of the poles would be positioned next to a boundary wall that is Grade II Listed. This is a semi-rural area, and one of these posts would be adjacent a tree and a timber telegraph pole. It is noted that there are also steel lampposts along this stretch of road and one steel post nearby. One of these posts would be sited on a grassed area which would probably contribute to rot similar to that viewed at the Barnet ERUV pole. The Listed Walls behind both poles mean that the need for relatively more intrusive works to install and remove the poles is particularly relevant here. Therefore, on balance, steel posts painted black are considered to be acceptable in this location.

Site 19 is located at the junction of Gordon Avenue and Berwick Close and is within the setting of a Listed Building. The surrounding buildings are mostly two storey detached residential dwellings and the proposed installation of one post in this location is considered acceptable.

Site 4001 is located at the junction of Hilltop Way and Stanmore Hill which is within the Green belt, area of special character, Little Common Conservation Area, along a London Distributor Road and is within the setting of several Listed Buildings. This would be immediately outside the Grade II listed Clock Tower on Stanmore Hill. Given the proximity to the Listed wall and the timber versus steel poles issue as previously discussed the proposed steel poles painted black in this location are considered to be acceptable.

Site 4002 is located on the junction of Little Common and Stanmore Hill within the Green belt, area of special character, Little Common Conservation Area and the setting of a Listed Building. This is a corner site and both poles would be within the setting of the statutorily listed 5 Little Common and the locally listed Vine Inn. One pole would be immediately next to a Grade II Listed wall. Justification was provided as to why the poles proposed could not be moved to any other less obtrusive location (including reference to tree roots and branches). The location is considered acceptable as the pole nearest the Vine Inn would be painted sage green to blend in with nearby vegetation, the other pole in this location being painted black.

Site B9 is located on the borough boundary with Barnet along High Street Edgware and is within the setting of a Historic Park and Garden, Canons Park Estate Conservation Area and several Listed Buildings, along a London Distributor Road. This application relates only to the half of the works within the London Borough of Harrow and the proposed black pole in this location is considered to be acceptable.

With regards to the impact of the installation of the Eruv poles upon Listed boundary walls conditions have been suggested to ensure that no works are carried out adjacent to these walls which would harm their structural integrity, as per the submitted method statement.

It is noted that sites 11, 14 and 15 border Bentley Priory which is a Site of Special Scientific Interest, a Historic Park and Garden, Green Belt, and within the Area of Special Character. All development works along this boundary are minimal and only involve the reinforcement of the existing fence with mesh. These works are considered to be very minor and were part of the previously approved planning application and therefore already benefit from planning permission as part of that application.

Objectors to this application have expressed concern with regard to the appearance of the proposed poles in the context of the public realm and that they would add to street clutter. This concern is considered not to outweigh the numerous social and cultural benefits associated with the proposed development. Furthermore, in most streets within the borough there is street furniture in the form of traffic signs, lamp posts, bus stops, telecoms poles etc. It should also be noted that works at 30 of the 35 sites were included in the 2009 planning application and therefore already benefit from planning permission as part of that application. The size of the Eruv poles would be modest compared to the majority of existing street furniture and they would be set back to the edge of the public highway so as to be as discreet and unobtrusive as possible.

It is noted that when undertaking the installation of the Eruv poles proposed it is possible that the precise locations shown on the submitted drawings may be unsuitable due to the uncertainty about the location of underground utilities and services which are only likely to become clear when works are underway at each site. There is therefore a proposed 0.5m² tolerance proposed within this application to allow the siting of the poles within a 1m² of the proposed location. It is noted that this would be unlikely to result in the projection of the poles into open spaces on pavements as in order for the Eruv to function the poles need to be located close to the back of the footway. It is therefore considered that the small tolerance proposed is acceptable in order to allow the practical installation of the poles and formation of the Eruv.

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

4) Residential Amenity

It is considered that the proposed Eruv would not have an unduly detrimental impact upon residential amenity.

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

5) Highway Safety

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

6) S17 Crime & Disorder Act

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

7) Consultation Responses:

Apart from the points addressed above, other issues raised were:

- *Undetermined impact on property values* – This is not a material planning consideration.
- *Object to wires and poles on or across property* – This is not a material planning consideration and is for the applicant to address with the relevant property owners on a case by case basis where development is located on private property.

- *Environmentally unfriendly; Effects on local wildlife i.e. Birds* – The works proposed are considered to be minimal in the context of the wider area and should not have a detrimental impact on local environment or wildlife.
- *Request exclusion of Fallowfield* – Fallowfield is included in the Eruv by virtue of the northern extension proposed to the previously approved application. However no physical works are proposed in Fallowfield.
- *Do not want trees desecrated* – The Applicants have submitted an Arboricultural Implications Assessment and any works to trees on public or private land will require the consent of the relevant landowner. Trees located on private land within Conservation Areas benefit from statutory protection. A suggested condition aims to protect tree roots during underground works.
- *Broken wires will be dangerous and regular maintenance disruptive* – The Eruv will be checked for faults on a regular basis and it is considered that such checks and any resultant maintenance will not be unduly detrimental to residential amenity.
- *Land adjacent to Chartley Avenue (Site 18) is the site of major water supply pipes which could cause severe flooding to adjacent properties if damaged, an alternative to a pole in this location should be sought* – The Agent is aware of this issue and works in this location will be carried out in conjunction with advice from the Council's Highways Engineers. If it is not possible to safely install a pole in this location an amendment to the planning permission will be sought to enable alternative works in this location.

CONCLUSION

The proposal would facilitate the creation of an Eruv in the Stanmore and Canons Park areas which would have an identified benefit to members of the local Jewish community and have no unduly detrimental impacts upon the wider community or the character and appearance of the area.

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

CONDITIONS:

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

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

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

STAN_Tolerences Sheet 1

STAN_Tolerences Sheet 2

'Amendment to all referenced drawings ERUV TP 6M Issue 4 updated to ERUV TP 6M Issue 6' dated 27/10/10

Item 2/08 : P/1689/10 continued/...

ERUV TP 6m Issue 006 Sheet 1
ERUV TP 6m Issue 006 Sheet 2
ERUV TP 6m Issue 006 Sheet 3

'Arboricultural Implications Assessment, Preliminary Arboricultural Method Statement, Tree Protection Plan' May 2010

STANMORE BIG MAP ST001_001 Rev.013 – 27 October 2010

STAN 30 Rev.1

STAN_003_01 Revision 3

STAN_041 Issue 1: Method Statement for Proposed Installation of Eruv Poles

STAN22_Materials and Colours and Colours Schedule_New Application Rev.4

Site 1 TP 3 Rev.1
Site 2 TP 4 Rev.2
Site 7 TP 6b Rev.1
Site 8 TP 7a Rev.1
Site 16 TP 9 Rev.1
Site 17 TP 10 Rev.1
Site 18 TP 11 Rev.1
Site 19 TP 12 Rev.1
Site 20 TP 13 Rev.1
Site 21 TP 14 Rev.1
Site 22 TP 15 Rev.2
Site 23-25 F6B, F6C Rev.2
Site 26 TP 19D Rev.2
Site 29 TP 21B Rev.1
Site 30 TP 22 Rev.1
Site 31 TP 23 Rev.2
Sites 32 & 33 TP 24 & TP25 Rev.1
Sites 34 & 35 TP 26 & F5 Rev.2
Site 36 TP A41 Rev.1
Site B8 TP A32 Rev.1
Sites B9 & B10 TP A40 and TP A50 Rev.1
Site 4001 TP 7c Rev.1
Site 4002 TP 7b Rev.1
Site 4003 TP 20b Rev.2
Site 4004 TP 20c Rev.2

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

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

REASON: In the interests of tree protection and the character of the area, in accordance with saved UDP policies C10 and EP25.

4 No development works shall commence next to statutorily Listed boundary walls that will adversely impact the on the structural integrity of the wall.

REASON: To preserve the historical significance, appearance and setting of the Listed Building, in accordance with saved UDP policy D11.

5 The works approved shall be carried out in accordance with the submitted document 'STAN22_Materials and Colours and Colours Schedule_New Application Rev.4', which details the finish and materials for the poles and fencing works to be carried out in each site, and the submitted document 'STAN_041 Issue 1: Method Statement for Proposed Installation of Eruv Poles', which includes details of the groundworks adjacent to statutory Listed Buildings and the siting of the poles a minimum of 100mm from these structures. The works shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To protect the special architectural or historic interest of the Listed Buildings, the character and appearance of the Conservation Areas and the streetscene at each site, in accordance with saved UDP policies D11, D14 and D15.

6 Work to create holes adjacent to statutory listed buildings shall be carried out by hand tools or by tools held in the hand, other than power-driven tools.

REASON: To protect the special architectural or historic interest of the listed building, in accordance with saved UDP policy D11.

7 The poles used shall be 76mm in diameter as per the details in the submitted drawings 'ERUV TP 6m Issue 006 Sheet 1', 'ERUV TP 6m Issue 006 Sheet 2' and 'ERUV TP 6m Issue 006 Sheet 3' which supersede the drawings contained within the submitted site data packs, as detailed by the approved schedule 'Amendment to all referenced drawings ERUV TP 6M Issue 4 updated to ERUV TP 6M Issue 6' dated 27/10/10.

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

8 Any poles or wires erected and any site used for the erection of the poles and wires shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

REASON: To protect the character and appearance of the streetscene at each site, in accordance with saved UDP policies D4, D14 and EP25.

INFORMATIVES:

1 INFORMATIVE:

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

Policies:

London Plan:

3D.9 – Green belt

3D.10 – Metropolitan open land

4B.1 – Design principles for a compact city

4B.5 – Creating an inclusive environment

HUDP 2004:

S1 – The Form of Development and Pattern of Land Use

EP11 – Development within Floodplains

EP28 – Conserving and Enhancing Biodiversity

EP29 – Tree Masses and Spines

EP31 – Areas of special character

EP32 – Green belt acceptable land uses

EP41 – Green Belt Management Strategy

EP43 – Green belt and metropolitan open land fringes

EP46 – Green Chains

D4 – The standard of design and layout

D10 – Trees and new development

D11 – Statutorily listed buildings

D12 – Locally listed buildings

D14 – Conservation areas

D15 – Extensions and alterations in conservation areas

D16 – Conservation area priority

D18 – Historic parks and gardens

D29 – Street furniture

C2 – Provision of Social and Community Facilities

C10 – Community buildings and places of worship

C11 – Ethnic communities

T6 – The Transport Impacts of Development Proposals

Kerry Avenue Conservation Area Policy Statement (1999)

Little Common Conservation Area Policy Statement (2003)

Canons Park Estate Conservation Area Designation and Policy Statement (1990)

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

Government Guidance:

PPS1 – Delivering Sustainable Development

PPS5 – Planning for the Historic Environment

Race Relations Act 1976

Harrow Council's Sustainable Community Strategy [2009]

2 INFORMATIVE:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 INFORMATIVE:

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

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

4 INFORMATIVE:

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.

5 INFORMATIVE:

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

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

6 INFORMATIVE:

This planning permission does not include works shown on any approved plans which are located outside the London Borough of Harrow. Planning permission for these works should be sought from the relevant London Borough prior to the commencement of works on any affected sites.

Plan Nos: STAN_Tolerences Sheet 1
STAN_Tolerences Sheet 2

'Amendment to all referenced drawings ERUV TP 6M Issue 4 updated to ERUV TP 6M Issue 6' dated 27/10/10

ERUV TP 6m Issue 006 Sheet 1
ERUV TP 6m Issue 006 Sheet 2
ERUV TP 6m Issue 006 Sheet 3

'Arboricultural Implications Assessment, Preliminary Arboricultural Method Statement, Tree Protection Plan' May 2010

STANMORE BIG MAP ST001_001 Rev.013 – 27 October 2010

STAN 30 Rev.1

STAN_003_01 Revision 3

STAN_041 Issue 1: Method Statement for Proposed Installation of Eruv Poles

STAN22_Materials and Colours and Colours Schedule_New Application Rev.4

Site 1 TP 3 Rev.1

Site 2 TP 4 Rev.2

Site 7 TP 6b Rev.1

Site 8 TP 7a Rev.1

Site 16 TP 9 Rev.1

Site 17 TP 10 Rev.1

Site 18 TP 11 Rev.1

Site 19 TP 12 Rev.1

Site 20 TP 13 Rev.1

Site 21 TP 14 Rev.1

Site 22 TP 15 Rev.2

Site 23-25 F6B, F6C Rev.2

Site 26 TP 19D Rev.2

Site 29 TP 21B Rev.1

Site 30 TP 22 Rev.1

Site 31 TP 23 Rev.2

Sites 32 & 33 TP 24 & TP25 Rev.1

Sites 34 & 35 TP 26 & F5 Rev.2

Site 36 TP A41 Rev.1

Site B8 TP A32 Rev.1

Sites B9 & B10 TP A40 and TP A50 Rev.1

Site 4001 TP 7c Rev.1

Site 4002 TP 7b Rev.1

Site 4003 TP 20b Rev.2

Site 4004 TP 20c Rev.2

**PHILATHLETIC GROUND, LOWER ROAD, P/2242/10/SM
HARROW**

Ward HARROW ON THE HILL

TWO NEW SINGLE STOREY PAVILIONS TO REPLACE EXISTING PAVILION;
VEHICLE ACCESS; GATES; HARDSURFACING

Applicant: The Keepers and Governors of Harrow School

Agent: Kenneth W Reed & Associates

Case Officer: Sarah MacAvoy

Statutory Expiry Date: | 06-DEC-10

RECOMMENDATION

GRANT permission for the development described in the application and submitted plans, **subject to** the National Unit for Land Acquisition and Disposal not objecting to the approval of this application and planning conditions. The decision to grant permission has been taken on the basis that the proposed development would not prejudice the future sporting use of the site and would not unduly impact on the openness of the MOL or the Character and Appearance of the adjacent Conservation Area, having regard to all relevant material considerations including the comments received in response to publicity and consultation. The associated impacts that the development would create can be adequately mitigated by the use of appropriate planning conditions, and therefore the development would not have any significant impact on the current or future use of the Philathletic Ground or other impact that would warrant the refusal of planning permission. The application is therefore considered to be consistent with national planning policies and the policies and proposals in the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004) set out below.

National Policy Guidance:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 5: Planning for the Historic Environment

The London Plan:

3A.18 Protection and enhancement of social infrastructure
and community facilities

3A.24 Education facilities

3D.10 Metropolitan Open Land

4A.1 Tackling Climate Change

4A.3 Sustainable Design and Construction

4B.1 Design principles for a compact city

4B.5 Creating an Inclusive Environment

Harrow Unitary Development Plan 2004:

D4 The Standard of Design and Layout

D5 Residential Amenity

D10 Trees and New Development

EP12 Control of Surface Water Runoff

EP44 Metropolitan Open Land

EP45 Additional Building on Metropolitan Open Land

D11 Statutorily Listed Buildings
D14 Conservation Areas
D15 Extensions and Alterations in Conservation Areas
T6 The Transport Impact of Development Proposals
T13 Parking Standards
C7 New Educational Facilities
C16 Access to Buildings and Public Spaces

Supplementary Planning Document: 'Access for All' (2006)
Supplementary Planning Document: 'Sustainable Building Design' (2009).
Supplementary Planning Document: 'Harrow on the Hill Village Conservation Area Appraisal and Management Strategy' (May 2008).
Supplementary Planning Document: 'Roxeth Hill Conservation Area Appraisal and Management Strategy' (May 2008).
Harrow's Sustainable Community Strategy [Mar 09]

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

- 1) Principle of Development (London Plan Policy 3A.18, 3A.24, 3D.10, UDP C7)
- 2) Character and Appearance of the Area, the adjacent Conservation Area and the adjacent Listed and Locally Listed buildings (PPS 5, London Plan 4B.1, 3D.10, 4A.1, UDP: D4, D10, D11, D12, D14,); Amenity (D5); Metropolitan Open Land (London Plan 3D.10, UDP: EP44 and EP45).
- 3) Refuse/Recycling Storage (D4)
- 4) Sustainable Building Design (D4, London Plan: 4A.1, 4A.3)
- 5) Accessibility (C16, SPD)
- 6) Highway Safety (T6, T13)
- 7) Surface Water Runoff (EP12)
- 8) Impact on Trees (D10)
- 9) S17 Crime & Disorder Act (D4)
- 10) Consultation Responses

INFORMATION

This application is reported to Committee as the proposed ground floor area of the two pavilions would exceed 400 square metres.

a) Summary

Statutory Return Type: 18: Minor development
Council Interest: None
Conservation Area The site is adjacent to the Harrow on the Hill and Roxeth Conservation Areas.

b) Site Description

- The Harrow School Philathletic ground has an approximate area of 110,362m².
- It is bordered by Porlock Avenue, Whitmore Road, Lower Road, Dudley Gardens and Merton Road.

- Harrow School Philathletic ground is designated as Metropolitan Open Land.
- There are currently two pavilions on the Philathletic ground: The Buxton Pavilion (to be demolished as part of this proposal) and the Richardson Pavilion.
- Whitmore Road is a London Distributor Road.
- Porlock Avenue is classified as a Borough Distributor Road.
- The site is located adjacent to Roxeth Hill Conservation Area across the road from Lower Road and the Harrow on the Hill Conservation Area.
- The Trough and Roxeth Farmhouse are listed buildings located on Bessborough Road.
- The Bessborough Road building on Bessborough Road is a locally listed building.

c) Proposal Details

- 2 pavilions are proposed.
- One of the proposed pavilions would have a gross internal area of 232.5 square metres and would be located approximately 13m away from the road boundary with Whitmore Road. This pavilion would have a hipped roof with a maximum height of 6.7m and a height at the eaves of 2.92m, with a gabled roof on columns forming the entrance on each side of the pavilion. It would be L shaped with a length of 25m and a width of 7.42m at the largest part of the pavilion and would have a length of 20m and a width of 6.91m at the smallest part of the "L" shape of the pavilion.
- The other proposed pavilion would have an area of 180.5 square metres and would be located approximately 35m away from Jollys Lane and approximately 58m away to the south east of the Buxton Pavilion, which is to be demolished. It would have a hipped roof with a maximum height of 6.7m and a height at the eaves of 2.92m, with a gabled roof on columns forming the entrance on each side of the pavilion. It would have a length of 35m and a maximum width of 12m.
- A vehicle crossing is proposed onto Whitmore Road to provide road access to the new pavilion sited close to this road boundary. It would have a maximum width of 8.4m at the road boundary and would taper in to 5.3m at the site boundary.
- A gate is proposed across the proposed vehicle access on Whitmore Road to match the existing timber close boarded fence panels with concrete posts.
- Two trees would be removed and 2-3 new trees would be planted near the proposal which would be located near the Buxton Pavilion (to be demolished).

Revisions to Current Application

- Revised plans were requested and were subsequently received to show the correct location of the trees onsite. The vehicle access has been moved slightly so that there would be no undue impact on the onsite trees adjacent to this access.

d) Relevant History

WEST/202/01	Replacement single storey rear extension	GRANTED 14-JUN-01
P/1832/07	Outdoor cricket practice net	GRANTED 7-AUG-07
P/3416/08	Replacement of existing 1.4m high timber boundary fence with proposed 1.95m high black metal palisade fence along Porlock Avenue	REFUSED 10-DEC-08 ALLOWED AT APPEAL
P/3670/08	Provision of 3 timber bunkers for storage purposes with concrete base	GRANTED 6-JAN-09

e) Applicant's Statement

- There are 6 cricket squares and 2 soccer pitches, which have recently been individually identified by considerable tree planting.
- These pitches are currently served by the recently refurbished and extended Richardson pavilion which houses only 2 changing rooms.
- In the centre of the ground is the Buxton pavilion, which is just one open space building to serve tea. There are no formal changing areas, showers or toilet facilities.
- There are no other facilities on the ground and it is hoped that this imbalance can be addressed by the proposal for 2 new pavilions which would offer changing, watching and tea facilities to service some of the new pitches.
- The Buxton pavilion is now beyond its useful life and the replacement pavilion would be sited near by. It would not have a significant additional impact from that of the Buxton building which it replaces. There is no requirement for any links to any road network for this pavilion.
- Its use as private open space and playing fields complies with MOL policy EP44 as there is clearly a demand for changing and refuge facilities in a large area of sporting facilities and current day requirements suggest that the proposals are essential to realise the potential of the site and the recent investment in facilities. The replacement Buxton pavilion and the second pavilion to serve the pitches to the north would not adversely affect the character of the area. The siting of the second pavilion (adjacent to Whitmore Rd) would be located away from the centre of the grounds to allow the main space to be predominantly open.
- The new access from Whitmore Rd will have an ecoblock reinforced grass surface and will be for emergency access to the grounds, disabled parking and occasional deliveries for tea and equipment. It is not for visitor parking. The surfaced area will be linked to Whitmore Road via a new crossover and through timber closed boarder fence which would match exactly the existing fencing along the boundary. This would not be available for pedestrian access as this would encourage parking in Whitmore Rd. The gates are positioned on the existing fence line between a set of trees where the gap adequately allows for a vehicle path without detriment to the trees on the boundary.

- The two discrete, traditional and similar pavilions would serve the philathletic ground. They are designed to respond to the orientation of the pitches to which they serve. They are of a reasonable size and follow detailing, materials and design from the existing pavilion. They will blend into the open space.

f) Consultations

- **CAAC:** “It is unclear why the loss of the trees is required. We would regret the loss of any trees. It is important to know the type of trees to be removed and the proposed replacement trees. Otherwise no objections”.
- **Harrow on the Hill Trust:** No response received.
- **Sport England:** Sport England considered the application against their playing fields policy. The aim of this policy is to ensure that there is an adequate supply of quality pitches to satisfy the current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development and not just those which, for the time being are laid out as pitches. The policy states that: “Sport England will oppose the granting of planning permission for any development which would lead to the loss of or would prejudice the use of, all or part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless in the judgement of Sport England, one of the Specific circumstances applies. Reason: Development which would lead to the loss of all or part of a playing field or which would prejudice its use would not normally be permitted because it would permanently reduce the opportunities for participation in sporting activities. Government planning policy and the policies of Sport England have recognised the importance of such activities to the social and economic wellbeing of the country”.

“In light of the above, Sport England objects to the proposal because it is not considered to accord with any of the exceptions in Sport England’s playing fields policy. The reason for this objection is that we have concerns that the proposed significant level of planting in the landscape layout will prejudice the future use of the site. The flexibility currently offered by the site as sport ground will be diminished and the maintenance and management will become more complex. The ability to mark out pitches for other sports apart from cricket will be significantly reduced. In addition we have concerns that the proposed pavilions are not located in the most suitable places and the long term sustainability of the sports ground will be deeply impacted”.

- **Tree Officer:** No objection
- **Vehicle Crossings Officer:** No objection
- **Highways Officer:** “In particular I slightly question the need for a new access from Whitmore Road. It is highlighted that it is for limited emergency and servicing use which is in its favour however it will still necessitate disturbance to the MOL which ideally should be avoided or at the very least minimised.

A pedestrian entrance in lieu may be compromise.

There are however no sustainable refusal grounds on strict transport /highway grounds hence the new crossing width should not exceed 3.6m in width and surface area within MOL should be permeable in nature.

In order to improve inter-visibility at the entrance for pedestrians and vehicles I suggest the standard HWY-VIS3 condition would be appropriate. This can be achieved by "flaring in" adjacent fence panels into the site.

A Construction Management Plan will need to be conditioned".

- **Drainage Engineer:** Conditions recommended.

Advertisement:

Site Notice

Expiry: 30-SEP-10

Notifications

Sent

Replies

Expiry: 29-SEP-10

180

1

Addresses consulted:

34, 34A, 36, 38, 40, 42, 42A, 44, 44A Dudley Court
Dudley Court, Lower Road
1-16 Greville House, Lower Road
1-16 Pavilion Lodge, Lower Road
Flat 1-4 Ortygia Lower Road
Flat 1-3 12 Lower Road
12, 14A Lower Road
14, 16, 18, 20, 20A, 22, 24, 26, 28, 30, 32 Lower Road
124, 126, 128, Roxeth Farm, Bessborough Road
31-57 Dudley Gardens
1-3 Jollys Lane
34, 36, 38, 40, 42, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70,72 Merton Road
Jarvis Cottage, Porlock Avenue
Bramber, Porlock Avenue
Field End Cottage, Porlock Avenue
4 Porlock Avenue
Lascelles School House, 8 Porlock Avenue
Substation adjacent to Whitmore High School, Porlock Avenue
1, 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28,30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 71, 72, 73, 75, 77, 79, 81 Whitmore Road
Garages adjacent Greville House
Harrow School Cricket Ground West Street, Lower Road
Cattle Trough at Junction with West Street, Bessborough Road.

Second Notification:

Advertisement:

Site Notice

Expiry: 8-NOV-2010

Notifications:

Sent

13

Replies

0

Expiry: 4-NOV-2010

Addresses consulted:

34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56 Whitmore Road

Summary of Response:

- This scheme should have been included in the original plans for developing the philathletic ground, not tacked on as an apparent afterthought. Just as we hoped that an end was in sight to the noise pollution caused by the work on Whitmore School, we get yet another application to disturb the neighbourhood.
- Compliance with the Council's Code of Considerate Contractors must be complied with.
- Objection to the proposed removal of mature trees and bushes around the existing Buxton pavilion which shield it from Jollys Lane. Their replacement with new immature trees is not an adequate solution. The replacement pavilion should be on the site of the Buxton pavilion not 'close to the site'.

APPRAISAL

1) Principle of Development and Land Use

The proposed new pavilions would enhance the playing field facilities for the school.

London Plan Policy 3D.10 states that Metropolitan land shall be kept free from inappropriate development and given the same level of protection as the green belt. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of MOL.

Saved policy EP45 of the UDP states that additional building will only be permitted on metropolitan open land where it can be demonstrated that it is essential for the proper functioning of the permitted land use. Such development should not have an adverse impact on the character of the area. Proposals need to be assessed in relation to size, design and siting. The Council will require landscaping designed to enhance nature conservation (eg. Through the planting of indigenous species), where appropriate".

Currently there are 6 cricket squares and 2 soccer pitches on the Philathletic ground. These pitches are currently served by the recently refurbished and extended Richardson pavilion which has 2 changing rooms. In the middle of the ground, is the Buxton pavilion (to be demolished) where tea can be served.

There are no changing areas, showers or toilet facilities in this pavilion. The current facilities on the field are considered by the applicants to be inadequate. The two new pavilions would meet the needs of the large Philathletic ground (and serve the objectives for use of MOL) by providing changing, toilet and shower facilities and an area to watch various games being played and to have tea. In the context of Policies 3D 10 and EP 45 it is therefore considered that development of the sports pavilions are consistent with the objectives of the development plan and is capable of being an acceptable use of the land. The Local Planning Authority therefore considers that the proposal is not a departure from the development plan.

The proposal contributes towards key themes of Harrow's Sustainable Community Strategy [Mar 09]. The Community Strategy sets out a vision for the Borough to 2020. One of the key themes of the Community Strategy is 'Every Harrow Child'. The Vision states:

'Harrow will be a place where children and young people are healthy and safe and stay healthy and safe, where they are encouraged and helped to enjoy living, learning playing and growing and to achieve while doing so, where they can make a positive contribution to their own futures and to the future of their borough and the community generally, and where they can successfully prepare for and engage in activities to enjoy economic wellbeing.'

This Vision identifies the importance of the development of children and young people in the Borough, to ensure they have access to education opportunities and are healthy and safe as well as promoting social opportunities. The proposal for the new pavilions would enhance the playing field facilities which would in turn, promote sport and would as such provide an opportunity to help children stay healthy. Therefore, it would comply with the 'Every Harrow Child' priority.

Sport England have objected to the proposal as they consider that the proposal does not accord with any of the exceptions in Sport England's playing fields policy. The reason for their objection is that they have concerns that the proposed significant level of planting will prejudice the future use of the site for alternative configurations to support other sports and that the pavilions are not located in the most suitable places.

The Council is of the opinion that the pavilions would not impact on the current or future use of the Philathletic ground.

One pavilion (the replacement Buxton Pavilion) would be located on almost the same footprint as the existing. The other would be located to service the cricket pitches without encroaching on the playing field. They would not prejudice the current or future use of the fields, due to their number, size and location. It is considered that notwithstanding the Sport England comments they would provide improved facilities (changing rooms and tea facilities) to enhance the playing fields and increase the opportunities for participation in sporting activities. Therefore, the application is considered to be consistent with Sport England policy P1.

A condition has been recommended in relation to replanting around the proposed pavilions. It is considered that some planting in close proximity to the proposed pavilions would not affect the future sporting use and would improve the appearance of the pavilions with respect to the adjacent Conservation Area and the MOL. The flexibility of the site would not be diminished and the maintenance and management would not unduly increase as one of the pavilions is a replacement pavilion and the other would be located adjacent to the Whitmore Road boundary, which could be easily serviced when required. Trees on the Piliathletic ground are already an intrinsic part of its character and they are considered to contribute positively to the setting of each sporting pitch.

2) Character and Appearance of the Area, the adjacent Conservation Areas, the adjacent Listed and Locally Listed buildings; Residential Amenity; Impact on the Metropolitan Open Land

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.

The Buxton Pavilion, which is to be demolished, has an area of approximately 130 square metres. The replacement pavilion would have an area of 180.5 square metres. The addition bulk to the footprint of the replacement pavilion is approximately 50 square metres.

The design and siting of the replacement pavilion is similar to the existing structure whilst the new pavilion is sited close to the perimeter of the site where it would not unduly affect the openness of the Metropolitan Open Land. The proposed pavilions are considered to not be unduly bulky and would not adversely affect the view to and from the Metropolitan Open Land.

The new access would have no material impact upon the character of the area or that of the MOL. Nor would it unduly impact on neighbouring amenity. This is because the vehicle access would solely be used for emergency access, disabled parking and the occasional delivery. Due to their siting (a minimum of 30m away from any residential boundary), the pavilions would not have a significantly greater impact in terms of loss of light or outlook at any neighbouring residential site than existing trees or buildings on the site.

The site is adjacent to the Harrow on the Hill Conservation Area and the proposed pavilions are located 184m (minimum) from the closest Listed Building at Roxeth Farm on Bessborough Road. According to the Harrow on the Hill Conservation Areas SPD 'Much of the green open space surrounding the Hill is designated as Metropolitan Open Land (MOL) to protect these significant areas from the wider urban environment. This provides Harrow on the Hill with a green buffer and a visual break from the suburban development around it.'

'Although policies exist within Harrow's UDP to safeguard MOL, pressure does exist for development within or adjacent to MOL. Areas of open space may appear attractive for development, but this is likely to detract from the qualities of the MOL and conservation area designations that exist.' This means that any new development in this MOL site needs to preserve the openness of the MOL as far as possible, as this is a quality that enhances the setting of the conservation area and that of the nearby listed and locally listed buildings. It is considered that the proposed pavilions would not unduly impact on the MOL (as discussed above) or the adjacent Harrow on the Hill Conservation Area.

A landscape condition requiring landscaping details to be approved by the LPA before construction and a condition requiring materials to be used in the construction of the pavilions to be approved by the LPA would ensure that the pavilions would blend in with the surrounding MOL and adjacent Conservation Areas.

On this basis, and having regard to the concerns expressed in the representation, officers consider that the proposals would be in accordance with saved policies EP44 and EP45 of the Harrow Unitary Development Plan (2004) and accord with the criteria set out in Policy D4 of Harrow's UDP [2004] [London Plan]. Indeed the proposal is supported by UDP policy C7. The proposal is supported by Policy 3A.24 of The London Plan [2008].

The proposals would not unduly impact on the Character and Appearance of the Area, the adjacent Conservation Areas, the adjacent Listed and Locally Listed buildings, Residential Amenity or the Metropolitan Open Land in accordance with saved policies D4, D5, D11, D12 and D14 of the Harrow Unitary Development Plan (2004).

3) Refuse/Recycling Storage

Policy D4 of the Harrow Unitary Development Plan requires that provision of refuse storage is to be made.

It is considered that the requirement for refuse storage would be not be increased as a result of the proposal.

Therefore, the proposal would not unduly impact on the visual amenity of the immediately surrounding area and would be in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).

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 the objectives of the SPD, however, details of this can be requested by a planning condition.

5) Accessibility

The proposed internal layout of the pavilions comply with the Harrow Council SPD 'Access for All' (2008) and saved policy C16 of the Unitary Development Plan (2004).

6) Highway safety

It is considered that there would be no detrimental impact on the free flow or safety of the adjacent highway as a result of the proposal. The proposed vehicle access is considered to be acceptable and the Council's Highway Officer has not objected to the proposal. The Council's Highway Engineer has recommended conditions to ensure that the application complies with saved policies T6 and T13 of the UDP (2004).

7) Surface Water Runoff

The Council's Drainage Engineer has recommended conditions to ensure that the proposal would not have a detrimental impact on flooding. Furthermore, a condition to require permeable surfacing at the new site entrance, will avoid any additional impacts upon local drainage surrounding the site access. Therefore, the proposal would comply with saved policy EP12 of the UDP.

8) Impact on Trees

The proposal would result in the loss of two existing trees from the site and this has prompted an objection from the CAAC. These two trees do not have a significant positive impact on the appearance of the site because they are located a minimum of 54m from any site boundary and are not considered to significantly contribute to the character of the area. Their loss would, it is considered, comply with saved policy D10 of the UDP. Given the comments of Sport England regarding the need for optimising landscape planting to avoid any future loss of flexibility to the play pitches, the replacement landscape planting proposed for the site needs careful consideration. It is however considered that this objection, and the desire within UDP policy to properly integrate the new structures into the landscape through careful planting, can be achieved in this case by a landscaping condition.

9) S17 Crime & Disorder Act

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

10) Consultation Responses

- Concerns expressed around the noise disturbance during construction are noted. On their own, they do not amount to a reason for refusal. For a development of this scale, controls over the hours of construction activity on the site are not normally imposed. Instead the Council would encourage the school and their contractor to sign up to the Code of Considerate Contractors Scheme, overseen by the Council's Environmental Health Department. The use of the pavilions and site access, once constructed are not considered likely to materially change levels of noise arising from activities on the site or to harm the amenities of surrounding properties unduly.
- A condition has been recommended in relation to landscaping.

- The impact of the pavilions on the character of the site and the area have been assessed in the report above and are considered to be acceptable, for the reasons set out in the main report.

CONCLUSION

Having regard to the development plan, the objection received and the comments made as a result of consultations, the proposed pavilions and new site access are considered to be consistent with policy concerning the development and use of this part of the MOL and subject to the planning conditions proposed, would preserve the character and appearance of the conservation area and would not give rise to harm to the interests of sport in the borough or the amenities of nearby residents. 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 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: the extension / building(s)

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

REASON: To safeguard the appearance of the locality and the adjacent conservation area in accordance with saved policies D4 and D14 of the Harrow Unitary Development Plan (2004).

3 The external finishes in relation to the wooden gates adjacent to the vehicle crossing adjacent to Whitmore Road are to be in accordance with plan number 1164 102 Revision A submitted with the application.

REASON: To ensure the external materials of the development would be in keeping with the character of the surrounding area in accordance with saved policies D4 and D14 of the UDP.

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

REASON: To safeguard the appearance and character of the area and the MOL, and to enhance the appearance of the development in accordance with saved policies D4, EP44 and EP45 of the Harrow Unitary Development Plan (2004).

5 The development hereby permitted shall not commence until the applicant has demonstrated that the development will achieve the appropriate level (Good) to meet 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).

6 The development hereby permitted shall not be occupied until visibility is provided to the public highway in accordance with dimensions to be first agreed in writing by the local planning authority. The visibility splays thereby provided shall thereafter be retained in that form.

REASON: To provide a suitable standard of visibility to and from the highway, so that the use of the access does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

7 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a construction management plan.

REASON: To ensure that the proposal would not unduly impact upon highway safety, in accordance with saved policy T6 of the Harrow Unitary Development Plan (2004).

8 The hardsurfacing on the site shall be constructed from Ecoblock as per the details supplied about 'Ecoblock'.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with saved policy EP12 of the Harrow Unitary Development Plan (2004).

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

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

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 works shall thereafter be retained.

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

12 The development hereby permitted shall be carried out in accordance with the following approved plans: 1164 102 Revision B, 1164 103 Revision A, 1164 104 Revision B, 1164 105 Revision A, 1164 106 Revision A, 1164 107 Revision A, 1164 108 Revision A, Design and Access Statement and 'Ecoblock' details.

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

The London Plan: 3A.18; 3A.24; 3D.10; 4A.1; 4A.3; 4B.1, 4B.5

Harrow Unitary Development Plan 2004: D4, D5, D10, D11, D12, D14, EP12, EP44, EP45, C7, C16, T6, T13

Supplementary Planning Document: 'Access for All' (2006)
Supplementary Planning Document: 'Sustainable Building Design' (2009).
Supplementary Planning Document: 'Harrow on the Hill Village Conservation Area Appraisal and Management Strategy' (May 2008).
Supplementary Planning Document: 'Roxeth Hill Conservation Area Appraisal and Management Strategy' (May 2008).
Harrow's Sustainable Community Strategy [Mar 09]

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: 1164 102 Revision B, 1164 103 Revision A, 1164 104 Revision B, 1164 105 Revision A, 1164 106 Revision A, 1164 107 Revision A, 1164 108 Revision A, Design and Access Statement and ‘Ecoblock’ details.

JOHN LYON MIDDLE SCHOOL, MIDDLE ROAD, HARROW, HA2 0HN

Ward HARROW ON THE HILL

TWO STOREY EXTENSION TO EXISTING MAIN BUILDING TO PROVIDE CATERING FACILITIES AND DINING ROOM ALTERATIONS TO EXISTING OLD BUILDING TO FORM NEW SIX FORM CENTRE AND ASSOCIATED LANDSCAPING

Applicant: Mr Michael Gibson
Agent: Malcolm Payne Group Ltd
Case Officer: Ian Hyde
Statutory Expiry Date: 26-OCT-10

RECOMMENDATION A

Grant planning permission for the development subject to conditions and the completion of:-

a) a variation to the 106 Agreement dated 23 June 1995 (the 1995 agreement) within 6 months of the Committee resolution and for authority to be delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the S106 deed by variation and to agree any minor amendments to the conditions if necessary to allow the scheme subject of this report to be constructed outside the building envelope shown edged in red on Drawing 977/31/B annexed to the 1995 agreement;

b) payment of a monitoring contribution of £500 and the Council's reasonable legal costs to prepare the deed of variation.

The decision to **GRANT** permission has been taken on the basis that the proposed development would lead to the improvement of educational facilities onsite and that the matters proposed would preserve and enhance the Conservation Area and Area of Special Character of which it forms a part as well as respecting the setting of the Locally Listed building onsite. In addition no other impact that would warrant the refusal of planning permission. The application is therefore found to be consistent with the policies and proposals in the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004) set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

National Planning Policy:

PPS1 Delivering Sustainable Development (2005)
PPS5 Planning for the Historic Environment (2010)
PPG13 Transport (2001)

London Plan 2008:

3A.18 Protection and enhancement of social infrastructure
3A.24 Educational Facilities
3D.10 Metropolitan Open Land
4A.1 Tackling Climate Change

4A.3 Sustainable Design and Construction
4B.1 Design principles for a Compact City
4B.5 Creating an Inclusive Environment

Harrow Unitary Development Plan:

D4 The Standard of Design and Layout
D5 Residential Amenity
D10 Trees and New Development
D12 Locally Listed Buildings
D14 Conservation Areas
D15 Extensions and Alterations in Conservation Areas
C7 New Education Facilities
EP31 Areas of Special Character
T6 The Transport Impact of Development Proposals.

Other Documents

Roxeth Hill Conservation Area Appraisal and Management Strategy (2008)

RECOMMENDATION B

That if a Section 106 Agreement is not completed within 6 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 suitable controls over future development onsite would result in unacceptable forms of development which would in turn harm the setting of Locally Listed Buildings and the character and appearance of the Roxeth Hill Conservation Area of which it forms a part, as such the development would be contrary to saved policies D4, D5, D14, D15, EP31 and EP34 of the Harrow Unitary Development Plan (2004).

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

- 1) Standard of Design and Layout and Character and Appearance of the Conservation Area and Impact on the Locally listed building (London Plan 3A.18, 3A.24; 4A.3; 4B.1, 4B.5; C7, D4, D5, D12, D14, D15, EP31, EP43, Roxeth Hill Character Assessment and Management Study)
- 2) Sustainability (PPS1, D4)
- 3) Section 106 Requirements
- 4) Parking/Highways Considerations (T6, T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is reported to the Committee as it falls outside of the thresholds set by the Harrow Council Scheme of Delegation.

a) Summary

Statutory Return Type:	Minor Development, Other
Conservation Area:	Roxeth Hill
Site Area:	0.18ha

Area of Special Character: Harrow on the Hill
Parking: Reduction of six "Out of Hours" spaces
Additional Pupil Numbers: No additional proposed
Council Interest: None

b) Site Description

- The site is located on the north western side of Middle Road, just to the south of the intersection with Byron Hill.
- The site comprises several buildings with the most prominent being the locally listed "Old School House" adjacent to Middle Road. The area proposed to be developed lies behind this and to the east of an existing carpark forming part of the main school building.
- To the south and east of the site are residential dwellings, whilst to the north and west are playing fields designated as Metropolitan Open Land.
- The site lies at the western corner of the Roxeth Hill Conservation Area and is also designated within the Harrow Unitary Development Plan as being an Area of Special Character.

c) Proposal Details

- The application proposes the erection of an additional, contemporary structure to infill a notch on the western elevation of the main school building.
- The extension would have dimensions of 15.5m by 11.7m resulting in a building footprint increase of 181.4sqm.
- The extension would be over two storeys and would utilise brickwork and glazing with wood panelled plant storage over to give a total height of 7.6m. At first floor level a predominantly glazed, cantilevered, triangular projection would extend 5.7m south westward.
- The extension would be used to provide a cafeteria area with a lounge above. In the plant area at roof level, photovoltaic panels would be provided, new rooflights would also be provided within the existing library roof facing west.
- Landscaping works to provide out door seating would be provided to the west of the extended building.
- A proposed glass canopy would be fitted over the stairway on the northern side of the locally listed the Old School House (towards its eastern end). This would be provided with internal lighting.

d) Revisions to previous application

- N/A

e) Relevant History

LBH/32000	Single/two storey school building	GRANTED 08-AUG-90
WEST/44731/92/FU L	Three 10m high Floodlights to games courts.	REFUSED 24-JUN-92
WEST/754/FUL	Erection of Part 2 Part 3 storey side extension to provide additional laboratories	GRANTED 26-APR-94

Item 2/10 : P/2160/10 continued/...

WEST/695/94/FUL WEST/696/94/CAC	Part single storey, 2, 3 and 4 storey building to provide sports hall, swimming pool and library and ancillary areas alterations to existing building and parking.	GRANTED 26-JUN-95 (SUBJECT TO S106 AGREEMENT)
WEST/95/97/FUL	Part single storey, 2, 3 and 4 storey building to provide sports hall, swimming pool and library and ancillary areas alterations to existing building and parking for school and associated use and local residents.	REFUSED 23-MAY-97

Reasons for Refusal:

1. Car parking cannot be satisfactorily be accommodated within the curtilage of the site to meet the council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highways would be detrimental to the free flow and safety of traffic on the neighbouring highways and the amenity of neighbouring residents.
2. The proposed increased use of the sports hall would generate additional levels of associated noise, disturbance and on street parking would be detrimental to the amenities of the neighbouring residential occupiers and damaging to this part of the conservation area.

WEST/387/02/FUL	Two storey temporary classroom building	GRANTED 28-JUN-02
WEST/560/02/FUL	Insertion of two windows in flank elevation of top storey of science block	GRANTED 05-AUG-02
P/782/04/DFU	Art Building, Enlarged and additional windows to north and west elevation awnings, canopy at west.	GRANTED 20-MAY-04
P/3246/06	Three storey side/rear extension to provide additional classrooms, alterations	GRANT 18-OCT-07
P/3612/06	Alterations to wall and fence to form stepped pedestrian access from Middle Road.	
P/0202/07	Replacement sports pitch with semi underground car park (43 spaces and cycle parking) and 6x8m high floodlight columns and 2 new vehicle accesses to lower road.	REFUSED 28-JUN-06

Reasons for Refusal:

The proposed increase in vehicular generation and activity associated with a 45 space, semi underground car park and drop-off facility, would be detrimental to the free flow and safety of traffic on Lower Road and would give rise to an unnecessary and unwarranted risk to road users thereof and the users of the car park in respect of the access and egress, including right turns onto Lower Road from the carpark.

P/0415/07/CFU	Demolition of single storey building and elements of music school; construction of single and two storey extensions to form dining hall.	WITHDRAWN
P/0417/07/CCA	Conservation Area Consent; Demolition of single storey building and elements of music school.	WITHDRAWN
P/1936/07	Retention of temporary classroom for a further three years.	GRANTED 23-NOV-07

f) Pre-Application Discussion

The applicant engaged with the Council in pre-application discussion which concluded in June 2010.

The location and designations of land onsite and the surrounding area were noted, it was further noted that development would be required to be sensitive to these surroundings.

Officers noted that student number increases would be likely to cause concern amongst residents and applicants confirmed that numbers were not proposed to be increased through the proposals. It was advocated that the applicants conduct pre-application discussion with the local community prior to application.

Having assessed the proposals at pre-application stage, officers considered that subject to policy considerations, that the proposal raised no fundamental objections.

g) Applicant Statement

- Development in two phases, Phase 1 would provide an extension to Main building whilst Phase 2 would restore and refurbish the locally listed 'Old Building' to form a new sixth form centre.
- This development is part of a longer term series of eight "phases" which will eventually refurbish the entire school.
- Note that the proposed development will oversail onto the existing no build line.
- Plan developed in accordance with national policy and guidance.
- Main building in a variety of styles and treatments as a result of extensions.
- School has been proactive in consultations with neighbours.

- Catering building would:
 - Provide a new focal point*
 - Harmonise with the area*
 - Provide modern, defined and efficient dining and catering area*
 - Provide disabled access in line with DDA and Building Regulations*
 - Provide refuse conveniently and discretely*
 - Providing external areas*
 - Better setting including pedestrian access, landscaping and treatments.*
- Work to old building would:
 - Provide a well designed layout as part of self contained sixth form centre.*
 - Reinstate existing main entrance to increase active frontage and natural surveillance to Middle Road*
 - Improve accessibility*
 - Provide comprehensive restoration works to the locally listed building to increase its usable life.*

h) Consultations:

Highways Engineer: In essence the application seeks to replace and improve existing facilities and results in loss of 6 spaces. The current travel trend is still private car based which is partly due to the wider catchment area of the school. Most of the current travel plan targets are however being met and the enhanced TP framework/targets proposed for 2010 onwards to encompass the proposal are considered reasonable and acceptable. The potential increase in pupilage related to the new sixth form is insignificant in terms of the overall school intake and hence is not considered problematic.

On that basis and given the limited on street parking availability at this location, the loss of 6 on site parking spaces is acceptable and manageable in parking restraint and sustainable policy terms.

A comprehensive Construction Management Plan must be agreed and secured by condition given the sensitivities of "the Hill".

In summary there is no objection to the proposal.

Biodiversity Officer: Agree with the recommendations of the Phase 1 Habitat Survey conducted in August 2010 by Marishal Thompson Group.

Section 5.3 deals with bats and recommends that the 'old building' is surveyed prior to any works or demolition taking place. This must be undertaken by a Natural England licensed bat worker. The document also recommends that dawn and dusk activity surveys are conducted particularly between April and the end of August. We are now into the sub-optimal survey period (until the middle of October) and results are very much dependent on weather. The results of the surveys are essential to inform any mitigation measure prior to any development (see below) taking place.

Any scheme should include the installation of bat boxes/bricks. Suggest too that bird boxes for Biodiversity Action Plan Species such as House Sparrow, Swift and Starling are also included.

Agree with the report's recommendation (Section 5.4) that work is carried out outside the bird breeding season March to August inclusive. Failing this a qualified ecologist should inspect the site prior to any works taking place. If breeding birds are found work must stop until the young birds have fledged.

Tree Officer: The above proposal is acceptable but applicants need to provide a Tree Protection Plan (in line with BS 5387) to protect the existing trees from construction activity and construction vehicles in and around the site.

Environment Agency: No Objection

Landscape Officers: Specify the size of the tree – height, girth and container size / or bare root and site levels

The landscape proposals are acceptable, with the exception of the above revision and that ground levels would be required. These could be added to the plan as a revision, or the levels could be a Condition, also recommend a condition relating to a Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape

Conservation Area Advisory Committee: The extension and staircase would have no direct visual impact on the street. However, questioned the architectural design of the extension proposed to the new building. Concerned that this would not tie in with the building attached to. Concerned that it will look dated very quickly. It seems almost retro in style. Understand the reasons for the extension. Uncomfortable junction at the roof where there is timber louvre panelling. This would just stop at the join. In terms of the staircase extension, the top of the glazed roof should not impinge upon the decorative eaves and gutter lines.

We have concerns over the loss of amenity and possible parking issues. We have concerns that the implication may be that there are more pupils and cars. We wonder how this ties in with their 6 year plan as part of the wider scheme and what has the other plan been scrapped?

Advertisement:	Character of Conservation Area	Expiry: 05-OCT-10
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Notifications: Sent: 30	Replies: 3	Expiry: 05-OCT-10
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Addresses consulted:
1,2,3 Clonmel Close
29,31, 50, 60, 60a, 62, 62a,
64, 66, 68 Middle Road,
29,29a Middle Road
8,9 Chartwell Place

Welsh Congregationalist
Church
The Cottage Middle Road
Harrow School Cricket Ground
60 Crown Street
Middle Path, Middle Road
Oldfield House, Crown Street
Roxeth Mead, Chartwell Place
Flats 1-4 Roxeth Mead.

Summary of objections

- Development out of character
- Traffic issues remain
- Does not improve the area.
- Architectural quality poor
- Concern over loss of parking spaces
- The Statement of Community Involvement

The objectors also referred to future developments mentioned within the application and considered that all parts should be considered in one process. However the long term intentions of the applicants in this respect are beyond the planning service control.

APPRAISAL

1) Standard of Design and Layout and Impact on Character and Appearance of Conservation Area and Locally Listed Building

Main Building Extension:

The proposed development would seek to infill an existing step at the western end of the main building. The area is currently hard surfaced and is enclosed by school buildings on all sides except to the west.

The location of the proposal would not be considered to compromise the areas of MOL to the west nor to be contrary to the special character of the area, given that it would occupy previously developed land and would not be widely visible from the surrounding area.

The western elevation of the main building is a rather nondescript design with hipped ends and an unremarkable appearance. The provision of a structure with a contemporary and high quality finish would both identify the new extension as an additional feature and differentiate it from the main building. This structure is considered to compliment the main building and the court yard which it would address.

Whilst a “corridor” effect would be created by the development, any increased enclosure would be mitigated by the increasing separation at ground floor and the predominately glazed upper floor projection when viewed from the west.

It is noted that at its closest point, the proposed extension would be further distanced from the Old School Building than that existing. It is further noted that the pinch point at the Old School relates to a plant room which is of lesser quality than the remainder of the building and it is considered that the proposed development would be therefore in keeping with saved Policy D12 of the UDP which seeks to protect the character, appearance and setting of locally listed buildings.

With regard to views from the east, the development would somewhat restrict views between the buildings. However the view in this direction is towards a paved carpark and is already restricted by existing school buildings to the north. Regardless of this, the view affected is difficult to observe from Middle Road and it is considered that the surrounding area would not be detrimentally affected by the proposal. As such, the development is considered to be consistent with the intentions of saved Policy D14 of UDP which seeks to protect Conservation Areas from unacceptable development.

The proposed development would project beyond the roof hip of the main building as a result of the parapet which obscures the roof plant. Whilst this could be seen as a discordant feature, the use of the differing treatments between the two elements of the building would provide an interesting juxtaposition which would emphasise the new extension and separate it from the main building.

The proposal would seek to provide additional landscaping on the site and to improve seating areas over those existing. It is considered that these are a positive contribution to the existing hard appearance of the area resulting from the significant hard surfacing, and it is noted that the proposals have been supported by the landscape design officer. Conditions requiring details/samples of materials and detailed landscaping designs are recommended to be attached to the consent.

With regard to the use of the building, it is noted that the school does not intend to increase pupil numbers as part of the proposal, as such the alterations to provide additional space can be seen as improvements to the efficiency of the operation of the school, and, by association, the educational facilities in the area, to the benefit of the community and in pursuance of saved policy C7 of the Harrow UDP (2004).

Old Building:

The proposed development seeks primarily to reorganise the internal layout of this building. However, externally it seeks to provide an enclosure over the staircase adjacent to Middle Road. The alterations proposed would be light and would respect the original character features of the building and also that of the conservation area.

It is considered that the proposed works, in conjunction with the refurbishment of the building would make a positive contribution to the usability and life expectancy of the building and that the approval of such elements would be a positive step.

It is noted that conservation officers have expressed concern that the proposed canopy should be removable if required and care should be taken with its fixing to the main roof. The applicant has provided additional details which have demonstrated that the proposed use would be appropriate for its setting and that remedial works could be undertaken to repair the building if required.

2) Sustainability:

The proposed development would provide additional sustainability measures through the use of photovoltaic cells at roof level and energy efficient boilers and heating. Additionally, the application proposes the refurbishment of the “Old School House”, which would assist in its energy efficiency. The application would therefore be supported on the basis of compliance with PPS1 and the provisions of saved Policy D4 of the Harrow Unitary Development Plan.

3) Section 106 Agreement

The 1995 consent for this site resulted in an undertaking by the landowners to commit to a building envelope onsite which would restrict the location of future building works. This was enshrined within drawing 977/31/B as part of the original Section 106 agreement. This agreement was amended in 2007 under application P/3420/06, to allow additional building works which encroached on the building works.

The building envelope will be further amended to take into account the enlarged footprint proposed within this application.

The Section 106 agreements in force on the site restrict pupil numbers to 600 maximum, there are no proposals within the application to increase that number.

4) Parking/Highways Considerations

Given that the application does not seek to provide any intensification of activities (or additional staff/pupils). The six parking spaces to be lost are adjacent to the school buildings and do not appear to be used during normal school days. This was confirmed during the officer’s site visit where the eastern end of the car park was cordoned off. As such, the loss of such spaces must be given limited weight in the context of impact on the adjoining highways.

Given the conclusions of the Highways Engineer and the conditions observed onsite, it is considered that the proposed development would not have any detrimental impacts on the free flow of traffic or highway safety of the area over those existing. In this respect then, the development is considered to be acceptable.

With regards to construction activity, it is acknowledged that building works could cause disruption to adjoining occupiers. As such, in this instance is considered appropriate to apply a condition to the recommendation which would require a construction management plan in order to protect the amenities of the surrounding area.

5) S17 Crime & Disorder Act (D4)

The proposed development is not considered to result in conditions which would exacerbate the risk of crime or reduce security onsite or in the surrounding area and is considered to be acceptable in this respect.

6) Consultation Responses

- Style of development and character of the area.

This has been addressed within the main body of the Committee Report within section 2 (above)

Item 2/10 : P/2160/10 continued/...

- Traffic and Parking Issues
Have been addressed within section 3 (above)
- The Statement of Community Involvement
Whilst it is noted that some neighbours have concerns about the community involvement statement, the application has been determined on its own merits and the issues raised in this respect would not be considered to be so sufficient as to justify refusal.
- Future School Intentions
With regard to the concerns of neighbours with regard to the intentions of the school, the application does not propose to increase numbers of pupils onsite, pupil numbers are controlled through the existing section 106 agreement and any future increases would be assessed on their merits.

CONCLUSION

It is considered that the proposed development would provide a positive contribution to educational facilities in the area, whilst respecting the locally listed building onsite, the Area of Special Character and Conservation Area of which it forms a part, and the adjacent Metropolitan Open Space

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

CONDITIONS

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

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

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

Project 323A01 Drawings: 001 Revision A; 002 Revision A; 003 Revision A; 004 Revision A; 005 Revision A; 006 Revision A; 007; 008 Revision A; 009 Revision A; 010 Revision A; 011 Revision A; 012 Revision A; 013 Revision A; 014 Revision A; 015 Revision A; 020 Revision A; 021 Revision A; 022; 023; 030 Revision A; Design and Access Statement; Travel Plan Rewrite (2010); Biodiversity Report (26 July 2010); Arboricultural Report (August 2010).

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

3 Prior to commencement of works onsite, additional details of the development shall be submitted to and approved by the local planning authority, such details to include

- Sectional drawings of the junctions between the proposed dining room extension and the main roof of the extension.
- Technical details (including sectional drawings where appropriate) showing the relationship between the proposed stair enclosure and the locally listed building. Such details should note any method of joining the two structures, such as flashing or any other treatments.

Item 2/10 : P/2160/10 continued/...

The development shall be completed in full accordance with the approved details and retained thereafter, except that should the stair enclosure be removed, any fixings or damage caused to the locally listed building shall be removed and the building returned to a condition as close as possible to that prior to development

REASON: To safeguard the appearance and quality of the locally listed building in accordance with Policy D12 of the Harrow Unitary Development Plan (2004).

4 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:

- Samples of bricks, cladding systems, renders and any other external materials
- Samples of all hard surfacing materials.

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

REASON: To safeguard the appearance of the locality and the amenities of neighbouring occupiers in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

5 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a detailed tree protection plan and a landscaping scheme which identifies heights, girths and bare root or container size for all trees proposed to be included within the development, as well as details of levels onsite. Works to be undertaken in full accordance with such details and retained thereafter.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within one year following the occupation of the building, 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 Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

7 The erection of fencing for the protection of any retained tree identified within the tree protection plan 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 in accordance with saved Policy D4 and D10 of the Harrow Unitary Development Plan (2004).

8 Prior to commencement of works onsite a survey shall be undertaken by a Natural England licensed bat worker to assess any populations of bats which may be affected by the development at the "Old Building". The results of this survey as well as any required mitigation measures, including numbers and locations of any bat roosts required, shall be submitted to and approved by the local planning authority and the development shall be implemented in full accordance with such details.

REASON: In the interests of site ecology and in pursuant to saved Policy EP27 of the Harrow Unitary Development Plan 2004 Harrow Biodiversity Action Plan (2009).

9 If works related to the "Old Building" are to be commenced between March and August inclusive, prior to commencement of works, a qualified ecologist should inspect the "Old Building" to determine if any birds are breeding, the results of this survey shall be submitted to and discharged by the Planning Service and no works shall be undertaken whilst any protected species which may be disturbed by the development remain nesting.

REASON: In the interests of site ecology and in pursuant to saved Policy EP27 of the Harrow Unitary Development Plan 2004 and the Harrow Biodiversity Action Plan (2009)

10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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.

INFORMATIVES

1 SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

National Planning Policy:

PPS1 Delivering Sustainable Development (2005)
PPS5 Planning for the Historic Environment (2010)
PPG13 Transport (2001)

London Plan 2008:

3A.18 Protection and enhancement of social infrastructure
3A.24 Educational Facilities
3D.10 Metropolitan Open Land

4A.1 Tackling Climate Change
4A.3 Sustainable Design and Construction
4B.1 Design principles for a Compact City
4B.5 Creating an Inclusive Environment

Harrow Unitary Development Plan:

D4 The Standard of Design and Layout
D5 Residential Amenity
D10 Trees and New Development
D12 Locally Listed Buildings
D14 Conservation Areas
D15 Extensions and Alterations in Conservation Areas
C7 New Education Facilities
EP31 Areas of Special Character
T6 The Transport Impact of Development Proposals.

Other Documents

Roxeth Hill Conservation Area Appraisal and Management Strategy (2008)

2 CONSIDERATE CONTRACTORS CODE OF PRACTICE

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.

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

3 THAMES WATER

The applicant is advised that there may be public sewers crossing / adjacent to the site, so any building within 3m of the sewers will require an agreement with Thames Water Utilities. The applicant should contact the Area Service Manager, Mogden, at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel: 0645 200 800

4 PERMEABLE PAVING

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

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

5 COMPLIANCE WITH PLANNING CONDITIONS

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.

Item 2/10 : P/2160/10 continued/...

- 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.

6 ECOLOGICAL SURVEYS

The Planning Service would expect that ecological surveys would include dawn and dusk activity surveys, conducted particularly between April and the end of August.

Plan Nos: Project 323A01 Drawings: 001 Revision A; 002 Revision A; 003 Revision A; 004 Revision A; 005 Revision A; 006 Revision A; 007; 008 Revision A; 009 Revision A; 010 Revision A; 011 Revision A; 012 Revision A; 013 Revision A; 014 Revision A; 015 Revision A; 020 Revision A; 021 Revision A; 022; 023; 030 Revision A; Design and Access Statement; Travel Plan Rewrite (2010); Biodiversity Report (26 July 2010); Arboricultural Report (August 2010).

**THE NEW KNOLL, FOOTBALL LANE,
HARROW, HA1 3EA**

Ward HARROW ON THE HILL

NEW FOOTPATH CONNECTING GARLANDS LANE AND FOOTBALL LANE; TWO NEW
ENTRANCE GATES

Applicant: Harrow School
Agent: Kenneth W Reid and Associates.
Case Officer: Ian Hyde
Statutory Expiry Date: | 30-SEP-10

RECOMMENDATION

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 the outcome of consultations with the Conservation Area Advisory Committee as outlined in the application report:

PPS5

London Plan 2008: 3D.10, 4B.1,
Harrow Unitary Development Plan: D4, D14, EP44, EP45

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

- 1) Principal of development.
- 2) Impact on Listed Building/Conservation Area (D4, D14, PPS5)
- 3) Impact on Metropolitan Open Land (EP44, EP45).
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to the Committee as it falls outside of the schedule of delegation

a) Summary

Statutory Return Type: Minor, other.
Conservation Area: Adjacent to Harrow School Conservation Area.
Listed Building: Within the setting of:
Garlands (1-20 Peterborough Road)
Music School (Football Lane)
Locally Listed Building: Within the setting of:
The Knoll and
Hillside (Peterborough Road)
Area of Special Character: Yes
Other: Designated as Metropolitan Open Land (Harrow UDP)
Council Interest: None

b) Site Description

- The application site is an area of open space located between Football Lane and Garlands Lane, both of which run perpendicular to Peterborough Road to the north.
- Both of these highways are physically accessible by members of the public, however it appears that the area is mostly utilised by the adjacent Harrow School.
- The site is open grass with several trees dotted within it. Pathways have already been provided within the area but there is no direct link between Garlands and Football Lanes.
- The site is defined within the Harrow Unitary Development Plan as being Metropolitan Open Land.
- To the south of the building are listed buildings known as the Music School and to the west is the Harrow School Conservation Area.

c) Proposal Details

- The proposal seeks approval for the installation of a new bonded gravel path (1-3mm Brittany Bronze Addastone bonded surfacing) with brick edging to run between Football Lane and Garlands Lane.
- The proposal would also seek the installation of two timber gates (one onto each of Football Lane and Garlands Lane).

d) Relevant History

- None

e) Pre-Application Discussion

- None.

f) Applicant Statement

- The proposal is to provide logical pedestrian paths between the boarding house and the educational facilities.
- The proposed path will cause minimal impacts on the characteristics of the area.
- Path will not be visible from lower down the hill. The site is not prominent from north due to planting. Also shielded on both sides.
- Applicant considers the development to be not contrary to Conservation Area or MOL policies.
- A slightly winding path (as proposed) similar to those elsewhere would not be offensive or out of character.
- Path width has been demonstrated in other areas onsite to be appropriate for the needs of pupils.
- Materials and detailing will not unduly impact on the landscape.

g) Consultations:

Conservation Officer: No objection

CAAC: No objection

h) Advertisement: Conservation Area

Expiry:
25-SEP-10

Notifications:

Sent to 42 addresses

Replies: None

Expiry: 02-SEP-10

Peterborough Cottage
35, 35a, 37, 39, 41a, 43, 45,
47, 47a, 51 Peterborough
Road.

Maths and Physics School,
The New Knoll, 6 Football
Lane

Summary of Response:

n/a

APPRAISAL

1) Principal of Development

The site is located within an area defined within the Harrow Unitary Development Plan (2004) as being Metropolitan Open Land (MOL).

Policy 3D.10 of the London Plan suggests that there should be a presumption against inappropriate development within MOL and that MOL land should have give the same level of protection as green belt land. Policy 3D.10 also states that essential proposals for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of the MOL. This policy is expanded upon within reasoned justification 3.303 which suggests that appropriate development should minimize any adverse impact on the open character of MOL through sensitive design and siting and any development should be limited to small scale structures which support open space uses.

Saved Policy EP44 of the Harrow UDP suggests that use of MOL as private and public open space and playing fields will be acceptable, whilst saved Policy EP45 requires building works to demonstrate that they are essential for the functioning of the permitted land use.

Thus, the test for acceptability with regard to development within MOL is whether the proposal is essential to the functioning of the sports fields and secondly whether the proposal would result in a loss of openness or a reduction in quality of the space affected.

The applicants have suggested that the proposed development is required so that students can more easily move between boarding houses and school facilities where currently they have to take a circuitous route around the open space subject of this application. The provision of the access would therefore be considered to improve circulation patterns within the school and be important for its effective operation. As such, it is considered that it is consistent with London Plan Policy 3D.10.

The provision of a walkway would also allow improved accessibility for mobility impaired users to the open space than currently exists. This would be consistent with the objectives of London Plan policy 3D.10 and its reasoned justification 3.303 as well as saved UDP policy EP44.

Whilst the essential need for the footpath is uncertain (with regard to Policy EP45) the creation of a safe and convenient link between the elements of the school is acknowledged to benefit the school use of the site, a significant part of which lies within MOL. Accordingly, whilst not essential for the use in terms of saved Policy EP45, the role played in facilitating safe use of the wider school can be given some weight.

With regard to the material impacts on the quality of the open space itself, the pathway would be considered to be a minor alteration within the MOL which would not reduce its openness nor reduce its quality. As such, the development would be considered to comply with London Plan Policy 3D.10 in this respect.

It is therefore considered that the proposed development would be in keeping with the relevant policies of the London Plan and the Harrow Unitary Development Plan and that it can be supported in this respect.

2) Impact on Listed Building/Conservation Area

The development is located adjacent to a conservation area and also near to both statutory and locally listed buildings.

The proposed development would propose the installation of gates on both Football and Garlands Lane's.

The proposed 1.5m high wooden gates would be sympathetic to the existing fences bordering the site, in terms of materials, design and height and are considered to be in keeping with the character of the area. It is considered that these would not result in harm to the character of the area, or the local or statutory listed buildings on the site and would not affect the openness of the MOL. As such, this element of the scheme is supported.

The path itself would utilise an aggregate based bonded surface which provides a natural appearance and which would be considered to be appropriate for its location, the use of this and stock brick soldier coursing would also be an appropriate material and are also supported.

It is considered that the development would promote a high quality solution for the a proposal within the curtilage of both locally and Statutorily listed buildings and adjacent to a Conservation Area. As such it is considered that it the proposed development would be acceptable in this respect.

3) S17 Crime & Disorder Act

It is not considered that the development would result in any increases in crime or reduction in security for users of the path. Whilst the path is not proposed to be lit is considered that the increased in foot traffic as a result of the proposals, in conjunction with the openness of the site may in fact increase the overlooking of the Open Space and reduce opportunities for crime.

4) Consultation Responses

No responses other than those stated above have been received to this proposal.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals and other material considerations, including the response from the Conservation Area Advice Committee, this application is recommended for grant.

INFORMATIVES:

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:
The decision to **GRANT** permission has been taken having regard to the policies and proposals in the London Plan and the Harrow Unitary Development Plan set out below, and to all relevant material considerations as outlined in the application report:

PPS5

London Plan 2008: 3D.10, 4B.1,

Harrow Unitary Development Plan: D4, D14, EP44, EP45

2 INFORMATIVE:

The hardsurfacing materials to be used within the fabrication of the path hereby approved shall utilise the following:

- Addagrip Addastone Resin bonded surfacing, 1 -3mm Brittany Bronze with Buff Addastone Resin;
- Brick on edge shall be Mellow Durham Stock

REASON: In the interests of a high quality development which respects the character of the area, and in pursuance with PPS5 and saved policies D4 and D14 of the Harrow Unitary Development Plan (2004)

3 INFORMATIVE:

The development shall be completed in full accordance with the following plans and information:

1643 1000; 1643 1001 Revision A; 1643 1002, Site Photos (2 sheets); Design and Access Statement.

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

SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

Item : 4/01

RAF UXBRIDGE, HILLINGDON ROAD, UXBRIDGE
UXBRIDGE

Ward ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING BOROUGH:

1. OUTLINE APPLICATION (ALL MATTERS RESERVED, EXCEPT FOR ACCESS): DEMOLITION OF SOME EXISTING BUILDINGS; A) CREATION OF UP TO 1,296 RESIDENTIAL DWELLINGS (CLASS C3) OF BETWEEN 2 TO 6 RESIDENTIAL STOREYS; B) CREATION OF UP TO 77 ONE-BEDROOM ASSISTED LIVING RETIREMENT ACCOMMODATION OF BETWEEN 3 TO 4 STOREYS; C) CREATION OF A THREE-FORM ENTRY PRIMARY SCHOOL OF 2 STOREYS; D) CREATION OF A HOTEL (CLASS C1) OF 5 STOREYS OF UP TO 90 BEDS; E) CREATION OF A 1,200 SEAT THEATRE WITH ANCILLARY CAFÉ (SUI GENERIS); OFFICE (CLASS B1A) OF UP TO 13,860SQ.M; ENERGY CENTRE (SUI GENERIS) OF UP TO 1,200SQ.M; AND RETAIL (CLASS A1, A2, A3, A4, A5) OF UP TO 2,850SQ M; IN BUILDINGS OF BETWEEN 4 TO 6 STOREYS AS WELL AS A TOWER ELEMENT ASSOCIATED WITH THE THEATRE OF UP TO 30M; F) CREATION OF A LOCAL CENTRE TO PROVIDE UP TO 150SQ.M OF RETAIL (CLASS A1 AND A2) AND 225SQ.M GP SURGERY (CLASS D1); MEANS OF ACCESS AND IMPROVEMENTS TO PEDESTRIAN LINKAGES TO THE UXBRIDGE TOWN CENTRE; CAR PARKING; PROVISION OF PUBLIC OPEN SPACE INCLUDING A DISTRICT PARK; LANDSCAPING; SUSTAINABLE INFRASTRUCTURE AND SERVICING.

2. IN ADDITION TO THE ABOVE, FULL PLANNING PERMISSION IS SOUGHT FOR: A) CHANGE OF USE OF THE GRADE II LISTED FORMER CINEMA BUILDING TO PROVIDE 600SQ.M CLASS D1/2 USE (NO BUILDING WORKS PROPOSED); B) CHANGE OF USE AND ALTERATIONS TO THE GRADE II LISTED HILLINGDON HOUSE TO PROVIDE 600SQ.M FOR A RESTAURANT (CLASS A3) ON THE GROUND FLOOR AND 1,500SQ.M OF OFFICE (CLASS B1) ON THE GROUND, FIRST AND SECOND FLOORS; C) CHANGE OF USE AND ALTERATIONS TO THE CARPENTERS BUILDING TO PROVIDE 1 RESIDENTIAL DWELLING (CLASS C3); CREATION OF 29 RESIDENTIAL DWELLINGS (CLASS C3) TO THE NORTH OF HILLINGDON HOUSE OF BETWEEN 2 TO 3 STOREYS AS WELL AS ASSOCIATED AMENITY SPACE AND CAR PARKING; CHANGE OF USE OF LAWRENCE HOUSE (BUILDING NO. 109) TO PROVIDE 4 DWELLINGS (CLASS C3), ASSOCIATED AMENITY SPACE AND CAR PARKING INCLUDING A SEPARATE FREESTANDING GARAGE; D) CHANGE OF USE AND ALTERATIONS TO THE SICK QUARTERS (BUILDING NO. 91) TO PROVIDE 4 DWELLINGS (CLASS C3) AS WELL AS ASSOCIATED AMENITY SPACE AND CAR PARKING; E) CHANGE OF USE OF MONS BARRACK BLOCK (BUILDING NO. 146A) TO PROVIDE 7 DWELLINGS (CLASS C3) AS WELL AS ASSOCIATED AMENITY SPACE AND CAR PARKING.

Applicant: London Borough of Hillingdon

Case Officer: Ian Hyde

Statutory Expiry Date: | 04-OCT-10

RECOMMENDATION

INFORM London Borough of Hillingdon that Harrow Council raises NO OBJECTION to this application.

REASON

The decision to raise no objection has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations.

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

National Planning Policy:

Planning Policy Statement 1: Delivering Sustainable Development (2005)
Planning Policy Statement 3: Housing (2010)
Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)
Planning Policy Guidance 13: Transport (2001)
Planning Policy Statement 22: Renewable Energy (2004)
Good Practice Guide on Planning for Tourism

The London Plan [2008]:

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

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

S1 The Form of Development and Pattern of Land Use
D4 The Standard of Design and Layout
EM15 Land and Buildings in Business, Industrial and Warehousing – Outside Designated Areas
EM24 Town Centre Environment
R15 Hotels and Guest Houses
C16 Access to Buildings and Public Spaces
T6 The Transport Impact of Development Proposals
T13 Parking Standards
Harrow's Sustainable Community Strategy [Mar 09]

Harrow-on-The-Hill Station Planning Brief
Harrow Town Centre Development Strategy

a) Summary

Statutory Return Type: Consultation by other borough
Site Area: 46.6ha
Council Interest: Neighbouring Borough

b) Information:

Harrow Council was previously consulted with regard to this application on 22 January 2010. The matter was considered by Planning Committee in April 2010 and no objection was raised.

This application has amended the previous scheme through the reduction in number of dwellings onsite, some alterations to the internal layouts of the buildings and increase in height of part of an office element to seven stories.

c) Site Description

- RAF Uxbridge is located to the west of Central London, approximately 2 miles from the A40 / M40 within LB Hillingdon. The application site comprises approximately 46.6ha [115 acres] and is located to the south-east of Uxbridge Town Centre.
- To the north of the site lies Uxbridge College and Hillingdon House Farm [athletics track and Uxbridge Lido]. To the south lies Brunel University, Uxbridge High School and Hillingdon Hospital.
- On the eastern side of the site is the International School and the residential area of Hillingdon Court Park Area of Special Local Character.
- The western boundary of the site adjoins Hillingdon Road [A4020]. The B483 [Park Road] provides access from the site to Central London and the west of England via the A40. The site is also well located to Heathrow Airport and the employment areas located in the south as well as to the M40 and M25 by means of the A4020.

d) Proposal Details

- As above

e) Relevant History

Neighbouring Borough Correspondence, P/0224/10, Considered by Harrow Planning Committee 21st April 2010, no objection raised for:

1. Outline application (all matters reserved, except for access): Demolition of some existing buildings; A) Creation of up to 1,303 residential dwellings (Class C3) of between 2 to 6 residential storeys; B) Creation of up to 77 one-bedroom assisted living retirement accommodation of between 3 to 4 storeys; C) Creation of a three-form entry primary school of 2 storeys; D) Creation of a hotel (Class C1) of 5 storeys of up to 90 beds; E) Creation of a 1,200 seat theatre with ancillary café (Sui Generis); office (Class B1a) of up to 13,860sq.m; energy centre (Sui Generis) of up to 1,200sq.m; and retail (Class A1, A2, A3, A4, A5) of up to 2,850sq m;

in buildings of between 4 to 6 storeys as well as a tower element associated with the theatre of up to 30m; F) Creation of a local centre to provide up to 150sq.m of retail (Class A1 and A2) and 225sq.m GP surgery (Class D1); Means of access and improvements to pedestrian linkages to the Uxbridge Town centre; car parking; provision of public open space including a district park; landscaping; sustainable infrastructure and servicing.

2. In addition to the above, full planning permission is sought for: A) Change of use of the Grade II listed former cinema building to provide 600sq.m Class D1/2 use (no building works proposed); B) Change of use and alterations to the Grade II listed Hillingdon House to provide 600sq.m for a restaurant (Class A3) on the ground floor and 1,500sq.m of office (Class B1) on the ground, first and second floors; C) Change of use and alterations to the Carpenters building to provide 1 residential dwelling (Class C3); Creation of 29 residential dwellings (Class C3) to the north of Hillingdon House of between 2 to 3 storeys as well as associated amenity space and car parking; Change of use of Lawrence House (Building No. 109) to provide 4 dwellings (Class C3), associated amenity space and car parking including a separate freestanding garage; D) Change of use and alterations to the Sick Quarters (Building No. 91) to provide 4 dwellings (Class C3) as well as associated amenity space and car parking; E) Change of use of Mons barrack block (Building No. 146A) to provide 7 dwellings (Class C3) as well as associated amenity space and car parking.

f) Consultations:
Highways Engineer:

Although complex and highly intense, the approximate 10 mile physical separation from Harrow's boundary with this proposal site will dilute any measurable impact on LBH's public realm.

In summary there are no specific concerns or adverse/detrimental issues envisaged for Harrow as a result of the development.

APPRAISAL

1) Scale

The proposed development would be no more than seven storeys. Further details would be established as Reserved Matters since this application is for outline permission for matters relating to access only. However, consideration of the outline application and any potential impact on the Borough of Harrow would involve matters relating to scale. At no more than seven storeys, it is considered that the proposal, by reason of its scale and proximity to Harrow Borough, is sufficiently distant that no material harm would occur.

2) Proposed Uses

This site would comprise a mixed-use development, which would include A Class uses, B1, C1, C3, D1, as those uses that are proposed. It is not considered, that any of these uses, by reason of the proximity of the site would affect the Borough of Harrow. Uxbridge, like Harrow is a town centre in itself and it is considered that the uses proposed would not detract from Harrow's services or the availability of these uses in the Borough.

3) Transportation

Harrow's Highways Engineer is satisfied that the proposal in transport terms, would not impact on Harrow Borough as it is sufficiently away from the Borough.

CONCLUSION

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, it is recommended that NO OBJECTION be made.

**UNIT 3, RUISLIP RETAIL PARK, P/2657/10
VICTORIA ROAD, RUISLIP**

Ward ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING BOROUGH:

CONSTRUCTION OF A 1.858 SQ M MEZZANINE WITHIN UNIT 3, RUISLIP RETAIL PARK

Applicant: London Borough of Hillingdon

Case Officer: Ian Hyde

Statutory Expiry Date: | 27-OCT-10

RECOMMENDATION

INFORM London Borough of Hillingdon that Harrow Council raises NO OBJECTION to this application.

REASON

The decision to raise no objection has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations.

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

National Planning Policy:

Planning Policy Statement 1: Delivering Sustainable Development (2005)

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

Planning Policy Guidance 13: Transport (2001)

The London Plan [2008]:

3A.3 Maximising the potential of sites

3B.1 Developing London's economy

3B.11 Improving employment opportunities for Londoners

3C.2 Matching development to transport capacity

3C.23 Parking strategy

3D.1 Supporting Town Centres.

3D.3 Maintaining and improving retail facilities

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

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

S1 The Form of Development and Pattern of Land Use

D4 The Standard of Design and Layout

T6 The Transport Impact of Development Proposals

T13 Parking Standards

T14 Public Car Parking
T15 Servicing of New Developments
Harrow's Sustainable Community Strategy [Mar 09]

a) Summary

Statutory Return Type: Consultation by other borough
Site Area: 0.19ha
Council Interest: Neighbouring Borough

b) Site Description

- Two storey bulk retail unit (one of five) located to the south west of the junction of Victoria Road, Field End Road and Eastcote Lane.
- The borough boundary with London Borough of Harrow runs down the centre line of Field End Road.
- A car park lies between the building and Victoria Road to the north which, according to the planning and retail assessment accompanying the application suggests 304 parking spaces.

c) Proposal Details

- As above

g) Consultations:

Highways Engineer: No objection

APPRAISAL

1) Impact on the London Borough of Harrow

This site would provide an additional 1858sqm of floor area within the existing retail unit, no change of use is proposed and the retail use is existing. It is considered that the proposed increase in floor area is not significant in the context of the total site area and therefore the proposed development would not result in any material harm to the London Borough of Harrow beyond that existing.

Harrow Council's Highways Engineer has assessed the proposal and confirmed that there would not be any harm caused to the London Borough of Harrow from the proposed development.

2) S17 Crime & Disorder Act 1998

The proposed development is not considered to result in an increase in crime or loss of safety within the London Borough of Harrow.

CONCLUSION

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, it is recommended that NO OBJECTION be made.

UNIT 3, RUISLIP RETAIL PARK, VICTORIA ROAD, RUISLIP **Item : 4/03 P/2353/10**

Ward ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING BOROUGH:

VARIATION OF CONDITION 11 (RESTRICTED SALE OF GOODS) OF PLANNING PERMISSION REF: 43510/APP/2000/2485 DATED 14/03/2003: REFURBISHMENT OF EXISTING RETAIL UNITS, WITH NEW CLADDING ON ALL ELEVATIONS, NEW COVERED WALKWAY ON NORTHERN FRONTAGE (FACING VICTORIA ROAD) AND CHANGES TO SERVICE ARRANGEMENTS AND CAR PARKING WITH ENHANCED FRONTAGE LANDSCAPING, INCORPORATING DISUSED SERVICE ROAD

Applicant: London Borough of Hillingdon

Case Officer: Ian Hyde

Statutory Expiry Date: 04-OCT-10

RECOMMENDATION

INFORM London Borough of Hillingdon that Harrow Council raises NO OBJECTION to this application.

REASON

The decision to raise no objection has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations.

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

National Planning Policy:

Planning Policy Statement 1: Delivering Sustainable Development (2005)

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

Planning Policy Guidance 13: Transport (2001)

The London Plan [2008]:

3A.3 Maximising the potential of sites

3B.1 Developing London's economy

3B.11 Improving employment opportunities for Londoners

3C.2 Matching development to transport capacity

3C.23 Parking strategy

3D.1 Supporting Town Centres.

3D.3 Maintaining and improving retail facilities

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

a) Summary

Statutory Return Type: Consultation by adjoining borough
Site Area: 0.19ha
Council Interest: Adjoining Borough.

b) Site Description

- Two storey bulk retail unit (one of five) located to the south west of the junction of Victoria Road, Field End Road and Eastcote Lane.
- The borough boundary with London Borough of Harrow runs down the centre line of Field End Road.
- A car park lies between the building and Victoria Road to the north which, according to the planning and retail assessment accompanying the application suggests 304 parking spaces.

c) Proposal Details

The application seeks to amend an agreement under Section 52 of the Former Planning Act signed on 26 September 1986 with the LB Hillingdon which stipulated:

“the site shall not be used for the retail sale of food (other than refreshments intended for consumption on the site by customers), clothing, footwear and accessories (other than clothing footwear and accessories intended for use in connection with building or DIY activities) cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines, books (other than those relating to DIY and car maintenance manuals), and stationery, jewellery, toys, luggage, sport and fancy goods” (part 7(Clause1) of the Section 52 Agreement).”

This agreement also stated that should permission be granted for any such uses, that the agreement would cease to have affect.

This application proposes to vary condition 11 of application 43510/APP200/2485: to sale of clothing and footwear, cosmetics, toiletries, pharmaceutical products, photographic equipment, newspapers, magazines and books, stationery, jewellery, toys, luggage, sports goofs and fancy goods, in addition to the provision of an ancillary café within unit 3.

g) Consultations:

Highways Engineer: No objection

APPRAISAL

1) Impact on the London Borough of Harrow

It is considered that allowing additional uses onsite would not result in any material impacts on the London Borough of Harrow over those already existing. Given these considerations, the application is considered to be acceptable in this respect.

Harrow's Highways Engineer is satisfied that the proposal in transport terms, would not impact on Harrow Borough.

2) S17 Crime & Disorder Act 1998

The proposed development is not considered to result in an increase in crime or loss of safety within the London Borough of Harrow.

CONCLUSION

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, it is recommended that NO OBJECTION be made.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

LAND FRONTING 9 NOWER HILL, PINNER, HA5 5QR **Item : 5/01**
P/2727/10
Ward: PINNER

PRIOR APPROVAL FOR INSTALLATION OF ONE EQUIPMENT CABINET (1.6M X 1.2M X 0.45M) (APPLICANT REF: 512749 189343)(PCP: 78)

Applicant: Harlequin Ltd
Case Officer: Sushila Bhandari
Statutory Expiry Date: | 30-NOV-10

RECOMMENDATION

1. PRIOR APPROVAL IS REQUIRED

2. REFUSE PRIOR APPROVAL of siting and appearance for the development as described in the application and submitted plans for the following reasons:

1. The proposed equipment cabinet by reason of its prominent siting on a grass verge and unacceptable appearance would result in an obtrusive form of development and add visual clutter within this part of the Tookes Green Conservation Area and would be harmful to the visual amenities of the occupiers at No.9 Nower Hill. The proposal is therefore considered to detract from the visual amenities and open character of the street scene and fails to preserve or enhance the Tookes Green Conservation Area, contrary to Planning Policy Guidance 8: Telecommunications Development, Planning Policy Statement 5: Historic Environment, saved policies D4, D14, D24 and D29 of the Harrow Unitary Development Plan (2004) and the provisions of the Supplementary Planning Document (SPD) (Dec 2009) : Pinner Conservation Area Appendix 7 – Tookes Green Conservation Area Appraisal and Management Strategy (Dec 2009).
2. The applicant has also failed to demonstrate that there is no satisfactory alternative siting, and a less harmful means of meeting the network coverage, contrary to Planning Policy Guidance 8: Telecommunications Development and saved policy D24 of the Harrow Unitary Development Plan (2004).

National Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 8 – Telecommunications Development

Planning Policy Statement 5 - Planning For The Historic Environment

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

D24 – Telecommunications Development

D29 – Street Furniture

T6 - The Transport Impact of Development Proposals

T9 – Walking
T13 – Parking Standards

Supplementary Planning Document 'Access for All' (2006)
The Pinner Conservation Areas SPD (Appendix 7 – the Tookes Green Conservation Area Appraisal and Management Strategy) (2009)

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

- 1) Siting and Appearance (PPS1, PPS5, PPG8, 4B.1, D4, D14, D15, D24, D29, SPD)
- 2) Accessibility and Highways Considerations (T6, T9, T13, SPD)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to committee as the application fails outside the scheme of delegation.

a) Summary

Statutory Return Type: 27: Notifications Under Circular
Conservation Area: Tookes Green Conservation Area
Council Interest: Public Highway

b) Site Description

- The application site is an area of grass verge located adjacent to the front boundary of No.9 Nower Hill, which is located on the western side of Nower Hill.
- The existing front boundary treatment of No.9 is characterised by a low brick wall.
- The site is situated within the Tookes Green Conservation Area.

c) Proposal Details

- The applicant is seeking prior approval for the siting and appearance for one equipment cabinet. This cabinet would have dimensions of 1.6m x 1.2m x 0.45m and would be dark green in colour.

Revisions to Previous Application:

- n/a

d) Relevant History

- None

e) Pre-Application Discussion

- None

f) Applicant Statement

- This application is supported by a design statement forming part the application form.

g) Consultations

CAAC: Any additional street furniture should be discreetly located. We regret the proliferation of street furniture in the conservation area. There is one at the bottom of the Hill and one a few yards away we would question why this one is needed as well. This would be towards the kerb in a prominent position on the bend of Pinner Road and should be positioned further back.

Highway Engineer: No objection

Advertisement: Character of Conservation Area Expiry: 04-NOV-10

Notifications:

Sent: 22 Replies: 0 Expiry: 29-OCT-10

Addresses consulted:

Flats 1 and 2, 11 Nower Hill
10 Nower Hill
Flats 1-9, 6-8 Nower Hill
Flats 1-6, 9 Nower Hill
6-8, 9, 11 and 6 Nower Hill

Summary of Responses: n/a

APPRAISAL

1) Siting and Appearance

In assessing an application for prior approval national policy guidance PPG 8 on Telecommunications advises that the matters such as the following should be taken into consideration when assessing the siting of any telecommunications development:

- The height of the site in relation to the surrounding land;
- The existence of topographical features and natural vegetation;
- Effect on skyline or horizon;
- When observed from any from any side;
- site in relation to areas designated for their scenic or conservation value;
- site in relation to existing masts, structures or buildings, including buildings of a historic or traditional character;
- site in relation to residential property; and
- any other relevant considerations.

With regard to assessing the appearance of telecommunications development, PPG8 advises that factors such as materials, colour and design should be taken into consideration.

Saved policy D24 of the Harrow UDP is broadly reflective of the guidance set out under PPG 8. Saved policy D24 will consider proposals for telecommunication development favourably provided that *inter alia* there would be no detrimental impact on conservation areas, listed buildings, important local views and landmarks, there would be no serious risk to amenity in residential areas, and the proposed installation would be sited and designed to minimise visual impact.

Saved policies D4, D14, D15 and D29 are also relevant in the assessment of telecommunications development in terms of design, siting, street future and proposals that would impact on conservations areas.

As part of a major upgrade programme to install new fibre optic broadband, BT Openreach are seeking to install a number of system cabinets across the borough. These cabinets are larger than the other similar style cabinets that have been installed on streets across the borough and therefore in terms of its external appearance such cabinets would be visible in the streetscene. The submitted site plan appears to indicate that the equipment cabinet would be located on the grass verge adjacent to the front boundary wall of No.9 Nower Hill. However, the submitted photomontage shows the cabinet to be located on the footpath, adjacent to the front boundary wall of No.9 Nower Hill and nearer to the corner junction of Nower Hill and The Chase. The photomontage also shows a smaller equipment cabinet than the actual size proposed. This application has been assessed on the details shown on the submitted site plan.

In terms of the choice of material and colour, the proposed cabinet has been designed in a way to minimise its impact by choosing to paint the cabinets dark green to blend in with the landscape setting of the streetscene. However, the equipment cabinet would be located adjacent to a very low brick wall of No.9 Nower Hill and therefore a 1.6m high cabinet would be highly visible from within the front garden of No.9 Nower Hill and in the streetscene. Although, there are some shrubs planting adjacent to the front boundary wall, these are very low in height and would do very little to mitigate the harm caused by the siting of the cabinet in this prominent location. The proposed cabinet in terms of its appearance and siting would have a detrimental impact upon the visual amenities of No.9 Nower Hill.

The proposed cabinet would be located within the Tookes Green Conservation Area and would be located on a corner site. This would be an obtrusive siting within the Conservation Area and would add street clutter within the area. The uncluttered nature of this Conservation Area in terms of its street furniture is highlighted by the Pinner Conservation Areas SPD (Appendix 7 – the Tookes Green Conservation Area Appraisal and Management Strategy) adopted December, 2010. The guidance note within this CAAMS states that ‘To ensure that the character of the streetscene is both preserved and enhanced, Harrow Council will: b) Encourage utility companies to install the minimum amount of new and replacement street furniture and to locate this sensitively. d) Encourage street furniture and signage to be well sited and designed.’ Given the obtrusive proposed siting, the current proposal would therefore be contrary to Harrow UDP policy D14 and PPS5 policy HE 7.4 which states: ‘Local planning authorities should take into account: – the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping’ and PPS5 policy HE9.1 which states: There should be a presumption in favour of the conservation of designated heritage assets.’

The applicant has also failed to demonstrate that there are no other satisfactory alternative locations for the proposed siting of the equipment cabinet to meet the network coverage as required by Criterion A) of saved policy D24.

In assessing applications for telecommunication development due regard must also be given to any potential health hazard upon the surrounding community. The proposal relates to the installation of cabinet to house fibre optic cables. It is considered that such a proposal would not pose any health hazards upon the local community.

For the reasons discussed above, it is considered that the siting and appearance of the proposed cabinet would fail to meet the objectives set out under saved policies D24, D14, D4 and D29 of the Harrow UDP and would contrary to the guidance set out in PPG8 and PPS5.

2) Accessibility and Highways Considerations

In terms of assessing the siting of the proposed cabinet with regards to the Council's Accessibility Supplementary Planning Document, the proposed cabinet would be located on part of the grass verge at the end of the footpath and therefore the siting of the proposed cabinet would not impede upon pedestrian access. Likewise the proposed siting would not affect highway safety and the Council's Highway Engineer has raised no objection to the proposed siting of the equipment cabinet on highways grounds.

3) S17 Crime & Disorder Act

It is considered that the proposed siting and appearance of the equipment cabinet would not have any adverse crime or safety concerns.

4) Consultation Responses

All material planning considerations have been addressed in the above report.

CONCLUSION

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

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 8 – Telecommunications Development

Planning Policy Statement 5 - Planning For The Historic Environment

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

D24 – Telecommunications Development

D29 – Street Furniture

T6 - The Transport Impact of Development Proposals

T9 – Walking

T13 – Parking Standards

Supplementary Planning Document 'Access for All' (2006)

The Pinner Conservation Areas SPD (Appendix 7 – the Tookes Green Conservation Area Appraisal and Management Strategy - CAAMS) (2009)

2 The applicant is advised that the submitted location plan appears to indicate that the equipment cabinet would be located on the grass verge adjacent to the front boundary wall of No.9 Nower Hill. However, the submitted photomontage shows the cabinet to be located on the footpath, adjacent to the front boundary wall of No.9 Nower Hill and nearer to the corner junction of Nower Hill and The Chase. The photomontage also shows a smaller equipment cabinet than the actual size proposed. This application has been assessed on the details shown on the submitted location plan.

Plan Nos: Location Plan; Unnumbered Photograph of Cabinet

PRIOR APPROVAL FOR INSTALLATION OF ONE EQUIPMENT CABINET (1.6M X 1.2M X 0.45M) (APPLICANT REF: 511112 190488) (PCP: 52)

Applicant: Harlequin Ltd

Case Officer: Sushila Bhandari

Statutory Expiry Date: | 29-NOV-10

RECOMMENDATION

1. PRIOR APPROVAL IS REQUIRED

2. REFUSE PRIOR APPROVAL of siting and appearance for the development as described in the application and submitted plans for the following reasons:

1. The proposed equipment cabinet by reason of its prominent siting on a grass verge and unacceptable appearance, together with the existing equipment cabinet would result in an obtrusive form of development and visual clutter within this part of the Pinnerwood Park Estate Conservation Area and would be harmful to the visual amenities of the occupiers at No.87 Pinner Hill Road. The proposal is therefore considered to detract from the visual amenities and open character of the street scene and fails to preserve or enhance the Pinnerwood Park Estate Conservation Area, contrary to Planning Policy Guidance 8: Telecommunications Development, Planning Policy Statement 5: Historic Environment, saved policies D4, D14, D24 and D29 of the Harrow Unitary Development Plan (2004) and the provisions of the Supplementary Planning Document (SPD) (Dec 2009) : Pinner Conservation Area Appendix 8 - The Pinnerwood Park Conservation Area Appraisal and Management Strategy (Dec 2009).
2. The applicant has also failed to demonstrate that there is no satisfactory alternative siting, and a less harmful means of meeting the network coverage, contrary to Planning Policy Guidance 8: Telecommunications Development and saved policy D24 of the Harrow Unitary Development Plan (2004).

National Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 8 – Telecommunications Development

Planning Policy Statement 5 - Planning For The Historic Environment

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

D24 – Telecommunications Development

D29 – Street Furniture

T6 - The Transport Impact of Development Proposals

T9 – Walking
T13 – Parking Standards

Supplementary Planning Document 'Access for All' (2006)
The Pinner Conservation Areas SPD (Appendix 8 – the Pinnerwood Park Conservation Area Appraisal and Management Strategy - CAAMS) (2009)

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

- 1) Siting and Appearance (PPS1, PPS5, PPG8, 4B.1, D4, D14, D15, D24, D29, SPD)
- 2) Accessibility and Highways Considerations (T6, T9, T13, SPD)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to committee as the application falls outside the scheme of delegation.

a) Summary

Statutory Return Type: 27: Notifications Under Circular
Conservation Area: Pinnerwood Park Estate Conservation Area
Council Interest: Public Highway

b) Site Description

- The application site is an area of grass verge located adjacent to the front boundary of No.87 Pinner Hill Road, which is located on the eastern side of Pinner Hill Road.
- The existing front boundary treatment of No.87 is characterised by a low hedgerow.
- There is an existing equipment cabinet located adjacent to the front boundary of No.87.
- The site is situated within the Pinnerwood Park Estate Conservation Area.

c) Proposal Details

- The applicant is seeking prior approval for the siting and appearance for one equipment cabinet. This cabinet would have dimensions of 1.6m x 1.2m x 0.45m and would be dark green in colour.

Revisions to Previous Application:

- None

d) Relevant History

- None

e) Pre-Application Discussion

- None

f) Applicant Statement

- This application is supported by a design statement forming part the application form.

g) Consultations

CAAC: Any additional street furniture should be discreetly located. We regret the proliferation of street furniture in the conservation area. They should be pushed back and located discretely within the streetscene as much as possible to have wide access on pavements for the pedestrian particularly for wheelchairs and prams.

Highways Engineer: No Objection

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

Notifications:

Sent: 37 Replies: 1 Expiry: 27-OCT-10

Address Consulted

83, 85, 87, 89 Pinner Hill Road
Pinner Hill Community Hall
Edwin Ware Court, Crossway, Pinner
1 to 31 Edwin Ware Court, Crossway, Pinner

Summary of Responses:

- Already one telecoms cabinet outside my property;
- Proposal would provide further reduction in the enjoyment of my property, especially as the proposed cabinet is much larger;
- Would be logical to replace the existing cabinet with this new cabinet;
- Would be in front of lounge window and would be a considerable eyesore once the shrubbery in the front garden loses its leaves and is pruned back;
- Would lead to destruction of grass verge;
- Supporting statement by applicant is generic not specific to this location;
- The proposed 'off loading point' would therefore cause significant disruption to the local bus service and road traffic and pose a hazard to parents and children going to and from Pinnerwood Primary School.
- Looks like it would obstruct the driveway for No.85 Pinner Hill Road.
- Whilst arguable that the off loading would be one event – our experience has been that engineers will need regular and quiet frequent access to the box and regularly park their vehicle in inappropriate ways.

APPRAISAL

1) Siting and Appearance

In assessing an application for prior approval national policy guidance PPG 8 on Telecommunications advises that the matters such as the following should be taken into consideration when assessing the siting of any telecommunications development:

- The height of the site in relation to the surrounding land;
- The existence of topographical features and natural vegetation;
- Effect on skyline or horizon;
- When observed from any from any side;
- site in relation to areas designated for their scenic or conservation value;

- site in relation to existing masts, structures or buildings, including buildings of a historic or traditional character;
- site in relation to residential property; and
- any other relevant considerations.

With regard to assessing the appearance of telecommunications development, PPG8 advises that factors such as materials, colour and design should be taken into consideration.

Saved policy D24 of the Harrow UDP is broadly reflective of the guidance set out under PPG 8. Saved policy D24 will consider proposals for telecommunication development favourably provided that *inter alia* there would be no detrimental impact on conservation areas, listed buildings, important local views and landmarks, there would be no serious risk to amenity in residential areas, and the proposed installation would be sited and designed to minimise visual impact. Saved policies D4, D14, D15 and D29 are also relevant in the assessment of telecommunications development in terms of design, siting, street future and proposals that would impact on conservations areas.

As part of a major upgrade programme to install new fibre optic broadband, BT Openreach are seeking to install a number of system cabinets across the borough. These cabinets are larger than the other similar style cabinets that have been installed on streets across the borough and therefore in terms of its external appearance such cabinets would be visible in the streetscene. In terms of the choice of material and colour, the proposed cabinet has been designed in a way to minimise its impact by choosing to paint the cabinets dark green to blend in with the landscape setting of the streetscene. In this case the proposed cabinet would be located within the Pinnerwood Park Estate Conservation Area against a hedge which would camouflage it to some extent. However, once the hedge has shed its leaves in winter, or it is pruned/ cut back, the proposed cabinet would be highly visible both from within the front garden of No.87 Pinner Hill Road and from the streetscene. Furthermore, as the height of the new cabinet would be 1.6 metres, nearly twice the height of the existing adjacent cabinet, the proposed cabinet in terms of its appearance would have a detrimental impact upon the visual amenities of No.87 Pinner Hill Road and the Pinnerwood Park Estate Conservation Area.

Furthermore, its siting over an existing grass verge and its siting in conjunction with this existing cabinet would add street clutter within the area. At the moment the Conservation Area is relatively uncluttered and the grass verges are important to the area. The Pinner Conservation Areas SPD (Appendix 8 – the Pinnerwood Park Conservation Area Appraisal and Management Strategy - CAAMS) adopted December, 2009 highlights the importance of grass verges to the Conservation Area. The guidance notes within this CAAMS then state that ‘To ensure that the character of the streetscene is both preserved and enhanced, Harrow Council will:

b) Encourage utility companies to install the minimum amount of new and replacement street furniture and to locate this sensitively. d) Encourage street furniture and signage to be well sited and designed.’ And states that: To ensure that the soft character of the conservation area is both preserved and enhanced Harrow Council will:

a) encourage the retention and improvement of both public and private green spaces and open land, including trees, hedgerows and grass verges. The proposed siting and appearance of the cabinet would therefore not preserve the character of the Conservation Area and would be contrary to PPS5 policy HE 7.4 which states: 'Local planning authorities should take into account: – the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping' and PPS5 policy HE9.1 which states: There should be a presumption in favour of the conservation of designated heritage assets.

The applicant has also failed to demonstrate that there are no other satisfactory alternative locations for the proposed siting of the equipment cabinet to meet the network coverage as required by Criterion A) of saved policy D24.

In assessing applications for telecommunication development due regard must also be given to any potential health hazard upon the surrounding community. The proposal relates to the installation of cabinet to house fibre optic cables. It is considered that such a proposal would not pose any health hazards upon the local community.

For the reasons discussed above, it is considered that the siting and appearance of the proposed cabinet would fail to meet the objectives set out under saved policies D24, D14, D4 and D29 of the Harrow UDP and would be contrary to the guidance set out in PPG8 and PPS5.

2) Accessibility and Highways Considerations

In terms of assessing the siting of the proposed cabinet with regards to the Council's Accessibility Supplementary Planning Document, the proposed cabinet would be located on part of the grass verge at the end of the footpath and therefore the siting of the proposed cabinet would not impede upon pedestrian access. Likewise the proposed siting would not affect highway safety. It is noted that the owners of No.87 Pinner Hill Road have raised concerns with regards to the impact of the installation of the new cabinet upon the surrounding highway and the future problems likely to arise when engineers require future access to the cabinet. As stated by the occupiers of No.87 Pinner Hill Road, any disruption to the highway would be a 'one off' occurrence. Any indiscriminate parking as a result of any future access to the cabinet would be a matter for highways enforcement and not a matter that planning policy can control. Furthermore the Council's Highway Engineer has raised no objection to the proposed siting of the equipment cabinet on highways grounds.

3) S17 Crime & Disorder Act

It is considered that the proposed siting and appearance of the equipment cabinet would not have any adverse crime or safety concerns.

4) Consultation Responses

All material planning considerations have been addressed in the above report.

CONCLUSION

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

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 8 – Telecommunications Development

Planning Policy Statement 5 - Planning For The Historic Environment

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D14 – Conservation Areas

D15 – Extensions and Alterations in Conservation Areas

D24 – Telecommunications Development

D29 – Street Furniture

T6 - The Transport Impact of Development Proposals

T9 – Walking

T13 – Parking Standards

Supplementary Planning Document 'Access for All' (2006)

The Pinner Conservation Areas SPD (Appendix 8 – the Pinnerwood Park Conservation Area Appraisal and Management Strategy - CAAMS) (2009)

Plan Nos: Location Plan; Unnumbered Photograph of Cabinet; PCP 052

LAND FRONTING 469 ALEXANDRA AVENUE, P/2729/10
HARROW, HA2 9RY

Ward: RAYNERS LANE

PRIOR APPROVAL FOR SITING AND APPEARANCE; INSTALLATION OF ONE
EQUIPMENT CABINET (1.6M X 1.2M X 0.45M) (APPLICANT REF: 512990 189624)
(PCP:72)

Applicant: Harlequin Ltd

Case Officer: Andy Parker

Statutory Expiry Date: | 30-NOV-10

RECOMMENDATION

1. PRIOR APPROVAL IS REQUIRED

2. **REFUSE PRIOR APPROVAL** of siting and appearance for the development as described in the application and submitted plans for the following reasons:

- 1 The proposed cabinet by reason of its prominent location would result in an obtrusive form of development in close proximity to other items of street furniture which would add to visual clutter within this part of the Rayners Lane Conservation Area to the detriment of the open character of the area. The proposal is therefore considered to detract from the visual amenities and open character of the street scene and fails to preserve or enhance the Rayners Lane Conservation Area, contrary to Planning Policy Guidance 8: Telecommunications Development, Planning Policy Statement 5: Historic Environment, saved policies D4, D14, D24 and D29 of the Harrow Unitary Development Plan (2004) and the provisions of the Supplementary Planning Document (SPD) (Dec 2009) : Pinner Conservation Area Appendix 11 - The Rayners Lane Conservation Area Appraisal and Management Strategy (Dec 2009).
- 2 The applicant has also failed to demonstrate that there is no satisfactory alternative siting, and a less harmful means of meeting the network coverage, contrary to Planning Policy Guidance 8: Telecommunications Development and saved policy D24 of the Harrow Unitary Development Plan (2004).

National Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 5 - Planning For The Historic Environment

Planning Policy Statement 8 – Telecommunications Development

London Plan:

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D14-Conservation Areas

D15 Extensions and Alterations in Conservation Areas

D24 – Telecommunications Development
D29 – Street Furniture
C16 – Access to Buildings and Public Spaces
T6 - The Transport Impact of Development Proposals
T9 – Walking
T13 – Parking Standards

Supplementary Planning Document

Supplementary Planning Document 'Access for All' (2006)

Supplementary Planning Document (SPD) (Dec 2009): Pinner Conservation Area Appendix 11 - The Rayners Lane Conservation Area Appraisal and Management Strategy (Dec 2009).

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

- 1) Siting and Appearance (PPS1, PPS5, PPG8 D4, D14, D15, D24, D29, C16, SPD)
- 2) Accessibility and Highway Considerations (T6, T9, T13, SPD)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to committee as the applications fails outside the scheme of delegation.

a) Summary

Statutory Return Type: 27: Notifications Under Circular
Conservation Area: Rayners Lane Conservation Area
Council Interest: Public Highway

b) Site Description

- The application site is an area of public highway on the west side of Alexandra Avenue to the front of no.469 (Hairdressers) which is situated within a parade of single storey shops on a Primary Retail Frontage within Rayners Lane District Centre.
- To the east of no.469 is a pedestrian crossing area which is protected by two bollards.
- To the east of no. 471 (Dry Cleaners) is an existing equipment cabinet, a bin and a recycling bin.
- Immediately to the west of Alexandra Avenue is a pedestrian cycle route and protective railings.
- The wide pavement (11m) and the single storey retail premises at this location contribute towards the open nature of the streetscene.
- The site is located within the Rayners Lane Conservation Area.
- Approximately 22m to the north of the site is Rayners Lane Tube Station, a Grade II Listed Building.

c) Proposal Details

- Where electronic equipment is installed by a Code Systems Operator within Article 1/5 land, (a conservation area), an application for prior approval is required to be made to the Local Planning Authority.
- The proposal is for prior approval of siting and design for the installation of one equipment cabinet.
- The proposed DSLAM Cabinet installation forms a wider part of a Government Digital Britain Project, which would enable the provision of super Broadband connectivity to the majority of the population, by boosting the individual's use of the internet and the wider economy in general.
- The kiosk would be a maximum of 1.6m high, 1.2m wide and 0.45m deep.
- The new cabinet would be green coated.
- The cabinet would be located on a concrete plinth.
- The cabinet would be located to the south of an existing cabinet, bin and recycling bin; immediately to the west of the cycle route and to the north of the pedestrian crossing area.

Revisions to Previous Application:

- n/a

d) Relevant History

- None

e) Pre-Application Discussion

- None

f) Applicant Statement

- This application is supported by a design statement forming part of the application form.

g) Consultations

Conservation Area Advisory Panel: Any additional street furniture should be discreetly located. CAAP regret the proliferation of street furniture in the conservation area. There are already several items of street furniture beside the proposed site and object to this application.

Highways Engineers: No specific concerns.

Advertisement: Character of Conservation Area Expiry: 20-NOV-10

Notifications:

Sent: 3

Replies: 0

Expiry: 22-NOV-10

Addresses consulted:

467 Alexandra Avenue

469 Alexandra Avenue

471 Alexandra Avenue

Summary of Responses:

- Not applicable

APPRAISAL

1) Siting and Appearance

In assessing an application for prior approval national policy guidance PPG 8 on Telecommunications advises that the matters such as the following should be taken into consideration when assessing the siting of any telecommunications development:

- The height of the site in relation to the surrounding land;
- The existence of topographical features and natural vegetation;
- Effect on skyline or horizon;
- When observed from any from any side;
- site in relation to areas designated for their scenic or conservation value;
- site in relation to existing masts, structures or buildings, including buildings of a historic or traditional character;
- site in relation to residential property; and
- any other relevant considerations.

With regard to assessing the appearance of telecommunications development, PPG8 advises that factors such as materials, colour and design should be taken into consideration.

Saved policy D24 of the Harrow UDP is broadly reflective of the guidance set out under PPG 8. Saved policy D24 will consider proposals for telecommunication development favourably provided that *inter alia* there would be no detrimental impact on conservation areas, listed buildings, important local views and landmarks, there would be no serious risk to amenity in residential areas, and the proposed installation would be sited and designed to minimise visual impact. Saved policies D4, D14, D15 and D29 are also relevant in the assessment of telecommunications development in terms of design, siting, street future and proposals that would impact on conservations areas.

PPS5 policy HE 7.4 which states: "Local planning authorities should take into account: – the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping" and PPS5 policy HE9.1 which states: "There should be a presumption in favour of the conservation of designated heritage assets."

The Rayners Lane Conservation Area Appraisal and Management Strategy (CAAMS) forms appendix 11 of the Pinner SPD and was adopted in Dec 2009. The Rayners Lane CAAMS notes too much street clutter as an issue in the conservation area. The guidance note within this CAAMS states that "To ensure that the character of the streetscene is both preserved and enhanced, Harrow Council will: b) Encourage utility companies to install the minimum amount of new and replacement street furniture and to locate this sensitively. d) Encourage street furniture and signage to be well sited and designed."

In this case, functional design and colour of the cabinet would not be out of keeping with the other street furniture in the locality. However, these cabinets are larger than the other similar style cabinets that have been installed on streets across the borough and therefore in terms of its external appearance such cabinets would be visible in the streetscene. The street scene has an open character and appearance and the proposed 1.6m high DSLAM cabinet would be prominently sited and its location in close proximity to other items of street furniture would result in an obtrusive form of development and would add to the street clutter in the area.

In assessing applications for telecommunication development due regard must also be given to any potential health hazard upon the surrounding community. The proposal relates to the installation of a cabinet to house fibre optic cables. It is considered that such a proposal would not pose any health hazards upon the local community.

The applicant has also failed to demonstrate that there are no other satisfactory alternative locations for the proposed siting of the equipment cabinet to meet the network coverage as required by Criterion A) of saved policy D24.

In addition, it is noted that another cabinet is proposed very near to this one, in High Worple, adjacent to the Rayners Lane conservation area (P/2728/10 - Land in High Worple, Outside 453 Alexandra Avenue, HA2 9SE). The applicant has failed to justify why two cabinets are needed within such close proximity.

The cabinet will be located such that it will not cause undue obstruction to pedestrian or other non-motorised movement. The Council's Highways Engineer raises no objection to the proposal.

2) Accessibility and Highway Considerations

In terms of assessing the siting of the proposed cabinet with regards to the Council's Accessibility Supplementary Planning Document, it is considered that the siting of the proposed cabinet would not impede upon pedestrian access. Likewise the proposed siting would not affect highway safety and the Council's Highway Engineer has raised no objection to the proposed siting of the equipment cabinet on highways grounds.

3) S17 Crime & Disorder Act

This cabinet would be located on a wide pavement in Alexandra Avenue in a busy shopping area. Its location means that it generally has good levels of natural surveillance, and as such is less likely to be a favoured location for crime and disorder. This should prevent the cabinet becoming a target for vandalism.

Although abandoned cabinets that are no longer in use could attract graffiti and be vandalised, a general condition attached to Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) is that telecommunications apparatus must be removed once it is no longer required for operational purposes.

Therefore, the proposal is not considered to have a detrimental impact on crime and disorder in the area.

4) Consultation Responses

All material planning considerations have been addressed in the above report.

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:

Prior approval of details of siting and appearance **is** required and this application is recommended for **refusal**.

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Policy Guidance

PPG19: Outdoor Advertisement Control (1992)

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 8 – Telecommunications Development

London Plan:

3D.1 – Supporting town centres

4B.1 – Design principles for a compact city

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D24 – Telecommunications Development

D29 – Street Furniture

EM24 – Town Centre Environment

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document

Access for All (2006)

Supplementary Planning Document (SPD) (Dec 2009): Pinner Conservation Area Appendix 11 - The Rayners Lane Conservation Area Appraisal and Management Strategy (Dec 2009).

2 The applicant is advised that the submitted location plan does not appear to indicate that the correct location of the existing cabinet, bin store, recycling bin and pedestrian crossing.

Plan Nos: Site Plan, dimensioned elevation of street cabinet, PCP 72