

SECTION 1 – MAJOR APPLICATIONS

FORMER GOVERNMENT OFFICES, HONEYPOT LANE, STANMORE, HA7 1BB **Item: 1/01**
P/2360/10

Ward CANONS

MODIFY SECTION 106 AGREEMENT TO PLANNING PERMISSION P/2317/06/CFU DATED 13/7/2007 TO CHANGE THE TENURE OF A TWO BED AFFORDABLE FLAT FROM A SOCIAL RENTED UNIT TO A SHARED OWNERSHIP UNIT

Applicant: Adunni Adams (A2Dominion Housing)
Case Officer: Nicholas Ray
Statutory Expiry Date: 01-NOV-10

RECOMMENDATION

APPROVE modification of the Section 106 Agreement which restricts the tenure of a two bed affordable flat, subject to the applicant entering into a deed of variation with the following Heads of Terms:

- (i) Amendment to terms of agreement to change tenure of 1x2 bedroom social rented flat to shared ownership;
- (ii) The payment of the Council's reasonable legal fees incurred in the course of preparing the deed of variation.

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

The decision to approve this modification has been taken having regard to the policies and proposals in The London Plan 2008, the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy encouraging the provision of appropriate levels of affordable housing and tenure mix in new residential developments. The proposed variation would enable this two bedroom unit to be a shared ownership unit, rather than a social rented unit, thereby ensuring a more appropriate arrangement of tenures in this block in relation to the service charges applied. The change of this one unit from social rented to intermediate provision is therefore considered acceptable in this instance and in the overall interests of ensuring that social rented units in the borough can be considered affordable in line with target social rents and acceptable service charge levels can be achieved.

National Planning Policy:

PPS1 – Delivering Sustainable Development
PPS3 – Housing

London Plan 2008:

3A.8 – Definition of Affordable Housing
3A.9 – Affordable Housing Targets
3A.10 – Negotiating Affordable Housing in Individual Private Residential and Mixed-Use Schemes
The London Plan Interim Housing Supplementary Planning Guidance 2010

London Borough of Harrow Unitary Development Plan 2004

H7 – Dwelling Mix

MAIN CONSIDERATIONS AND POLICIES

(National Policy, The London Plan 2008 and saved policies of The London Borough of Harrow Unitary Development Plan 2004)

- 1) Affordable Housing (PPS1, PPS3, 3A.8, 3A.9, 3A.10, H7)
- 2) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: 1. Largescale Major Dwellings
Council Interest: None

b) Site Description

- The site formerly comprised government office buildings, which are now demolished, and the site is in the process of being redeveloped for housing and business use space, pursuant to planning permission P/2317/06/CFU (allowed on appeal).
- Some of the housing has been completed and is occupied, whilst other phases are under construction.
- When completed, the development will comprise a total of 798 residential units, 200 of which would be affordable, whilst 59 would be low cost market housing.

c) Proposal Details

- It is proposed to vary the S106 agreement relating to the development, to change the tenure of one 2 bed 4 person unit from social rented to shared ownership.

d) Relevant History

P/2317/06	Redevelopment to provide 798 residential	REFUSED
Appeal Ref	units (including 40.2% affordable housing)	10-JAN-07
APP/M5450/A/ 06/2032152	959 sq m class A1/A2/A3/A4/A5/D1 & D2 floorspace; 7927 sq m of class B1(a),(b),(c) floorspace including a business incubator centre; creation of a new access onto Whitchurch Lane; associated flood alleviation, landscaping, car parking and highway works	ALLOWED ON APPEAL 28-AUG-07

e) Pre-Application Discussion

- None.

f) Applicant Statement

- None.

g) Consultations:

Housing Officer: The proposal is supported, as it would resolve service charge issues arising from an imbalance in tenure.

APPRAISAL

1) Affordable Housing

The proposal is to change the tenure of one social rented 2 bedroom 4 person apartment to a shared ownership unit. The unit in question is the only social rented unit in a block of 15 shared ownership units. As a result, the level of service charge would be disproportionately higher than other social rented units in the development. This would add an additional financial burden to the resident of this one remaining social rented unit, which would not be an ideal arrangement.

In terms of overall provision within this scheme, the proposed amendment would alter the overall affordable housing provision from 122 social rented units to 121 social rented units and from 78 shared ownership units to 79 shared ownership units.

It is considered that the proposed modification would comply with saved UDP policy H7 and London policies 3A.9 and 3A.10, which require appropriate tenure mixes in new developments, advocating a flexible approach to the application of these policies. The proposal would also comply with the Mayor's Interim Housing SPG, which requires consideration of the viability of a development when considering affordable housing provision.

2) Consultation Responses

Housing Officers comments are addressed in the above section.

CONCLUSION

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 provision of appropriate levels of affordable housing and tenure mix in new residential developments, the proposed modification is considered to be consistent with current policy. The change of this one unit from social rented to shared ownership provision is therefore considered acceptable in this instance and in the overall interests of ensuring that social rented units in the borough can be considered affordable in line with target social rents and acceptable service charge levels can be achieved.

Plan Nos: None.

KODAK SITE HEADSTONE DRIVE WEALDSTONE, HA1 4TY P/2117/10

Ward MARLBOROUGH

VARIATION OF CONDITION 5 ATTACHED TO PLANNING PERMISSION P/1795/09 DATED 17/12/2009 TO BE CHANGED FROM MARKET ON FRIDAYS TO MARKET ON TUESDAYS

Applicant: Land Securities
Agent: CB Richard Ellis
Case Officer: Andrew Ryley
Statutory Expiry Date: 05-NOV-10

RECOMMENDATION

The decision to GRANT permission has been taken having regard to the policies and proposals in the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004) set out below, and to all relevant material considerations including comments received in response to publicity and consultation, as outlined in the application report. The variation to the condition would safeguard the amenity of neighbouring residents, minimize the impact and congestion on the public highway and safeguard the vitality of the Wealdstone District Centre and other existing retail shopping centres within the locality.

London Plan:

4B.1 Design Principles for a Compact City

Harrow Unitary Development Plan:

S1 The Form of Development and Pattern of Land Use

SEM2 Hierarchy of Town centres

EM14 Land and Buildings in Business, Industrial and Warehousing Use – Designated Areas

EP21 Vacant and Disused Land and Buildings

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

- 1) Principle of development (S1, SEM2, EM14, EP21)
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

This application is reported to committee as a variation to a condition of a major planning application falls outside the scheme of delegation.

a) Summary

Statutory Return Type: 10 Major Retail
Council Interest: None

b) Site Description

- Vacant and disused Southern section of Kodak industrial site accessed off Headstone Drive, which been given planning permission (P/1795/09) for use of existing vacant area of land (1.3ha) for temporary use (12 months) as an open air market.

- Site identified as a preferred industrial location in Harrow Unitary Development Plan Proposals Map
- To the north and west are the existing Kodak operations
- To the east is the Harrow Crown Court and the Waverley Industrial Estate with access off Hailsham Drive
- To the south on the opposite side of Headstone Drive are 2-storey terraced residential properties, the Caryl Thomas Clinic and 3-storey blocks of flats
- Existing mature / semi-mature trees on the southern boundary of application site.

c) Proposal Details

- Permission is sought to vary Condition 5 attached to planning permission P/1795/09 dated 17/12/2009 to be changed from market on Fridays to market on Tuesdays.

d) Relevant History

P/1795/10	CHANGE OF USE OF VACANT SITE FOR TEMPORARY OPEN AIR MARKET WITH 100 STALLS INCLUDING ANCILLARY FOOD SALES AND PARKING FOR 200 CARS	GRANTED 17-DEC-09
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e) Consultations

Environment Agency: No comment to make.

Notifications:

Sent: 72 Replies: 5 objection Expiry: 06-SEP-10

Summary of responses:

Concern raised over whether the market would take business away from other local markets, especially South Harrow market. Questions raised over who will un the market.

APPRAISAL

1) Principle of Development

Condition 5 of planning permission ref P/1795/09 states:

“The use hereby permitted shall not be open to market stall operators outside the following times:

- (a) 07.00 hours to 16.00 hours on Fridays*
- (b) 08.00 hours to 16.00 hours on Saturdays*

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

- (a) 08.00 hours to 15.00 hours on Fridays*
- (b) 09.00 hours to 15.00 hours on Saturdays*

Without the prior written permission of the local planning authority

REASON: to safeguard the amenity of neighbouring residents, to minimize the impact and congestion on the public highway and to safeguard the vitality of the Wealdstone District Centre and other existing retail shopping centres within the locality.

The applicant proposes to change this to:

“The use hereby permitted shall not be open to market stall operators outside the following times:

(a) 07.00 hours to 16.00 hours on Tuesdays

(b) 08.00 hours to 16.00 hours on Saturdays

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

(a) 08.00 hours to 15.00 hours on Tuesdays

(b) 09.00 hours to 15.00 hours on Saturdays

Without the prior written permission of the local planning authority

REASON: to safeguard the amenity of neighbouring residents, to minimize the impact and congestion on the public highway and to safeguard the vitality of the Wealdstone District Centre and other existing retail shopping centres within the locality.”

The principle of the temporary change of use of the site has been established by planning permission P/1795/10. The two key considerations for this approval were:

- a) The principal of a non-employment use (B1, B2 or B8 of the use classes order) on a designated industrial site and;
- b) The effect an edge-of-centre retail use would have on the existing shopping centre / town centre and other shopping parades in the vicinity.

In the case of the original application it was considered that the proposal would bring into use an existing disused brown-field site creating employment opportunities for local people. It was considered that, given the size and temporary permission period, that the proposed temporary use would not jeopardise the long term strategic use of this site for industrial purposes / employment land nor would it adversely impact on the vitality and viability of local shops, including Wealdstone District Centre.

This application seeks to vary the days the market can open from Friday and Saturday to Tuesday and Saturday. The applicant has set out that the commercial viability of a Friday market has been limited, and therefore they wish to “apply for a market on Tuesdays to allow a specialist market that would not clash with the others in the North West London area.”

The key consideration here is what, if any, impact would the change of permitted opening times have with respect to the reasons the planning condition was imposed originally. It is considered that given the proposed change would substitute one working day for another, the impact on residential amenity would not change. Similarly, the impacts in relation to car parking and the effect on Wealdstone District Centre would not be altered by the proposed change in days.

On this basis it is considered that the proposed change to the permitted opening times would not lead to any adverse impacts and, therefore planning permission should be granted.

2) S17 Crime & Disorder Act

The development does not have any material impact with respect to this legislation.

3) Consultation Responses

These have been dealt with the body of the report.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations as set out above, the variation to the condition would not adversely affect the amenity of neighbouring residents, minimize the impact and congestion on the public highway and safeguard the vitality of the Wealdstone District Centre and other existing retail shopping centres within the locality. The application is therefore recommended for grant, subject to the following conditions:

CONDITIONS

1 This permission shall have the effect of varying condition numbered 5 on full planning permission reference P/1795/09 dated 17th December 2009 to read:

The use hereby permitted shall not be open to market stall operators outside the following times:

- (a) 07.00 hours to 16.00 hours on Tuesdays
- (b) 08.00 hours to 16.00 hours on Saturdays

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

- (a) 08.00 hours to 15.00 hours on Tuesdays
- (b) 09.00 hours to 15.00 hours on Saturdays

Without the prior written permission of the local planning authority

REASON: to safeguard the amenity of neighbouring residents, to minimize the impact and congestion on the public highway and to safeguard the vitality of the Wealdstone District Centre and other existing retail shopping centres within the locality.”

2 The permission hereby granted is supplemental to planning permission Ref: P/1795/09 dated 17th December 2009. Save as modified by this permission, the terms and conditions of the original permission are hereby ratified and remain in full force and effect unless otherwise agreed in writing by the Council.

Item: 1/03
27 PINNER PARK GARDENS, HARROW, P/2279/10
HA2 6LQ

Ward HEADSTONE NORTH

DEMOLITION OF NOS. 27-30 PINNER PARK GARDENS AND THE CONSTRUCTION OF 13 TWO STOREY HOUSES; ASSOCIATED LANDSCAPING NEW VEHICLE ACCESS PARKING AND REFUSE STORAGE

Applicant: Mr Eric Gadsden
Agent: W.J.Macleod Ltd Architect
Case Officer: Andrew Ryley
Statutory Expiry Date: | 22-DEC-10

RECOMMENDATION

REFUSE permission for the development described in the application and submitted plans for the following reason(s):

1. The proposed development, by reason of its unacceptable layout and proposed terraced properties, is considered inappropriate to the existing pattern of development and is considered to be incongruous and out of keeping with the character and appearance of the area, contrary to Planning Policy Statement 1: Delivering Sustainable Development (2005), Planning Policy Statement 3: Housing (2010), policies 3A.5, 3A.6, 4B.1 and 4B.8 of the London Plan (2008), saved policies D4, D5 and H7 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Guidance, Designing New Development (2003).
2. The proposed application, by reason of failure to justify the non-provision of affordable housing within the development, would be contrary to policies 3A.10 and 3A.11 of the London Plan (2008) and London Plan: Interim Housing Supplementary Planning Guidance (2010).

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

- 1) Principle of Development (3A.3, 3A.15)
- 2) Affordable Housing (3A.9, 3A.10)
- 3) Design and Character of Area (3A.2, 3A.3, 3A.5, 4B.1, 4B.5, D4, D5, D9)
- 4) Residential Amenity (D4, D5, 4B.1)
- 5) Environmental Impact Assessment (D4)
- 6) Parking and Highway Safety (3C.23, T6, T13)
- 7) Accessibility (3A.5, 4B.5, D4, C16, SPG)
- 8) Sustainability (4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7, SPD)
- 9) S17 Crime & Disorder Act (4B.1, 4B.6, D4)
- 10) Consultation Responses

INFORMATION

This application is reported to the Committee due to the level of public interest.

a) Summary

Statutory Return Type: E7 Smallscale Major Dwelling
Site Area: 0.42 hectares,
Habitable Rooms: 52

Density:	31.0 dph, 123.8 hrph,
Car Parking	Standard: 18.2 Provided: 26
Lifetime Homes:	13
Wheelchair Standards:	1
Council Interest:	None

b) Site Description

- Pinner Park Gardens is a narrow cul-de-sac, with a small green at the end closest to the site.
- No.27, 28, 29 and 30 Pinner Park Gardens are two pairs of adjoining semi detached houses, which would be demolished.
- The site is irregular in shape and is bounded to the south by the Kodak site and to the west by the rear garden of No.31 Pinner Park Gardens. The neighbouring West Coast main line railway runs parallel to the north eastern boundary of the site. No.31 Pinner Park Gardens adjoins the north western boundary to the site.
- Pinner Park Gardens connects onto Harrow View, which is designated as a Borough Distributor Road.
- The application site is not within in a Conservation Area or within the setting of a Listed Building; the site is not within a Controlled parking Zone or a Flood Risk Zone.

c) Proposal Details

- Demolition of No.27 - 30 Pinner Park Gardens and redevelopment of site for six buildings comprising 13 dwellings. The proposed development would comprise five pairs of semi-detached properties (plots 1-4 and 8-13 inclusive) and one building comprising a terrace of three properties (plots 5-7).
- Each pair of semi-detached houses would be 10.3m wide and 10.7m deep. The proposed houses would have hipped roofs with front gables and a ridge height of 9.1m.
- Plots 5-7 would consist of a terrace of three properties and the building would be 15.4m wide, 10.7m deep and 3.1m high.
- Plots 1, 2, 3, 4, 7, 8, 9, 10 and 12 would include a side attached garage space for one car. Plots 5 and 6 would be served by a proposed stand alone garage to the front of these buildings, and plots 11 and 13 would be served by off-street parking within the curtilage of the properties; this would be a total of 26 off-street parking spaces.
- Each house would have its own private amenity space.
- A single access is proposed from Pinner Park Gardens into the new development.

Revisions to Previous Application:

Following the previous decision (P/0164/10) the following amendments have been made:

- Application was for the construction of five pairs of two-storey semi-detached houses and the construction of twelve flats in two three storey buildings. The proposed layout has been revised accordingly.
- 50% of the units provided would have been made available for affordable housing.

d) Relevant History

HAR/12122 (No. 27 Pinner Park Gardens)	ERECTION OF GARAGE, W.C. WITH BEDROOM OVER	GRANTED 30-JUL-56
LBH/39293 (Nos. 28 & 29 Pinner Park Gardens)	CONVERSION OF TWO SEMI-DETACHED HOUSES INTO 4 SELF CONTAINED MAISONNETTES WITH PARKING SPACES	REFUSED 31-AUG-89

Reason for Refusal:

1. The proposal would result in the loss of two dwellings of a size and type which is considered more suitable for single family occupation, represents an un-neighbourly form of development in these small properties and would thus be contrary to the policies of the Harrow Borough Local Plan in this regard.

P/0164/10	DEMOLITION OF NOS. 27-30 PINNER PARK GARDENS AND THE CONSTRUCTION OF 10 TWO STOREY HOUSES AND 12 FLATS IN TWO THREE STOREY BUILDINGS; ASSOCIATED LANDSCAPING PARKING AND REFUSE.	REFUSED 08-JUN-10
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Reason(s) for Refusal:

1. The proposed development, by reason of the excessive site coverage by buildings and hard surfaced areas, would be visually obtrusive and incongruous, and would be an overdevelopment of the site, to the detriment of the amenity of neighbouring residents and the character of the locality, contrary to London Plan policy 4B.1 and saved policies D4 & D5 of the Harrow Unitary Development Plan (2004).
2. The increased pedestrian and vehicle traffic which would access and egress the site would cause an unacceptable increase in activity and disturbance and loss of amenity to neighbouring residents in Pinner Park Gardens, contrary to saved policies D5 & EP25 of the Harrow Unitary Development Plan (2004).
3. The proposed development, by reason of the non provision of sufficient amenity space to the rear of the proposed flats occupying plots 5 to 10 and plots 11 to 16, would result in a cramped and substandard living environment for the future occupiers of these flats, contrary to saved policies D4 & D5 of the Harrow Unitary Development Plan (2004).
4. The proposal, by reason of inadequate and unsatisfactory room sizes, would result in a substandard and cramped form of accommodation, to the detriment of the living conditions of the potential occupiers of the properties, contrary to saved policy D4 of the Harrow Unitary Development Plan (2004), and the Draft London Housing Design Guide [2009].
5. The noise report submitted with this application has provided insufficient information to demonstrate that the whole site can be brought within Noise Exposure Category (NEC) B. as it is specified in PPG24, contrary to saved policies D5 & EP25 of the Harrow Unitary Development Plan (2004) and PPG24.
6. The proposed development, by reason of the poor siting and relationship between the three storey building occupying plots 5 to 10 and the rear of the neighbouring proposed house in plot 4, would result in a substandard living environment for the future occupiers of the house in plot 4, contrary to saved policies D4 & D5 of the Harrow Unitary Development Plan (2004) and the adopted SPG Extensions: A Householder's Guide [2008].

e) Pre-Application Discussion

- None.

f) Applicant Statement

- The proposed scheme addresses the reasons for refusal in the previous application.

g) Consultations:

Highway Engineer: No objection. The proposed intensity of this development would increase the amount of dwelling units on this site from four to 13, resulting in a net increase of nine units. The allocated parking provision of two spaces per dwelling is considered acceptable although in excess of UDP maximum standards. A lesser provision would be likely to result in detrimental parking displacement onto Pinner Park Gardens which would be undesirable given the physical characteristics of existing parking demand and limitations of road width etc. The need for this higher parking provision per unit is further reinforced by the low public transport accessibility level of the site (PTAL 2). Refuse and cycling provisions are to acceptable standards. In road safety and junction capacity terms, the low level of generated traffic for the proposal together with satisfactory visibility sight lines at the Pinner Park Gardens/Harrow View junction (in line with accepted DfT standards), the impact of the application is considered to be de minimis and would not be at a level that would be considered prejudicial to vehicular/ pedestrian movement or road safety within Pinner Park Gardens and at it's junction with Harrow View.

Housing Officer: Has confirmed that London Plan (2008) policy 3A.11 says Boroughs should normally require affordable housing provision on a site which has a capacity to provide 10 or more homes. A GLA Toolkit has been submitted and further information has been requested from the applicants in connection with this.

Landscape Architect: No objection, details of hard and soft landscaping are required by way of a planning condition.

Tree Officer: No objection. A tree protection plan is required in relation to the trees on-site that are being retained.

Drainage Engineer: No objection. Recommends three standard surface water drainage disposal and attenuation conditions.

Environmental Protection: No objection.

Thames Water: No objection subject to conditions.

Environment Agency: No objection.

Advertisement: Major Development Expiry: 19-OCT-10

Notifications:

Sent: 171 Replies: 18 objections, including one petition with 130 signatures Expiry: 19-OCT-10

Summary of Responses:

- Overdevelopment of the site and amount of development inconsistent with the area;
- Under provision of car parking causing an increased parking problem in Pinner Park Gardens, especially during evenings and weekends;
- Parking overflow in Pinner Park Gardens, due to the conversion of the Texaco Petrol Station;
- The “noise level” will increase with nine extra families living in Pinner Park Gardens;
- Character of cul-de-sac changed from “quietness and peacefulness” to “untidiness and noise” in the last 20 years;
- Front gardens replaced by parking spaces, to avoid parking tickets;
- Work on site has already started;
- Garage space should not be considered as parking space(s)
- Hours of construction on the nearby No.33 to 34 Pinner Park Gardens site.
- Narrow access road to the site:
- Under provision of waste bins on the site;
- Pinner Park Gardens is a “pleasant family residential” road;
- Amount of dwellings proposed compared to those given permission at No.33 to No.34 Pinner Park Gardens.
- The development will cause devaluation of neighbouring properties.
- Local residents suffering from “construction noise” at no.33 to no.34 Pinner Park Gardens.
- The current application should be refused, due to it being designated as part of the Green Chain area under policy EP46 of the Harrow UDP.
- Under “SCHEDULE 6” of the Deeds for the houses in Pinner Park Gardens registered with HM Land Registry in 1929 nothing other than semi-detached or detached houses can be built in this road;
- Unwelcome change to the “family residential” character of Pinner Park Gardens;
- Larger vehicles would have difficulty manoeuvring, due to the large grass area opposite the site;
- Environment Assessment (noise and vibration report) submitted with the planning application fails to take into account the Kodak site to the south;
- No details of the proposed acoustic barrier have been provided by the applicant;
- Increased demand on services such as gas, water, sewerage and electricity;
- “Configuration” of the development of the site and the impact on the neighbouring Kodak site.
- The proposed development would compromise the redevelopment of land to the south of the site;
- Impact of the adjacent Kodak site on the living conditions of future occupiers of the proposed development;
- Impact of Kodak site not taken into account in noise report;
- The proposed development causing a loss of flora;
- Tree survey submitted by the applicant not based on a topographical survey in accordance with BS5837:500;
- Inaccurate drawings and tree survey submitted with the planning application;
- 18 Lime trees in 2 groups to the south of the site being shown incorrectly within the site, when in fact they are located on the Kodak site;

APPRAISAL

1) Principle of Development

National planning policies Planning Policy Statement 1 (Sustainable Development) and Planning Policy Statement 3 (Housing) are broadly supportive of the provision of new residential development within built up and sustainable locations.

PPS1 sets out that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. It goes onto to say that local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness particularly.

PPS3 sets out the national policy framework for delivering the Government's housing objectives. This guidance sets out that the priority for development should be on previously developed land. However; Annex B (definitions) has been amended and now removes residential gardens from the definition of previously-developed land and contains a presumption against development on residential gardens. Furthermore, saved policy EP20 of the Harrow Unitary Development Plan (2004) states that the Council will seek to secure all new build development to take place on previously-developed land (with the exception of ancillary development necessary to support appropriate open space, Metropolitan Open Land and Green Belt uses).

The application proposes the demolition of four existing properties and their replacement with a new development consisting of 13 dwellings. Whilst part of the development would fall within the footprint of the existing dwellings, and therefore could be considered to be previously developed land, the majority of the development would be on garden land to the rear of No.27-30 Pinner Park gardens. Following the revision to PPS3, this land would no longer be classified as previously developed. It is important to note that, as this land is now no longer classified as previously developed, this does not inherently imply that development is unacceptable. It does, however, put a greater emphasis onto the local planning authority to assess the impact of the scheme in terms of its impact on the character of the area.

Notwithstanding the above, the level of housing delivery in the Borough is such that there is no requirement for new development on the basis of the five year land supply. The Council's Annual Monitoring Report (AMR) sets out that in 2008/09 the number of net additional dwellings completed was 766 units, more than double the 373 completions in 2007/08. The London Plan's (2008) housing target for Harrow is 400 units per year, with the conventional supply target of 360 units up to 2016/17 (based on the Alterations to the London Plan, approved in December 2006). Previously Harrow's conventional annual average target was 330 units per year. Over the past five years (since 1 April 2004), Harrow has delivered 2,802 net units in conventional supply, exceeding targets by 1,002 units. As such, it is clear that whilst the principle of the redevelopment is supported by some policies, its provision on the basis of the five year land supply is not.

2) Affordable Housing

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

London Plan policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing having regard to their own overall target for affordable housing. London Plan policy 3A.11 says boroughs should normally require affordable housing provision on a site which has a capacity to provide 10 or more homes, applying the density guidance set out in Policy 3A.3 of the Plan and Table 3A.2. Boroughs are encouraged to seek a lower threshold through the DPD process where this can be justified in accordance with government guidance. Paragraph 4.37 of the revised London Interim Housing SPG (2010) reinforces the 10 unit 'site capacity' threshold as an up to date consideration.

Following discussions with Officers, the applicants have submitted a Greater London Authority (GLA) Affordable Housing Toolkit. The Toolkit assists in appraising the viability of residential development schemes in relation to the Mayor's objective for the provision of affordable housing. Due to the delay in the submission of the GLA Toolkit, the Council's Housing Team are still in the process of assessing its viability, and have requested further information from the applicant which at this time is still outstanding.

It is considered that, on the basis that at this time the provision of affordable housing has not been confirmed in accordance with London Plan (2008) policies, that planning permission should be refused. Should this position change in advance of the application being considered by the Planning Committee, Members will be updated accordingly.

3) Character of the Area

Paragraph 10 of PPS3 outlines the Government's strategic housing policy objectives and states the following:

The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this, the Government is seeking:

– To achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community.

Paragraph 10 goes on to state that this policy objective should be implemented through the planning system:

These housing policy objectives provide the context for planning for housing through development plans and planning decisions. The specific outcomes that the planning system should deliver are:

– High quality housing that is well-designed and built to a high standard.

Paragraph 12 of PPS3 states that good design is fundamental to the development of high quality housing and London Plan policies 3A.6 and 4B.1 and saved policy D4 of the Harrow Unitary Development Plan (2004) recommend that all development proposals should have a high standard of design and layout.

London Plan policy 3A.5 and Harrow Unitary Development Plan (2004) policy H7 require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan policy 3A.6 requires new development to take account of the design and construction policies set out in Chapters 4A and 4B, and the density requirements of policy 3A.3 and their implications for bedroom numbers per dwelling.

Policy D4 of the Harrow Unitary Development Plan (2004) states that 'buildings should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces'. Saved policy D5 of the Harrow Unitary Development Plan 2004 requires new development '*to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a useable amenity area for the occupiers of the development; as a visual amenity*'. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that '*There should be a clear definition between private amenity space and public space*'.

The previous application at this site was for 22 units, consisting of five pairs of two-storey semi-detached houses and 12 flats in two three storey buildings. This application was refused planning permission on the following reason:

"The proposed development, by reason of the excessive site coverage by buildings and hard surfaced areas, would be visually obtrusive and incongruous, and would be an overdevelopment of the site, to the detriment of the amenity of neighbouring residents and the character of the locality, contrary to London Plan policy 4B.1 and saved policies D4 & D5 of the Harrow Unitary Development Plan (2004)."

In reaching this view, the Council had regard to the site at No.33 and 34 Pinner View. A planning application for 12 flats was refused by the Council and then subsequently dismissed at appeal (reference APP/M5450/A/07/2046508). In this case the Planning Inspector noted that the proposal for 12 units on this site would have placed too many residential units with associated levels of activity in this corner location. However, the Inspector did not indicate how many units he considered would be acceptable on this nearby site. This approach was supported by a second Planning Inspector in dismissing an appeal against a second refusal for 10 flats on the same nearby site of No.33 and 34 Pinner Park Gardens (reference APP/M/5450/A/08/2064069). In this second appeal, the Inspector noted that the area between the two blocks would have been used for car parking and that this would have added to the perceived coverage of the site by buildings and hard surfaces. However, a subsequent application for six dwellings, refused by the Council, has been allowed at appeal (reference APP/M5450/A/09/2105077). In this case, the Planning Inspector concluded that whilst the redevelopment of the site "would clearly result in some change in the existing uniform pattern of development", he considered that the development would not "appear a dominant or incongruous feature in the street scene. It would integrate satisfactorily into its surroundings and complement neighbouring development."

In the case of the current application, the reduction in the number of units proposed (from 22 to 13) has resulted in a form of development that is less dense. The density of the proposed scheme is 31 dwellings per hectare (DPH) compared to 52 DPH of the previous scheme and 34 DPH for the approved scheme at No.33 and 34 Pinner Park Gardens. Target guidance ranges for the density of new residential development are specified in Table 3A.2 Density Matrix of the London Plan. The density guidance ranges specified in this table are related to the site location setting, the existing building form and massing, the indicative average dwelling size, and the Public Transport Accessibility Level (PTAL) of the site. The application site is considered to be located within a suburban area, and has a PTAL of 2. The London Plan density guidance for such a site, set out in table 3A.2 of the London Plan, provides a range of 150 – 250 habitable rooms per hectare and 50 – 95 units per hectare as being appropriate for residential development in this setting.

Therefore, based on the reduction in the number of units proposed, it is considered that the proposed development would be acceptable insofar as the level of development on the site is concerned.

In terms of the layout and design of the proposal, the reduction in the number of units has allowed for the proposed development to include a far greater provision of soft landscaping within the site. Paragraph 4.21 of saved policy D4 recognises the contribution front gardens can make to the character of an area or locality. Saved policy D9 of the Harrow Unitary Development Plan (2004) sets out that the Council will seek to achieve high quality streetside greenness and forecourt greenery in the Borough, and will resist proposals that are over dominated by hard surfacing. This is to ensure that the greenery of the front gardens is enhanced to improve the appearance of the development and the street scene.

The proposal would result in all the dwellings having front gardens, mostly dominated by soft landscaping (although it is noted that plots 11 and 13 would have some off-street parking provision), and good sized rear gardens. The proposed rear gardens would range from 100 sq m to (plot 9) to 220 sq m (plot 7). Plots 1-4 would be set back from the established building line along Pinner Park Gardens established by No.26, and similarly 8-13 would be back from No.31 to 32 Pinner Park Gardens. Given the sites location in the corner of the cul-de-sac, the proposed development would, to some extent, disrupt the existing uniform pattern of development along Pinner Park Gardens. However, as noted above, this has already been disrupted partly by the approval of the development at No.33 to 34 Pinner Park Gardens.

As noted above, the revisions to PPS3 place a greater emphasis on local planning authorities to take into account the local context and character where a proposed development is on non- previously developed land, such as the majority of this site. Plots 5-7 of the proposed development would comprise a terrace of three properties at the end of the cul-de-sac. It is considered that the proposed siting of plots 5-7, which would have a somewhat awkward position at the end of the new development, would not result in the termination of an ideal vista when viewed from the main street itself. Further, the proposed building would have a somewhat contrived relationship by facing onto the side elation of Plot 4 of the proposed development. The front-to-side distance here would be 18.1m, separated by a road and front and side garden areas.

Pinner Park Gardens is made up of two-storey semi-detached properties, and it is considered that this is the predominant characteristic of the area. The previous application was refused planning permission, in part, due to the proposed provision of flats, which were considered to be out of character of the area. There are no similar terraced properties within the vicinity of the application site and therefore the proposed building is considered at odds with the prevailing uniform character of the area. It is considered that this, added to the juxtaposition of plots 5-7 with the wider layout of the development, would result in a poor internal relationship. It is considered that this would cause material harm to the character and appearance of the area, contrary to PPS1, PPS3 and saved policies D4 and D5 of the Harrow Unitary development Plan (2004), and is of sufficient weight to warrant the refusal of planning permission in this case.

Overall, it is considered that the design and layout of the proposed development is not consistent with the principles of good design and good planning, as required by saved policy D4 of the Harrow Unitary Development Plan (2004), PPS1, PPS3 and the Planning Act 2008. The resultant development would not respect that of the neighbouring development, and would be detrimental to the character and appearance and the visual amenities of the area, contrary to London Plan policies 4B.1 and 4B.8, saved policy D4 of the Harrow Unitary Development Plan (2004) and the principles of the adopted Supplementary Planning Guidance, New Development (2003).

4) Residential Amenity

Given the scale, siting and design of the proposed building, the occupiers likely to be affected are No.26 and 32 Pinner Park Gardens; other nearby dwellings would remain sufficiently physically removed not to be impacted to any significant extent. It is noted that objections have been received from the properties surrounding the proposed development. Residents are concerned that the proposed development would have a significant adverse impact on the amenities they currently enjoy.

It is considered that with regards to the proposed layout, in particular the position of plots 1 and 13, the new development would not lead to a loss of amenity for the adjacent occupiers. In relation to No.26 and 32 Pinner Park Gardens, there are no habitable room windows that would be affected and the proposed new buildings would not interfere with the 45° Code as set out in the Council's adopted Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008).

Notwithstanding the above, within the site itself, the layout has been revised so that the individual properties would have an acceptable relationship to one another. The layout proposed would not interfere with the 45° Code from property to property, as set out in the Council's adopted Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008). As such, in terms of access to light and overlooking, the proposed application is considered acceptable. This is not relation to the wider layout issues discussed above.

The previous planning application was refused permission on the basis that the applicant had not satisfied the Council that the development would not have been subject to undue levels and noise and disturbance from the adjacent railway line. The Council considered that the noise assessment submitted with the previous application failed to demonstrate that the site would fall into Noise Exposure Category (NEC) B, a classification where planning permission can normally be granted subject to mitigation measures. In response to this, the applicant has submitted an updated noise assessment.

The results of the noise assessment are as follows:

- *The average day-time noise level Leq,16h was calculated to be 70 dB(A). The average night-time noise level Leq,8h was calculated to be 63 dB(A)*
- *Typically over the whole period the maximum noise level Lfmax,1min exceeded 82 dB(A) for 10% of night-time (23:00 – 07:00) 1-minute noise samples.*
- *Most of the site would be classified as being PPG24 NEC B with the provision of an acoustic fence.*
- *On the basis of calculations produced by CADNA calibrated against the monitored noise level results outlined above. It is considered that with the provision of a 2m high acoustic wall the noise levels across the entire site are likely to fall into PPG24 NEC B there is no significant increase in noise levels affecting the site.*

The Council's Environmental Protection Department have assessed the submitted noise report and concluded that its results are valid. On this basis, it is considered that the site would fall into NEC B.

Paragraph 18 of PPS3 provides scope for Local Planning Authorities to reference any relevant guidance and standards when assessing applications to ensure high quality development:

To facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards...

In view of paragraph 18 of PPS3, when considering what is an appropriate standard of accommodation and quality of design the Council is mindful of the Housing Quality Indicators and the emerging guidance, the London Housing Design Guide (LHDG)(2010). The interim edition of the LHDG has been revised following public consultation on the draft LHDG in 2009 and the findings of a cost and delivery impact analysis. It has been published to show the direction of travel of the final guide, to shape the design of London Development Agency (LDA) supported developments, and to encourage all involved in the design of new housing to embrace the Mayor's aspirations.

The room sizes in the proposed development would comply with the minimum sizes as required by the LHDG and therefore the application is considered acceptable in this regard. Furthermore, the vertical arrangement of habitable rooms would result in an acceptable layout.

Paragraph 4.24 of saved policy D4 of the Harrow Unitary Development Plan (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*". Indicative locations for bin storage have been identified on the proposed layout plan, mostly to the side and rear of the new dwellings.

Whilst this is considered acceptable in principle, were the recommendation for approval it would be considered appropriate to secure more precise details for bin storage by way of a planning condition.

Saved policy D5 of the Harrow Unitary Development Plan 2004 requires new development 'to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a useable amenity area for the occupiers of the development; as a visual amenity'. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that 'There should be a clear definition between private amenity space and public space'. The proposal would provide enough private garden/amenity spaces for the future occupiers and therefore would be in line with saved policy D5 of the Harrow Unitary Development Plan (2004).

Overall, it is considered that the proposal would not have an undue adverse impact on the residential and visual amenities of adjoining occupiers or the occupiers of the subject site in accordance with saved policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008).

5) Environmental Impact Assessment

The development falls outside the thresholds set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (the Regulations) whereby an Environmental Impact Assessment may be required to accompany the planning application for the purposes of assessing the likely significant environmental effects of the development.

Schedule 2 paragraph 10(a) of the Regulations states that proposals for urban development projects of more than 0.5 hectares in area may require an Environment Impact Assessment (EIA). The application site area is 0.42 hectares and therefore the proposed development does not require an EIA.

6) Parking/Highways Considerations

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of planning in creating sustainable communities, of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport development. PPG13 sets out the overall strategy for a sustainable transport system, with the objectives of integrating planning and transport at the national, regional, strategic and local level to:

- i) promote more sustainable transport choices for both people and for moving freight;
- ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- iii) reduce the need to travel, especially by car.

London Plan Policy 3C.23 of seeks to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. Annex 4 Parking Standards of the London Plan states that Public transport accessibility should be used to assist in determining the appropriate level of car parking provision.

Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

The proposed intensity of this development would increase the amount of dwelling units on this site from four to 13. The allocated parking to the houses is considered acceptable (towards the Council's maximum standard) in sustainability terms given the low PTAL (2) for the site. The provision would also minimise the potential for any detrimental parking displacement onto Pinner Park Gardens which would be undesirable given the physical characteristics of existing parking and limitations of the road width, amongst other considerations. Refuse and cycling provisions are to acceptable standards.

The extensive concerns raised in relation to car parking, traffic and access problems in both Pinner Park Gardens and onto Harrow View are noted. In addition to any issues associated with the current application, consideration must be given to the cumulative impact of the scheme approved and under construction at No.33 and 34 Pinner Park Gardens. A holistic analysis has therefore being applied in order to determine a 'worse case' traffic impact at the junction which combines and considers the predicted traffic generation of both sites.

The Council's Highway Engineer has set out that the net gain in traffic activity from the extant planning permission at No. 33 to 34 Pinner Park Gardens for six residential units is estimated to be approximately two to three vehicles using the Harrow View junction at both AM and PM peak traffic periods. The expected net gain in activity for the proposed would be in the region of three to four vehicles during both peak periods. If the traffic impacts of this application and the nearby extant permission are combined, then approximately five to seven vehicles would be generated during each peak period resulting in additional activity at the Pinner Park Gardens/ Harrow View junction.

This would represent significantly less than a 1% combined increase in current vehicular activity at the junction during peak operation. When considering this application in isolation, the impact would be further diminished. Department for Transport (DfT) guidance previously recommended that an increase in overall traffic flows in excess of 5% on heavily trafficked roads such as Harrow View may prove detrimental to highway movement resulting from new development and mitigation measures or refusal should be considered. A lesser increase being therefore considered acceptable unless exceptional circumstances prevail. Furthermore current DfT guidance in the form of 'Manual for Streets' considers that developments of the scale proposed are relatively insignificant in highway infrastructure impact terms.

On this basis, the Council's Highway Engineer has no objection to the proposed development. Were the recommendation for approval, any works to the public highway with regards to the proposed access from Pinner Park Gardens would be subject to a separate Section 278 Agreement (of the Highways Act 1980).

7) Accessibility

London Plan Policy 3A.5 requires that all new housing is built to lifetime homes standards and that 10% of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Policy 4B.5 of the London Plan requires all new development to meet the highest standards of accessibility and inclusion. Policy D4 of the Harrow Unitary Development Plan (2004) requires that buildings should be laid out in such a way to encourage pedestrian movement, minimise the distance to other land uses and transport and maintain a high level of accessibility. Policy C16 of the Harrow Unitary Development Plan (2004) seeks to ensure that buildings and public spaces are readily accessible to all.

The applicant has provided details to confirm the compliance of the units with Lifetime Homes Standards. In accordance with the London Plan policy guidance, one unit should be provided to wheelchair housing standard. The applicant has confirmed that this would be the case. Accordingly, the development is considered to comply with the accessibility requirements of policies 3A.5, 4B.5 of the London Plan and policies D4 and C16 of Harrow Unitary Development Plan (2004).

8) Sustainability

London Plan policy 4A.1 'Tackling Climate Change' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 4A.2, 4A.3, 4A.4, 4A.6 and 4A.7. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009). Overall, the set of policies seeks to address climate change through minimising emissions of carbon dioxide.

The Energy Report submitted with the application states that the baseline CO₂ emissions and energy requirements of the scheme would be reduced by approximately 20% through the use of the use of solar panels and mechanical ventilation with heat recovery. This is considered to comply with the requirements of London Plan policies 4A.3 and 4A.7, which require energy efficient design and construction and the on-site generation of renewable energy to reduce CO₂ emissions by 20%. The applicant has set out that the dwellings would be built in accordance with Level 3 of the Code for Sustainable Homes.

On the basis of the applicants Energy Statement, it is considered that the Sustainable Building Design Vision contained within the SPD could be adequately addressed. However, were the recommendation for approval, it would be recommended that a planning condition is imposed to address sustainability matters and ensure that the development would achieve Level 3 of the Code for Sustainable Homes.

9) S17 Crime & Disorder Act

Policy D4 of the Harrow Unitary Development Plan (2004) advises that crime prevention should be integral to the initial design process of a scheme. Policies 4B.1 and 4B.6 of the London Plan (consolidated with alterations since 2004) seeks to ensure that developments should address security issues and provide safe and secure environments.

The applicant has not set out how the development would seek to address these policy requirements. However, it is considered that the proposed layout would be acceptable in relation to crime and security. The proposed development would lead to the increase surveillance and natural pedestrian footfall of the local area. These effects are known to have a positive impact upon crime reduction by virtue of the natural deterrent that is created. Were the recommendation for approval, more specific measures could be sought by way of a planning condition to ensure compliance with, insofar as possible, with Secure by Design standards.

10) Consultation Responses

The site does not fall within an area covered by saved Green Chains Policy (EP46) of the Harrow Unitary Development Plan (2004). Comments received relating to the Deeds of the existing properties are noted, but this is not a material planning consideration.

Comments have been received that the proposed development would lead to a devaluation of local properties, and that the deeds of dwellings in Pinner Park Gardens contains a clause restricting development on the site. Whilst these comments are noted, they are not material planning considerations and therefore have limited weight in the context of this application.

The impact of general noise and disturbance to the area is not considered to be sustainable give the residential use and suburban location. Concern regarding loss of light is noted, however this is not considered to be a sustainable objection given the orientation of the site and development in relation to neighbouring residential uses and the separation between the site and these properties.

The site is located within Flood Zone 1 (the least vulnerable zone) and the application represents operational development on less than 1Ha of land. In accordance with the Environment Agency's PPS25 Flood Risk Standing Advice (FRSA), the Environment Agency has not raised any objections to the application. The FRSA generates good practice advice in terms of effective surface water management. The application is considered acceptable in this context.

The applicant would have to obtain separate permission from the Thames Valley Water Company for water supply for the development. The Council's Drainage Engineers have recommended conditions requiring details of drainage system for the development to be submitted should the application be recommended for approval.

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

National Planning Policy:

PPS1 Delivering Sustainable Development (2005)
PPS3 Housing (2010)
PPG13 Transport (2001)
PPG24 Noise (1994)

London Plan (2008):

3A.1 – Increasing London's Supply of Housing
3A.2 – Borough Housing Targets
3A.4 – Efficient Use of Stock
3A.5 – Housing choice
4A.3 – Sustainable Design and Construction
4B.1 – Design Principles for a Compact City
London Plan Housing Design Guide (2010)

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
D9 – Streetside Greenness and Forecourt Greenery
T13 – Parking Standards
EP12 – Control of Surface Water Run-Off
EP14 – Development Within Areas at Risk From Sewerage Flooding
EP15 – Water Conservation
EP20 – Use of Previously-Developed Land
EP22 – Contaminated Land
EP25 – Noise
H7 – Dwelling Mix
C16 – Access to Buildings and Public Spaces

Supplementary Planning Documents / Guidance:

SPD Access For All (2010)
SPD Sustainable Building Design (2009)
SPG Designing New Development (2003)
SPG Extensions: A Householders Guide (2008)
SPG London Plan: Interim Housing (2010)

Plan Nos: 09/3203/20, 09/3203/21, 09/3203/22, 09/3203/23, 09/3203/24, 09/3203/25,
09/3203/26, 09/3203/27, 09/3203/28, 09/3203/29, 09/3203/30, 09/3203/31,
09/3203/32, 09/3203/33, Site Plan, Design and Access Statement, Energy
Statement

1-14 & 15-38 SWIFT CLOSE AND 1-8 & 9-16 P/2854/10
DRINKWATER ROAD, RAYNERS LANE ESTATE,
HARROW, HA2 0TH

Ward: ROXBOURNE

VARIATION TO CONDITION 23 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION P/0405/10 DATED 20/07/2010 FOR DEMOLITION OF FOUR EXISTING BLOCKS OF FLATS AND THE CONSTRUCTION OF 55 PRIVATE RESIDENTIAL DWELLINGS AS PART OF THE RAYNERS LANE ESTATE REGENERATION; COMPRISING 2 X 3 BED HOUSES, 17 X 2 BED HOUSES, 22 X 2 BED APARTMENTS AND 14 X 1 BED APARTMENTS; THE PROVISION OF LANDSCAPING, REFUSE AND 54 CAR PARKING SPACES TO REDUCE THE WIDTH OF UPPER FLOOR (SECOND AND THIRD FLOOR) LEVEL ACCESS WALKWAYS WITHIN THE SOUTHERN ELEVATION OF BUILDING "F2"

Applicant: Home Group
Agent: Mepk Architects
Officer: Ian Hyde
Statutory Expiry Date: | 28-JAN-10

RECOMMENDATION

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

REASON

The proposed variation of condition to reduce the width of the access walkway to the rear of the building known as "F2" as part of planning permission P/0405/10 would respect the appearance of the development and the street scene, as well as the amenities of future residents and neighbouring occupiers.

The decision to **GRANT** Permission has been taken having regard to the applicable national planning policy, policy and proposals within the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004) set out below, and to all relevant material considerations.

National Planning Policy:

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS9 Biodiversity and Geological Conservation.
PPG13 Transport

London Plan:

3A.1 Increasing London's supply of Housing
3A.2 Borough Housing Targets
3A.3 Maximising the potential of sites
3A.5 Housing Choice
3A.6 Quality of new housing provision
3D.13 Children and Young Peoples Play and Informal Recreation Strategies
4A.3 Sustainable Design and Construction
4A.4 Energy Assessment

4A.6 Decentralised Energy: Heating, Energy and Cooling
4A.7 Renewable Energy
4A.8 Hydrogen Economy
4A.9 Adaptation to Climate Change
4A.1 Tackling climate change

4A.3 Sustainable design and construction
4A.4 Energy Assessment
4A.6 Provision of heating and cooling networks
4A.7 Renewable Energy
4B.1 Design principles for a compact city
4B.5 Creating an inclusive environment
4B.6 Safety, security and fire prevention and protection

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

S1 The Form of Development and Pattern of Land Use
EP20 Use of previously developed land
EP25 Noise
EP27 Species Protection
EP28 Conserving and Enhancing Biodiversity
EP29 Tree Masses and Spine
EP30 Tree Preservation Orders and new planting
T6 The transport Impact of Proposals
T11 Cycle and Motor Cycle Parking in Public Spaces
T13 Parking Standards
D4 The standard of Design and Layout,
D5 New Residential Development –Amenity Space and Privacy
D9 Street side Greenness and Forecourt Greenery
D10 Trees and New Development
H7 Dwelling Mix
C16 Access to Buildings and Public Spaces
C18 Special Mobility Requirements and Access to Transport
Supplementary Planning Document Access for All [2006]
Supplementary Planning Document Accessible Homes SPD [Apr 2006]
Sustainable Community Strategy [Mar 09]
Supplementary Planning Document Sustainable Building Design [May 2009]

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

- 1) Principle of Development
- 2) S17 Crime & Disorder Act (D4)
- 3) Consultation Responses

INFORMATION

This application is reported to planning committee as it is a major application recommended for approval and therefore falls outside the scheme of delegation.

a) Summary

Statutory Return Type: Major Development

Item 1/04 : P/2854/10 continued/...

Site Area:	5,800sqm
Floor Area:	3,635sqm
Car Parking (Maximum)	80 (Standard) 80 (Justified)
Council Interest:	None

b) Site Description

- Outline planning permission was granted in 2002 for the overall regeneration of the Rayners Planning Estate [15.43 ha]. Application P/0405/10 (Phase F) involved the construction of 55 residential units, comprising of 2 X 3 bedroom houses, 17 X 2 bedroom houses, 22 X 2 bedroom apartments and 14 X 1 bedroom apartments; the provision of landscaping, refuse and 54 surface car parking spaces
- The combined 0.58ha area of the two application sites contained within phase F are located within the southern part of the Rayners Lane Estate. The two sites have been named F1 and F2.
- Site F1 is located to the south and west of Swift Close and to the rear of existing properties in Coles Crescent and Maryatt Avenue. Site F2 is located to the east of Site F1 and to the south of Drinkwater Road. Dwellings that are being constructed as part of the development of Coles Crescent are located on the south eastern boundary of Site F2. Dwellings that are being constructed as part of Phase E granted planning permission in December 2009, (planning application P/1905/09), are located on the southern and western boundaries of Site F2.
- The amendments to the scheme involve scheme contained within this application relate to Site F2.

c) Proposal Details

- Existing Condition 23 reads as follows:
*The development hereby permitted shall be carried out in accordance with the following approved plans:
0947/ P-01 Rev. A, P-02 Rev. D, P-03 Rev. C, P-04 Rev. A, P-05 Rev. A, P-06 Rev. A, P-07 Rev. B, P-08 Rev. C, P-09 Rev. C, P-10 Rev. C, P-11 Rev. C, P-12 Rev. B, P-13 Rev. B, P-14 Rev. C, Sunlight & Daylight Study, Drainage Statement and Design & Access Statement.*
- Condition 23 of Planning Permission P/0405/10 granted 20 July 2010 to be varied to read:
*The development hereby permitted shall be carried out in accordance with the following approved plans:
0947/ P-01 Rev. A, P-02 Rev. D, P-03 Rev. C, P-04 Rev. A, P-05 Rev. B, P-06 Rev. B, P-07 Rev. B, P-08 Rev. C, P-09 Rev. C, P-10 Rev. C, P-11 Rev. C, P-12 Rev. C, P-13 Rev. C, P-14 Rev. C, Sunlight & Daylight Study, Drainage Statement and Design & Access Statement.*

This would allow a variation to the detail of the design of the flats on Site F2 to reduce the depth of the second and third floor level access walkways on the southern elevation of the building within site "F2", the detail of which is shown on revised drawings (P-05B, P-06B, P-12C and P-13C).

d) Relevant History

WEST/112/02/ OUTLINE	REGENERATION OF ESTATE INCLUDING DEMOLITION OF 515 FLATS AND MAISONETTES AND CONSTRUCTION OF 329 HOUSES AND 406 FLATS WITH PARKING COMMUNITY BUILDING, ESTATE OFFICE/SHOP AND PROVISION OF PUBLIC OPEN SPACE, WITH PLAY AREAS AND NEW ROAD LAYOUT.	GRANTED 16-FEB-02
P/0431/08/COU OUTLINE	OUTLINE : REDEVELOPMENT OF RAYNERS LANE ESTATE (AREA BOUNDED BY RAYNERS LANE, MARYATT AVENUE, COLES CRESCENT, ELIOT DRIVE AND AUSTEN ROAD, PHASES E TO H) TO PROVIDE 162 HOUSES, 177 FLATS, CAR PARKING, PUBLIC OPEN SPACE AND NEW ACCESS ROAD/PEDESTRIAN ACCESS.	GRANT (SUBJECT TO 106 AGREEMENT)
P/0405/10	DEMOLITION OF FOUR EXISTING BLOCKS OF FLATS AND THE CONSTRUCTION OF 55 RESIDENTIAL DWELLINGS AS PART OF THE RAYNERS LANE ESTATE REGENERATION; COMPRISING 2 X 3 BED HOUSES, 17 X 2 BED HOUSES, 22 X 2 BED APARTMENTS AND 14 X 1 BED APARTMENTS; THE PROVISION OF LANDSCAPING, REFUSE AND 54 CAR PARKING SPACES (REVISED PROPOSAL).	GRANTED 20-JUL-10

e) Pre-Application Discussion

- None

f) Applicant Statement

- Redesign of walkways so that they are against the face of the building.
- Handrail will be 1m closer to the building face and therefore 1m further away from adjoining occupiers.
- There is no change to flat design.

g) Consultations

Metropolitan Police: No response received.

Environment Agency: No response received.

Thames Water: No response received.

Advertisement: Major Development

Expiry: 26-NOV-10

Notifications:

Sent: 268 Replies: awaited

Expiry: 26-NOV-010

Neighbours Consulted

Properties within Rayners Lane, Coles Crescent (including Concord Terrace) Elliot Drive, Thornley Drive, Drinkwater Road, Swift Close, Maryatt Avenue and Scott Crescent.

Summary of Responses:

- No responses received with regard to this application

APPRAISAL

1) Principle of Development

Application P/0405/10 (the approval) was granted in July of 2010 and established the principle of development on this site. Attached to the approval were a number of conditions, one of which (23) related to the plan numbers and details approved within the application. The alterations proposed within this application would require that four of the approved drawings (P-05A, P-06A, P-12B and P-13C) be superseded.

Explanation of Variation:

In terms of physical changes to the approved development, the proposal would affect building F2 in the eastern part of the site and would result in the alteration of second and third floor access walkways on it's eastern "wing" being reduced from 3m to 1.8m in depth.

Unit sizes and numbers would be unchanged by the proposed alteration. The height and footprint of the building would be likewise be unaffected as would parking and access provisions. The assessment of these proposed amended plans can therefore be limited to the design quality of the alterations and any additional impacts on neighbouring properties or future occupiers within the site.

Relationship with adjacent occupiers

The alterations would result in an increased separation between the upper level walkways and residential occupiers to the south with resultant reductions in the potential for overlooking. As such the development would represent an improvement over the approved scheme.

Impacts on future occupiers:

The proposed development would result in the walkway moving closer to the elevation of the building and would remove several open void spaces between specific units and the public walkway. Notwithstanding these alterations, the 1.8m useable width would be considered to be adequate for access by residents and would be consistent with Lifetime Homes Standards. It is noted that the total useable width of the walkway would increase by 500mm (within the approved plans).

The loss of the voids within the walkway are not considered to be significant given that these would be located directly adjacent to the wall of the building and would be unlikely to provide any direct light. As such, the loss of these elements would be considered to not reduce the quality of the scheme and the amenities of future occupiers. It is further considered that the total reduction in depth of the walkways may in fact increase reduce the enclosure of the rear elevation windows of these units.

With regard to the amenities of future occupiers of the building, the walkway would be closer to the windows of the units than within the approved scheme. This is not considered to be significant however as the increased proximity would not be significantly greater than as approved and, notwithstanding this, there would be limited foot traffic past the affected windows.

On balance it is considered that any loss of privacy by future occupiers within the site would be mitigated by the increased footway width proposed by the development as well as well as a reduced sense of enclosure due to the decrease in depth of the walkway. Given these considerations, the application can be supported and recommended for approval.

Design of development.

The proposed development would result in minor external alterations to the approved scheme, however as the alterations are minor, the height, massing and balance would be unaffected. It is not considered that the external alterations would lead to a material loss of design quality within the scheme which would justify refusal of the application.

It is considered that the proposed details would not give rise to any unreasonable harm on the nearby local residents or impact upon the quality of the development as a whole. Accordingly the proposal complies with London Plan Policy 4B.1 and saved Policy D4 of the Harrow UDP.

2) S17 Crime & Disorder Act

The Rayners Lane regeneration proposals have been assessed in conjunction with the Police Crime Prevention Officer who is satisfied that the development would not increase opportunities for crime within the development or the surrounding area, as such the development is considered to be acceptable in this respect.

3) Consultation Responses

- No responses received in relation to this application.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations as set out above, the proposed variation of condition to revise the width of the access walkway to the rear of the building known as "F2" as part of planning permission P/0405/10 would respect the appearance of the development and the street scene, and the amenities of future residents and neighbouring occupiers. The application is therefore recommended for grant subject to the following conditions:

CONDITIONS

1 The permission hereby granted is supplemental to planning permission Ref: P/0405/10 dated 20 July 2010. Save as modified by this permission, the terms and conditions of the original permission are hereby ratified and remain in full force and effect unless otherwise agreed in writing by the Council.

REASON: For the avoidance of doubt and 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 / the Harrow Unitary Development Plan set out below, and to all other relevant material considerations as outlined in the application report:

National Planning Policy:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS9 Biodiversity and Geological Conservation.

PPG13 Transport

London Plan:

3A.1 Increasing London's supply of Housing

3A.2 Borough Housing Targets

3A.3 Maximising the potential of sites

3A.5 Housing Choice

3A.6 Quality of new housing provision

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

4A.3 Sustainable Design and Construction

4A.4 Energy Assessment

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

4A.7 Renewable Energy

4A.8 Hydrogen Economy

4A.9 Adaptation to Climate Change

4A.1 Tackling climate change

4A.3 Sustainable design and construction

4A.4 Energy Assessment

4A.6 Provision of heating and cooling networks

4A.7 Renewable Energy

4B.1 Design principles for a compact city

4B.5 Creating an inclusive environment

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

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

S1 The Form of Development and Pattern of Land Use

EP20 Use of previously developed land

EP25 Noise

EP27 Species Protection

EP28 Conserving and Enhancing Biodiversity

EP29 Tree Masses and Spine

EP30 Tree Preservation Orders and new planting

T6 The transport Impact of Proposals

T11 Cycle and Motor Cycle Parking in Public Spaces

T13 Parking Standards

D4 The standard of Design and Layout,

D5 New Residential Development –Amenity Space and Privacy

D9 Street side Greenness and Forecourt Greenery

D10 Trees and New Development

H7 Dwelling Mix

C16 Access to Buildings and Public Spaces

C18 Special Mobility Requirements and Access to Transport

Supplementary Planning Document Access for All [2006]

Supplementary Planning Document Accessible Homes SPD [Apr 2006]

Sustainable Community Strategy [Mar 09]

Supplementary Planning Document Sustainable Building Design [May 2009]

Plan Nos. Plan No's: P-05B, P-06B, P-12C and P-13C.

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

**PETERBOROUGH COTTAGE,
PETERBOROUGH ROAD, HARROW, HA1 3DY**

**Item: 2/01
P/1976/10**

Ward HARROW ON THE HILL

REALIGNMENT AND RESURFACING OF PART OF GARLANDS LANE; AND NEW PEDESTRIAN PATH AND REPLACEMENT FENCING

Applicant: Harrow School
Agent: Kenneth W Reed And Associates
Case Officer: Ian Hyde
Statutory Expiry Date: | 01-OCT-10

RECOMMENDATION

The proposed realignment and resurfacing of part of Garland's Lane; new pedestrian path and replacement fencing would respect its location within Metropolitan Open Land, and its relationship to Locally and Statutorily Listed buildings as well as preserving and enhancing the Harrow School Conservation Area.

The decision to **GRANT** permission has been taken having regard to the policies and proposals in PPS5, the London Plan and the Harrow Unitary Development Plan set out below, and to all relevant material considerations, as outlined in the application report:

National Planning Policy:
PPS5

London Plan:
3D.10: Metropolitan Open Land
4B.1, Design Principles for a Compact City

Harrow Unitary Development Plan:
D4 Standard of Design and Layout
D9 Streetside Greenness and Forecourt Greenery
D10 Trees and New Development
D11 Statutorily Listed Buildings
D12 Locally Listed Buildings
D14 Conservation Areas
EP44 Metropolitan Open Land
EP45 Additional Building on Metropolitan Open Land

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

- 1) Impact on Metropolitan Open Land (London Plan 3D.10, EP44, EP45).
- 2) Impact on Listed Building/Conservation Area (D4, D9, D10, D11, D12, D14, PPS5)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to the Committee as it falls outside of the schedule of delegation and particularly because the site exceeds 400sqm in area.

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 a non-adopted highway located within the grounds of Harrow School and known as Garlands Lane (the Highway).
- To the south west of the site are the locally listed buildings known as “Hillside” and “The Knoll”. To the north west of the site is the Grade II statutorily listed “The Garlands”
- The Highway is accessible from Peterborough Road to the west by members of the public, but its use as an access to school buildings, parking areas and private playing fields to the east means that it is primarily for the benefit of users of the school.
- Landscaping, including a number of mature trees, line the highway and other established landscaping (including trees) exist in adjoining properties.
- The eastern third of the site is defined within the Harrow Unitary Development Plan as being Metropolitan Open Land whilst its western remainder is designated as part of the Harrow School Conservation Area.
- Land levels fall from Peterborough Road towards the sports fields.

c) Proposal Details

- Realignment of existing highway to create a 1.5m wide pedestrian footway from Peterborough Road, extending 135m to the east and towards the Harrow School Playing Fields.
- A replacement 1.5m high post and rail fence with sheet mesh to be introduced along the southern boundary of the site.
- A 1.5m timber barrier to be introduced across the verge on the northern side of Garlands Lane, just to the east of the intersection with Peterborough Road.
- Removal of 10 trees (T1-T10 inc.) on the southern side of the Highway in the western part of the site.
- An existing horse Chestnut tree onsite (referred to as T13) to be retained and protected during works.
- The provision of two granite set rumble strips (one each at the east and western ends of the site), one larger area of granite set adjacent to the entrance to Peterborough Cottage and three raised granite set speed restrictor elements interspersed along the Highway

d) Relevant History

P/2006/10 New footpath connecting Garlands Lane and Football Lane; two new entrance gates.

UNDER
CONSIDERATION

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Garlands Lane is a private road owned by Harrow School and provides access to the sports pitches on the eastern side of Harrow on the Hill as well as major car parks for the school.
- The road forms a major artery for the school in directing traffic away from the High Street whose increase in use has brought to light health and safety issues in relation to pedestrian traffic.
- Currently there is no footpath and therefore the vehicular carriageway is shared with boys from several houses who use the lane to gain access to the sport pitches. This will be exacerbated by the new twelfth house coming on-stream from September 2010. A footpath would help to remove shared surfaces at the top of the lane.
- Speed platforms and changes in surfacing would help slow traffic and provide a softer and more agreeable aesthetic. These have been used elsewhere within the site.
- Trees onsite can be removed as their loss would be outweighed by benefits gained from the footpath and further replanting elsewhere.
- Removal of trees will improve traffic vision and remove the affects of trees on adjacent properties.
- T13 will be retained and tree protection works will be undertaken in accordance with arborist's report and method statement.
- Fences and posts at the top of Garlands Lane will demark the private roadway status.
- Paving and dropped kerb will be designed to aid wheelchair users, however it is noted that the steepness of land will be in itself almost prohibitive to such users.

g) Consultations:

Conservation Officer: No objection

Noted that trees to be removed should be replaced with trees either beside or incorporated in places along the footpath, so that there is no net loss.

CAAC: No objection

Transportation: No objection

Tree Officer: The proposed development would require removal of 10 trees (T1-T10, in order to provide sufficient width for the new footpath between the verge and adjoining properties. The new footpath and resulting narrow verge, means there is insufficient room for replanting. Replacement planting is proposed along the boundary to the west of the site to mitigate the loss.

The Horse Chestnut (T13) has been suggested for possible retention with the use of sufficient ground protection, methods and materials. However on a recent site visit, it was noted that T13 had also suffered root damage and severance as a result of additional trenching work being carried out in the recent past. In addition it has also suffered extensive leaf/foilage damage (caused by Horse Chestnut leaf miner) to almost its entire crown in addition to possible recent root damage. Consequently it may not be feasible to retain T13.

The Tree Officer recommended conditions to require replacement planting and also to provide an Arboricultural Method Statement / Tree Protection Plan in relation to T13 Horse Chestnut (in the event of T13's retention)

h) Advertisement: Conservation Area Expiry: 25-SEP-10

Notifications:

Sent to 36 addresses

Replies: None Expiry: 02-SEP-10

Summary of Response:

No responses received in relation to this application.

APPRAISAL

1) Impact On Metropolitan Open Land

Part of 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 green belt. Policy 3D.10 also states that essential development 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 that 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 open space affected.

The applicants have suggested that the creation of the pedestrian footway and paviors within the road surface would enable better access to the sports fields and prevent conflict between motorists and pedestrians.

Notwithstanding the benefits to the school of the development, the provision of an enhanced access road and pedestrian path would allow greater accessibility to sports fields within MOL to the east of the site than currently exists. Thus it would be consistent with London Plan policy 3D.10 and its reasoned justification 3.303 which seeks to support open space uses as well as saved UDP policy EP44 which promotes public and private open space.

The essential need for the improvement works are uncertain (with regard to Policy EP45) as a formal access route from Peterborough Road exists. However, the improvement of Garlands Lane to control traffic, decrease conflict between pedestrians and cars and to provide additional landscaping 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 alterations take place within the curtilage of an existing highway and its verges and as such the land subject to the development can be considered to have been compromised in terms of its MOL qualities. The provision of additional landscaping and differentiation of road surface materials would be considered to be remedial in terms of increasing the quality of the land over that existing. Therefore, the development is considered to be consistent with the intentions of London Plan Policy 3D.10 which seeks to avoid negative impacts on MOL,

Given the foregoing discussion, it is considered that the proposed development would be consistent with the relevant policies of the London Plan and the Harrow Unitary Development Plan and that the development can be supported with respect to its impacts on MOL.

2) Impact on Listed Buildings/Conservation Area

The western two thirds of the site, whilst being located outside of MOL, are designated in the Harrow Unitary Development Plan Proposals Map as falling within the Harrow School Conservation Area. At its western end the site is flanked by a statutorily listed building to the north and locally listed buildings to the south.

Saved Policy D4 of the Harrow Unitary Development Plan expects a high standard of design and layout within developments, including site and setting, context, scale, character and landscape considerations. Saved Policy D9 requires high quality street-side greenness to be provided within development whilst saved Policy D10 refers specifically to the consideration of trees within sites. Saved Policy D11 refers to the protection of statutory listed buildings, D12 to buildings on the local list and D14 to the preservation or enhancement of the character of Conservation areas.

Introduction of Path and Loss of Trees:

Whilst there is an existing highway formed within the application site, the proposal suggests the introduction of a pedestrian footway along the southern side of the Highway, within its existing verge. The introduction of this footway would involve the loss of at least 10 trees.

The provision of trees within this area are an important part of its established character. This is acknowledged within The Harrow School Conservation Area Appraisal and Management Strategy (CAAMS) which states: "Garlands Lane ... takes on a much less formal and more rural character as it is lined with trees and hedges."

Of green spaces in general in the conservation area, the CAAMS states that:

"Trees, shrubbery and grass provide an important contribution to the character of each townscape zone as outlined above. ... The green spaces are largely private ones. However, importantly their influence spills over into the street-scene, breaking it up and providing a more rural feel in places."

The arborist's report commissioned by the applicants suggests that the trees affected by the development are of average quality and that their redeeming features are primarily the avenue like appearance created by their flanking of Garlands Lane. The report further suggests that the Chestnut (referred to as T13) may be possible to be retained. However the Council Tree Protection Officer has concerns that recent works may have affected the viability of this tree.

The loss of trees in this location will have some impact on the character of the south side of the highway, and will to some degree open up views of the Knoll when viewed from the north, although this would be mitigated by existing planting within the curtilage of the Knoll. The setting of the Garlands (to the north) would not be materially affected by the development as no trees are proposed to be lost on the northern side of the Highway.

Any impacts on the area would be further mitigated given that replacement trees would be required on site as part of any approval and that the positioning of such replacement landscaping would be subject to consideration by officers. This would be achieved via a condition requiring replacement trees, including sizes, species and locations. A tree protection plan for T13 would also be required should this tree be retained, as recommended by the Tree Officer.

Given the above considerations, the proposed development would not detrimentally affect the setting of the Listed buildings and would preserve the character of the conservation area. As such it would be consistent with the aims of PPS5, the Unitary Development Plan and the Harrow School CAAMS.

Replacement Fencing and highway alterations:

The application proposes the provision of replacement fencing, both adjacent to the entrance to Peterborough Road and along the southern boundary of the site.

The proposed replacement fencing is considered to be sympathetic to the character of the site in terms of its general design and materials. The Council Conservation Officer has requested the submission of samples of materials to be used within the fencing in order to ensure that they are in keeping with the character of the area. Subject to this condition, it is considered that the proposals would not result in harm to the character of the area, or the local or statutory listed buildings adjacent to the site and as such, this element of the scheme is supported.

The use of granite set paviers on the road surfaces would be in keeping with the character of the area and would provide differentiation within the carriageway. This would in turn soften its appearance and would reduce vehicle speed within the Highway.

In light of the above, it is considered that the proposal would provide an appropriate development adjacent to both locally and Statutorily listed buildings and within the Harrow School Conservation Area. As such it would be consistent with PPS5, Saved Unitary Development Plan Policies D4, D9, D10, D11 D12 and Policy D14. Given the above consideration and subject to appropriate conditions, it is considered that the proposed development would be acceptable in this respect.

3) 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.

4) Consultation Responses

Comments raised by the Conservation Officer and Tree Officer have been addressed within the report.

CONCLUSION

The proposed realignment and resurfacing of part of Garland's Lane; new pedestrian path and replacement fencing would respect its location within Metropolitan Open Land, and its relationship to Locally and Statutorily Listed buildings as well as preserving and enhancing the Harrow School Conservation Area.

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.

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

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

2 Prior to commencement of works on site (including the removal of any related tree), a revised landscaping schedule and associated plans which indicate the size, species and location of planting works onsite shall be submitted to and approved by the local planning authority. Such details shall include replacement trees for all those to be lost as part of the development. The development shall be implemented in full accordance with such details within one year of completion of works onsite and any landscaping which is damaged or dies within five years of planting shall be replaced with an example of a similar size, and species and location.

REASON: In the interests of the amenities of the area, and in accordance with saved Policies D4, D9, D11, D14 and D15 of the Harrow Unitary Development Plan (2004) and The Harrow School Conservation Area Appraisal and Management Strategy (2008)

3 Prior to commencement of works, a specific arboricultural method statement and tree protection plan for the Horse Chestnut (T13) or a detailed justification for its removal shall be submitted to and approved by the local planning authority. The development to be completed in full accordance with the approved details.

REASON: In the interests of the amenity of the area and in accordance with saved Policies D4, D9, D11, D14 and D15 of the Harrow Unitary Development Plan (2004) and The Harrow School Conservation Area Appraisal and Management Strategy (2008).

4 Prior to commencement of works onsite, additional details (including samples where appropriate) of the following shall be submitted to and approved by the local planning authority prior to commencement of works onsite:

- Timber fencing and sweep mesh
- Painted timber rails.

REASON: In the interests of the amenity of the area and in accordance with saved Policies D11, D14 and D15 of the Harrow Unitary Development Plan (2004) and The Harrow School Conservation Area Appraisal and Management Strategy (2008).

5 The development shall be completed in full accordance with the following plans and information:

1643 2 Revision C; Design and Access Statement; Arboricultural Quality and Impact Assessment.

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 the Harrow Unitary Development Plan set out below, and to all relevant material considerations including comments received from consultee's, as outlined in the application report:

PPS5

London Plan 2008: 3D.10, 4B.1,

Harrow Unitary Development Plan: D4, D9, D10, D11, D12, D14, EP44, EP45

Plan Nos: 1643 2 Revision D; Design and Access Statement; Arboricultural Quality and Impact Assessment.

647 KENTON LANE, HARROW, HA3 6AS

Item: 2/02

P/2855/10

Ward HARROW WEALD

DEMOLITION OF EXISTING BUILDING; REDEVELOPMENT TO PROVIDE DETACHED THREE STOREY BUILDING COMPRISING EIGHT SELF CONTAINED FLATS; LANDSCAPING; REFUSE STORAGE AND ASSOCIATED PARKING; 2.1M HIGH BOUNDARY FENCE

Applicant: M & K Builders Ltd

Agent: Tw-2 Architects

Case Officer: Andrew Ryley

Statutory Expiry Date: | 08-DEC-10

RECOMMENDATION

The decision to grant permission has been taken on the basis that the proposed development would make efficient use of land whilst contributing to the provision of additional homes targets as detailed in the London Plan, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers in Kenton Lane, the character of the area, transport or other impact that would warrant the refusal of planning permission. The application is therefore found to be consistent with the national planning policies, 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 Statements / Guidance:

PPS1 Delivering Sustainable Development (2005)

PPS3 Housing (2010)

PPG13 Transport (2001)

London Plan (2008):

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

3A.2 – Borough Housing Targets

3A.4 – Efficient Use of Stock

3A.5 – Housing choice

4A.3 – Sustainable Design and Construction

4B.1 – Design Principles for a Compact City

London Plan Housing Design Guide (2010)

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

D9 – Streetside Greenness and Forecourt Greenery

T13 – Parking Standards

EP12 – Control of Surface Water Run-Off

EP14 – Development Within Areas at Risk From Sewerage Flooding

EP15 – Water Conservation

EP20 – Use of Previously-Developed Land

EP22 – Contaminated Land

EP25 – Noise

C16 – Access to Buildings and Public Spaces

Supplementary Planning Documents / Guidance:

SPD	Access For All (2010)
SPD	Sustainable Building Design (2009)
SPG	Designing New Development (2003)
SPG	Extensions: A Householders Guide (2008)

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

- 1) Principle of Development (London Plan 3A.1, 3A.2, 3A.3, 4B.1, 4B.8, D4, D5, D9, H10, EP12, EP20, SPG)
- 2) Character of the Area (London Plan 4B.1, D4, D5, D9)
- 3) Residential Amenity (London Plan 3A.5, D4, D5, C16, SPD)
- 4) Parking/Highways Considerations (T6, T13)
- 5) Sustainable Development (London Plan 4A.7, SPD)
- 6) Accessibility (London Plan 3A.5, C16)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

This application is reported to the Committee as the proposal is for eight flats, and therefore it falls outside of the thresholds set by the Scheme of Delegation for the determination of new residential development.

a) Summary

Statutory Return Type:	13 Minor Dwellings
Site Area:	0.13 hectares, 1300 sq m
Habitable Rooms:	22
Density:	61.5 dph, 169.2 hrph,
Car Parking	Standard: 9.6 Provided: 10
Lifetime Homes:	8
Wheelchair Standards:	2
Council Interest:	None

b) Site Description

- The application site accommodates a pair of large semi-detached properties on the east side of Kenton Lane.
- The semi detached properties have a hipped roof, two storey high bay window with gable, and central chimney. No.645 Kenton Lane is a three bedroom property and has a single storey side garage. No. 647 Kenton Lane is a four bedroom property and has a two storey side extension. The building's broad dimensions are 16.4m wide by 8.4m high by 10.4m deep.
- To the north of the application site lies Russell Mead flats, a circa 1970s development consisting of a relatively utilitarian three storey block of flats. The flats are 3.6m from the application site building. To the south of the application site lies No.645 Kenton lane, 6.9m away at first floor level.
- No.647 and 649 Kenton Lane have significant rear gardens, 35.9m and 48.3m deep respectively.

- Kenton Lane rises from south to north, with No.645 sitting at a slightly lower floor level than the application site. Whilst predominantly residential, Kenton Lane does have a number of commercial properties along its length.
- The application site is not within in a Conservation Area or within the setting of a Listed Building; the site is not within a Controlled parking Zone or a Flood Risk Zone.

c) Proposal Details

- Full application for the demolition of the existing semi-detached properties and replacement with a single building comprising eight self contained flats. Six flats would have two bedrooms and two flats would have a single bedroom each.
- Proposed building would be set over four floors, including an undercroft basement for car parking of nine vehicles. Upper three floors would comprise the flats.
- The building would be of a contemporary design, with the scale and massing of the bulk being broken up by front and rear protruding bays. The building would be sited on broadly the same footprint of the existing semi-detached properties, albeit bigger than the existing. The maximum dimensions would be 18.1m wide by 9.0m high and 15.7m deep.
- The front of the building would be set back 11.3m from Kenton Lane and following the established building lines by No.645 Kenton and Russell Mead flats. Within the front curtilage the application proposes a parking bay for persons with disabilities, and then a mix of hard and soft landscaping.
- At the rear of the building the application proposes utilising the garden area as a communal open space fro the future occupiers. Within this space a mix of soft landscaping is proposed, along with decking and a building for cycle storage.
- The proposed cycle storage building would be 66.m wide by 4.3m deep and 2.3m high.

Revisions to Previous Application:

Following the previous application (P/1405/10) the following amendments have been made:

- The footprint of the building has been reduced by setting the front of the building back by approximately 2m. This has had the effect of bringing the proposed front of the building within the established line set by No.645 Kenton and Russell Mead flats.

d) Relevant History

P/1405/10	DEMOLITION OF EXISTING BUILDING; REDEVELOPMENT TO PROVIDE DETACHED THREE STOREY BUILDING COMPRISING EIGHT SELF CONTAINED FLATS; LANDSCAPING; REFUSE AND ASSOCIATED PARKING.	WITHDRAWN
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e) **Pre-Application Discussion**

- Four storey's was thought to be excessive – a reduction to three storey's would be more in keeping
- Proposed contemporary design was considered acceptable in principle
- The 45° Code needs to be complied with in relation to the development on either side
- Excessive parking on the frontage – advised to consider underground parking to relieve the parking problem and create a landscaped setting for the building
- Refuse storage should be accommodated within the building or at the side / rear

f) **Applicant Statement**

See Design and Access Statement

g) **Consultations:**

Highway Engineer: No objection. The proposed intensity of this development would increase the amount of dwelling units on this site from two to eight dwellings resulting in a net increase of six units. The allocated parking provision (including disabled provision) of just over one space per dwelling is considered acceptable and is within UDP maximum parking standards. A lesser provision would potentially result in detrimental parking displacement onto Kenton Lane which would be undesirable given the physical characteristics of high traffic flows, existing parking demand and limitations of road width etc. The need for this level of parking provision is reinforced by the very low public transport accessibility level of the site (PTAL 1). Refuse and cycling provisions are to acceptable standards. The net gain in traffic activity from the eight flat proposal as compared to the existing two semi detached properties is estimated to be in the region of two to three vehicles at both AM and PM peak traffic periods.

Landscape Architect: No objection, subject to conditions.

Drainage Engineer: No objection. Recommends three standard surface water drainage disposal and attenuation conditions.

Environmental Protection: No objections.

Thames Water: No objection subject to conditions.

Environment Agency: No comment to make.

Notifications:

Sent: 45 Replies: 5 objection, including Expiry: 12-NOV-10
 objection from Ward Councillors

Summary of Responses:

- Changes made to the scheme are small and do not address the previous issues raised with regards to the planning application.

- Building is not in keeping with local houses or the neighbourhood.
- Issue of parking problems, increased traffic;
- Safety of pedestrians along Kenton Lane, and in relation to Weald First and Middle School.
- Local utilities, especially the public sewer capacity, are already strained and cannot take any further development.
- Loss of two valued family homes.
- Overlooking of adjacent and opposite properties from top floor flats

APPRAISAL

1) Principle of Development

National Planning Policy Statement 1 (Sustainable Development) (PPS1) and Planning Policy Statement 3 (Housing) (PPS3) are broadly supportive of the provision of new residential development within built up and sustainable locations.

PPS3 sets out the national policy framework for delivering the Government's housing objectives. This guidance sets out that the priority for development should be on previously developed land. However; Annex B (definitions) has been amended and now removes residential gardens from the definition of previously-developed land and contains a presumption against development on residential gardens. Furthermore, saved policy EP20 of the Harrow Unitary Development Plan (2004) states that the Council will seek to secure all new build development to take place on previously-developed land (with the exception of ancillary development necessary to support appropriate open space, Metropolitan Open Land and Green Belt uses).

The application proposes the demolition of an existing pair of semi-detached properties and its replacement with a new building to accommodate eight flats. Given that the proposed new building would be on land that is currently developed, and that the new building would be sited on a comparable footprint as the existing dwellings, albeit it that the proposed building would be larger, it is considered that the proposal would be consistent with PPS3 and is acceptable in principle.

2) Character of the Area

Paragraph 10 of PPS3 outlines the Government's strategic housing policy objectives and states the following:

The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this, the Government is seeking:

– To achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community.

Paragraph 10 goes on to state that this policy objective should be implemented through the planning system:

These housing policy objectives provide the context for planning for housing through development plans and planning decisions. The specific outcomes that the planning system should deliver are:

– High quality housing that is well-designed and built to a high standard.

Paragraph 12 of PPS3 states that good design is fundamental to the development of high quality housing and London Plan policies 3A.6 and 4B.1 and saved policy D4 of the Harrow Unitary Development Plan (2004) recommend that all development proposals should have a high standard of design and layout.

London Plan policy 3A.5 and Harrow Unitary Development Plan (2004) policy H7 require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan policy 3A.6 requires new development to take account of the design and construction policies set out in Chapters 4A and 4B, and the density requirements of policy 3A.3 and their implications for bedroom numbers per dwelling.

Policy D4 of the Harrow Unitary Development Plan (2004) states that 'buildings should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces'. Saved policy D5 of the Harrow Unitary Development Plan 2004 requires new development 'to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a usable amenity area for the occupiers of the development; as a visual amenity'. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that 'There should be a clear definition between private amenity space and public space'.

The footprint of the proposed building would be sited on a comparable footprint as the existing dwellings, albeit it that the proposed building would be larger. The previous application submitted proposed a building that stepped forward of the established building line along Kenton Lane by approximately 2m. It was considered that this was not appropriate and on this basis, the applicant withdrew that scheme so that revised proposal could be produced. The revised scheme now proposes a building that is sited along the established building line of Kenton Lane. Similarly, at the rear, the building does not protrude significantly back of the adjacent property at No.645 Kenton Lane (partly in order to respect the 45° Line from this property).

The application site is located on a part of Kenton Lane that slopes down from north to south. The topography is such that the adjacent block of flats to the north are located on a slightly higher floor level than the application site, whilst No.645 Kenton lane to the south sits slightly lower. The proposed replacement building respects the scale of the existing building and as such would not look out of place in the streetscene relative to the adjacent properties.

Comments received in relation to the proposed design of the development are noted. Whilst Kenton lane as a streetscene contains a mix of development, largely semi-detached properties are more typical than others. However, the context of the application site is different from this, in particular with regards to the adjacent block of flats located to the immediate north. The design proposed by the application is one of a contemporary appearance, not typical of the area but also not completely out of context.

Paragraph 4.21 of saved policy D4 recognises the contribution front gardens can make to the character of an area or locality. Saved policy D9 of the Harrow Unitary Development Plan (2004) sets out that the Council will seek to achieve high quality streetside greenness and forecourt greenery in the Borough, and will resist proposals that are over dominated by hard surfacing. This is to ensure that the greenery of the front gardens is enhanced to improve the appearance of the development and the street scene. The application proposes a mix of hard and soft landscaping to the front of the building. The Council's Landscaping Officer has no objection to this, subject to full details of landscaping to be sought by way of a condition. On this basis, the application is considered acceptable.

Overall, it is considered that the design and size of the proposed dwellinghouse is consistent with the principles of good design and good planning, as required by saved policy D4 of the Harrow Unitary Development Plan (2004), PPS1, PPS3 and the Planning Act 2008. The resultant development would respect that of the neighbouring development, would not be overdevelopment of the plot, and would not be detrimental to the character and appearance and the visual amenities of the area, consistent to London Plan policies 4B.1 and 4B.8, saved policy D4 of the Harrow Unitary Development Plan (2004) and the principles of the adopted Supplementary Planning Guidance, New Development (2003).

3) Residential Amenity

Given the scale, siting and design of the proposed building, the occupiers likely to be affected are No.645 Kenton Lane to the south, and the Russell Mead block of flats to the north; other nearby dwellings would remain sufficiently physically removed not to be impacted to any significant extent. It is noted that objections have been received from the properties surrounding the proposed development. Residents are concerned that the proposed development would have an adverse impact on the amenities they currently enjoy.

In relation to No.645 Kenton lane, the proposed building would be located immediately due north of this. The distance between No.645 Kenton Lane and the proposed building would be 1.6m at ground floor level, between the flank wall of the propose flats and the garage of No.645 Kenton Lane. At first floor level, the distance would be 5.0m. It is noted that the proposed building would be located closer to No.645 Kenton Lane than the existing semi-detached property. However, there are no habitable room windows at first or second floor level on this elevation (there are two ancillary windows), and as such, it is considered that the proposed relationship between the two buildings would be acceptable. At the rear of the site, the footprint of the proposed building would be set 2.9m back beyond the rear of No.645 Kenton Lane. The proposed building would not interfere with the 45° Code as set out in saved policy D5 of the Harrow Unitary development Plan (2004) and the Council's adopted Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008).

The relationship between the proposed building and the Russell Meads would be broadly the same as the existing relationship. The flank-to-flank distance would be 2.4m. There are no habitable room windows that would be affected and the proposed building would not interfere with the 45° Code as set out in the Council's adopted Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008).

Overall, it is considered that the proposal would not have an undue adverse impact on the residential and visual amenities of adjoining occupiers or the occupiers of the subject site in accordance with saved Policy D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: "Extensions: A Householders Guide" (2008).

Paragraph 18 of PPS3 provides scope for Local Planning Authorities to reference any relevant guidance and standards when assessing applications to ensure high quality development:

To facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards...

In view of paragraph 18 of PPS3, when considering what is an appropriate standard of accommodation and quality of design the Council is mindful of the Housing Quality Indicators and the emerging guidance, the London Housing Design Guide (LHDG)(2010). The interim edition of the LHDG has been revised following public consultation on the draft LHDG in 2009 and the findings of a cost and delivery impact analysis. It has been published to show the direction of travel of the final guide, to shape the design of London Development Agency (LDA) supported developments, and to encourage all involved in the design of new housing to embrace the Mayor's aspirations.

Units 1-4 and 6-7 would all have two bedrooms (12.8 sq m and 10 sq m), a combined kitchen / dining / living room (24.5 sq m). Units 5 and 8 would have one bedroom (14.8 sq m and 15 sq m respectively), a combined kitchen / dining / living room (27.6 sq m and 22.3 sq m). The room sizes in the proposed development would comply with the minimum sizes as required by the LHDG and therefore the application is considered acceptable in this regard. Furthermore, the vertical arrangement of habitable rooms would result in an acceptable layout.

Paragraph 4.24 of saved policy D4 of the Harrow Unitary Development Plan (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*". Under the current use as two single family dwellings, it is noted that three bins could be stored here at the front of each property. The applicant proposes to locate the bin storage to the rear of the new building, and utilise the new passageway to transfer the bins on collection days. This is considered acceptable and a condition has been attached to this effect.

Saved policy D5 of the Harrow Unitary Development Plan 2004 requires new development 'to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a usable amenity area for the occupiers of the development; as a visual amenity'. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that 'There should be a clear definition between private amenity space and public space'. The proposal would provide approximately 730 sq m of private communal amenity space for the future occupiers and therefore would be in line with saved policy D5 of the Harrow Unitary Development Plan (2004).

4) Parking/Highways Considerations

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of planning in creating sustainable communities, of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport development. PPG13 sets out the overall strategy for a sustainable transport system, with the objectives of integrating planning and transport at the national, regional, strategic and local level to:

- i) promote more sustainable transport choices for both people and for moving freight;
- ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- iii) reduce the need to travel, especially by car.

London Plan Policy 3C.23 of seeks to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. Annex 4 Parking Standards of the London Plan states that Public transport accessibility should be used to assist in determining the appropriate level of car parking provision. Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

The comments received from adjacent occupiers in relation to traffic are noted. However, the Council's Highway Engineer has no objection to the proposed development, for which nine off-street car parking spaces are proposed, and therefore the application is considered acceptable in this regard.

The Council's Highway Engineer has reported that the net gain in traffic activity from the proposed eight flats as compared to the existing two semi detached properties is estimated to be in the region of two to three vehicles at both AM and PM peak traffic periods. This would represent significantly less than a 0.5% increase in current overall vehicular activity in Kenton Lane during peak operation. Department for Transport (DfT) guidance previously recommended that an increase in overall traffic flows in excess of 5% on heavily trafficked roads, such as Kenton Lane, may prove detrimental to highway movement resulting from new development and mitigation measures or refusal should be considered. A lesser increase being therefore considered acceptable unless exceptional circumstances prevail. Furthermore current DfT guidance in the form of 'Manual for Streets' considers that developments of the scale proposed are relatively insignificant in highway infrastructure impact terms.

Therefore, in road safety and junction capacity terms, the low level of generated traffic for the proposal together with satisfactory access provision and visibility sight lines onto Kenton Lane (in line with accepted DfT standards), the impact of the proposal is considered to be de minimis and would not be at a level that would be considered prejudicial to vehicular/ pedestrian movement or road safety.

On this basis, the application is considered acceptable on highway grounds. Any works to the public highway with regards to the proposed access from Kenton Lane would be subject to a separate Section 278 Agreement (of the Highways Act 1980). The Council's Highway Engineer has stated that details pursuant to the access ramp and boundary treatment should be controlled by way of a planning condition.

5) Sustainable Development

London Plan policy 4A.1 'Tackling Climate Change' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 4A.2, 4A.3, 4A.4, 4A.6 and 4A.7. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009). Overall, the set of policies seeks to address climate change through minimising emissions of carbon dioxide.

The applicant has stated that the building would be constructed to Level 3 of the Code for Sustainable Homes, and is considering the use of solar panels and grey water recycling. Whilst this commitment from the applicant is welcomed, it is considered necessary to control this matter by the use of an appropriate planning condition to secure further details of this.

6) Accessibility

Saved Policies D4 and C16 of the Harrow Unitary Development Plan (2004) and policy 3A.5 of the London Plan Consolidated with Alterations since 2004 (2008) seeks to ensure that all new housing is built to Lifetime Homes standard. Proposals for new residential development, as far as possible, seek to comply with Lifetime Homes Standards. Supplementary Planning Document *Accessible Homes* 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.

The applicant has confirmed that the proposed development would be constructed to Lifetime Homes standards. It appears from the submitted proposed floorplans that ground floor flat No. 1 would be most suitable as a wheelchair home and this proposed flat appears to largely comply with Lifetime Homes Standards and the Wheelchair Homes requirements, in accordance with the Council's Supplementary Planning Guidance (2010). Accordingly, the proposal is therefore considered to be consistent with saved policies D4 and C16 of the Harrow Unitary Development Plan (2004), policy 3A.5 of the London Plan and the Council's adopted SPD.

7) S17 Crime & Disorder Act

The applicant has set out the following security measures to be adopted in the proposed development:

"The site is very enclosed across the northern, southern and western boundaries with the gardens backing on to other back gardens. It is intended to replace the existing fencing to the rear amenity space with 2.1m high close boarded fencing. The ground floor bedroom windows are protected by the location of light wells in front of them which serve the basement car parking. No access from front to back will be possible without going through the single point of entry. The Units themselves will follow the guidance of Secure by Design, with video entry phone system on the front door, the patio doors will have multi locking mechanisms and anti lift devices, general doors at ground floor will be to PAS 24-1 .1999 enhanced security. Balconies have simple glass balustrades not easy to climb.

Refuse and cycle stores will be secure, enclosed and incorporate self closing mechanisms etc.”

It is considered that, based on the details proposed, the proposed development would not have an adverse impact in relation to the Crime and Disorder Act legislation. The replacement of the pair of semi-detached properties would not lead to any additional security issues; rather, the increased natural surveillance and pedestrian footfall created could be considered a positive impact from the development.

8) Consultation Responses

These have for the most part been dealt with in the body of the report.

The site is not within a defined Flood Zone and as such concerns in relation to the risk of flooding have limited weight in this instance.

In relation to comments made in relation to the impact of any construction work as a result of the proposed development, whilst these comments are noted they cannot be given significant weight in planning terms, because they are not a material planning consideration. .

CONCLUSION

The decision to grant permission has been taken on the basis that the proposed development would make efficient use of land whilst contributing to the provision of additional homes targets as detailed in the London Plan, and would be acceptable in relation to its impacts upon the amenities of neighbouring occupiers in Kenton Lane, the character of the area, transport, flood risk or other impact that would warrant the refusal of planning permission. 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 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 ground surfacing

b: 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 Policy D4 of the Harrow Unitary Development Plan (2004).

3 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works. 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 Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

5 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 and Policy D4 of the Harrow Unitary Development Plan (2004).

6 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 completed 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 and in accordance with Policy EP12 of the Harrow Unitary Development Plan (2004).

7 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. 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 and in accordance with Policy EP12 of the Harrow Unitary Development Plan (2004).

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

9 The development hereby permitted shall not commence until a scheme for the storage and disposal of refuse/waste 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 Policy D4 of the Harrow Unitary Development Plan (2004).

10 Occupation of the proposed building hereby permitted, shall not be commenced until the applicant has demonstrated that the development will achieve the appropriate level to meet Level 3 of the Code for Sustainable Homes. 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 the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change and Policy D4 of the Harrow Unitary Development Plan (2004).

11 Notwithstanding the submitted details, before the first occupation of the building hereby permitted, details of the facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority, provided prior to the development being first occupied and retained thereafter.

REASON: To ensure the delivery of a sustainable development which seeks to minimise travel by private car in accordance with PPS1 and its supplement Planning and Climate Change, PPG13 and Policies D4 and T6 of the Harrow Unitary Development Plan (2004).

12 Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) scheme shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, details of the intended hours and duration of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site.

REASON: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

13 The development hereby permitted shall not commence until revised details of the means of the access ramp have been submitted to, and approved by, the local planning authority. The development shall not be used or occupied until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway in accordance with Policies D4 and T6 of the Harrow Unitary Development Plan (2004).

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

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

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

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

REASON: To safeguard the appearance of the locality in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

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

08 209 SV01, 08 209 PL10 A, 08 209 PL11 A, 08 209 PL12 A, 08 209 PL13 A, 08 209 PL14 A, Design and Access Statement

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:

National Planning Policy:

PPS1 Delivering Sustainable Development (2005)

PPS3 Housing (2010)

PPG13 Transport (2001)

London Plan (2008):

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

3A.2 – Borough Housing Targets

3A.4 – Efficient Use of Stock

3A.5 – Housing choice

4A.3 – Sustainable Design and Construction

4B.1 – Design Principles for a Compact City

London Plan Housing Design Guide (2010)

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

D9 – Streetside Greenness and Forecourt Greenery

T13 – Parking Standards

EP12 – Control of Surface Water Run-Off

EP14 – Development Within Areas at Risk From Sewerage Flooding

EP15 – Water Conservation

EP20 – Use of Previously-Developed Land

EP22 – Contaminated Land

EP25 – Noise

C16 – Access to Buildings and Public Spaces

Supplementary Planning Documents / Guidance:

SPD Access For All (2010)

SPD Sustainable Building Design (2009)

SPG Designing New Development (2003)

SPG Extensions: A Householders Guide (2008)

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 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

4 THAMES WATER:

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

5 PERMEABLE PAVING:

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

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

6 COMPLIANCE WITH PLANNING CONDITIONS:

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

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

Plan Nos: 08 209 SV01, 08 209 PL10 A, 08 209 PL11 A, 08 209 PL12 A, 08 209 PL13 A, 08 209 PL14 A, Design and Access Statement

**LAND ADJACENT 269 WATFORD ROAD, P/2457/10
HARROW**

Ward HARROW ON THE HILL

EXTENSION OF TIME TO PLANNING PERMISSION P/136/05/CFU DATED 09/09/2005 FOR 'DEMOLITION OF EXISTING COMMERCIAL BUILDING, AND DEVELOPMENT OF REPLACEMENT DETACHED BUILDING TO ACCOMMODATE POOL AND GYM FOR USE IN CONJUNCTION WITH ADJACENT DWELLING HOUSE'.

Applicant: Mr Ali Musani

Case Officer: Andrew Ryley

Statutory Expiry Date: | 02-NOV-10

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to planning conditions. The decision to grant permission has been taken on the basis that the associated impacts that the development would create can be adequately mitigated against through the use of appropriate planning conditions, and therefore the development would not significantly harm the character or appearance of the area or have an unreasonable impact on the amenities of the surrounding occupiers or other impact that would warrant the refusal of planning permission. The application is therefore found 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, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

PPS25 Development and Flood Risk

SEP5 Structural Features

SEP6 Areas of Special Character, Green Belt and Metropolitan Open Land

EP12 Control of Surface Water Run-Off

EP31 Areas of Special Character

EP44 Metropolitan Open Land

EP45 Additional building on Metropolitan Open land

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

SPD Extensions: A Householders Guide (2008)

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

- 1) Principle of Development (SEP5, SEP6, EP12, EP31 EP44, EP45)
- 2) Consultation Responses

INFORMATION

This application is reported to committee as it is a departure from the Development Plan and therefore falls outside the scheme of delegation.

a) Summary

Statutory Return Type: 21 Householder Development

Council Interest: None

b) Site Description

- A plot of land located adjacent to the residential property of 269 Watford Road, Harrow.
- The plot accommodates open land to the front and rear thirds of the site, whilst the central third of the site accommodates a single storey commercial building. The flat roofed commercial building accommodates a height of 2.4 metres and a footprint of approx. 18.0 metres x 11.0 metres. The building has been previously utilised for ornamental fish breeding and sales business. This business has ceased operations from the site.
- The residential property at 269 Watford Road is noted as being located within the Borough boundary of Brent Council, whilst the subject site is located with the Borough Boundary of Harrow Council.

c) Proposal Details

- Extension of time of planning permission (P/136/05) dated 09/09/2005.
- The proposed development site relates only to the area of land covered by the footprint of the existing commercial building. This relates to approximately the middle third of the land parcel located adjacent to the residential property of 269 Watford Road, Harrow.
- Original application was for the demolition of the existing commercial building, and development of replacement detached building to accommodate for pool and gym in conjunction with the adjacent dwelling house.
- The replacement building would have a footprint of 18 metres x 8.5 metres and would have a shallow pitched roof with eaves heights of 2.4 metres from and 2.8 metres to the central ridge.

d) Relevant History

P/136/05CFU	DEMOLITION OF EXISTING COMMERCIAL BUILDING, AND DEVELOPMENT OF REPLACEMENT DETACHED BUILDING TO ACCOMMODATE POOL AND GYM FOR USE IN CONJUNCTION WITH ADJACENT DWELLING HOUSE	GRANTED 09-SEP-05
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e) Consultations

Drainage: No objection subject to conditions.

Thames Water: No objection subject to conditions.

Brent Council: No objection.

Advertisement: Departure from the Development Plan Expiry: 02-DEC-10

Notifications:

Sent: 2 Replies: 1 objection Expiry: 11-OCT-10

Summary of responses:

- Bulk, size and form of proposed development will be detrimental to the character of what is a semi-rural setting.
- The site is located within Metropolitan Open Land and it is difficult to see how the proposed use could be regarded as appropriate.
- In addition the proposed roof garden will result in an unacceptable loss of privacy to both adjoining gardens and Harrow School Farm.
- The current use of the site blends in more easily with the rural nature of the adjoining agricultural land and the buildings have an agricultural feel and scale.
- Development in the form proposed, including landscaping proposals will result in unacceptable urbanisation of this area of Metropolitan Open Land.

APPRAISAL

1) Principle of Development

Applications for the extension of the time limits for implementing planning permission were brought into force on 01/10/09 within the legislative context of the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009. The measure was introduced to allow planning permission to remain alive longer to allow implementation of granted schemes as economic conditions improve. No primary legislation has been altered and as such all such legislation which applies to ordinary planning applications, applies to extension of time limits.

When the application was considered in 2005 it was found to be acceptable in terms of the character of the area, residential amenity, internal layout, highway impacts and all other material planning considerations. The original report is attached. The consideration of this application relates to any material changes in policy or site circumstances since the application was approved that would affect the conclusions reached in the determination of the 2005 application.

Since the application was previously granted, Planning Policy Statement (PPS) 25: Development and Flood Risk has been updated, and the Council has approved a Borough-wide Strategic Flood Risk Assessment. Comments have been received from the Council's Drainage section recommended a number of planning conditions. On the basis of the updated policy position two of these conditions are considered appropriate to impose on the new consent. A further condition has been recommended by the Council's Drainage section, and a condition by Thames Water, that are not considered appropriate to impose on the consent.

There have been no other changes in site circumstances or planning policies that would give rise to the potential for the Council to make a different decision on this application.

2) Consultation responses

The comments received objecting to the application are noted. However, as set out above, the application can only be considered on the basis as to whether there have been changes in site circumstances or a change in planning policy. Therefore, these objections can only be considered to have limited weight in the context of this application.

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations as set out above, the application is recommended for grant, subject to the following conditions:

CONDITIONS

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

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

2 The 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 ground surfacing

b: 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 Policy D4 of the Harrow Unitary Development Plan (2004).

3 The building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the adjoining dwelling at 269 Watford Road, Harrow.

REASON: To safeguard the amenity of neighbouring residents in accordance with Policy D5 of the Harrow Unitary Development Plan (2004).

4 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 completed 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 and in accordance with Policy EP12 of the Harrow Unitary Development Plan (2004).

5 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. 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 and in accordance with Policy EP12 of the Harrow Unitary Development Plan (2004).

6 The development shall be completed in full accordance with the following plans and information:

1150-11B, 1150-12B, 1150-20B, 12/103, 12/104, Location Plan, Block 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:

PPS25 Development and Flood Risk

SEP5 Structural Features

SEP6 Areas of Special Character, Green Belt and Metropolitan Open Land

EP12 Control of Surface Water Run-Off

EP31 Areas of Special Character

EP44 Metropolitan Open Land

EP45 Additional building on Metropolitan Open land

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

SPD Extensions: A Householders Guide (2008)

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 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

4 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.

Item 2/03 : P/2457/10 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.

5 DRAINAGE

The applicant should contact Harrow Drainage Section at the earliest opportunity on 020 8424 1586 with regards to conditions 4 and 5.

Plan Nos: 1150-11B, 1150-12B, 1150-20B, 12/103, 12/104, Location Plan, Block Plan

Item 2/04
THE POWERHOUSE, 87 WEST STREET, P/2444/10
HARROW, HA1 3EL

Ward: HARROW ON THE HILL

SECOND FLOOR EXTENSION TO FORM ADDITIONAL OFFICE SUITE

Agent: Orchard Associates
Applicant: Mr David Newton
Case Officer: Sushila Bhandari
Statutory Expiry Date: | 15-NOV-10

RECOMMENDATION

GRANT permission for the development described in the application.

REASON : The proposal is for a second floor extension to the existing office building to provide additional 169m² of office floor space, which would accommodate up to 10 additional employees . The proposals are not materially different from that previously approved under P/1065/07 and there have been no material changes in site circumstances or policy since the approval of this permission to warrant a different view to that of P/1065/07. The decision to recommend grant of planning permission has been taken having regard national planning policy, the policies and proposals in the London Plan (2008), the saved policies of the Harrow Unitary Development Plan (2004), and to all relevant material considerations, including representation received from local residents and amenity society.

National Guidance

PPS1: Delivering Sustainable Development
PPS5: Planning For The Historic Environment
PPG13:Transport

London Plan:

4B.1 – Design Principles for a Compact City
4A.1 – Tackling Climate Change

Harrow Unitary Development Plan:

SEP5 Structural Features
D4 The Standard of Design and Layout
D11 Statutorily Listed Buildings
D12 Locally Listed Buildings
D14 Conservation Areas
D15 Extensions and Alterations in Conservation Areas
D20, D21, D22 Sites of Archaeological Importance
EM4 New Office Development
EM22 Environmental Impact of New Business Development
EM23 Environmental Impact of Existing Business
T13 Parking Standards
EP31 Area of Special Character
C16 Access to Buildings and Public Spaces

Supplementary Guidance/ Documents

Supplementary Planning Document 'Access for All' (2006)

Harrow on the Hill Village Conservation Area Appraisal and Management Strategy (2008)

Supplementary Planning Document 'Sustainable Building Design' (2009)

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

- 1) Character and Appearance of Conservation Area/ Area of Special Character/ impact on Listed Buildings and New Office Development (PPS1, PPS5, A4.1, 4B.1, SEP5, D4, EM4, EP31, D11, D12, D14, D15, SPD)
- 2) Impact on Residential Amenity (EM22, EM23)
- 3) Parking and Highway Safety (PPG13, T13)
- 4) Archaeological Priority Area (D20, D21, D22)
- 5) Accessibility (C16, SPD)
- 6) Sustainable Design (4A.1, D4, SPD)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

This application is reported to planning committee as there is a petition of 72 signatures. The consideration of this application therefore falls outside the Council's scheme of delegation.

a) Summary

Statutory Return Type:	14: Minor Offices/ research & dev't/ light industry	
Conservation Area:	Harrow on the Hill Village	
Site Area:	0.192 ha	
Car Parking	Standard	1 space per 200-300mr net site area (6.4)
	Justified	6.4
	Provided	31
Council Interest:	None	

b) Site Description

- Former sub-station building, now being used as office premises.
- Built around the late 1890's using traditional Victorian materials and detailing.
- Located on the northern side of West Street.
- Site is located on the lower aspect of West Street.
- The existing flat roof space is surrounded by a parapet wall measuring approximately 1.2m high, reducing to 0.6m along the south elevation (facing West Street)
- Northern elevation faces onto Church Fields and has distant views of St. Mary's Church.
- The east, south and west elevations face residential development, typically of the Victorian era and three storeys high.
- Land to the eastern aspect of West Street and towards the north-eastern direction rises.
- Dwellings along West Street follows the slope of the land, the Power House in relation to these dwellings is set at a slightly lower site level.

- Dwellings along Nelson Road are set at a lower site level than the Power House.
- The application site is within the setting of the Statutorily Listed building Old Pye House, West Street and 69-75 West Street, and locally listed building at 79 to 85 West Street.

c) Proposal Details

- Proposal to construct second floor extension to the existing business/ light industrial premises (186 square metres).
- The extension would be constructed on the existing flat roof of the two-storey element of the building.
- The development will have a footprint of 13.4m x 13.6m and a finished height of 3.6m.
- The walls would be constructed of marking brick with arched opening, stone detailing and metal frame fenestration
- The roof over itself would be flat, consisting 5 small and 1 large rooflights, which would be flat flush to the roof.
- The east, south and west elevation would have high-level arched fanlight windows.
- The north elevation would have full height glazed windows and doors leading out to the roof terrace.
- The terrace will be sectioned off and would be on the north elevation only, facing the Church Fields
- All rainwater guttering would be recessed into the flat roof design.
- Using matching materials the proposal also seeks to raise the height of the parapet wall of the existing building along the south elevation to match the west and north elevations.
- A metal hand railing is proposed along the perimeter of the parapet wall.

Revisions to Previous Application:

Following the previous decision (P/1065/07)

there have been no changes to the proposed plans to that approved under the previous application

d) Relevant History

LBH/28395	CHANGE OF USE FROM LIGHT INDUSTRIAL TO OFFICE AND LIGHT INDUSTRIAL PURPOSES	GRANTED 12-SEP-85
LBH/29789	ADDITIONAL FLOOR FOR EXTENSION OF EXISTING OFFICE AND LIGHT INDUSTRIAL USE	REFUSED 24-APR-86

Reason for Refusal:

1. The proposal would lead to an unacceptable visual intrusion and excessive development of this sensitive site in the conservation area, also resulting in traffic and parking difficulties.

LBH/30262	ADDITIONAL FLOOR EXTENSION OF EXISTING OFFICE & LIGHT INDUSTRIAL USE (REVISED)	GRANTED 19-MAR-87
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WEST/44895/92/FUL	B1 USE -PROPOSED MANSARD ROOF & RAISING OF PARAPET WALLS TO PROVIDE ADDITIONAL FLOORSPACE TO EXISTING OFFICE AND LIGHT INDUSTRY	REFUSED 30-SEP-92
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Reasons for Refusal:

1. Inadequate car parking facilities are proposed within the curtilage of the site, to provide the additional parking required by the proposed floorspace, and the likely increase in kerbside parking on the highway would be detrimental to the free flow of traffic, highway safety and amenity.
2. The proposal represents the unacceptable intensification of a commercial use which would be damaging to the character of the conservation area by virtue of the increase in traffic and associated activities.

P/431/06/DFU	SECOND FLOOR EXTENSION TO FORM ADDITIONAL OFFICE SUITE	WITHDRAWN 20-APR-06
P/3461/06/DFU	SECOND FLOOR EXTENSION TO FORM ADDITIONAL OFFICE SUITE (REVISED)	REFUSED 30-MAR-07

Reason for Refusal:

1. The proposal would not preserve or enhance the character or appearance of the Harrow on the Hill Village Conservation Area and Area of Special Character and would appear to be incongruous, visually obtrusive and at odds with its surroundings when viewed from the locality by reason of the design, materials and scale.

P/1065/07	Second floor extension to form additional office suite	GRANTED 19-JUL-07
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e) Pre-Application Discussion

- None

f) Applicant Statement

This application is supported by a Design and Access statement, which is summarised as follows:

- The appearance of the existing building is solid brick load bearing industrial building.
- The proposed second floor extension should be set back from the existing parapet wall to be visually subservient to the main building.
- To be constructed in traditional materials to reflect the vernacular style of the original building.
- Full height glazed windows and doors are located on the north elevation, facing onto Church Fields and high level fan-light windows are to be positioned on the west and south elevation to overcome any concerns of overlooking and loss of privacy to adjoining properties.
- Access onto to the terrace from the office suite will be restricted to the northern side only.
- The rooflights will be lower than the perimeter upstands and not be visually obtrusive.

- Power station has historically provided employment for local residents and in more recent times the offices have been in great demand due to proximity transport services.
- The owner of the Power House allows local residents to park their cars in the car park out of office hours during the week and also at weekends.
- The premises are within walking distance of South Harrow Station and Harrow on the Hill Station.
- There are extremely good bus routes that pass by and stop at Bessborough Road, Lowlands Road and Northolt Road, all close to the site.
- Off street parking is available on-site in the dedicated car park for staff and visitors.
- The proposed scheme takes into account concerns over overlooking and loss of privacy of surrounding properties, and design issues relating to the vernacular character of the existing building.
- The proposals overcome the concerns raised by the Development Control Committee in respect to the conservation and enhancement of the Harrow on the Hill Conservation site.

g) Consultations

CAAC:

We repeat our earlier comments for this site, which were from the 14th May 2007 CAAC meeting:

“No objections, but some members of the Committee stated that they preferred the previous contemporary design.”

Harrow on the Hill Trust:

- Proposed extension will be highly visible across Church Fields, thus affecting the view from the west of St Mary’s Church.
- The proposed structure will affect the view by the way, with three storeys, it breaks into and stands above the slate and tile roofs as a height of two storey which lie around it.
- Occupants of the office extension will look down on and into the rear of houses on the east side of Nelson Road and north side of West Street.
- Should be noted that there are design problems – existing building is covered in air conditioning outlets. These are very visible yet are not indicated on the elevations of either the existing or the proposed building. They certainly affect one’s view of the building. They should be indicated on the elevations if they are permanent – if they are not permanent some time scale should be laid down regarding their removal.
- Further architectural problems in that the arches on the second floor do not stand above the arches on the lower floors as one would expect them to from the apparent positioning of the supports – rules of the architectural orders should be obeyed.
- Note that there are local concerns over parking given the situation on West Street. We are aware that local residents park on the area adjacent to the Powerhouse at night and weekends but that does not deal with the problem during week days. Is there a travel plan to mitigate car use for the extended building?

English Heritage (Historic Buildings)

Do not consider that it is necessary for this application to be notified to English Heritage.

Environment Agency

No Objections

Highways Engineer

The net additional B1 use floor area approximates to 169m². In line with current UDP parking standards this would not require any additional parking provision as the overall maximum requirement for B1 uses is 1 space per 200-300m² net site area. The 31 spaces currently on site substantially exceed this standard as the development predates the UDP hence there is a significant parking over provision when viewed in line with current UDP standards. So in theory any additional parking generated by the proposal would be absorbed within existing formal parking arrangement within the site.

It is stated that 10 additional employees would result from the extension. It is likely that due to the most of the surrounding public road space, albeit uncontrolled, exhibiting little or no available parking capacity, that private car travel to the site would be deterred as a result. This would conform to national parking restraint policies and hence would not be likely to affect the local public realm to any measurable degree. It is however possible that additional private cars may be accommodated on site in an informal fashion which would be outside of planning controls.

Again due to the very small scale of proposed extension, there is no formal requirement for a workplace travel plan under TfL criteria. I would however expect a reference i.e statement publicising and encouraging sustainable modes of transport for staff to be referenced within the D&A.

In summary there are no specific concerns with the proposal.

Advertisement: Character of Conservation Area Expiry: 21-OCT-10

Notifications:

Sent: 36 Replies: 3 letters and 1 petition Expiry: 14-OCT-10
containing 72 signatures

Summary of Responses:

- Open air roof/ balcony overlooking neighbouring properties.
- The installation of steel rail all around the parapet is completely out of keeping with the original style.
- Japanese Knotweed present on site.
- Would result in increase of workforce which would force more vehicles coming into an already over-saturated area.

- Entrance to the car park forms access to the rear garden in Nelson Road, essential for emergency vehicles and its condition is already suffering badly from overuse – any more traffic would exacerbate its decline and extra car parking would render such emergency access impossible.
- Why if the existing accommodation has not proved adequate for the present business user as Nos. 3/4/5 West Street been standing unoccupied for several years.
- West Street already suffering from a recent increase in commuter vehicles.
- The proposed extension would have detrimental impact on significant views of the Hill and the character of the Conservation Area(CA).
- The proposed architectural design relates poorly to the existing building and would detract from the character of the CA.
- The proposed extension would have a detrimental impact on existing residents' amenity.
- The design and application fails to address issues of accessibility.
- The design and application fails to address issues of sustainability and energy use.
- The design and application fail to address issues relating to parking/ transport and no travel plan has been provided.
- The lack of important supplementary information raises the question as to why the planning application has been validated by Harrow Council.

APPRAISAL

1) Character and Appearance of Conservation Area/ Area of Special Character/ impact on Listed Buildings and New Office Development

This application follows on from a previous application P/1065/07 which sought to construct a second floor extension to this existing office building. Planning permission P/1065/07 expired on the 19 July 2010 and the applicant is now seeking planning permission for the same development that was approved under P/1065/07.

Since the approval of planning permission P/1065/07, a number of policies have been deleted from the Council Unitary Development Plan (2004). The principle policy for assessing the standard of design and layout at the time was UDP policy D4. The principle policies for assessing developments in a Conservation Area at the time were policies D14 and D15. These policies have been saved following a direction from the Secretary of State and would therefore still apply in this current application. Policy SEP5 and EP31 relating to Areas of Special Character, policies D11 and D12 relating to listed buildings, and policy EM4 have also been saved and therefore relevant to this application.

The only material changes in planning policy since the approval of P/1065/07 have been the adoption of the Harrow on the Hill Village Conservation Area Study and Management Study (CAAMS), which forms Appendix 4 of the Harrow on the Hill Supplementary Planning Document (SPD) and was adopted in May 2008. National policy PPS5: Planning for The Historic Environment was also adopted in March of this year. Other relevant supplementary planning documents include 'Access for All' SPD adopted in 2006 (addressed below) and Sustainable Design SPD adopted in May 2009.

The guidance and policies contained within these documents would form a material consideration in the assessment of the current scheme.

Character and Appearance of Conservation Area/ Impact on Listed Buildings

The existing building is an attractive Victorian red brick, with stone detailing and metal windows, industrial building. In terms of design, the proposed extension would be acceptable as this second floor extension would be set back from the existing parapet wall to be visually subservient to the main building. Its design style would link in with that of the existing building with brick arched openings similar to the larger ones below, stone detailing and metal framed windows. It would be important that the detailing matched the existing and therefore it is important that all details match the existing. For this purpose, as well as a condition relating to materials as before, it should be conditioned that the brick arches above the proposed windows are soft, gauged brick arches to match those arches above the first floor windows.

Representations have been received from local residents that the proposed bricked arch openings would not line up with windows below. Whilst it is noted that the glazed window openings do not line up with those below, this is not considered detrimental, since the openings on the existing building do not all line up. Furthermore the design of the proposed windows remain the same as that approved under P/1065/07 and the Council's Conservation Officer raises no objections to the proposed design of this extension. The Conservation Officer also raises no objection to the proposed metal handrail around the perimeter of the existing parapet roof. There has been no material change in circumstances on the site, or a significant change in the character and appearance of the conservation area that would warrant a different view on the design and appearance of the proposed development and its impact on the character and appearance of the conservation area.

PPS5 and the Harrow on the Hill Conservation Areas SPD reinforces the objectives set out under saved policies D4, D11, D12, D14 and D15 in that there is a need for proposals to preserve the character and appearance of the Conservation Area and the setting of the Listed Buildings. Since the proposals and site circumstances have not changed from that approved under P/1065/07, it is considered that this proposal would preserve the character and appearance of the Conservation Area and would therefore comply with the PPS5 policies, the Harrow on the Hill Conservation Areas SPD and saved policies D11, D12 and D15 of the Harrow UDP.

New Office Development

Although the proposed development relates to a small office development, saved policy EM4 of the Harrow UDP recognises the need to encourage enterprise by providing a reasonable range of office space, in particular new enterprises which typically may require smaller premises. Furthermore it is also recognised that small businesses can positively support the creation of local jobs with the aims to reduce the time and distance spent on travelling. It is considered that the proposed development would accord with these objectives and the wider objectives of sustainable community.

Area of Special Character

The Harrow on the Hill Village Conservation Area Appraisal and Management Strategy (CAAMS) which forms part of Appendix 4 to the Harrow on the Hill Conservation Areas SPD shows this building as the source of one key view from St. Mary's Church. Representations have been received that the proposed development would be unduly obtrusive when viewed from Church Fields. In support of this, local residents have provided superimposed photographs of the proposed extension to demonstrate different vantage points. Whilst, the extension would be visible from Church fields and surrounding areas, the proposed second floor extension would not interrupt any significant views down or up Church Fields sited northeast of the application site and therefore the proposal would not cause any demonstrable harm to this part of the Area of Special Character.

2) Impact on Residential Amenity

It is noted that a number of residents have sent in representations about the resultant roof area being used as a roof balcony and that the proposed windows in the extension would overlook nearby residential development. As discussed above, there have been no material changes in the site circumstances since the approval of the previous application. The impact of the proposed development in terms of visual amenity and overlooking had been addressed under the previous scheme and it was considered that the proposed development would not have any undue harm upon the residential amenities of the nearby occupiers, as the proposed extension would be sited a sufficient distance away from these nearby properties and that the proposed the proposed development will be constructed with opaque glazing along the east, south and west elevations. The only clear glazed panels and doors would be located along the north elevation fronting Church Fields. In addition to this, the access onto the roof terrace would be restricted to the north elevation only. The proposed fanlights along the west elevation would be high level and therefore would not amount to any actual or perceived aspect of overlooking of neighbouring residential amenity.

Notwithstanding, the representations made by the nearby occupiers, there has been no change of circumstances at these neighbouring sites in the intervening period, to warrant a different view on the impact of the development on the amenities of the neighbouring occupiers along West Street and Newton Road and as such the current scheme is considered to be acceptable.

3) Parking and Highway Safety

It is recognised that on street parking is difficult at present given the narrow street and the dominance of residential development within the locality. Local residents have raised objections on grounds that the additional office space would amount to additional parking demand which would put additional pressure along West Street. Comments have also been received with regards to the lack of a travel plan to support this application.

Policy T13 on parking standards is one of the policies that have been saved and it is still relevant in the assessment of this current application. The application site already has ample provision for off street parking on the site. The existing 31 spaces are in fact an over provision of spaces when assessed against the current Parking Standards set out under Schedule 5 of Council's UDP.

It is considered that the provision of additional office space would not exacerbate the parking or traffic flows within the locality than what would already exist. It is acknowledged that there have been previous applications that have been refused on parking grounds, however these pre-date the current UDP, which was adopted in 2004; current national and local policies are now geared to encourage more sustainable modes of travel, such as walking and cycling. The site is positioned within walking distance of Harrow Town Centre and local bus services along Lower Road serving both Harrow on the Hill and South Harrow Stations. It is therefore considered that it would be unreasonable to refuse this application based on parking and traffic issues.

4) Archaeological Priority Area

The proposal is for a second floor extension to the existing building and would not involve any excavation works. The proposal would therefore not give rise to any conflict with respect to the archaeological priority area.

5) Accessibility

The proposal is for an extension to the existing building. No external works are proposed to the existing building entrance and therefore the access arrangement would remain the same as existing. It is acknowledged that a local resident has indicated that the applicant has failed to address the issue of accessibility. The applicant, since submitting their application, has updated their Design and Access statement to have regard to accessibility. The Council's adopted Supplementary Planning Document on 'Access for All' 2006 sets out design considerations that should be taken into consideration when designing new developments or when carrying out substantial alterations to the existing building. The purpose of this guidance is not to set down prescriptive rules, but rather incorporate accessible design where feasible. The main access to the building has a low level stepped entrance into the main lobby area, which is suitable for wheelchair access. It is acknowledged that internally there is no provision of a lift and therefore access to the upper floors would be somewhat restricted for wheelchair users. However, given that this is an existing situation and that the proposal is for the extension to the existing building, it would be unreasonable for the local planning authority to insist on a lift to be installed. 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.

6) Sustainable Design

London Plan policy 4A.1 and saved policy D4 of the Harrow UDP seeks to ensure that new development proposals take into account climate change and promote design which has regard to energy efficiency and minimises emissions of carbon design. A Supplementary Planning Document 'Sustainable Building Design' (2009) has been adopted by the LPA since the approval of the previous scheme. Following comments received from local residents the applicant has provided a sustainability checklist and statement to support to this application, which sets out the feasible measures that can be incorporated into the proposed development to tackle climate change. Due to the sensitive nature of the application site located in a Conservation Area, the provision of solar panels would not be feasible in this case. However, the extension will be designed in a way to conform with BREEAM office code and the materials to be used would be, where possible, locally sourced and supplied from a sustainable forestry source.

The proposed development is considered to be acceptable and has demonstrated to overcome the local objections.

7) S17 Crime & Disorder Act

The proposed development relates to an extension to an existing B1 premises and is not considered to have a material impact upon community protection.

8) Consultation Responses

All material planning consideration have been addressed in the above report.

- With regard to the Japanese Knotweed. The Council's Landscape Architect carried out a site investigation and found no evidence of Japanese Knotweed. The only plants that could possibly be mistaken were cut back lilac and a Philadelphus (Mock Orange).
- With regards to vacant use of Nos. 3/4/5 West Street this is outside of the scope of the determination of this application and does not form a material planning consideration when assessing proposals for extensions to existing buildings.
- With regards to the lack of important supplementary information (accessibility and sustainability checklist), whilst the requirement of accessibility would form part of the Design and Access statement, which forms part of the validation requirement when submitting such type of application, the content of the statement is reviewed at the assessment stage of the application and further information can be provided during the course of the valid application stage. With regards to the sustainability checklist, this is at present not a local validation requirement for minor development schemes. Developers are encouraged to provide this information up front; however such information can be provided during the course of the application or can be controlled by way of a suitable planning condition.

CONCLUSION

The proposals are not materially different from that previously approved under P/1065/07 and there have been no material changes in site circumstances or policy since the approval of this permission to warrant a different view to that of P/1065/07. 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 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

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

REASON: To safeguard the appearance of the conservation area and to match the appearance of the original building in accordance with the objectives set out under saved policies D4, D14 and D15 of the Harrow Unitary Development Plan 2004.

3 The roof area of the second floor 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.

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

417/ 10 REV A; 417/ 11/ REV D; 417/ 12/ REV A; 417/ 13/ REV E; 417/ 14/ REV C; Design and Access Statement, Design and Access Statement Supplement (Received 17.11.2010); Sustainability Statement

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

INFORMATIVES

1 REASON FOR GRANT OF 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 Guidance

PPS1: Delivering Sustainable Development

PPS5: Planning For The Historic Environment

PPG13:Transport

London Plan:

4B.1 – Design Principles for a Compact City

4A.1 – Tackling Climate Change

Harrow Unitary Development Plan:

SEP5 Structural Features

D4 The Standard of Design and Layout

D11 Statutorily Listed Buildings

D12 Locally Listed Buildings

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

D20 , D21, D22 Sites of Archaeological Importance

EM4 New Office Development

EM22 Environmental Impact of New Business Development

EM23 Environmental Impact of Existing Business

T13 Parking Standards

EP31 Area of Special Character

C16 Access to Buildings and Public Spaces

Supplementary Guidance/ Documents

Supplementary Planning Document 'Access for All' (2006)

Harrow on the Hill Village Conservation Area Appraisal and Management Strategy (2008)

Supplementary Planning Document 'Sustainable Building Design' (2009)

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 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

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

Plan Nos. 417/ 10 REV A; 417/ 11/ REV D; 417/ 12/ REV A; 417/ 13/ REV E; 417/ 14/ REV C; Design and Access Statement, Design and Access Statement Supplement (Received 17.11.2010); Sustainability Statement

Item: 2/05
STANMORE HALL WOOD LANE, P/2124/10
STANMORE, HA7 4JY

Ward STANMORE PARK
PROPOSAL: REPLACEMENT TILING ON REAR TERRACE

Applicant: Stanmore Hall Management Company
Agent: Mr Graeme Elkington
Case Officer: Lucy Haile
Statutory Expiry Date: | 14-SEP-10

RECOMMENDATION

GRANT listed building consent for the development described in the application and submitted plans, subject to conditions.

REASON

The decision to grant listed building consent has been taken having regard to the saved policy D11 of the Harrow Unitary Development Plan 2004 and Planning Policy Statement 5 (PPS5) 2010, as the proposed development would preserve the character and setting of the Grade II* Listed Building.

National Planning Policy:

PPS5 – Planning for the Historic Environment

London Borough of Harrow Unitary Development Plan 2004

D11 – Statutorily Listed Buildings

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

- 1) Character and Appearance of the Listed Building (PPS5, D11)
- 2) Consultation Responses

INFORMATION

This application is reported to Committee as it relates to a grade II* listed building and therefore it is not covered by the Council's scheme of delegation.

a) **Summary**

Statutory Return Type: 23.
Council Interest: None

b) **Site Description**

The application site is located on the south side of Wood Lane just north of the corner with Stanmore Hill.

- This is an early 19th century two and three storey detached large stone mansion, decorated in a picturesque, Tudor Gothic style.
- It was altered and extended circa 1890.
- This property received a grade II* listing in 1971.

- There is a terrace constructed of tiles along the rear of the property from the east, round along the west side of the property.
- Creating a distinct design feature, there is a central section of tiles made of a different material and of a larger size, which lead from the rear entrance down the steps to the surrounding grounds and appear to be original.
- The remainder of the tiles (which it is proposed to replace) appear to be in a poor condition and do not appear to be original to the building.

c) Proposal Details

- Replace the rear terrace tiling which a site visit has shown is in a poor condition and is not original to the property.
- The original central section of tiles is to remain untouched.
- Use 'Bradstone Old Town grey-green paving' shown in MANUFACTURER'S SPECIFICATION – OLD TOWN PAVING in the following size: 600mm by 600mm, in the same staggered pattern as existing.

d) Relevant History

Revisions to Previous Application:

Following the previous decision (P/1275/07/DLB granted at Planning Committee on 22/06/2007) the following amendments have been made:

- This application proposed that the tiles would be laid in a random pattern using stones of the following sizes:
- 300 x 450 mm, 450 x 450 mm, 600 x 450 mm 300 x 300 mm, 600 x 300 mm 750 x 600 mm, 900 x 600 mm, 750 x 750 mm, 600 x 600 mm.
- The current application proposes the tiles to be one size (600mm by 600mm) in the same staggered pattern as existing.

P/903/06/CL	LISTED BUILDING CONSENT:	REFUSED
B	REPLACEMENT TILING TO REAR TERRACE	04-JUL-07

Reason for Refusal:

The proposed tiles, by reason of their unsatisfactory siting and materials are unsympathetic to the design and quality of this grade II* listed building and would have a detrimental impact on the special architectural and historic character and appearance of the listed building.

e) Pre-Application Discussion

- Applicant contacted Conservation Officer to state that their agent for the previous application had not correctly stated what they intended to do.
- The Conservation Officer advised that a new application for Listed Building Consent should be submitted.

f) Applicant Statement

- Existing modern tiles on the rear elevation failed soon after installation.
- This application will replace those modern, failed tiles which present a trip hazard.
- The central section of tiles which may be original will not be touched.

- The sample tile has been seen and informally approved by the Conservation Officer as this was the same type of tile approved previously.

g) Consultations:

Site Notices: Expiry: 23-SEP-10

Advertisements: Alterations/extensions
of a Listed Building

Notifications:
Sent: 16 Replies: 0 Expiry: 13-SEP-10

Addresses Consulted:

16 Stanmore Hall
2 Stanmore Hall
3 Stanmore Hall
4 Stanmore Hall
5 Stanmore Hall
6 Stanmore Hall
7 Stanmore Hall
8 Stanmore Hall
10 Stanmore Hall
11 Stanmore Hall
12 Stanmore Hall
13 Stanmore Hall
14 Stanmore Hall
15 Stanmore Hall
1 Stanmore Hall

The following groups were consulted and consultation expired on 13/09/2010:

The Georgian Group
Society for the Protection of Ancient Buildings
Victorian Society
Stanmore Society
The Garden History Society

English Heritage responded on 21st October, 2010 to state 'This application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.'

Summary of Response:

The above five amenity bodies were consulted but no responses have been received:

APPRAISAL

- 1) Existing modern tiles are old and worn. The proposed Old Town grey-green paving would blend in with the colour and quality of the Listed Building and the central section of original tiles. The pattern would be simple and be similar to the existing pattern of central tiles. The proposal would therefore meet national Planning Policy Statement 5 policy HE 7.4 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' and 9.1 which states that 'There should be a presumption in favour of the conservation of designated heritage assets'. It would also comply with Harrow UDP policy D11 'only permitting alterations and extensions that preserve the character and setting of the listed building'.

There is a central section of existing tiles of a different material, and colour, and a larger size to those surrounding it. These appear to be original to the property. This creates a design feature leading from the rear entrance down the steps to the surrounding grounds. Unlike those surrounding it, these tiles do not appear old or worn. The proposed plans take these points into account since it is proposed to retain these tiles. Therefore the proposal again complies with the above mentioned policies.

- 2) Consultation responses
English Heritage raised no objections to this proposal. They responded on 21st October, 2010 that this application should be determined in accordance with national and local policy guidance and on the basis of the Council's specialist conservation advice. This has been done, as considered in the report above.

CONCLUSION

In summary, the recommendation to grant listed building consent has been taken having regard to the saved policy D11 of the Harrow Unitary Development Plan 2004, and PPS5 as the proposed development would preserve the special interest of the Grade II* Listed Building.

P/2124/10

CONDITIONS

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

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: DESIGN AND ACCESS STATEMENT 02/08/10 REF 3006; 10329/1 MAY 05; MANUFACTURER'S SPECIFICATION – OLD TOWN PAVING GREY-GREEN TILE; LOCATION PLAN REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1 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.

2 SUMMARY OF REASONS FOR GRANT OF LISTED BUILDING CONSENT:

The decision to grant listed building 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:

PPS5 – Planning for the Historic Environment

Harrow Unitary Development Plan:

D11 – Statutorily Listed Buildings

Plan Nos: DESIGN AND ACCESS STATEMENT 02/08/10 REF 3006; 10329/1
MAY 05; MANUFACTURER'S SPECIFICATION – OLD TOWN PAVING
GREY-GREEN TILE; LOCATION PLAN

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 FACILITATE USE AS SIXTH FORM CENTRE; 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

(a) The completion of 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;

(c) 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)
- 2) Section 106 Requirements
- 3) Parking/Highways Considerations (T6, T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to the Committee as the site area exceeds that (400sqm) which can be considered under delegated powers and that a petition has been submitted during the application.

The application was submitted for consideration by Members of the Planning Committee at their meeting of 17 November 2010, at this meeting the application was deferred for a site visit.

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
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Item 2/06 : P/2160/10 continued/...

WEST/44731/92/F UL	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
WEST/695/94/FUL WEST/696/94/CA C	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 detriment 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 over sail onto the existing no build line requiring variation of existing 106 agreement.
- Plan developed in accordance with national policy and guidance.
- Main building in a variety of styles and treatments as a result of extensions.
- School conducted consultations with neighbours on 12 July 2010 Including:
 - All houses in Middle Path;
 - 1 – 7 Chartwell Place;
 - All houses in Clonmel Close;
 - 50 – 60, 55 – 65 Crown Street;

- 1 – 24 Leigh Court;
 - 25 – 31 & 40 Byron Hill Road;
 - 25 – 31, 60 – 68 & Roxeth Mead School in Middle Road
-
- 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. The critical 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.

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 five 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

Notifications:

Sent: 30

Replies: one Expiry: 05-OCT-10
petition with 37
signatures and 3
individual
objections.

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 should be more robust
- The details of the 106 agreement should be made public.
- School should state measures to address traffic impacts as the travel plan is inadequate and is in breach of previous commitments.

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. Condition's 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

Whilst ongoing concerns with regard to parking on Middle Road are noted 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.

As the total intensity of use would not increase as a result of the proposed development the revised travel plan (2010) is considered to provide adequate alternative sustainable travel arrangements.

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)

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.

Section 106 Variation

The alterations to the Section 106 agreement within this application are discussed within the heads of terms.

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, including responses received during the course of this application, the development 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

1. Sectional drawings of the junctions between the proposed dining room extension and the main roof of the extension.
2. 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.

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:

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.
- 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).

CHAPEL, 201 HIGH STREET, HARROW, HA1 3HT

Item : 2/07

P/2673/10

Ward: HARROW ON THE HILL

LISTED BUILDING CONSENT: REPLACEMENT LIGHTING AND WIRING WITHIN THE CHURCH

Applicant: Harrow School
Agent: Kenneth W Reed & Associates
Case Officer: Lucy Haile
Statutory Expiry Date: | 25-NOV-10

RECOMMENDATION

GRANT listed building consent for the development described in the applications and submitted plans, subject to conditions

REASON:

The decision to grant listed building consent has been taken having regard to the saved policy D11 of the Harrow Unitary Development Plan 2004 and PPS5, as the proposed works would preserve the character and setting of the Grade II* Listed Building.

National Planning Policy:

PPS5 – Planning for the Historic Environment

London Borough of Harrow Unitary Development Plan 2004

D11 – Statutorily Listed Buildings

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

- 1) Character and Appearance of the Listed Building (PPS5, D11)
- 2) Consultation Responses

INFORMATION

This application is reported to Committee as it relates to a grade II* listed building and therefore it is outside the Council's scheme of delegation.

a) Summary

Statutory Return Type: 23
Conservation Area: Harrow School
Council Interest: None

b) Site Description

- The application site is located on the north east side of the High Street within the Harrow School Conservation Area.
- It is the Chapel for Harrow School which was built during the Headmastership of Charles Vaughan (from 1845-59) when the existing Harrow School chapel on this site was rebuilt.

- The building became grade II* listed on 09/07/1968. The list description reads: *'1854-57, by Sir George Gilbert Scott. Knapped flint and ashlar walls. In decorated Gothic and early English styles. Front of 2 large and differing gables. Nave, chancel, wide south aisle and narrow north aisle, north and south chapels. Transepts and porches by Sir Aston Webb (1902). Small spine over west end of roof (1865). Tall interior with pentagonal apse. Dummy arcades below windows on north and east. Crypt chapel. Vaughan Memorial by Onslow Ford; reredos by Sir A Blomfield. Stained glass chiefly 1857-61 (E Labords, Harrow School)'*.
- Inside the Listed Building historical features of note include the pulpit, Wordsworth Memorial, the stained glass Lyon window, the columns to the aisles with arches above, choir screens and vaulted timber roof.
- There is existing lighting that has been largely installed in a physically non-intrusive manner but of no particular historic merit inside the building, namely:
 - chandeliers in the main body of the church
 - a tungsten reflector lamp in the south porch
 - lighting in the back aisle provided by ceiling recessed downlights
 - spotlights mounted on vertical track on high level on adjacent columns within the choir and apse.
 - uplighting on top of the choir screens.
 - lighting to the pulpit by discrete downlighting attached underneath its cover
 - a high pressure sodium luminaire shining down from a high level to light the organ loft which is a balcony at the rear of the chapel above the back aisle.
- This existing lighting on the whole is not dimmable and offers poor quality light that does not emphasise the key features of the building to highlight the special character and features of this building.

c) Proposal Details

- Replace existing lighting which is not historically important and provides poor quality light, with ambient lighting (a base layer of lighting) and task lighting (to highlight key features) by doing the following:
 - Installing up-lighting attached to the floor to light the columns
 - Installing up-lighting to the column capitals using the small surface mounted spot uplights to light the arches
 - Illuminate the vaulted timber roof structure with new chandeliers which incorporate an uplight
 - Use chandeliers to provide general ambient and task lighting to the lady chapel and nave and aisles and north transept
 - Along the back aisle install downlights to the floor with ceiling recessed luminaires and install a linear washlight to the wall
 - Install spotlights on top of choir screens to provide uplighting to vaulted and decorative ceiling
 - Accent lighting to wall panel features from spotlights within window reveal.
 - Within the pulpit install integrated lighting to light back panel and install spotlights within soffit
 - Wall mounted LED uplighting in south porch
 - Spotlights on concealed vertical tracks above the choir and apse.

- In terms of colour, energy efficiency, dimability and size, lights are proposed to be of typical good colour appearance, dimability and energy efficient and the most discreet fitting for the lighting will be used.

d) Relevant History

- Not applicable.

e) Pre-Application Discussion

- None.

f) Applicant Statement

- Most lighting is provided by the chandeliers at present.
- The existing lighting from the chandeliers is considered to provide a poor quality light in terms of colour appearance and colour rendering light.
- These cannot be dimmed which makes their flexibility and suitability for a chapel environment very limited and makes the lights inefficient.
- The existing chandeliers are not particularly attractive or in keeping with the chapel interior.
- Existing lighting does not provide any supplementary accent of feature lighting to the chapel interior.
- Lighting of the porch is provided by a tungsten incandescent reflector lamp which has minimal housing.
- The back aisle has lighting provided by ceiling recessed downlights which are not dimmable.
- The choir and apse generally has lighting provided by spotlights mounted on vertical track on high level on adjacent columns.
- Additional uplighting to the choir roof is provided by the choir screens on each side. More powerful lights are required.
- The organ loft is a balcony at the rear of the chapel above the back aisle and is currently lit with a high pressure sodium luminaire shining down from a high level, whose light is of a yellow/orange colour which could not be considered suitable for a chapel as it is bright and distracting.
- No other lighting in the chapel provides an ambient, task, accent or feature illumination.
- It is proposed to provide layers of light to build up a three dimensional lit effect for the interior.
- Many features could be highlighted through the addition of further lighting however, we believe restraint is appropriate.

g) Consultations

Advertisement: Extensions/alterations Expiry: 09-NOV-10
to a Listed Building

The following groups were consulted and consultation expired on 09-NOV-10:

The Georgian Group – no response

Society for the Protection of Ancient Buildings– no response

Victorian Society – no response

Stanmore Society– no response
The Garden History Society– no response
The Council for British Archaeology– no response
The Harrow Hill Trust– no response
The Churches Conservation Trust– no response

English Heritage: 'If the Council is minded to grant listed building consent a condition should be attached and the Council should not approve the matters of detail in pursuance to this condition without first submitting to and obtaining the approval in writing of English Heritage. The recommended condition is that:

The position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt including communications and information technology servicing), shall be specified in a method statement in advance of any work being carried out. The method statement must be submitted to the Council as the local planning authority and agreed in writing by English Heritage. The prior approval of the Council as local planning authority in conjunction with English Heritage shall be obtained wherever these installations are to be visible, or where ducts or other methods of concealment are proposed.'

Notifications:

Sent 8 Replies 0 Expiry: 09-NOV-10

Addresses Consulted:

Peel House
Football Lane
War Memorial & Old Harrovian Room
High Street

Harrow School Science School
Football Lane

Science School
Peterborough Road

St Marys Vicarage
Church Hill

The Old School
Church Hill

Vaughan Library
202 High Street
200 Football Lane

Summary of Responses: None

APPRAISAL

1) Removal of existing lighting to allow the replacement lighting

Policy D11 of the Harrow UDP seeks to only permit alterations that preserve the character and setting of the Listed Building and any features of architectural or historic interest which it possesses. National Planning Policy Statement 5 policy HE 7.4 states 'local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets' and PPS5 policy HE9.1 states: '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'.

Having viewed the existing lighting on site, this is not of historic interest or merit. Therefore its removal is acceptable in principle. To ensure that this occurs without damaging any features of interest a condition is recommended that states that suitable precautions shall be taken to secure and protect interior features against accidental loss or damage during the building work hereby approved. Subject to this the proposed works would comply with Harrow UDP policy D11, National Planning Policy Statement 5 policy HE 7.4 and PPS5 policy HE9.1.

2) Provide ambient lighting (a base layer of lighting) and task lighting (to highlight key features)

The proposed lighting is acceptable in principle as it would provide improved lighting to better reveal the features of interest within this Listed Building. The amount of lighting is appropriate for this purpose, and is not considered excessive. The proposed locations are appropriate for this purpose as the lighting would be attached to better reveal particular features of interest, namely: the columns, wall panel features, vaulted timber roof structure, the back aisle, the lady chapel, nave, aisles and north transept, choir screens, windows, the pulpit and south porch. The details that have been provided suggest that the proposed lighting would not be physically or visually damaging. This is because: the new chandeliers would be in the same locations as the existing (but with uplights included to better reveal the vaulted roof); the column capitals would be lit by lights fixed on the floor next to them; the back aisle would be lit partly by downlights from with ceiling recessed lights, which would replace existing ceiling recessed lights here; columns and window reveals would have small surface mounted spot lights and similarly small spot lights would be used to the choir screens and the pulpit; and spotlights on concealed vertical tracks would be used to light other areas. A general method statement for the proposed works was submitted by the agent on 10th November, 2010 again indicated that proposed works would not be visually or physically damaging as it is stated that:

- All architectural luminaires would have a paint finish which matches its mounting surface for example, stonework or timber.
- If fixings are required to stonework then these would be non-intrusive and where necessary fixings would be stainless steel.
- All cabling would be concealed out of sight where possible and where it had to be surface mounted it would be run in corner details, behind beams etc.

- The cabling itself would be bare copper sheathed mineral insulated cable (Mineral Insulated Copper Cable – MICC) where possible. This copper would dull quickly and blend in. Also if the mounting surface is light coloured then a white sheathed MICC cable is possible.

However, it is considered that more specific and detailed information is required for all fittings and locations to ensure that these would not be visually or physically damaging to the historic fabric of the Listed Building. Therefore a condition has been recommended by English Heritage for any approval of this application which states that: 'The position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt including communications and information technology servicing), shall be specified in a method statement in advance of any work being carried out. The method statement must be submitted to the Council as the local planning authority and agreed in writing by English Heritage. The prior approval of the Council as local planning authority in conjunction with English Heritage shall be obtained wherever these installations are to be visible, or where ducts or other methods of concealment are proposed'. Therefore, this condition is recommended. Subject to this, it is considered that the proposed works would comply with Harrow UDP policy D11 to only permit alterations that preserve the character and setting of the Listed Building and any features of architectural or historic interest which it possesses and National Planning Policy Statement 5 policy HE 7.4 and PPS5 policy HE9.1.

6) Consultation Responses

This is addressed in the appraisal section above.

CONCLUSION

In summary, the recommendation to grant listed building consent has been taken having regard to the saved policy D11 of the Harrow Unitary Development Plan 2004, and PPS5 as the proposed works would preserve the special interest of the Grade II* Listed Building

CONDITIONS

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

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 Listed Building - Protection of Interior

Suitable precautions shall be taken to secure and protect interior features against accidental loss or damage during the building work hereby granted, and no such features may be disturbed or removed, temporarily or permanently, except as indicated on the approved drawings or with the prior approval in writing of the local planning authority.

REASON: To protect the special architectural or historic interest of the listed building, in accordance with saved policy D11 of the Harrow Unitary Development Plan and PPS5.

3 The position, type and method of installation of all new and relocated services and related fixtures (for the avoidance of doubt including communications and information technology servicing), shall be specified in a method statement in advance of any work being carried out. The method statement must be submitted to the Council as the local planning authority and agreed in writing by English Heritage. The prior approval of the Council as local planning authority in conjunction with English Heritage shall be obtained wherever these installations are to be visible, or where ducts or other methods of concealment are proposed.

REASON: To protect the special architectural or historic interest of the listed building, in accordance with saved policy D11 of the Harrow Unitary Development Plan and PPS5.

4 The development hereby permitted shall be carried out in accordance with the following approved plans: Harrow School Chapel Interior Lighting Concept Presentation 21st May, 2010; 1173 2; 1667 1; Email from agent received 10.11.2010.

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

INFORMATIVES

1 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.

2 SUMMARY OF REASONS FOR GRANT OF LISTED BUILDING CONSENT:

The decision to grant listed building 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 comments received in response to consultation, as outlined in the application report:

PPS5 – Planning for the Historic Environment

Harrow Unitary Development Plan:

D11 – Statutorily Listed Buildings

Plan Nos: Harrow School Chapel Interior Lighting Concept Presentation 21st May, 2010; 1173 2; 1667 1; Email from agent received 10.11.2010;

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

**UNIVERSITY OF WESTMINSTER,
WATFORD ROAD, HARROW, HA1 3TP**

**Item: 4/01
P/3091/10**

Ward ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING BOROUGH: HYBRID PLANNING APPLICATION FOR THE DEMOLITION OF PART OF THE UNIVERSITY OF WESTMINSTER'S HARROW CAMPUS AND THE ERECTION OF NEW BUILDINGS AND REFURBISHMENT OF EXISTING BUILDINGS, COMPRISING: FULL PLANNING PERMISSION FOR THE DEMOLITION OF 6,980M² OF EXISTING FLOOR SPACE AND THE ERECTION OF 3,435M² OF NEW EDUCATIONAL FLOOR SPACE (USE CLASS D1) IN NEW BUILDINGS RANGING IN HEIGHT FROM ONE TO TWO STOREYS, THE REFURBISHMENT OF EXISTING BUILDINGS, INCLUDING NEW EXTERNAL CLADDING, NEW HARD AND SOFT LANDSCAPING, IMPROVEMENTS TO THE ENTRANCE ADJACENT TO NORTHWICK PARK UNDERGROUND STATION AND CONSTRUCTION OF A MULTI-USE GAMES AREA; AND OUTLINE PLANNING PERMISSION FOR A FURTHER 3,545M² OF NEW EDUCATIONAL FLOOR SPACE (MATTERS TO BE APPROVED: LAND USE, QUANTUM OF DEVELOPMENT AND MEANS OF ACCESS, WITH LAYOUT, SCALE, APPEARANCE AND LANDSCAPING RESERVED)

Applicant: London Borough of Brent
Case Officer: Gerard Livett
Statutory Expiry Date: 09-DEC-10

RECOMMENDATION

INFORM London Borough of Brent that Harrow Council raises no objection to this application, subject to being consulted on the reserved matters application.

REASON

The decision to raise no objection has been taken as the proposal would have no direct impact on the London Borough of Harrow or of views into or out of the Harrow on the Hill Conservation Area or of the setting of St. Mary's Church and having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004], and to all relevant material considerations.

National Planning Policy:

Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 5: Planning for the Historic Environment
Planning Policy Guidance 13: Transport

The London Plan [2008]:

3A.25 Higher and further education
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.8 Respect local context and communities
4B.16 London View Management Framework

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
D11 Statutorily Listed Buildings
D14 Conservation Areas
D16 Conservation Area Priority
D31 Views and Landmarks
C7 New Education Facilities
C16 Access to Buildings and Public Spaces
T6 The Transport Impact of Development Proposals
T13 Parking Standards

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

- 1) **Scale, Design and Layout**
The London Plan 2008: 3A.25, 4A.3, 4A.4, 4A.7, 4B.1, 4B.2, 4B.8.
London Borough of Harrow UDP 2004: S1, D4, C7, C16, T6, T13
- 2) **S17 Crime & Disorder Act**
London Borough of Harrow UDP 2004: D4

INFORMATION

This application is being reported to committee as it would involve the construction of more than 400m² of non-residential floorspace and involves more than 0.1ha of land. Therefore this application exceeds the thresholds within the scheme of delegation.

a) Summary

Statutory Return Type: Consultation by adjoining Borough
Council Interest: Adjoining Borough

b) Site Description

The application site is part of the University of Westminster campus on Watford Road to the north of Northwick Park Hospital and south of the Metropolitan railway line. The northern boundary of the site is 50m from the Borough boundary, and the western boundary of the site, fronting Watford Road, is 30m from the Borough boundary.

The site is currently occupied by a number of buildings of various heights, up to eight storeys.

c) Proposal Details

- The proposal is for the demolition of four blocks within the campus (Blocks C, F, S & T) and a small shed at the far north east of the site. A total of 6,980 sq.m. of floorspace would be lost.

- The proposal includes the construction of new buildings which are a mixture of one and two-storeys high and facilities at the centre of the educational part of the campus (rather than in the vicinity of the halls of residence). The new buildings would provide 3,435 sq.m. of floorspace.
- The proposal includes the refurbishment of existing buildings and landscape improvements
- The proposal also includes an element that would provide outline permission for the provision of a further 3,545 sq.m. of floorspace in an area to the south and west of the main teaching blocks, with layout, scale, appearance and landscaping being reserved matters.

d) Relevant History

- None

e) Consultations:

- **Conservation Area Advisory Committee: To be reported**
- **Design and Conservation Officer:** Development on the outline part of the site has the potential to impact the setting of St. Mary's Church and the Harrow on the Hill Conservation Areas
- **Highways Engineers:** The proposal would have no impact on highway safety in the London Borough of Harrow.

APPRAISAL

1) Scale, Appearance, impact on Conservation Area and Listed Buildings

The issue is to assess the impact of the proposed development on the Borough of Harrow, particularly in regard to the impact the proposal could have on the Harrow on the Hill conservation Areas, the setting of the Grade I Listed St. Mary's Church and transport matters.

The proposal would involve no net increase in floorspace at the University Campus. Block C, which is due to be demolished, is currently the building closest to the Borough boundary. The new buildings that are proposed would all be further from the Borough boundary than the current Block C.

With respect to the new development that is the subject of the detailed application, the proposed buildings would be modest in scale (one and two-storeys) compared to the existing larger buildings on the site.

It is considered that this part of the site and that this part of the proposal is sufficiently distant from the Borough of Harrow for any perceived harm to occur.

The proposal includes an outline application for the redevelopment of land to the south and west of the existing buildings. This site is 30m from the Borough boundary at its closest point.

Although this part of the proposal site is 500m from the Harrow School and Harrow Park Conservation Areas and 900m from the Grade I Listed St Mary's Church (a defined Important Landmark), any development in this part of the site has the potential to affect the setting of the Conservation Areas and the Listed Building.

In this case, layout, scale, appearance, and landscaping are reserved matters. It is therefore possible that details, in terms of height and design, could be contrary to policy HE10 of Planning Policy Statement 5.

Policy HE10 notes 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. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.'

Policy HE10 also notes that:

'Local planning authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset. Taking such opportunities should be seen as a public benefit and part of the process of placeshaping.'

In the light of policy HE10 of PPS5, it is considered that the proposal could have the potential to adversely affect the setting of the Conservation Areas and of the Listed Building.

Although the view from the application site to St Mary's Church is not protected either by London Plan policy 4B.16 or saved policy D31 of the Harrow Unitary Development Plan, any impact the detailed design could have on the heritage assets identified above would need to be assessed against the requirements of PPS5 and saved policies D11, D14, D16 and D31 of the Harrow Unitary Development Plan.

There would be an increase of three disabled parking spaces at the campus. Given that there would be no net increase in floorspace at the campus, or of student numbers, the Council's Highways Engineers are of the opinion that the development would have no impact on traffic intensity or highway safety on roads in the London Borough of Harrow.

The principle of the development shown in the full planning application is considered acceptable as it would have no direct impact on the London Borough of Harrow.

Subject to being consulted on the reserved matters that will allow the London Borough of Harrow to consider the impact of the proposal on heritage assets within the Borough, the principle of the development of the outline site is also considered acceptable.

2) S17 Crime & Disorder Act 1998

The proposed development is intended to reduce and minimise the opportunities for crime and disorder.

CONCLUSION

For all the reasons considered above, and weighing up the Development Plan policies and proposals, and other material considerations, it is recommended that **NO OBJECTION, SUBJECT TO BEING CONSULTED ON THE RESERVED MATTERS APPLICATION** be made.

**GARAGES REAR OF 62-68 DABBS HILL P/3109/10
LANE, NORTHOLT, UB5 4DA**

WARD ADJOINING BOROUGH

CONSULTATION FROM NEIGHBOURING AUTHORITY: DEMOLITION OF 41 EXISTING DERELICT GARAGES ADJACENT TO NORTHOLT PARK AND SITED TO THE REAR OF NO. 62 -68 DABBS HILL AND THE ERECTION OF TEN AFFORDABLE TWO-STOREY TERRACED AND SEMI-DETACHED HOUSES (1X 2-BEDROOM 7X 3-BEDROOM AND 2X 4-BEDROOM) INCORPORATING COMMUNAL AMENITY SPACE, CAR AND CYCLE PARKING, REFUSE AND RECYCLING STORAGE, REAR PRIVATE AMENITY SPACE, WITH SITE ACCESS GAINED FROM DABBS HILL LANE.

Applicant: London Borough of Ealing

Case Officer: Andrew Ryley

Statutory Expiry Date: | 10-DEC-10

RECOMMENDATION

INFORM the London Borough of Ealing 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 (London Plan (2008) and saved policies of the Harrow Unitary Development Plan (2004) and any other relevant guidance)

National Planning Policy:

PPS1 Delivering Sustainable Development (2005)

PPS3 Housing (2010)

PPG13 Transport (2001)

PPG24 Noise (1994)

London Plan (2008):

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

3A.2 – Borough Housing Targets

3A.4 – Efficient Use of Stock

3A.5 – Housing choice

4A.3 – Sustainable Design and Construction

4B.1 – Design Principles for a Compact City

London Plan Housing Design Guide (2010)

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

D9 – Streetside Greenness and Forecourt Greenery

T13 – Parking Standards

EP12 – Control of Surface Water Run-Off

EP14 – Development Within Areas at Risk From Sewerage Flooding

EP15 – Water Conservation
EP20 – Use of Previously-Developed Land
EP22 – Contaminated Land
EP25 – Noise
C16 – Access to Buildings and Public Spaces

Supplementary Planning Documents / Guidance:

SPD Access For All (2010)
SPD Sustainable Building Design (2009)
SPG Designing New Development (2003)
SPG Extensions: A Householders Guide (2008)

INFORMATION

This application is reported to the Committee as it falls outside of the thresholds set by the Scheme of Delegation for the determination of new residential development.

a) Summary

Statutory Return Type:	Consultation by other Borough
Site Area:	0.36 hectares
Density:	27.8 dph
Car Parking	Provided: 10
Council Interest:	Neighbouring Borough

b) Site Description

- The application site comprises two rows of single storey garages. The garages are accessed from Dabbs Hill Lane.
- Surrounding the application site are 1960s three storey dwellings. To the south is Northolt Park.

c) Proposal Details

- Demolition of 41 existing derelict garages adjacent to Northolt Park and sited to the rear of No. 62 -68 Dabbs Hill and the erection of ten affordable two-storey terraced and semi-detached houses (1X 2-Bedroom 7X 3-Bedroom And 2X 4-Bedroom) incorporating communal amenity space, car and cycle parking, refuse and recycling storage, rear private amenity space, with site access gained from Dabbs Hill Lane.

d) Consultations:

Drainage Engineer: No objection.

APPRAISAL

1) Impact on the London Borough of Harrow

This application would provide an additional 10 affordable homes within a predominantly residential area. The existing three storey dwellings along Dabbs Hill Lane would separate the proposed development from the boundary with the London Borough of Harrow. As such, it is considered that the proposed 10 affordable units are not significant in the context of the wider 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 Drainage 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

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

Item: 5/01

LAND ACROSS FROM 89 FRANCIS ROAD, HARROW, P/3056/10
HA1 2RA

Ward: GREENHILL

PRIOR APPROVAL OF SITING AND APPEARANCE: 15M HIGH
TELECOMMUNICATIONS MAST WITH ASSOCIATED EQUIPMENT CABINETS

Applicant: Telefonica 02 (Uk) Ltd

Agent: Mono Consultants Ltd

Case Officer: Sushila Bhandari

Statutory Expiry Date: | 31-DEC-10

RECOMMENDATION

1. PRIOR APPROVAL IS REQUIRED

2. REFUSE PRIOR APPROVAL of details of siting and appearance for the development as described in the application and submitted plans for the following reason:

1. The proposed telecommunications mast and associated equipment cabinet, by reason of its height, prominent location on a corner junction and its siting within close proximity of other street furniture and residential development, would be visually intrusive in the streetscene, give rise to the excessive provision of street furniture in this location resulting in a cluttered appearance and would be obtrusive when viewed from the public domain, to the detriment of the character of the area and the visual amenities of neighbouring residents, contrary to saved policies D4 and D24 of the Harrow Unitary Development Plan (2004).

National Policy Guidance

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance 8 – Telecommunications Development

London Plan:

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

T6 – The Transport Impact of Development Proposals

T9 – Walking

T13 – Parking Standards

Supplementary Planning Document ‘Access for All’ (2006)

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

- 1) Health Concerns and Compliance with ICNIRP (PPG8, D24)
- 2) Character of the Area and Visual/Residential Amenity (PPS1, PPG8, 4B.1, D4, D24, D29)
- 3) Accessibility and Highways Considerations (T6, T9, T13, SPD)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to committee as the applications fails outside the scheme of delegation for the determination of telecommunications equipment.

a) Summary

Statutory Return Type: 27: Notifications under Circular
Council Interest: Public Highway

b) Site Description

- The application site forms part of grassed verge area located on the corner junction of Francis Road and Elmgrove Road.
- The southern boundary abuts concrete panel boundary fencing which forms part of the site boundary of the three storey residential development located on Francis Road.
- Land to the north falls away.
- Also sited on this section of the grass verge are two chevron signs, a street bin, a lamppost, a bollard and four other existing cabinets. The pavement area adjacent to the grassed verge has a number of bollards, a highway sign and street railings. Approximately two metres away from the application site there is a telephone call box.
- The area to the east and south of the application site is characterised by residential development, comprising of two and three storey dwellinghouses.
- The area to the north and west of the application site is characterised by an industrial estate.

c) Proposal Details

- The applicant is seeking prior approval for the siting and appearance a 15m high 'streetpole' style telecommunications mast and for one equipment cabinet.
- The equipment cabinet would measure 1898mm in length, 798mm in width and 1648mm in height, and would be Green in colour.
- The proposed mast would be grey 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

Highways Engineer: awaiting comments

Advertisement: General Notification

Expiry: 09-DEC-10

Notifications:

Sent: 20

Replies: 0

Expiry: 03-DEC-10

Neighbours Consulted

178-212 (evens only) Francis Road

87 and 89 Francis Road

Summary of Responses: n/a

APPRAISAL

1) Health Concerns and Compliance with ICNIRP

Paragraph 30 of PPG8 states that 'in the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them'. The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines and, given national policy guidance on telecommunications development and health, the proposal is therefore considered to be acceptable in this regard.

2) Character of the Area and Visual/Residential Amenity

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 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, the proposed installation would be sited and designed to minimise visual impact and proposed site and any emissions associated with it do not present any health hazards. Saved policies D4 and D29 are also relevant in the assessment of telecommunications development in terms of design, siting, street future and proposals that would impact the public realm.

The proposed mast and the associated housing cabinet would be sited adjacent to the existing boundary fencing forming part of the boundary of the three storey development located to the east of the application site. However, this siting would be on a prominent corner junction of the cycle lane just off Elmgrove Road and Francis Road, and due to the site level difference between the grassed verge area and the adjacent pavement the proposed mast and the associated cabinet would be highly visible. The dwellinghouses located to the east of the application site, whilst being three storeys in high are located some 35m away from the application site and set back from the highway forming part of Francis Road and therefore the proposed 15m mast would be visually prominent in the streetscene. In addition to this, there is other street furniture within close proximity of this site, including three cabinets and a telephone call box which already amount to a cluttered appearance in the streetscene. The addition of the proposed mast and cabinet would exacerbate the existing cluttered appearance of street furniture in this locality. The existing landscape features adjacent to the site would not mitigate the visual intrusiveness of the proposal as the surrounding trees offer no beneficial screening of the proposed development.

On this basis, it is considered that due to the siting of the proposed mast on a prominent corner junction, in close proximity of other street furniture would result in a cluttered appearance in this part of the streetscene. It is also considered that the mast, by reason of its height would be visually intrusive in the street scene and would have a detrimental impact on the visual amenity of the area and that of the nearby residents, contrary to saved policies D4 and D24 of the UDP.

3) 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. Furthermore the Council's Highway Engineer has raised no objection to the proposed siting of the equipment cabinet on highways grounds.

4) 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.

5) Consultation Responses

There have been no responses to consultation.

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

London Plan:

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

T6 - The Transport Impact of Development Proposals

T9 – Walking

T13 – Parking Standards

Supplementary Planning Document ‘Access for All’ (2006)

Plan Nos: 100; 201; 301, 400, Site Specific Supplementary Information, ICNIRP Declaration, Health and Mobile Base Stations, General Background Information on Radio Network Development for Planning Applications, Cornerstone: Supporting Technical Information for O2 and Vodafone

LAND FRONTING 61 IMPERIAL DRIVE, NORTH HARROW, HA2 7DT **Item: 5/02**
P/3058/10

Ward: WEST HARROW

PRIOR APPROVAL OF SITING AND APPEARANCE: 15M HIGH TELECOMMUNICATIONS MAST WITH ASSOCIATED EQUIPMENT CABINETS

Applicant: Telefonica 02 (UK) Ltd
Case Officer: Andrew Ryley
Statutory Expiry Date: | 31-DEC-10

RECOMMENDATION

1. PRIOR APPROVAL IS REQUIRED

2. REFUSE PRIOR APPROVAL of details of siting and appearance for the development as described in the application and submitted plans for the following reasons:

1. The proposed telecommunications mast, by reason of its height, prominent location on a main road and proximity to residential properties, would be visually intrusive in the streetscene, give rise to the excessive provision of street furniture in this location resulting in a cluttered appearance and would be obtrusive when viewed from the public domain, to the detriment of the character of the area and the visual amenities of neighbouring residents, contrary to saved policies D4 and 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
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)

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

- 1) Health Concerns and Compliance with ICNIRP (PPG8, D24)
- 2) Character of the Area and Visual/Residential Amenity (PPS1, PPG8, 4B.1, D4, D24, D29)
- 3) Accessibility and Highways Considerations (T6, T9, T13, SPD)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to committee as the applications fails outside the scheme of delegation for the determination of telecommunications equipment.

a) Summary

Statutory Return Type: 27: Notifications under Circular
Council Interest: Public Highway

b) Site Description

- The application site is on the east of Imperial Drive, located near the junction of Imperial Drive with The Ridgeway.
- Imperial Drive is a London Distributor Road.
- The front of No.61 Imperial Drive is located approximately 21m to the east.
- The application site is not within in a Conservation Area or within the setting of a Listed Building.

c) Proposal Details

- The applicant is seeking prior approval for the siting and appearance a 15m high 'streetpole' style telecommunications mast and for one equipment cabinet.

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

Highways Engineer: No comment received

Advertisement: General Notification Expiry: 28-OCT-10

Notifications:
Sent: 8 Replies: 0 Expiry: 06-DEC-10

Summary of Responses:

- N/A

APPRAISAL

1) Health Concerns and Compliance with ICNIRP

Paragraph 30 of PPG8 states that 'in the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them'. The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines and, given national policy guidance on telecommunications development and health, the proposal is therefore considered to be acceptable in this regard.

2) Character of the Area and Visual/Residential Amenity

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 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.

The applicant has provided a list of alternative sites and has outlined why none of the alternative sites, or use of an existing structure) is suitable (in relation to criteria A and B of saved Policy D24 of the Harrow Unitary Development Plan (2004)). Five alternative sites have been assessed by the applicant and have been found to be unsatisfactory. It is noted that the proposed location would not have a detrimental effect on a Conservation Area or the setting of a Listed Building (criterion C).

In terms of any potential health hazards, the applicant has also provided an ICNIRP declaration confirming compliance with the public exposure guidelines (criterion E).

However, criterion D sets out that telecommunications developments should be designed to minimise visual impact. The mast proposed would be in a location that would be visually prominent in a busy part of the Borough on a London Distributor Road. The application site is in close proximity to the junction between Imperial Drive and The Ridgeway, and as such is considered to be relatively open. There are examples of street furniture along this section of Imperial Drive, such as lampposts, but apart from this the context is one of low scale development. The flats at No.61 Imperial Drive, whilst being three storeys in height, are located some 21m away from the application site.

On this basis, it is considered that due to the high visibility of the proposed mast, it would be intrusive and lead to an adverse impact on the open character of the area. Given the prominent location of the mast, its height and the openness of its surroundings, it is considered that the mast would be visually intrusive in the street scene and would have a detrimental impact on the visual amenity of the area, contrary to saved policies D4 and D24 of the UDP.

3) Accessibility and Highways Considerations

In terms of assessing the siting of the proposed mast and cabinet with regards to the Council's Accessibility Supplementary Planning Document, the proposed mast and 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. Furthermore the Council's Highway Engineer has raised no objection to the proposed siting of the equipment cabinet on highways grounds.

4) 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.

5) 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 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

D24 – Telecommunications Development

D29 – Street Furniture

T6 - The Transport Impact of Development Proposals

T9 – Walking

T13 – Parking Standards

Supplementary Planning Document ‘Access for All’ (2010)

Plan Nos: 100, 201, 301, 400