

## SECTION 1 – MAJOR APPLICATIONS

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Item: 1/01

**THE BOX TREE PUBLIC HOUSE, BOXTREE P/0777/11  
LANE, HARROW WEALD, HA3 6JH**

Ward: HARROW WEALD

VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION P/2969/10 DATED 02/02/2011 TO REPLACE APPROVED DRAWING NO'S. 200 REV E, 201 REV E, 202 REV D WITH DRAWING NO'S. 200 REV F, 201 REV F & 202 REV E (OMISSION OF SOLAR PANELS FROM THE APPROVED DEVELOPMENT)  
VARIATION OF CONDITION 22 ATTACHED TO PLANNING PERMISSION P/2969/10 DATED 02/02/2011 TO ALLOW MODIFICATIONS TO SUSTAINABILITY STATEMENT AND RENEWABLE ENERGY FEASIBILITY STUDY (OMISSION OF SOLAR PANELS FROM THE APPROVED DEVELOPMENT)

**Applicant:** Origin Housing Group  
**Agent:** Yoop Architects  
**Case Officer:** Nicholas Ray  
**Statutory Expiry Date:** 23-JUN-11

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### RECOMMENDATION

**GRANT** planning permission for the variation described in the application, subject to revised conditions.

### REASON

The proposed variation of condition would substitute renewable energy technologies for built fabric enhancements, thereby resulting in an improvement in terms of sustainability as compared to the originally approved scheme. The scheme as amended would therefore be more in line with the recent Code for Sustainable Homes, which encourages a 'built fabric first' approach and, given the particular circumstances of this scheme, is considered to improve the overall sustainability of the development.

### National Planning Policy:

PPS1 – Delivering Sustainable Development  
PPS3 – Housing

### The London Plan 2008:

2A.1 – Sustainability Criteria  
4A.1 – Tackling Climate Change  
4A.2 – Mitigating Climate Change  
4A.3 – Sustainable Design and Construction  
4A.4 – Energy Assessment  
4A.6 – Decentralised Energy: Heating, Cooling and Power  
4A.7 – Renewable Energy  
4B.1 – Design Principles for a Compact City

**London Borough of Harrow Unitary Development Plan 2004**

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

Supplementary Planning Document: Sustainable Building Design (2009)

Supplementary Planning Document: Residential Design Guide (2010)

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

**1) Sustainability**

PPS1, PPS3, 2A.1, 4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7, SPD

**2) Character and Appearance of the Area, Design and Amenity**

PPS1, PPS3, 4B.1, D4, SPD

**3) S17 Crime & Disorder Act**

D4, SPD

**4) Consultation Responses**

**INFORMATION**

This application is reported to Committee as it is a variation of a condition on a major application and therefore falls outside the Schedule of Delegation.

**a) Summary**

Statutory Return Type: 7. Smallscale Major Dwellings

Council Interest: None

**b) Site Description**

- The site comprises the former Boxtree Public House occupying a pentagon-shaped corner site with Boxtree Lane and Hutton Lane.
- The site has planning permission for demolition of the existing building and redevelopment to provide 14 affordable units (10 flats and 4 houses) in a part 2, part 3 storey building, with associated parking and landscaping (ref P/2969/10).

**c) Proposal Details**

- The application proposes to vary conditions 2 and 22 of planning permission P/2969/10 to omit the solar panels from the approved development.
- Condition 2 would be varied to replace approved drawing Nos. 200 Rev E, 201 Rev E and 202 Rev D with drawing Nos. 200 Rev F, 201 Rev F and 202 Rev E, which are submitted for consideration with this application.
- Condition 22 would be varied to modify the approved Sustainability Statement and Renewable Energy Feasibility Study. An addendum to this document is submitted for consideration with this application.

**d) Relevant History**

P/2969/10	DEMOLITION OF EXISTING BUILDING; REDEVELOPMENT TO PROVIDE PART 2/3 STOREY BUILDING COMPRISING 10 FLATS AND 4 DWELLINGHOUSES (100% AFFORDABLE); PROVISION OF PARKING AND LANDSCAPING	GRANTED 02-FEB-11
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**e) Pre-Application Discussion**

- None of direct relevance to this application.

**f) Applicant Statement**

- Boxtree Lane Sustainability Statement (Addendum).

**g) Consultations:**

**Site Notice:** 20-APR-11 Expiry: 11-MAY-11

**Advertisement:** 31-MAR-11 Expiry: 21-APR-11

**Notifications:**

Sent: 45 Replies: 0 Expiry: 19-APR-11

**Addresses Consulted:**

- 73-81B (odd) Boxtree Lane;
- 84-96 (even) Boxtree Lane;
- 1-29 (odd) Hutton Lane;
- 4-12 (even) Hutton Lane;
- 50-56 (even) Hitherwell Drive;
- 50 & 52 Maricas Avenue;
- 84 Boxtree Road;
- 2 Stafford Road.

**Summary of Response:**

None received.

**APPRAISAL**

**1) Sustainability**

This application seeks to vary the planning permission on the site to omit the solar panels from the development. The original development was approved with solar panels on the roof of the flats, as the original Sustainability Statement and Renewable Energy Feasibility Study concluded that solar panels would be required in order to meet Code for Sustainable Homes (CSH) level 3, which is required by condition 23 of the planning permission, in line with the requirements of the Council's SPD.

An addendum sustainability statement has been submitted with this application, which sets out a review of the development, with the aim of improving the built fabric of the building, having regard to the thrust of the updated version of the CSH produced in November 2010. An updated CSH pre-assessment has also been submitted. The improvements would reduce heating and hot water demand and would include more low energy lighting. Enhanced construction details would reduce air leakage and improve insulation. The report concludes that, with the enhancements identified, the dwellings would meet CSH level 3 without the installation of renewable energy on the building.

The November 2010 CSH is more stringent, particularly when it comes to enhancement of the building fabric of a development. With the improvements proposed, the development would achieve a 29% reduction in CO2 emissions, compared with 25% as originally approved. The proposed amendments to the scheme are therefore welcomed and would result in a more sustainable form of development. The scheme would be more in line with the current direction of the CSH than with the originally approved strategy. CSH level 3 would still need to be met, as this is required by condition 23 of the planning permission, with a certificate of compliance to be submitted prior to occupation. It is therefore considered that the proposal would comply with London Plan policy 4A.3 on sustainable design and construction and the Council's SPD.

It is also noted that London Plan policy 4A.7 requires a 20% reduction in CO2 emissions from on site renewable energy generation. However, given the enhancements to the built fabric of the scheme and the 100% affordable nature of this housing development, it is considered that the provision of no renewable energy technologies can be accepted. The benefits of not installing the solar panels also includes reduced maintenance and replacement costs, which would reduce the charges for the landlord, and consequently the occupants, as the built fabric improvements would be expected to last up to 60 years, whilst the expected life of renewable technologies would be around 20 years. Subject to a further application, the solar panels could be installed at a later date if desired. Given the circumstances of this development and the revised sustainability appraisal, it is therefore considered that lack of provision of renewable energy generation is acceptable.

**2) Character and Appearance of the Area, Design and Amenity**

Whilst the approved building was partly designed to take advantage of solar technology, with projecting and sloping roof features, these were also proposed to give the building visual interest on this corner site. It is considered that the proposed removal of the solar panels from the development would not result in an unacceptable form of design. The proposed amendment would therefore have an acceptable impact on the character and appearance of the area. The removal of the solar panels would not result in any adverse impact on the amenities of neighbouring residential occupiers.

**3) S17 Crime & Disorder Act**

It is considered that the proposal would not give rise to undue security concerns and would therefore be acceptable in relation to this legislation.

**4) Consultation Responses**

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

- None.

**CONCLUSION**

In summary, the scheme as amended would therefore be more in line with the recent Code for Sustainable Homes, which encourages a 'built fabric first' approach and, given the particular circumstances of this scheme, is considered to improve the overall sustainability of the development, to the benefits of both the environment and future occupiers. The proposal is therefore recommended for grant, subject to the amended conditions set out below.

## **CONDITIONS**

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 066/PL/001 Rev C, 002 Rev C, 003 Rev A, 100 Rev G, 101 Rev E, 102 Rev D, 103 Rev C, 110 Rev A, 111; 200 Rev F, 201 Rev F, 202 Rev E, 203 Rev A, TPP/BTPH/01, Design and Access Statement, Planning Statement and Appendices, Arboricultural Implications Assessment and Arboricultural Method Statement, Sustainability Statement and Renewable Energy Feasibility Study and Boxtree Lane Sustainability Statement (Addendum – March 2011).

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

2 The proposed building enhancements outlined in the Sustainability Statement and Renewable Energy Feasibility Study and Boxtree Lane Sustainability Statement (Addendum – March 2011) shall be implemented as part of the development hereby permitted.

REASON: To ensure that the development meets the highest standards of sustainable design and construction in accordance with the Supplementary Planning Document Sustainable Building Design [May 2009] and the London Plan [2008] 4A.3.

3 The permission hereby granted is supplemental to planning permission ref: P/2969/10 granted by the Council on the 2<sup>nd</sup> February 2011. 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 as otherwise agreed in writing by the Council.

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

## **INFORMATIVES**

### **1 RELEVANT POLICIES**

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

PPS1 – Delivering Sustainable Development

PPS3 – Housing

London Plan: 2A.1, 4A.1, 4A.2, 4A.3, 4A.4, 4A.6, 4A.7, 4B.1

Harrow Unitary Development Plan: D4, D5

Supplementary Planning Document: Sustainable Building Design (2009)

Supplementary Planning Document: Residential Design Guide (2010)

Plan Nos: 200 Rev F; 201 Rev F; 202 Rev E; Boxtree Lane Sustainability Statement (Addendum – March 2011)

## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

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100 CHEYNEYS AVENUE, EDGWARE, HA8 6SE  
SINGLE STOREY SIDE AND REAR EXTENSIONS; FRONT PORCH

Item: 2/01  
P/0142/11  
WARD CANONS

**Applicant:** Mr. N Parmar  
**Agent:** JDS Designs  
**Case Officer:** Olive Slattery  
**Statutory Expiry Date:** 29-MAR-11

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### RECOMMENDATION

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

**REASON:** - The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan (2008), the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy, as well as to all relevant material considerations including comments received in response to publicity and consultation. The proposed development is considered to be consistent with the character and appearance of the area and would not adversely affect the amenities of neighbouring occupiers.

#### **National Planning Policy**

Planning Policy Statement 1: Delivering Sustainable Development (2005)

#### **The London Plan (2008)**

4B.1 - Design Principles for a Compact City

#### **Saved Policies of The Harrow Unitary Development Plan (2004)**

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

T13 – Parking Standards

Supplementary Planning Document: Residential Design Guide (2010)

#### **MAIN CONSIDERATIONS AND POLICIES (National Planning Policy, The London Plan 2008, Saved policies of the London Borough of Harrow Unitary Development Plan (2004) and any other relevant guidance)**

- 1) Character and Appearance of the Area (4B.1, D4, SPD)
- 2) Residential Amenity (D5, SPD)
- 3) Traffic and Parking (SPD, T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

## **INFORMATION**

This application is reported to Committee as the applicant's wife is a member of staff.

### **a) Summary**

Statutory Return Type: Householder Development  
Council Interest: None

### **b) Site Description**

- The planning application relates to a two storey detached house on the eastern side of Cheyneys Avenue.
- The dwelling has been extended by way of a single storey rear conservatory and a single storey side extension, which facilitates a garage.
- The rear garden of the application property extends approximately 19 metres in depth beyond the main rear wall of the dwelling and is enclosed by close-boarded fencing.
- The site is bounded by two properties.
- No. 98 Cheyneys Avenue is a two-storey, semi-detached house sited immediately south of the application property. It has been extended by way of single storey side to rear extensions, which abut the boundary with the application property.
- No. 102 Cheyneys Avenue is a two-storey, semi-detached house sited immediately north of the application property. It is sited at an angle, such that its rear wall is orientated towards the rear garden of the application property.
- No. 102 has been extended by way of single and two-storey side extensions and a front porch. The rear wall of the application dwelling is sited 0.6 m beyond the main rear wall of this neighbouring dwellinghouse, No. 102.
- The rear gardens of both of these neighbouring properties extend to a similar depth as the rear garden of the application property.
- There are London Underground rail lines to the rear of these properties.

### **c) Proposal Details**

- It is proposed to construct single storey side and rear extensions together with a front porch.
- In order to carry out the proposed development, demolition of the existing single storey side extension and the rear conservatory is required.
- The proposed single storey side extension would abut the boundary with the neighbouring southern property, No. 98 Cheyneys Avenue and the front wall of the proposed single storey side extension would align with the main front wall of the dwelling.
- The majority of the proposed single storey side extension would have a flat roof, 3 metres in height. However, a small pitched roof with a maximum height of 3.4 metres is proposed at the front of this side extension.
- The proposed single side extension would link in with the proposed single storey rear extension.
- The proposed single storey rear extension would extend across the full width of both the original house and the proposed single storey side extension.
- The northern flank wall of the proposed single storey rear extension would be flush with the main northern flank wall of the dwelling and it would be set 1.1 metres from the shared boundary with No. 102 Cheyneys Avenue.

- Towards this boundary, the proposed single storey rear extension would have a depth of 4 metres beyond the main rear wall of the original house. At this depth, the proposed single storey rear extension would have a width of 5.6 metres, at which point a further 1.08 metres step-out is proposed.
- The proposed single storey rear extension would have a width of 2.6 m at this depth (5.08 metres).
- The front wall of the proposed front porch would align with the front of the bay window on the application property. The proposed front porch would have a pitched roof with a maximum height of 3.4 m.

**d) Revisions to Current Application**

- A false pitched roof was originally proposed over the front of the proposed single storey side extension. This has been replaced by a full pitched roof.

**e) Relevant History**

HAR/16976/B Rear extension to existing dwellinghouse

GRANTED  
16-MAR-65

**f) Pre-Application Discussion**

- None

**g) Applicant Statement**

- None received

**h) Consultations:**

- London Underground – No objections to the proposed development

**i) Notifications:**

Sent: 4

Replies: 1

Expiry: 03-MAR-11

**Neighbours Consulted:**

- Cheyneys Avenue; No's 67, 69, 98, 102

**Summary of Responses:**

- Potential loss of light of No. 102 Cheyneys Avenue
- Possibility of overlooking and overshadowing of No. 102 Cheyneys Avenue

**APPRAISAL**

**1) Character and Appearance of the Area**

Saved policy D4 of the Harrow Unitary Development Plan 2004 (HUDP) requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This saved policy of the Harrow UDP broadly reflects policy 4B.1 of The London Plan (2008) which seeks to ensure that development should respect local context, history, built heritage and communities amongst other issues.



The single storey front porch is proposed such that it would align with the double height projecting bay window feature on the front elevation of the application dwelling, and it would not link into the bay window. It would be a modest feature, in keeping with the scale of the existing house, and would have a satisfactory appearance. It would comply with paragraph 6.35 of the Council's adopted Supplementary Planning Document - Residential Design Guide (2010) which provides guidance in relation to front extensions to residential properties.

Revised drawings were received during the course of this application showing a revised roof profile over the proposed single storey side extension. Having regard to this and its proposed modest scale, no objection is raised regarding the siting, scale and design of the proposed single storey side extension. It would comply with paragraphs 6.37 – 6.38 of the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

The proposed single storey rear extension would not be visible within the streetscene. The scale of the proposed single storey rear extension would be acceptable in terms of its relationship with the original house and the neighbouring houses and it is considered that it would have an acceptable appearance. The proposal would therefore comply with paragraph 6.58 of the Council's SPD on householder extensions which states that "*rear extensions should be designed to respect the character and size of the original house and garden*".

Overall, it is considered that the proposed extensions would be acceptable in terms of design, scale, siting and detailing and they would reflect the established character and pattern of development of the area. Subject to an appropriate condition requiring the use of materials to match those used in the existing building, the proposal would therefore satisfy Policy 4B.1 of The London Plan (2008), saved policy D4 of the Harrow Unitary Development Plan (2004) and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

## **2) Residential Amenity**

Saved policy D5 of the Harrow Unitary Development Plan (2004) requires residential development to 'ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded'.

The single storey front porch is proposed such that the front wall would align with the double height projecting bay window feature on the front elevation of the application property. The neighbouring property No. 102 Cheyneys Avenue has a single storey side extension sited towards the boundary with the application property. Having regard to this and its proposed acceptable design and siting, it is considered that the proposed front porch would not detract from the amenity of the neighbouring occupiers Avenue by way of overshadowing, overlooking, overbearing impact or loss of outlook and is acceptable in this respect.

The impact of the proposed single storey side extension would be buffered by the presence of a single storey side extension at No. 98 Cheyneys Avenue and in this regard it is considered that the proposal would not result in loss of amenity to the neighbouring occupiers.

Towards the boundary with No. 102 Cheyneys Avenue, the proposed single storey rear extension would have a depth of 4 m beyond the main rear wall of the original house and an overall height of 3 metres. Given the siting of the application property in relation to No. 102, this proposed rearward projection would give rise to a total rearward projection of 4.6 m beyond the main rear wall of the neighbouring property No. 102. This could potentially give rise to an unneighbourly situation for the occupiers of No. 102. It is noted that the occupiers of No. 102 have objected to the proposal on the basis of potential loss of outlook and overshadowing of their rear garden.

Whilst these concerns are noted, a single storey rear extension of the same depth and height (4 m and 3 m respectively) of that proposed could be added to the rear elevation of the existing house under Permitted Development Rights. For clarity, a single storey rear extension of the same width as that proposed would not benefit from Permitted Development Rights due to that part of it projecting beyond the side elevation of the existing dwelling toward No. 98. Nonetheless, a scheme of reduced width, but with same depth, height and location relative to No. 102, could be constructed under Permitted Development Rights. Such a development would result in the same loss of outlook and overshadowing to No. 102 as the subject scheme.

Given that the proposed single storey rear extension would satisfy the criteria for a single storey rear extension to a detached property under Permitted Development Rights, it would also therefore comply with paragraph 6.59 of the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

Notwithstanding, the proposed single storey rear extension would be located approximately 1.0 m from the subject site's boundary with No. 102. It would also be viewed at an oblique angle and located approximately 4 m from the nearest habitable room window in the rear elevation of No. 102. Given this distance and the extent of development that could be constructed under Permitted Development Rights, the proposed single storey rear extension would therefore not result in an unreasonable degree of loss of outlook from or overshadowing of the rear elevation of No. 102.

The proposed single storey rear extension would have a width of 5.6 metres, at which point a 1.08 metres step-out is proposed. The additional depth of 1.08 metres would be set 6.6 metres from the boundary with No. 102, thereby complying with the "two for one" rule, as specified in paragraph 6.61 of the SPD.

The rear wall of the proposed single storey rear extension would not project beyond the rear wall of the existing single storey rear extension at No. 98 Cheyneys Avenue. In relation to single storey rear extensions, paragraph 6.6 of the Council's SPD states that 'in special circumstances a greater depth may be allowed where, for example, the neighbouring dwelling has a deeper extension'. Accordingly, the additional depth of 1.08 metres towards the boundary with No. 98 would have an acceptable amenity impact.

It is noted that the occupiers of No. 102 have objected to the proposal on the basis of potential loss and overlooking of their rear garden. There are no windows proposed in flank walls of the proposed single storey side and rear extensions and the proposal would not therefore give rise to overlooking or loss of privacy for neighbouring properties. However, in the interests of the amenities of neighbouring residents, it is considered that a condition is necessary to ensure that no windows are installed in the flank walls of the proposed extensions in the future. An additional condition is recommended to prevent the roof area of the extensions hereby permitted from being used as a balcony, roof garden or similar amenity area, to prevent overlooking of neighbouring properties.

Subject to the above mentioned conditions, it is considered that the proposed extensions would not unreasonably affect the residential amenities of the neighbouring occupiers and that the proposal would be compliant with saved policy D5 of the Harrow Unitary Development Plan (2004) and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

### **3) Traffic and Parking**

Although a front porch is proposed, a minimum driveway depth of 4.8 m would be maintained to allow for sufficient parking for the application dwelling, thereby complying with paragraph 6.35 of the Council's adopted Supplementary Planning Document - Residential Design Guide (2010) and saved policy T13 of the Harrow Unitary Development Plan (2004).

### **4) S17 Crime & Disorder Act**

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

### **5) Consultation Responses**

- The concerns raised from neighbouring occupiers have been addressed in the above appraisal.

## **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, the application is considered to provide an appropriate form of development, without unduly infringing upon the character and appearance of the area or the amenity of neighbouring occupiers. This planning application is therefore recommended for grant, subject to the following condition(s):

## **CONDITIONS**

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

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

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

REASON: To safeguard the appearance of the locality, in accordance with saved policy D5 of the Harrow Unitary Development Plan (2004)

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows/doors shall be installed in the flank walls of the extensions hereby permitted without the prior permission in writing of the local planning authority.

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

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

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

5 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, CHEA100/1 Rev. B

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

## **INFORMATIVES**

### **1 INFORMATIVE:**

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

### **2 INFORMATIVE:**

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

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

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

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

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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](mailto:communities@twoten.com)

### 3 INFORMATIVE:

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

Plan Nos: Site Plan, CHEA100/1 Rev. B

KIMBOLTON, PRIORY DRIVE, STANMORE, HA7 P/0663/11  
3HJ

WARD: STANMORE PARK

REPLACEMENT FRONT BOUNDARY WALL, PIERS AND GATES

**Applicant:** Councillor Richard David Romain

**Agent:** Mr Duncan Tolmie

**Case Officer:** Olive Slattery

**Statutory Expiry Date:** 06-MAY-11

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## RECOMMENDATION

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

**Reason:** - The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan (2008), the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy, and all relevant material considerations. The proposed development is considered to be consistent with the character and appearance of the area and would not adversely affect the amenities of neighbouring occupiers.

### National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Guidance 2: Green Belts (1992)

### The London Plan (2008)

4B.1 - Design Principles for a Compact City

### Saved Policies of The 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

EP31 – Areas of Special Character

EP32 – Acceptable Land Uses

Supplementary Planning Document: Residential Design Guide (2010)

### MAIN CONSIDERATIONS AND POLICIES (National Planning Policy, The London Plan (2008), Saved policies of the London Borough of Harrow Unitary Development Plan (2004) and any other relevant guidance)

- 1) Character and Appearance of the Area, the Green Belt and the Area of Special Character (4B.1, D4, EP31, EP32, SPD)
- 2) Residential Amenity (D5, SPD)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

### INFORMATION

This application is reported to Committee as the applicant is a member of Harrow Council.

**a) Summary**

Statutory Return Type: Householder Development  
Council Interest: None

**b) Site Description**

- Priory Drive is a private residential road which is characterised mainly by detached dwellings on substantial plots of varying designs and sizes.
- The subject planning application applies to a property on the south-eastern side of Priory Drive.
- The application property contains a large, detached, red-bricked dwellinghouse. It is two-storey in form with habitable roof space.
- The dwelling is set back approximately 14 metres from the front boundary of the site.
- The application property is accessed via two cross-overs, which lead to a carriage drive immediately in front of the main dwellinghouse. There are no gates at these cross-overs.
- The remainder of the property forecourt is soft landscaped.
- The front boundary of the site is comprised of a low, red-brick boundary wall with a maximum height of 920 mm.
- There is an area of soft landscaping (approximately 35 m<sup>2</sup>) between the front boundary of the site and the edge of the highway.
- The composition of the front boundaries along Priory Drive is varied in terms of height, design and materials.
- The application site and Gammont, which is immediately opposite the application site, are distinct within the streetscape insofar as they both have low boundary walls.
- The front boundary of the neighbouring south-western property, Rossmore, is comprised of hedging with an approximate height of 2 metres.
- The front boundary of the neighbouring north-eastern property, Hamstede, is comprised of a low, red-brick wall with railings above. It has an overall height of 2 metres.

**c) Proposal Details**

- It is proposed to replace the existing front boundary wall at the application property.
- The proposed boundary treatment would be sited in a similar position as the existing boundary treatment.
- It would be comprised of a low wall, 0.755 m in height, on top of which railings with a height of 1.1 metres would be sited. This would have an overall height of 1.855 metres.
- Two sets of vehicular access gates are proposed, each with a maximum height of 2.485 metres. Four piers, with a height of 2.3 metres, are proposed to support the proposed gates.
- The proposed piers and walls would be of brick construction to match the brick of the existing boundary treatment.
- The proposed railings and gates would be of steel construction and painted black.
- Alterations to the existing landscaping are not proposed.

**d) Relevant History**

HAR/21794	ERECTION OF TWO 2-STOREY EXTENSION	GRANTED 22-JUN-64
EAST/484/94/FUL	ALTERATIONS TO REAR ELEVATION WITH FRONT AND REAR DORMER WINDOWS	GRANTED 10-OCT-94
EAST/802/97/FUL	SINGLE STOREY REAR IN-FILL EXTENSION	GRANTED 14-NOV-97

**e) Pre-Application Discussion**

- None

**g) Applicant Statement**

- Full details of the proposed development have been provided on the submitted drawings

**h) Consultations:**

- Stanmore Society – No response received

**i) Notifications:**

Sent: Replies: 0 Expiry: 09-APR-11

**Neighbours Consulted:**

- Rossmore, Hazelnuts, Pemberley, Hamstede, Red Roofs, Grammont

**Summary of Responses:**

- None received

**APPRAISAL**

**1) Character and Appearance of the Area, the Green Belt and the Area of Special Character**

Saved policy D4 of the Harrow Unitary Development Plan 2004 (HUDP) requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This saved policy of the Harrow UDP broadly reflects policy 4B.1 of The London Plan (2008) which seeks to ensure that development should respect local context, history, built heritage and communities amongst other issues.

Priory Drive is characterised by a variety of front boundary treatments including hedging, walls, gates and railings of varying heights and designs. This mix has become an established part of the character of the streetscene. The proposed front boundary treatment would be sited in a similar position as the existing front boundary of the site. Its proposed height would be similar to the height of the adjacent boundary treatments and would therefore be acceptable. It is considered that the design of the proposed boundary treatment would be in keeping with the grandeur of the property and the character of the road.



It is considered that the proposed colour of the railings and gates (black) and the proposed brick material for the walls and piers would not be visually obtrusive in the context of the surrounding environment. In the interests of visual amenity it is recommended that a condition is necessary requiring the brick walls and piers to match those used in the existing boundary treatment.

Having particular regard to these considerations, it is considered that the proposed boundary treatment would reflect the established character and pattern of development of the area and it would therefore be acceptable in terms of design, siting and detailing. Subject to an appropriate condition with respect to materials, the proposal would therefore satisfy Policy 4B.1 of The London Plan (2008) and saved policy D4 of the HUDP (2004), which requires a high standard of design and layout in all development proposals

The application site is within the Harrow Weald Ridge Area of Special Character and the Green Belt. It is considered that no harm would result to any structural features within the Area of Special Character or the Green Belt, as a result of the current proposal, thereby complying with saved policies EP31 and EP32 of the Harrow Unitary Development Plan (2004) and Planning Policy Guidance 2: Green Belts (1992).

**2) Residential Amenity**

It is considered that the proposed boundary treatment would have no undue impact on the residential amenities of neighbouring occupiers by way of overshadowing, overbearing impact or loss of outlook and is acceptable in this respect. The proposal would therefore be compliant with saved policy D5 of the Harrow Unitary Development Plan (2004)

**3) S17 Crime & Disorder Act**

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

**4) Consultation Responses**

- None received

**CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, the application is considered to provide an appropriate form of development, without unduly infringing upon the character and appearance of the area or the amenity of neighbouring occupiers. This planning application is therefore recommended for grant, subject to the following conditions:

**CONDITIONS**

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

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

2 The brick to be used in the construction of the boundary wall and piers hereby permitted shall match those used in the existing front boundary treatment.

REASON: To safeguard the appearance of the locality, in accordance with saved policy D5 of the Harrow Unitary Development Plan (2004)

3 The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan, Location Plan, MJ\_GAM\_544 Rev. A (Existing Front Elevation and Plan), MJ\_GAM\_544 Rev. A (Proposed Front Elevation and Plan)

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

## **INFORMATIVES**

### **1 INFORMATIVE:**

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

### **2 INFORMATIVE:**

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

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

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

"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](mailto:communities@twoten.com)

### **3 INFORMATIVE:**

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

Plan Nos: Block Plan, Location Plan, MJ\_GAM\_544 Rev. A (Existing Front Elevation and Plan), MJ\_GAM\_544 Rev. A (Proposed Front Elevation and Plan)

**WILLIAM ELLIS SPORTS GROUND, P/0546/11  
CAMROSE AVENUE, EDGWARE, HA8  
6ES**

Ward EDGWARE

SINGLE AND TWO STOREY BUILDING FOR USE AS A CLUBHOUSE LOCATED TO THE NORTH OF THE SPORTS GROUND; EXISTING ACCESS FROM CAMROSE AVENUE (REVISED APPLICATION)

**Applicant:** Belmont United Football Club  
**Agent:** Mr Magan D Solanki  
**Case Officer:** Nicholas Ray  
**Statutory Expiry Date:** 06-MAY-11

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## **RECOMMENDATION**

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

## **REASON**

The proposed clubhouse would provide small scale ancillary sports facilities to support the recreational use of these playing fields. The proposal would therefore encourage outdoor sport and recreation activities, particularly youth football, which would be beneficial to the local community.

The associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions and the development would therefore not have any significant visual, amenity, transport or other impact that would warrant refusal of planning permission. The proposal is therefore found to be consistent with government guidance, the policies and proposals in the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004) set out below, and all relevant material considerations, including comments received in response to publicity and consultation as outlined in the application report.

### **National Planning Policy:**

PPS1 – Delivering Sustainable Development  
PPS17 – Planning for Open Space, Sport and Recreation  
PPS25 – Development and Flood Risk

### **London Plan 2008**

3D.8 – Realising the Value of Open Space and Green Infrastructure

### **London Borough of Harrow Unitary Development Plan 2004**

D4 – The Standard of Design and Layout  
D9 – Streetside Greenness and Forecourt Greenery  
EP11 – Development Within Floodplains  
EP12 – Control of Surface Water Run-Off  
EP25 – Noise  
EP47 – Open Space

T6 – The Transport Impact of Development Proposals  
T13 – Parking Standards  
R4 – Outdoor Sports Facilities  
C16 – Access to Buildings and Public Spaces  
Supplementary Planning Document: Access For All (2006)

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

- 1) Principle of Development (PPS1, EP47)
- 2) Outdoor Sports Facilities (PPS17, R4)
- 3) Character and Appearance of the Area (D4, EP47)
- 4) Residential Amenity (D4, EP25)
- 5) Traffic and Parking (T6, T13)
- 6) Development and Flood Risk (PPD25, EP11, EP12)
- 7) Accessibility (C16, SPD)
- 8) S17 Crime & Disorder Act (D4)
- 9) Consultation Responses

**INFORMATION**

This application is reported to Committee as it proposes a building of more than 100m<sup>2</sup> floorspace on Council owned land and therefore falls outside the Schedule of Delegation.

**a) Summary**

Statutory Return Type: 18. Minor Development  
Floorspace: 700m<sup>2</sup>  
Council Interest: The Council is freeholder.

**b) Site Description**

- Site comprises 2.3 hectares of playing fields occupied by Belmont United Football Club, to the south of Camrose Avenue.
- The site shares an access with the recently constructed Krishna Avanti Primary School, which occupies the former northern section of the playing field and also incorporates a synthetic sports pitch.
- Access to the site is via an access road to the east of the school boundary and a car park with 24 spaces has already been constructed to serve the Football Club.
- The site is designated as open space in the UDP.
- The site slopes down slightly from north to south.
- There is an historic secondary access to the site to Broomgrove Gardens, to the east, which is no longer in active use.
- Residential properties on Bideford Close, Constable Gardens, Westleigh Gardens and Broomgrove Gardens back onto the application site.

**c) Proposal Details**

- Two storey clubhouse building to be located at the north end of the playing fields, adjacent to the existing car park and close to the southern boundary with Krishna Avanti Primary School.
- The building would have a contemporary design, incorporating a curved metal roof, white render walls and extensive glazing.
- The building would have a footprint of 397 metres and a maximum height of 6.75 metres.
- At ground floor level, there would be a reception/office, toilets, kitchen, bar, multi-purpose hall space and changing facilities.
- At first floor level there would be toilets, a multi-purpose hall space and a viewing balcony facing south over the playing fields.

**d) Relevant History**

P/1282/07	Construction of one form primary school, external works, access and car parking	GRANTED 10-MAR-08
P/1412/08	Single storey sports facility with access from Camrose Avenue	GRANTED 24-JUL-08
P/2106/10	Single and two storey building for use as a clubhouse located to the north of the sports ground; existing access from Camrose Avenue (revised application)	WITHDRAWN 09-FEB-11

**e) Pre-Application Discussion (HA/2010/ENQ/00018)**

- Financial constraints of the remaining S.106 contribution now dictate the design and materials of the new clubhouse – previous approval would be too expensive to build.
- Essentially the use would be the same as the previous approval, except that there would be more community involvement – advised to define ‘community’ and provide itinerary of actual uses that would be carried out and the times of operation, in order to assess impact on neighbouring amenity and highways conditions.
- Pre-application design considered unacceptable. A more contemporary approach was suggested.
- It was considered that the building seemed to have no real purpose to justify it’s larger scale – would need to provide itinerary of events to justify scale and layout.
- A building with a similar footprint to that originally granted but higher could be acceptable, but the design should incorporate modern materials and a cantilever roof for the viewing gallery, which would then result in a space that is functional for its sporting purpose.
- Potential concerns about operation of football club during school drop off/pick up times – advised to spread events out across the day.
- The access to Camrose Avenue should not give rise to vehicular problems.

**f) Applicant Statement**

- Design and Access Statement.
- Indicative Typical Weekly Usage Information:
- Downstairs would be principally used for Belmont United FC training and matches at weekends. Other uses would involve keep fit sessions, football related meetings, training courses and Belmont United social use.
- Upstairs would be used for karate, pilates, table tennis, aerobics and football skills courses, as well as Belmont United social functions.
- The hours of use would generally be between 09.30 and 21.00 with a break between 15.00 and 18.00, although some social events could run on until 22.00.

**g) Consultations:**

**Mayor of London (GLA):** The proposal does not raise any strategic planning issues. The Council may determine this application without further reference to the GLA.

**Neighbouring Authority (London Borough of Barnet):** No objection.

**Highways Engineer:** Based upon an average of 25 people attending per event (so up to an average of 50 people on site at any one time), the parking requirements should be accommodated within the site. For off peak activity reasons, traffic generation would not exceed threshold level that would raise issues, hence no specific concerns with this revised application.

**Environment Agency:** The submitted Flood Risk Assessment is acceptable, subject to conditions on details of drainage system.

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

**Sport England:** No objection, subject to conditions relating to accessibility standards and maintenance and management.

**Notifications:**

Sent: 506

Replies: 2

Expiry: 12-APR-10

**Addresses Consulted:**

- 38-88 (even) Constable Gardens;
- 1-5 (odd) Rembrandt Road;
- 41-79 (odd) Westleigh Gardens;
- 30, 38 & 48 Westleigh Gardens;
- 2-10 (even) Raeburn Road;
- 21 Raeburn Road;
- 11-17 Bideford Close;
- 69-155 (odd) Broomgrove Gardens;
- 46-108 (even) Broomgrove Gardens;
- 28, 30, 33, 41, 63, 65, 116, 118 & 120 Broomgrove Gardens;
- 1-297 (odd) Camrose Avenue;
- 2-322 (even) Camrose Avenue;
- 69-77 (odd) Bacon Lane;

- 2-12 Appledore Close;
- Camrose Baptist Church, Camrose Avenue;
- 2-24 Selwyn Court, Camrose Avenue.

**Summary of Response:**

- Concerns that the proposed building would be a function hall, as opposed to a sports pavilion;
- The facilities proposed are more extensive than would be required for a clubhouse, should only be able to be used by Belmont Utd FC;
- Additional activity would increase noise levels and traffic congestion in addition to that introduced by the Krishna Avanti School;
- Increased use of the car park and non-sporting events late at night and at weekends would cause disturbance;
- Excessive hours of use proposed, should be the same as the Krishna Avanti School;
- Changing facilities should be provided within the school, not by developing green space;
- License must not be granted to sell alcohol;
- Concern over size of building.

**APPRAISAL**

**1) Principle of Development**

The principle of a sports pavilion/clubhouse development on this site was originally established when permission was granted for the Krishna Avanti Primary School on the northern portion of the playing fields, whereby the original pavilion serving the playing fields was demolished to make way for the new access. A S.106 contribution towards the re-provision of a clubhouse was included as part of this permission and planning permission was secured in July 2008. This application proposes a revised design, but the principle of a clubhouse on the site has been established and the current proposal would still be in line with saved UDP policy EP47 relating to small scale ancillary sports facilities.

**2) Outdoor Sports Facilities**

Saved UDP policy R4 seeks further provision of outdoor sports facilities. The proposal would comply with the spirit of this policy, as it would provide changing and other facilities for use in association with this open space. It has also been demonstrated that adequate space is available for the laying out of 4 football pitches for youth football and this is considered to be acceptable, with the proposal having a similar footprint to the previous approval (ref P/1412/08).

**3) Character and Appearance of the Area**

Saved UDP policy EP47 states that 'development, apart from small scale ancillary facilities needed to support or enhance the proper functioning of the open space, will not be permitted on open spaces identified on the proposals map'.

This application proposes a two storey clubhouse for Belmont United FC. The principal difference between the current proposal and the previous approval is the introduction of a larger area of general use space within the building, giving the opportunity for more intensive use. Concerns have been raised by some local residents that the proposed building could be let out for social events, given the accommodation proposed at ground and first floor level. However, the proposed building would have a similar footprint to the extant permission and, although the floorspace would be increased by virtue of the first floor accommodation, it is considered that the nature of the use of the building would be similar to that of the previously approved building. The applicant has submitted an indicative itinerary of events, which include the principle use of the clubhouse for weekend football events and other recreational uses, such as keep fit classes and referee training courses. All the activities stated are sports and recreational activities, the majority of which rely on the playing fields. A condition can be imposed to ensure that the types of uses permitted would remain as sports and recreational uses within the D2 use class (except ancillary functions associated with the football club), as well as restricting hours of operation. Subject to these conditions, it is considered that the proposed building would provide small scale ancillary facilities and would be appropriate for its location on designated open space.

The proposed building would be of a contemporary design, incorporating the uses of rendered masonry, glazing, timber cladding and a curved profile metal roof. This would contrast with the previous approval which, despite being contemporary in design, adopted more of a 'blocky' form, being single storey with projecting roof feature. The building as now proposed would incorporate extensive glazing to the car park and playing field elevations, similar to the previous approval, giving it a perceived lightweight appearance, whilst providing spectator viewing facilities. Provision would be made for planting around the building and for refuse and cycle storage. The contemporary design approach is considered to be appropriate in this location and, despite being higher than the previously approved clubhouse by 1.25 metres, the building would have an acceptable appearance and would comply with saved UDP policy D4.

#### **4) Residential Amenity**

The proposed building would be sited some 48 metres from the rear boundaries of the properties on Broomgrove Gardens, some 130 metres from the rear boundaries of the properties on Westleigh Gardens and some 76 metres from the rear boundaries of the properties on Constable Gardens and Bideford Close. Given these distances, it is considered that the proposed building would not result in an overbearing impact or loss of light or outlook to the occupiers of these properties. It is also considered that these distances would ensure that no unacceptable overlooking would occur to the occupiers of neighbouring properties.

Concerns have been raised about the level of use that would be likely to arise from the building. However, as discussed above, it is considered that the indicative use of the building would be entirely appropriate for this location, providing sports and recreational facilities.



As discussed, the principle of a clubhouse in this location is established and it is considered that the use of the currently proposed building would not be materially greater than the use of the previously approved scheme. Subject to the conditions discussed, the proposed building would therefore have an acceptable impact on neighbouring amenity.

The access road and car park formed part of the previous approval for the school (ref P/1282/07) to provide access and parking for the use of the sports ground. Its use for access to the site is therefore established and, given that the proposed level of use of the proposed building would be acceptable, it is considered that the use of this established access road and car park would have an acceptable impact on the amenities of neighbouring residents.

**5) Traffic and Parking**

As discussed, an access road and 24 space car park has already been constructed to serve the development. Based on this parking provision and the projected level of use, the parking need would be accommodated within the site itself. The Council's Highways Engineer considers that the likely traffic generation (mostly off peak) would not exceed threshold levels in the area and there would therefore be no objection on highway grounds. The existing access, which was devised to provide access to a sports facility, is considered adequate and the proposal would therefore comply with saved UDP policies T6 and T13.

**6) Development and Flood Risk**

The previous application (ref P/2106/10) was withdrawn, following an objection by the Environment Agency. A Flood Risk Assessment has now been submitted and the Environment Agency (EA) considers this to be acceptable. Conditions relating to details of the drainage proposals are necessary, as suggested by the EA and the Council's Drainage Department. Subject to these conditions, the proposal would not increase the risk of flooding on the site or elsewhere.

**7) Accessibility**

The proposed building would provide level access to the main access door and toilet facilities for persons with disabilities would be provided. Parking spaces for persons with disabilities would also be provided. The building would also incorporate a lift to provide access to the upper level viewing gallery. The proposed building would therefore be accessible to all and would comply with saved UDP C16 and the Access For All SPD.

**8) S17 Crime & Disorder Act**

The proposed building would incorporate extensive glazing to the car park elevation, which would ensure that this area would be well overlooking when the building is in use and the car park occupied. In general, the site is considered to be well secured, with security gates at the main entrance to the site on Camrose Avenue and the remainder of the boundary enclosed by neighbouring properties that back on to the playing fields. It is therefore considered that the proposed building would not increase the risk or fear of crime.

## 9) Consultation Responses

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

- License must not be granted to sell alcohol: This is not a material planning consideration, as it is covered under the Licensing Act.
- There is no indication of lighting levels: No lighting is proposed as part of the above application. If the intention is to install lighting, this would be subject to a separate application. Details of the access road lighting is covered under the planning permission for the school (ref P/1282/07).

## CONCLUSION

In summary, given due consideration to all relevant policy constraints and material considerations set out above, the proposal is found to be consistent with government guidance, the policies and proposals in the London Plan (2008) and the saved policies of the Harrow Unitary Development Plan (2004). The proposed clubhouse would provide small scale ancillary sports facilities to support the recreational use of these playing fields. The proposal would therefore encourage outdoor sport and recreation activities, particularly youth football, which would be beneficial to the local community. The associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions as set out below.

## CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: BeM/F/NP1A; P2B; NP3; NP4; NP5; P6; Design and Access Statement; Flood Risk Assessment (Westwood Environmental Engineering February 2011).

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

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

a: the building;

b: the ground surfacing.

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

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

4 Notwithstanding the submitted plans, no access to or egress from the site shall be via Broomgrove Gardens except in an emergency when access to Camrose Avenue is not available.

REASON: In the interests of the amenities of neighbouring residents and the free flow of traffic on Broomgrove Gardens, in line with the requirements of saved UDP policies EP25 and T6.

5 The premises shall be used for the purposes specified in the application and for no other purpose (other than ancillary functions associated with Belmont United Football Club), including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: In the interests of the amenities of neighbouring residents and the free flow of traffic on the highway, in line with the requirements of saved UDP policies EP25 and T6.

6 The clubhouse hereby permitted shall not be used outside the hours of 09.00-22.30 on any day.

REASON: In the interests of the amenities of neighbouring residents and highway safety, in line with the requirements of saved UDP policies EP25 and T6.

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

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption following guidance in PPS 25 & PPS 25 Practice guide.

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

9 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 works shall be carried out in accordance with the approved details and thereafter 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.

10 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) for Belmont United Football Clubhouse, Edgware, Draft Report v1.0, 08 February 2011 and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 year critical storm event, taking the effects of climate change into account, to 7.5l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Provision of storage on site to attenuate all storm events up to and including the 1 in 100 year event, taking the effects of climate change into account.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with PPS 25 & PPS 25 Practice guide.

11 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme must include:

- The maximisation of Sustainable Drainage Systems (SUDS) such as detention basins, swales and permeable paving.

REASON: To prevent the increased risk of flooding, to improve and protect water quality in accordance with PPS 25 & PPS 25 Practice guide.

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

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

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

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

## **INFORMATIVES**

### **1 PARTY WALL ACT**

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

## 2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

## 3 COMPLIANCE WITH PLANNING CONDITIONS

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

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

## 4 RELEVANT POLICIES

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

National Policy:

PPS1, PPS17 and PPS25

London Plan (2008):

3D.8

Harrow Unitary Development Plan (2004):

D4, D9, EP11, EP12, EP25, EP47, T6, T13, R4 and C16

Supplementary Planning Document: Access For All (2006)

Plan Nos: BeM/F/NP1A; P2B; NP3; NP4; NP5; P6; Design and Access Statement; Flood Risk Assessment (Westwood Environmental Engineering February 2011)

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**THE OLD SCHOOL, CHURCH HILL, HARROW,  
HA1 3HL**

**Item: 2/04**

**P/0578/11**

Ward: HARROW ON THE  
HILL

LISTED BUILDING CONSENT: REFURBISHMENT OF THE BASEMENT IN THE WEST WING INCLUDING: INSTALLATION OF A PLASTERBOARD CEILING; STRIPPING OUT OF EXISTING SERVICES; REMOVAL OF REDUNDANT FURNITURE AND SERVICE UNITS; REMOVAL OF FIREPLACE COVER AND REVEAL; REMOVAL OF CUPBOARD STUD WALLS AND DOOR; INSTALLATION OF SURFACE MOUNTED LIGHTS, SOUNDERS AND DETECTORS AND NEW CUPBOARD PARTITION AND INSTALLATION OF FLOATING TIMBER JOIST FLOOR

**Applicant:** Keepers & Governors Of Harrow School

**Agent:** Kenneth W Reed & Associates

**Case Officer:** Lucy Haile

**Statutory Expiry Date:** | 28-APR-11

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## **RECOMMENDATION**

**GRANT** listed building consent for the works 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 PPS5, as the proposed works would preserve the character and setting of the Grade I Listed Building.

### **National Planning Policy:**

Planning Policy Statement 5 – Planning for the Historic Environment (2010)

### **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 I listed building and therefore it is outside the Council's scheme of delegation.

### **a) Summary**

Statutory Return Type: Listed Building

Conservation Area: Harrow School

Council Interest: None

**b) Site Description**

- The Old School is prominently sited on the western side of Church Hill, just to the south of the Vicarage of St Mary's Church.
- The building is included on the statutory list of buildings of special architectural and historic interest as Grade I.
- It was listed on 21-Sep-1951 and the list description reads:
- 'West wing, originally built 1615 and incorporating panelled schoolroom probably about that date. Architect Mr Sly. East wing added 1820 by C R Cockerell and the Whole, apart from the left flank wall, appears to be refaced in red brick at that date. Two main storeys with basement and staircase link between the wings. Mullion and transom window and oriel at first-storey. Stepped gables with tiled roof'.
- The west wing of the building dates to 1615, whilst the east was added in 1820 by CR Cockerell, when the whole was refaced in red brick.
- The tiled roof with stepped gables features a bell tower structure at its ridge, probably added 1820.

**c) Proposal Details**

- Refurbishment of the basement in the west wing including:
- installation of a plasterboard ceiling;
- stripping out of existing services;
- removal of redundant furniture and service units;
- removal of fireplace cover and reveal;
- removal of cupboard stud walls and door;
- installation of surface mounted lights, sounders and detectors and new cupboard partition;
- and installation of floating timber joist floor

**d) Relevant History**

LBH/43382	LISTED BUILDING CONSENT: INTERNAL ALTERATIONS TO FIRE ESCAPE	GRANTED 05-SEP-91
LBH/L/11300	INSERTION OF MEZZANINE FLOOR TO PROVIDE ART GALLERY AND MUSEUM	GRANTED 11-SEP-75
WEST/603/94/LBC	LISTED BUILDING CONSENT: INTERNAL AND EXTERNAL ALTERATIONS	GRANTED 28-NOV-94

**e) Pre-Application Discussion**

- None

**f) Applicant Statement**

- The application relates to the rationalisation of part of the basement to this listed Grade I structure, currently occupied as the office for the School's custos and storage.

- In the recent past the space has been used badly for storage and has been subdivided into individual office space and stores.
- Services in this section contain many redundant and out of date wiring, fixtures and fittings, socket outlet plates and surface conduits which need to be stripped out and rationalised.
- The ceiling has been covered with sheet tin, the purpose and age being unknown, but assumed it was to encapsulate the timbers to prevent dirt and dust dropping into the rooms.
- State of timbers above is not known, but it is not intended to disturb the sheet material or its profile.
- Once services have been removed it is suggested that MF plasterboard ceiling system is hung from the underside to allow electrical wiring to be concealed and a new clean painted finish to be applied to the rooms and surface mounted lights, sounders and detectors would be surface mounted onto this.
- Generally the walls are painted brickwork or timber panelling and there is no intention to change any aspect of the walls.
- All redundant furniture and storage units will be removed and new free standing units will replace these as necessary but to a lesser intensity.
- There will be a new kitchen run to provide mess facilities for custos and his staff installed in the existing location of the services to utilities, drainage and hot and cold water supply.
- The boiler for the building will remain in its existing location but will be based into a louvre door cupboard.
- In order to gain maintenance access there will be a hatch in the floor which can be removed in front of the boiler to allow complete access.
- There will be no change in doors which are all to be retained.
- Generally the scope of work is to remove unnecessary clutter, fixtures and fittings, to clear out redundant and unnecessary modern stud walls and refurbish and repair to create a clean, open office space for its traditional use as the office space for the School's custodian.

**g) Consultations**

**Advertisement:** Extensions/alterations of a Listed Building      Expiry: 29-MAR-11

The following groups were consulted and consultation expired on 29<sup>th</sup> March, 2011:

The Georgian Group – no response

Society for the Protection of Ancient Buildings– no response

Victorian Society – no response

Stanmore Society– no response

The Council for British Archaeology– no response

The Harrow Hill Trust– no response

English Heritage: Authorised the Council to determine the application for Listed Building Consent as they think fit. In doing so English Heritage stressed that was not expressing any views on the merits of the proposals which are the subject of the application.



## **APPRAISAL**

### **1) Refurbishment Of The Basement In The West Wing - PPS5 and saved Harrow UDP policy D11**

National Planning Policy Statement 5: Planning for the Historic Environment (PPS5) policy HE7.2 states 'In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations'. HE7.4 states 'Local planning authorities should take into account: – the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping'.

PPS5 policy HE9.1 states 'There should be a presumption in favour of the conservation of designated heritage assets'.

Saved Harrow Unitary Development Plan (adopted July 2004) policy D11 states: 'the Council will ensure the protection of the borough's stock of Listed Buildings by B) only permitting alterations...that preserve the character and setting of the Listed Building and any features of architectural or historic interest which it possesses, both internally and externally'.

The proposed works are within the basement of the west wing of the building which dates to 1615. It has little great architectural interest visible although the age of underlying fabric makes it sensitive to change. However, a site visit confirmed that the proposed works would be minor.

The proposed alterations include removal of a fireplace cover, shelving, racking, basin, water heater, carpet, cupboard and stud walls. A site visit confirmed these were not of historic interest and therefore this aspect of the proposal would preserve the special interest of the Listed Building and so comply with the PPS5 policies HE7.2, HE7.4 and HE9.1 and saved Harrow UDP policy D11.

The proposed alterations also include electric works including installation of surface mounted lights, sounders and detectors and installation of carpet. Again a site visit confirmed that these works would be minimal and preserve the special character of this Listed Building and so comply with the PPS5 policies HE7.2, HE7.4 and HE9.1 and saved Harrow UDP policy D11.

Proposed alterations would include providing a hatch in the new floor to allow access to the boiler for maintenance which would be good for the long term maintenance of the building. The existing stone and concrete floor would be protected and made level by a new floating timber joist floor with plywood finish laid loose, therefore it is considered this would preserve the special interest of this Listed Building. The new kitchen unit would be minimal and use existing electrical and water service connections therefore the impact would be minimal. The proposed plasterboard ceiling underneath the existing metal ceiling finish would create a more attractive ceiling finish and will enable electrical conduit to run underneath this. Therefore it is considered that the proposal would preserve the character of the Listed Building and its features of architectural and historic interest in accordance with PPS5 policies HE7.2, HE7.4 and HE9.1 and saved Harrow UDP policy D11.

## 2) Consultation Responses

English Heritage authorised the Council to determine the application for Listed Building Consent as they think fit. Therefore the application was assessed against national and local Planning Policy and since it complies with PPS5 policies HE7.2, HE7.4 and HE9.1 and saved Harrow UDP policy D11 the application is recommended for approval.

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

DESIGN AND ACCESS STATEMENT; 1606 0; 1 REV A; 2 REV A; 3 REV A; 4 REV A; 5

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

## INFORMATIVES

### INFORMATIVE

1 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: DESIGN AND ACCESS STATEMENT; 1606 0; 1 REV A; 2 REV A; 3 REV A; 4 REV A; 5

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**EARLSMEAD FIRST AND MIDDLE SCHOOL,  
ARUNDEL DRIVE, HARROW, HA2 8PW**

**Item: 2/05  
P/2946/10**

WARD ROXETH

CHANGE OF USE OF EXISTING BUILDING FROM A CARETAKERS HOME TO A CHILDRENS CENTRE; REAR CONSERVATORY; SIDE INFILL EXTENSION; CANOPY OVER EXISTING ENTRANCE; EXTERNAL ALTERATIONS

**Applicant:** APOLLO  
**Agent:** SPRUNT  
**Case officer:** Ian Hyde  
**Statutory Expiry Date:** | 16-MAR-11

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## **RECOMMENDATION**

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

**REASON:** - The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2008 and the saved policies of the Harrow Unitary Development Plan 2004 (listed below) and national planning policy encouraging the protection and enhancement of social infrastructure and community facilities, as well as to all relevant material considerations including comments received in response to publicity and consultation. The proposed development is considered to be consistent with the character and appearance of the area and would not adversely affect the amenities of neighbouring occupiers.

### **National Planning Policy**

PPS 1: Delivering Sustainable Development (2005)

### **The London Plan**

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

4B.1 - Design Principles for a Compact City

4B.5 – Creating an Inclusive Environment

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

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

C2 – Provision of Social and Community Facilities

C16 – Access to Buildings and Public Spaces

D4 – The Standard of Design and Layout

D9 – Streetside Greenness and Forecourt Greenery

EP25 – Noise

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

Supplementary Planning Document – Access For All (2006)

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

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

- 1) Principle of Development (PPS1, 3A.18, C.2)
- 2) Character and Appearance of the Area (4B.1, D4, D9)
- 3) Residential Amenity (D5, EP20)
- 4) Traffic and Parking (T6, T13)
- 5) Accessibility (4B.5, C16, SPD – Access)
- 6) S17 Crime & Disorder Act
- 7) Consultation Responses

**INFORMATION**

This application is reported to Committee as the development relates to the change of use 108 m<sup>2</sup> of floorspace owned by the Council, which falls outside of the scheme of delegation.

**a) Summary**

Statutory Return Type: E (18): Minor Development, All Other  
Council Interest: Harrow Council has an interest (Council owned School).

**b) Site Description**

- The site is a bungalow and garden located adjacent to the south western boundary of Earlsmead First and Middle school which was formally used as ancillary caretakers accommodation.
- A private access road running south onto Arundel Drive serves the site and the school.
- The total site has an area of some 400sqm and the existing building some 99sqm.
- To the south and west are residential dwellings, with those on Arundel Drive being at a higher elevation than the site.
- Works have commenced on the site.

**c) Proposal Details**

- The proposed change of use of the building from residential (Use Class C3) to use for community services (Use Class D1), specifically as a childcare centre, and as a location for parents or expectant parents to receive advice and antenatal appointments.
- Physical alterations to the building include the installation of a single storey infill extension on the south western corner and a rear conservatory to the west, this element of the scheme has been implemented and is therefore retrospective.
- The proposed change of use would employ 1 fulltime and 8 part time staff, having an equivalent of 5 fulltime staff.
- The opening hours of the proposed change of use are proposed to be between 8:00 hours to 18:00 hours Monday to Friday in general and 10:00 to 1300 hours Saturdays for ante-natal appointments only.

**d) Relevant History**

LBH/8208                      DEVELOPMENT OF LAND BY                      20-NOV-72  
ERECTION OF FIRST AND  
MIDDLE SCHOOL - OUTLINE

The school has had a number of applications for alterations and extensions, however none of these are directly applicable to the application under consideration.

e) **Pre-Application Discussion**

- None

f) **Applicant Statement**

*Combined Written Supporting Statement and Access Statement Summary:*

- Application proposes to improve space for pre-school children and to provide a space for 30 existing after school club students by internal re-organisation of room layouts in the existing single storey building with a small extension and rear conservatory addition.
- Aim is to have a separate space for pre-school students and to reduce the flow of adults using the school as access route.
- Materials used to match existing school (except for white windows and doors).
- Activities predominantly during term time. Activity during school holidays will be smaller scale to support women obtaining access to ante-natal care or post natal checks and support e.g. breast feeding advice.
- Expected that users of the centre will live locally and will probably already have children who attend or are likely to attend Earlsmead School or other local early year's provision in the locality. Very few Children's Centres have specific parking as they are intended for use by families and those living locally therefore any additional traffic caused by the development would be minimal.
- Flank windows are to be obscured.
- The existing boundary is fenced all round, additional landscaping could be accommodated.
- Any outdoor usage would be by toddlers. There should not be significant noise over and above what is already created by children using the playground of the school.
- There will be no machinery in the midwifery office, only that which is portable and used by a midwife, as is used on home visits.
- Security management arrangements will remain with the protocols and processes put in place for keyholding and any out of hours arrangements for security purposes made with the Civic Centre through a service level agreement. This is in place for all other Children's centres.

g) **Consultations:**

- **Metropolitan Police:** No response received.
- **Highways Engineer:** This application indicates that the arrangement for the Change of Use to a children's centre would be a rationalisation of existing activities within the school. The likelihood of the local community using the facility is highlighted and is considered a reasonable expectation. Refuse and DDA access requirements indicate compliance to relevant standards.
- **Landscape Design:** No objection
- **Drainage Unit:** No objection subject to standard conditions

**Advertisement:**

General Notification

Expiry: 16-FEB-11

**Notifications:**

Sent - 21

Replies - 2

Expiry: 21-DEC-10

Sent – 21 + 18

Replies - 9

Expiry: 05-APR-11

**Neighbours Consulted:**

138-162 Arundel Drive (Even)

139-169 Arundel Drive (Odd)

103-109 Walton Avenue (odd)

Earlsmead School

**Summary of Response:**

Concern over privacy for neighbouring occupiers, risk of increased crime from visitors, parking concerns both onsite and onstreet. Concern that the application does not provide sufficient information. Concerns over the Saturday opening hours. Concerns over the scope of use of the site. Orientation of lighting.

Loss of caretaker, funding of site, concerns over noise and safety of children during construction. Objectors also complained about construction related disturbance.

**APPRAISAL**

**1) Principle of Development**

Policy 3A.18 of The London Plan (2008) seeks the protection and enhancement of social infrastructure and community facilities, stating that “Accessible and affordable community facilities are key to enabling the community to function” (paragraph 3.100). Following on from this, saved policy C2 of the HUDP (2004) states that “The Council will encourage the retention of existing community facilities and seek the provision of new ones, particularly in areas identified to be in need of such facilities or facilities required to meet the needs of particular communities”.

Accordingly, the redevelopment of this site, which is ancillary to Earlsmead First and Middle School, for a children’s centre to serve the local community is considered acceptable in principle as it is consistent with the above policies. The proposed development would maximise the use of the site in line with the principal objectives of the Harrow Sustainable Community Strategy (2009). Consideration needs to be given to the accessibility of the site to services and amenities and the policies of the London Plan (2008) and the HUDP (2004).

**2) Character and Appearance of the Area**

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

Walton Road and Arundel Drive are characterised by two storey pitched roof semi detached houses. The proposal site is located to the rear of dwellings on Arundel Drive which are at a relatively raised ground level. The building subject of this application is single storey only. The existing structure does not appear as a dominant feature within the rear garden environment of the neighbouring residential properties.

The proposed development seeks the retention of the building and the erection of a single storey rear extension and a side infill extension (in the south western corner) pursuant to its intended use as a children's centre.

The rear extension has a depth of 2.8m and extends across the rear of the building. has a height of 2.8m at eaves and will have a contemporary monopitch roof which reaches 3.5m at its highest point (some 300mm above the existing roof height) when completed.

The infill extension is located in the south western corner of the building, also at ground floor level, this has a flat roof and would replicate the finishes on the main building. Both extensions have been confirmed to be obscure glazed on their side elevations facing properties on Arundel Drive, a condition has been recommended to this effect.

In terms of the impacts of the extensions to the building, it is considered that these are acceptable and appropriate in this location and is not overly dominant within the surrounding area.

Saved Policy D4 of the HUDP (2004) paragraph 4.22 states that '*Landscaping should be considered as part of the overall design of a site....Replacement planting will be required as needed*'. Saved Policy D9 states that "*The Council will seek to achieve and retain a high quality of streetside greenness and forecourt greenery in the Borough*".

The side and rear garden of the site are soft landscaped, however due to construction activity these are in poor condition. Whilst no landscaping scheme has been provided, it is indicated within the application that the rear garden will be used by small children associated with the use. Given the concerns raised by neighbours with regard to potential impacts as a result of the extensions to the building and the perception of loss of privacy and overlooking associated with the extensions, a scheme of landscaping is suggested to be required by condition so as to address these issues. The landscaping scheme would be expected to provide details of boundary treatment planting to screen the site from neighbouring properties, especially on Arundel Drive. The protection of the rear garden area would also provide a usable and practicable space for the users of the building, in line with the principles of saved policy C2 of the HUDP (2004).

Paragraph 4.24 of saved Policy D4 of the HUDP (2004) states that bin and refuse storage must be provided "in such a way to minimise its visual impact, while providing a secure and convenient facility for occupiers and collection". The application suggests that the existing school facilities (opposite the main entrance to the building) would be used for waste arising from the Children's Centre. This is considered to be appropriate for the use proposed.

**3) Residential Amenity**

The proposed building as extended would remain single storey in form. It would be sited some 2.5 metres from the boundary with the nearest residential properties to the south on Arundel Drive, and some 29m from the rear elevations of the nearest of these. Given that properties on Arundel Drive are also at a higher relative ground level they would not therefore result in any unacceptable impact in terms of overshadowing, overlooking, or loss of outlook for the occupiers of neighbouring dwellings.

Given the nature of the proposed activities, it is considered that the proposal would not be overly noisy and in this regard would not therefore give rise to any undue impact on neighbouring amenity. Conditions are recommended to limit the hours of operation and the nature of the use. It is noted that concern was expressed by neighbours over other parties using the rear garden of the site and possibly gaining access to their rear gardens. Submitted plans show the site to be fenced securely and it is considered that this would restrict access to the rear area and would afford protection to the neighbouring occupiers.

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

With regard to the opening hours of the site, the proposed development would open between 8am and 6pm weekdays. These are times when a greater level of disturbance could generally be expected, especially in close proximity to the established school. Given the size of the site, the number of staff and the type of operation proposed, it is considered that any harm arising would be insignificant for neighbouring occupiers.

The school does propose use on Saturday mornings, however it is accepted that this would be by appointment only. This restriction would reduce the intensity of use during the weekend and would restrict visits to the site to those associated with antenatal appointments. Given this consideration, this element of the use is considered to be appropriate.

**4) Traffic and Parking**

Saved policies T6 and T13 of the HUDP state that the Council should have regard to the transport impact of development and whether a proposal is likely to create significant on-street parking problems and potential highway and traffic problems.

In this instance, the applicants have suggested that the potential users of the site would be from the surrounding area and would be likely to generate little traffic. Additionally, having assessed the proposals, the Highways Engineer has advised that there are no objections to the proposed development on parking grounds. It is therefore considered that there would be no unacceptable impact upon pedestrian safety or the free flow of vehicular traffic arising from the proposed development. It is noted that parking in the area is unrestricted and that, given that visitors to the site would be likely to be spread throughout the day, that any visitors arriving by private vehicle could be accommodated onstreet.



**5) Accessibility**

Saved Policies D4 and C16 of the Harrow Unitary Development Plan seek to ensure that all buildings as well as public spaces are readily accessible to all.

As previously stated, the proposed Children's Centre building is single storey in form. A ramp to front to allow level access to the main entrance door is proposed to the front of the building which would be integral to the design of the structure and would not appear overly intrusive or discordant with the building itself. Internal door widths and turning circles would be sufficient to accommodate wheelchair users, this is confirmed within the Design and Access Statement which suggests that the building would be designed to meet DDA and Approved Document M guidelines.

Notwithstanding the proposed increase in footprint, the proposal would retain sufficient access, circulation and ease of movement around the building. Accordingly, the proposed development would comply with the Council's SPD – Access For All (2006), saved policies C16 and D4 of the Harrow Unitary Development Plan.

**6) S17 Crime & Disorder Act**

It is noted that neighbouring occupiers have expressed concern over the potential for increased crime associated with the use, however the site would operate during normal working hours and any antisocial behaviour could be dealt with by staff of the operation or school. Whilst it is noted that there is particular concern over weekend opening, the limitation on visits to those attending by appointment only would be considered to control access to the site and to protect the amenities of neighbouring occupiers.

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

**7) Consultation Responses**

Concerns over privacy:

The obscure glazing of side boundary windows, and the imposition of landscaping to screen the development, in conjunction with its single storey height is considered to be sufficient mitigation to protect the amenities of neighbouring occupiers.

Increased crime:

As discussed above, the hours of the site would be limited and visitors would be monitored by staff so as to ensure control over those visiting the site. It is considered that these matters would be sufficient to protect the amenities of neighbours. With regard to the loss of the caretaker, there is no requirement under planning consideration for such a person to be onsite and it is noted that the school could remove this service without notice to the Planning Service.

Parking concerns both onsite and onstreet.

The current activities onsite and pupil numbers are not. Notwithstanding any other legislation, the school could increase numbers which could possibly result in effects similar to those proposed herein without requiring planning permission. Notwithstanding this, Council Highways Engineers have assessed the development and found it to be acceptable. As such, it is considered that the development would be acceptable in this respect.

Lack of information contained within the application:

Additional information, relating to the proposed use, staff numbers, and hours have been received during the course of the process and such matters have been consulted on. Officers would advise that the development has provided the requisite information to confirm the nature of the use and to satisfy that it would not result in unacceptable harm to neighbours.

Saturday opening:

The applicants have confirmed that they wish to have the option to open on Saturday mornings only and that such use would be by appointment. Whilst such a condition would be considered not to be able to be practical to monitor or enforce, it is acknowledged that the most likely form of disturbance for neighbouring occupiers would be as a result of the use of the back garden. Given this consideration, it is recommended that the use be allowed to operate on Saturday morning, but that there be no permitted use of the rear garden on Saturdays. This would protect the amenities of the neighbouring occupiers.

Internal lighting:

No external illumination is proposed within the application, the hours of operation would suggest that any use of the back garden by children visiting the site would be unlikely to be outside of daylight hours. Notwithstanding this, an informative suggesting that lighting would be required is recommended to be attached to the decision.

Other matters:

The objectors to the scheme have raised a number of further issues with regard to the development, these include the funding of the development, and matters relating to the construction activities including noise and disturbance and safety of children. These matters fall outside of planning consideration and can be better addressed through other legislation.

## **CONCLUSION**

For all the reasons considered above, the proposal is considered to comply with the relevant policies of The London Plan 2008 and saved policies of the Harrow Unitary Development Plan 2004. The proposed children's centre would serve the local community by providing necessary social infrastructure and community facilities. The proposed design and scale of the building extensions would have a satisfactory relationship with neighbouring buildings and spaces and would not unduly impact on the amenities of neighboring residents. It would comply with all relevant policy considerations relating to highway safety and accessibility. The proposal is therefore recommended for grant, subject to the following conditions:

## **CONDITIONS:**

1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 12318\_02\_00; 12318\_02\_01; 12318\_02\_02; 12318\_02\_03; 12318\_02\_04; 12318\_02\_05; 12318\_02\_06; 12318\_02\_07; Design and Access Statement.

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

2 The site shall be used solely as a Children's Centre (Use class D1) for the purposes described within the application and supporting information and the site shall not be used for any other use, including any other use within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: In order to ensure that no inappropriate use occurs on the site which may result in unacceptable impacts on the amenities of the school or the residential occupiers of the neighbouring properties, pursuant to saved Policy D4, D5, T6 and EP25 of the Harrow Unitary Development Plan 2004).

3 The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority a scheme of soft landscape works for the site. Soft landscape works shall include: planting plans including replacement trees, and schedules of plants, noting species, plant sizes and proposed numbers / densities as well as measures to screen the site from adjoining residential occupiers.

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

4 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(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

5 The site shall be open to visitors only between the followings hours:

0800 to 1800 Monday to Friday

0800 to 1200 on Saturdays.

REASON: In order to respect the amenities of the area and in order to ensure that the security and privacy of neighbouring residential occupiers are respected, pursuant to saved Policies D4, EP25 and T6 of the Harrow Unitary Development Plan 2004.

6 The site which is subject of this approval shall only be open to staff between the following times:-

07:00 hours to 19:00 hours Monday to Friday

08.00 hours to 13:00 hours on Saturdays

and at no time on Sundays or Bank Holidays

REASON: To safeguard the amenities of neighbouring occupiers of the offices and future residents of the unimplemented planning permission for flats above the building in accordance with saved policies D5 and EP25 of the Harrow Unitary Development Plan (2004).

7 The rear garden of the site shall be used solely in connection with the use of the site as a Children's Centre as described within the application hereby approved and for no other purpose without the prior written permission of the local planning authority.

REASON: In the interests of the amenities of neighbouring occupiers and in pursuance of saved Policies D4 and D5 of the Harrow Unitary Development Plan (2004).

8 The rear garden of the site shall be used between the following hours only:

0800 to 1800 Monday to Friday

And at no time on Saturday, Sunday or Bank Holidays

REASON: In the interests of the amenities of neighbouring occupiers and in pursuance of saved Policies D4 and D5 of the Harrow Unitary Development Plan (2004).

9 The windows in the flank wall of the extensions hereby approved shall at all times:

a) be of purpose-made obscure glass,

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

REASON: To safeguard the amenity of neighbouring residents in pursuance of saved Policies D4 and D5 of the Harrow Unitary Development Plan (2004).

## **INFORMATIVES:**

### **1 INFORMATIVE:**

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

#### **The London Plan (2008)**

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

4B.1 - Design Principles for a Compact City

4B.5 – Creating and Inclusive Environment

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

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

C2 – Provision of Social and Community Facilities

C16 – Access to Buildings and Public Spaces

D4 – The Standard of Design and Layout

D9 – Streetside Greenness and Forecourt Greenery

EP 25 – Noise

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

Supplementary Planning Document – Access For All (2006)

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

Supplementary Planning Guidance: Designing New Development (2003)

### **2 INFORMATIVE:**

The applicant is advised that this permission does not pertain to the installation of floodlights or forms of illumination of external areas and that such equipment is likely to require planning permission. Any such proposal should be discussed with officers at the first available opportunity.

3 INFORMATIVE:

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

4 INFORMATIVE:

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

Plan Nos: 12318\_02\_00; 12318\_02\_01; 12318\_02\_02; 12318\_02\_03; 12318\_02\_04;  
12318\_02\_05; 12318\_02\_06; 12318\_02\_07; Design and Access Statement.

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**WELLDON PARK FIRST SCHOOL,  
KINGSLEY ROAD, SOUTH HARROW, HA2  
8LF**

**Item: 2/06  
P/0438/11**

Ward ROXETH

RESURFACING OF EXISTING CARPARK; NEW CANOPY OVER EXISTING DECKING; NEW FREE STANDING CANOPY TO THE SOUTH OF THE CAR PARK; NEW CYCLE STORAGE TO WEST OF CAR PARK; NEW FOOTPATH ALONG THE EDGE OF THE CARPARK; AUTOMATIC VEHICLE AND PEDESTRIAN GATE AT ENTRANCE OFF KINGSLEY ROAD

**Applicant:** Welldon Park First School  
**Agent:** Wintersgill LLP  
**Case Officer:** Sarah MacAvoy  
**Statutory Expiry Date:** | 18-MAY-11

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## **RECOMMENDATION**

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

## **REASON**

The proposals would not detract from the character of the area or unduly affect the amenities of neighbours. The decision to recommend GRANT of planning permission has been taken having regard to the policies and proposals in The London Plan [2008] and the saved policies of Harrow's Unitary Development Plan [2004] (listed below), and to all relevant material considerations.

### **National Policy Guidance:**

Planning Policy Statement 1: Delivering Sustainable Development (2005)  
Planning Policy Statement 25: Development and Flood Risk (2010)

### **The London Plan:**

3A.18 Protection and enhancement of social infrastructure and community facilities  
3A.24 Education facilities  
4A.3 Sustainable Design and Construction  
4B.1 Design principles for a compact city  
4B.5 Creating an Inclusive Environment

### **Harrow Unitary Development Plan 2004:**

D4 The Standard of Design and Layout  
D5 Residential Amenity  
D10 Trees and New Development  
EP12 Control of Surface Water Runoff  
T6 The Transport Impact of Development Proposals  
T13 Parking Standards  
C7 New Educational Facilities  
C16 Access to Buildings and Public Spaces

Supplementary Planning Document: 'Access for All' (2006)  
Supplementary Planning Document: 'Sustainable Building Design' (2009).  
Harrow's Sustainable Community Strategy [Mar 09]

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

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

**INFORMATION**

This application is reported to Committee as the proposed area of the proposed hardsurfacing exceeds 100 square metres. The school is a Council owned school and therefore this application is outside the scheme of delegation.

**a) Summary**

Statutory Return Type: 18: Minor development  
Council Interest: Council owned school

**b) Site Description**

- Welldon Park First School is located off Kingsley Road. The site is bound to the north, west and south by 2 storey terraced and semi-detached residential properties. To the east there is open space and allotments.

**c) Proposal Details**

- Two new canopies are proposed. One would be to the south of the carpark on the play area. This canopy would have a maximum height of 5.28m. It would be 5m in width and 5m in length. The other canopy would create a covered outdoor area for the staff room. It would be 5m in width and 4m in depth. It would have a wave shape with a maximum height of 3.28m.
- Resurfacing of the existing carpark. The area of hardsurfacing would be approximately 630 square metres of which approximately 200 square metres would be additional hardsurfacing over and above what is existing.
- Proposed vehicles and pedestrian gates are proposed at the junction with Kingsley Road. The gates would have a height of 1.8m.
- Installation of a new pedestrian pathway along the edge of the carpark.
- Proposed cycle storage to the west of the car park.

**d) Revisions to Current Application**

- Plans were requested to show the relocation of the proposed bicycle storage from its current proposed location (under the canopy of the Maple adjacent to the car park) to a more suitable position within the site in order to allow for a larger grassed area under the canopy of the retained Maple.

**e) Relevant History**

LBH/8956	Development of land by erection of school	GRANTED 28-JUN-73
LBH/8956/1	Erection of first school	GRANTED 19-NOV-73
LBH/8956/2	Erection of single storey caretakers dwellinghouse	GRANTED 13-MAR-75
LBH/8956/3	Erection of single storey prefabricated store building	GRANTED 05-JU-78
WEST/152/99/FUL	Installation of children's low level play equipment and all-weather surface	GRANTED 10-MAY-99

**f) Applicant's Statement**

- It is bound to the north west and south by 2 storey terraced and semi-detached residential properties. To the east there is open space and allotments. The proposed works are on the north west aspect of the building.
- The school buildings comprise a flat roofed two storey reception and administration block with flat roofed single storey links to classroom modules which are mono-pitched double height spaces.
- The proposed works are to re-configure the existing car park to allow safe access for parents and pupils into the school in order to comply with Ofsted requirements. New secure access gates for both vehicles and pedestrians will be installed at the junction with Kingsley Road in the existing location.
- The improvements to public access safety will involve marking out a new pedestrian crossing at the top of the drive and installing a new pedestrian pathway along the edge of the carpark.
- In addition, two new canopies are proposed – one as a parent's shelter and the other to allow for a covered outdoor area for the staff room.
- The locations of the new canopies are not visible from the public highway and are contained within existing recess between two double storey buildings.
- The new accommodation and access to the area is configured to suit Part M requirements.
- There are no mature trees within the vicinity of the proposed works. Any trees to be removed are marked on the drawings.
- All works are for the purposes of providing safe and secure access to the school and to keep children safe on the premises throughout the school day. The proposals have minimum impact on the view from the street.



**g) Consultations**

- **Tree Officer:** No objection to the above proposed development but would request the following condition:
  1. The development hereby permitted shall not commence until there have been submitted to, and approved by the local planning authority:
    - (i) An Arboricultural Report & Method Statement in relation to removal of existing / installation of new hard surfacing within RPA (root protection area) of trees being retained
    - (ii) Tree Protection Plan giving details of specification and location of protective fencing, and of any other measures to be taken for the protection of retained trees from damage before or during course of development

Also recommend relocating the bike store from it's current proposed location (under the canopy of the Maple adjacent to the car park) to a more suitable position within the site. This would also allow for a larger grassed area under the canopy of the retained Maple and would provide more favourable growing conditions for the tree in question”.

- **Highways Engineer:** There are no specific concerns here.
- **Drainage Engineer:** Conditions recommended

**Advertisement:**

**Notifications**

Sent	Replies	Expiry: 18-APR-11
26	0	

**Addresses consulted:**

135, 137, 139, 141, 147, 149, Kingsley Road,  
22, 24, 26, 28, 30, 32 Roxeth Grove  
Roxeth Allotments, Wood End Avenue  
Welldon Park New First School, Kingshill Avenue  
29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51 Wood End Avenue

**Summary of Response:**

- N/A

**APPRAISAL**

**1) Principle of Development and Land Use**

The proposal is considered acceptable in principle in terms of scale and design, in accordance with Policy D4 of Harrow's UDP [2004] and the land use would not deviate from the existing use on the site. Indeed the proposal is supported by UDP policy C7. The Proposals Map in Harrow's UDP indicates the location of the site as non-designated land. Accordingly, there are no specific policy constraints in The London Plan [2008] or Harrow's UDP [2004] connection to the proposal that would preclude its development. Essentially, the proposal is supported by Policy 3A.24 of The London Plan [2008] and is therefore considered to be acceptable.

**2) Character and Appearance of the Area**

Policy 4B.1 of the London Plan seeks to maximise the potential of sites but also seeks to ensure new development respects the local context and character. Policy D4 of the Harrow UDP (2004) requires a high standard of design in all development proposals. Paragraph 4.10 of this policy states that buildings should be designed to complement their surroundings or provide a distinct character of their own. Paragraph 4.11 states that new development should have regard to the scale of surrounding environment and should be appropriate in relation to buildings in the street.

The proposed hardsurfacing, canopies, bicycle storage and gates are considered to be in-keeping with the surrounding area. It is considered that the proposals would have regard to the scale of the surrounding built environment as they would be subordinate to the main school two storey building and would therefore not be overbearing or unduly bulky.

The proposal would therefore have a minimal impact on the surrounding environment and is therefore considered to be acceptable.

The proposed hardsurfacing would be mostly over the area of the existing hardsurfacing. An additional area of hardsurfacing of approximately 200 square metres is proposed. No playing fields would be lost as a result of the proposals. It is therefore considered that the proposal would not result in an unreasonable loss of open space.

Details of the materials to be used in the canopies have not been submitted therefore a condition requiring materials to be used in the construction of the canopies to be approved by the LPA would ensure that the appearance of the canopies are acceptable.

It is considered that the proposals would not have an adverse effect on neighbouring amenity in terms of overlooking, overshadowing or loss of light.

The proposed canopies, which would provide shelter on the site would not result in a level of external activity over and above the current level of activity on the school site. As such, it would not result in any undue disturbance on the neighbouring occupiers. Therefore, the proposals would have no undue impact on residential amenity.

It is therefore considered that the proposals would meet policy D4 of the HUDP and would not have an undue impact on the character and appearance of the site or the area. In addition, it is considered that the proposal maximises the potential of the site and respects London's built heritage and is in accordance with London Plan Policy 4B.1. The proposals would not unduly impact on residential amenity and would therefore be in accordance with saved D5 of the Harrow Unitary Development Plan (2004).

**3) Refuse/Recycling Storage**

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

It is considered that the requirement for refuse storage would be not be increased as a result of the proposal. The refuse storage area is located in part of the area to be hardsurfaced as part of the proposal. However, the refuse storage area would be relocated adjacent to the north western elevation of the school building adjacent to the plant. This area is located well away (approximately 15m) from the closest residential site. This is considered to be acceptable.

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

**4) Sustainable Design**

London Plan policy 4A.1 and saved policy D4 of the Harrow UDP seeks to ensure that new development proposals takes into account climate change. These policies promote design which has regard to energy efficiency and minimises emissions of carbon design. A supplementary planning document 'Sustainable Building Design' (2009) has been adopted by the LPA. As no new buildings or extensions other than new canopies are proposed, the proposal is considered to have no significant impact on sustainability.

**5) Accessibility**

The new pedestrian entrance and new footpath would be of sufficient widths to comply with the Harrow Council SPD 'Access for All' (2008) and saved policy C16 of the Unitary Development Plan (2004). The new canopies would have no impact on accessibility due to their open nature.

**6) Highway safety**

It is considered that there would be no detrimental impact on the free flow or safety of the adjacent highway as a result of the proposal. The Council's Highway Officer has not objected to the proposal as such the proposal is considered to comply with saved policies T6 and T13 of the UDP (2004).

**7) Surface Water Runoff**

A condition has been recommended requiring that the hardsurfacing be permeable. Therefore, the proposal would not have a detrimental impact on flooding and would comply with PPS25 and saved policy EP12 of the Harrow UDP (2004).

**8) Impact on Trees**

The proposal would result in the loss of one tree from the site. This tree is not considered to significantly contribute to the character of the site or the area. The Council's tree officer has not objected to the proposal and has recommended conditions relating to a an Arboricultural Report & Method Statement in relation to removal of existing / installation of new hard surfacing within RPA (root protection area) of trees being retained and a Tree Protection Plan.

The submitted plan indicates that a bicycle shelter would be located on the Root Protection Area of a Maple Tree. However, the bicycle store would be located on top of the new hardsurfacing area underneath this tree.

The recommended condition requires a method statement for the installation of hardsurfacing within such areas to ensure the protection of the trees. Furthermore, the condition requires details of underground works in relation to the Maple tree to ensure that the foundations of the bicycle store do not harm the tree.

Subject to the recommended condition, it is considered that there would be no undue impact on the retained trees on the site and as such, the proposal would, comply with saved policy D10 of the UDP.

**9) S17 Crime & Disorder Act**

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

**10) Consultation Responses**

- N/A

**CONCLUSION**

Having regard to the development plan, the proposals are considered to be consistent with policy concerning the development and subject to the planning conditions proposed, Approval is accordingly recommended.

**CONDITIONS**

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

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

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

a: the canopies.

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

REASON: To safeguard the appearance of the locality in accordance with saved 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:

- (i) An Arboricultural Report & Method Statement in relation to removal of existing / installation of new hard surfacing within RPA (root protection area) of trees being retained
- (ii) Details of any underground works required for the installation of the bicycle store adjacent to the Maple tree
- (iii) (iii) Tree Protection Plan giving details of specification and location of protective fencing, and of any other measures to be taken for the protection of retained trees from damage before or during course of development.

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

REASON: To ensure that the trees near the proposed works would not be unduly affected by the proposals in accordance with saved policy D10 of the Harrow Unitary Development Plan (2004).

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

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

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with PPS25 and EP12 of the Harrow Unitary Development Plan (2004).

5 The development hereby permitted shall be carried out in accordance with the following approved plans: 1206-P01; 1206-P02 Revn B; 1206-P03 Revn B; 1206-P04 Revn C; 1206-P05 Revn B; Design and Access Statement

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

## **INFORMATIVES**

### **1 INFORMATIVE:**

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

Planning Policy Statement 1: Delivering Sustainable Development (2005)

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

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

Harrow Unitary Development Plan 2004: D4, D5, D10, EP12, C7, C16, T6, T13

Supplementary Planning Document: 'Access for All' (2006)

Supplementary Planning Document: 'Sustainable Building Design' (2009).

Harrow's Sustainable Community Strategy [Mar 09]

### **2 INFORMATIVE:**

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

### **3 INFORMATIVE:**

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:  
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB  
Please quote **Product code:** 02 BR 00862 when ordering  
Also available for download from the CLG website:  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>  
Tel: 0870 1226 236 Fax: 0870 1226 237  
Textphone: 0870 1207 405  
E-mail: [communities@twoten.com](mailto:communities@twoten.com)

**4 INFORMATIVE:**

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

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

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

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

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

Plan Nos: 1206-P01; 1206-P02 Revn B; 1206-P03 Revn B; 1206-P04 Revn C;  
1206-P05 Revn B; Design and Access Statement

### SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

## SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.



## SECTION 5 - PRIOR APPROVAL APPLICATIONS

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	<b>Item: 5/01</b>
<b>LAND SOUTH OF PINNER STATION, 20 STATION APPROACH, PINNER, HA5 5LZ</b>	<b>P/0179/11</b>
	WARD PINNER
INSTALLATION OF A 17M HIGH TELECOMMUNICATIONS MONOPOLE MAST AND ANCILLARY RADIO EQUIPMENT CABINET	
<b>Applicant:</b>	Network Rail
<b>Case Officer:</b>	Ian Hyde
<b>Statutory Expiry Date:</b>	14-APR-11

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### RECOMMENDATION

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

**REASON:** It is considered that the proposed erection of a 17m mast and associated cabinet would be necessary for the safe and efficient operation of the rail network, and that the applicants have demonstrated that the location and design of the development would be consistent with the intentions of the following policy and guidance:

#### **National Planning Policy:**

Planning Policy Statement 1: Delivering Sustainable Development (2005)  
Planning Policy Statement 5: Planning for the Historic Environment (2010)  
Planning Policy Guidance 8: Telecommunications (2001)  
Planning Policy Guidance 13: Transport (2011)

#### **The London Plan [2008]:**

3C.5 London's International, national and regional transport links  
4B.1 Design principles for a compact city.  
4B.5 Creating an inclusive environment  
4B.7 London's resilience and emergency planning.  
4B.8 Respect local context and communities  
4B.11 Heritage conservation

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

D4 – The Standard of Design and Development  
D14 – Conservation Areas.  
D24 – Telecommunications Development  
EP28 - Conserving and enhancing biodiversity

Pinner Conservation Areas Supplementary Document (SPD) was adopted in December 2009 - Appendix 7 – Tookes Green Character Appraisal & Management Strategy

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

- 1) **Principle of Development** (London Plan: 3C.5. UDPD24; PPG8; PPG13)
- 2) **Detailed siting** (London Plan 2008: 4B.7; 4B.1I, UDP 2004: D14; D24; EP28)
- 3) **Residential Amenity** (London Plan: 4B.7,UDP: D4)
- 4) **Health Concerns and Compliance with ICNIRP** (UDP 2004: D28, PPG8)
- 5) **S17 Crime & Disorder Act** (UDP 2004: D4)
- 6) **Consultation Responses**

**INFORMATION**

This application is referred for consideration by the Planning Committee as it relates to communications development which does not fall within category 13 of the Council's Schedule of Delegation to Officers.

**a) Summary**

Statutory Return Type:	Minor - Other
Site Area:	0.001 ha
Car Parking:	Provided N/A
Conservation Area:	Adjacent to Tookes Green
Council Interest:	None

**b) Site Description**

- The application site is an area of railway embankment to the south east of Pinner Station adjoining the rear garden of 58 Grange Gardens
- The site is on the north side of the railway lines and is some 2.7m below the relative ground level of adjoining properties.
- The land to the north is residential in nature adjoining the rear gardens of properties on Grange Gardens.
- On the southern side of the railway lines are the rear gardens of properties within Tookes Green Conservation Area.

**c) Proposal Details**

The application proposes the erection of a 15m monopole, and an associated equipment cabinet which would have a height of 3.8m, a depth of 3.7m and a width of 2.7m. The antenna would sit on a support structure and have a total height (above natural ground level) of 17m.

The upgrading of this site is associated with a rail infrastructure upgrade required by EU directed 94/48EC and 2001/16/EC to cover common train driving standards across Europe.

**d) Relevant History**

LBH/30940	Alterations to platform elevation (Planning permission not required)	GRANTED 02-SEP-06
LBH/962/99/FUL	Construction of Footbridge and installation of disabled persons lift	GRANTED 21-SEP-00

WEST/61/02/FUL	Installation of ATM on front elevation	GRANTED 17-MAY-02
P/1858/07	Pole mounted free standing illuminated sign	GRANT 01-OCT-07

**e) Pre Application Discussion**

The applicants held pre-application discussions with the Council in late 2010. The discussion resulted in the following points being made:

- The Team agreed that sufficient justification had been provided for redevelopment of communications on the rail network, covered by an EU mandate currently being introduced in Europe.
- The Team suggested that applicants would need to conduct pre-application awareness of the proposal with ward councillors, the local community, schools, the Pinner Association
- Officers suggested that when submitting planning application that the development:
  - Should address the context of the development and what the results of not approving the scheme would be.
  - How the proposal would accord with the requirements of saved policy D24 of the UDP.
  - Supply an accurate tree survey to BS5837 – Trees in relation to construction – requirements, highlighting the good trees and including a Tree Constraints Plan.

**f) Applicant Statement**

- The infrastructure is required in connection with the upgrading of the Rail Network as part of a rail network infrastructure upgrade as mandated by EU directive 94/48EC and 2001/16/EC to cover common driving standards across Europe.
- The location of the site has been carefully selected following an assessment of the technical operation and environmental factors involved, this site has been identified as one of 5 locations required for mast sites.
- The site selection process consisted of the following:
  - The required level of coverage bearing in mind the location of other sites and the topography of the area.
  - Sites must be located close to tracks
  - Sites must have unrestricted access
  - The site must not be associated with other transmitters (ie. third party)
  - They must not interfere with the running of the railway (ie. impeding on sight lines of signals or future rail line improvements.
  - The site must also be safe to access
  - National Rail (NR) has noted that careful consideration can turn an intrusive mast into one integrated with its environment.
- National Rail considered a number of solutions, including the use of 5, 15 and 20m masts as part of their considerations, but noted that a larger number of smaller masts and associated equipment would be contrary to PPG8 which seeks sites to be kept to a minimum and that suitable sites would be difficult to find. The applicant's statement provides further justification as to why this solution would not be practical.

- Following identification of the requirement for five x 15m masts in the area, an “envelope” of appropriate land between Chapel Lane and Marsh Road to the north and 200m south of Pinner South Station Platform was identified as maintaining continuous coverage.
- A detailed assessment of suitable sites within this envelope led to the identification of the current site and the discounting of other options (including those suggested by officers).
- The applicants consider that this is the only location available which provides the required coverage in the Pinner area and meets all of their requirements.
- The Design and Access Statement provides detail for the need for the site within the wider context of the radio network.
- The applicants refer to health considerations and have included a certificate confirming compliance with ICNIRP (International Commission on Non-Ionizing Radiation Protection) guidelines.
- More generally they consider that the proposed development complies with PPG8 and PPG13 as well as relevant London Plan and UDP Policies.
- The applicants contend that whilst narrowing the Green Corridor, sufficient space would be retained for the migration of fauna and will not interfere with movement.
- No lopping or removal of trees would be required, however a tree survey has been undertaken and submitted.
- The applicants conducted engagement exercises with the local community, including discussions with local ward councillors, Pinner Society and local residents.
- A further clarification was received on 18/3/2011 regarding the choice of operating system as follows:

*Network Rail is mandated to install the infrastructure for the Railway Communication System, which uses GSM-R technology, and this is why we need to place a mast and equipment cabin in Pinner. ERTMS is formed of two components - GSM-R plus the European Train Control System (a new automatic train protection system). So having GSM-R on the railway will allow Britain to upgrade to ERTMS at a later stage. GSM-R is the technology that allows us to upgrade all train borne radios from analogue (where the licence to broadcast is rescinded in 2012) to a new digital platform - which is the primary goal here."*

## **g) Consultations**

**Biodiversity Officer** – No objection

**Conservation Officer** – No objection

Character of conservation area/listed building      Expiry: 19-APR-11

### **Notifications:**

1<sup>st</sup> Sent: 145

Replies: 2

Expiry: 17-APR-11

2<sup>nd</sup> Sent:145  
(Amended description)

Replies: 1

Expiry: 19-APR-11

**Neighbours Consulted:**

30-66 (Even) Grange Gardens

9 (and garages adj. to), 11, 15-89 (odd) Cecil Park

28 Marsh Road

Elmdene, Frintly, Glendale, Hampton Villa, Ivor, Mon Abri, Shotley, Trenton, 1-11 (odd); 39A, Borovere The Chase

13, Pinner Station, Carpark adj. to Pinner Station, Station Approach

The Cuttings, Woodhall Road

All Flats, Weall Court, School Lane,

9- 15a, 23-27 (odd) Marsh Road

Land Adj. 41 Kingsley Road

1-4 Chessington Court

**Summary of Responses:**

- Concern about the visual appearance of the mast above trees, the potential for noise arising from the cabinet, concerns for health, no satisfactory explanation for not placing mast further from residential properties. The need for masts is unproven. The applicant has chosen an unproven, non-standard version of ERTMS, the joint Uff/Cullen Report recommended a standardised version that does not require masts. Concern over health effects of mast
- Objectors also expressed concern over the effect on property values. However this consideration falls outside of planning control.

**APPRAISAL**

**1) Principle of Development and Land Use**

PPG13 seeks, in Paragraph 4, to integrate planning and transport at national, regional, strategic and local level to:

1. *promote more sustainable transport choices for both people and for moving freight*
2. *promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and*
3. *reduce the need to travel, especially by car*

As such, where appropriate, this guidance seeks to encourage the improvement of sustainable transport choices, such as rail.

Further to this, paragraph 5 of PPG8 requires Local Planning Authorities to consider, as material considerations, the significance of the proposed development as part of a national network. In making such applications operators will be expected to provide evidence regarding the need for the proposed development. Paragraph 75 of PPG 8 suggests that authorities should seek to understand the constraints the operator faces, whether due to the nature of the technology or the legal requirement to provide a service.

Policy 3C.5 of the London Plan includes the intention to improve and expand international and national transport links for passengers and freight and to improve links between London and the surrounding regions.

Policy D24 of the Harrow Unitary Development Plan suggests that telecommunications development will be considered favourably where there is no satisfactory alternative available, consideration has been given to sharing facilities, there would be no detrimental impact on conservation areas, listed buildings, views or other features and no serious risk to amenity in residential areas (having regard to operational need).

The mast and associated equipment is required in connection with the upgrading of the United Kingdom Rail Network as part of an infrastructure upgrade as mandated by EU directed 94/48EC and 2001/16/EC to cover common driving standards across Europe.

The upgrade is to assist in the provision of a safer and more effective communication system for the rail network and its operators. The justifications provided within the application, and the need for the upgrade are considered to justify the requirements of PPG 8 and PPG13 and Policy 3C.5 with regard to the need for such a development in principle, this is also consistent with the Transport Policies of the Unitary Development Plan (2004).

The assessment of detailed compliance of the scheme with saved Policy D24 of the Unitary Development Plan (2004) (D24) will be made in subsequent sections.

## **2) Detailed Siting**

Part A of saved Policy D24 of the UDP suggests that development will be considered favourably if there is no satisfactory alternative, and less harmful, means of meeting the network coverage deficiency which has been identified by the prospective operator.

The applicant has provided a robust justification for the need for the upgrade of railway communication infrastructure, and has detailed their sequential approach to the location at which they have arrived. The information provided within the application is sufficient to demonstrate that the provision of the mast in this location is the only practical solution to the requirements of the upgrade. It has been demonstrated that it must be located in the vicinity of the application site in order to maintain continuous coverage. The alternative of placing a larger number of smaller masts cannot be accommodated physically and may also be contrary to PPG8.

The applicants considered pre-application suggestions by officers that the mast be moved further north west (adjacent to the supermarket carpark) however this was unacceptable to London Underground (the land owner) for access reasons. As such, it is considered that the necessity of this upgrade would be consistent with Part A of Policy D24.

Part B of saved Policy D24 asks whether consideration has been given to sharing infrastructure. In their supporting evidence, the applicants have stated that in this situation the site must be in operation at all times and that for safety reasons, any other equipment on the structure would need to be shut down during emergency repairs. As such, sharing with other operators is not a valid option. Notwithstanding this, a condition restricting use of the mast is recommended to be attached to the consent.

Part C of D24 requires there to be no detrimental impact on the amenities of conservation areas, listed buildings or other important structures or views. Part D of D24 seeks installations to be sited and designed to minimise visual impact and where practicable, to accommodate future shared use. The section also suggests that consideration should also be given to screening and planting. It is also of note that saved Policies D14 and D15 of the UDP relate to the requirement for development to preserve and enhance the character of conservation areas. Part E of D15 requires consideration of views into and out of conservation areas.

Given the previously discussed restrictions on the siting of the proposed mast and associated structure, there are limited opportunities for minimising impact. However, it is noted that the applicants, in response to comments received during the pre-application process have agreed that the mast would be coloured green to integrate with the surrounding foliage. Notwithstanding this concession, it is necessary to assess the potential impacts of the development on surrounding occupiers.

Properties within the Tookes Green Conservation Area lie to the south of the site. The mast would be located over 30m to the north east of the nearest residential garden boundary within this designated area and the cabinet and a significant part of the mast would be located at a lower relative height than the gardens of these neighbouring properties. Notwithstanding this, the railway embankment is heavily forested with mature trees which would mitigate the visual appearance of the mast from the south and the combination of this and the separation distance would be considered to sufficiently mitigate any adverse impacts.

As stated above, the mast itself would have a height of 17m above the railway line which is between 2.5 and 3m below the surrounding rear gardens. The properties to the north (on Grange Gardens) would have main rear elevations some 30m distant at their closest point. It is also noted that these are screened by mature trees on the common boundary with the railway and the submitted arboricultural report notes that an 11m high silver birch (annotated as tree 3103) sits between the mast and properties to the north.

The development site is located within a railway environment where higher levels of noise would be expected. Notwithstanding this, noise arising from trains would provide a different type of noise from that of plant associated with the tower.

The proposed supporting equipment for the mast would be located at a lower elevation than neighbouring residential dwellings and it is considered that noise generated by its operation would be deflected away from these sensitive occupiers by the embankment and that trees on the boundary would also provide some level of mitigation for these neighbours. Given that the nearest residential dwelling would be some 30m away, it is considered that any significant loss of amenity would not occur as a result of the development. Notwithstanding this however, it is recommended that a condition restricting noise levels should be attached to the decision.

Whilst the top of the mast is likely to be somewhat visible for the properties to the north, its impact would be considered to be minimal due to its slender design. Given this shape, the mast would not appear particularly dominant, especially given the surrounding tree screen and would not have a significant detrimental impact on the character of the conservation area and that the intentions of Policies D14, D15 and part C and D of D24 would be respected. It is further considered that the development would be consistent with the intentions of PPG8.

### **3) Health Concerns and Compliance with ICNIRP**

In 1999, the Government asked the National Radiological Protection Board (NRPB) to set up the Independent Expert Group on Mobile Phones (IEGMP). This Group, under the chairmanship of Sir William Stewart FRS FRSE, considered concerns about health effects from the use of mobile phones, base stations and transmitters. They conducted a rigorous and comprehensive assessment of existing research and gathered a wide range of views. The Group published its report on 11 May 2000.(Paragraph 88 PPG8)

Paragraph 95 of PPG8 suggests that the Government accepted the Stewart Groups recommendation that mobile phone base stations should, as a precautionary measure, meet the International Commission on Non-Ionising Radiation Protection guidelines for limiting exposure (ICNIRP). The ICNIRP guidelines for public exposure are 5 times more restrictive than those of the NRPB. It follows that, in complying with the ICNIRP guidelines, operators will also be complying with those of the NRPB.

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.

### **4) Highways**

There is considered to not be any highways implications from the proposed development.

### **5) S17 Crime & Disorder Act**

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



**6) Consultation Responses**

**Visual Appearance, location of siting requirement for masts.**

It is considered that this has been addressed within the foregoing text

**Potential for noise arising from cabinet**

It is considered that these matters have been addressed within the foregoing text.

**Health issues**

Have been addressed above.

**Applicants choice of ERTMS**

The applicant has provided the following response for this point:

*Network Rail is mandated to install the infrastructure for the Railway Communication System, which uses GSM-R technology, and this is why we need to place a mast and equipment cabin in Pinner. ERTMS is formed of two components - GSM-R plus the European Train Control System (a new automatic train protection system). So having GSM-R on the railway will allow Britain to upgrade to ERTMS at a later stage. GSM-R is the technology that allows us to upgrade all train borne radios from analogue (where the licence to broadcast is rescinded in 2012) to a new digital platform - which is the primary goal here.*

Given the justification above, it is considered that this point of objection would not justify a refusal of the scheme as the applicants have provided a robust defence as to how the proposals are necessary for their operations.

**CONCLUSION**

It is considered that the proposed erection of a 17m mast and associated cabinet would be necessary for the safe and efficient operation of the rail network, consistent with the intentions of PPG13, the London Plan and saved Policies of the Harrow Unitary Development and that the applicants have demonstrated that the location and design of the development would be consistent with the intentions of PPG8 and saved Policy D24 of the Harrow Unitary Development Plan.

For all the reasons considered above, as well as other material considerations, including consultation responses received during the course of the application as set out above, this application is recommended for **GRANT** subject to the following conditions.

**CONDITIONS**

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

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

2 The site shall be used solely for the purposes described within the application. No communication equipment for any other purpose shall be installed without the prior written permission of the local planning authority.

REASON: In the interests of the amenity of neighbouring occupiers and in pursuance of the intentions of PPG8 and saved Policy D24 of the Harrow Unitary Development Plan (2004).

3 Noise levels omitted from the equipment cabinet hereby approved, measured at a distance of 1 metre from the window of the nearest noise sensitive premises, should be lower than the existing background level by at least 10 LpA. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation. The measurements and assessments shall be made in accordance with B.S. 4142.

REASON: To protect nearby noise sensitive premises from significant loss of amenity due to noise and in pursuance of saved Policy EP25 of the Harrow Unitary Development Plan 2004.

4 The mast hereby approved shall be painted green at or before its installation and shall be retained in such a condition thereafter.

REASON: In the interests of the amenity of neighbouring occupiers and in pursuance of the intentions of PPG8 and saved Policies D4, D14 and D24 of the Harrow Unitary Development Plan (2004).

5 The permission hereby approved shall be implemented in full accordance with the following plans and information:

NTPO/0106/GA/A/004; NTPO/0106/GA/A003; NTPO/0106/GA/A/002; 0106B(2) (Site Location Plan); Location Plan (scale 1:2500); 0106(3) (Design and Access Statement); 0106(3) (Supporting Statement) ;GSM-TT-000002-AA Issue 1(Radio Coverage Survey Report); CC30-1050 (Tree Survey); Environmental Considerations Form; Statement of Community Involvement; Preapplication information leaflet.

## **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:**

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Statement 5: Planning for the Historic Environment (2010)

Planning Policy Guidance 8: Telecommunications (2001)

Planning Policy Guidance 13: Transport (2011)

**The London Plan [2008]:**

- 3C.5 London's International, national and regional transport links
- 4B.1 Design principles for a compact city.
- 4B.5 Creating an inclusive environment
- 4B.7 Respect local context and community
- 4B.8 Respect local context and communities
- 4B.11 Heritage conservation

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

- D4 – The Standard of Design and Development
- D14 – Conservation Areas.
- D24 – Telecommunications Development
- EP28 - Conserving and enhancing biodiversity

Pinner Conservation Areas Supplementary Document (SPD) was adopted in December 2009 - Appendix 7 – Tookes Green Character Appraisal & Management Strategy

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

Plan Nos: NTPO/0106/GA/A/004; NTPO/0106/GA/A003; NTPO/0106/GA/A/002; 0106B(2) (Site Location Plan); Location Plan (scale 1:2500); 0106(3) (Design and Access Statement); 0106(3) (Supporting Statement); GSMTT-000002-AA Issue 1(Radio Coverage Survey Report); CC30-1050 (Tree Survey); Environmental Considerations Form; Statement of Community Involvement; Preapplication information leaflet.