

SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: 90-100 PINNER ROAD, HARROW, HA1 4JD

Reference: P/2098/11

Description: RETROSPECTIVE APPLICATION FOR A MIXED USE THREE STOREY BUILDING CONTAINING RETAIL USE (CLASS A1) ON THE GROUND FLOOR AND 12 RESIDENTIAL UNITS (CLASS C3) ON THE FIRST AND SECOND FLOORS; ASSOCIATED CAR PARKING AND BICYCLE STORAGE [RESIDENT PERMIT RESTRICTED]

Ward: HEADSTONE SOUTH

Applicant: Mr R Dalia

Agent: A & N Architects

Case Officer: Fergal O'Donnell

Expiry Date: 18-Nov-2011

RECOMMENDATION

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

REASON

The development would contribute to the delivery of housing within the borough. The redevelopment of the site would result in a modern, contemporary design that responds appropriately to the local context, and would provide adequate living conditions for future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenity of the neighbouring occupiers and the development would not result in any adverse impacts upon highway safety or convenience.

The decision to **GRANT** planning permission has been taken having regard to National Planning Policy, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, to meet the Vision of the Council in promoting a diverse community, which is celebrated and valued and create better cohesion, as detailed in Harrow's Sustainable Community Strategy [Apr 09], and any comments received in response to publicity and consultation.

INFORMATION

This application is reported to Planning Committee as it is a major application recommended for approval and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type: Smallscale Major Dwellings

Council Interest: None

Gross Floorspace: 1595sq m

Net additional Floorspace: 378sq m

Density: 120 dwellings per hectare; 360 habitable rooms per hectare

Affordable Unit: None

Lifetime Homes: 12 (all units)

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable if decision issued prior to 1st April 2012

Site Description

- The site is located on the north-western corner of Pinner Road and Devonshire Road.
- The site was formerly occupied by a two-storey building with a pitched and tiled roof.
- The property has a deep forecourt, approximately 8 metres in depth from the back of the footpath along Pinner Road.
- The site has a yard to the rear, enclosed by a warehouse to the west, lock-up garages to the north and a high brick wall along Devonshire Road.
- Planning permission was granted, ref P/4117/07/CFU, for the extension of the pre-existing building on the site and the conversion of the upper floors of this building to 12 self-contained residential units. However, this permission was not successfully implemented as substantial demolition of the building was undertaken and the permission, which solely granted extension and conversion, could not therefore be implemented.

Proposal Details

- The submitted application seeks retrospective planning permission for a three-storey building to be used as retail (A1 Use Class) on the ground floor and 12 self-contained residential units on the first and second floors. The building is not yet completed but the outer shell of the building is completed.
- The building is 37 metres in width by 14 metres in depth. It is 10.2 metres in height.
- The building would have glazing panels along the front elevation at ground floor level and Juliette balconies (one for each flat) on the upper floors of the front elevations
- The floor space on the ground floor would be approximately 468m².
- The residential units are accessed via an outrigger on the eastern side of the building and via balconies to the rear.
- Each of the 12 residential units would be 3 person 2 bedroom units and the floor areas of each unit would be 67m².

Revisions to the scheme during application

- Internal floor layouts revised to accommodate 3 rather than 4 persons per residential unit
- Further financial viability information submitted

Revisions to Previous Application:

- None.

Relevant History

P/4111/07/CFU - CONVERSION OF 1ST FLOOR AND ROOF EXTENSION TO CREATE NEW 2ND FLOOR WITH FLAT ROOF TO PROVIDE 12 X 2 BEDROOM UNITS ABOVE EXISTING COMMERCIAL UNIT

Granted : 07-Feb-2008

P/2507/10 - CHANGE OF USE OF 90-94 PINNER ROAD FROM MOTORCYCLE SHOWROOM (SUI GENERIS) TO RESTAURANT (USE CLASS A3); RELOCATION OF EXISTING EXTERNAL STAIRCASE; RETRACTABLE FRONT AND SIDE CANOPIES; NEW 2.5M BOUNDARY WALL TO THE SIDE AND REAR AND 1.5M FENCE TO FRONT; INSTALLATION OF FOLDING DOORS TO FRONT AND REAR; EXTRACT DUCT ON REAR ELEVATION; EXTERNAL ALTERATIONS

Granted : 06-Jan-2011

Background Information

Difference between the current scheme and approved planning application P/4117/07/CFU

In terms of a comparison with the previously approved scheme on the site, P/4117/07/CFU, the development considered here relates to an entire redevelopment the site rather than extension and conversion of the previous building on the site. However, the land uses proposed and the intensity of these uses differs little from that approved previously. In common with planning application P/4117/07/CFU, the development proposes a commercial use on the ground floor and 12 self-contained residential units above. The scale of the building would be identical to that approved previously. In order to accord with the space requirements for residential units set out in the London Plan 2011 and the adopted SPD: Residential Design Guide, in the internal layouts of the units have been amended to provide for one double and one single room in each unit rather than two double rooms.

Planning Permission P/2507/10

This planning permission was never implemented

Pre-Application Discussion

- None

Applicant Submission Documents

- Planning Statement (conclusion)
- Current application identical to that approved previously (P/4117/07)
- Application would not have been required were all conditions discharged in time
- A number of policies have not changed in the interim
- In respect of the policy changes, it is considered that the development would still accord with these new policies
- Application would provide retail floor space and new homes for which there is a need and the development would be appropriate subject to conditions

Design and Access Statement (summarised as follows):

- Area is well served by local amenities and transport links
- Rooms are stacked vertically with like for like rooms
- Units have been designed to Lifetime Homes standards
- Units will have door entry systems to ensure security
- Passenger lift would be provided
- Surface materials are to be firm, durable and slip-resistant in all weather
- Buildings will be designed to current building regulation standards
- Solar panels will be provided on the roof and where possible water harvesting will be incorporated

- Refuse stores would be provided on site
- Scheme incorporates 5 parking spaces. Cycle stands are also provided within the scheme

Renewable Energy Feasibility Study (conclusion)

- Most feasible route for incorporating renewable technologies is through the use of solar PVs. The use of solar water heating systems would not be practical on this building. Building fabric designed to a high level of thermal performance in order to make contribution to renewables

Affordable Housing Statement (summarised)

- The scheme was previously granted without any affordable housing. Given the weaker housing market currently, it is considered unreasonable for affordable housing to now be sought. The proposed development would provide residential units for which there is a real need in the locality.

Consultations

Environment Agency

No comments to be made in regard to this application

Thames Water

No objection. Comments made in respect of Waste and Surface Water Drainage – see Informative attached to recommendation

Headstone Residents Association

No response received

Advertisement

Major Development

Expiry: 29-Sep-2011

Site Notice posted on 03-Oct-2011

Expiry: 24-Oct-2011

Notifications

Sent: 77

Replies: 1

Expiry: 21-Sep-2011

2nd Notification (required as a result of further financial viability information submitted and revised floor layout)

Sent: 77

Replies: 1

Expiry: 12-Jan-2012

Addresses Consulted

Devonshire Road: 1-10, 5A, 9A, 10A

Dorset Road: 1-5

Neptune Road: 11-14

Pinner Road: Devonshire House at 84-88, Harrow Health Care Centre, 91, 93, 94, 95, 95A, 97, Pinner Road Physio Clinic, Oakwood Court, Flats 1-10 at Oakwood Court, 102, 104A, 104B, 106, 106A, 106B, 108A, 110, 110A, 112, 114, 114A, 116, 116A, Flats 1-3 at 121, 121A, 123, 123A, Service Station at 103-105, 124, The Lodge

Summary of Responses

- The changes to the application from the previous application have not been made clear
- Concerns over the use of the retail unit and types of shops that may use this unit
- Document submitted on the application in relation to sewers; require the Council's assurance that this matter has been satisfactorily addressed by the developer

APPRAISAL

The Government has issued a Draft National Planning Policy Framework (NPPF) that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

MAIN CONSIDERATIONS

- 1) Principle of the Development and Land Use
- 2) Affordable Housing
- 3) Housing Density and Unit Mix
- 4) Design, Character and Appearance of the Area
- 5) Layout and Residential Amenity
- 6) Accessibility
- 7) Parking and Highway Safety
- 8) Sustainability
- 9) Drainage
- 10) S17 Crime & Disorder Act
- 11) Consultation Responses

1) Principle of the Development and Land Use

The application site is considered to be previously developed land. PPS1 and PPS3 seek to make the most effective and efficient use of land, directing new development towards previously development land. Core Strategy policy CS1.A sets out a requirement to direct growth outside of the Harrow and Wealdstone Intensification Area towards previously developed sites. The proposed development would accord with these aims.

The site was formerly used as a motorcycle showroom (sui generis use) with ancillary office space on the first floor but the site was historically used as a shop. The site is located within a neighbourhood parade as outlined at Appendix B of the Harrow Core Strategy 2012. The development proposes a retail use on the ground floor with residential uses above. Policy EC10 of PPS4 states that the local planning authorities should adopt a positive and constructive approach towards planning applications for economic

development. The proposed development would provide an economic and employment generating use to the locality, also reflecting the historical use of the site. Though the site is located close to Harrow town centre and the development would provide a sizeable retail unit, it is considered that the retail offer would not be so significant as to detract from the vitality of Harrow town centre. Rather the retail unit on the site would be likely to provide local amenity benefits to the area.

The residential use of the first and second floors of the building would be compatible with the retail use of the ground floor and consistent with other properties within the local parade to the west which have commercial uses on the ground floor and residential uses above. The provision of additional housing would contribute towards housing targets set out in the London Plan and the Core Strategy for the borough and would make effective and efficient use of the land. The development would therefore be consistent with national and development plan policy in terms of the principle of development and land use, and is similar in scale and appearance in terms of the previous planning permission P/4117/07/CFU.

2) Affordable Housing

Planning permission (P/4117/07/CFU) was granted in February 2008 to provide an additional floor to the pre-existing building on the site and convert the upper two floors to 12 self-contained residential units. As is pointed out by the applicant in the Affordable Housing Statement, planning permission was granted without the requirement to provide any level of affordable housing. The applicant argues that as no affordable housing was sought previously and housing markets have taken a downturn since this time, it would be unreasonable to require development to provide affordable housing for the scheme.

However, planning legislation dictates that planning decisions should be based on the development plan in force at the time of the application. Since the previous grant of planning permission in February 2008, The London Plan has undergone two revisions and the LDF Core Strategy has been adopted. The policies of The London Plan 2011 and the Core Strategy each require new residential development with the capacity to provide 10 residential units to provide affordable housing units. However, policy indicates that the need to provide affordable housing should not restrict development. In this way, it is necessary to consider the viability of development. The applicant has provided information indicating that the scheme would not return a profit without the provision of affordable housing. Were affordable housing to be required, the development would return a significant loss. The Council's Housing Officer has considered the application and deems the figures provided to be broadly fair and an accurate reflection of the current and future housing markets. In this light, it would be unreasonable to require the scheme to provide affordable housing and it is considered that this provides justification to set aside the policies of the development plan.

3) Housing Density and Unit Mix

London Plan policy 3.9 and Harrow Unitary Development Plan (2004) saved policy H7 require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan 3.4 sets out a range of densities for new residential development.

The site is considered to be within an urban location and has a PTAL of 2. Policy 3.4 of the London Plan sets out a density range of 70-170 units per hectare and 200-450 habitable rooms per hectare. The density of the development of 120u/ha and 360hr/ha would therefore fall within the suggested density matrix and is therefore appropriate for

this setting. The development does not provide any mix of dwelling type but for a development of this scale, this is not considered to be so significant as to warrant refusal of the development.

4) Design and Character and Appearance of the Area

Good design lies at the core of national planning policy guidance. Planning Policy Statement 1 Delivering Sustainable Development (PPS1) advises at paragraph 34 that design which is inappropriate in its context, or fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. It also encourages the efficient use of land and the use of higher densities, although not at the expense of good design. London Plan policies 7.4.B, 7.5.B and 7.6.B and saved policy D4 of UDP set out a number of design objectives that new developments should seek to achieve, with the underlying objective of requiring new development to be of high quality design. Policy 7.4.B and saved policy D4 of the UDP pay particular reference to design being correct in its context and respecting the public and local realm.

The application site is on a corner and can be approached from 3 directions and affords a variety of publicly accessible viewpoints. The surrounding area features a mix of design types and style with limited architectural quality present. There is no clear or distinctive pattern of development, with the exception of the residential development to the northern end of the site within the 'county estate'. In this context, the adherence to the established built form along the northern side of Pinner Road, with its relatively featureless facades, is considered to be acceptable. The use of high quality materials would provide an appropriate finish to the building and would be required and secured by condition. The three storey scale of the building would follow from the neighbouring building to the west. As the building would be sited well away from the two-storey scale of the residential properties along Devonshire Road, the three-storey scale of the building is considered to be acceptable. The proposed development would therefore accord with policies 7.4.B and 7.6.B of The London Plan, policy CS1.B of the Core Strategy and saved policy D4 of the UDP.

Landscaping and Refuse

Refuse would be stored within the site, outside of public viewpoint and this is considered to be satisfactory. Given the urban nature of the environment, the development does not offer opportunities to provide landscaping of the site.

5) Layout and Residential Amenity

Neighbouring Amenity

Policy 7.6.B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Saved policy D5 of the UDP is broadly reflective of this policy and requires new development to maintain adequate separation distances between buildings and to site boundaries to ensure the privacy and amenity of neighbouring occupiers is maintained.

The proposed building aligns with the front and rear building lines of the neighbouring three-storey building to the west and would not therefore have an impact on the amenities of the users and occupiers of this property. The building is located well away from Devonshire House and given the use of this building, which is relatively insensitive to amenity issues, the development does not unduly impact on the amenity of this property.

The building is sited some 15.5 metres from the neighbouring residential properties to the rear of the side and habitable room windows from the units are sited a further 1.5 metres from the rear of this residential property. Given these distances, it is considered that no undue overlooking, overshadowing or overbearing impacts would arise to the occupiers of No.1 Devonshire Road.

The use of the site as a retail unit and 12 residential properties is likely to increase the intensity of the use of the site. However, the residential use of properties over the commercial units along Pinner Road is well established and it is considered that any additional disturbance arising from the residential units would not have any unreasonable impact on the amenities of the occupiers of the properties along Devonshire Road. The servicing of the retail unit would be controlled by an appropriate planning condition and as such, it is considered that no unreasonable impacts would arise from this unit.

Amenity of Future Occupiers

Saved policies D4 and D5 require all new residential development to provide high quality living spaces and adequate amenity spaces for the occupiers of the development. The adopted Supplementary Planning Document: Residential Design Guide 2010 sets out space standards for flats and new housing as well as outlining guidelines for successful living spaces. The standards in the SPD follow on from the standards within the adopted London Plan 2011 (Table 3.3).

The London Housing Design Guide has been used to inform the adopted space standards within the adopted London Plan and though this document is not formally adopted, it nonetheless provides a useful tool in the consideration of appropriate living spaces. The standards are being incorporated into the Mayors SPG: Housing and consultation is due to commence shortly. Whilst these standards are not adopted and therefore have limited weight, they nonetheless provide useful indicators with regard to whether a development is appropriate in size or not.

All units would be dual aspect and would accord with the space standards set out in the London Plan and adopted SPD: Residential Design Guide. Each habitable room would have adequate outlook and each unit would be stacked with like for like rooms above and below. Though no external amenity space is provided, given the proximity of the site to Harrow recreation park, the proximity of the site to the town centre and the obvious limitations of the site and the sizes of the unit i.e. none of the units are likely to be used for family accommodation, it is considered that the absence of external amenity space can be accepted in this instance.

Subject to the condition recommended in relation to the servicing of the retail unit, the mixed use of the site would be compatible with residential uses and the amenity of the future occupiers of the residential unit would not be adversely affected.

6) Accessibility

The applicant has indicated in the Design and Access Statement and the submitted plans that all units would be Lifetime Homes and 2 units would be wheelchair homes. Parking spaces would be provided to the rear of the neighbouring site which is within the applicant's ownership and these parking spaces would provide adequate spaces for disabled persons given the short distance to the passenger lift proposed. The development would thereby accord with London Plan policy 7.2.C, saved UDP policies D4 and C16 and the adopted SPD: Accessible Homes 2010.

7) Parking and Highway Safety

The applicant has provided 5 parking spaces on land within the ownership of the applicant to the rear of the neighbouring property to the west. As direct access to the flats would be provided by the lift to the upper floors, the siting of these parking spaces is considered to be adequate. In terms of the number of spaces provided, as the site is located close to Harrow town centre and a number of local amenities, it is considered that the provision of 5 parking spaces would be adequate, subject to a condition requiring that arrangements for the restriction of residents permits be agreed in writing with the local planning authority prior to the occupation of the units.

The applicant has provided 12 cycle spaces for the development broadly according with the requirements of The London Plan (The London Plan advocates that 12-14 spaces would be provided for a development of this scale) and the development is considered to be acceptable in this regard.

8) Sustainability

Policy 5.1 of The London Plan (2011) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Policy 5.2A/B of The London Plan (2011) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

The applicant has submitted information relating to the viability of providing renewable technologies on the site. Development plan policies set out that as a minimum, the building should achieve a 'very good' BREAAAM rating and should provide residential units which achieve Code Level 4 for sustainable homes. The applicant has outlined that a number of renewable technologies would not be viable or practicable due to the way the building has been constructed. As such, it is unclear whether the requirements of the development could be met on site, given the physical constraints of the building. Nonetheless, the Code of Sustainable Homes and BREAAAM standards allow for the flexible use of various technologies to achieve the minimum standards.

Given the physical constraints of the building, it would be unreasonable to attach a condition requiring a 'very good' BREAAAM standard and that development would meet Code Level 4 for sustainable homes as this may not be achievable. However, as a number of different technologies could be used to enable the development to approach or exceed these levels, and considering the other benefits the scheme would provide to the borough, it is considered that development should not be refused solely on the basis of the failure to demonstrate compliance with the policies of The London Plan 2011. Subject to a condition stating that, unless otherwise agreed in writing with the local planning authority, the development should achieve Code Level 4 for sustainable homes and a 'very good' BREAAAM standard, it is considered that the development would broadly accord with the policies of the development plan.

9) Drainage

Conditions are recommended to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off. Subject to such conditions, which should be provided before the retail units or the residential units are occupied, the development would accord with PPS25, London Plan 5.12.B/C/D or saved policy EP12 of the UDP.

10) S17 Crime & Disorder Act 1998

It is considered that the development would not have any adverse impact on the crime or safety in the locality. Nonetheless, the applicant should demonstrate that the development would meet Secured by Design criteria, prior to the occupation of the residential units. These details should be provided and approved prior to the occupation of the units.

11) Consultation responses

Changes to the application from the previous application have not been made clear

The application submitted, the description of development and the submitted plans are considered to be adequate to distinguish between this and previous applications

Concerns over the use of the retail unit and types of shops that may use this unit

It is unclear as to the specific concern raised in relation to the retail unit but retail units are generally compatible with residential use and many other retail units along Pinner Road operate without undue detriment to amenity, as demonstrated by the operation of A1 Use Class units at 114, 124, 128 and 130 Pinner Road. The retail unit will also be subject to servicing conditions. In this context, the provision of a retail unit on the ground floor is considered to be acceptable.

Document submitted on the application in relation to sewers; require the Council's assurance that this matter has been satisfactorily addressed by the developer

Thames Water have commented on the application in relation to sewers and the applicant is made aware of their obligations in this respect by way of an informative on this report

CONCLUSION

The development would contribute to the redevelopment of this site and would make a contribution to the delivery of housing within the borough. The redevelopment of the site would result in a modern, contemporary design that responds appropriately to the local context, and would provide adequate living conditions for future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenity of the neighbouring occupiers and the development would not result in any adverse impacts upon highway safety or convenience. Weighing up the development plan policies, all other material considerations including comments received as a result of consultation of the development, the application is recommended for grant.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of five 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 be occupied until details 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: all external materials for the building on the site

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4.B and 7.5.B/C of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan (2004).

3 No servicing or deliveries in association with the A1 use on the ground floor hereby permitted shall be carried out before 0800hrs or after 2000hrs on Mondays to Saturdays; or before 1000hrs or after 1400hrs on Sundays or Bank Holidays.

REASON: To safeguard the neighbouring occupiers from undue levels of noise and disturbance, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004

4 Before the residential units hereby permitted are occupied, a Sustainability Strategy, detailing the method of achievement of Code for Sustainable Homes Level 4 for the residential units on the site (or successor), and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change, policies 5.2.B/C/D/E of The London Plan 2011, saved policy D4 of the Harrow Unitary Development Plan 2004 and adopted Supplementary Planning Document – Sustainable Building Design 2009.

5 Before the retail unit on the ground floor hereby permitted is occupied a Sustainability Strategy, detailing the method of achievement of BREEAM ‘very good or excellent’ (or successor), and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change, policies 5.2.B/C/D/E of The London Plan 2011, saved policy D4 of the Harrow Unitary Development Plan 2004 and adopted Supplementary Planning Document – Sustainable Building Design 2009.

6 Before the development hereby permitted is occupied, details of works for the disposal of water on the site shall be submitted to, and approved in writing by, the local planning authority. The works shall be completed in accordance with the approved details and thereafter retained in that form.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with PPS25, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with PPS25, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

8 Prior to first occupation of the development, details of a lighting scheme for the development including hours of operation shall be submitted to and approved in writing by

the Local Planning Authority.

REASON: To meet the needs for safety and security for users of the site and to ensure that impact upon the amenity of residents in Devonshire Road and Dorset Road are safeguarded, in accordance with policy 7.3.B of The London Plan 2011 and saved policy D4 of the Harrow Unitary Development Plan 2004.

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

REASON: To ensure that the scheme adequately addresses parking pressures locally and sustainability requirements of policies T13 and D4 of the Harrow Unitary Development Plan 2004.

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

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

2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with policy 7.3.B of The London Plan 2011 and saved policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

11 No satellite dishes, antennae or other communications equipment are permitted on any part of building hereby approved, without the prior written permission of the local planning authority.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4.B and 7.5.B/C of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan (2004).

12 The development hereby permitted shall be carried out in accordance with the following approved plans: AR-P104; AR-P105; AR-P01 Rev C; AR-P04 Rev C; AR-01; AR-02; AR-03; AR-04; AR-P05 Rev B; AR-P06 Rev B; Site Plan; Planning Statement; Affordable Housing Statement; Renewable Energy Feasibility Statement; Design and Access Statement

INFORMATIVES

1 SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The development would contribute to the delivery of housing within the borough. The proposed redevelopment of the site would result in a modern, contemporary design that responds appropriately to the local context, and would provide adequate living conditions

for future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenity of the neighbouring occupiers and the development would not result in any adverse impacts upon highway safety or convenience.

The decision to **GRANT** planning permission has been taken having regard to National Planning Policy, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, to meet the Vision of the Council in promoting a diverse community, which is celebrated and valued and create better cohesion, as detailed in Harrow's Sustainable Community Strategy [Apr 09], and any comments received in response to publicity and consultation.

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development [2005]

Planning Policy Statement 3: Housing [2011]

Planning Policy Statement 4: Sustainable Economic Development [2009]

Planning Policy Guidance 13: Transport [2011]

Planning Policy Statement 22: Renewable Energy [2004]

Planning Policy Statement 25: Development and Flood Risk [2010]

Draft National Planning Policy Framework 2011

The Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application. As such, the application has been assessed against the relevant adopted planning policy.

The London Plan [2011]:

3.1.B – Ensuring Equal Life Chances for All

3.3 – Increasing Housing Supply

3.4 – Optimising Housing Potential

3.5 – Quality and Design and Housing Development

3.6.B – Children and Young People's Play and Informal Recreation Facilities

3.8.B – Housing Choice

3.9 – Mixed and Balanced Communities

3.10 – Definition of Affordable Housing

3.11 – Affordable Housing Targets

3.12.A/B – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

3.13.A/B – Affordable Housing Thresholds

5.2.A/B/C/D/E – Minimizing Carbon Dioxide Emissions

5.3.B/C – Sustainable Design and Construction

5.7.B – Renewable Energy

5.12.B/C/D – Flood Risk Management

5.21.B – Contaminated Land

6.3.A/B/C – Assessing the Effects of development on transport capacity

6.9 – Cycling

6.13 – Walking

7.1.B/C/D/E – Building London's Neighbourhoods and Communities

- 7.2.C – An Inclusive Environment
- 7.3.B – Designing out Crime
- 7.4.B – Local Character
- 7.5.B – Public Realm
- 7.6.B – Architecture

Harrow Core Strategy [2012]

CS1 – Overarching Policy

The binding Inspector's report following the Examination in Public of the draft Harrow Core Strategy was received on 13 December 2011. This report found that the Core Strategy is sound subject to modifications. The Core Strategy, incorporating the modifications, was adopted by the Council on 16th February 2011 and now forms part of the development plan.

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

- S1 – The Form of Development and Pattern of Land Use
- EP12 – Control of Surface Water Run-Off
- EP25 – Noise
- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- H7 – Dwelling Mix
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards
- C16 – Access to Building and Public Spaces

Other Relevant Guidance:

- Supplementary Planning Document: Sustainable Building Design [May 2009]
- Supplementary Planning Document: Accessible Homes [Mar 2010]
- Supplementary Planning Document: Residential Design Guide [Dec 2010]
- Harrow's Sustainable Community Strategy [Apr 09]

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

5 CONSTRUCTION METHODS

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

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

6 THAMES WATER ADVICE

Waste Comments

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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

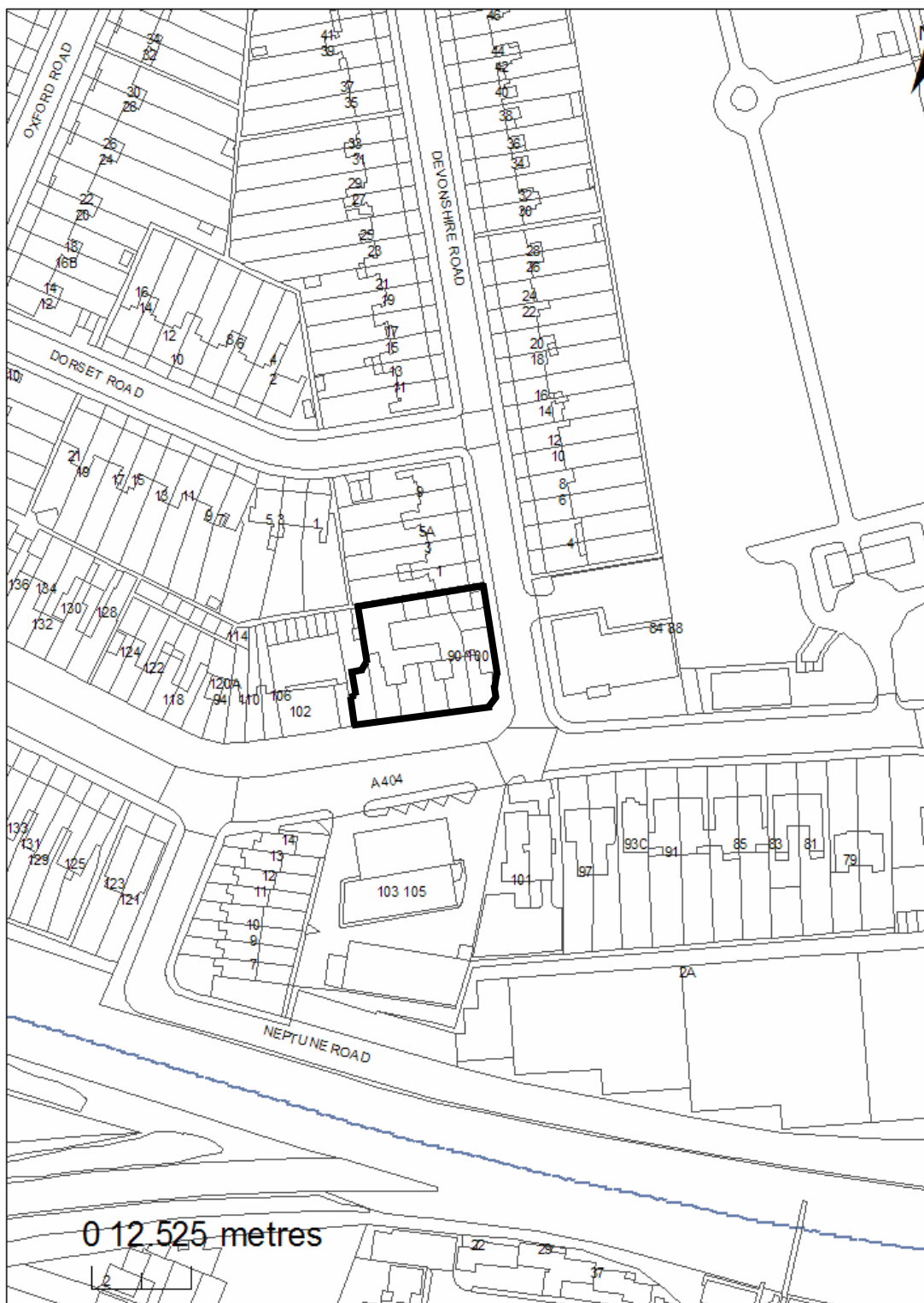
that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Plan Nos: AR-P104; AR-P105; AR-P01 Rev C; AR-P04 Rev C; AR-01; AR-02; AR-03; AR-04; AR-P05 Rev B; AR-P06 Rev B; Site Plan; Planning Statement; Affordable Housing Statement; Renewable Energy Feasibility Statement; Design and Access Statement



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Item No. 1/02
Address: 1 & 2 BANKFIELD COTTAGES, ASS HOUSE LANE, HARROW
Reference: P/3063/11
Description: EXTENSION OF TIME TO PLANNING PERMISSION P/0838/08DFU DATED 17/03/2009 FOR 'TWO TWO-STOREY SEMI-DETACHED HOUSES WITH PARKING'
Ward: HARROW WEALD
Applicant: Grims Dyke Golf Club
Agent: Jack Cruickshank Architects
Case Officer: Nicola Rankin
Expiry Date: 4 January 2012

RECOMMENDATION

Inform the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within 6 months (or such period as the Council may determine) of the date of the Committee decision on this application to require the implementation of either planning permission P/3026/05/CFU only or the proposal subject to this application P/3063/11, but not both.
2. A formal decision notice, subject to the planning conditions noted below, will be issued only upon completion of the aforementioned legal agreement

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

REASON

The decision to GRANT planning permission has been taken as the proposal would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring occupiers, and having regard to the policies and proposals of The London Plan 2011, the Harrow Core Strategy (2012) and saved policies of the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report.

INFORMATION

This application is referred to the planning committee as the proposal is for the extension of time of a planning permission that was not granted under delegated authority, and therefore is outside category 17 of the Scheme of Delegation.

Statutory Return Type: Minor Dwellings

Council Interest: None

Green Belt: Yes

Site Area: 600m² (Curtilage of dwellings)

Gross Floorspace: 196 sq m

Site Description

- The site is located at the edge of the Grims Dyke Golf Club
- Previous cottages have been demolished
- New cottages would be located to the south east of an existing green-keeper's shed on south east side of Ass House Lane, an un-made roadway off Old Redding
- To the south, west and east are the open grounds of the golf club; to the north are other open and wooded areas of Harrow Weald Common
- Site is within the Green Belt and Harrow Weald Ridge Area of Special Character

Proposal Details

- The application proposes an extension of time of planning permission P/0838/08 dated 17 March 2009.
- The original planning permission allowed for:
- Construction of a pair of two-storey semi-detached houses with a footprint of 60m² each.
- The houses would be 7m high with gabled roofs with chimneys rising approximately 2m above roof ridge.
- Provision of three car parking spaces, garden areas and landscaping.
- Provision of new copse of 5 Oak trees on location of previous houses.

Revisions to Previous Application:

- None.

Relevant History

EAST/8/00/FUL - Demolition and replacement of two storey semi-detached houses with parking

Refused - 08/09/200

Reason for Refusal:

1. The proposed development, by reason of its excessive size and bulk, would be visually obtrusive, out of keeping and amount to inappropriate development in this green belt location to the detriment of the character of the locality.

EAST/1229/00/FUL - Demolition and replacement of two storey semi-detached houses with parking (revised)

Granted - 09/03/2001

P/3026/05/CFU - Renewal of permission of east/1229/00/ful: demolition and replacement of 2 two storey semi-detached houses with parking

Granted - 09/06/2006

P/0838/08/DFU - Two two-storey semi-detached houses with parking

Granted - 17/03/2009

Pre-Application Discussion (Ref.)

- None

Applicant Submission Documents

- Design and Access Statement

Consultations

- Arboricultural Officer: No objections, subject to conditions.
- Drainage Engineer: Conditions regarding drainage required.
- Highways Authority: No objections, 1 cycle parking space per unit should be secured.
- Waste Management Officer: The Three bin system would apply.
- Landscape Architect: No objections to the proposal, subject to detailed hard and soft landscape proposals.

Advertisement

N/A

Notifications

Sent: 6

Replies: 0

Expiry: 15.12.2011

Addresses Consulted

- Grimsdyke Hotel, Old Redding, Harrow Weald, Harrow
- Farmland, Ass House Lane, Harrow
- Substation opposite Grimsdyke Gold Club, Ass House Lane, Harrow
- Bankfield Cottages, Ass House Lane, Harrow
- Grimsdyke Golf Club, Oxhey Lane, Pinner

Summary of Responses

- None

APPRAISAL

The Government has issued a Draft National Planning Policy Framework (NPPF) that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

The binding Inspectors report following the Examination in Public of the draft Harrow Core Strategy was received on 13 December 2011. This report found that the Core Strategy is sound. The draft Core Strategy has been subsequently adopted on 16th February and carries significant weight and is a material consideration in all planning decisions by the Council.

Although the Core Strategy forms a material consideration, the saved policies of the Harrow Unitary Development Plan referred to in the officers report remain in force. The application will be assessed having regard to the relevant London Plan (2011) policies, the adopted Core Strategy and the relevant saved policies of the Harrow Unitary Development Plan (2004).

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking

- 5) Development and Flood Risk
- 6) Accessibility
- 7) Sustainability
- 8) Trees and Development
- 9) S17 Crime & Disorder Act
- 10) Consultation Responses

1) Principle of the Development

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

There have been three material changes to the planning considerations at this site since the previous application. The first is that the London Plan (2008) has been replaced with The London Plan (2011). The second is that the Council has adopted the Harrow Core Strategy on 16th February 2012. The third is that the Council has adopted, in 2010, a revised Accessible Homes Supplementary Planning Document and a new Supplementary Planning Document: Residential Design Guide.

PPG2 outlines that replacement of existing dwellings within the Green Belt can be acceptable in principle provided the replacement dwelling is not materially larger. The policies in PPG2 are reinforced by the policies in The London Plan (2011) and The Harrow Core Strategy (2012). Policy 7.16 of The London Plan (2011) states that "Development will be supported if it is appropriate". The Core Strategy policy CS1 F outlines that "The quantity and quality of the Green belt shall not be eroded by inappropriate uses or insensitive development". Policy EP33 was referred to in the previous application; however this policy has been deleted. Saved policy EP32 has also been deleted following the adoption of the Harrow Core Strategy (2012). The most relevant guidance and policies for this application are therefore PPG2, London Plan (2011) policy 7.16 and Harrow Core Strategy policy CS1 F.

Since the previous application, the original pair of semi detached dwellings on the site have been demolished. It is therefore considered that the current proposal would constitute inappropriate development, contrary to the aforementioned policies, as the scheme would no longer involve a replacement of existing dwellings. Nevertheless, the existing extant planning permission, P/0838/08, is also a material consideration in this application. Other than the demolition of original dwellings on site, there have been no other material changes in the site circumstances. Having regard to this, the extant permission for the development, as well as regard to the fact that the site coverage of the proposed dwellings would be less than the previous dwellings on site, it is considered that in this case the principle of the development should be accepted, subject to a S. 106 agreement.

On the previous application, it was necessary for the applicants to enter into a S.106 Agreement with the Council to ensure that the permission granted under reference P/3026/05 for demolition and replacement of a pair of semi detached cottages was not implemented, to avoid the possibility of the construction of two pairs of cottages which would be contrary to Green Belt policies. As the original dwellings have been demolished,

it is considered that that the development allowed under P/3026/05 has commenced and therefore planning permission P/3026/05 is extant. Therefore a further S.106 agreement would be required in this case to ensure that both pairs of dwellings were not constructed. Subject to a S.106 agreement for the reasons outlined above and having regard to the existing extant planning permission (P/0838/08), the principle of the construction of a pair of cottages on the site is considered acceptable.

2) Character and Appearance of the Area

The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation. Development should not be harmful to amenities, should incorporate best practice for climate change, provide high quality indoor and outdoor spaces, be adaptable to different activities and land uses and meet the principles of inclusive design.

Saved policy D4 of the Harrow UDP reinforces the principles set out under The London Plan (2011) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surrounding, and should have a satisfactory relationship with adjoining buildings and spaces. The Council has published a Supplementary Planning Document on Residential Design (2010) which sets down the detailed guidance for residential extensions and new residential developments and reinforces the objectives set under saved policy D4.

Saved policy D5 of the Harrow Unitary Development Plan (2004) requires new development *'to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a usable amenity area for the occupiers of the development; as a visual amenity'*. Explanatory paragraph 4.28 of saved policy D5 of the Harrow Unitary Development Plan (2004) goes on to state that *'There should be a clear definition between private amenity space and public space'*.

The principle policies for assessing the standard of design and layout at the time of the original planning permission P/0838/08 was saved policy D4 of the Harrow UDP. This policy would still apply in this case. The Council has also adopted a Supplementary Planning Document: Residential Design Guide (2010) since the previous application.

Policies 7.4B regarding Local Character and 7.6B relating to Architecture are the design led policies that would be most relevant to the proposed development. In assessing the proposed development against policies 7.4B and 7.6B of The London Plan and the adopted SPD: residential Design Guide (2010), it is considered that the proposal would not have any adverse impact on the character and appearance of the local area. The site coverage, footprint and volume of the proposed cottages were accepted on the previous application and are therefore considered to be appropriate development in accordance with PPG2, policy 7.16 of The London plan (2011) and Harrow Core Strategy policy CS1F.

There have been no material changes in the circumstances on the site, or significant changes to the character and appearance of the area that would warrant a different view on the design and appearance of the proposed development and its impact on the character and appearance of the area. The proposed development is therefore considered to be acceptable in accordance with the objectives set out under policies 7.4B, 7.6B and 7.16 of The London Plan 2011 and saved policy D4 of the Harrow UDP 2004 and the adopted SPD-Residential Design Guide.

3) Residential Amenity

The principle policies at the time of the local planning authority's assessment of P/0838/08 for the new development was D5. This policy has been saved as part of the revised UDP and therefore would still apply in this case.

Policy 7.6B, subsection D, of The London Plan (2011) would also now apply. This policy states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

Having regard to the scale, design and siting of the proposal, it is considered that the proposal would be acceptable with regard to both policy 7.6B of the London Plan 2011 and saved policy D5 of the Harrow Unitary Development Plan. There have been no changes to the site circumstances that would warrant a different conclusion.

In addition to the above, London Plan (2008) policy 3A.5 was referred to in the original decision. Since the original decision, a number of policies in the recently adopted 2011 London Plan would apply in this case, these being 3.3B – Increasing Housing Supply; 3.4A – Optimising Housing Potential; 3.5B/C – Quality and Design of Housing Developments and 3.8B Housing Choice.

Since the original planning permission, the Council has adopted a new Supplementary Planning Document on Residential Design Guide (SPD), which sets out the detailed guidance for new residential development and has adopted minimum space standards for flats and new housing. These space standards mirror the minimum space standards set out in The London Plan policy 3.5 (Table 3.3), which was adopted in July 2011.

The minimum space standards set out in the Council's adopted Residential Design Guide SPD and policy 3.5C of The London Plan 2011 are for flats and two storey houses. The requirement for a 3 bedroom, 4 person house is 87m². The proposal would comfortably exceed this requirement in respect of both properties and is therefore considered to be acceptable in this regard.

In conclusion, based on the above factors, it is considered that the proposed development would be in accordance with the objectives set out under policies 3.3B, 3.4A, 3.5B/C and 3.8B of The London Plan 2011, saved policy D5 of the Harrow UDP 2004 and the adopted Supplementary Planning Document: Residential Design Guide (2010).

4) Traffic and Parking

The principle policy for assessing parking standards at the time of the original application was policy T13. This policy has been saved and would therefore still apply.

The London Plan (2011) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more

sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2011) sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility.

There is no proposed change to the siting of the three parking spaces as approved under P/0838/08 and the siting of the car parking spaces is therefore be considered acceptable.

5) Development and Flood Risk

As on the previous application, saved policy EP12 would be relevant to the proposal. Saved policy EP12 of the Harrow Unitary Development Plan (2004) states that development likely to result in adverse impacts, such as increased risk of flooding, river channel instability or damage to habitats, will be resisted.

As on the previous application, in order to ensure that water does not discharge onto the public highway and increase the risk of localised flooding conditions are attached to ensure adequate drainage facilities and surface water attenuation works are provided on the site Subject to compliance with these conditions, the proposal would comply with saved policy EP12 of the HUDP (2004).

6) Accessibility

Since the original decision the Council has adopted a new Supplementary Planning Document: Accessible Homes (2010) which is supported by saved policy C16 of the Harrow Unitary Development Plan (2004). There are a number of policies from the adopted London Plan (2011) that would apply in this case.

Policy 3.1B of The London Plan seeks to ensure that development proposals protect and enhance facilities and services that meet the needs of particular groups and communities. Policy 3.5C seeks to ensure that the design of all new dwellings inter alia have adequately sized rooms and convenient and efficient room layouts that meets the changing needs of Londoners over their lifetimes. Policy 3.8B of The London Plan requires under sub-sections c), that all new housing is built to 'The Lifetime Homes' standards, and d), that ten per cent of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Policy 7.1C of The London Plan requires new development to achieve high standards of accessible and inclusive design which should be supported in Design and Access Statements submitted.

The previous application was assessed against the Council's SPG in relation to Lifetime Homes standards and the proposal was found to comply in whole to the standards. As the principle guidance was carried over from the 2006 version of the SPD and the proposed scheme was shown to meet the Lifetime Home standards previously, it is considered to be acceptable in regard to The London Plan policies stated above, saved policy C16 of the Harrow UDP and the Council's adopted Accessible Homes SPD (2010). Notwithstanding this, a condition requiring the houses to be built to Lifetime Homes standards is attached.

7) Sustainability

Since the previous application, policies in The London Plan 2011 would now be relevant to the proposal. Policy 5.1 of The London Plan (2011) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Policy 5.2A/B of The London Plan (2011) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building

Design (adopted May 2009). The London Plan (2011) policy 5.2 also requires compliance with Code for Sustainable Homes Level 4. A condition has been added to this application for extension of time to the original planning permission to ensure compliance with this requirement and therefore the sustainability of the proposal.

8) Trees and Development

Trees line both sides of Ass House Lane. As the site circumstances have not changed since the previous application, the proposal is considered acceptable subject to the imposition of conditions pertaining to tree protection during construction.

9) S17 Crime & Disorder Act

Saved policy D4 of the Harrow Unitary Development Plan (2004) advises that crime prevention should be integral to the initial design process of a scheme. Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments.

Under application P/0838/11 the proposal was found not to have any impact on crime and disorder in the locality. There has been no changes to the site circumstances that would warrant a different conclusion and the proposal is therefore considered to be acceptable in this regard.

10) Consultation responses

None

CONCLUSION

The proposal would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of the future occupiers of the site, and having regard to the policies and proposals of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report, this application is recommended for grant.

CONDITIONS

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

REASON: To comply with the provisions of Section 91 of the Town & 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) building

(b) the boundary treatment

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

REASON: To safeguard the appearance of the locality 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, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land,

indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedule of plants, noting species, plant sizes and proposed numbers/densities.

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

4 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

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

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with saved policies D4 and D5 of the Harrow Unitary Development Plan (2004).

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

- (a) The storage and disposal of refuse/waste
- (b) and vehicular access thereto

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

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

7 Storage shall not take place anywhere within the application site except within the building(s).

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

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

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

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

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

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

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS 25 and to prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in PPS 25 & PPS 25 Practice Guide.

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

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

12 The development hereby permitted shall not commence until a scheme for the protection of the piped watercourse has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a structural survey by CCTV and trial holes to assess the construction, position, condition and expected life of the culvert; proposal of an agreed method of repair or replacement if required; full details demonstrating that the new structure does not impart any load on the culvert or destabilise it in any way; details of any necessary build over or adjacent to the culvert; details of access for future repairs, blockage clearance, maintenance and future condition surveys.

REASON: To protect the integrity of the piped watercourse structure, reduce and mitigate the effects of flood risk following guidance in PPS 25 & PPS 25 Practice Guide.

13 The development hereby permitted shall not be commenced until a Tree Protection Plan, in line with BS:5837 (2005), has been submitted to, and approved in writing by, the local planning authority. The Tree Protection Plan must be implemented as approved.

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

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

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

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

(i) a plan showing the location of, and allocating a reference number to, each existing

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

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

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

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

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

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

16 The copse of 5 English Oak trees indicated on plan number GDGC4/OD1 Rev A shall be planted in the first planting season following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any new trees which, within a period of 2 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

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

a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters; and

b) specify the responsibilities of each party for the implementation of the SuDs scheme, together with a timetable for that implementation; and

c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

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

local planning authority.

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

- (a) amenity space
- (b) parking space

and to safeguard the amenity of neighbouring residents.

19 The dwellinghouse shall be constructed to meet at least Level 4 of Code for Sustainable Homes. To this end the applicant is required to provide clarification demonstrating compliance with code level 4 prior to occupation of the dwellinghouse.

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) 5.2.

20 1 secure cycle parking space shall be provided for each dwelling.

REASON: To promote sustainable development and transport choice in accordance with saved policy T13 of the Harrow Unitary Development Plan (2004).

21 The development hereby permitted shall be carried out in accordance with the following approved plans: GDGC4/LOC; GDGC4/OD2; GDGC4 X1; GDGC4/OD1 Rev A; GDGC4/OD3; GDGC/4/OD4; (3.1) 01p.wpd, (3.1) 02p.wpd; (3.1) 03p.wpd; (3.1) 04p.wpd

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

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, adopted Harrow Core Strategy (2012), the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following policies in the London Plan, adopted Harrow Core Strategy (2012) and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy:

Draft National Planning Policy Framework (2011)

Planning Policy Guidance 2: Green Belt

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Planning Policy Statement 3 – Housing (2011)

The London Plan:

3.3B – Increasing housing supply

3.5B/C – Quality and Design of Housing Developments

3.8B – Housing Choice

5.1 – Climate change mitigation

5.2 – Minimising Carbon Dioxide Emissions

5.3 – Sustainable design and construction

7.1 – Building London's Neighbourhoods and Communities

7.16 – Green Belt

7.21 – Trees and Woodlands

7.3B – Designing out crime

7.4B – Local character

7.6B – Architecture

London Housing Design Guide: Interim Edition (2010)

Adopted Harrow Core Strategy (2012)

Core Policy CS1 B and Core Policy CS1 F

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – Residential Amenity

EP29 – Tree Masses and Spines

EP30 – Tree preservation Orders and New Planting

EP34 – Extension to buildings in the Green Belt

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

Other Relevant Guidance:

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Accessible Homes (2010)

Supplementary Planning Document Sustainable Building Design (2009)

Supplementary Planning Document: Access for All (2006)

Code of Practice: Refuse Storage and Collection of Domestic Refuse (2008)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

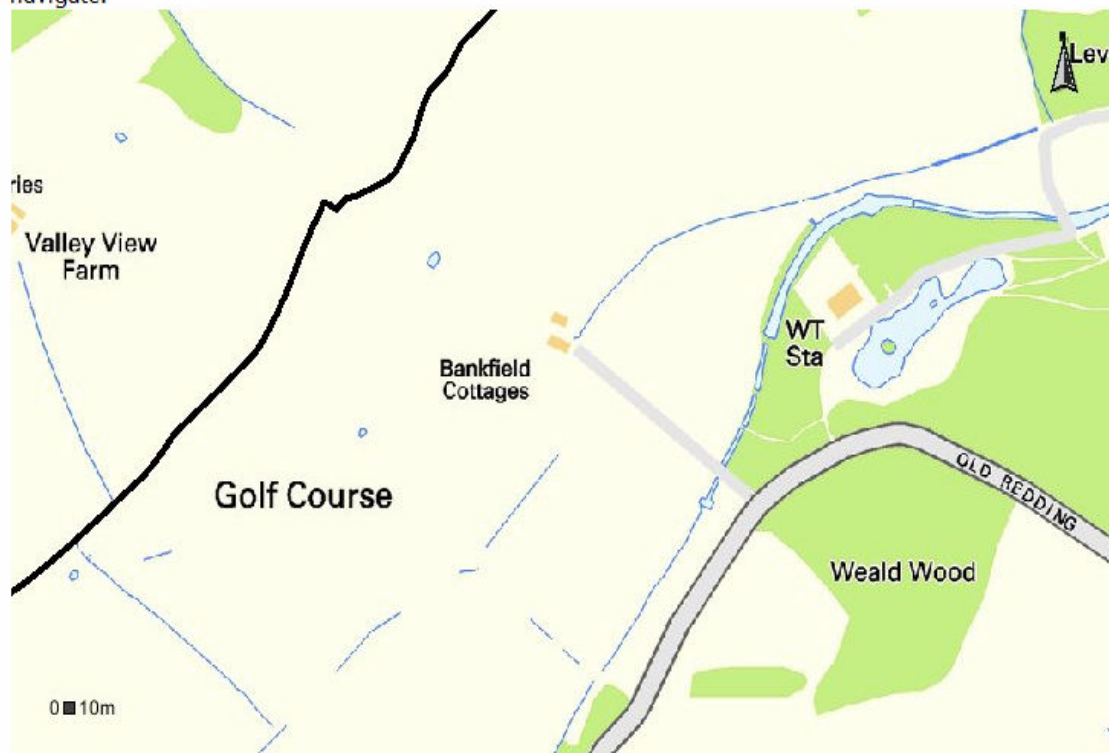
IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a

scheme or details of the development must first be approved by the Local Planning Authority.

- 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.

navigate.



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Item No. 1/03
Address: 101 CHRISTCHURCH AVENUE, HARROW, HA3 8LZ
Reference: P/2779/11
Description: CONVERSION OF PROPERTY INTO TWO FLATS; SINGLE STOREY FRONT, SIDE AND REAR EXTENSIONS; TWO STOREY SIDE TO REAR EXTENSIONS; REAR DORMER; TWO ROOFLIGHTS IN FRONT ROOFSLOPE; ACCESS RAMPS AT FRONT AND REAR
Ward: Kenton West
Applicant: Mr Rajesh Raithatha
Agent: Multi Creation
Case Officer: Olive Slattery
Expiry Date: 02 February 2012

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 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and national planning policy encouraging more efficient use of land for housing, as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation. The proposed development is considered to be acceptable in terms of character and appearance of the area and would not adversely affect the amenities of neighbouring occupiers or highway safety. 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, transport or other impacts that would warrant refusal of planning permission.

INFORMATION

This application is reported to the Planning Committee as a petition with ten signatures has been received, and in the reasonable opinion of the Divisional Director of Planning Services, the application should be referred to the Planning Committee.

Statutory Return Type: E.13 Minor Dwellings

Council Interest: None

Gross Floorspace: 119.63 sq m

Net additional Floorspace: 101.75 sq m

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable if this decision issued prior to 1st April 2012

Site Description

- The application relates to an end-of-terrace dwellinghouse on the southern side of Christchurch Avenue.
- The property has a hipped, pitched roof profile and features a double height bay window and front porch on the front elevation.
- It has not been previously extended to the side or rear.
- The rear garden of the application property extends between 20 and 24 m in depth beyond the main rear wall of the dwelling.
- The front and side gardens of the property are currently hard-surfaced.
- The adjoining property No. 99 Christchurch Avenue is a mid-terraced property and has been extended by way of a single storey rear extension and a rear dormer.
- The neighbouring property No. 103 Christchurch Avenue is an end-of-terrace property and has been extended by way of single storey front, side and rear extensions.

Proposal Details

- The application proposes the conversion of this property to two residential units, together with the construction of single storey front, side and rear extensions, two storey side and rear extensions and a rear dormer.
- The proposed single storey front extension would link in with the existing front porch. It would project 1.231 m beyond the main front wall of the dwellinghouse and would be 2.687 m in width. It would have a monopitch roof profile.
- The proposed two-storey side extension would be 2.387 m in width and it would have a subordinate hipped, pitched roof profile.
- The first floor front wall of the proposed two-storey side extension would be set back 1 m behind the main front wall of the dwellinghouse.
- The proposed two-storey side extension would extend the entire depth of the dwellinghouse and a two-storey rear extension (4.430 m wide) would project beyond this proposed two-storey side extension and the main rear wall of the dwellinghouse. It would have a depth of 2.5 m at first floor level and a depth of 3 m at ground floor level.
- The eastern flank wall of this proposed two-storey rear extension would be set in 4.8 m from the shared boundary with No. 99 Christchurch Avenue.
- The proposed single storey rear extension would project 3 m in depth beyond the main rear wall of the dwelling along the shared boundary with No. 99 Christchurch Avenue. Its western flank wall would link in with the proposed two-storey rear extension.
- The proposed single storey rear extension would have a flat roof with a maximum height of 2.9 m.
- The proposed rear dormer would be 2.32 m in width and 1.6 m in height.
- It would be set 1.1 m up from the eaves and would be set 0.6 m down from the roof ridge of the main dwelling (measured along the roof slope).
- Conversion of the extended dwellinghouse into two flats is also proposed.
- Access to the proposed two flats would be gained via the existing entrance door in the front porch. Separate entrances to the proposed residential units would be provided internally.
- Flat 1 would be contained on the extended ground floor of the dwellinghouse. It would have two double bedrooms, one single bedroom, a kitchen/living/dining room, a shower room and a separate WC.
- Flat 2 would be contained in the first floor and the second floor (converted roof space) of the extended property. One double bedroom, one single bedroom, a bathroom, a kitchen and a living/dining room would be contained in the first floor and one single bedroom would be contained in the second floor.

- One off-street parking space, soft landscaping and an access ramp would be provided on the forecourt of the property.
- The submitted site layout plan shows that the rear garden of the property would be subdivided, such that private amenity space (approximately 100 m²) would be provided for the occupiers of Flat 1 on the ground floor and private amenity space (approximately 100 m²) would be provided for the occupiers of the upper floor unit, Flat 2.
- The storage of six refuse bins has been identified at the rear of the dwellinghouse.

Revisions to Previous Application:

Following refusal of the previous Planning application reference P/0370/11, the following amendments have been made:

- The width of the two-storey side extension has been reduced from 3.2 m to 2.387 m.
- The depth of the two-storey rear extension has been reduced from 3 m to 2.5 m at first floor level, and its width has been reduced from 7.097 m to 4.430 m.
- The height of the rear dormer has been reduced from 1.9 m to 1.6 m, and its width has been reduced from 3.2 m to 2.3 m.
- The layout of the proposed flats has been amended to reflect these amendments.
- The occupancy of Flat 1 has been increased from 4 to 5 persons.
- The occupancy of Flat 2 has been reduced from 6 to 4 persons.
- The number of proposed car parking spaces has been reduced from two to one, and soft landscaping is proposed on the property forecourt.

Relevant History

P/0370/11 – Conversion of a property into two flats; the construction of single storey front, side and rear extensions, two-storey side to rear extensions, a rear dormer, two rooflights in the front roofslope.

Refused: 19-Apr-2011

Reasons for Refusal:

1. The proposed two-storey side and rear extensions, by reason of excessive scale and width would result in bulky, disproportionate, unduly obtrusive and overbearing extensions to the dwellinghouse, to the detriment of the character and appearance of the property and the area, and the outlook and visual amenities of the neighbouring occupiers at No. 99 and No. 103 Christchurch Avenue, contrary to Policies 4B.1 and 4B.8 of The London Plan (2008), saved policies D4 and D5 of the Harrow Unitary Development Plan (2004) and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).
2. The proposal by reason of inadequate access to refuse storage arrangements, inadequate access to private amenity space for the future occupiers of the upper floor flat and failure to demonstrate that the proposed flats would be accessible and inclusive in design for all, would provide substandard and low quality accommodation which would be to the detriment of the residential amenities of future occupiers of the property contrary to Planning Policy Statement 3, policies 3A.5, 4B.1 and 4B.5 of The London Plan (2008), saved policies D4, D5 and C16 of the Harrow Unitary Development Plan (2004), the Council's adopted Supplementary Planning Document - Residential Design Guide (2010) and the Council's adopted Supplementary Planning Document - Accessible Homes (2010).
3. The proposal, by reason of the proposed provision of excessive amounts of hard surfacing in the front garden would detract from the character and appearance of the property and the area and would fail to achieve a high quality of forecourt greenery, to the detriment of the character and appearance of the property and the area, contrary to saved policies D4 and D9 of the Harrow Unitary Development Plan (2004) and the

Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

4. The proposed conversion of the dwellinghouse would result in an over-intensive use of the property which, by reason of increased disturbance and general activity, would detract from the residential amenities of the occupiers of neighbouring properties, contrary to saved policy D5 of the Harrow Unitary Development Plan (2004).

Pre-Application Discussion:

- The applicant engaged in the Council's formal pre-application advice procedure, since the previously refused decision (HA\2011\ENQ\00134).

Applicant Submission Documents

- Design and Access Statement

Consultations

- **Highway Authority:** No objections
- **Landscape Architect:** No objections, subject to condition

Advertisement – N/A

Notifications

Sent: 20

Replies: 2, including one petition with ten signatures against the proposal

Expiry: 30/12/2011

Addresses Consulted:

Brampton Grove – 69, 71, 73, 75, 77, 79

Christchurch Avenue – 95, 97, 99, 101, 103, 105, 107, 128, 130, 132, 134, 136, 138, 140

Summary of Responses

The grounds of objection within the petition are summarised as follows:

- The proposed two storey extension will result in partial loss of daylight to the adjacent properties No. 103 and No. 99.
- Unacceptable noise and cooking smells will transmit from the upstairs kitchen to an upstairs bedroom at No. 99.
- Depreciation in the value of neighbouring properties.
- Car parking is already a major problem and this proposal would exacerbate the problem and harm the safety of children when crossing the road

One response has been received from the occupiers at No. 99 and 103 which are summarised as follows:

- The proposed two storey extension will result in partial loss of daylight to the adjacent properties No. 103 and No. 99.
- Unacceptable noise and cooking smells will transmit from the upstairs kitchen to an upstairs bedroom at No. 99.
- Increased demand for parking spaces

APPRAISAL

The Government has issued a Draft National Planning Policy Framework (NPPF) that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in

draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Accessibility
- 6) S17 Crime & Disorder Act
- 7) Consultation Responses

1) Principle of the Development

Saved policy H10 of the HUDP (2004) and Policy 3.3 of The London Plan (2011) supports the re-use of existing housing while improving the accessibility of housing stock. As such, (and subject to siting and design considerations) there is no objection to the principle of extensions and alterations to the dwellinghouse.

Policy 3.8 of The London Plan (2011) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(I) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'. Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed conversion of the property would constitute an increase in smaller housing stock within the borough, and would therefore be acceptable in principle.

2) Character and Appearance of the Area

Planning Policy Statement 1 Delivering Sustainable Development (PPS1) advises at paragraph 34 that design which is inappropriate in its context, or fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement

the local architectural character and be of an appropriate proportion composition, scale and orientation.

Core Policy CS(B) states that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

Saved policy D4 of the Harrow UDP reinforces the principles set out under The London Plan (2011) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surrounding, and should have a satisfactory relationship with adjoining buildings and spaces.

The Council has published a Supplementary Planning Document on Residential Design (2010) which sets down the detailed guidance for residential extensions and new residential developments and reinforces the objectives set under saved policy D4. This document was adopted following a formal public consultation period on the draft document which lasted for 4 weeks from 30th September to 28th October 2010. Following the close of consultation and in response to consultees' comments the supplementary planning document was substantially revised prior to adoption on 15th December 2010. Paragraph 6.11 of adopted Supplementary Planning Document (SPD): Residential Design Guide (2010) states that extensions should have a sense of proportion and balance, both in their own right and in relation to the original building and the area, and should not dominate the original building.

The proposed single storey front extension would link in with the existing front porch and it would have a similar projection (1.231 m). A pitched roof would be provided over this proposed front extension. Having regard to the modest scale of this front extension in relation to the main dwelling, it is considered that it would be acceptable in terms of character and appearance of the property and the area.

The first floor of the proposed two storey side extension would be set back 1 metre behind the main front wall of the dwellinghouse and a subordinate pitched roof is proposed. As this is an end-of-terrace property, these design features are not required by the Council's adopted Supplementary Planning Document – Residential Design Guide (2010). However, they would provide an acceptable streetscene appearance and are therefore acceptable in principle.

As set out in section (d) above, the proposed two-storey side and rear extensions have been significantly reduced in bulk, size and scale since the previously refused Planning application (reference P/0370/11). The extensions, which are now proposed would have a satisfactory appearance and would be proportionate to the size of the original dwellinghouse, and neighbouring dwellinghouses. In this regard, the current proposal addresses the Council's refusal reason No. 1 under Planning application reference P/0370/11.

The size and scale of the proposed single storey rear extension and the rear dormer would be acceptable in terms of its relationship with the application dwellinghouse and the neighbouring dwellinghouses and it is considered that they would have an acceptable appearance.

Paragraph 4.21 of saved policy D4 recognises the contribution front gardens can make to the character of an area or locality. The LPA will seek their retention, reinstatement and enhancement in proposals as stipulated in saved policy D9. This is to ensure that the greenery of the front gardens is enhanced to improve the appearance of the development and the street scene. Currently, the front garden of the application property is entirely hardsurfaced. Under the current Planning application, the introduction of soft landscaping of the front garden is proposed (approximately 58%). It is considered that this would improve upon the existing situation and enhance the appearance of the property in the streetscene. The subject planning application was referred to the Council's Landscape Architect who has advised that the proposal is acceptable, subject to a condition requiring a detailed landscaping plan for the property's forecourt. It is therefore considered that the proposed development would meet the objectives set out under saved policies D4 and D9 of the Harrow UDP.

There is currently stepped access to the main entrance door. In order to provide level access to the dwelling, it is proposed to install an access ramp beyond the existing front porch. Despite projecting forward from the main front wall by 2.4metres, it is considered that the proposal would not be overly dominant in the streetscene, given its modest height of 0.2 m and the proposal to introduce landscaping in the property forecourt.

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 storage of refuse bins to serve each of the proposed units has been identified at the rear of the main dwellinghouse, which is an acceptable proposal.

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. The proposed development would respect the proportions of the application dwellinghouse and the neighbouring dwellinghouses, and would have an acceptable impact on the character and appearance 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 7.4B of The London Plan (2011), saved policy D4 of the Harrow Unitary Development Plan (2004) and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

3) Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Following on from this, Criterion C of saved policy D5 of the HUDP (2004) seeks to "ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded".

- Impact on the Amenity of the Neighbouring Occupiers:

The existing single family dwellinghouse has the potential to accommodate up to six persons. However, the dwellinghouse converted to two separate residential units (as proposed under the current planning application) would potentially accommodate up to nine persons. This has been reduced from ten persons since the previously refused proposal under Planning application reference P/0370/11. Whilst it is acknowledged that the proposed conversion would increase residential activity on the site, expressed through comings and goings to the property, it is however considered given the modest size of the

proposed flats that the proposed conversion would not be detrimental to the amenity of neighbouring occupiers.

The single storey front extension is proposed such that the front wall would align with the porch on the front elevation of the application property and the bay window feature on the front elevation. Having particular regard to its proposed modest scale and acceptable design, it is considered that the proposed single storey front extension would not detract from the amenity of the neighbouring occupiers by way of overshadowing, overlooking, overbearing impact or loss of outlook and is acceptable in this respect.

No. 103 Christchurch Avenue has single storey front, side and rear extensions which abut the boundary with the application site and would buffer the impact of the proposed two-storey side extension. No. 103 Christchurch Avenue has one first floor window (serving a stairwell) in the main eastern flank wall of the dwelling. However, in accordance with paragraph 6.26 of the Council's adopted SPD, this window is not protected as it does not serve a habitable room. It is noted that the single storey side extension at No. 103 Christchurch Avenue has one high level flank wall window. However, given that this window is not an original feature of the property, it is not afforded protection under the Council's adopted SPD.

The proposed two-storey rear extension would comply with the 45 degree code in the horizontal plane in relation to the nearest two-storey rear corners of No. 99 and No. 103 Christchurch Avenue. It is noted that the occupiers of No. 99 and No. 103 have objected to the proposal on the basis of loss of light to these neighbouring properties. However, given that the proposal would comply with paragraphs 6.28 – 6.30 of the Council's SPD Guidance, it is considered that a satisfactory relationship would be provided between the application property and both neighbouring properties. It would therefore not be reasonable to refuse planning permission on this basis.

The proposed single-storey rear extension would comply with the SPD requirements in terms of its proposed 3 metre depth and 2.9 m height (flat roof) adjacent to the neighbouring boundaries No.103 and No. 99.

No flank windows are proposed and it is considered that the proposed rear dormer would not result in an unacceptable level of overlooking to neighbouring occupiers, as compared to the existing windows on the rear elevation of the dwellinghouse. Therefore no unreasonable overlooking or loss of privacy would occur as a result of the proposed development.

Given the scale, siting and design of the proposed extensions, it is considered that the proposed scheme would not have an adverse impact on the amenities of the surrounding occupiers in accordance with The London Plan (2011) policy 7.6B, saved policy D5 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

Impact on the Amenity of the Intended Occupiers of the Flats

▪ Private Amenity Space

Saved policy D5 of the Harrow Unitary Development Plan (2004) requires new development 'to provide amenity space which is sufficient: to protect the privacy and amenity of occupiers of surrounding buildings; as a useable amenity area for the occupiers of the development; as a visual amenity'. Paragraph 5.16 of the adopted SPD states that 'The Council will seek to ensure that all flats (except for the conversion of maisonettes above shops and mid terraces properties) have access to a garden'. The submitted site layout plan shows that the

rear garden of the property would be sub-divided by 1.8 m high timber fencing, such that private amenity space (approximately 100 m²) would be provided for the occupiers of the ground floor flat and private amenity space (approximately 100 m²) would be provided for the occupiers of the upper floor unit. It is considered that adequate amounts of amenity space are proposed for the intended occupiers of each of the flats, and this proposal would be acceptable subject to an appropriate condition with respect to the construction of this boundary fencing.

▪ Room Size and Layout

Table 3.3 of the recently adopted London Plan (2011) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (2011) specifies that these are minimum sizes and should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Council's adopted SPD. As the London Plan (2011) has recently been adopted, the flat size GIA's have considerable weight.

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

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

In view of paragraph 18 of PPS3, when considering what is an appropriate standard of accommodation and quality of design the Council is mindful of the Interim London Housing Design Guide 2010 (ILHDG). The former Draft London Housing Design Guide was assessed by examination in public between 28th June - 8th December 2010 and the Panel's Report was completed in March 2011. This then became the Interim Design Guide and it provides residential unit Gross Internal Area's (GIA's) and additional minimum dimensions for rooms within the residential unit. The GIA's in this Interim Design Guide are incorporated into policy 3.5 of The London Plan (2011). Further to this, the above-mentioned room sizes are incorporated into the Mayors Housing Supplementary Planning Document, which is a material planning consideration.

The room sizes of the current scheme are shown in the table below, along with the minimum floor areas for rooms as recommended by the ILHDG (2010).

	Gross Internal Floor Area	Kitchen/Living/ Dining	Bedroom
ILHDG 2010	3 bed, 5 person – 86 m ² 3 bed, 4 person – 74 m ²	5 person = 29 m ² 3 person = 25 m ²	Double – 12 m ² Single - 8 m ²
Flat 1	91 m ²	29.6 m ²	14.44 m ² 12.4 m ² 8 m ²
Flat 2	72.5 m ² + 8.3 m ² = 80.8 m ²	19.2 m ² + 15.62 m ² = 34.82 m ²	9.1 m ² 15.34 m ² 8.3 m ²

With reference to the above table, it is considered that the adequate Gross Internal Area and the adequate room sizes of the dwellinghouses as demonstrated above result in an acceptable form of accommodation, compliant with The London Plan (2011), the Interim London Housing Design Guide 2010 (ILHDG) and the Council's adopted SPD (2010). As

such, this planning application is considered acceptable in this regard.

▪ Stacking Arrangements

Paragraph 5.12 of the Council's adopted Supplementary Planning Document – Residential Design Guide (2010) states that 'The vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs'.

The vertical and horizontal arrangement of habitable rooms between the first floor flats and the second floor flats would provide an acceptable layout, in accordance with saved policy D5 of the Harrow UDP (2004) and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010).

It is noted that the occupiers of the adjoining property, No. 99, have objected to the proposal on the basis of noise and smell transmission between both properties. In the absence of details of the party wall construction it cannot be confirmed that an acceptable level of soundproofing exists. A condition is therefore recommended requiring the submission of sound proofing details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Given the scale, siting and design of the proposed extensions, it is considered that the proposed scheme would not have an adverse impact on the amenities of the surrounding occupiers in accordance with The London Plan (2011) policy 7.6B, saved policy D5 of the Harrow Unitary Development Plan (2004) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

4) Traffic and Parking

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

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

The London Plan (2011) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2011) sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility. Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

The two flats combined would accommodate a total of nine people. This has been reduced from ten persons since the previously refused proposal under Planning application

reference P/0370/11. One parking space is proposed under the current proposal and two secure cycle spaces (2 per unit) are proposed in the rear gardens. Highways Authority have advised that there are no objections to the subject Planning application on traffic and highways grounds. It is noted that the occupiers of No. 99 and No. 103 have objected to the proposal on the basis of existing parking pressures within the area and the resultant potential harm to children when crossing the road. However, given the response from the Highways Authority and the location of the site within close proximity of Wealdstone District Centre and its associated good public transport links, an objection in relation to impacts upon highway safety could not reasonably be sustained.

5) Accessibility

Saved Policies D4 and C16 of the Harrow Unitary Development Plan (2004) and policy 3.8 of The London Plan (2011) seek to ensure that all new housing is built to Lifetime Homes standard. Furthermore, The London Plan (2011) policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. The supporting text at paragraph 4.112 emphasises that a truly inclusive society is one where everyone, regardless of disability, age or gender can participate equally. An appeal decision at No.72B Marlborough Hill (ref APP/M5450/C/10/2135771) has confirmed that this policy should be given significant weight when assessing planning applications.

An access ramp is proposed beyond the front and rear entrance doors which would provide satisfactory level access to the building. The submitted site plan shows the provision of one car parking space on site which would comply with the required dimensions of the Council's adopted SPD. The internal layout of the ground and first floor flats comply with the recommended door widths and turning circle requirements. The WC in the ground floor flat is sufficient in size to be utilised as a wheelchair accessible bathroom, and the WC in the first floor flat is sufficient in size to allow for the future installation of a wetroom. The stair width and layout would support the future installation of a stair lift. Accordingly, the proposal is therefore considered to be consistent with the above policies and guidance and subject to an appropriate condition would therefore be acceptable in this regard.

6) S17 Crime & Disorder Act

Policy D4 of the Harrow Unitary Development Plan (2004) advises that crime prevention should be integral to the initial design process of a scheme. Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments. It is deemed that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard

7) Consultation responses

- The proposed two storey extension will result in loss of daylight to the adjacent properties No. 103 and No. 99 – Addressed in section 3 of the above appraisal
- Unacceptable noise and cooking smells will transmit from the upstairs kitchen which is adjacent to a bedroom in No. 99 – Addressed in section 3 of the above appraisal
- Depreciation in the value of neighbouring properties – This is not a material planning consideration
- Car parking is already a major problem and this proposal would exacerbate the problem and harm the safety of children when crossing the road – Addressed in section 4 of the above appraisal

CONCLUSION

The decision to grant permission has been taken on the basis that the proposed

development would make efficient use of land whilst contributing to the provision of additional homes as detailed in The London Plan (2011). The proposal would be acceptable in relation to its impacts upon the character and appearance of the area, the amenities of neighbouring occupiers, transport and in relation to all other material issues. The proposal is therefore recommended for grant, subject to the following conditions:

CONDITIONS

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

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

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

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

3 The development hereby permitted shall not be commenced until full details of soundproofing between the application property and the adjoining property No. 99 Christchurch Avenue have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained in accordance with the approved details.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents, in accordance with saved policy EP25 of the Harrow Unitary Development Plan (2004)

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

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

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

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

6 The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be completed in accordance with the approved details and thereafter be retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with saved policy D4 of the HUDP (2004).

7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the

building(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 policy D4 of the HUDP (2004).

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

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

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

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

9 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated and retained for use by the occupants of the ground floor flat only.

REASON: To ensure suitable parking provision for people with disabilities in association with the provision of 'Lifetime Homes Standards' housing.

10 The development hereby permitted shall not be occupied until the rear garden has been subdivided as shown on the approved plans. The fence shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that separate private amenity areas are provided for the occupiers of the flats, in accordance with saved policy D5 of the HUDP (2004).

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

REASON: To safeguard the appearance of the locality, in accordance with saved policy D4 of the HUDP (2004).

12 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2261 – 07/MT Rev. G (02/12), Design and Access Statement, 2261 – 03/MT Rev. E (02/12), 2261 – 04/MT Rev. H (02/12), 2261 – 02/MT Rev. G (02/12), 2261 – 05/MT Rev. H (02/12), 2261 – 01/MT Rev. A (02/12), 2261 – 06/MT Rev. A (07/11)

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

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and national planning policy encouraging more efficient use of land for housing, as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation. The proposed development is considered to be acceptable in terms of

character and appearance of the area and would not adversely affect the amenities of neighbouring occupiers or highway safety. 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, transport or other impacts that would warrant refusal of planning permission:

National Planning Policy Statements / Guidance:

Draft National Planning Policy Framework [NPPF]

PPS1 Delivering Sustainable Development (2005)

PPS3 Housing (2010)

PPG13 Transport (2001)

The London Plan (2011):

3.1 – Ensuring Equal Life Chances For All

3.3 – Increasing Housing Supply

3.4 – Optimising Housing Potential

3.5 – Quality and Design of Housing Developments

3.8 – Housing Choice

7.1 – Building London’s Neighbourhoods and Communities

7.2 – An Inclusive Environment

7.3 – Designing Out Crime

7.4 – Local Character

7.6 – Architecture

The Harrow Core Strategy (2012)

Core Policy CS 1(B) and CS 1(I) – Overarching Policy

Core Policy CS 10 – Kenton & Belmont

Saved Policies of the London Borough of Harrow Unitary Development Plan (2004):

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Forecourt Greenery

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Buildings and Public Spaces

EP25 – Noise

Supplementary Planning Documents / Guidance:

- Supplementary Planning Document – Residential Design Guide (2010)
- Supplementary Planning Document - Accessible Homes (2010)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 MEASUREMENTS FROM SUBMITTED PLANS

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

5 COMPLIANCE WITH PLANNING CONDITIONS

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

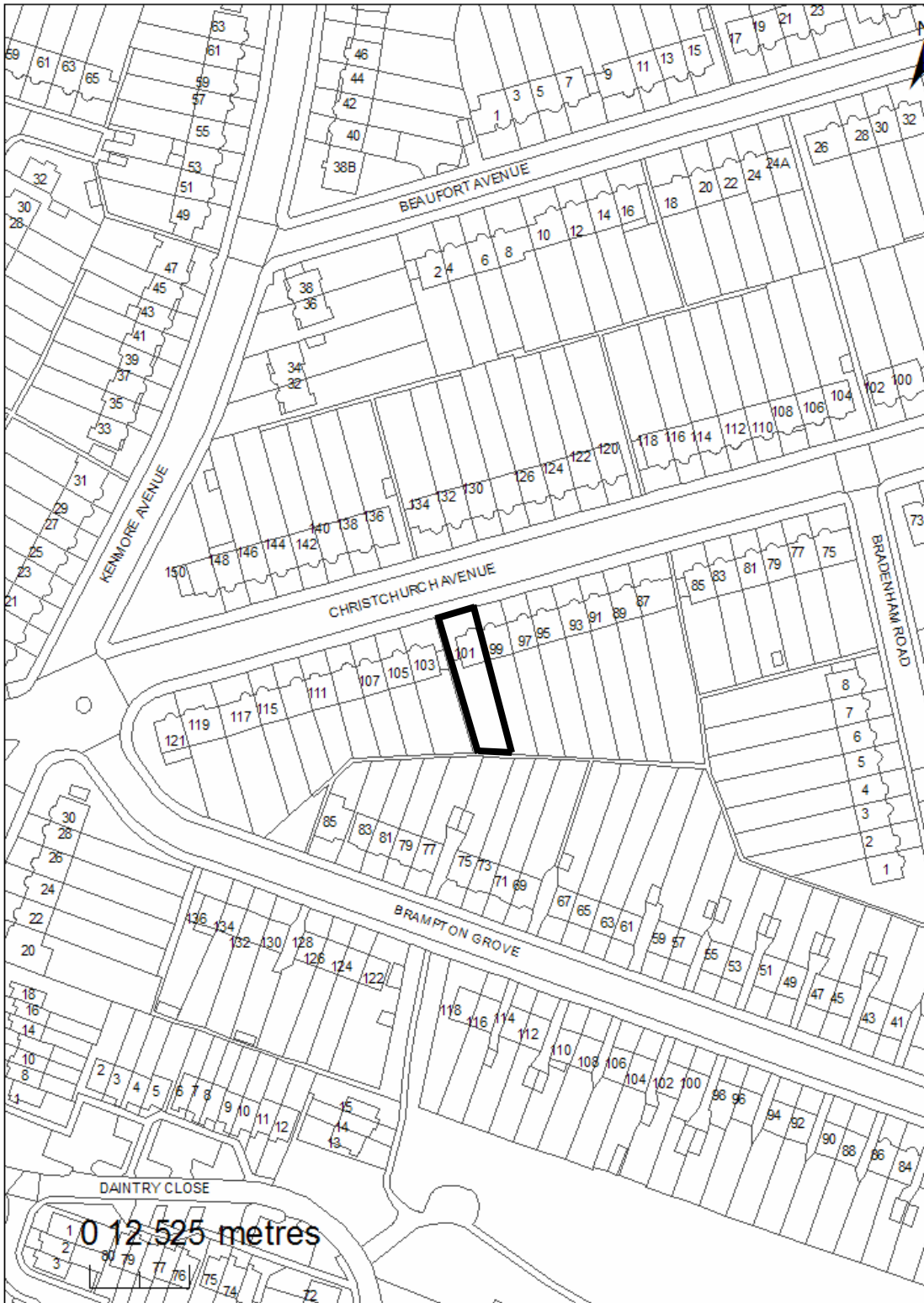
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of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

6 PERMEABLE PAVING:

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

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

Plan Nos: 2261 – 07/MT Rev. G (02/12), Design and Access Statement, 2261 – 03/MT Rev. E (02/12), 2261 – 04/MT Rev. H (02/12), 2261 – 02/MT Rev. G (02/12), 2261 – 05/MT Rev. H (02/12), 2261 – 01/MT Rev. A (02/12), 2261 – 06/MT Rev. A (07/11)



0 12 525 metres

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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01

Address: 1 & 1A SILVERDALE CLOSE, NORTHOLT, UB5 4BL

Reference: P/3497/11

Description: CHANGE OF USE FROM A CHILDREN'S RESIDENTIAL HOME AND CONTACT CENTRE TO SIX RESIDENTIAL DWELLINGS (CLASS C2/D1 TO CLASS C3); NEW WINDOWS AND DOORS TO ALL ELEVATIONS; EXTERNAL ALTERATIONS; PROVISION OF FOUR PARKING SPACES; LANDSCAPING AND REFUSE

Ward: ROXETH

Applicant: Lazbeth Properties Limited

Agent: David Kann Associates

Case Officer: Gerard Livett

Expiry Date: 17-Feb-2012

RECOMMENDATION

GRANT planning permission subject to conditions.

REASON

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material. The proposal is considered to comply with these policies and would provide additional residential accommodation in the London Borough of Harrow and would have no detrimental impact on the character and appearance of the area or the residential amenities of neighbouring occupiers.

INFORMATION

The application is reported to the Planning Committee because the proposal involves the conversion of a residential building that was not a dwellinghouse into flats and is therefore outside the parameters of category 1(e) of the Scheme of Delegation.

Statutory Return Type: Minor Dwellings

Council Interest: Former Council owned site

Gross Floorspace: 400 sq m

Net additional Floorspace: 0 sq m

Residential Density: 218 hrph 65 dph

Lifetime Homes: 6

Parking Spaces: 4

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application site is located on the south eastern side of Silverdale Close on a corner plot/bend in the road.
- The property contains a two storey detached building with a single storey wing to the eastern side (no. 1a)
- The building is currently vacant. The ground floor of the building was previously used as a contact centre (Use Class D1) and a Children's Home on the first floor (Use Class C2)
- The two-storey building has two metal fire escape staircases from the upper floor, one on each side.
- The neighbouring properties to the north, no. 3, 5 and 7 Gaylor Road, are two storey terraced dwellings.
- The property to the west, no's 2-7 Silverdale Close is a 3 storey building containing purpose built flats
- The surrounding area is characterised by purpose built flats and terraced dwellings.
- The approved extensions granted by planning permission P/2230/09 have not been implemented.

Proposal Details

- The application proposes the change of use of the building to six self-contained flats.
- The ground floor of the single-storey building would have two flats:
- Flat 1 would be a three-person two bedroom flat with a Gross Internal Area (GIA) of 60m² and Flat 2 would be a three-person two-bedroom flat with a GIA of 81m².
- The ground floor of the two-storey building would have two three-person two-bedroom flats. Flat 3 would have a GIA of 60m² and Flat 4 would have a GIA of 59m². Each flat would have its own entrance, with Flat 3's entrance being under the current fire escape staircase adjacent to the single-storey element and Flat 4 having its entrance on the front elevation
- The first floor of the two-storey building would have two three-person two-bedroom flats. Flat 5 would have a GIA of 60m² and Flat 6 would have a GIA of 59m². Each flat would have its own entrance, utilising the existing fire escape staircases on either end of the building.

Revisions to Previous Application

Following the previous withdrawn application (P/3070/11) the following amendments have been made.

- Flat 1 was previously proposed to be a three-person, two bedroom flat. However, the internal layout showed this to be a wheelchair standard home with one 10 sq.m. bedroom and one 6 sq.m. bedroom.
- Flat 2 would have been a four-person three-bedroom flat with a GIA of 81m².
- The parking layout in front of flat 2 has been redesigned to remove the path leading to the entrance to flat 3 in front of a bedroom window

Relevant History

LBH/22076 – EXTERNAL FIRE ESCAPE

Granted – 20/09/1982

LBH/22782 – SINGLE-STOREY BUILDING TO PROVIDE COMMUNITY BED-SIT ACCOMMODATION

Granted – 08/03/1983

WEST/395/95/LA3 – TWO STOREY FRONT, SIDE & REAR EXTENSION, WITH EXTERNAL FIRE ESCAPE STAIRCASE TO CHILDREN'S HOME

Granted – 21/11/1995

P/1968/05/DLA – ALTERATIONS TO GARAGE AND CONTINUED USE AS PART OF HOME; DECKING AT REAR

Granted – 20/09/2005

P/2230/09 – CONTINUED USE OF THE GROUND FLOOR OF THE FORMER CHILDREN'S HOME (USE CLASS C2) AS A CONTACT CENTRE (USE CLASS D1); PROPOSED CHANGE OF USE OF FIRST FLOOR FROM CHILDREN'S HOME TO CHILDREN'S CENTRE (USE CLASS D1); SINGLE AND TWO STOREY FRONT, SIDE AND REAR EXTENSIONS AND CANOPY AT REAR AND EXTERNAL ALTERATIONS

Granted – 08/12/2009

P/3070/11 – CHANGE OF USE FROM A CHILDREN'S RESIDENTIAL HOME AND CONTACT CENTRE TO SIX RESIDENTIAL DWELLINGS (CLASS C2/D1 TO CLASS C3); NEW WINDOWS AND DOORS TO ALL ELEVATIONS; EXTERNAL ALTERATIONS; PROVISION OF FOUR PARKING SPACES; LANDSCAPING AND REFUSE

Withdrawn – 22/12/2011

Pre-Application Discussion

- No formal pre-application advice, but Planning Brief dated September 2011 indicates that the most suitable use for the site would be for redevelopment or change of use to provide residential accommodation.

Applicant Submission Documents

- Design and Access Statement:

Proposal would not be out of character with the area.

Each flat would have independent access, with upper floor accessed by existing metal staircases

New windows and doors would be appropriate for residential property.

Proposals comply with principles of Secured by Design

Parking on site would be reconfigured

Two cycle spaces per dwelling would be provided

Screened refuse storage area would be provided

All flats would comply with Lifetime Homes standards as far as reasonably possible, subject to the constraints of the existing building

Consultations

Crime Prevention Design Officer: Metal stairs should be gated to deter crime. Community Safety condition also required.

London Borough of Ealing: No response received

Highways Authority: On-site parking provision should be maximised given the low PTAL rating and to mitigate against parking displacement as there is the potential for above average car ownership level. The provision of four spaces with within maximum UDP and London Plan standards. Additional parking compared to C2/D1 use can be accommodated without detriment to local highway network. Two cycle spaces conform to London Plan standards and are accepted.

Advertisement

- None

Notifications

Sent: 23

Replies: 0

Expiry: 26/01/2012

Addresses Consulted

Silverdale Close: 1, 1A, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13

Gaylor Road: 3, 5, 7, 9, 11, 15

The Heights: 236, 238, 240

Hornbeam Close (Ealing): 24, 25, 26, 27, 28, 29, 30, 31, 32

Summary of Responses

- N/A

APPRAISAL

Draft National Planning Policy Framework

The Government has issued a Draft National Planning Policy Framework (NPPF) that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

Harrow Core Strategy

The Harrow Core Strategy was adopted on 16 February 2012. The Core Strategy now forms part of the development plan for Harrow, along with The London Plan (2011) and saved policies of the Harrow Unitary Development Plan (2004).

Core Policy CS 1 sub-section B of the Core Strategy requires the Council to resist proposals that harm the character of suburban areas and developments on garden land. It goes on to state that all developments shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/ or enhancing areas of poor design; extensions should respect their host building.

The saved policies of the Harrow Unitary Development Plan referred to in the officer's report remain in force. The application has been assessed having regard to the relevant London Plan (2011) policies, the Core Strategy and the relevant saved policies of the Harrow Unitary Development Plan (2004).

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity, including Lifetime Homes
- 4) Traffic and Parking
- 5) Sustainability
- 6) S17 Crime & Disorder Act
- 7) Consultation Responses

1) Principle of the Development

The proposed conversion of this redundant building to residential use was considered acceptable in the planning brief for the site dated September 2011.

Although the Council has saved policies seeking the retention of existing community facilities, it is noted that the contact centre and children's home is now redundant and surplus to requirements, and results in no conflict with saved policies C2 and C8 of the UDP (which seek to ensure there are sufficient social and community facilities).

The principle of conversion of the property to residential uses is considered acceptable as this would be appropriate in this residential area, as required by Core Strategy overarching policy CS1.B, policies 7.4B and 7.6B of The London Plan.

The proposal would assist in achieving the Borough's housing targets, as required by The London Plan policies 3.3 and 3.4 and Core Strategy overarching policy CS1.A and H.

2) Character and Appearance of the Area

The proposal would make minimal alterations to the external appearance of the property, namely the replacement of windows and doors and the use of new cladding on the single-storey element of the building. No objection is raised to this, as these changes would complement the existing property and the area, as required by The London Plan policies 7.4B and 7.6B, Core Strategy CS1.B and saved policy D4 of the Harrow Unitary Development Plan.

The use of the property as flats would be in keeping with this residential area, as noted in the previous section.

The proposal includes the landscaping of the front of the property to provide a mixture of parking spaces and soft landscaping, as required by Core Strategy policy CS1.B and saved policy D9 of the Harrow UDP which seek to enhance streetside greenness and forecourt greenery. However, the proposed landscaping details shown on the submitted drawings are indicative and therefore a condition requiring a more detailed scheme of hard and soft landscaping is recommended.

3) Residential Amenity, including Lifetime Homes

Internal Amenity and Lifetime Homes

The Council requires that new residential development should provide a good standard of accommodation. Paragraph 4.54 of the SPD: Residential Design Guide states that the minimum space standards for new homes set out in The London Plan will be applied to all new residential development in Harrow.

These standards are set out in Table 3.3 which supports Policy 3.5 of the London Plan.

In addition, the Council regards the room sizes contained within the Interim London Housing Design Guide (LHDG) as an indicator of good quality housing.

The proposed gross areas and internal room sizes compared to the LHDG as shown in the table below.

Where there is a shortfall, the figure is shown in **bold**.

Flat number	Proposed (m ²)	LHDG (m ²)
Flat 1 – GIA	60	61
Flat 1 – Living / Dining	19	25
Flat 1 – Kitchen	7	
Flat 1 – Bedroom 1	12	12
Flat 1 – Bedroom 2	8	8
Flat 2 – GIA	81	61
Flat 2 – Living/ Kitchen / Diner	30	25
Flat 2 – Bedroom 1	14	12
Flat 2 – Bedroom 2	9	8
Flats 3 & 5 – GIA	60	61
Flats 3 & 5 – Living / Dining	19	25
Flats 3 & 5 – Kitchen	6	
Flats 3 & 5 – Bedroom 1	12	12
Flats 3 & 5 – Bedroom 2	8	8
Flats 4 & 6 – GIA	59	61
Flats 4 & 6 – Living / Kitchen / Diner	22	25
Flats 4 & 6 – Bedroom 1	11	12
Flats 4 & 6 – Bedroom 2	10	8

As can be seen from the above table, there is a shortfall in the GIA of flats 1, 3, 4, 5 and 6, although this shortfall is either one or two square metres. There is also a shortfall (of three square metres) in the living / kitchen / dining room area of flats 4 and 6 and of one square metre in the main bedroom size.

However, these shortfalls are in part as a result of the constraints of the site and are not so significant as to warrant refusal of the scheme as a whole. In the case of flats 4 and 6, the shortfalls in some room sizes are largely made up through the provision of a larger second bedroom. Furthermore, given that the proposal is for the refurbishment of an existing building rather than the construction of a new building, the benefits of bringing the site into beneficial use outweigh any harm that would arise through the slight shortfalls outlined above.

Core Strategy policy CS1.K requires that all new dwellings should comply with the requirements of Lifetime Homes and Inclusive Design. This requirement is detailed in adopted Supplementary Planning Document, Accessible Homes, which supports Core Strategy policy CS1.K, saved policies D4 and C16 of the UDP and The London Plan policies 3.5, 3.8, 7.2 and 7.6. These policies also require that ten percent of all new housing should either be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

Each of the flats would comply with the requirements of Lifetime Homes and the proposal is considered acceptable in this regard.

Access to flats 5 and 6 would be via external metal staircases that were originally constructed as fire escapes. While this form of access is not ideal, this situation is comparable with access to some flats above shops. The staircases have a relatively

shallow angle (34 degrees), and are considered acceptable.

The Crime Design Prevention Officer has expressed concerns that these stairs could be an area for third parties to gather. However, this could be prevented through the use of a deterrent gate.

The proposal would provide private gardens for flats 1 – 4 (with areas of between 49 and 61 square metres) and a 118 square metre communal garden for flats 5 and 6. Policy 7.6B of The London Plan (2011), saved policy D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010) require that, where amenity space is provided, new residential development provides amenity space that is sufficient to act as an amenity area and to protect the amenities of occupiers of the development and of neighbouring occupiers. Given the site circumstances and the pattern of development in the area, the level of private amenity provision is acceptable and would comply with the Council's policy requirements.

Residential Amenities of neighbouring occupiers

The orientation of the building on the site and the location of the windows are such that the proposal would have no detrimental impact on neighbouring occupiers in terms of overlooking, and would comply with the requirements of Core Strategy policy CS1.B and K, policy 7.6B of The London Plan, saved policy D5 of the UDP and SPD: Residential Design Guide. Where there is direct overlooking between windows of neighbouring properties, this would be at distance of 19m from the ground floor of flats 1 and 2 and 22m from the first floor windows of flats 5 and 6. It is considered that any potential overlooking that could occur from the ground floor windows would be overcome by the use of suitable boundary treatments. The window-to-window distances from the first floor are considered sufficient that the mutual overlooking would not result in any significant harm.

While there could be some additional activity at the site, in terms of comings and goings and general residential activity, this would be more typical of the wider area when compared to the previous lawful use as a children's residential home and contact centre and the timing and intensity of activity and trips that such a use could generate. The proposal is therefore considered acceptable in this regard.

4) Traffic and Parking

With the previous withdrawn application (reference P/3070/11), a representation was received noting that the area experiences an element of parking stress and that four parking spaces for six flats would represent an under-provision and would add to the parking stress.

It is accepted that the previous use as a children's care home and contact centre would have generated an element of activity.

The applicant has maximised parking provision through the provision of 4 spaces which are well within accepted maximum parking standards in The London Plan policy 6.13C/D and saved UDP policy T13. It is clear that owing to site constraints an increase in provision cannot be achieved.

Several visits to the site at differing periods of the day indicate that spare highway parking capacity is available. This could possibly be due to the local housing tenure type of two-storey dwellings and smaller flats. It is considered that the net increase in parking demand, as compared to the previous C2/D1 use, is likely to result in a moderate increase

in on-street parking demand which can be accommodated without detriment to the local highway network, as required by saved policy T6 of the UDP.

The two cycle spaces per unit conform to The London Plan policy 6.19B Standards and are therefore considered acceptable.

5) Sustainability

The London Plan requirement (detailed in policy 5.2) for new residential developments to achieve Level 4 of the Code for Sustainable Homes only applies to major development. However, policy 5.3B of The London Plan requires that Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.

In the applicant's Design and Access Statement it is noted that the proposed development would comply with the Council's sustainability guidelines covered by the Building Regulations application.

Given that this matter is covered by other legislation, a planning condition, other than the requirement to complete the development in accordance with the approved plans and documents, including the design and access statement, is not considered necessary.

The proposal would not increase the amount of built development at the site and specific drainage conditions are not considered appropriate.

The provision of four parking spaces at the site could result in some increased surface water run-off. However, any such run-off could be dealt with through a sustainable drainage solution, such as permeable paving, and approved as part of the hard and soft landscaping condition.

6) S17 Crime & Disorder Act

The Crime Prevention Design Officer has noted that the ungated metal staircases could become areas where local youths gather, creating an intimidating prospect for residents. The suggestion is that gates be fitted to these staircases to define the staircases as private space for residents. A revised plan was received on 13 January 2012 indicating these gates in position. However, although the Council's policy is that amendments to live planning applications cannot be accepted, it is considered that the change proposed by this drawing would be so minor that no-one's interest has been prejudiced by acceptance of the drawing.

Subject to a general condition regarding community safety, it is considered to that the proposal would have no impact with respect to this legislation.

7) Consultation Responses

- N/A

CONCLUSION

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:

LP/SC/10; LP/SC/11; LP/SC/12 Rev A; LP/SC/13; Design and Access Statement

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

3 The materials to be used in the alterations to the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To safeguard the appearance of the locality, as required by policies 7.4B and 7.6B of The London Plan (2011) and saved policy D4 of the Harrow Unitary Development Plan (2004)

4 The development hereby permitted shall not commence until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost.

Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

Hard landscape works shall include details of all boundary treatments, ground surfacing and external lighting.

The development shall be completed in accordance with the approved details and, save as required by Condition 5, shall be permanently retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, as required by policies 7.4B and 7.6B of The London Plan (2011), saved policies D4, D9 and EP12 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010).

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, as required by policies 7.4B and 7.6B of The London Plan (2011) and saved policies D4 and D9 of the Harrow Unitary Development Plan (2004).

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

following requirements:

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

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with policy 7.2B of The London Plan (2011), saved policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to grant permission has been taken as the proposal would provide additional residential accommodation in the London Borough of Harrow and would have no detrimental impact on the character and appearance of the streetscene, the residential amenities of nearby occupiers or on highway safety and 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 consultation.

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

Draft National Planning Policy Framework (2011)

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Planning Policy Statement 3 – Housing (2011)

The London Plan:

- 3.3 – Increasing housing supply
- 3.4 – Optimising housing potential
- 3.5B/C – Quality and design of housing developments
- 3.8B – Housing Choice
- 5.3B – Sustainable design and construction
- 7.2C – An inclusive environment
- 7.3B – Designing out crime
- 7.4B – Local Character
- 7.6B – Architecture
- 6.9B – Cycling
- 6.13C/D – Parking

Adopted Harrow Core Strategy (2012)

Core Policies CS1(A, B, I, J, K, S, R)

Harrow Unitary Development Plan:

- EP12 – Control of Surface Water Run-off
- D4 – The Standard of Design and Layout
- D5 – Residential Amenity
- D9 – Streetside greenness and forecourt greenery
- T6 – The Transport Impact of Development Proposals

T13 – Parking Standards
C2 – Provision of Social and Community Facilities
C8 – Health Care and Social Services
C16 – Access to Buildings and Public Spaces

Supplementary Planning Document, Accessible Homes (2010)
Supplementary Planning Document, Residential Design Guide (2010)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

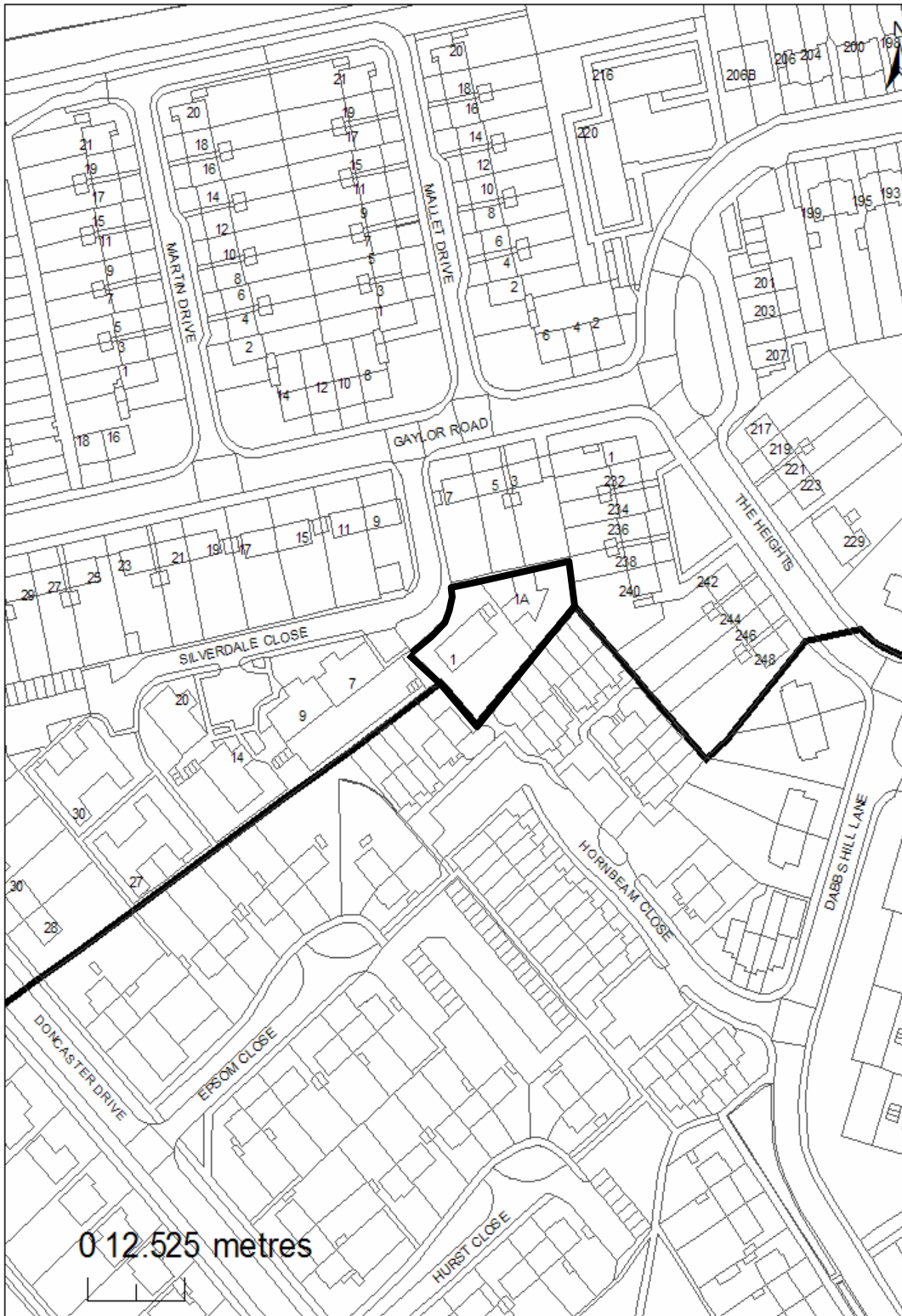
IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

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

5 COMMUNITY SAFETY

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

Plan Nos: LP/SC/10; LP/SC/11; LP/SC/12 Rev A; LP/SC/13; Design and Access Statement



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Item No. 2/02
Address: 39 KINGSFIELD AVENUE, HARROW, MIDDLESEX, HA2 6AQ
Reference: P/2841/11
Description: EXTENSION OF TIME TO PLANNING PERMISSION P/2826/08 DATED 17/10/2008 FOR CONVERSION OF DWELLINGHOUSE TO TWO FLATS; SINGLE/TWO STOREY SIDE TO REAR & SINGLE STOREY FRONT EXTENSIONS; REAR DORMER WITH JULIET BALCONY; EXTERNAL ALTERATIONS
Ward: HEADSTONE SOUTH
Applicant: Mr Wayne Mertins-Brown
Agent: N/A
Case Officer: Gerard Livett
Expiry Date: 19 December 2011

RECOMMENDATION

GRANT planning permission subject to conditions

REASON

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations. The proposal is considered to provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring and would comply with the policies listed in the informatives.

INFORMATION

The application is reported to the Planning Committee because the proposal is for the extension of time of a planning permission that was not granted under delegated authority, and therefore is outside category 17 of the Scheme of Delegation.

This application was deferred from the planning committee of 18 January 2012 to allow for consultation of new neighbouring properties.

Statutory Return Type: Minor Dwellings

Council Interest: None

Gross Floorspace: 166 sq m

Net additional Floorspace: 37 sq m

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application site comprises a two-storey semi-detached house on the south side

of Kingsfield Avenue

- Property has not previously been extended
- Property has a 6m deep front garden and a 28m deep rear garden

Proposal Details

- Extension of time of planning permission P/2826/08/DFU dated 17-Oct-2008.
- The original proposal allowed for:
- Two-storey side to rear extension; first floor element would be set back from the front elevation by 1m. Two-storey rear extension would be 3m deep and 4m wide and would be set 5m from shared boundary with No. 41 Kingsfield Avenue and 0.9m from boundary with neighbouring unattached dwelling, No. 37 Kingsfield Avenue. The side extension would have a subordinate roof, and the two-storey rear extension would have a gabled roof.
- Rear dormer, set 0.7m from party wall, 1.2m from roof verge and 1m from eaves (measured along the roof slope).
- Single-storey front extension linked to two-storey side to rear extension, incorporating front porch. Extension would project 1.2m beyond front building line and would be separated from the bay window by approximately 0.25m.
- Conversion of extended property into two self-contained flats: One two-bedroom flat on the ground floor (77 sq.m.) and one three-bedroom maisonette (88 sq.m.) on the first floor and loft space.
- Rear garden would be divided between the two flats.
- One parking space would be provided in the front garden.
- Refuse storage in rear garden.

Revisions to Previous Application

- N/A

Relevant History

P/2826/08/DFU – Conversion of dwellinghouse to two flats; single/two storey side to rear & single storey front extensions; rear dormer with Juliet balcony; external alterations
Granted – 17/10/08

Pre-Application Discussion

- None

Applicant Submission Documents

- Design and Access Statement: Hardstanding at the front would be retained; extensions would match existing dwelling and would provide some additional accommodation
- Rear landscaping would be by residents

Consultations

Headstone Residents' Association: No response received

Highways Authority: Two parking spaces would be preferred

Advertisement

- None

First Notification

Sent: 10

Replies: 0
Expiry: 17-11-11

Addresses Consulted

Kingsfield Avenue: 33-45 odd (excluding 39); 24, 26
Canterbury Road: 77, 79

Summary of Responses

- N/A

Second Notifications (additional neighbours)

Sent: 3
Replies: None
Expiry: 07-02-12

Addresses Consulted

Allerford Court: 18, 19, 20

Summary of Responses

- N/A

APPRAISAL

Draft National Planning Policy Framework

The Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

Harrow Core Strategy

The Harrow Core Strategy was adopted on 16 February 2012. The Core Strategy now forms part of the development plan for Harrow, along with The London Plan (2011) and saved policies of the Harrow Unitary Development Plan (2004).

Core Policy CS 1 sub-section B of the Core Strategy requires the Council to resist proposals that harm the character of suburban areas and developments on garden land. It goes on to state that all developments shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/ or enhancing areas of poor design; extensions should respect their host building.

The saved policies of the Harrow Unitary Development Plan referred to in the officer's report remain in force. The application has been assessed having regard to the relevant London Plan (2011) policies, the Core Strategy and the relevant saved policies of the Harrow Unitary Development Plan (2004).

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking

- 5) S17 Crime & Disorder Act
- 6) Consultation Responses

1) Principle of the Development

Applications for the extension of the time limits for implementing planning permission were brought into force on 01/10/09 within the legislative context of the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

The measure was introduced to allow planning permission to remain alive longer to allow implementation of granted schemes as economic conditions improve. No primary legislation has been altered and as such all such legislation which applies to ordinary planning applications, apply to extension of time limits.

There have been four material changes to the planning considerations at this site since the previous application. The first is that the Council has adopted its Core Strategy. The second is that the London Plan (2008) has been replaced with The London Plan (2011). The third is that the Council has adopted, in 2010, a revised Accessible Homes Supplementary Planning Document and Supplementary Planning Document: Residential Design Guide.

The fourth change is that three new dwellinghouses, Nos. 18, 19 and 20 Allerford Court, have been constructed on land at the rear of the application site in the former rear gardens of Nos. 77 and 79 Canterbury Road. The impact of the proposal with regard to these properties is considered in the residential amenity section of the appraisal below.

The principle of the development of the site has been considered acceptable with the planning application granted on 17 October 2008. The above changes to national, regional and local policies do not alter this earlier conclusion with regard to the principle of development proposed.

2) Character and Appearance of the Area

Kingsfield Avenue is characterised by two-storey semi-detached dwellings.

The proposed extensions would be typical forms of householder extensions that would comply with the requirements of Core Strategy policy CS1.B, policies 7.4B and 7.6B of The London Plan, saved policy D4 of the Harrow Unitary Development Plan and the Supplementary Planning Document: Residential Design Guide. It is considered that the proposed extensions would not be detrimental to the character or appearance of the area.

The proposed conversion of the property into two flats would retain a single front door, thereby maintaining the appearance of a traditional dwelling in the streetscene.

It is considered that the proposed conversion of the property into two self-contained flats would not result in an excessive level of activity at the site and is appropriate in this location.

The bins for both flats would be stored at the rear of the property, which would not introduce additional visual clutter in the street scene.

Subject to a suitable landscaping scheme being implemented in the front garden, this would enhance the level of forecourt greenery at this property, as required by saved policy D9 of the Unitary Development Plan.

3) Residential Amenity

The proposed conversion of the property into two flats would result in a two-bedroom flat on the ground floor and a three-bedroom maisonette on the first floor and in the roof space.

The ground floor flat would have a gross internal area of approximately 77 square metres, and the upper maisonette would have a gross internal area of approximately 88 square metres, which is considered acceptable and exceed the minimum space standards outlined in Table 3.3 attached to policy 3.5C of The London Plan (2011), which are 70 and 86 square metres respectively.

The proposed room sizes of these flats would be adequate for dwellings of these sizes. The layouts would have similar room uses arranged vertically to help reduce noise transmission between the flats.

Core Strategy policy CS1.K requires that all new dwellings should comply with the requirements of Lifetime Homes and Inclusive Design. This requirement is detailed in adopted Supplementary Planning Document, Accessible Homes, which supports Core Strategy policy CS1.K, saved policies D4 and C16 of the UDP and The London Plan policies 3.5C, 3.8B, 7.2C and 7.6B. The Council also requires ground floor flats in conversions to comply with Wheelchair Home standards.

In this particular instance there is a dedicated car parking space capable of enlargement to the Lifetime Homes standard available in the front garden, and the layout of the ground floor flat would meet the requirements of Wheelchair Homes. The upper flat has room sizes and arrangements, circulation areas and door widths sufficient to comply with the requirements of Lifetime Homes. The proposal would therefore comply with the requirements of the Accessible Homes SPD and is considered acceptable in this case.

The property has a 28m deep rear garden, which would be divided between the two flats. This level of amenity space is considered adequate for the proposed flats.

The proposed extensions, including the single-storey front extension and two-storey side to rear extension, would comply with the requirements of the Supplementary Planning Document on householder extensions. The side extension would be subordinate to the main dwelling and would allow for a 900mm wide passage at the side of the property to allow access to the rear garden and refuse storage area. Because of the siting and orientation of the property with respect to neighbouring properties, the two-storey rear extension would comply with the 45° code with respect to both the attached neighbouring property (No. 41 Kingsfield Avenue) and the unattached neighbour (No. 37 Kingsfield Avenue), the rear main wall of which is set approximately 4m from the shared boundary.

As noted in the principle of development section, three new dwellinghouses have been constructed at the rear of the application site. The rear windows of these dwellings are 15m from the rear of the application site and more than 35m from the rear windows of the property at 39 Kingsfield Avenue. Given these separation distances, it is considered that the proposed extensions and conversion of No. 39 Kingsfield Avenue into two flats would have a minimal impact with respect to the residential amenities of the occupiers of these new dwellinghouses.

4) Traffic and Parking

The application proposes a single parking space at the front of the property, which would

leave sufficient space for soft landscaping. This was considered acceptable with the previous proposal, and there has been no material change in planning policy since the previous decision in this regard.

5) S17 Crime & Disorder Act

The proposal would have no impact with respect to crime and disorder in the area

6) Consultation Responses

- N/A

CONCLUSION

Officers consider that in this case, notwithstanding the emergence of new policy since the grant of planning permission in 2008, the proposals remain acceptable.

The conversion would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring occupiers. Having regard to the policies and proposals of the London Plan 2011, the emerging Core Strategy and the saved policies of the Harrow Unitary Development Plan together with the associated Supplementary Planning Documents set out below, and to all relevant material considerations, as outlined in the application report, this application can be recommended for approval.

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:

CS/MB/01 Rev A; CS/MC/02 Rev A; CS/MB/03; CS/MB/04 Rev A; CS/MB/05; Design and Access Statement

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

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

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

4 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site.

Hard Landscape works shall include details of permeable materials for the hard surface of the forecourt.

Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

The hard landscaping works shall be implemented prior to first occupation of the development hereby permitted and thereafter retained.

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

development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, as required by saved policies D4 and D9 of the Harrow Unitary Development Plan (2004)

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

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

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

REASON: To ensure that the scheme adequately addresses the landscaping and sustainability requirements of saved policies T13, D4 and D9 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to grant planning permission has been taken as the proposal would provide a good standard of accommodation that would not be detrimental to the character and appearance of the area or the residential amenities of neighbouring occupiers, and having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

Draft National Planning Policy Framework (2011)

Planning Policy Statement 1 – Delivering Sustainable Development (2005)

Planning Policy Statement 3 – Housing (2011)

The London Plan:

3.3B – Increasing housing supply

3.5B/C – Quality and Design of Housing Developments

3.8B – Housing Choice

7.2C – An Inclusive Environment

7.3B – Designing out crime

7.4B – Local character

7.6B – Architecture

Harrow Core Strategy (2012)

Core Policy CS1.A/B/E/H/I/K

Harrow Unitary Development Plan:

D4 – The Standard of Design and Layout

D5 – Residential Amenity

D9 – Forecourt Greenery and Streetside Greenness
T6 – The Transport Impact of Development Proposals
T13 – Parking Standards
C16 – Access to Buildings and Public Spaces

Supplementary Planning Document, Residential Design Guide (2010)
Supplementary Planning Document, Accessible Homes (2010)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

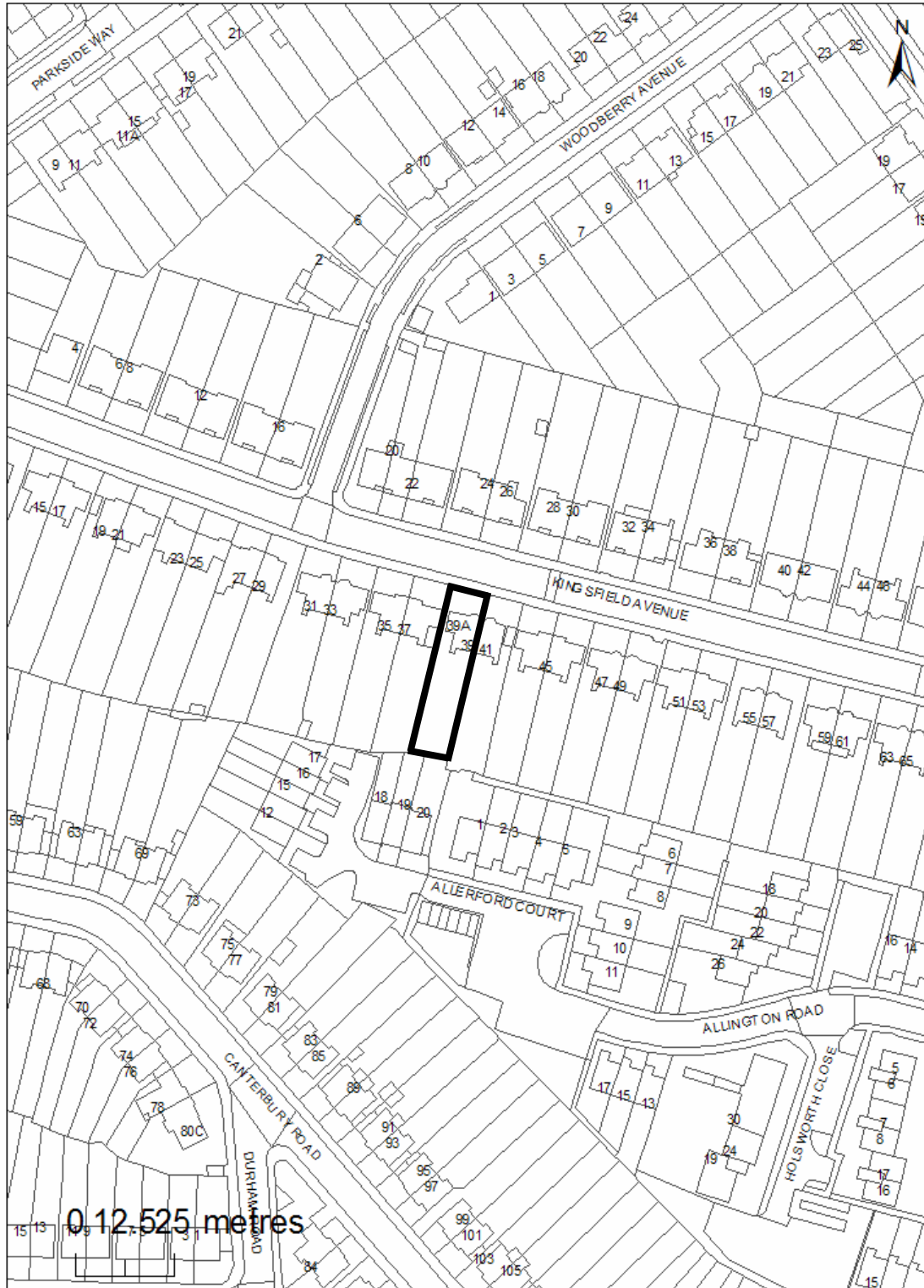
E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

Plan Nos: CS/MB/01 Rev A; CS/MC/02 Rev A; CS/MB/03; CS/MB/04 Rev A;
CS/MB/05; Design and Access Statement



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Address: 69 WEST END LANE, PINNER, HA5 1AF
Reference: P/3455/11
Description: DEMOLITION OF NURSERY SCHOOL BUILDING; REDEVELOPMENT TO PROVIDE A PART 3/4 STOREY BUILDING COMPRISING 9 FLATS; LANDSCAPING, REFUSE & PROVISION OF 9 PARKING SPACES; NEW VEHICLE ACCESS [RESIDENT PERMIT RESTRICTED]
Ward: HEADSTONE SOUTH
Applicant: Quebe Ltd
Agent: Alan Ward Architects
Case Officer: Fergal O'Donnell
Expiry Date: 10-Feb-2012

RECOMMENDATION

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

REASON

The development would make a positive contribution to the delivery of housing within the borough and accord with the strategic aims of the Core Strategy 2012 in delivering housing on strategic previously developed sites. The redevelopment of the site would result in a modern, sustainable and contemporary design that responds appropriately to the local context, and would provide high quality living conditions for future occupiers of the development, thereby offsetting concerns in respect of the density of development on the site. The scale, layout and siting of the development would be offset by the high quality design of the building and the use of appropriate conditions to provide benefit to the appearance of the locality. The orientation and separation distance to neighbouring properties is considered to be satisfactory to protect the amenity of the neighbouring occupiers and the development would not result in any adverse impacts upon highway safety or convenience.

The decision to **GRANT** planning permission has been taken having regard to National Planning Policy, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, and any comments received in response to publicity and consultation.

INFORMATION

This application is reported to Planning Committee as it is an application recommended for approval for more than 2 dwellinghouses and therefore falls outside of Category 1(b) of the Scheme of Delegation dated 22 December 2011

Statutory Return Type: Minor Dwellings

Council Interest: None

Gross Floorspace: 1062sq m

Net additional Floorspace: 856sq m

Density: 105 dwellings per hectare; 304 habitable rooms per hectare

Lifetime Homes: 9 (all units)

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable if decision issued prior to 1st April 2012

Site Description

- Two-storey detached building located on the western side of West End Lane.
- The lawful use of the property is a day nursery, Use Class D1. The site had temporary planning permission granted from 1999 to 2007 for the use of the premises as a dwellinghouse Use Class C3. This use has since ceased and the use of building has reverted back to its original lawful use as a day nursery.
- The property is at present vacant and has been since its use as a dwellinghouse ceased.
- The property is situated in the rear part of the plot and it is therefore set back from the main highway.
- There is no rear garden, however the front garden measures some 21 metres deep and it is well screened by the existing tree lined northern and eastern site boundaries.
- At present there is provision for off-street parking spaces which are accessed from a vehicular access located approximately 4 metres from the site boundary shared with the electricity sub station.
- The site is covered by an area Tree Preservation Order (TPO) Nos. 668 and 657 relating to an Ash which is located on the land forming part of the electricity sub station to the south of the site, and a Sycamore located on the school grounds;
- The site to the south, west and north is surrounded by school buildings forming part of West Lodge First and Middle School, including the caretakers dwelling house with is located at No.67, south of the application site and an electricity sub-station which separates the subject site and the caretakers house.
- To the east of the site is Pinner Memorial Park and West House.
- Application site falls within a Public Transport Accessibility Level (PTAL) 2.
- West End Lane and the surrounding roads have parking restrictions in place.

Proposal Details

- The proposed development seeks to demolish the existing building and to erect a part three and part four storey building, including a basement level parking garage for nine vehicles. The layouts of the units would be as follows:
- 1 x 2 bed unit at lower ground floor 85.5sqm in floor area (Flat 1).
- 3 x 2 bed units at first floor measuring between 61 and 70.5sqm (Flats 2, 3 and 4), Flats 2 and 3 would be 3 person units and Flat 4 would be a 4 person unit.
- 2 x 2 bed and 1 x 1 bed units at second floor level (Flats 5, 6 and 7). The two bed units would have areas of 63sqm (3-person) and 74sqm (4-person) and the single bed unit would be 50sqm in area.
- 1 x 2 bed and 1 x 1 bed at third floor (Flats 8 and 9) with areas of 72sqm and 51sqm respectively. (The two bed unit being capable of 4 person occupancy).
- Flat 1 would be sited below partially below ground level.
- The remainder of the site would be landscaped, with the southern side and rear proposed as amenity space.
- Parking for nine vehicles would be provided in an underground carpark, as well as

cycle storage and bin storage, on the northern boundary. This would be accessed from a new vehicle crossing in the northern corner of the site. A passive ventilation void would be provided centrally on the northern boundary.

- Two visitor parking spaces would be provided adjacent to the front boundary and landscaping is proposed along this boundary.

Revisions to Previous Application (P/1304/11):

- Alterations made to the elevations of the buildings relating to siting of windows and the solid massing ratios of the building
- The lower ground floor flat has been amended and its layout revised
- Internal layouts with other units also revised
- Some small amendments to the forecourt layout
- Windows on the side elevations removed and information on ventilation systems for rooms submitted with the application
- Amenity spaces altered, removing the front garden amenity space and retaining the side garden amenity space for lower ground flat
- Access arrangements for access to the rear common amenity space altered to provide direct access to the rear amenity area

Relevant History

P/2001/09

DEMOLITION OF NURSERY SCHOOL BUILDING; REPLACEMENT TWO STOREY BUILDING WITH HABITABLE ROOF SPACE PROVIDING 6 FLATS; NEW VEHICLE ACCESS

Granted : 15-Jan-2010

P/1304/11

DEMOLITION OF NURSERY SCHOOL BUILDING; REDEVELOPMENT TO PROVIDE A PART 3/4 STOREY BUILDING COMPRISING 9 FLATS; LANDSCAPING, REFUSE & PROVISION OF 9 PARKING SPACES; NEW VEHICLE ACCESS

Refused : 06-Jul-2011

Reasons for Refusal:

- 1 The proposed development by reason of excessive bulk, massing, prominent siting, and unsatisfactory design, in conjunction with the loss of existing trees and landscaping, would appear unduly bulky and obtrusive in the streetscene, detract from the established pattern of development in the immediate vicinity, and amount to an overdevelopment of the site to the detriment of the character and appearance of the area, contrary to Policy 4B.1 of the London Plan, saved Policies D4 and D9 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010)
- 2 The proposed lower ground floor flat (Flat 1), by reason of its compromised outlook and daylight, as a result of the relationship with site ground levels, proposed landscaping and the three storey wing containing flats 4, 7 and 9 in conjunction with the unacceptable stacking relationship between bedroom 3 and the first floor kitchen and public hallway, would result in an unacceptably poor quality standard of accommodation for future occupiers of this unit, contrary to the policy 4B.1 of the London Plan and saved policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010).
- 3 The proposed provision of habitable rooms being served solely by windows overlooking the carpark ventilation void (in flats 3, 4, 6 and 7), would, in the absence of evidence to conclude how such impacts would be avoided, result in unreasonable, fumes and disturbance arising from activities within the carpark below, contrary to

policy 4B.1 of the London Plan (2008) and saved policies D4 and EP25 of the Harrow Unitary Development Plan (2004).

- 4 The provision of private amenity space for the use of the lower ground floor flat in the front garden of the site would result in a form of development which would be out of character with that of the area and which would fail to ensure the amenity and privacy of occupiers of this unit would be protected contrary to saved Policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010).
- 5 The proposed communal amenity space, by reason of its inconvenient access arrangements, would fail to provide an appropriate standard of amenity for occupiers of the development, as such it would be contrary to saved policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010).

Pre-Application Discussion on previous scheme (Ref. HA\2010\ENQ\00056)

- Confirmed proposed development was not in flood zone area.
- Modern design was supported in principle as long as it is sympathetic to the area.
- Concern raised regarding the impact of the flat roof and blank wall in the streetscene when the trees / foliage were not in full bloom.
- Concern raised over light and outlook for lower floor elements.
- The refuse / cycle arrangement was acceptable but we advised that they should not have any adverse impact on the streetscene.
- Discussion of affordable housing (as part of 10 unit scheme)
- Cycle store should be on a 1:1 basis.

Further Pre-application Discussion (Ref. HA\2011\ENQ\00219)

- Issue in respect of stacking flats broadly addressed. However, some issues remain which would need to be addressed
- Potential overlooking of properties as a result of windows on flats
- Potential for provide mechanical ventilation to the units to overcome issues in respect of the outlook, noise and fumes from underground car park
- Alterations to elevational treatments improved. Small parapets should however be provided to screen solar PVs
- Revised lower ground floor layout would appear to overcome concerns in respect of the access to the rear amenity areas

Applicant Submission Documents

Design and Access Statement (provides detail on the following issues):

- Transport, Landscaping, Residential amenity for future occupiers, Refuse Storage, Density, Flood Risk, Accessibility, Climate Change and Sustainability, Secured by Design, Drainage, Community Consultation, Appearance, Soundproofing, Ventilation of windows affected by car park voids

Consultations

Pinner Association (comments summarised as follows):

- Development would conflict with the principle of development on “garden land” as defined by PPS3
- For similar reasons, the development would conflict with the Core Strategy
- The development would not have regard to the scale and character of the surrounding environment and would be out of keeping with the area

- The proposed density exceeds the surrounding neighbourhood
- The previous scheme was subject to much criticism and subsequently refused. The amended development would still be an overdevelopment of the site
- In this age of localism, the association trust that the views of the people who live in the locality will be given weight
- If despite objection the Council were minded to grant planning permission, it is requested that conditions be imposed in respect of construction traffic and prohibiting residents from applying for parking permits within the CPZ

Notifications

Sent: 44

Replies: 16

Expiry: 01-Feb-2012

Addresses Consulted

West End Lane: 24, 57, 59, 67, 69, 77, 79, 81, 97 West House, West Lodge and First and Middle School

Mansard Close: 4

Cuckoo Hill Drive: 4, 44

High View: 9, 28, 52

Lulworth Drive: 6

Crest View: 10

Cannon Lane: 28,

Ringwood Close: 10

Hazeldene Drive: 6

Cannonbury Avenue: 128

Malpas Drive: 22

North Way: 3

West Way: Mistletoe Lodge at 3, 9, 10, 15, 21

Summary of Responses

- Overdevelopment of the site in a sensitive location adjacent to a school
- Danger to school children arising from development
- Underground car park will disrupt foundations and underground springs
- Unacceptable scale of development; development out of keeping with surroundings and obtrusive and excessively high and prominent
- Density exceeds the surrounding neighbourhood
- Development on garden land should be unacceptable in principle
- Development would detract from the newly restored West House
- Issues regarding traffic already in the area
- Demand for larger accommodation in the area, not residential flats
- Sight lines for cars exiting the site would be poor and increase hazard to pedestrians
- Loss of trees of the site would have a detrimental impact on the amenity of the locality
- Inadequate provision of car parking

APPRAISAL

The Government has issued a Draft National Planning Policy Framework (NPPF) that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries

substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Housing Density and Unit Mix
- 3) Design, Character and Appearance of the Area
- 4) Layout and Residential Amenity
- 5) Accessibility
- 6) Parking and Highway Safety
- 7) Sustainability
- 8) Drainage
- 9) S17 Crime & Disorder Act
- 10) Consultation Responses

1) Principle of the Development

The application site is currently vacant and was formerly used as a day nursery, Planning Use Class D1, though the property was used for a temporary period between 1999 and 2007 as a dwellinghouse. This lawful use of the property reverted to a day nursery in 2007 and the property has remained vacant since this time. The site is considered to be previously developed land and the lawful use of the property appears to have little prospect of being viable on the site given the vacant nature of the site for a number of years. On this basis, planning permission, P/2001/09, was granted in December 2009 for demolition of the existing building on the site and the construction of a two-storey building containing six residential flats.

In the intervening time, national planning policies have changed little and continue to advocate the most effective and efficient use of land, directing new development towards previously developed land. The London Plan 2011 was adopted in July of last year and the LDF Core Strategy has recently been adopted. The overarching principles of the development plan continue to encourage development towards previously developed land and it is considered that the proposed development would accord with these aims. The principle of the loss of educational land has previously been accepted and there have been no relevant changes in planning policy since the previous grant of permission to warrant a different conclusion on this principle of development of the land for residential purposes. The site is also identified as a site which should contribute towards the Council five year housing supply in the Annual Monitoring Report 2010-2011. From the Annual Monitoring Report, policy CS6.J of the Core Strategy 2012 sets a requirement that previously developed sites within Pinner and Hatch End should contribute at least 171 new homes towards the Borough's housing allocation over the lifetime of the Local Development Framework. The proposed development would make an important

contribution to this target and would accord with the aims of the policies CS1.A and CS6.J of the Core Strategy 2012 in helping to deliver the housing allocation targets for the borough on strategic previously developed sites.

The Pinner Association have commented and a number of other comments on the application consider the site to be 'garden land' and refer to Core Strategy CS1.B which seeks to resist development on garden land. However, as the site does not have a lawful use as a residential property, the land on the site does not constitute land which is "not previously developed" as per the definition stated at Appendix B of PPS3. The development would not occur on 'garden land' and the resistance to development on 'garden land' stated at core policy CS1.B is not therefore relevant in this instance.

2) Housing Density and Unit Mix

London Plan policy 3.9 and Harrow Unitary Development Plan (2004) saved policy H7 require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan 3.4 sets out a range of densities for new residential development.

Density

The site is considered to be within a suburban location and has a PTAL of 2. The London Plan sets out at Table 3.2 appropriate densities for various different areas. Table 3.2 sets out that a density of 50-95 units per hectare and 150-250 habitable rooms per hectare would be most appropriate for this site. The development proposes a density of 105 u/ha and 304hr/ha which is above the levels set out in The London Plan 2011. However, the reasoned justification of policy 3.4 of The London Plan recognises that density levels are indicative and should be used as a tool for considering the appropriateness of development of a site and should not be applied mechanistically. The primary indicators of the appropriateness of development should be other factors such as context, design and site circumstances. The higher density of the site, though it weighs against the scheme, is not therefore in itself sufficient justification for refusal of the scheme.

Unit Mix

The London Plan policy 3.9 and Harrow Unitary Development Plan (2004) saved policy H7 require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

The development provides a mix of one-bed and two-bed units of various sizes. For a scheme of this scale, this is considered to accord with the development plan policies.

3) Design, Character and Appearance of the Area

Good design lies at the core of national planning policy guidance. Planning Policy Statement 1 Delivering Sustainable Development (PPS1) advises at paragraph 34 that design which is inappropriate in its context, or fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. It also encourages the efficient use of land and the use of higher densities, although not at the expense of good design. London Plan policies 7.4.B, 7.5.B and 7.6.B and saved policy D4 of UDP set out a number of design objectives that new developments should seek to achieve, with the underlying objective of requiring new development to be of high quality design. Policy 7.4.B and saved policy D4 of the UDP pay particular reference to design being correct in its context and respecting the public and local realm. Policy CS1.B of the recently adopted Core Strategy requires all new development to respond positively to local context in terms of design, siting, density and

spacing and reinforce the positive attributes of local distinctiveness.

The development is located on West End Lane, a suburban road to the west of Pinner District Centre. The area immediately adjacent to the site has a mixed character, with the West Lodge First and Middle School and West House (various commercial uses) having prominent positions in the street. The surrounding streets, however, are very residential in character, though without any significant level of consistency, design or layout. The application site itself has a derelict appearance with rambling semi-formal vegetation on the front boundary. The site is covered by a group TPO with the most significant tree of note adjacent to the south-eastern corner of the site.

The development proposes a flat roofed three/four-storey building, with approximately half of the ground floor being located below the level of the highway. The design of the proposed building would represent a departure from the existing building on the site and the residential buildings in the surrounding area as it would have a modern contemporary appearance. A number of comments have been received in relation to what is considered to be an obtrusive and unsympathetic design in this location. However, in the absence of any regular rhythm, distinctiveness, or established pattern of development in the surrounding area, it is considered that the design treatment of the site with modern contemporary materials would be appropriate and offers an opportunity to create a distinctive development in itself, rather than solely seeking to create a pastiche of the surrounding development styles. The more recent developments at West House and West Lodge First and Middle School, though not residential buildings, have been developed in this more contemporary way and it is considered that the proposed modern style development would complement these buildings and reinforce a more modern high quality design ethos in the locality. The encouragement for innovative design is supported by saved UDP policy D4 which suggests in supporting paragraph 4.10 that new buildings should set standards for future development, not necessarily mimic what already exists.

In planning application P/1304/11, the first reason for refusal related to the excessive bulk, massing, prominent siting and unsatisfactory design of the development. In the assessment for this refusal reason within the Officer's report, the modern and contemporary design of the building and the scale of the building were accepted in principle. However, in the report, it was considered that the design of the building as proposed at that time lacked clarity, and the massing and fenestration of the property was deemed to be unacceptable, as the horizontal emphasis of the fenestration and design style contradicted the vertical emphasis of the flat-roofed three/four-storey building.

The applicant has amended the fenestration details on the front elevation of the building and it is considered that amendments proposed, namely the revised porch entrance and fenestration details on the front elevation would provide the front elevation with a more balanced appearance, removing areas of excessive render massing on the front elevation and adequately balancing the vertical emphasis of the building with its width. Timber louvres would add visual interest to the building whilst the limited palette of materials (timber, render and stone) would provide a coherent design for the proposed development. It is therefore considered that the revised design of the building would overcome the bulk and massing aspects of design sited previously as reasons for refusal, whilst providing a contemporary, modern design to the locality.

The proposed building would be sited significantly forward of the existing building and would have a more prominent appearance in the street, in comparison with the existing building on the site. However, a building line has been established in the street by the caretaker dwelling to the south of the site and it is considered that the alignment with this

building need not necessarily be unacceptable. Due to the changing levels of the road, the use of a flat roof and the overall scale and height of the building, it is considered that the development would not be unduly imposing in the street. It is acknowledged that a number of trees along the frontage of the site would be removed as a result of development, but is considered that the trees which would be lost as a result of the development, along the northern portion of the front boundary, are of limited amenity value. The removal of these trees would provide a more open aspect to the front of the site, akin to that at the neighbouring caretakers' house to the south. The wider application site is addressed by providing the three-storey part of the building on the southern part of the site which provides a greater level of openness on this side of the site. The wider application site also provides greater opportunity for landscaping of this site and the use of innovative landscaping details, which could be secured by condition, would provide significant screening of the development, and potentially provide betterment to the area, in comparison with the existing rambling appearance of the vegetation at the property. In this light, it is considered that the high quality and distinctive design of the proposed development, in association with appropriate landscaping conditions, would outweigh the loss of trees on the site of limited amenity value. In a similar vein, though a number of other trees on the boundaries of the site would be removed, they could potentially be replaced with more appropriate trees for the site and could contribute to the character and appearance of the area long beyond the life cycle of the existing trees on the site. As such, it is considered that the significant width of the building proposed and its siting forward of the existing building on the site would be mitigated to an acceptable degree, and the building would have an appropriate scale for the site.

Solar panels are proposed on the roof of the building to improve the development's sustainability credentials. A proliferation of solar panels can appear obtrusive. However, the applicant has indicated a parapet detail which would ensure that these panels would not be visible from the public and the solar panels are therefore considered to be acceptable.

The development would provide a high quality contemporary design which would be appropriate in its setting and would add to local distinctiveness, thereby according with the aims of policies 7.4.B and 7.6.B of The London Plan 2011, policy CS1.B of the Core Strategy 2012 and saved policy D4 of the Harrow Unitary Development Plan 2004 which encourage such development. Though it is noted that the scale of the building would exceed the scale of the existing building on the site and would be sited more prominently, it is considered that these impacts would be offset by the high quality design of development and appropriate conditions, requiring high quality landscaping treatment of the site. Given this, it is considered that the development would accord with policies of the development plan.

Refuse

Refuse would be stored within the site, outside of public viewpoints and this is considered to be satisfactory in appearance terms.

4) Layout and Residential Amenity

Neighbouring Amenity

Policy 7.6.B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Saved policy D5 of the UDP is broadly reflective of this policy and requires new development to maintain adequate separation distances between buildings and to

site boundaries to ensure the privacy and amenity of neighbouring occupiers is maintained.

The site is surrounded by land uses which are considered to be relatively insensitive to development in amenity terms such as the West Lodge First and Middle School. Any overlooking, overbearing or overshadowing impacts which would arise, and which are considered to be relatively low in any event, would not therefore have unreasonable impacts on the immediately adjoining properties.

It is considered that the nearest residential property, No.77 West End Lane, is sited a significant distance away from the site (over 30 metres) and would not be unduly affected by overlooking, overbearing or overshadowing impacts. In terms of disturbance arising from the site, it is considered that this would be relatively low and would be assimilated in the surrounding, more intensively used land uses, such as West Lodge First and Middle school and West House opposite. It is considered that noise and disturbance arising from the development would not be as significant as the lawful D1 use of the site and development would not therefore unreasonably impact on the amenity of the neighbouring occupiers, thereby accords with the aims and objectives of policy 7.6.B of The London Plan 2011 and saved policy D5 of the Harrow Unitary Development Plan 2004.

Amenity of Future Occupiers

The site is surrounded by the West Lodge First and Middle School and though this may lead to significant levels of background noise, this noise would be generated during daytime hours when many of the future residents of the development would be out. The siting of residential development in proximity with D1 Use Classes is generally compatible and it is considered that this would also be in the case in this instance as the surrounding land uses would not result in unreasonable impacts on the amenities of the future occupiers of the development.

A number of the units proposed would be dual aspect and all units would accord with the space standards set out in the London Plan and adopted SPD: Residential Design Guide. The units would, in the main, be stacked with like for like rooms above and below. Where this would not occur, the applicant has provided details of sound proofing measures provided which would mitigate noise transmission between units. The Council's Environmental Health officers have commented on the application and consider that these measures would be adequate to ensure that the amenities of the occupiers of each flats are not compromised.

One of the previous reasons for refusal, on planning application P/1304/11, related to the unacceptable layout of the ground floor unit and the unacceptable levels of outlook and light that this unit would receive. The layout of this unit would be triple aspect and has been revised to provide just a two bed unit. At the front, the elevation of this property would be below ground level, but due to the changing levels of the site, on the rear elevation, this would not be the case. Given the triple-aspect nature of the unit and the revised layouts which would provide for larger living areas, bedrooms and windows, it is considered that the unit would have a relatively open and airy feel given its size (which is well above minimum standards) and aspect. As such, it is considered that the revised scheme would overcome this previous reason for refusal.

Another reason for refusal of planning application P/1304/11 related to the unacceptable outlook for the occupiers of the flats over the underground parking void area. The applicant has sought to overcome this issue by providing mechanical ventilation systems

for these units and ensuring that the windows over this void would not be openable. Given the relatively spacious size of the units over this void, it is considered that the mechanical ventilation systems would provide an adequate solution to the issue of noise and dust arising from the underground void. As such, it is considered that issues relating to adequate outlook from the units over the underground void have been addressed. Each of the other units would have adequate outlook from all habitable rooms and the development would therefore provide a high quality of living internally for all future occupiers of the units.

In terms of external amenity space, the development would provide a private garden for the lower ground floor flat to the side and rear of the unit and it is considered that such a provision would be appropriate, protecting the amenity and privacy of the occupiers of this unit, thereby overcoming one of the reasons for refusal stated in planning application P/1304/11.

Common amenity space would be provided for the remaining occupiers of the units. Neither The London Plan nor the UDP provide minimum external space standards though the London Housing Design Guide: Interim Edition 2010 suggests that 5sqm should be provided for 1-2 person units with a further 1-2sqm provided for each additional person, though in suburban areas such as the application site, it is expected that higher levels would be provided. The proposed development would provide approximately 270sqm of common amenity space for potentially 23 persons (the lower ground floor flat would have a private garden) which would exceed the suggested amenity areas in the LHDG by some distance. Nonetheless, such a provision in this suburban location would appear relatively low. However, as the site benefits from close proximity to the Pinner Memorial Park, a high quality suburban park, and would exceed the suggested levels for external amenity space, it is considered that proposed development would provide adequate external amenity spaces. Given the high quality internal spaces that would be provided, it is considered that the amenity requirements of the development would be successfully met and would be in accordance with the aims and objectives of policy 7.6.B of The London Plan 2011 and saved policy D5 of the Harrow Unitary Development Plan 2004.

5) Accessibility

The applicant has indicated in the Design and Access Statement and the submitted plans that all units would be Lifetime Homes. Disabled parking would be provided, adequate internal and external door widths, hallway widths, turning circles and bathrooms would also be provided. Though the applicant has not indicated minor elements such as the placement of sockets and light switches would accord with Lifetime Homes, it is considered that these elements could be secured by condition. Subject to such a condition, the development would accord with London Plan policy 7.2.C, saved UDP policies D4 and C16 and the adopted SPD: Accessible Homes 2010.

6) Parking and Highway Safety

The development proposes to provide 9 parking spaces with two additional visitor car parking spaces. It is considered that such a provision would be acceptable in the context of the sites' location within the Pinner Controlled Parking Zone which would assist in deterring parking in the public realm. This would be secured by ensuring that arrangements are put in place to ensure that future residents of the development, with the exception of disabled persons, cannot apply for parking permits in the area.

A number of comments have been received in relation to the generation of traffic at the site. In this respect, when a comparison is undertaken with the lawful nursery use (Use

Class D1) of the land, when fully active, it is considered that traffic movements during the morning and afternoon peak traffic periods would have exceeded those potentially generated by the proposed residential flatted use. On that basis, the net change in vehicular activity is expected to exhibit a reduction in activity, in comparison with the lawful use, and hence does not raise any measurable concerns in highway terms. It is also worth noting that an extant permission, P/2001/09, would generate similar levels of traffic from the site as the current scheme and on this basis no objection is raised in terms of traffic generation.

The applicant has proposed to provide 9 cycle spaces which would accord with the requirements of The London Plan and refuse arrangement would conform to Department for Transport guidance and would therefore be acceptable. Collections would be concentrated off-peak avoiding school drop off and pick up times and are therefore unlikely to affect residential amenity to any measurable degree.

Comments have also been received in respect of visibility splays and the potential dangers arising to pedestrians with vehicles exiting the site. The existing access arrangements would be required to be altered. Identical access arrangements were considered to be acceptable when granted the extant permission on the site, P/2001/09 and there have been no relevant changes in Manual for Streets or other highway guidance in the interim. The current scheme would generate similar levels of vehicular activity at the site and the Council Transport Engineer has not raised any objection to the access arrangements.

The development is therefore considered to be acceptable in highway safety terms. The applicant is advised, by way of an informative, to contact the Council's Vehicle Crossings Officer in respect of access arrangements to the site.

7) Sustainability

Policy 5.1 of The London Plan (2011) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Policy 5.2A/B of The London Plan (2011) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009).

The applicant has submitted information within the Design and Access Statement indicates a commitment to meet Code Level 3 for sustainable homes. In addition, the development should seek to reduce carbon emission for the development 25% below the Target Emission Rates (TER) of Building Regulations 2010. It is considered that such levels would be achievable on site and could be secured by condition. Subject to such a condition, the development would accord with policies and provisions of the development in respect of sustainable development.

8) Flood Risk and Drainage

The site is not located within a flood zone. However, conditions are recommended to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off. Subject to such conditions, which should be provided before the retail units of the residential units are occupied, the development would accord with PPS25, London Plan 5.12.B/C/D or saved policy EP12 of the UDP.

A number of comments have been received in respect of underground watercourses at the site. The applicant has stated in the Design and Access statement and at Appendix D of this document that no such watercourses have been found. The Council's Drainage Team have also commented on the application and not raised any objection subject to the suggested condition. There may be byelaws, outside of planning legislation, in relation to the watercourses, on or near the site. However, as these do not fall within the remit of planning legislation, they can not be considered as material considerations of the planning application.

9) S17 Crime & Disorder Act 1998

It is considered that the development would not have any adverse impact on the crime or safety in the locality. Nonetheless, the applicant should demonstrate that the development would meet Secured by Design criteria, prior to the occupation of the residential units. These details should be provided and approved prior to the occupation of the units.

10) Consultation responses

Overdevelopment of the site in a sensitive location adjacent to a school; Unacceptable scale of development; development out of keeping with surroundings and obtrusive and excessively high and prominent; Loss of trees of the site would detrimental impact on the amenity of the locality

These issues have been addressed in Section 3 of the Appraisal above

Danger to school children arising from development; Issues regarding traffic already in the area; Sight lines for cars existing the site would be poor and increase hazard to pedestrians; Inadequate provision of car parking

These issues have been addressed in Section 6 of the Appraisal above

Underground car park will disrupt foundations and underground springs

These issues have been addressed in Section 8 of the Appraisal above

Development on garden land should be unacceptable in principle; Density exceeds the surrounding neighbourhood

These issues have been addressed in Sections 1 & 2 of the Appraisal above respectively

Development would detract from the newly restored West House

As detailed in Section 1 of the Appraisal, it is considered that the development would provide high quality development. The recently refurbished West House has been designed with similar, if not identical modern style materials, and it is considered that the development would complement, rather than detract from, the appearance of the West House

Demand for larger accommodation in the area, not residential flats

The Annual Monitoring Reports of the Council highlight a general need for all sizes of accommodation in the borough. It is noted that there is an identified need for family sized housing. However, the application must be assessed as per the submitted details. The application would provide benefit to the locality and the borough through the provision of high quality additional housing and would represent effective and efficient use of this disused land, thereby according with the aims of the development plan

Additional comments by the Pinner Association not already addressed:

In this age of localism, the association trust that the views of the people who live in the locality will be given weight

The Localism Act provides mechanisms for neighbourhoods to further engage in, and get involved in planning decisions. However, it does not remove one of the overarching principles of planning legislation which requires that local planning authorities must not rely on local objection to development to refuse development and should provide sound planning reasons why development should not be accepted. Though the views of all those who commented on the application have been closely considered as material considerations in the determination of this planning application, it is considered that sound planning reasons not to accept the development cannot be demonstrated in instance. Rather it is considered that the development would provide significant benefit to the locality and the area. Accordingly, the application has been recommended for grant.

CONCLUSION

The proposed development would make a positive contribution to the delivery of housing within the borough and accord with the strategic aims of the Core Strategy 2012 in delivering housing on strategic previously developed sites. The proposed redevelopment of the site would result in a modern, sustainable and contemporary design that responds appropriately to the local context, and would provide high quality living conditions for future occupiers of the development, thereby offsetting concerns in respect of the density of development on the site. The scale, layout and siting of the development would be offset by the high quality design of the building and the use of appropriate conditions to provide benefit to the appearance of the locality. The orientation and separation distance to neighbouring properties is considered to be satisfactory to protect the amenity of the neighbouring occupiers and the development would not result in any adverse impacts upon highway safety or convenience.

Weighing up the development plan policies, all other material considerations including comments received as a result of consultation of the development, the application is recommended for grant.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of five 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 be occupied until details 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: all external materials for the building on the site

b: the ground surfacing

c: the boundary treatment

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4.B and 7.5.B/C of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan (2004).

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with

policy 7.2.C of The London Plan, saved policies D4 and C16 of the Harrow Unitary Development Plan and Supplementary Planning Document: Access for All 2010

4 Before the development hereby permitted is occupied a Sustainability Strategy, detailing the method of achievement of Code for Sustainable Homes Level 3 (or successor), the reduction of baseline CO₂ emissions by 25%, and mechanisms for independent post-construction assessment, shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change, policies 5.2.B/C/D/E of The London Plan 2011, saved policy D4 of the Harrow Unitary Development Plan 2004 and adopted Supplementary Planning Document – Sustainable Building Design 2009.

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4.B and 7.5.B/C of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan (2004).

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4.B and 7.5.B/C of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan (2004).

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding and policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the Harrow Unitary Development Plan (2004).

8 No development shall take place, including any works of demolition, until a Construction Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with saved policies D4 and T13 of the Harrow Unitary Development Plan (2004)

9 The development hereby permitted shall not commence until details of works for the disposal of water on the site shall be submitted to, and approved in writing by, the local planning authority. The works shall be completed in accordance with the approved details and thereafter retained in that form.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with PPS25, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with PPS25, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

11 Prior to first occupation of the development, details of a lighting scheme for the development including hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the approved details.

REASON: To meet the needs for safety and security for users of the site and to ensure that impact upon the amenity of neighbouring residents are safeguarded, in accordance with policy 7.3.B of The London Plan 2011 and saved policy D4 of the Harrow Unitary Development Plan 2004.

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

REASON: To ensure that the scheme adequately addresses parking pressures locally and sustainability requirements of policies T13 and D4 of the Harrow Unitary Development Plan 2004.

13 Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by

Design website: <http://www.securedbydesign.com/guides/index.aspx> and shall include the following requirements:

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

2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with policy 7.3.B of The London Plan 2011, saved policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

14 No satellite dishes, antennae or other communications equipment are permitted on any part of building hereby approved, without the prior written permission of the local planning authority.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies 7.4.B and 7.5.B/C of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan (2004).

15 The development hereby permitted shall be carried out in accordance with the following approved plans: 1013-TP.01; 1013-TP.02A; 1013-TP.03A; 1013-TP.04A; 1013-TP.05A; 1013-TP.06A; 1013-TP.07A; 1013-TP.08B; 1013-TP.09B; 1013-TP.10A; 1013-TP.11A; 1013-TP.12A; 1013-TP.13A; 1013-TP.14A; 1013-TP.15A; 1013-TP.16A; 1013-TP.17A; 1013-TP.18A; 1013-TP.19; 1013-TP.20; 1013-L.01; Design and Access Statement

INFORMATIVES

1 SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The proposed development would make a positive contribution to the delivery of housing within the borough and accord with the strategic aims of the Core Strategy 2012 in delivering housing on strategic previously developed sites. The proposed redevelopment of the site would result in a modern, sustainable and contemporary design that responds appropriately to the local context, and would provide high quality living conditions for future occupiers of the development, thereby offsetting concerns in respect of the density of development on the site. The scale, layout and siting of the development would be offset by the high quality design of the building and the use of appropriate conditions to provide benefit to the appearance of the locality. The orientation and separation distance to neighbouring properties is considered to be satisfactory to protect the amenity of the neighbouring occupiers and the development would not result in any adverse impacts upon highway safety or convenience.

The decision to **GRANT** planning permission has been taken having regard to National Planning Policy, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, and any comments received in response to publicity and consultation.

National Planning Policy

Planning Policy Statement 1: Delivering Sustainable Development [2005]

Planning Policy Statement 3: Housing [2011]
Planning Policy Statement 4: Sustainable Economic Development [2009]
Planning Policy Guidance 13: Transport [2011]
Planning Policy Statement 22: Renewable Energy [2004]
Planning Policy Statement 25: Development and Flood Risk [2010]

Draft National Planning Policy Framework 2011

The Government has issued a Draft National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application. As such, the application has been assessed against the relevant adopted planning policy.

The London Plan [2011]:

3.1.B – Ensuring Equal Life Chances for All
3.3 – Increasing Housing Supply
3.4 – Optimising Housing Potential
3.5 – Quality and Design and Housing Development
3.6.B – Children and Young People’s Play and Informal Recreation Facilities
3.8.B – Housing Choice
3.9 – Mixed and Balanced Communities
3.10 – Definition of Affordable Housing
3.11 – Affordable Housing Targets
3.12.A/B – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
3.13.A/B – Affordable Housing Thresholds
5.2.A/B/C/D/E – Minimizing Carbon Dioxide Emissions
5.3.B/C – Sustainable Design and Construction
5.7.B – Renewable Energy
5.12.B/C/D – Flood Risk Management
5.21.B – Contaminated Land
6.3.A/B/C – Assessing the Effects of development on transport capacity
6.9 – Cycling
6.13 – Walking
7.1.B/C/D/E – Building London’s Neighbourhoods and Communities
7.2.C – An Inclusive Environment
7.3.B – Designing out Crime
7.4.B – Local Character
7.5.B – Public Realm
7.6.B – Architecture

LDF Core Strategy [2012]

CS1.A/B – Overarching Policy
CS6.J – Pinner and Hatch End

The binding Inspector’s report following the Examination in Public of the draft Harrow Core Strategy was received on 13 December 2011. This report found that the Core Strategy is sound subject to modifications. The Core Strategy, incorporating the modifications, was adopted by the Council on 16th February 2011 and now forms part of the development plan.

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

EP12 – Control of Surface Water Run-Off

EP25 – Noise

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

D9 – Streetside Greenness and Greenery

D23 – Lighting

H7 – Dwelling Mix

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C16 – Access to Building and Public Spaces

Other Relevant Guidance:

Supplementary Planning Document: Sustainable Building Design [May 2009]

Supplementary Planning Document: Accessible Homes [Mar 2010]

Supplementary Planning Document: Residential Design Guide [Dec 2010]

Harrow's Sustainable Community Strategy [Apr 09]

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

permission.

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

5 CONSTRUCTION METHODS

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

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

6 THAMES WATER ADVICE

Waste Comments

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

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

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

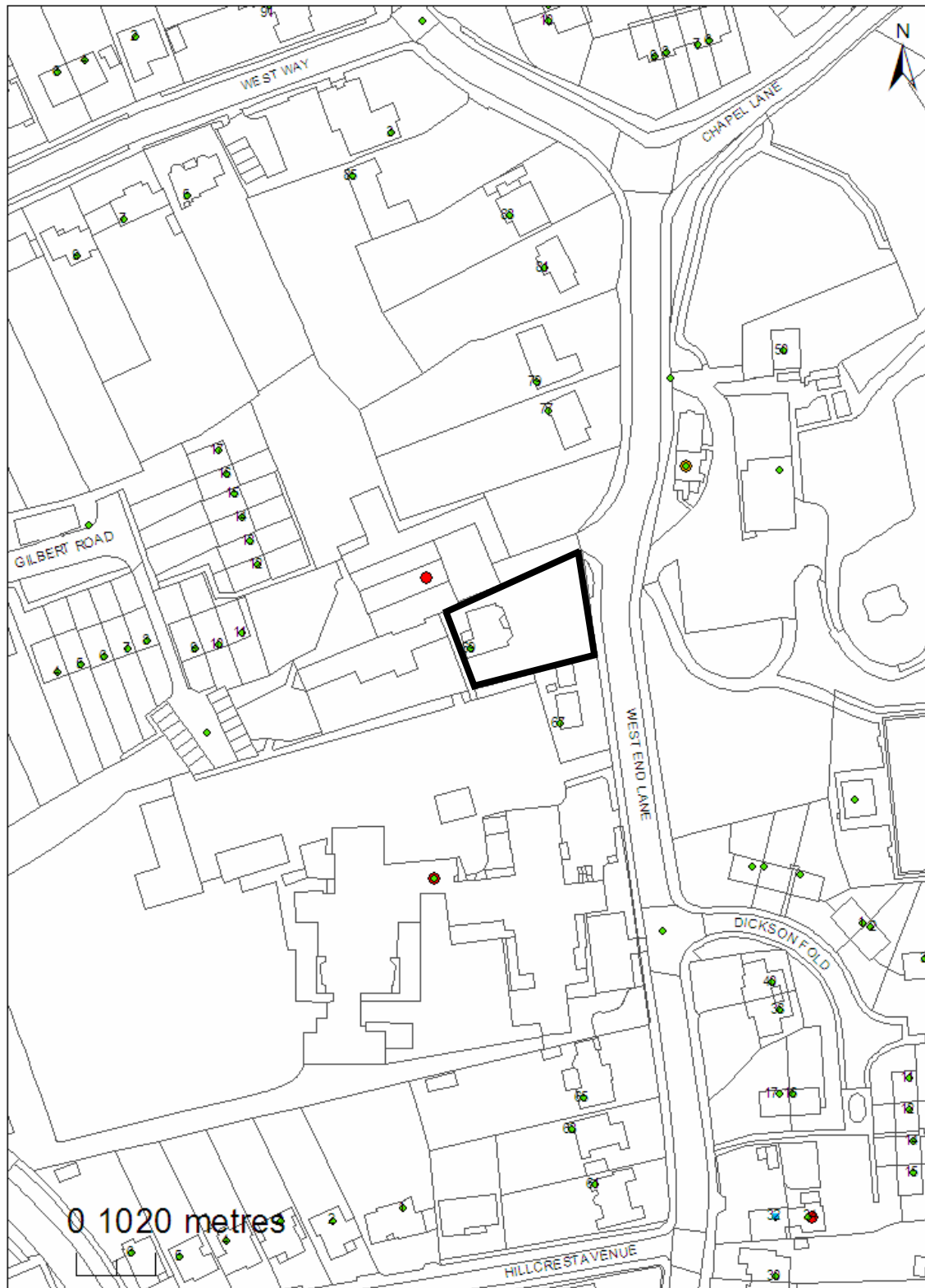
Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

7 HIGHWAY CROSSOVERS

Before implementing the planning permission hereby granted, or the works indicated in your certificate of lawful proposed development, the applicant is advised to contact the

Council's Highways Crossings Officer on 020 8424 1799 or by email to frank.cannon@harrow.gov.uk to find out whether the construction of the crossover is acceptable in highway terms.



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Item No. 2/04
Address: SUNRIDGE, SOUTH HILL AVENUE, HARROW ON THE HILL, HA1 3NX
Reference: P/2735/11
Description: CONSERVATION AREA CONSENT: PARTIAL DEMOLITION OF REAR WALLS AND ROOF
Ward: HARROW ON THE HILL
Applicant: Mr James Kavanagh
Agent: Kenneth W Reed & Associates
Case Officer: Sarah MacAvoy
Expiry Date: 30-NOV-11

RECOMMENDATION

GRANT Conservation Area Consent for the demolition described in the application and submitted plans.

REASON

The partial demolition will not harm the character or appearance of the South Hill Avenue Conservation Area. The proposal, subject to conditions is, therefore, considered to satisfy the objective of policies contained in the Harrow Unitary Development Plan (UDP) 2004, the Harrow Core Strategy 2012, The London Plan (2011) and Planning Policy Statement 5 (PPS5) which seek to preserve Designated Heritage Assets.

Item No. 2/05
Address: SUNRIDGE, SOUTH HILL AVENUE, HARROW ON THE HILL, HA1 3NX
Reference: P/2739/11
Description: SINGLE STOREY SIDE TO REAR EXTENSION AND SINGLE STOREY, TWO STOREY ANDTHREE STOREY REAR EXTENSIONS; ROOFLIGHT IN FRONT ROOFSLOPE; FRONT BOUNDARY TREATMENT INCLUDING A FENCE AND A GATE; NEW SIDE GATES; HARD AND SOFT LANDSCAPING
Ward: HARROW ON THE HILL
Applicant: Mr James Kavanagh
Agent: Kenneth W Reed & Associates
Case Officer: Sarah MacAvoy

RECOMMENDATION

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

REASON

The decision to grant planning permission has been taken having regard to national planning policy, the Harrow Core Strategy 2012 and the saved policies of the Harrow Unitary Development Plan as well as to other material considerations including comments received in response to notification and consultation. The development would be of a high quality design that would respect and complement the special architectural and historic interest of the existing building, would preserve the character and appearance of the South Hill Avenue Conservation Area and would not unduly impact on the amenities of occupiers of any neighbouring land.

INFORMATION

This application is reported to committee as a petition has been received in objection to the application and this goes against the officer's recommendation. As the petition was received on the day that the changes to the scheme of delegation were agreed, the petitioners would have a reasonable expectation that the application is referred to Planning Committee

Statutory Return Type: Householder

Council Interest: None

Conservation Area: South Hill Avenue

Area of Special Character: Harrow on the Hill

Net Additional Floorspace: 121 square metres

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Nil if determined prior to 1st April 21012

Site Description

- Three storey detached property on the northern side of South Hill Avenue.
- The property is locally listed and is located in the South Hill Avenue Conservation Area.
- It is adjacent to Metropolitan Open Land, which is the playing field of Orley Farm School.
- The adjacent property to the east, Helmsley is a two storey detached property which has a single storey side garage extension. Helmsley is also locally listed
- There are TPO trees (TPO 947) just within the adjacent boundary of Orley Farm School. The trees are of mixed species including: Horse Chestnut, Beech, Sweet Chestnut, Lime, Poplar, Cedar, Cherry and non-native Elm.

Proposal Details

P/2735/11 - Conservation Area Consent:

- Partial demolition of rear walls and roof of the dwellinghouse.

P/2739/11 – Related Planning Application:

- Three storey rear extension (3.91m deep and 7.85m wide) which would have a width of 7.85m adjacent to the MOL and would use identical detailing and proportions to the existing dwellinghouse. A single storey rear extension would project for a depth of 1m beyond the rear wall of the proposed 3 storey rear extension for a width of 5.18m.
- 3m deep two storey rear extension, which would be located adjacent to the neighbouring site at Helmsley and would attach to the proposed three storey rear extension. It would have a width of 4.34m and a gabled roof.
- The proposed single storey side to rear extension would finish flush with the front wall of the dwellinghouse. It would have a depth of 12.68m (1.27m of which would project beyond the rear wall of the dwellinghouse). It would splay from the front to the rear in order to follow the boundary (it would be set away from the boundary by approximately 1m). It would have a width of 3.91m at the front and 1.78m at the rear. It would have a flat roof with a height of 3.12m at the front and 3.28m at the rear.
- Proposed timber fence with a gate along the front boundary. The fence would have a maximum height of 1.5m, the posts would have a maximum height of 1.93m and the gate would have a maximum height of 1.88m
- 2m high fence and gate which would be located between the proposed side extension and the neighbouring boundary with Helmsley on the north eastern side set 1.75m back from the front wall of the dwellinghouse.
- 2m high brick wall and gate which would be located between the boundary with the metropolitan open land and the southern elevation of the dwellinghouse.
- Replacement of the existing tarmac on the front forecourt with gravel and landscaping.

Revisions to Previous Application:

- None.

Relevant History

WEST/508/98/FUL - SINGLE STOREY SIDE AND REAR EXTENSIONS TO PROVIDE ATTACHED GARAGE AND BAY WINDOW
GRANTED - 8-DEC-1998

P/3470/10 - TWO STOREY SIDE TO REAR EXTENSION, SINGLE STOREY SIDE AND REAR EXTENSIONS, BALCONY OVER SINGLE STOREY REAR EXTENSION AND EXTERNAL ALTERATIONS
WITHDRAWN – 23-FEB-2011

P/0477/11 - SINGLE STOREY, TWO STOREY AND THREE STOREY SIDE AND REAR EXTENSIONS; BALCONY OVER PROPOSED SINGLE STOREY REAR EXTENSION; EXTERNAL ALTERATIONS
WITHDRAWN - 18-APRIL-2011

P/1654/11 - SINGLE STOREY SIDE TO REAR EXTENSIONS ON BOTH SIDES AND SINGLE AND THREE STOREY REAR EXTENSION

WITHDRAWN - 16-NOV-2011

P/1693/11 - SINGLE STOREY SIDE AND REAR EXTENSION; CONSERVATORY AT SIDE; FIRST FLOOR REAR EXTENSION AND CREATION OF BASEMENT
WITHDRAWN - 16-NOV-2011

P/1705/11 - SINGLE STOREY SIDE EXTENSIONS TO BOTH SIDES OF THE DWELLINGHOUSE; SINGLE STOREY AND FIRST FLOOR REAR EXTENSIONS; EXTERNAL ALTERATIONS
WITHDRAWN - 16-NOV-2011

Pre-Application Discussion

The pre-application advice for this site can be summarised as follows: "The proposal is considered to be unacceptable due to the unacceptable design, bulk and siting of the proposals which would not preserve the character and appearance of the conservation area or that of the locally listed building.

This is because the three storey rear aspect of the proposal would not result in a subservient extension.

In addition, the infill doorway, which would fill the space between the eastern extension and the boundary with Helmsley is unlikely to be considered to be acceptable as it would detract from the characteristic openness and detached nature of the two locally listed properties.

Also, the eastern side extension would be set forward of the existing side projecting chimney, which is considered to be an architectural feature that enhances the character of this building".

Following a site visit, it was considered that there are mitigating factors, including, the siting of the neighbour's extension set back and the angle of the two buildings, and the hedge between the two buildings which would make it difficult to see the single storey side extension and the infill doorway (timber door and gate). Also, it is noted that a previous single storey side extension was granted in this location albeit prior to the adoption of the Harrow on the Hill Conservation Areas SPD including its appendix relating to South Hill Avenue Conservation Area Appraisal and Management Strategy and the London Plan policy 7.8 and national PPS5.

Applicant Submission Documents

Design, Heritage and Access Statement

- The garage is proposed on the eastern side to match Helmsley.
- The building is being sensitively conserved against all structural odds and we believe this should be encouraged as a good example of sustainable development.
- The scheme accords with all planning policies.

Consultations

Arboricultural Officer: The Arboricultural report for the above proposed is acceptable - provided the Method Statement and Tree Protection Plan outlined in the report are followed closely throughout development, there should be no significant tree issues in relation to the proposed development.

The omission of the previously proposed extension on the Orley Farm School boundary has resolved the main concern I had with the proposals.

CAAC: No objections

Harrow Hill Trust: From the front it would be an improvement to the previous applications. From the plans it is difficult to make a judgement as to the impact of the proposed development on neighbours on the north side of South Hill Avenue. A site visit should be made prior to determination. The site has been boarded up with ugly hoardings for more than 6 months which do not enhance the area. They also make it difficult to see what work is going on in and on the building. We do not want LB Harrow to be presented as what might be described as 'facts on the ground'.

South Hill Estate Residents Association: No response

English Heritage: No objection

Advertisement

Character of Conservation Area

Expiry: 10-NOV-11

Notifications

Sent: 25

Replies: 2 plus one petition in objection containing 52 Signatures

Expiry: 3-NOV-11

Addresses Consulted

Flat 1 – 10 Rowsham Court

Marylands

Weathertrees

Helmsley

Garages adjacent to Little Rowsham Court

15 Runnelfield

Garages adjacent to 96 Rowsham Court

Flat 1 – 6 Little Rowsham Court, 94 South Hill Avenue

The petition sets out the following:

- Scale of unauthorised work at the property, its present vandalised form should not be allowed to influence judgements on what are unacceptable proposals
- Proposals would destroy the integrity of the locally listed house and the fundamental relationship between this and its neighbour Helmsley
- Scale and prominence of proposals would damage the character of the conservation area
- Pressure of successive applications should be ignored
- Officers should place little or no weight to no objections of the CAAC
- Shifting of massing towards the rear of the house does not overcome concerns that we have previously raised nor we believe does it address previous concerns of the Council or the CAAC
- Rear of property is visible from public views and attempt to hide bulk at the rear does not overcome impact
- The surrounding community which supports and values the conservation area and local heritage is united in its concerns against these proposals as demonstrated by the attached petition

Summary of Responses:

- Scale, massing and height

- Overdevelopment
- Impact on neighbouring amenity
- Detrimental impact on the streetscene and character of the conservation area
- Insufficient regard to the historic sensitivity of the property and its role in the conservation area
- Inadequate level of detail in the drawings
- Inaccurate plans
- Wide range of potentially unauthorised works ongoing: including to the front boundary, removal of vegetation and soil from around the property, rear walls and rear roof of the building have been removed
- Applicant seeking to wear down opposition through repeated submissions.
- Concern that the property may be converted into flats.

APPRAISAL

The Government has issued a Draft National Planning Policy Framework (NPPF) that consolidates national planning policy. This has been considered in relation to this application, but it carries limited weight at this stage of the consultation process as it is in draft form and subject to change. Existing national planning policy remains and carries substantial weight and the NPPF does not propose any change in existing national policy relative to the issues of this application.

The Harrow Core Strategy has recently been adopted and carries significant weight and is a material consideration in all planning decisions by the Council.

Core Policy CS1.B requires the Council to resist proposals that harm the character of suburban areas and developments on garden land. It goes on to state that all developments shall; respond positively to the local and historic context in terms of design, siting, density and spacing; reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.

Core Policy CS1.D states that proposals that would harm the significance of heritage assets including their setting will be resisted. The enhancement of heritage assets will be supported and encouraged.

The application will therefore be assessed having regard to the relevant London Plan policies, the Core Strategy and the relevant saved policies of the UDP.

MAIN CONSIDERATIONS

- 1) Character and Appearance of the Conservation Area/Locally Listed Building and Area of Special Character/Adjacent Metropolitan Land
- 2) Residential Amenity
- 3) Trees
- 4) S17 Crime & Disorder Act
- 5) Consultation Responses

1) Character and Appearance of the Conservation Area/Locally Listed Building and Area of Special Character/Adjacent Metropolitan Land

Policy HE7.4 of PPS5 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'.

Paragraph 12 of PPS3 states that good design is fundamental to the development of high quality housing and London Plan Policy 7.4 and saved policy D4 of the Harrow Unitary Development Plan (2004) recommend that all development proposals should have a high standard of design and layout.

The new London Plan was adopted on 22/7/2011.

It is considered that this building makes a positive contribution to the Conservation Area. It is described within the South Hill Avenue Conservation Area Appraisal and Management Strategy (CAAMS) along with its neighbour Helmsley as being: 'of particular note... These well-proportioned 3-storey orange-brick buildings feature brick corbelling to the eaves and heavy chimneystacks'.

The special interest of the conservation area in which the building is set is described within the CAAMS as being 'derived from its variety of late Victorian and Edwardian buildings on South Hill Avenue, the lasting architecture of which can be described as elegant with decorative elements contributing to an Arts and Crafts feel. This is complemented by a distinctive green streetscape that provides a pleasant backdrop to the buildings'. The main assets of the area are identified by the CAAMS as including:

- 'The feeling of openness, created by playing fields, spacious plots and the quality of the streetscape'
- The high quality of architecture and large number of detached houses
- The grassed and treed verges and boundary treatment
- The relationship with the 'Garden Suburb'

Guidance within the CAAMS identifies extensions/alterations as a problem/pressure within the area as it explains:

'Buildings do need to change and adapt, but in a sensitive manner. Poor extensions or alterations threaten the integrity of the original houses and layout of the area. The spaces between buildings and any areas of open space, such as the area's playing fields, are of extreme importance. To infill garden plots would seriously harm the open character of the area. Alterations and extensions must sensitively consider the context of the site, not only the house that they propose to adjoin. In the case of new development this should not interrupt any views or compromise the general character of the area'.

It then states 'It is essential that alterations and extensions are respectful and sympathetic to the character and appearance of the conservation area. Minor development such as alterations and extensions should take account of the special characteristics of the area and to use the highest quality of materials and design. A presumption will be made against proposals for infilling of private open space and natural gaps between buildings, especially where good views are evident or where this forms Metropolitan Open Land'.

The existing building has been extended in an ad hoc fashion at the rear. The existing extensions are considered to be unsightly, obtrusive and completely at odds with the character of the locally listed building. The proposal would remove these extensions and result in an improvement in the appearance of the locally listed building.

An objection has been raised by a neighbour concerning the impact of the three storey rear extension and the single storey side extension on the character of the house and that of the area. It is considered that whilst, the proposed extensions, would be visible from neighbouring gardens and the MOL, the design would replicate the existing rear of the building in terms of proportion, materials and details and replace the existing ad hoc additions. A condition has been recommended in relation to the submission to and approval of details by the LPA of the proposed materials to be used in the extension to ensure the materials are appropriate with regard to colour, detailing etc. The proposed extension is considered to not be unduly bulky and would maintain the character of the Locally Listed Building due the replication of the character and design of the rear of the existing building. Therefore, it is considered that the three storey rear extension would not affect the character of the locally listed building or that of the conservation area and would infact improve the appearance of the building which currently has ad-hoc extensions to the rear.

The proposed two storey rear extension would replace an unattractive fire escape. It would be a subordinate addition in keeping with the character of the locally listed building and as such is considered to improve this part of the building in terms of appearance.

In terms of the proposed single storey side to rear extension, it is considered that there are mitigating factors, including, the siting of the neighbour's extension set back and the angle of the two adjacent buildings which would make it difficult to see the single storey side extension and the infill doorway (timber door and gate) from the streetscene. Also, it is noted that from a site visit that there is evidence that a single storey side addition previously existed in this location (now demolished), which was flush with the front wall of the dwellinghouse. Due to these site circumstances and history, the single storey side to rear extension is considered to be acceptable with regard to design and character of locally listed building.

The proposed landscaping, including the new gravel on the front forecourt, would not unduly impact on the character of the conservation area as gravelled driveways are considered to be part of the character of this conservation area. A condition has been recommended requiring submission of details of the gravel to ensure that it would be in keeping with the character of the conservation area in accordance with London Plan 7.4B and 7.6B and policies D4, D12, D14 and D15 of the Harrow Unitary Development Plan.

The proposed gates and fence due to their design, detailing and siting are also considered to be acceptable, subject to materials. A condition has been recommended in relation to the submission of details of the proposed boundary treatment and gates.

As the proposal relates to a rear extension and a side extension adjacent to the boundary with the neighbouring property at Helmsley, there is no extension proposed which would involve the dwellinghouse moving closer to the MOL. As such, it is considered that the openness of the MOL would be maintained. Therefore, it is considered that there would be no undue impact on the MOL as a result of the proposals in accordance with London Plan policy 7.17 and saved policy EP43 of the Harrow Unitary Development Plan.

When considering proposals for the demolition of buildings within conservation areas, saved policy D14 of the UDP states that redevelopment will only be permitted when the new building contributes to the area by enhancing its character or appearance. As discussed in the report above, the extensions would be acceptable and would replace unattractive ad hoc extensions and would protect the character of the conservation area.

Overall, it is considered that the proposed extension would not result in overdevelopment of the site and would maintain the appearance of the dwelling and that of the character of the conservation area in accordance with London Plan policies 7.4B, 7.6B and 7.8C and saved policy D4 of the Harrow Unitary Development Plan (2004), Supplementary Planning Document: Residential Design Guide (2010) and Supplementary Planning Document: Harrow-on-the-Hill Conservation Areas: Appendix 4(E) – South Hill Avenue Conservation Area Appraisal and Management Strategy (2008).

2) Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

Saved policy D5 of the Harrow UDP seeks to ensure that all new residential development provides amenity space that is sufficient to protect the privacy and amenity of the occupiers of the surrounding buildings, as a usable amenity area for the occupiers of the development and as a visual amenity. Criterion B goes on to state that new buildings should provide space around buildings by maintaining adequate separation between buildings and site boundaries in order to reflect the setting of neighbouring buildings and to protect the privacy and amenity of occupiers of existing and proposed new adjoining dwellings. In order to assess the impact of a development on the privacy and amenity of adjoining properties, the general quality of privacy in the surrounding area will be taken into account (paragraph 2.27).

Potential for short-term, but nonetheless protracted and harmful, noise and disturbance to immediate neighbours arising from the proposed demolition (and construction) exists. However, it is considered that this would be satisfactory and a short term impact.

It is noted that a neighbour is concerned that the work has already taken place. There is provision within the Town and Country Planning Act to apply for planning permission retrospectively. However, as every application is considered on its merits, the LPA do not place any weight on the fact that works have started to take place and as such this does not influence the decision in any way.

A neighbour has raised an objection that the proposed two storey rear extension would slightly interrupt a horizontal 45° splay from the neighbouring two storey rear corner of Helmsley. This is considered to be the case, however paragraph 6.29 of the SPD states the 45 degree cannot be applied mechanically and site circumstances must be taken into consideration. In this application, due to the separation distance of approximately 9m between Helmsley and the flank wall of the subject site and the existence of a single storey side extension at this adjacent property, it is therefore considered that there would not be an unreasonable loss of light or outlook to this neighbouring property.

As the single storey side extension would be located adjacent to the garage and the flank wall of Helmsley, it is considered that there would be no undue impact in terms of loss of light or outlook as result of this extension on the neighbouring property at Helmsley. In addition, the proposal would be set off the boundary with this neighbouring site by approximately 1m.

There would be no unreasonable loss of privacy as a result of the proposed windows and

doors in the rear elevation of the single storey side to rear extension or the two or three storey rear extensions as any additional overlooking would not be unduly different to that from existing rear windows.

There is a separation distance of approximately 30m between the proposed extension and the property at Rowsham Court, which has a rear garden adjoining the rear boundary of the subject site. Due to this separation distance, it is considered that the proposal would not unreasonably impact upon the privacy of this sites' rear garden.

It is therefore considered that the proposed extensions would comply with London Plan Policy 7.6B and saved Policy D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Residential Design Guide (2010).

3) Trees

The Council's Tree Officer has confirmed that the Arboricultural report for the above proposed is acceptable - provided the Method Statement and Tree Protection Plan outlined in the report are followed closely throughout development, there would be no significant tree issues in relation to the proposed development in accordance with London Plan policy 7.21 and saved policy D10 of the Harrow Unitary Development Plan. A condition has been recommended to this effect.

4) S17 Crime & Disorder Act

Policy D4 of the Harrow Unitary Development Plan (2004) advises that crime prevention should be integral to the initial design process of a scheme. Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments.

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

5) Consultation responses

- The unauthorised work that has apparently taken place on the property does not influence the decision of this application as every application is considered on its merits.
- The impact of the proposal on the character of the conservation area, the character of the locally listed building and the neighbouring property at Helmsley has been assessed in the report above.
- The fact that the applicant has made many previous applications on the site is irrelevant as every application is considered on its merits.
- The CAAC are not a statutory consultee, but none the less their comments will be considered just as any other comments received on a planning application.
- The impact of the proposal on the adjacent MOL has been assessed in the report above.
- There is considered to be adequate detail in the drawings and the associated documents to make a recommendation on the application.
- Impact on neighbouring has been assessed in the report above.
- Conversion of a property into flats requires planning permission. If this occurs without planning permission, the Council's Enforcement Officer will investigate if a complaint is received.
- It is noted that the drawings do not show the neighbouring ground level at Helmsley. It is not a validation requirement to show the neighbouring property, therefore, correct

drawings of the neighbouring property are not required. However, a site visit has been undertaken during the course of this application to determine the impact on this neighbouring site.

- The neighbours at Helmsley are concerned that the boundary has not been correctly shown. The applicant has signed certificate A of the application form, stating that they own the site on which construction is proposed to take place. In addition, according to OS maps, the proposal would be constructed within the site boundaries. If the applicant builds over neighbouring land without permission then this is a civil matter.
- The horizontal 45 degree splay is taken from the neighbouring two storey corner, not a habitable room.

CONCLUSION

The proposals described by these two applications are considered to be acceptable as they would not unduly impact on the character of the conservation area or that of the locally listed building nor would they have an unreasonable impact on neighbouring amenity. As such approval is recommended, subject to the following conditions:

CONDITIONS

P/2735/11

None.

INFORMATIVES

1 **INFORMATIVE:** The partial demolition subject to the implementation of the related planning permission: P/2739/11 has not/ will not harm the character or appearance of the South Hill Avenue Conservation Area. The proposal is therefore considered to satisfy the objective of policies contained in the Harrow Unitary Development Plan (UDP) 2004, the Harrow Core Strategy 2012, The London Plan (2011) and Planning Policy Statement 5 (PPS5) which seek to preserve Designated Heritage Assets as outlined below:-

National Planning Policy

The draft National Planning Policy Framework (2011)

Planning Policy Statement 1 - Delivering Sustainable Development (31 January 2005)

Planning Policy Statement 5 - Planning and the Historic Environment (23 March 2010)
policies HE1, HE7.2, HE7.4, HE9.1, HE9.2, HE9.4 and HE12.3.

London Plan (2011)

7.4 Local Character

7.6 Architecture

7.8 Heritage Assets and Archaeology

Harrow Unitary Development Plan (2004)

D4 The Standard of Design and Layout

D12 Locally Listed Buildings

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

Harrow Core Strategy (2012)

CS1.B

CS1.D

CS3.A

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

Plan Nos: Justification for Partial Demolition; 1711 1; 1711 2; 1711 3; 1711 4; 1711 5; photos

CONDITIONS P/2739/11

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

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

2 The development shall be completed within 6 months of the date of this planning permission unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory form of development and to preserve the character and appearance of the South Hill Avenue Area in accordance with Planning Policy Statement 5 policies, London Plan policy 7.8C and Harrow Unitary Development Plan policies D4, D12, D14 and D15.

3 The development hereby permitted shall not be constructed above damp proof course level 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 extensions
- (b) the ground surfacing
- (c) the boundary treatment
- (d) the timber gates and fences

(e) the garage door

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

REASON: To safeguard the appearance of the locality in accordance with London Plan 7.8C and saved policies D4, D12, D14 and D15 of the Harrow Unitary Development Plan (2004).

4 The Brick arches above the windows, the brickwork bond and the bargeboards shall match the existing.

REASON: To protect the character of the locally listed building and the character of the Conservation Area in accordance with Planning Policy Statement 5 policies, London Plan policy 7.8C and Harrow Unitary Development Plan policies D4, D12, D14 and D15.

5 The rooflight in the front roofslope shall be a conservation roof light, flush with the roofslope of the dwellinghouse and shall thereafter be retained in that form.

REASON: To protect the character of the locally listed building and the character of the Conservation Area in accordance with Planning Policy Statement 5 policies, London Plan policy 7.8C and Harrow Unitary Development Plan policies D4, D12, D14 and D15.

6 The construction of the development shall be completed and adhered to throughout the duration of the construction of the development hereby approved in accordance with the Method Statement and the Tree Protection Plan outlined in the Arboricultural Impact Assessment prepared by Russell Ball and Associates.

REASON: To ensure that the proposal would have no unreasonable impact on trees on the site in accordance with saved policy D10 of the Harrow Unitary Development Plan (2004).

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

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

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

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

9 Notwithstanding the details on the drawings, the development shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the property forecourt. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with London Plan 7.4B and 7.6B and saved UDP policies D4 and D9.

10 All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development. 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 London Plan 7.4B and 7.6B and saved UDP policies D4 and D9.

11 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; 17.01/ 02/ 03 Rev A/ 04 Rev A / 05/ 06 Rev A / 07 Rev A / 08/ 09 Rev A / 10 Rev A / 11; 881.1 REV B; 881.2 REV D; 881.3 REV C; Tree Report; Design and Access Statement

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

INFORMATIVES

1 INFORMATIVE: The decision to grant planning permission has been taken having regard to national planning policy, the Harrow Core Strategy 2012 and the saved policies of the Harrow Unitary Development Plan as well as to other material considerations including comments received in response to notification and consultation. The development would be of a high quality design that would respect and complement the special architectural and historic interest of the existing building, would preserve the character and appearance of the South Hill Avenue Conservation Area and would not unduly impact on the amenities of occupiers of any neighbouring land.

National Planning Policy

The draft National Planning Policy Framework (2011)

Planning Policy Statement 1 - Delivering Sustainable Development (31 January 2005)

Planning Policy Statement 5 - Planning and the Historic Environment (23 March 2010)
policies HE1, HE7.2, HE7.4, HE9.1, HE9.2, HE9.4 and HE12.3.

London Plan (2011)

7.4 Local Character

7.6 Architecture

7.8 Heritage Assets and Archaeology

7.17 Metropolitan Open Land

7.3 Designing Out Crime

7.21 Trees and Woodlands

Harrow Unitary Development Plan (2004)

D4 The Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D10 Trees and New Development

D12 Locally Listed Buildings

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

EP31 Areas of Special Character

EP43 Green Belt and Metropolitan Open Land Fringes

Harrow Core Strategy (2012)

CS1.B

CS1.D

CS3.A

Supplementary Planning Document: Harrow-on-the-Hill Conservation Areas: Appendix 4(E) – South Hill Avenue Conservation Area Appraisal and Management Strategy (2008)

Supplementary Planning Document: Residential Design Guide (2010)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

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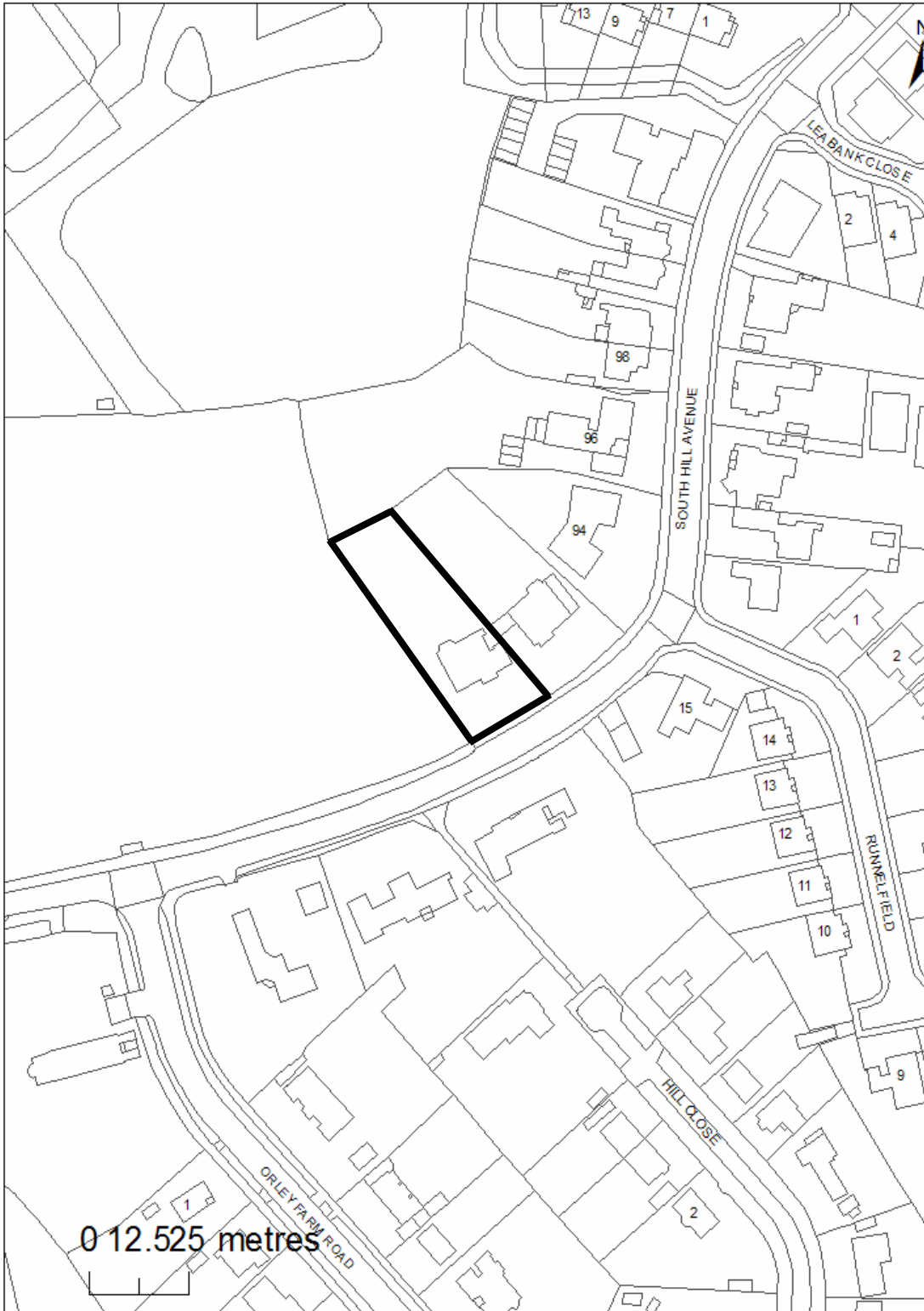
4 INFORMATIVE:

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.

SUNRIDGE, SOUTH HILL AVENUE, HARROW

2/04 & 2/05



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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.