

## SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: 2 - 12 Northwick Park Road, Harrow, HA1 2NT

Reference: P/0291/12

Description DEMOLITION OF EXISTING BUILDINGS; REDEVELOPMENT TO PROVIDE PART SINGLE, PART THREE STOREY BUILDING WITH BASEMENT FOR USE AS A HOTEL COMPRISING 118 GUEST ROOMS, RESTAURANT AND BAR, MEETING ROOMS, STAFF FACILITIES AND OFFICES (USE CLASSES C1/A3/A4); PROVISION OF 38 CAR PARKING SPACES, OFF-STREET SERVICING AND LANDSCAPING; REFUSE AND CYCLE STORAGE; ERECTION OF 2.1M PALISADE METAL FENCE ALONG BOUNDARY

Ward: GREENHILL

Applicant: Grangebrook Ltd

Agent: Morrison Design

Case Officer: Fergal O'Donnell

Expiry Date: 03 May 2012

### RECOMMENDATION A

**GRANT** planning permission subject to conditions and the completion of a Section 106 agreement by 02 May 2012. Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the legal agreement. The Section 106 agreement Heads of Terms would cover the following matters:

- i) Public realm improvements: Payment of £10,000 towards the extension and/or alteration of the Controlled Parking Zone [prior to the first use of the development];
- ii) Harrow Employment and Training Initiatives: Contribution of £14,000 towards local training and employment initiatives prior to commencement of development
- iii) The submission of a Recruitment Training and Management Plan
- iv) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- v) Planning Administration Fee: Payment of £1,200 administration fee for the monitoring of and compliance with this agreement.

### REASON

The proposed development would make a positive contribution to the delivery of economic and employment objectives within the borough, thereby according with the strategic aims of the Harrow Core Strategy 2012 and the benefits that would be provided in economic terms are considered to outweigh the limited loss of residential

accommodation. The proposed redevelopment of the site would result in a modern and functional building which would improve on the design qualities of the existing building on the site whilst responding positively to the local context, and respecting of the scale of development in the locality. The proposed redevelopment of the site would enhance sustainability on the site, whilst, through the use of appropriate planning conditions and obligations, impacts arising from the development on local amenities and traffic generation would be negated or improved. As such it is considered that the development would accord with the National Planning Policy Framework 2012 in ensuring that the economic, environmental and social roles are retained or improved as result of development.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, 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.

### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 02 May 2012 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in absence of a legal agreement to provide appropriate provision for infrastructural facilities that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary infrastructure improvements arising directly from the development, thereby being contrary to policy 6.13.C/D/E of The London Plan 2011 and saved policies T6 and T13 of the Harrow Unitary Development Plan 2004.

### **INFORMATION:**

This application is being reported to committee as the proposal constitutes development of non-residential floorspace exceeding 400m<sup>2</sup> and 0.1ha site area and therefore falls outside of Category 1(d) of the Scheme of Delegation. In removing one residential dwellinghouse, the proposed development also represents a departure from the development plan

Statutory Return Type: Smallscale Major Development

Council Interest: None

Site Area: 0.43 ha

Gross Proposed Internal Floorspace: 4,265sqm

Existing Gross Internal Floorspace: 2,892sqm

Net Additional Floorspace: 1,373sqm

GLA Community Infrastructure (CIL) Contribution: £48,055 (based on an additional net floor area of 1,409.2sqm)

### **Site Description**

- The application site occupies a substantial site at the southern end of Northwick Park Road and on the eastern side of the highway between Gayton Road and Manor Road.
- The site was formerly a number of residential dwellings but these properties have been married together and used for a number of years as a hotel.
- The tying together of the original buildings into one property has given the building a

rambling and incoherent appearance.

- The existing hotel on the site fronts onto Gayton Road and primarily Northwick Park Road. An additional building, which has the appearance of two dwellings but which forms part of the hotel, fronts onto Manor Road.
- Access to the car park to the rear is provided between the main building fronting onto Northwick Park Road and the more recent buildings fronting Manor Road.
- The existing hotel on the site has 73 bedrooms, conferencing facilities, bar and restaurant and has facilities for 47 car parking spaces.

#### **b) Proposal Details**

- It is proposed to redevelop the site by demolishing the existing hotel on the site and constructing a new hotel which would front onto Gayton Road.
- As part of the redevelopment, No.57 Gayton Road would be removed and this site would be incorporated into the redevelopment of the site. The buildings fronting Manor Road would be removed as part of the development.
- The development proposes to construct a three-storey building fronting Northwick Park Road and Gayton Road, with landscaping provided to the front and rear and along the Manor Road frontage and parking provided primarily to the rear.
- The proposed hotel would have 118 bed spaces and would also have 150sqm metres of conferencing space. The development also includes an ancillary bar and restaurant/great room.
- The building is designed in two wings; one fronting Gayton Road and another fronting Northwick Park Road. The entrance to the hotel is proposed at the confluence of these two wings.
- The building would have a crowned roof and the three-storey mass and length of the building would be broken up by balconies and recesses on the Northwick Park Road frontage. This wing of the building is also designed as two distinct parts, with a recessed roof height half way along the frontage and minor alterations in the appearance of fenestration details.
- The building would be some 10.6 metres to the ridge height and would have a footprint of some 1502sqm.
- The length of the building on the Northwick Park Road frontage would be 58 metres and the length of the building on the Gayton Road frontage would be 30 metres.
- The northern end of the building would be sited 5.5 metres from the northern end of the site and the south-eastern end of the building would be sited some 2.8 metres from No.59 Gayton Road.
- Eight car parking spaces and landscaping are proposed to the front of the building.

#### **Revisions to current application**

- Pedestrian link between parking bays on Northwick Park Road and the main entrance created
- Hedges at back of footpath to Northwick Park Road frontage omitted; planting areas and grassed areas revised; planters indicated opposite main entrance
- Coaching parking bay revised at rear to enable increased planting adjacent to Manor Road boundary
- 1 cycle pod relocated to adjacent to rear entrance
- Front and rear recesses to wing facing Northwick Park Road infilled
- End of building adjacent to Manor Road revised – stair relocated
- End of building adjacent to No.59 Gayton Road revised – rear corner amended to comply with 45 degree code

- Posts supported balconies omitted

## **Relevant History**

P/272/05/CFU

Part single/part 3 storey rear extension; 1/2 storey extension on site of 57 Gayton Rd;  
revised car parking

Refused: 22 April 2005

### **Reasons for Refusal:**

- 1) The proposed development, by reason of excessive size, bulk and unsatisfactory design, would be visually obtrusive and overbearing, would not respect the scale, massing and form of the adjacent properties to the detriment of the amenities of the occupiers thereof, the appearance of the street scene and the character of the locality.
- 2) The proposed development, by reason of excessive size and bulk would be visually obtrusive, would be out of character with neighbouring properties and would not respect the scale and massing of those properties, to the detriment of the visual amenities of the neighbouring residents and the character of the area.
- 3) The proposed windows/ balconies in the rear elevation would allow overlooking of the adjoining properties and result in an unreasonable loss of privacy to the occupiers.
- 4) The proposed intensification of the parking area to the rear of the site by reason of unsatisfactory siting in relation to the neighbouring residential properties and associated disturbance and general activity would be unduly obtrusive and detrimental to the visual and residential amenities of those properties and the character of the area.

P/2792/05/CFU

Part 2 / part 3 storey extension to provide additional bedrooms and conference facilities;  
rearranged rear car parking

Refused: 09 February 2006

### **Reasons for Refusal:**

- 1) The proposed 3 storey rear extension by reason of excessive depth would be visually obtrusive and overbearing when viewed from the rear garden of the adjoining property at 2 Manor Road to the detriment of the amenities of the occupiers thereof.
- 2) The proposed east facing rooflight windows within the rear extension would allow overlooking of the adjoining property and result in an unreasonable loss of privacy to the occupiers.
- 3) The first floor south east facing windows of the rear extension to be part fitted with obscure glazing, would give rise to direct or perceived overlooking of the rear of the adjoining property, causing a resultant loss of privacy, to the detriment of the occupiers thereof.
- 4) The proposed parking spaces 50 & 51 would extend that area of hardsurfacing to the frontage of the site to an unacceptable level, would be visually obtrusive and overbearing, would not respect the character of the wider locality to the detriment of the amenities and appearance of the street scene and the character of the area.

P/0009/07/CFU

Extension and alterations to hotel

Refused: 20 March 2007

Appeal dismissed: 03 April 2008

### **Reasons for Refusal:**

- 1) The proposed additional 18 bedrooms together with additional conference facilities will be detrimental to the residential amenities of No.59 Gayton Road and the properties in the locality by reason of the additional activity associated with hotel use.
- 2) The three storey extension by reason of excessive depth would be visually obtrusive and overbearing when viewed from the rear garden of No.2 Manor Road.

P/2030/08/CFU

Extensions and alterations to hotel to provide additional bedrooms and re-locate conference centre (no additional floorspace)

Granted: 02 October 2008

P/0181/09

Extensions and alterations to existing hotel to provide 34 additional bedrooms & relocation of existing conference bar and restaurant facilities (no additional conference floorspace)

Granted: 23 April 2009

P/0598/12

Extension of time to planning permission p/0181/09 dated 23/04/2009 for extensions and alterations to existing hotel to provide 34 additional bedrooms & relocation of existing conference bar and restaurant facilities (no additional conference floorspace)

Currently under consideration

### **Pre-Application Discussion for a former scheme to redevelop the site for a 130 bed hotel (Ref. HA\2010\ENQ\00052) concluded as follows:**

In this case the principle of your proposals is considered to be unacceptable in the context of the relevant policies and additionally there are a number of issues arising in the requirements of the criteria-based policies as set out in the report. Our conclusion is that you have failed to demonstrate how material considerations justify a departure from development plan policies, or how they overcome the policy presumption against your development. Any application submission is therefore likely to be refused.

### **Applicant Submission Documents**

- Planning Statement
- Design and Access Statement
- Transport Statement and Framework Travel Plan
- Sustainability Statement
- Energy Statement
- Public Consultation Report
- Landscape Strategy
- BREAAAM Pre-Certification Report
- BREAAAM Land Use and Ecology Reports
- Crime Statement

### **Consultations**

Greater London Authority (consulted under Category 3E of the Town and Country (Mayor of London) Order 2008)

No response received to date

Environment Agency

The main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or elsewhere.

We recommend the surface water management good practice advice in cell F5 is used to ensure sustainable surface water management is achieved as part of the development.

If you have identified drainage problems at this site through your Strategic Flood Risk Assessment or Surface Water Management Plan, you may want to request a formal Flood Risk Assessment from the applicant in line with Flood Risk Assessment Guidance Note 1

London Borough of Brent

No response received to date

Thames Water

No response received to date

Greenhill Manor Residents Association

The development would not provide adequate parking and would lead to congestion

Full consultation carried out twice as revised elevations, layouts and landscaping details received

**Advertisement:** Major Development; Departure from the Development Plan

Expiry: 15 March 2012 & 05 April 2012

**Site Noticed Erected:** 23 February 2012 & 14 March 2012

Expiry: 15 March 2012 & 04 April 2012

**Notifications**

Sent: 695

Replies: 11

Expiry: 06 March 2012 & 04 April 2012

**Neighbours Consulted:**

Beaufort Court, Rufford Close: 1-6; Rufford Close: 1-28; Blackthorne Court, Manor Road: 1-3; Manor Road House, 24 Manor Road: 1-9; McMillar Lodge, 22 Manor Road: Flats A-D; Fern Court, Manor Road: Flats 1-4; Manor Road: 1-18, 1B, 4A, 20, 28, 32; Hanbury Court, Northwick Park Road: 1-38; Garth Court, 28 Northwick Park Road: Flat 1-18; Northwick Park Road: 9-13(odd), 2-12, 14-20(even), 19A, 19B, 21-27, 23A, 24A, 29-45(odd), 36; Chalfont Court, 34 Northwick Park Road: Flats 1-18; Manor Parade, Sheepcote Road: 1, 2, 3, 4, 5, 6, 7-9, 10-21; Shepherd Court, 35 Sheepcote Road: Flats 1-28; Chester Court, Sheepcote Road: Flats 1-14; Kensington Heights, Sheepcote Road: Flats 1-38; Tempsford Court, Sheepcote Road: Flats 1-25; Brandreth Court, Sheepcote Road: 1-38; Sheepcote Road: Café at 1, 1, 1-3, 11, 51; Blenheim Court, 52 Kenton Road: Flats 1-18; St George Court, 58 Kenton Road: Flats 1-11; Belvoir Court, 68 Kenton Road: Flats 1-9; Fulwood Court, Kenton Road: 1-8; St James Court, 65 Gayton Road: Flats 1-9; Gayton Road: 41, 43, 43A, 43B, 43C, 44, Flats 1-3 at 44, 45 45A, 45B, 45C, 46, 47, 48(A,B,C,D), 49, 50-58(even), 58A, 59-64, Flats 1-6 at 57, 57, 59A, 59B, 66-69, 67A, 71-74, Flat B & C at 72, 70, 72A, 72B, 72C, 76, 78, 80, 82, Harrow High School; Gerard Road: 1-21, 12A, 23-49(odd), West House; Flambard Road: 6, 8, 11-30, 34-46(even); Thurlby Close: 1-31; Woodway Crescent: 1-30, 10A, 32-42(even); Bonnersfield Close: 1-11, 5A, 5B; Bonnersfield Lane: 63-79(odd); Croft Villas, Bonnersfield Lane: 1-6; Manor

### **Summary of Responses:**

- Development would result in increased traffic and disturbance. Restrictions should be put in place to prevent Flambard Road becoming a through road
- Insufficient level of car parking
- Development too large for the site; additional banqueting facilities will increase noise and disturbance
- Commercial development in a residential area should not go ahead
- Smells arising from kitchen
- Scale of building out of context with area
- View of Inspector in the previous appeal not addressed in previous application
- Need for Hotel in this location
- Noise and disturbance arising from the development and associated parking issues causing noise
- Absence of planning brief for the site

### **APPRAISAL**

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.'*

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

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, Land Use and Loss of Residential Accommodation
- 2) Scale, Layout, Design and Character and Appearance of the Area
- 3) Accessibility
- 4) Amenity
- 5) Parking and Highway Safety
- 6) Sustainability
- 7) Drainage
- 8) Statement of Community Involvement
- 9) S17 Crime & Disorder Act
- 10) Consultation Responses

#### **1) Principle of the Development, Land Use and Loss of Residential Accommodation**

The recently adopted National Planning Policy Framework sets out a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to

meet their own needs. The NPPF sets the three tenets of sustainable development for planning to be; to play an economic, social and environmental role. Thus sustainable development, in the context of this application for an economic and employment generating use, should contribute to economic development, without adversely affecting social or environmental roles. Development which is considered to be sustainable should be supported.

Policy 4.5 of The London Plan sets out a strategic target for London to achieve 40,000 net additional hotel bedrooms by 2031. Though the number of additional bed spaces provided would be minor in this context, with the borough context, the additional provision of bed spaces would be supported by policy 4.5 of the London Plan 2011. Saved policy R15 of the Harrow Unitary Development Plan states that the Council will encourage and support the development of large, high quality purpose built hotel accommodation in town centre locations. Saved policy H11 of the Harrow Unitary Development Plan 2004 states that the Council will normally refuse proposed changes of use resulting in the loss of land or buildings from residential to non-residential. In this context, the development proposes to remove No.57 Gayton Road, a residential unit and incorporate this site into the application site.

The application site is located outside of Harrow town centre but within approximately 100 metres of the eastern boundary of the identified Harrow and Wealdstone Intensification Area. The area primarily has a residential character but in recognition of the proximity of the site to Harrow town centre, a number of the formerly residential properties, including the application site, have been converted to commercial uses. The existing hotel use on the site has a long established use and contributes towards the economic diversity of Harrow in providing hotel accommodation to the borough. In contrast to some of the other hotels within the borough and the town centre, the hotel provides some conference facilities which are in identified need in the borough.

The proposed redevelopment of the hotel on the site would take place almost entirely on land currently within that use. The redevelopment of the site would result in higher levels of employment on the site and increase tourism and economic benefits to the area. Such development is supported by policy at national, regional and local level subject to detailed consideration of other environmental and social considerations. However, the proposed development would result in the loss of a residential building. The loss of this residential land needs to be balanced against the economic and employment benefits arising from the proposed hotel development and in the context of the extant planning permission, P/0181/09, on the site for the extension of the hotel to provide 107 rooms in total which also incorporates No.57 Gayton Road in hotel use. The provision of 118 bed spaces with additional conferencing facilities, in comparison with the existing lawful use of the property represents a significant economic benefit to the locality, which should be afforded significant weight. Conversely, in the context of the extant planning permission, P/0181/09, which would provide lower levels of economic benefit and would still remove No.57 Gayton from the borough housing stock, and the recognised capacity of previously developed sites in the Harrow and Wealdstone Intensification to exceed minimum development plan targets for housing in the borough and the locality, it is considered that the loss of residential accommodation should be afforded little weight.

In respect of the location of the proposed development outside of the town centre, the application site is within walking distance of Harrow town centre and though not physically defined as being within the centre, the town centre is very much accessible from the site, and vice versa. It is considered that the proposed hotel would not detract from the tourism



offer of the town centre as the customer base from the development is likely to be different to that of town centre hotels given the levels of parking and conferencing facilities proposed. Rather than detract from the tourism offer of the town centre and the vitality of the centre, the proposed development is likely to have a positive impact, given its proximity to the centre and the fact that it would provide tourism that is otherwise not catered for in the locality.

In light of the above, and in recognition of the extant planning permission on the site, P/0181/09, it is considered that the benefits arising from the proposed development outweigh the limited loss of residential land in the borough. Accordingly, the principle of the redevelopment of the site for the proposed use is considered to be acceptable.

## **2) Scale, Layout, Design and Character and Appearance of the Area**

Good design lies at the heart of national planning policy guidance. 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 site is located within a primarily residential context and though some of the properties have been converted to commercial uses, the residential character of the area is still predominant. In terms of the composition of the residential buildings in the locality, there is no predominant design or regular rhythm of development along Northwick Park Road, with interwar semi-detached dwellings interspersed with more modern detached dwellings and the 1980/90s Hanbury Court building directly opposite the site. Gayton Road does display a more regular pattern of development and is characterised by large detached interwar properties in the main. The existing building on the site has grown organically in the mish-mash fashion of the development along Northwick Park Road, with the hotel building and use growing out of the confluence of a number of buildings along the southern end of the road.

### Scale, Siting and Mass

The massing of the proposed building has been designed with recesses and differing ridge levels in order to relieve the extensive depth of the building and it is considered that these elements would be broadly successful in breaking up the mass of the building. The height of the building and its extent would be similar to the existing hotel as a crowned roof is proposed, though the depth of the building would marginally greater than the existing building. The crowned roof would acknowledge the additional depth of the building, though this additional depth would only be perceived in views from the northern end of Northwick Park Road as the side elevations at the Gayton Road would not be perceived in the public realm. In addressing this northern end of the building, the building has been set further away from the highway adjacent to Manor Road than the existing hotel to provide additional landscaping and this end has been designed in a series of steps. It is considered that such an approach would be successful in providing a reduction in the perception of the overall mass and scale of the building. Though the building would represent an extensive length of frontage along Gayton Road and Northwick Park Road, the scale of the building would not represent a significant departure from the existing building on the site, whilst the height of the building would respect the established scale of buildings in the surrounding area. Overall, it is considered that the scale and siting of the

building would be proportionate to the application site and would respect its surroundings.

### Design and Layout

The design of the proposed hotel does not represent a radical departure from the status quo, as the proposed development seeks to replicate the more predominant design features of the interwar dwellings in the locality. Modern design features such as the entrance canopy would marry the Northwick Park Road and Gayton Road elevations, whilst cantilevered balconies on the front elevation would also give the building a more modern appearance. The building is designed with simplicity and functionality at its heart and it is considered that the building would be successful in this aim, providing clean and legible building lines throughout whilst incorporating modern building materials and techniques such as the use of green walls and roofs. The layout of the building internally provides for a more efficient use of space than the existing building and provides easier movement throughout and around the building than is currently exhibited. In terms of the materials to be used, an extensive palate of materials is proposed for the development which is considered to be inappropriate in the context of the locality. Careful consideration will need to be given to the material to be used, notwithstanding what is shown on the submitted plans, and it is therefore recommended that the details of the materials be used be secured by condition.

### Landscaping, Refuse and Servicing

The development proposes to reintroduce planting and landscaping on the frontage and northern boundaries of the site which would have a positive impact on the character and appearance of the area. However, the provision of car parking spaces would compromise the attempt to reintroduce residential style frontage greenery into the area and accordingly, a condition is recommended that this parking provision be omitted from the scheme or re-allocated elsewhere within the site. It is recommended that the nature and types of soft and hard surfacing be secured by condition. The layout of parking and servicing areas on the rear boundaries is considered to be proportionate to the scale of the scheme and these areas would be screened from the public realm by the extensive levels of landscaping on the Manor Road boundary of the site.

Subject to conditions relating to the materials to be used and the landscaping of the development, it is considered that the proposed development would accord with national planning policy, policies 7.4.B and 7.6.B of The London Plan 2011, policy CS1.B of The Harrow Core Strategy 2012 and saved policies D4 of the UDP in responding to the context of the site and the surrounding area.

### **3) Accessibility**

Provision is made for 2 wheelchair accessible spaces on the site. The provision of 2 car parking spaces conform with Table 6.2 of The London Plan 2011 in providing over 5% of the total capacity for car parking spaces. There are 6 bed spaces provided for disabled persons which would constitute just over 5% of the total units. Though the applicant has stated that such a provision would meet Building Regulation Part M standards, such a provision would amount to just over half of the number of bed spaces required by policy 4.5.B of The London Plan 2011. It is, however, considered that requirements of policy 4.5.B of The London Plan 2011 could be appropriately accommodated within the building with some minor alterations in the layout of the building and a condition is therefore recommended to this effect. Subject to such a condition, the proposed development would accord with policy 4.5.B of The London Plan 2011, saved policies D4 and C17 of the UDP and adopted SPD: Access for All 2006.

#### **4) 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 R15 requires developments for hotels and guest house to respect the amenity and environment of the locality whilst saved policy EP25 of the UDP requires all developments to respect noise sensitive locations. Though not strictly relevant as the development is not for residential redevelopment, in the context of the surrounding residential land uses, the spirit of saved policy D5 of the UDP is relevant. It 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.

As noted above, most of the surrounding land uses are residential. In this context, it is necessary to ensure that the commercial activity proposed on the site would not be so use intensive as to adversely affect the amenity of the surrounding occupiers. The existing use of the site accommodates 73 bed spaces with additional conferencing, bar and restaurant facilities. The extant planning permission on the site, allows for an extension of the existing hotel up to 107 bed spaces with no new conferencing or other ancillary facilities. Considering this baseline and extant permission, it is considered that levels of noise and disturbance arising from the site would be only marginally above the levels already considered acceptable. As the current application incorporates measures designed to reduce journeys to and from the site and the existing provision of conferencing / bar / restaurant facilities amount to approximately 320sqm as opposed to approximately 300sqm of such facilities in the proposed application, it is considered that any change in the level of conferencing / banqueting facilities would not have any measurable impact on the amenity of the surrounding properties.

Though the layout of the conferencing / bar / restaurant facilities may allow for larger gatherings than the hotel currently caters for, it is considered that the space available would not be large enough to cater for large parties / banquets, and noise and disturbance therefore arising from the facilities would not adversely affect neighbouring amenity. It is noted that in the appeal on planning application, P/0009/07/CFU (PINS ref: APP/M5450/07/2042595), the Inspector considered that the increase in conference facilities proposed in that application would potentially have a detrimental impact on neighbouring amenities, particularly No.59 Gayton Road, as it would result in guests gathering in outside areas to smoke and creating noise at unsociable hours. However, the current application does not proposed any increase on existing levels of conference / bar / restaurant facilities and though the layout of the hotel would provide direct access to the rear of the building where smokers may gather, given the scale of the conference facilities, it is considered that numbers gathering outside the rear entrance would be low. Furthermore, this entrance is some 50 metres from the neighbouring dwellings any noise arising from is likely to be buffered by this distance and the proposed use of trees on the boundaries. In addition, conditions are recommended restricting the hours of use of the bar / restaurant and banqueting areas to guests of the hotel only at certain times.

Subject to conditions therefore restricted the formal designated of outdoor useable dining space or outdoor entertainment on the site and the hours of public use of the bar / restaurant area, it is considered that noise and disturbance arising from the proposed redevelopment would prejudice the amenity of the neighbouring occupiers, thereby according with saved policies EP25, R15 and D5 of the Harrow Unitary Development Plan. It is noted that the proposed kitchen would be located in proximity to No.59 Gayton Road and servicing would take place in this area. In order to avoid unacceptable smells

and noise arising in this location, conditions are recommended in respect of ventilation ducts and extracts flues and the hours of servicing of the hotel. The wider and associated impacts on amenities in terms of transport and servicing are considered in Section 5 of the Appraisal below.

In terms of the physical scale of the building and it's the impacts on the surrounding properties, the proposed building would be similar scale in terms of height. The main building would be set further away from those residential properties to the north and though windows are proposed on the northern end of the building, these would serve a stairwell and would not therefore result in any overlooking of the neighbouring properties. The rear building line of the building is much the same as the existing situation whilst the extent permission, P/0181/09, would move the building closer to the rear boundary of No.2 Manor Road. The proposed application, in removing the buildings adjacent to it and in not implementing the extensions to the building extant under planning application P/0181/09, would have a positive impact on the amenity of No.2 Manor Road. Upper floor bedrooms facing No.2 Manor Road would be sited between 23 and 25 metres from the rear boundary of this property, and given this distance and the use of additional planting on the rear boundary of the site in comparison with the exiting situation, it is considered that any overlooking to the rear would be diminished as a result of the development proposals.

The development proposes to incorporate No.57 Gayton Road in the development proposal and thus, the proposed building would be sited adjacent to No.59. The rear and front building lines would accord with the horizontal 45 degree code in respect of the front and rear corners of No.59. As there are no habitable room windows on the northern elevation of the No.59, there would be no conflict with the vertical 45 degree code. Some windows are proposed in the south-eastern flank wall of the proposed building. The proposed single storey rear projection would be splayed away from the rear wall of No.59 and would be set well from the rear of this property and as such, the single storey rear projection would not have an undue impact on the amenities of No.59. As there are some windows, although not primary windows, in the northern flank wall of No.59, it is considered that any windows facing this wall should be obscured and non-opening in order to preclude any undue overlooking of this property. Accordingly, a condition is recommended to this effect. The building would be orientated away from the rear garden of No.59 and would not therefore result in any undue overlooking of this property. It is considered that no other properties in the locality would unduly affected by the physical impacts of the proposed building and the development would therefore accord with policy 7.6.B of The London Plan 2011 and saved policies R15 and D5 of the Harrow Unitary Development Plan.

### **5) Parking, Servicing and Highway Safety**

The applicant has submitted a detailed Transport statement and framework plan outlining servicing, access and parking arrangements. The site, though located outside of Harrow town centre, has a relatively good Public Transport Accessibility Level, identified in the TfL Planning Information Database, as being 6a (very good or excellent). The PTAL level of 6a seems optimistic given that a walk of some 100 metres would be required as a minimum in order to access bus or train routes. Furthermore, there are no amenity facilities immediately adjacent to the site. The applicant contends in the Transport Statement that the site has a PTAL of 4 (medium to high) which would be broadly fair, given that 3 underground stations and a number of buses routes are within 300-500 metres of the site. The Highway Authority has commented on the application.

The London Plan 2011 is not prescriptive in terms of levels of car parking that should be provided for hotel use, whilst the restaurant and bar use are considered to be ancillary to the main hotel use. The UDP space standards set out a requirement for 1 space per 5 bedrooms with token spaces for visitors, staff etc. For the proposed hotel, a maximum of 33 spaces would be encouraged, which is well below the existing significant over provision of spaces of 47 (with the existing 73 bed spaces). Though 38 car parking spaces are proposed, given the level of conferencing facilities that are proposed in the hotel, which though not large would be greater than other hotels in the borough, the Council would not encourage a reduction in parking provision, as to do so may encourage vehicular displacement onto the public highway outside of the operational hours of the Controlled Parking Zone (CPZ). Hence, the provision of 38 car parking spaces is considered to be acceptable. However, as the site is on the periphery of the all day CPZ there may be some potential for patrons of the Hotel to park in neighbouring roads such as Manor Road and Gerard Road which are only covered by a one hour CPZ thereby causing potential parking availability issues for local residents. On that basis, it is considered that a financial contribution could be secured under legal agreement in order to cater for any necessary CPZ revisions that may be required as a result of the Hotel expansion.

The London Plan 2011 indicates that one coach parking spaces should be provided per 50 rooms. Thus two coach parking spaces should be provided. Though, only one coach parking space is formally designated on the site, it is considered that an additional coach could be accommodated without formal designation and the provision of coach parking spaces is therefore acceptable. Secure cycling provision of 1/10 staff is required and 16 spaces are suggested which significantly exceeds London Plan standards and is therefore considered acceptable.

The intensity of use i.e. vehicular movements to and from the site (private and taxi related) would marginally increase as compared to current activities but it is considered that any additional movement would not be of such a scale as to result in detriment to the local highway capacity. The on-site parking provisions for patron drop off's and pick up's and the stringent parking controls in the immediate area assist in this vein by helping to ensure effective site operations for visiting and departing patrons, hence minimising impacts.

In the applicant's Travel Framework, a number of methods of reduction private vehicular travel to the site are proposed and though the success of travel plans are varied, they nonetheless assist in reducing overall journeys to and from site. It is recommended that the measures incorporated in the travel framework be secured by condition.

In terms of the servicing of the site, refuse collection and servicing would be undertaken from the lesser trafficked Manor Road rather than Northwick Park Road and this would be acceptable as it would improve existing safety arrangements. The provision of a turning area will allow for delivery and refuse vehicles to enter and leave the site in a forward gear which conforms to current government safety guidelines. The infrequency of both activities is not expected to affect residential amenity to any measurable degree.

A condition is recommended in respect of construction method statements, detailing deliveries during construction and other elements of construction.

Subject to conditions in relating to construction method statements and the details of the travel framework, it is considered that the development would be satisfactory in

operational terms and would not measurably affect road capacity or prejudice vehicular/pedestrian safety in the vicinity, thereby according with policy 6.13.C/D/E of The London Plan 2011 and saved policies T6 and T13 of the Harrow Unitary Development Plan 2004.

## **6) Sustainability**

The applicant has submitted a detailed Energy Strategy for the development within the framework of the energy hierarchy, setting out the most viable technologies and those which would provide the greatest carbon savings for the site. The use of sustainable technologies, which are considered to be viable for this site would achieve a reduction of carbon emissions of 12.1% below Building Regulations 2010. The applicant states that following a full assessment of carbon technologies, the London Plan target of a reduction of 25% set out in policy 5.2.A/B/C/D/E would not be achievable. The applicant has, however, set out a number of energy efficient measures in the sustainability strategy in an attempt to overcome these shortcomings, such as the provision of green roofs and walls. The sustainability strategy concludes that the proposed building would achieve a 'very good' BREEAM standard, whilst approaching the 'excellent' standard. The applicant also indicates that staff would be trained in the use of BREEAM and encouraged to use energy efficient measures where possible.

Though the proposed development would result in a failure to meet minimum standards set out by London Plan policies in some respects, the conclusions of the applicant in respect of renewable technologies are considered to be broadly fair. Sustainable measures would be incorporated into the design of the building, and measured against the existing baseline efficiency of the building on the site and the 'fallback' extant planning permission, the proposed development would represent a significant improvement on these positions. In this light, it is considered that the development would not conflict with the policies and objectives of the development plan. Conditions are recommended, however, to ensure that the standards set out in the Energy Strategy and Sustainability Strategy are achieved post construction. Conditions are also recommended in respect of the green roofs and walls to ensure that these element of the design remain healthy, thereby ensuring that the details of the Sustainability Strategy are implemented and the character and appearance of the area is not adversely affected by these elements.

## **7) Drainage**

The development proposal would have a neutral or slightly positive impact in terms of providing soft landscaping on the site, as soft landscaping would be provided in the provision of green walls and roofs. The development does propose a basement area but is not within any designated flood zone. The Council's Drainage Team have reviewed the development proposals and subject to further details to be provided in relation to surface water run-off levels and the disposal and storage of water on the site, it is considered that the development would accord with policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the Harrow Unitary Development Plan 2004.

## **8) Statement of Community Involvement**

The applicant has submitted, within the Planning Statement and Design and Access Statement, information relating pre-application discussions with local residents. The involvement included the distribution of flyers and a presentation meeting with neighbours and interested parties. The applicant has therefore fulfilled their obligations as set out in the NPPF and Localism Act.

## **9) S17 Crime & Disorder Act 1998**

The applicant has submitted a Crime Statement the application has been considered in relation to Secured by Design criteria. Some elements of the design, such as the steel balconies have been revised during the application process, in recognition of the climb hazard and safety threat these elements would pose. The applicant has submitted the Crime Statement in consultation with the Council's Crime Prevention Officer who has reviewed the design proposal. The revised overall design and form of the building does not pose any significant objections and subject to the detail of building specifications to which the applicant has agreed in writing, no objection in raised to the development proposed in crime or safety terms, thereby according with policies 7.3.B and 7.13.B of The London Plan 2011 and saved policy D4 of the Harrow Unitary Development Plan 2004.

#### **10) Consultation responses**

*Development would result in increase traffic and disturbance. Restrictions should be put in place to prevent Flambard Road becoming a through road; Insufficient level of car parking; Associated parking issues causing noise*

These issues have been addressed in Section 5 of the Appraisal above. As detailed in the appraisal, monies would be secured to allow for the extension and / or alteration of the CPZ. These monies would ensure that any parking overspill into the surrounding area as a result of the development could be addressed through the revision of the CPZ and, additionally, would ensure that noise arising from the parking of cars in adjacent streets would be avoided

*Development too large for the site; additional banqueting facilities will increase noise and disturbance*

The scale of the development and amenity issues have been addressed in Sections 2 and 4 of the Appraisal respectively

*Commercial development in a residential area should not go ahead; Need for Hotel in this location*

The principle of development and land use has been discussed in detail in Section 1 of the Appraisal above

*Smells arising from kitchen*

This issue has been addressed in Section 4 of the Appraisal above

*Scale of building of out context with area*

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

*View of Inspector in the previous appeal not addressed in previous application*

The views of the Planning Inspector in the previous appeal on the site have been considered as a material consideration in this application. However, given the more recent planning history on the site, it is considered that these views do not carry substantial weight in the consideration of this application.

*Absence of planning brief for the site*

Many previously developed sites within the borough do not have specific planning briefs and very few operational sites have planning briefs. Where the development plan is silent on a particular site, any application must be assessed in accordance with the adopted development plan and the relevant constraints of the site. The application has been assessed on this basis

## **CONCLUSION**

The proposed development would make a positive contribution to the delivery of economic and employment objectives within the borough, thereby according with the strategic aims of the Harrow Core Strategy 2012 and the benefits that would be provided in economic terms are considered to outweigh the limited loss of residential accommodation. The proposed redevelopment of the site would result in a modern and functional building which would improve on the design qualities of the existing building on the site whilst responding positively to the local context, and respecting of the scale of development in the locality. The proposed redevelopment of the site would enhance sustainability on the site, whilst, through the use of appropriate planning conditions and obligations, impacts arising from the development on local amenities and traffic generation would be negated or improved. As such it is considered that the development would accord with the National Planning Policy Framework 2012 in ensuring that the economic, environmental and social roles are retained or improved as result of development.

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

## **CONDITIONS:**

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

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

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

a: the proposed building

b: the ground surfacing

c: the boundary treatment (including all railing specifications)

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

REASON: To ensure a satisfactory form of development and safeguard the appearance of the locality, thereby according with policies 7.4.B and 7.6.B of The London Plan 2011 and saved policies D4 and D7 of the Harrow Unitary Development 2004

3 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence until revised landscaping plans showing the four car parking spaces shown on the Northwick Park Road frontage at the northern end of the site shall be removed and replaced with soft landscaping, have been submitted in writing for approval by the local planning authority. 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, thereby according with policy 7.4.B of The London Plan 2011 and saved policies D4 and D9 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 site. 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, thereby according with policy 7.4.B of The London Plan 2011 and saved policies D4 and D9 of the Harrow Unitary Development Plan 2004.

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, thereby according with policy 7.4.B of The London Plan 2011 and saved policies D4 and D9 of the Harrow Unitary Development Plan 2004

6 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, no advertisements shall be erected / displayed at the hotel hereby approved without the prior written permission of the Local Planning Authority.

REASON: To enable the Local Planning Authority to ensure that any such adverts are carried out in a manner which will not be harmful to the character and appearance of the development or the locality, thereby according with saved policy D4 of the Harrow Unitary Development 2004

7 Notwithstanding the details on the approved drawings, the development hereby permitted shall not commence until there has been submitted to and approved in writing by the Local Planning Authority sections through all external reveals for the louvres, windows and doors on the front and both side elevations. The sections shall ensure that there is a minimum of 90mm for all external reveals for the louvres, windows and doors on the front and both side elevations. The development shall be completed in accordance with the approved details and shall thereafter be retained.

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

REASON: In the interests of highway safety and the amenities of the neighbouring occupiers, thereby according with policies 6.13.C/D/E and 7.6.B of The London Plan 2011 and saved policies D4 and T13 of the Harrow Unitary Development Plan 2004

9 The bar / restaurant / great room hereby permitted by this development shall only be open to the public between the following times:-

- a) 0900 hours to 2300 hours, Monday to Friday inclusive,
- b) 1000 hours to 2330 hours, Saturdays, and
- c) 1000 hours to 2230 on Sundays and Bank Holidays

REASON: To safeguard the amenities of neighbouring residential properties adjacent to the site, thereby according with saved policies R15 and EP25 of the Harrow Unitary Development Plan 2004.

10 All windows in the south-eastern wall of the approved development facing the property at No. 59 Gayton Road shall be glazed in obscure glass and fixed shut and shall

thereafter be retained in that form.

REASON: To ensure that development does not give rise to unacceptable overlooking of No.59, thereby according with policy 7.6.B of The London Plan 2011 and saved policy R15 of the Harrow Unitary Development Plan 2004

11 No food or drink shall be permitted to be consumed or entertainment to take place outside of the buildings.

REASON: To ensure that the proposed development does not give rise to noise or odour nuisance to neighbouring residents, thereby according with saved policies EP25, R15 and D4 of the Harrow Unitary Development Plan 2004.

12 The external roof spaces shall not be used by staff, visitors or guests for any purpose other than for essential maintenance.

REASON: To ensure that the privacy and amenities of residents in the properties on No.59 Gayton Road and No.2 Manor Road are safeguarded from overlooking and perceived overlooking and to avoid the need for the intrusive screens or additional enclosures in the interests of the appearance of the building and the outlook from adjoining gardens, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004.

13 No plant or machinery, including that from fume extraction, ventilation and air conditioning, which may be required by reason of granting this permission, shall be installed within the building without the prior written approval of the local planning authority. Any approved plant or machinery shall be operated only in accordance the approved details.

REASON: To ensure that the proposed development does not give rise to noise or odour nuisance to neighbouring residents, thereby according with saved policies EP25, R15 and D4 of the Harrow Unitary Development Plan 2004.

14 Prior to the development hereby approved being brought into use, details of a scheme for external lighting to the building shall be submitted to an approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority under this condition, no external lighting shall be fixed to the building or placed within the external areas of the site.

REASON: To ensure that lighting within the site does not cause unacceptable nuisance to residents in the adjacent dwellings or adversely affect highway safety for users of the adjoining highway, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004.

15 No construction / works in connection with the proposed development shall be carried out before 0800hrs or after 1800hrs on weekdays and Saturdays or at any time on Sundays or Bank Holidays.

REASON: To safeguard the amenity of the neighbouring occupiers, thereby according with saved policy D4 of the Harrow Unitary Development Plan 2004

16 No servicing or deliveries in association with the proposed development shall be carried out before 0800hrs or after 1800hrs on weekdays and 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 policies EP25 and D4 of the Harrow Unitary Development Plan 2004

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. 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)

18 The development hereby permitted shall be carried out in accordance with the Transport Statement and Framework Travel Plan. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development an assessment of the methods contained within the Transport Statement and Framework Travel Plan shall be undertaken submitted to the local planning authority for approval in writing.

REASON: To ensure the satisfactory provision of facilities for all users of the site and in the interests of highway safety, in accordance with policy 6.3.A/B/C of The London Plan 2011 and saved policy D4 and T13 of the Harrow Unitary Development Plan (2004).

19 The development hereby permitted shall not commence until a scheme for the management, storage and disposal of refuse/waste, including arrangements and hours for vehicle collection of waste/refuse has been submitted to, and approved in writing by, the local planning authority. The use hereby permitted shall not be commenced until the works for the storage of waste have been completed in accordance with the approved details and the site shall thereafter be managed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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

20 No development shall commence until revised floor plans are submitted to the local planning authority demonstrating that at least 10% of the bedrooms provided within the development would be Wheelchair Accessible. The development shall be constructed in accordance with the revised details and thereafter retained that form.

REASON: To ensure the development would accord with the objectives of policy 4.5.B of The London Plan 2011 and saved policies D4 and C17 of the Harrow Unitary Development Plan 2004.

21 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 Energy Strategy and 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.

22 Before the commencement of development on site, details of the green roofs and walls shall be submitted to, and approved in writing by the Local Planning Authority. The details shall include:

a: Plant selection comprising predominately native species appropriate to and applicable for aspect and use to encourage biodiversity

b: An agreed mix of species to be planted within the first planting seasons as agreed in writing by the Local Planning Authority, following practical completion of the building works.

The development shall be carried out in accordance with the details approved, and shall thereafter be retained in that form, unless otherwise agreed in writing with the local planning authority. Evidence that the roof has been installed in accordance with sub-point 'c' above shall be submitted in writing to the local planning authority prior to the first occupation of the development hereby approved.

REASON: To ensure the development accords with the Sustainability Strategy hereby approved and ensure that the green roofs and walls would have an acceptable appearance on the character and appearance of the locality in the longer term, thereby according with policies 5.3.B/C and 7.4.B of The London Plan 2011, policy CS1.B of The Harrow Core Strategy 2012 and saved policies EP26, EP27 and D4 of the Harrow Unitary Development Plan 2004

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with the National Planning Policy Framework 2012, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

24 The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by the local planning authority. The development shall be implemented and maintained in accordance with the details as approved. REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with the National Planning Policy Framework 2012, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

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

040 Rev A; 041 Rev A; 042 Rev A; 043 Rev A; 044 Rev A; 045 Rev A; 046 Rev A; 100 Rev C; 101 Rev B; 102 Rev C; 103 Rev C; 104 Rev C; 105 Rev D; 106 Rev C; 107 Rev B; Planning Statement; Design and Access Statement; Transport Statement and Framework Travel Plan; Sustainability Statement; Energy Statement; Public Consultation Report; Landscape Strategy; BREAAAM Pre-Certification Report; BREAAAM Land Use and Ecology Reports; Crime Statement; email dated 27<sup>th</sup> March 2012 re Crime Prevention

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

#### **INFORMATIVES:**

1 INFORMATIVE:

#### **SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**

The proposed development would make a positive contribution to the delivery of economic and employment objectives within the borough, thereby according with the

strategic aims of the Harrow Core Strategy 2012 and the benefits that would be provided in economic terms are considered to outweigh the limited loss of residential accommodation. The proposed redevelopment of the site would result in a modern and functional building which would improve on the design qualities of the existing building on the site whilst responding positively to the local context, and respecting of the scale of development in the locality. The proposed redevelopment of the site would enhance sustainability on the site, whilst, through the use of appropriate planning conditions and obligations, impacts arising from the development on local amenities and traffic generation would be negated or improved. As such it is considered that the development would accord with the National Planning Policy Framework 2012 in ensuring that the economic, environmental and social roles are retained or improved as result of development.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, 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**

National Planning Policy Framework 2012

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy. This has been considered in relation to this application.

### **The London Plan [2011]:**

2.13.B – Opportunity Areas and Intensification Areas

2.15.C – Town Centres

3.1.B – Ensuring Equal Life Chances for All

4.1.A – Developing London's Economy

4.5.B – London's Visitor Infrastructure

4.7.B – Retail and Town Centre Development

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

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

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

7.13.B – Safety, Security and Resilience to Emergency

### **The Harrow Core Strategy 2012**

CS1.A/B – 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 16<sup>th</sup> 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

EP26 – Habitat Creation and Enhancement

EP27 – Species Protection

EP25 – Noise

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

R15 – Hotels and Guest Houses

C17 – Access to Leisure, Recreation, Community and Retail Facilities

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

### **Adopted Supplementary Planning Documents**

Supplementary Planning Document: Access for All 2006

Supplementary Planning Document: Sustainable Building Design 2009

### **Other Relevant Documents**

Harrow Sustainable Community Strategy [2009]

London Borough of Harrow Employment Land Review [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](mailto: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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://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.

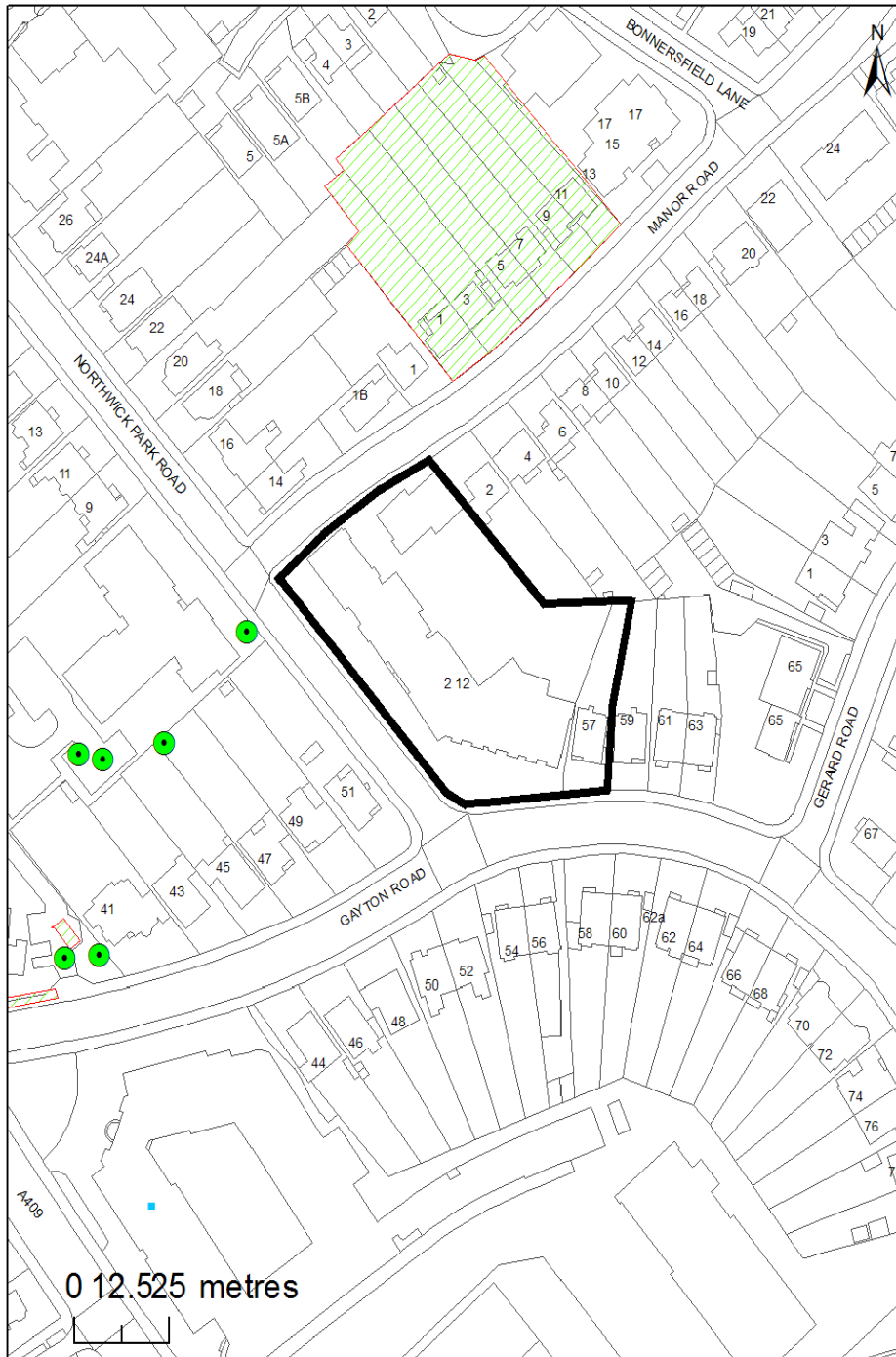
### Water Comments

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: 040 Rev A; 041 Rev A; 042 Rev A; 043 Rev A; 044 Rev A; 045 Rev A; 046 Rev A; 100 Rev C; 101 Rev B; 102 Rev C; 103 Rev C; 104 Rev C; 105 Rev D; 106 Rev C; 107 Rev B; Planning Statement; Design and Access Statement; Transport Statement and Framework Travel Plan; Sustainability Statement; Energy Statement; Public Consultation Report; Landscape Strategy; BREAAAM Pre-Certification Report; BREAAAM Land Use and Ecology Reports; Crime Statement; email dated 27<sup>th</sup> March 2012 re Crime Prevention



## 2-12 NORTHWICK PARK ROAD, HARROW



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## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01

Address: 21 WOOD END ROAD, HARROW, HA1 3PW

Reference: P/3193/11

Description DEMOLITION OF EXISTING BUNGALOW; REDEVELOPMENT COMPRISING NEW TWO STOREY BUILDING TO PROVIDE FOUR FLATS; PARKING, REFUSE AND LANDSCAPING

Ward HARROW ON THE HILL

Applicant: Mr & Mrs B Valibeik

Agent: Dual Building Designs Ltd

Case Officer: Fergal O'Donnell

Expiry Date: 17 January 2012

### RECOMMENDATION

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

### REASON

The proposed development would make a positive contribution to the delivery of housing within the borough. The proposed redevelopment of the site would result in a sustainable and satisfactory design that responds appropriately to the local context, and would provide high quality living conditions for future occupiers of the development. The scale, layout and siting is considered, in the main to be sympathetic, and though of acknowledged significance, would be offset by the provision of appropriate landscaping measures. 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, subject to appropriate conditions.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, 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 14 March 2012

Statutory Return Type: Minor Dwellings

Council Interest: None

Site Area: 0.087ha

Habitable rooms per hectare: 161

Units per hectare: 45

Public Transport Accessibility Level (PTAL): 3

Gross Proposed Internal Floorspace: 370sqm

Existing Gross Internal Floorspace: 174sqm

Net Additional Floorspace: 196sqm

GLA Community Infrastructure (CIL) Contribution: £6,860 (based on an additional net floor area of 196sqm)

### **Site Description**

- The application property is a single storey detached building located on the northern side of Wood End Road.
- The property is occupied by a bungalow with a large footprint (some 191sqm). It is well set back from the road (with the exception of a garage which projects in front of the main building) and trees (especially a large Oak) screen the building from the boundary.
- The application plot is wider than the surrounding plots.
- The neighbouring properties are large, two-storey detached buildings to the east and west. The southern side of Wood End Road has more traditional semi-detached dwellings. The property to the North-east, No. 19 Wood End Road, is subdivided into five studio flats and a House of Multiple Occupancy with six rooms. This use has been established with a Certificate of Lawful Existing Use, reference P/0292/12 dated 02 April 2012
- At present there is provision for off street parking which is accessed from a vehicle access located to front.
- The site is adjacent to the South Hill Avenue Conservation Area (which abuts the rear boundary) and is within the Harrow on the Hill Area of Special Character.

### **c) Proposal Details**

- It is proposed to redevelop the site by demolishing the existing dwellinghouse and garage on the site and constructing a new two-storey building on the site. The building would provide four self-contained residential units
- The proposed building would be set forward of the existing building and would approximately align with the neighbouring front building lines. Four car parking spaces would be provided on the front of the site along with revised landscaping.
- The building would be 18.9 metres in width with a gap of 1 metre left to either boundary. The core depth of the building would be 9.8 metres.
- Part single storey, part two-storey projections at the outer edges of the rear elevation would be 4.5 metres in width and would project 2.3 metres beyond the rear main wall. At the front, part single and part two-storey projections on the outer edges of the front elevation are proposed. These would be 3.3 metres in width and would project 800mm forward of the main elevation.
- The building would have a crowned roof and the ridge would be 8.2 metres in height. The rear and front projections would have pitched roofs.
- The four proposed units would be accessed via a central atrium and the rear garden would be divided in three parts, with private amenity areas for the ground floor flats and communal space for the upper floor flats.
- The two ground floor flats would be 5 person 3-bed units and the upper floor flats would both be 4 person 2-bed units.

- The Gross Internal Areas (GIAS) of the ground and upper floor flats would be 86.2sqm and 77.8sqm respectively.
- **Revisions to current application**
- Design of building amended to remove part-reduced height central element of the roof.
- Fenestration details on the front elevation altered to remove reconstituted stone around windows
- Rear dormers removed and liveable accommodation in roofspace omitted
- Revised internal layouts to provide an upper floor flats with two bedrooms rather than three
- Landscaping details at front of property altered to allow more landscaping at the front end of the site
- Bin stores relocated to rear gardens

## **Relevant History**

P/1143/11

Demolition of existing bungalow; redevelopment comprising new two storey building plus accommodation in roofspace to provide six flats; parking refuse and landscaping

Withdrawn

## **Pre-Application Discussion for a scheme to redevelop the site for a 6 units (Ref. HA\2010\ENQ\00072) concluded as follows:**

In this case the principle of your proposals is considered to be acceptable in the context of the relevant Development Plan policies. However, there are issues arising in the requirements of the criteria-based policies as set out in the report. Our conclusion is that subject to you addressing the policy requirements outlined, then a full assessment of the scheme including all other material considerations arising from formal consultation and neighbour notifications, in addition to any site circumstances, would need to be taken onto account in determining the planning application.

## **Applicant Submission Documents**

- Design and Access Statement

## **Consultations**

### Harrow Hill Trust (summarised as follows):

- Application site developed out of the sectioning out of the gardens of the properties along Orley Farm Road
- Developments proposed along Wood End Road would certainly affect the character of the South Hill Estate Conservation Area
- Development would be out of scale, and against the grain of the area
- Proposal would be opportunistic

### South Hill Estate Residents Association (summarised as follows):

- Development would have adverse impacts on the South Hill Estate Conservation Area
- Development would represent a gross over development of the site by reason of its scale, bulk and height compared with the existing bungalow and garage on the site
- The use of the building as a block of flats would be damaging to the character of the

area

- Parking issues arising

Full consultation carried out twice as revised elevations, layouts and landscaping details received on 24 February 2012

**Advertisement:** Character of Conservation Area

Expiry: 22 December 2012 & 29 March 2012

**Site Noticed Erected:** 05 December 2012 & 08 March 2012

Expiry: 26 December 2011 & 29 March 2012

### **Notifications**

Sent: 18

Replies: 8

Expiry: 19 December 2011 & 04 April 2012

Comments as a result of consultation, all objecting to the development, were from eight different persons. In the case of Waysmeet and White House, 4 letters and 2 letters were received from these addresses respectively.

### **Neighbours Consulted:**

Wood End Road: 15, Wood End Cottage at 17, 18, Sutton Scotney at 19, 20, 22, 23, 23, 26, 28, 30 Harrow Cricket Club

Orley Farm Road: St Donats at 17, 19, Cross Stone, Hillmorton, Waysmeet, White House

### **Summary of Responses:**

- Design of development would be bulky, out of scale, monolithic, excessively wide and out of character; Development would have adverse impacts on the South Hill Estate Conservation Area
- Building incompatible with the rural character of the area
- Development would result in adverse impacts on traffic flow and safety
- Likely requirement for 6-8 car parking spaces for the development
- Absence of detached properties in the locality; dispute the contention that the site suffers from subsidence
- Development would be opportunistic
- Adverse impacts on neighbouring light and privacy
- Loss of vegetation and impact of trees on the site
- Other neighbouring development in breach of planning control should not be used a precedent for overdevelopment
- Facing properties will be overlooking if large roof spaces incorporated
- Sewage problems will be increased.
- Revised plans would still result in a gross overdevelopment of the site and none of the issues previously raised would be overcome
- Noted that acknowledgement letters state that the Council will not accept amendments to proposals once validated

### **APPRAISAL**

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.'*

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

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 and Impact of Development on the South Hill Estate Conservation Area and Harrow on the Hill Area of Special Character
- 3) Layout and Residential Amenity
- 4) Accessibility
- 5) Parking and Highway Safety
- 6) Sustainability
- 7) Drainage
- 8) S17 Crime & Disorder Act
- 9) Consultation Responses

### **2) Principle of the Development**

The recently published National Planning Policy Framework sets out a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three tenets of sustainable development for planning to be; to play an economic, social and environmental role. Thus sustainable development, in the context of this application for residential development, should have a positive impact upon social roles without adversely affecting economic or environmental roles. Development which is considered to be sustainable should be supported.

The NPPF retains the need for previously developed land to be used effectively and this requirement is reinforced by policy 3.4 of The London Plan 2011 which seeks to optimise housing output for difference types of location. The site is located within a suburban location with a PTAL of 3 and the land on which the building would be constructed in considered to be previously developed. The proposed development, at 45 units per hectare and 161 habitable rooms per hectare, would be within the range for units identified in the density matrix contained in Table 3.2 attached to policy 3.3 of The London Plan 2011m although the density would be below the recommended habitable room range. The density matrix solely provides an indicator as to the appropriate density and clearly other factors, such as the low density form of development along the northern side of Wood End Road will need to be considered. However, as the proposed density of development on the site would be in the lower ranges of the density matrix for the number of units and below for the number of habitable rooms, it is considered that the density of development on the site would not necessarily be unacceptable in this location.

The site is currently occupied by a three bedroom detached dwellinghouse with kitchen,

reception and dining area and attached garage. The proposal seeks to redevelop the site to provide a two-storey building to contain four self-contained flats. The provision of four units on the application site would contribute toward the target of 6,050 new dwellings within the borough over the lifetime of the Local Development Framework. Though the site is not identified as being previously developed, the Harrow Core Strategy 2012 nonetheless recognises the contribution that windfall sites can play towards providing for appropriate spatial growth. It is recognised that the application site is currently occupied by a detached dwellinghouse and this may have a greater capacity to accommodate families. However, the proposed development would still provide for small family units on the ground floor and the mix of units on the site is considered to be appropriate, without adversely affecting the stock of family housing in the borough.

In addition, the neighbouring property, No. 19 Wood End Road, is in an established use as five studio flats and a House in Multiple Occupation with six rooms, which is a material consideration in this case.

The applicant has stated in the Design and Access Statement that because of the severity of the settlement problems, the owner of the property has been refused a mortgage and insurance companies will not cover the building which has made the property unviable as a family home. Though this may be the case, the applicant has not provided any independently verified evidence to attest to the viability of the property and this claim is therefore afforded little weight. Nonetheless, the proposed development would make more effective and efficient use of the land, whilst providing benefit in terms of the provision of additional housing on the site. Accordingly, subject to more detailed site considerations, the principle of the development of the site for the development proposed is considered to be acceptable.

## **2) Character and Appearance of the Area and Impact of Development on the South Hill Estate Conservation Area and Harrow on the Hill Area of Special Character**

Good design lies at the heart of national planning policy guidance. London Plan policies 7.4.B, 7.5.B, 7.6.B and 7.8.C/D/E 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/D 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, whilst ensuring Heritage assets are not affected by development. Saved policies D14 and EP31 are also relevant given the location of the site within an Area of Special Character and adjacent to a Conservation Area. These policies seek to ensure that the historic environment would not be compromised by development.

The site is located within a residential context on Wood End Lane, a suburban road to the north of Greenford Road and adjacent to the South Hill Estate Conservation Area to the north of the site. The northern side of Wood End Road is characterised by low density detached properties and the Cricket Club, located to the west of the site, adds to the openness of the northern side of the road. No distinct pattern of development is predominant on the northern side of the highway with more traditional dwellings at the eastern end as opposed to the 1960s style of the application property, and the neighbouring properties to the west of the site. The southern side of the highway has developed as semi-detached properties, reducing the overall levels of openness that might otherwise be felt along the highway.

### Scale, Siting and Mass

A number of objections have been received in relation to the overall bulk, siting and context of the proposed application, often drawing comparisons with the existing single storey scale of the building on the site currently. It is acknowledged that the proposed building would be of greater overall width, scale and height than the existing property. However, whilst such comparisons are noted and are material, it is considered more appropriate to consider the proposed dwellinghouse in the context of the surrounding properties and the locality. The proposed building would be only marginally wider than the established building footprint, including the existing garage on the site. However, the building would be of two-storey scale and would marginally be set forward of the main front wall of the existing building on the site, albeit behind the front wall of the existing garage. As such, the proposed building would have a much more prominent impact in the streetscene. However, the height of the building would be lower than the neighbouring property, No.19 and as a result of the low pitched roof design of the neighbouring two-storey property at No.23, the ridge height of the proposed building would be higher than this property. The ridge height of the proposed building would therefore provide a transition between the two neighbouring properties, providing a more legible building and ridge line on the northern side of the street as opposed to the existing situation. It is therefore considered that the height of the building would be appropriate in its context.

The depth of the building would be acknowledged in part by the crowned roof, but the building would be approximately the same depth as the neighbouring properties and the crowned roof is used to provide a transition between the higher pitched roof of the traditional designed No.19 and the lower pitched roof of the more recently built No.23. The width of the building would be marginally emphasised by the marginally forward setting of the building in comparison with the existing structure. The application plot is wider than the neighbouring properties and thus in building up to within a metre of the boundaries of the property, the building would have a greater bulk and scale than the surrounding properties. Nonetheless, the building would retain an adequate setting in the streetscene and the main building line of the building would be set back from the two adjoining properties. Additionally, there is a large Oak at the front of the site, which would substantially buffer the building from the street whilst the development proposal would provide for additional landscaping on the site to further screen the development. The development has also been designed in a way to as to break up the significant width of the property, by using recesses and projections on the front elevation. In this way, it is considered that, on balance, the scale of the building would not be disproportionate to its surroundings and would therefore be appropriate.

### Design and Layout

The setting of the building would very much follow from the existing pattern of development locally, in seeking to respect building lines, ridge heights etc. albeit the surrounding area is primarily characterised by single family dwellings. However, as detailed above, the area does not display any regular rhythm or pattern of development in the locality, and in this context, it is considered that the use of residential flats within an appropriate development could be easily assimilated into the fabric and urban 'grain' of the area. The building has been designed in a traditional way, with references in the use of bays and projections, to reflect the 'Metroland' development that predominates throughout much of the area. As discussed above, the use of projections and bays breaks up the extensive mass of the building and it is considered that the building would appear neutral and inoffensive in its setting. Careful consideration will need to be given to the use of building materials to ensure that the building would harmonise appropriately with its



setting.

### Landscaping, Trees and Refuse

Parking spaces and landscaping would be provided on the frontage of the site whilst refuse and amenity areas would be provided to the rear with direct access via the side access ways. The quantum of soft versus hard surfacing on the frontage is considered to be appropriate in the context of the locality balanced against the need to provide adequate parking spaces for the occupiers of the development. It is recommended that the nature and types of soft and hard surfacing be secured by condition.

The development seeks to remove a cypress tree on the front boundary of the site and some other trees at the rear of the site. Those trees to be lost to the rear of the property are considered to be of nominal amenity value whilst the cypress tree at the front of the property is of moderate amenity value. The loss of the trees to the rear of the site would not adversely affect the character of the area whilst the loss of the cypress tree would be offset by the provision of appropriate landscaping on the front of the site and the increased prominence which the substantial Oak in the front garden would have. As such, no objection is raised to the loss of the proposed trees on the site.

The refuse stores would be located in appropriate areas and would not adversely affect the amenities of the neighbouring occupiers.

### Impact of Development on the South Hill Estate Conservation Area and Harrow on the Hill Area of Special Character

The proposed development would be located within the Harrow on the Hill Area of Special Character and the rear boundary of the site abuts the South Hill Estate Conservation Area. The Council's Conservation Officer has commented on the application and given the extensive levels of vegetation on the site, it is considered that the development would have little or no impact on the historic character of the South Hill Estate conservation Area and no conflict with the NPPF, policy 7.8.B/C/D or saved policy D14 of the UDP is therefore found.

Areas of Special Character (ASC) are locally designated and do not therefore benefit from the same protection afforded to Conservation Areas under the Conservation Acts. Saved policy EP31 sets out a strategic view that development within ASCs should resist the loss of, or damage to historic features; preserve architectural and historic features; protect skylines and views from intrusive development; and ensure development preserve or improve the character of the area. As detailed above, it is considered that the proposed development would preserve the character and appearance of the area and no conflict with saved policy EP31 is therefore found.

The proposed redevelopment of the site would provide a building of significantly greater scale than the existing structure on the site. However, in the context of the surrounding development, the physical scale of the building would not appear out of character, whilst it is considered that no adverse impacts on the character of the area would arise from the use of the building as four self-contained units. The existing and proposed landscaping and vegetation on the site would further buffer the development in the street and subject to conditions relating to the materials to be used and the landscaping of the development, it is considered that the proposed development would accord with national planning policy, policies 7.4.B, 7.6.B and 7.8.C/D/E of The London Plan 2011, policy CS1.B/D of The Harrow Core Strategy 2012 and saved policies D4 and D14 of the UDP in responding to the context of the site and the surrounding area.

### **3) Layout and Residential 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.

#### Neighbouring Amenity

The proposed development would accord with the horizontal front and rear 45 degree code in respect of both neighbouring properties. As neither of the neighbouring properties feature habitable windows on the flank wall, the development would also accord with the vertical 45 degree code in respect of both neighbouring properties. The proposed single storey projections to the rear of the property would not project more than 4 metres beyond the rear of the neighbouring properties. Such a rearward projection would accord with the adopted SPD: Residential Design Guide and given this, it is considered that the development would not result in any undue overbearing or overshadowing impacts on the amenities of the neighbouring properties. No windows are proposed in the flank walls of the proposed development and no undue overlooking of the neighbouring properties would therefore occur

The rear windows of the development would be over 15 metres from the rear boundary of the site and it is considered that such a distance would preclude any undue overlooking of the neighbouring property to the rear. The presence of high levels of mature vegetation on the rear boundary would further preclude any undue overlooking. Comments have also been received in relation to overlooking of properties opposite the site on Wood End Road. However, it is considered that any overlooking of this nature would be typical of suburban locations and would not be unreasonable.

The development would intensify the use of the site, resulting in increased comings and goings to and from the site. However, the scale of development would still be relatively low and would be unlikely to cause such noise or disturbance on the site so as to be detrimental to the amenity of the neighbouring occupiers. As such, it is considered that the development would accord with policy 7.6.B of The London Plan 2011, saved policy D5 of the Harrow Unitary Development Plan 2004 and adopted SPD: Residential Design Guide 2010.

#### Amenity of Potential Occupiers

All of the proposed units would be dual aspect and each habitable room would have appropriate outlook and light. All of the units would meet the minimum GIAs set out in The London Plan 2011 and the adopted SPD: Residential Design Guide. The units would be arranged such that any each room would be vertically arranged over a 'like-for-like' room with the exception of an overlap of an upper floor bathroom over a bedroom. As a bathroom does not constitute a habitable room and would only be used intermittently, it is considered that noise transmission arising through the units would be unlikely to have a detrimental affect on the amenity of the ground floor occupiers.

Private rear garden amenity spaces would be provided for the ground floor units with a communal space provided for the upper floor units. It is considered that the spaces provided would be adequate for the purposes of the occupiers of the units and the development would therefore accord with saved policy D5 of the Harrow Unitary

Development Plan 2004 in respect of amenity issues.

#### **4) Accessibility**

The applicant has indicated in 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.

#### **5) Parking, Servicing and Highway Safety**

The site is located within an area with a Public Transport Accessibility Level (PTAL) of 3 (taken from the TfL Information Database website) and the site therefore has a medium PTAL. The site is located approximately 500 metres from local amenities along Greenford and it is therefore conceivable that potential users would make convenience type journeys on foot or by bike. However, given the suburban nature of the location, it is acknowledged that many journeys will be undertaken from private vehicles. The applicant has proposed to provide 4 car parking spaces, one for each of the units.

The Highway Authority has commented on the application and the potential for overspill onto the highway as a result of the proposed development is acknowledged. However, given the reasonable PTAL level of the site and the presence of local amenities within walking distance of the site, coupled with the provision of designated cycle spaces for the development, it is considered that, on balance, overspill on the highway as a result of the development would be unlikely. Furthermore, were overspill to occur, given the relatively low volume of traffic along Wood End Road, it is considered that any possible overspill would not adversely affect traffic flow or pedestrian safety in the locality. Accordingly, it is considered that the development would broadly accord with policy 6.13.C/D/E of The London Plan 2011 and saved policy T13 of the Harrow Unitary Development Plan 2004. Refusal on this basis could not therefore be substantiated.

#### **6) 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 indicated within the Design and Access Statement indicates that the development would 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.

#### **7) 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 residential units are occupied, the development would accord with PPS25, London Plan 5.12.B/C/D or saved policy EP12 of the UDP.

### **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**

*Design of development would be bulky, out of scale, monolithic, excessively wide and out of character; Development would have adverse impacts on the South Hill Estate Conservation Area; Building incompatible with the rural character of the area*

These issues have been largely addressed in Section 2 of the Appraisal above. The site is considered to be located within an area with a suburban rather than a rural character and the application has been assessed on this basis

*Development would result in adverse impacts on traffic flow and safety; Likely requirement for 6-8 car parking spaces for the development*

The likely impact on development on traffic and parking has been considered in Section 5 of the Appraisal above

*Absence of detached properties in the locality; dispute the contention that the site suffers from subsidence; Development would be opportunistic*

The principle of the development on the site has been considered in Section 1 of the Appraisal above. The issue of subsidence on the site has been considered and afforded little weight in the determination of this application

*Adverse impacts on neighbouring light and privacy*

This issue has been addressed in Section 3 of the Appraisal above.

*Loss of vegetation and impact of trees on the site*

This issue has been addressed in Section 2 of the Appraisal above.

*Other neighbouring development in breach of planning control should not be used a precedent for overdevelopment*

The grant of a Certificate of Lawfulness for the use of No. 19 Wood End Road as five studio flats and an HMO with six rooms is a material consideration as noted in section one of the appraisal.

*Facing properties will be overlooking if large roof spaces incorporated*

This issue has been addressed in Section 3 of the Appraisal above.

*Sewage problems will be increased*

The Council's Drainage Team have commented on the application and have not raised any issues in this respect

*Revised plans would still result in a gross overdevelopment of the site and none of the issues previously raised would be overcome*

The application has been considered in detail in the Appraisal above where it has been found that the development would have an acceptable impact on environmental and social roles whilst providing benefit in terms of social impacts. It is considered that the

development therefore constitutes sustainable development and should be supported.

*Noted that acknowledgement letters state that the Council will not accept amendments to proposals once validated*

The purpose of stating that applications will be determined on the basis of submitted drawings is to ensure that amendments to applications are not received which would require a full re-consultation of a planning, as a full failure to do so in some instances may result in a failure of the Local Planning Authority to correctly consult on planning applications. In this instance, amendments were received to the planning application and a full re-consultation of all affected properties was carried out including public notification in the Harrow Observer, erection of a site notice and sending out neighbouring notification letters. As such, it is considered that full opportunities were offered to all interested persons to comment on the application and revised application and the consideration of the revised elevations and details does not therefore have a prejudicial affect on any interested parties.

## **CONCLUSION**

The proposed development would make a positive contribution to the delivery of housing within the borough. The proposed redevelopment of the site would result in a sustainable and satisfactory design that responds appropriately to the local context, and would provide high quality living conditions for future occupiers of the development, The scale, layout and siting is considered, in the main to be sympathetic, and though of acknowledged significance, would be offset by the provision of appropriate landscaping measures. 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, subject to appropriate conditions.

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 three years from the date of this permission.

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

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

- a: the proposed building
- b: the ground surfacing
- c: the boundary treatment

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

REASON: To ensure a satisfactory form of development and safeguard the appearance of the locality, thereby according with policies 7.4.B and 7.6.B of The London Plan 2011 and saved policies D4 and D7 of the Harrow Unitary Development 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 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.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, thereby according with policy 7.4.B of The London Plan 2011 and 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 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, thereby according with policy 7.4.B of The London Plan 2011 and saved policies D4 and D9 of the Harrow Unitary Development Plan 2004

5 Prior to the commencement of works onsite, additional details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area, thereby according with policy 7.4B of The London Plan 2011 and saved policy D4 of the Harrow Unitary Development Plan 2004.

6 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 Homes 2010

7 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 CO<sub>2</sub> 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 the National Planning Policy Framework 2012, 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.

8 No development shall take place, including any works of demolition, until a

Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. 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 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).

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with the National Planning Policy Framework 2012, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk accordance with the National Planning Policy Framework 2012, policy 5.12.B/C/D of The London Plan 2011 and saved policy EP12 of the UDP

12 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.

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

D/1133/1; D1133/2B; D/1133/3B; D/1133/4B; D/1133/5B; D1133/6; D11/33/7; Site Plan; Design and Access Statement

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

## **INFORMATIVES:**

### **1 INFORMATIVE:**

#### **SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**

The proposed development would make a positive contribution to the delivery of housing within the borough. The proposed redevelopment of the site would result in a sustainable and satisfactory design that responds appropriately to the local context, and would provide high quality living conditions for future occupiers of the development. The scale, layout and siting is considered, in the main to be sympathetic, and though of acknowledged significance, would be offset by the provision of appropriate landscaping measures. 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, subject to appropriate conditions.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, 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**

National Planning Policy Framework 2012

The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy. This has been considered in relation to this application.

## **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

3.8.B – Housing Choice

3.9 – Mixed and Balanced Communities

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
- 7.8.C/D/E – Heritage Assets and Archaeology

## **The Harrow Core Strategy 2012**

### **CS1.A/B – 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 16<sup>th</sup> 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
- EP31 – Areas of Special Character
- D4 – The Standard of Design and Layout
- D5 – New Residential Development – Amenity Space and Privacy
- D9 – Streetside Greenness and Greenery
- D10 – Trees and New Development
- D14 – Conservation Areas
- H7 – Dwelling Mix
- T6 – The Transport Impact of Development Proposals
- T13 – Parking Standards
- C16 – Access to Building and Public Spaces

### **Adopted Supplementary Planning Documents**

- Supplementary Planning Document: Sustainable Building Design 2009
- Supplementary Planning Document: Accessible Homes 2010
- Supplementary Planning Document: Residential Design Guide 2010

### **Other Relevant Documents**

- Harrow Sustainable Community Strategy 2009

## **2 CONSIDERATE CONTRACTOR CODE OF PRACTICE**

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

## **3 PARTY WALL ACT:**

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto: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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://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.

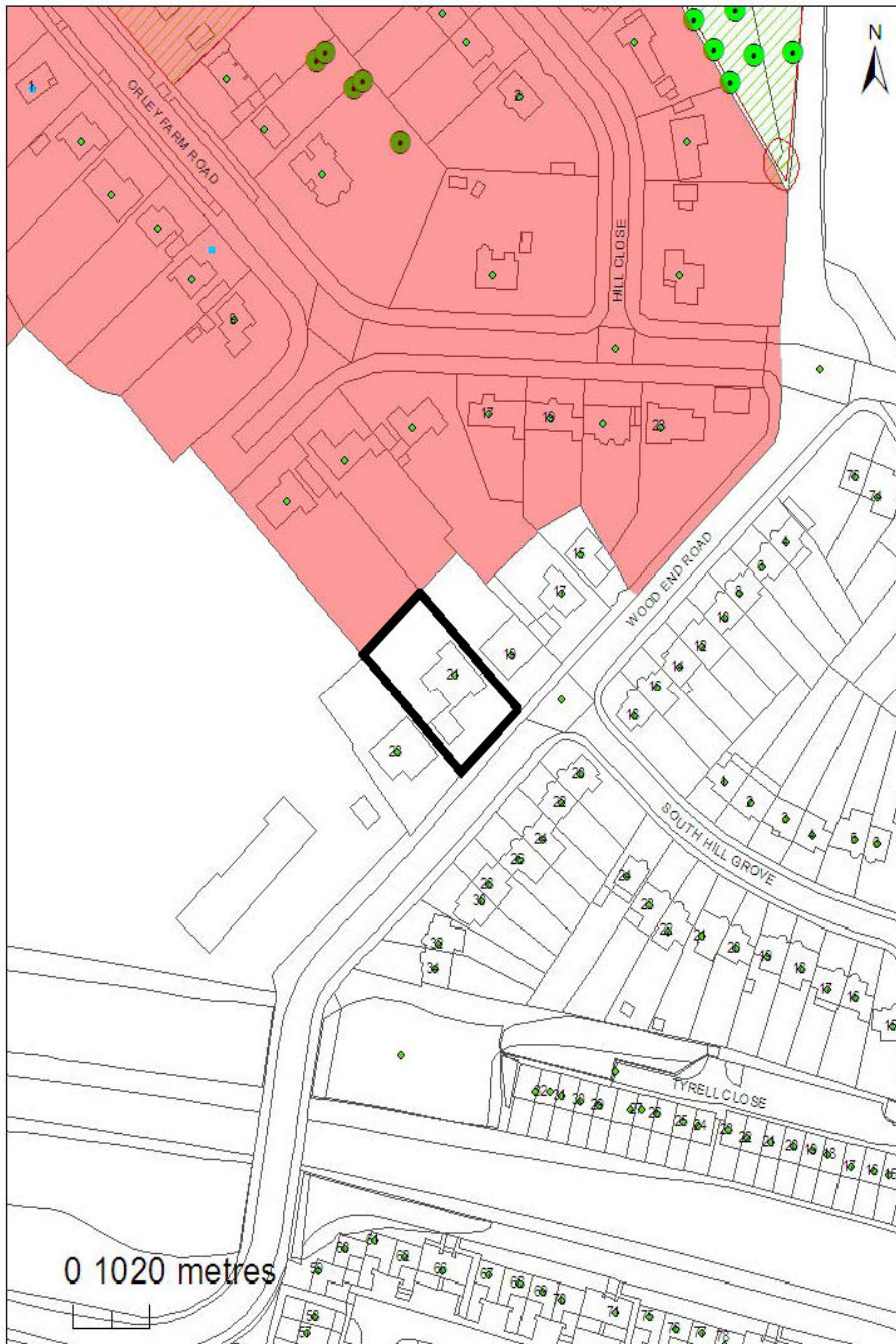
Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

#### 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: D/1133/1; D1133/2B; D/1133/3B; D/1133/4B; D/1133/5B; D1133/6;  
D11/33/7; Site Plan; Design and Access Statement

## 21 WOOD END ROAD, HARROW



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Item No. 2/02  
Address: 354 - 356 PINNER ROAD, HARROW, HA2 6DZ  
Reference: P/3481/11  
Description: NEW SHOPFRONTS IN ASSOCIATION WITH THE CONVERSION OF EXISTING ONE SINGLE RETAIL UNIT INTO THREE RETAIL UNITS; FRONT RAMP STEPS AND HANDRAILS AND EXTERNAL ALTERATIONS  
Ward: HEADSTONE NORTH  
Applicant: Genesis Housing Association  
Agent: 1D Partnership  
Case Officer: GERARD LIVETT  
Expiry Date: 02 April 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 considerations including any responses to consultation. The proposal is considered to comply with design policies regarding the new shopfronts and access arrangements. Any resultant sub-division of the retail unit into three would enhance the retail viability of the site and would assist in the revitalisation of the North Harrow Town Centre.

## INFORMATION

The application is reported to the Planning Committee because the proposal is considered to be of public interest and is excluded from the Scheme of Delegation by proviso E.

**Statutory Return Type:** Minor Retail, Distribution and Servicing

**Council Interest:** None

**Gross Floorspace:** 1,339 sqm

**Net additional Floorspace:** 0 sqm

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

## Site Description

- The application site is a three to six- storey building with frontages on both Pinner Road and Station Road, North Harrow and provides 112 flats, a single retail unit (currently vacant), community facilities and parking
- The substantial development has been completed and the flats are occupied. An

application to vary the s.106 Agreement regarding the affordable housing tenancy types is currently being processed.

### **Proposal Details**

- The application proposes to provide shopfronts and three double entrance doors on the Pinner Road frontage.
- Level access to the Pinner Road frontage would be provided, with a series of up to six accessible steps to compensate with the decrease in natural ground level of 0.8m from the southern to the northern part of the site.
- Three hand rails, with a height of 1.1m, would be provided at the northern end of the raised area
- As a result of the proposed development, the current single retail unit could be divided into three retail units. The indicative drawings suggest that one of these units would have an area of 547m<sup>2</sup> and the other two would have areas of 381m<sup>2</sup>.

### **Revisions to Previous Application**

Following the previous decision (P/2447/04/CFU) the following amendments have been made:

- Detailed treatment of shop fronts provided.

### **Relevant History**

P/2447/04/CFU – Redevelopment for 3-6 storey building to provide supermarket 112 flats community facility; parking and access and extension of time to complete s106 agreement  
Granted – 19-Oct-2006

P/0352/08/DVA – Variation of condition 3 of planning permission P/2247/04/CFU

Granted – 10-Mar-2008

(Allowed for phased occupation of the development)

P/2390/08/DVA – Details of highway reinstatement works required by condition 2 of planning permission P/2247/04/CFU

Granted – 24-Jul-2008

P/2743/10 – Modify section 106 Agreement to planning permission P/2247/04/CFU dated 16-Oct-2006 to change the tenure types

Awaiting completion of Agreement

### **Pre-Application Discussion (Ref.)**

- None

### **Applicant Submission Documents**

- Design and Access Statement: Proposal is to split the existing un-occupied retail unit into three smaller retail units, all accessed directly off Pinner Road. Ambulant steps will be provided to allow for access given the change in levels. Level access would be provided from the southern part of Pinner Road. No parking is provided on site, although North Harrow Car Park, on opposite side of Pinner Road, currently provides up to two hours free parking. There has been no interest in the large retail unit and smaller units will be easier to rent.

### **Consultations**

Highways Agency: Site is in Flood Zone 3. As proposal is for a change from less

vulnerable to less vulnerable the Agency has no comments.

Headstone Residents' Association: Section 106 Agreement attached to original planning permission refers to provision of supermarket and 112 flats. When was the requirement for provision of a supermarket altered? Area is at risk of flooding.

North Harrow Town Centre Manager: Support the proposal

Highways Authority: No objection

Drainage Engineers: Development would not be within 5m of the watercourse. No objection to proposed development and a flood risk assessment is not required.

## **Advertisement**

General Notification

Expiry: 15-Mar-2012

## **Notifications**

Sent: 190

Replies: 3

Expiry: 06-Mar-2012

## **Addresses Consulted**

Yeoman Court (above application site): Flats 1-10; Duke Court (above application site): Flats 1-27; Savoy Court (above application site): Flats 1-37

Pinner Road: 326-350 (even, including flats), 368-370, 370, 372-386 (even, including flats), 369, 435, 435a

Sapphire Court, 427 Pinner Road (all flats)

Broadway Parade: 1-9 (including flats above)

Broadwalk, Pinner Road: 17-28 (including flats above)

Canterbury Road: Flats 1-13 Chaucer House, 1-33 (odd), 34

Station Road North Harrow: Service Station, North Harrow Assembly Hall, 11, 27-49 (odd, including flats); 40-50 (even, including flats)

Kingsfield Avenue: 46, 60, 62, 79

Gloucester Road: 30-40 (even), 23, 25-35 (odd)

Hooking Green: 2-8 (consecutive), 10, 36-44 (consecutive)

Cumberland Road: 10-18 (even), 41-55 (odd)

High View, 52

Priory Way: 68

Westmoreland Road: 13

Cambridge Road: 10, 103

5 Fallowfield and 4 Embury Close, Stanmore

(NB Addresses consulted included those from where a response was received with regards to a previous application)

## **Summary of Responses**

- Town has deteriorated since bowling alley and Safeway have gone. Expectation that development would provide a supermarket, which has yet to be delivered. Oppose planning permission for unit to be made into three smaller ones. Supermarket would be a necessity. No marketing done of the space. Competition with Morrison's at the end of Pinner Road is required. North Harrow in danger of becoming a ghost town.

## **APPRAISAL**

The Government has issued a National Planning Policy Framework [NPPF] that consolidates national planning policy. This has been considered in relation to this application. This application has been considered in the light of the NPPF, The London Plan, the Harrow Core Strategy and the saved policies of the Harrow Unitary Development Plan, and other material considerations,

### **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) S17 Crime & Disorder Act
- 8) Planning Obligations
- 9) Consultation Responses

### **Background Information**

As noted in the principle of development section of the appraisal below, the subdivision of the large retail unit into two or three smaller, but still large, units would not require planning permission.

The provision of shop fronts and level access could facilitate this subdivision, but would not preclude the potential for the site to be let as one very large or two large units.

At the time planning permission was sought for the original development in 2004, the former supermarket that stood on the site was vacant.

The intention at the time of that application was that a supermarket operator would be found to occupy the site.

It is appropriate, by way of background information, to discuss the merits of the potential subdivision in the light of national, regional and local planning policy and in regard to the local circumstances of the North Harrow District Centre, notwithstanding that such a subdivision does not require planning permission.

The National Planning Policy Framework, at paragraph 23, requires that local planning authorities should pro-actively plan to promote competitive town centre environments and provide consumer choice. Paragraph 7 of the NPPF notes that planning applications that secure sustainable economic growth should be treated favourably.

This broad approach is supported by policies in The London Plan, notably policies 2.7, 2.15, 4.1 and 4.7, which seek to support and enhance opportunities for economic growth in outer London and in established town centres. The overarching aims of promoting sustainable economic growth and enhancing town centres is supported by policies CS1 (A and L) and CS5 (D) of the recently adopted Harrow Core Strategy and saved policy EM24 of the Harrow Unitary Development Plan.

Over the past few years, the North Harrow District Centre has suffered from a decline in vitality and has a significant vacancy rate. In November 2011, 26.38% of the primary frontage and 17.17% of the secondary frontage (by length) was vacant – representing



21.22% in the town centre as a whole (excluding non-designated frontages). A significant proportion of this vacancy (6.65% of the primary frontage) is accounted for by the application site.

To address the decline of the Centre, the Council has appointed a Town Centre Manager who is actively implementing measures to attract new business to the centre. In addition, the Council is consulting on a draft Local Development Order, which would permit the change of use of vacant shops to other economic uses without the need for planning permission. In this case, the proposed LDO would permit a change of use to A2 (financial and professional services), A3 (restaurant) or B1(a) (general office). Because of the area of the unit or units proposed, the premises could not be used for D1 (non-residential institutions) without the need for planning permission.

The large retail unit at the application site, which has been empty since the completion of the development, was originally intended to be a replacement of the then vacant supermarket that formerly occupied the site (along with a bowling alley). Part of the reason why the retail unit has been vacant until now relates to legal rights of access to the site, which were not resolved until November 2011.

The current size of the retail unit, at 1,300m<sup>2</sup>, makes it difficult to let for a number of reasons. The retail unit has no dedicated parking, which is seen as desirable in large-scale retail developments. The servicing arrangements, which are via a service yard accessed from Station Road, cannot accommodate full sized articulated trucks. The retail unit also faces competition from other supermarkets in the borough, including the development at Neptune Point that is currently under construction.

The owners of the site have been attempting to let the site as a single unit since November without success.

The proposed sub-division of the unit into three would result in three units that would still be significantly larger than standard retail units in the district centre. The traditional retail shop in North Harrow has a retail area of approximately 100m<sup>2</sup>, compared to the two units of 381m<sup>2</sup> and one unit of 547m<sup>2</sup>. The size of these units would mean that Sunday trading hours would still be restricted to six hours under the terms of the Sunday Trading Act 1994.

There has been some considerable interest in the retail units, including from major retailers and supermarket operators.

It is considered that units of the size shown on the plans would provide attraction points – meaning that they would attract visitors to the shops who would be likely to stay and use other facilities in the vicinity, rather than the unit being a destination in and of itself (which is the case with many larger supermarkets).

Although the original grant of planning permission for the development envisioned a single large supermarket, it is considered that this would be unlikely to be let and would leave North Harrow with a significant vacancy rate.

The proposed alterations to the shop fronts and associated works would allow tenants to be able to move straight in.

On balance, it is considered that units that would be more easily let at the development

should be encouraged as part of the strategy for the regeneration of North Harrow District Centre, and would be in accordance with the national, regional and local planning policies outlined above.

Notwithstanding the above, as the works to divide the unit would be internal only, this current planning application would not preclude the use of the premises as two or even one unit, should appropriate occupiers come forward.

### **1) Principle of the Development**

The development to which this planning application relates is for the provision of shop fronts, steps and railings to the Pinner Road frontage of the site. The principle of this development is acceptable as it would provide a finished retail unit or units that would then be available for occupation, in line with the support for economic development contained in paragraphs 7 and 11 of the National Planning Policy Framework (2012). The aspects of the proposal, insofar as they relate to appearance, residential amenity and highways implications are assessed in later sections of the report.

The subdivision of the existing single large retail unit into three smaller, but still relatively large, units (as shown on the submitted drawings) is not development in and of itself as it would be implemented by internal works. As noted above, the provision of shop fronts, access doors and ramp is the element that requires planning permission.

The original grant of planning permission was for redevelopment for 3-6 storey building to provide supermarket 112 flats community facility; parking and access. This application was accompanied by a section 106 Agreement which related to affordable housing, transport considerations and community facilities. The wording of the description of the original planning permission allows for the provision of retail facilities at the application site and does not preclude the sub-division of the site.

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

Saved policies D4, D7 and D25 (relating to retail areas and shopfronts) of the Harrow Unitary Development Plan, which support design policies CS1.E in the Core Strategy and policies 7.4B, 7.5B and 7.6B in The London Plan, requires that all development proposals should have high standards of design and layout.

The proposed shop fronts, steps and railings on the Pinner Road frontage would represent a typical form of retail development that would, subject to suitable materials being used, complement the character and appearance of the area. The submitted drawings indicate that the door units would be fitted by tenants. In order to ensure that suitable doors are fitted, it is recommended that an appropriate condition is added.

In addition to this, it is also recommended that a condition relating to the materials to be used for the steps be added.

### **3) Residential Amenity**

The use of the premises for retail purposes has been anticipated and adequate sound insulation between the commercial and residential floors has been installed in accordance with the Building Regulations.

It is therefore considered that the proposal would have no additional impact with respect to residential amenity.

#### **4) Traffic and Parking**

The application site has no dedicated car parking associated with the retail use. However, there is sufficient car parking, both with on street pay and display bays and the North Harrow car park, in the vicinity to adequately service the retail units. Furthermore, the site is in an area with good public transport links.

The area is also in a highly residential area, and it is anticipated that many trips are likely to be on foot.

The subdivision of the large retail unit suggests that the units could be adequately serviced from the loading bay without causing harm to road safety and the free flow of traffic.

On balance, it is considered that the proposal would comply with saved policies T6, T13 and T15 of the Harrow Unitary Development Plan (2004).

#### **5) Development and Flood Risk**

The proposal would not increase the built form of the development on the site. With the grant of planning permission for the original development, it was noted that suitable and adequate drainage had been provided, and that suitable protection for the western culverted arm of the Yeading Brook had been provided.

It is therefore considered that the proposal would have no impact on flood risk in the area, in accordance with paragraphs 100 and 103 of the NPPF, policy 5.12 of The London Plan (2011), Core Strategy policy CS1.U and W and saved policy EP12 of the UDP.

Notwithstanding the above, it is recommended that the retail premises should have evacuation procedures in place in the event of flooding. Given that the fronts of the premises are above the modelled flood level, this would be the most suitable means of egress.

An informative recommending that the occupiers of the retail unit or units put flood emergency plans in place is suggested.

#### **6) Accessibility**

The provision of steps and a platform at the front of the retail units would provide level access to the shops. The steps would be easy going and a suitable hand rail provided. There would also be level access from the southern part of the site.

The proposal would therefore comply with The London Plan policy 7.2(c), saved policy C17 of the UDP and Supplementary Planning Document: Access for All (2006).

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

The proposal would assist in bringing the vacant units into use, which would increase general activity at the area and increase natural surveillance in the area. This is considered to have a general beneficial impact with respect to crime and disorder. Although it is acknowledged that retail premises can attract crime, in the form of shop lifting and other crimes of theft, this could be controlled through normal store security procedures.

#### **8) Planning Obligations**

The planning obligation attached to the original grant of planning permission (P/2447/04/CFU), which is currently being amended, related to the provision of affordable

housing at the development.

The obligation referred to the provision of a supermarket. The wording of the obligation does not require the supermarket to be retained as a single unit.

This current application would have no impact on that planning obligation.

## 9) Consultation Responses

Town has deteriorated since bowling alley and Safeway have gone – *the decline of the Town Centre is being addressed by the Council, the Town Centre Manager and the proposed Local Development Order, which is intended to boost economic activity in the centre.*

Expectation that development would provide a supermarket, which has yet to be delivered – *the ownership of the site was not resolved until November 2011. Discussions are ongoing with potential occupiers. Original permission was not specifically for a single retail unit.*

Oppose planning permission for unit to be made into three smaller ones – *planning permission is not required for sub-division.*

Supermarket would be a necessity – *discussions with potential occupiers, including supermarkets, are on-going.*

No marketing done of the space – *the owners of the site are actively marketing the premises.*

Competition with Morrison's at the end of Pinner Road is required – *The large supermarket under construction at Neptune Point is of a size that it would be a destination in and of itself. The units at the application site are intended to be attraction points that would encourage trade to the town centre as a whole.*

North Harrow in danger of becoming a ghost town – *the development proposed would enable the site to be let, which would assist in the revitalisation of the North Harrow town centre.*

## CONCLUSION

The proposal is considered to comply with design policies regarding the new shopfronts and access arrangements. The resultant sub-division of the retail unit into three would enhance the retail viability of the site and would assist in the revitalisation of the North Harrow Town Centre.

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

## CONDITIONS

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

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

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

Site Plan; C81-431/001; C81-431/002; C81-431/101C; C81-431/103A; Design and Access Statement

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

3 The development hereby permitted shall not commence until details 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 shop fronts

b: the ground surfacing, steps and railings

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

REASON: To safeguard the appearance of the locality, as required by saved policies D4, D7 and D25 of the Harrow Unitary Development Plan (2004).

## **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, 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 proposal is considered to comply with design policies regarding the new shopfronts and access arrangements. Any resultant sub-division of the retail unit into three would enhance the retail viability of the site and would assist in the revitalisation of the North Harrow Town Centre.

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

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

2.7 – Outer London: economy

2.15C – Town Centres

4.1 – Developing London's Economy

4.7B – Retail and Town Centre Development

4.8B – Supporting a Successful and Diverse Retail Sector

5.12 – Flood Risk Management

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.5B – Public Realm

7.6B – Architecture

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, E, L, M, U, W)

Core Policy CS5 (D)

Harrow Unitary Development Plan (2004)

D4 – The Standard of Design and Layout

D7 – Design in Retail Areas and Town Centres

D25 – Shopfronts and Advertisements

EP12 – Control of Surface Water Run-off

T6 – The Transport Impacts of Development Proposals

T13 – Parking  
T15 – Servicing of New Developments  
EM24 – Town Centre Environment  
C17 – Access to Leisure, Recreation, Community and Retail Facilities

Supplementary Planning Document: Access for All (2006)

## 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](mailto:communities@twoten.com)

## 4 COMPLIANCE WITH PLANNING CONDITIONS

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

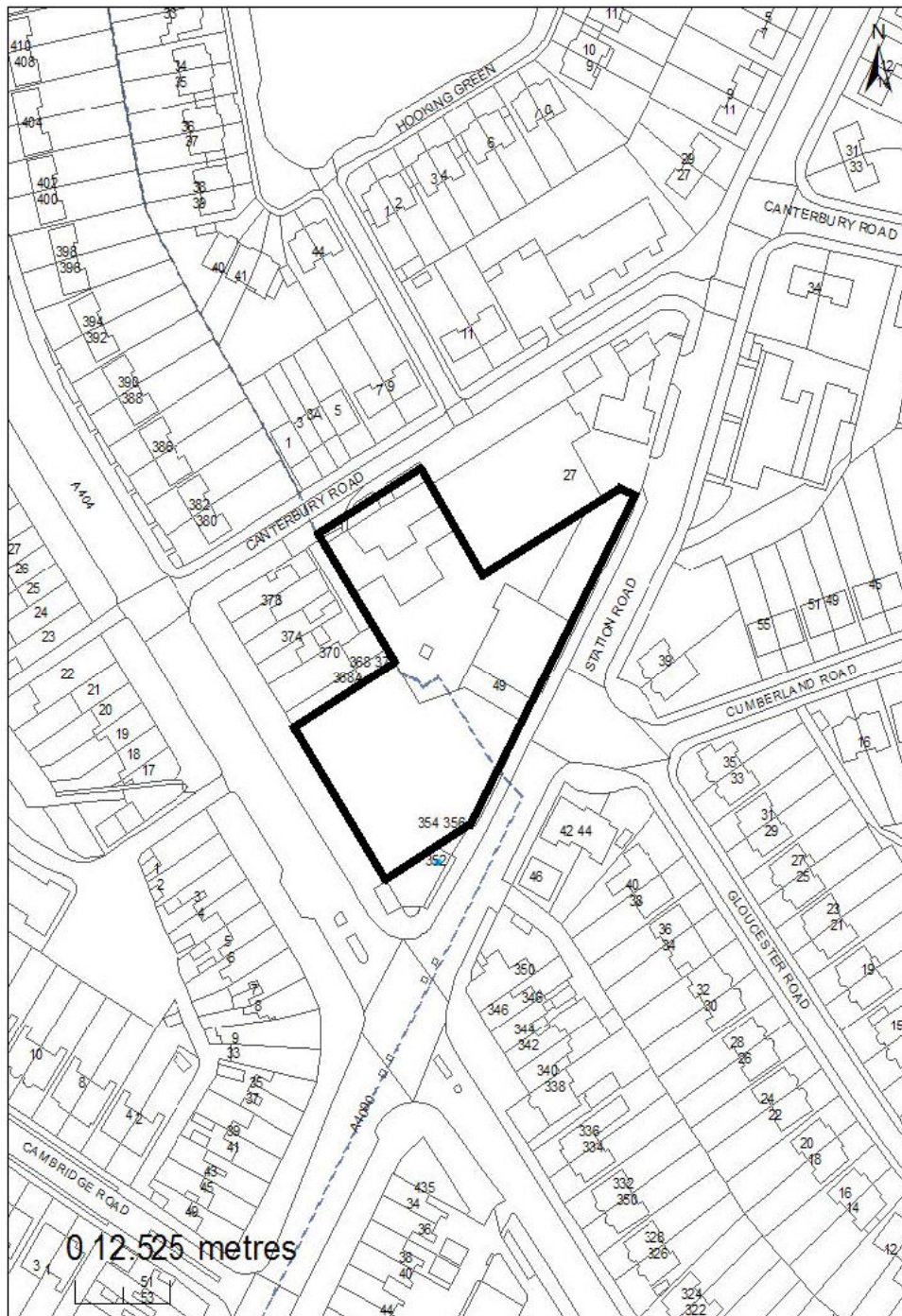
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of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

The applicant is advised that part of the application site is within flood risk zones 2 and 3. It is recommended that the occupiers of the retail unit/units adopt contingency plans to cope with evacuation of the premises in case of flooding.

Plan Nos: Site Plan; C81-431/001; C81-431/002; C81-431/101C; C81-431/103A;  
Design and Access Statement

### 354-356 PINNER ROAD, HARROW



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### SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

Item No. 3/01

Address: 35-39 CANNING ROAD, WEALDSTONE, HA3 7SP

Reference: P/3236/11

Description RETENTION OF EXISTING CANOPY; AMENDMENTS TO THE OPENING HOURS TO ALLOW CAR SALES AND CAR WASH TO OPERATE FROM 09:00-19:00 HOURS (MONDAY TO SUNDAY AND BANK HOLIDAYS) BETWEEN 1ST MARCH AND 31ST OCTOBER) AND FROM 09:00-17:30 HOURS (MONDAY TO SUNDAY AND BANK HOLIDAYS) BETWEEN 1ST NOVEMBER AND 28TH FEBRUARY

Ward: MARLBOROUGH

Applicant: Mr Mubashir Shazad

Agent: Mr N Nafis - Best Design & Build Ltd

Case Officer: Ciaran Regan

Expiry Date: 20 March 2012

#### RECOMMENDATION

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

#### REASON

1. The continued use of the site solely for the purposes of a cash washing business, and the proposed extended opening hours, by reason its intensified use within close proximity of neighbouring residential properties and proposed operating hours during unsociable hours, would give rise to an unreasonable level of noise and disturbance, which would prejudice the residential amenities of the nearby residents, contrary to policy 7.15B of The London Plan (2011) and saved policy EP25 of the Harrow Unitary Development Plan (2004).

#### INFORMATION:

This application is reported to Planning Committee as the Council is the freeholder in the land and therefore has an interest in the application and because it would involve minor development of a site larger than 100sqm. The application therefore falls outside of Category 1(h) of the Scheme of Delegation dated 14 March 2012.

Statutory Return Type: 18 - Minor Development  
Council Interest: None  
Site Area: 440sqm (0.044ha)  
Gross Proposed Internal Floorspace: N/A



Existing Gross Internal Floorspace: N/A  
Net Additional Floorspace: N/A  
GLA Community Infrastructure (CIL) Contribution: N/A

### **Site Description**

- The site is the Magic Car Wash located on the corner of Canning Road and George Gange Way which is now used exclusively as a hand car wash and car valeting business.
- The east side boundary of the site is shared with No. 41 Canning Road, a semi-detached dwellinghouse. The south side boundary is shared with the Kingdom Hall of Jehovah's Witnesses.
- The site is bounded along its outer west side by a wire mesh fence and by close boarded fences along its south and east sides.
- The surface of the site is comprised entirely of a concrete hardstanding. It contains a portakabin office building at the front of the site and two open-sided canopy structures.
- The site is located within the highest risk Flood Zone (Zone 3b – also known as the functional floodplain).
- The vehicular access to the site is from Canning Road.
- George Gange Way, which the site abuts, is a strategic London Distributor Road.
- The site is not in a Conservation Area, is just to the east of Wealdstone Town Centre and is not within a designated Business, Industrial and Warehousing Use Area.

### **Proposal Details**

- The application seeks to extend the current opening hours which are 10.30-17.30 hours (Monday to Sunday inclusive) to 09:00-19:00 hours (Monday to Sunday and Bank Holidays) between 1<sup>st</sup> March and 31st October) and from 09:00-17:30 hours (Monday to Sunday and Bank Holidays) between 1st November and 28th February.
- The application also seeks to retain a free-standing canopy which was erected without planning permission.

### **Revisions to current application**

- N/A

### **Relevant History**

P/0716/10

RETENTION OF EXISTING CANOPY  
WITHDRAWN: 11-MAY-2010

P/1986/06

RETENTION OF AN OPEN-ENDED CANOPY COVER, DETACHED OFFICE AND USE FOR SALE OF CARS AND CAR WASH  
GRANTED: 02-OCT-2006

P/766/06/DCP

CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT: CAR WASH  
WITHDRAWN: 30-MAY-2006

LBH/5256/6

ERECTION OF S/S/ SALES OFFICE BUILDING  
GRANTED: 20-JAN-1978

LBH/5256/5  
INSTALLATION OF MOBILE OFFICE AND USE OF LAND FOR DISPLAY AND SALE  
OF PRIVATE MOTOR VEHICLES  
GRANTED: 01-DEC-1977

LBH/5256/4  
CONTINUED USE OF LAND FOR STORAGE OF PRIVATE CARS  
GRANTED: 04-DEC-1975

LBH/5256/3  
TEMPORARY USE OF LAND FOR STORAGE OF PRIVATE CARS  
GRANTED: 19-JUL-1974

LBH/5256/2  
TEMPORARY USE OF LAND FOR STORAGE OF PRIVATE CARS  
GRANTED: 17-DEC-1970

LBH/5256/1  
TEMPORARY USE OF LAND AS VEHICLE PARK  
REFUSED: 24-SEP-1970

LBH/5256  
TEMPORARY USE OF LAND AS VEHICLE PARK  
GRANTED: 11-JUN-1970

#### **Pre-Application Discussions**

- None

#### **Applicant Submission Documents**

- Design and Access Statement

#### **CONSULTATIONS**

##### Environment Health Team:

- The proposed change to the opening hours for the business should be refused on the basis that the level of noise generated by the washing and vacuuming of cars is an annoyance to nearby residents. The difference in decibel level between when the spray equipment, for example, is on and then not on produces a level change in noise of up to 10 dB at times. An increase of 3 dB produces a perceived increase of volume.

##### Highway Authority:

- In essence this is a retrospective permission to formalise existing operations which are allegedly active in excess of the 2006 permitted hours of 10.30 am to 17.30 pm Monday to Sunday inclusive. It is noted that at present customer queuing is generally contained within the site itself.
- The proposed earlier start time of 9.00 am would coincide more so with peak morning tidal traffic flows apparent in Canning Road (emerging onto George Gange Way) as compared with the later 10.30 am opening time which technically avoids this 'more active' period. However there is an element of 'touting for business' here as traditionally few customers utilise car wash services during morning peak periods so

this is considered as a speculative move by the applicant in that there may be a small number of drivers whilst on their way to work who will wish to utilise the car wash facility on a diverted trip principle. However in practice this is likely to be an insignificant number.

- The proposed extended pm period from 17.30 pm to 19.00 pm is anticipated to be less problematic given that peak traffic is, to a degree, subsiding and in any event Canning Road is less affected in pm traffic terms as reverse tidal traffic flows are not fully in evidence.
- On balance it is appreciated there may be amenity issues with this application however there is no sustainable highway objection that can be applied here for the reasons outlined.

#### Drainage Team

- No objection to the proposed development subject to imposing a standard control of waste water condition on any consent. This condition requires that no trade effluent is discharged to the surface water drainage system and that a trade effluent licence is obtained by the relevant water utility company (Thames Water). It is understood that the car wash operator has applied for and been granted a trade effluent licence from Thames Water.

#### HA3 Residents Association (summarised below):

- Objection to proposal on following grounds:
  - To extend the hours would be a failure to safeguard neighbouring amenity and therefore the proposal to extend the hours of operation of the car wash should be rejected.
  - Increased traffic and congestion – entrance to property close to the junction of Canning Road and George Gange Way – to increase volume the traffic at these times will cause greater congestion and ass to air pollution – this will have a negative impact on the residents of Canning Road.
  - Because of the queuing traffic waiting to join George Gange Way, vehicles will have to wait in the road to turn into the car wash – this will pose a hazard to other traffic turning into Canning Road and cause further congestion on George Gange Way.
  - Discharge of trade effluent – applicant does not have the correct consent to discharge the trade effluent and has not indicated how he will or even intends to.
  - Industrial Process – the activities that take place on site also include car valeting – this is an industrial process – the applicant has failed to provide information on this industrial process and what impact this has on the environment.
  - Noise annoyance to neighbouring properties – the operation of the car wash and the use of industrial jet washers and industrial vacuum cleaners creates a noise annoyance for neighbouring properties – the extension of the hours of operation of the car wash would increase this annoyance.
  - Drift of spray on neighbouring properties - the car wash uses industrial jet washers and chemical sprays to carry out washing and valeting procedures – the extension of hours would increase the amount of pollution drifting on to the neighbouring properties.
  - Fumes from vehicles – vehicles using the car wash have their engines running for the majority of the time they are on the site – at busy times vehicles wait along side the boundary with a neighbouring residential property – this means

that fumes drift on to the neighbouring property and the residents are subject to increased level of pollution.

- The canopy has a detrimental effect on the public visual amenity - concerned that the canopy blocks light to neighbouring property.

**Advertisement:** N/A

**Site Noticed Erected:** N/A

### **Notifications**

Sent: 14

Replies: 10

Expiry: 06 February 2012

### **Neighbours Consulted:**

Canning Road: Nos 24a, 24b, 35; 41-44 (all nos) and Nos 46-50 (even nos only)

Peel Road: Kingdom Hall; Land adjacent to Kingdom Hall; No. 38

Peel House Car Park - 4 Gladstone Way

### **Summary of Responses:**

- The canopy is too large for the site. It has a negative impact on the public visual amenity and blocks light to a neighbouring property.
- The extended opening hours would have a detrimental impact upon the amenity of neighbouring residents as it would create the noise annoyance to neighbours.
- The extended opening hours will increase the pollution caused by spray drifting onto neighbouring properties.
- The extended opening hours will increase the illegal discharge of trade effluent from the site.
- The longer opening hours will increase the volume of traffic in Canning Road at these times which will cause greater congestion and add to air pollution. This will have a negative impact on residents of Canning Road.
- Traffic approaching the car wash from George Gange Way will have to turn left onto Canning Road and then make a sharp right turn into the property. Because of the queuing traffic waiting to join George Gange Way, vehicles will have to wait in the road to turn into the car wash. This will pose a hazard to other traffic turning on to Canning Road and cause further congestion on George Gange Way.

### **APPRAISAL**

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.'*

The Government has issued the National Planning Policy Framework (NPPF) which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan (2011), the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan

(2004).

## **MAIN CONSIDERATIONS**

- 1) Principle of Use
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Parking and Highway Safety
- 5) Drainage and Flood Risk
- 6) S17 Crime & Disorder Act 1998
- 7) Consultation Responses

### **1) Principle of Use**

The application site is at present operated solely as a car wash business. The lawful use of the site is for the sale of cars (sui generis use). Planning permission was granted under ref: P/1986/06 for part of the site to also be used for the purposes a car wash thereby allowing a mix use on this site for the purposes of car sales and car wash. Planning permission was granted subject to number restrictive conditions, including a condition relating to the opening hours. The principle to use part of the site for the purposes of a car washing business was considered acceptable under application P/1986/06, as the use was considered to low impact in terms of noise output relative to the car sales use. Whilst the principle of use was considered acceptable under the previous application, the use of the site has fundamentally changed since this application and now the site solely operates as a car washing business for which the applicants do not have planning permission. It is considered that whilst some form of business activity on this site could be supported on this site, the end use needs to be balanced against the need to protect the character and appearance of the area and the residential amenities of neighbouring occupiers. For the reasons discussed in the appraisal below it is considered that the principle of the continued use of the site solely as a car washing business and the extension of operating hours cannot be supported in this case and would be contrary to the policies contained in The London Plan and Harrow Unitary Development Plan.

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

Good design lies at the heart of national planning policy guidance. The 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 application site is located on the corner junction of Canning Road and George Gange Way and, with the exception of the community hall located to the south of the application site, is predominately surrounded by residential development. Residential development to the east, southeast and northeast of the site is two storeys high. Residential development directly to the north of the site ranges in height from two storeys to 5 storeys. To the west of the site is Palmerston Road multi-storey car park.

The canopy which is located in the southern half of the site benefits from planning permission which was granted under ref: P/1986/06.

The canopy subject of this current application is located in the front half of the site, close

to the site boundary fronting George Gange Way and sited at least 6m from the common shared boundary with No.41 Canning Road. The canopy has an overall height of 4m and is in keeping with the style of canopy erected in the rear half of the site. Whilst the canopy is visible in the public realm, given the open nature of the canopy and its modest height, it is considered that the canopy does not have a detrimental impact on the character and appearance of the area to warrant a refusal. As such, the development does not give rise to any conflict with the objectives set out under policies 7.4B and 7.6B of The London plan, policy CS 1B of the Harrow Core Strategy and saved policy D4 of the Harrow UDP.

## **2) Residential 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. Policy 7.15B of the London Plan seeks to ensure that development proposals reduce noise by minimizing the existing and potential impacts of noise on, from, within, or in the vicinity of, development proposal. It goes on to state the proposals should separate new noise sensitive development from major noise sources wherever practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation. In support of this policy, saved policy EP25 of the Harrow UDP requires all developments to respect noise sensitive locations and will seek to use appropriate measures to minimise noise disturbance.

As discussed under section 2 above, the canopy located in the rear half of the site has been previously approved under planning application P/1986/06. The canopy which has been erected in the first half of the site forms part of this application. Whilst it is noted from the submission of photographic evidence from the neighbouring occupiers at No.41 Canning Road, that the canopy is visible from the rear garden of this property, the canopy is sited at least 6m from the site boundary shared with this neighbouring dwellinghouse and it has a maximum height of 4m. In view of the distance, it is considered the canopy itself does not prejudice the residential amenities of the neighbouring occupiers in terms of loss of light or overshadowing to any of the protected windows in the rear wall of this neighbouring dwellinghouse.

In assessing the impact of the continued use of the site as a car washing business, it is considered that the use of the site solely for the purposes for car washing has a detrimental impact upon the residential amenities of the neighbouring residents in terms of noise and disturbance. In granting planning permission P/1986/06, the use of part of the site as a car was considered acceptable on the grounds that the use would be low impact in terms of the numbers of customers visiting and that the use itself would have been ancillary to the main use of the site for car sales. By using the whole site for car washing provides ample space for more customers to use the service and thereby intensifying the overall use of the site. As a result, neighbouring residents are presented with continued noise emanating from equipment used for long periods during the day and by general disturbance with cars coming and leaving the site on more than frequent basis. This impact would be further exacerbated by the proposal to extend the opening hours earlier and later during the months of March to October and extend to earlier opening hours during the months of November to February. In particular opening hours to 7pm in the evening when most people are expected to be at home from work and on Sundays when most people would also be at home, the noise and disturbance would be most noticeable during such periods, especially from the immediate neighbouring dwellinghouse located to the east of the site (No.41). The Council's Environmental Health Officer concurs with the view that the car washing business as it currently operates,

amount to noise disturbance and further increase in hours would worsen the situation from what it stands now.

Based on the above factors, it is considered that the continued use of the site solely for the purposes of a cash washing business, and the proposed extended opening hours, by reason its intensified use within close proximity to neighbouring residential properties and proposed operating hours during unsociable hours, would give rise to an unacceptable noise and disturbance, which would prejudice the residential amenities of the nearby residents, contrary to policy 7.15B of The London Plan and saved policy EP25 of the Harrow UDP.

#### **4) Parking, Servicing and Highway Safety**

It is noted that a number of local residents have objected to the proposed increase in operating hours on grounds that this would increase the number of cars coming to the site and that the extended opening times would coincide with peak traffic times which would have an impact upon the traffic flow at the junction of Canning Road and George Gange Way.

Whilst it is noted that the extended opening hours would have an impact on ground of amenity, the Highways Authority does not concur with the view that the potential number of cars visiting during the peak time would have an adverse impact on the free flow of traffic to warrant a refusal. Furthermore, the site has sufficient space on site to accommodate vehicles. Having regard to the comments made by the Highways Authority, it is considered that whilst the increased operating hours would have an impact on residential amenity in terms of noise and disturbance, the number of cars coming and going from the site would not amount to an impact upon highway safety and therefore the proposal would not give rise to any conflict with policies 6.3 and 6.13 of The London Plan and saved policies T6 and T13 of the Harrow UDP.

#### **5) Drainage and Flood Risk**

The application is located within a functional floodplain – Zone 3b as designated on the maps held by the Environmental Agency. London Plan policy 5.12B requires development proposals to comply with the flood risk assessment and management requirements set out in Planning Policy Statement 25: Development and Flood Risk. PPS 25 has now been replaced by the consolidated National Planning Policy Framework 2012 (NPPF). Section 10 of this framework is most relevant in meeting the challenges of flooding and broadly reflects the guidance that was contained in the former PPS 25. It states at paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from area at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Policy 5.13A of the London Plan requires development proposals to utilise sustainable urban drainage systems and policy 5.14B requires development proposals to ensure that adequate wastewater infrastructure capacity is available in tandem with development. Saved policy EP12 seeks to control surface water run-off through appropriate attenuation measures.

Whilst it is noted that local residents have raised concerns over the surface water draining on to the adjacent land/ pavement and spray from the jets which is mixed with chemicals spraying into neighbouring gardens, the Council Drainage Engineer has raised no objections to the use of the site as a car washing business, subject to a condition that all sewage and trade effluent, including cooling water containing chemicals additives, or vehicle washing water, including steam cleaning effluent should not be discharged to the

surface water drainage system. It is considered that has this applications been considered acceptable in all other regards a condition could have been imposed in this regard. The Council's Drainage Engineer has also informed that the applicant will need to obtain permission from the water and sewage company before discharging and trade effluent to the sewer. The supporting documents provided by the applicant confirm that this has been done by the applicant.

With regards to the water spraying into neighbouring gardens, whilst this is not an ideal situation, it is considered that a refusal on such grounds could not be supported on policy grounds. It is however, considered that had this application been considered acceptable in other regards a condition could have been attached to ensure that there was an adequate form of screening along the site boundary to minimise the excess spray off.

Based on the above factors it is considered that the use and the proposed extended opening hours would give rise to no conflict with policies 5.12B, 5.12A, 5.14B of The London Plan or saved policy EP12 of the Harrow UDP.

#### **6) S17 Crime & Disorder Act 1998**

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2011) and saved policy D4 of the Harrow Unitary Development Plan (2004)

#### **5) Consultation responses**

All matters in relation to the noise disturbance and impact on neighbouring residents have been assessed under section 3 of the above appraisal. The impact on highway safety has been addressed under section 4 of the above appraisal. Matters relating trade effluent and jet spraying over neighbouring properties has been addressed under section 5 of the above appraisal.

#### **CONCLUSION**

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 refusal.

#### **INFORMATIVES:**

1 The following national, regional and local planning policies and guidance are relevant to this decision:

National Planning Policy and Guidance  
National Planning Policy Framework (2012)

The London Plan (2011)  
Policies 5.12, 5.13, 5.14, 6.3, 6.13, 7.2, 7.3, 7.4, 7.6 and 7.15

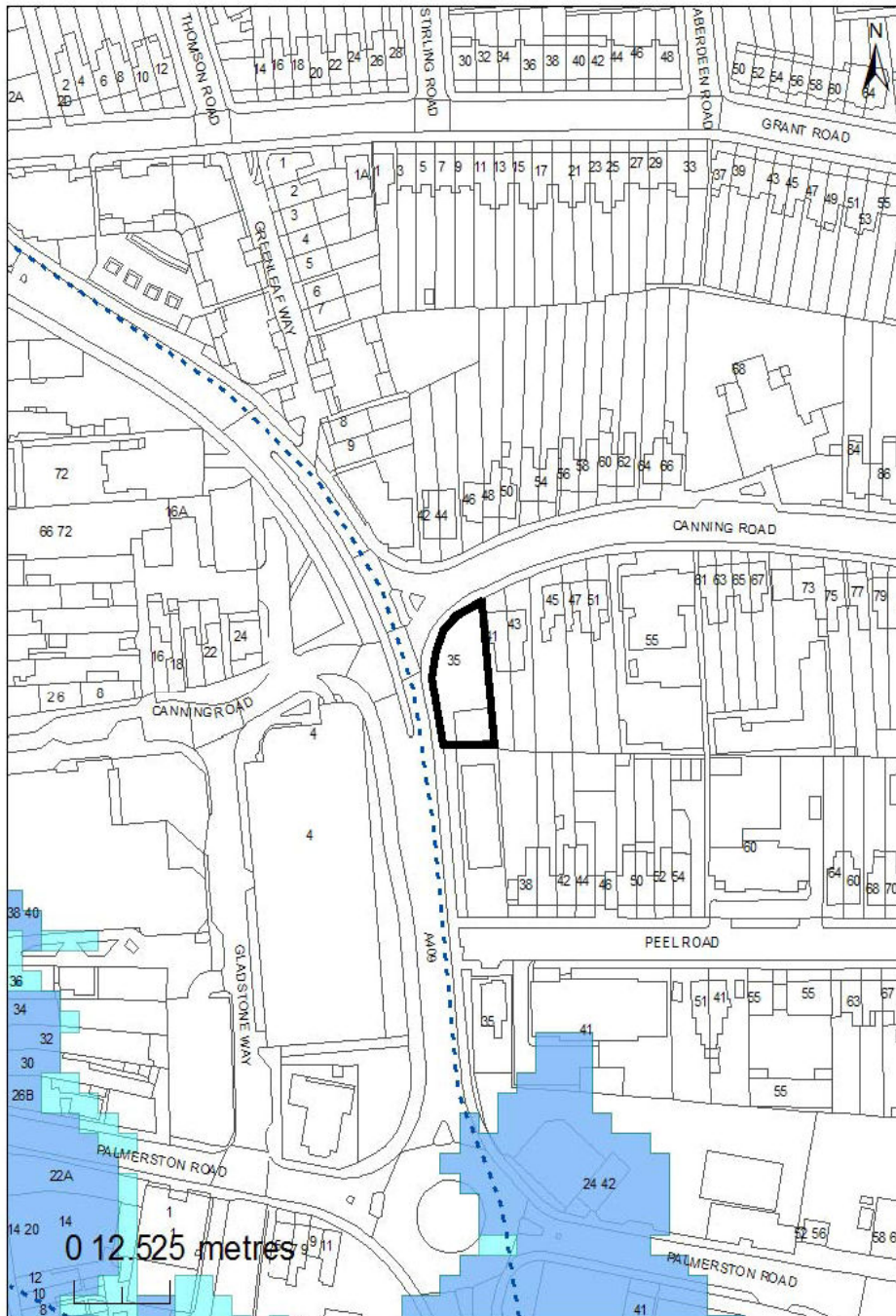
Harrow Core Strategy (adopted 16 February 2012)  
Core Policies CS1.B and CS1.U

Harrow Unitary Development Plan (2004)  
Saved policies EP12, EP25, C16, D4, T6 and T13



Plan Nos: SK.NO.N/S/HA/11/45 Sheet 1 of 2; SK.NO.N/S/HA/11/45 Sheet 2 of 2;  
N/S/HA/11/45 Sheet 3 of 4; N/S/HA/11/45 Sheet 3 of 4; Supporting  
Documents; Design and Access Statement

### 35 CANNING ROAD, WEALDSTONE



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**SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None.

**SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None.