



**DEVELOPMENT CONTROL COMMITTEE**

**TUESDAY 11 APRIL 2006**

**PLANNING APPLICATIONS RECEIVED**

**DEVELOPMENT CONTROL COMMITTEE**

**11<sup>th</sup> APRIL 2006**

**PLANNING APPLICATIONS RECEIVED**

**SECTION 1 - MAJOR APPLICATIONS**

**SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT**

**SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

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## **BACKGROUND INFORMATION**

All reports have the background information below.

Any additional background information in relation to an individual report will be specified in that report:-

Individual file documents as defined by reference number on Reports

Nature Conservation in Harrow, Environmental Strategy, October 1991

1994 Harrow Unitary Development Plan

2002 Revised Deposit Draft Harrow Unitary Development Plan

Harrow Unitary Development Plan, adopted 30th July 2004

The London Plan (Spatial Development Strategy for Greater London), Mayor of London, February 2004

# DEVELOPMENT CONTROL COMMITTEE

11<sup>TH</sup> APRIL 2006

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## SECTION 1 – MAJOR APPLICATIONS

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**EDGWARE FOOTBALL CLUB, BURNT OAK BROADWAY, EDGWARE**

**1/01**

**P/2714/05/COU/RP1**

Ward: EDGWARE

OUTLINE: REDEVELOPMENT TO PROVIDE 164 FLATS AND 11 HOUSES IN 9 BLOCKS, ACCESS ROADS, PARKING AND OPEN SPACE

CORNERSTONE ARCHITECTS LTD for EDGWARE DEVELOPMENTS LTD

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### RECOMMENDATION

Plan Nos: See Informative below.

Inform the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the Council may determine) of the date of the Committee decision on this application relating to:
  - i) Approval by the Local Planning Authority prior to the start of development and implementation by the developer, and successors in title, of a Car Club within three calendar months of the first taxable occupation of any part of the development.
  - ii) Prior approval by the Local Planning Authority of the contents of a 'welcome pack' explaining all modes of transport other than privately owned cars and the issue of same to all occupiers within seven days of occupation. Such packs to be issued by the developer, and successors in title, for a period of not less than 5 years from the first taxable occupation of the development.
  - iii) The developer or successor in title shall fund all costs of public consultation, analysis, reporting and implementation of local on street parking restrictions, at any time within 3 years of the first taxable occupation if in the council's opinion a monitoring period shows unacceptable local on street parking, up to a maximum of £15,000 index linked
  - iv) The applicant to pay Harrow Council the sum of £750,000 within 14 days of the commencement of development hereby permitted consequent to Wealdstone Football Club permitting Edgware Town Football Club to share the football ground at the Prince Edward Playing Field in all respects within 42 days of the practical completion of the said football ground.
  - v) The provision of at least 30% affordable housing being 52 units in total. Such housing to be split into 70% social (38 rented) and 30% intermediate (14 for sale) housing.
  - vi) The improvement of the existing or provision of a further pelican crossing to Burnt Oak Broadway and association pedestrian routes.
2. A formal decision notice, subject to planning permissions noted below will be issued only upon the completion by the applicant of the aforementioned legal agreement and the advertisement /referral of the application to the Government Office for London in accord with the Development Plans and Consultation Departure Direction 1999.

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit - Outline Permission - 3 Years
- 2 Outline - Reserved Matters (Design, Appear., Landsc.)
- 3 PD Restriction - Classes A to E
- 4 Parking for Occupants - Garages/Parking Spaces
- 5 Community Safety - Major Applications
- 6 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.  
The boundary treatment shall be completed:  
a: before the use hereby permitted is commenced  
b: before the building(s) is/are occupied  
c: in accordance with a timetable agreed in writing with the local planning authority  
The development shall be completed in accordance with the approved details and shall thereafter be retained.  
REASON: To safeguard the amenity of neighbouring residents and the character of the locality.
- 7 No demolition or site works in connection with the development hereby permitted shall commence before:-  
(a) the frontage.  
(b) 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 amenity and highway safety.
- 8 Levels to be Approved
- 9 Water Storage Works
- 10 Water - Removal of Spoil
- 11 Water - Disposal of Surface Water
- 12 Community Safety - Housing - Doors
- 13 Community Safety - Windows
- 14 Community Safety - Parking Provision
- 15 An 8m buffer zone shall be provided alongside the Edgware brook along the full length of the site. The buffer zone shall be measured from bank top ( defined as the point at which the bank meets normal ground levels). The buffer zone shall be free of structures, hard standing, footpaths save the one crossing the brook, fences and overhanging structures such as balconies. Domestic gardens and formal landscaping shall be incorporated into the the buffer zone. The buffer zone shall be managed to develop a natural character and be left as a natural area for wildlife.  
REASON: To maintain and /or enhance the character of the watercourse and provide undisturbed refuges for wildlife using the river.
- 16 There shall be no storage of materials related to the development related to the development within 8 metres of the watercourse along the entire length of the site. This area must be suitable marked and protected during the development and there shall be no access within the area during the development. There shall be no fires, dumping of tracking of machinery within the area during the development.

REASON: To reduce the impact of the proposed development on the river buffer zone and the movement of wildlife along the river corridor. Buffer zones along watercourses should be undisturbed and maintained for wildlife.

- 17 External artificial lighting within 10 metres of the river bank top ( bank top is defined as the point at which bank meets normal land levels) shall be directed away from watercourses and be focused with cowlings.

REASON: To minimise light spill from the new development into the watercourse or adjacent river corridor habitat. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. The corridor adjacent to a watercourse provides important habitat for the terrestrial life stages of many aquatic insects. For this river corridor to benefit wildlife it should remain undeveloped, in a natural state. The river channel and its wider corridor should remain an intrinsically dark area and be treated as recommended under the Institute of Lighting Engineers 'Guidance Notes for the reduction of Light Pollution'.

- 18 No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

REASON: The development of this site is likely to damage archaeological remains. The submission of detailed proposals in the form of an archaeological project design in accord with English Heritage guidelines will minimise any such damage.

#### INFORMATIVES

- 1 INFORMATIVE:

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

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

- 2 INFORMATIVE:

These comments are provided by this Council as a Local Planning Authority affected by the development and are made in response to consultation under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995.

- 3 INFORMATIVE:

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

4       INFORMATIVE:  
Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981 the written prior consent of the environment agency is required for certain proposed works or structures in, under, over or within 8 metres of the brink of the Edgware Brook. Please contact Dr Lydia Bruce-Burgess, Development Control Team, on 01707 632402 for further details.

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

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

Harrow Unitary Development Plan:

S1     The Form of Development and Pattern of Land Use

SEP2 Water

ST1   Land Uses and the Transport Network

SH1   Housing Provision and Housing Need

SH2   Housing Types and Mix

SR1   Open Air Leisure and Sporting Activities

EP9   Water Quality, Supply and Disposal

EP10  Sustainable Urban Drainage

EP11  Development within Floodplains

EP12  Control of Surface Water Run-off

EP47  Open Space

D4     The Standard of Design and Layout

D5     New Residential Development-Amenity Space and Privacy

T6     The Transport Impact of Development Proposals

T13   Parking Standards

H4     Residential Density

H5     Affordable Housing

H6     Affordable Housing Target

H7     Dwelling Mix

R4     Outdoor Sports Facilities

R7     Footpaths, Cyclepaths and Bridleways

7       INFORMATIVE:  
Any detailed application should include a design statement that demonstrates how crime prevention measures have been considered. These should as appropriate reflect each of the seven attributes of sustainability linked to crime prevention introduced in part 2 of "Safer Places - The Planning System and Crime Prevention".

8       INFORMATIVE:  
The London Borough of Harrow seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt

crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply for this award.

For additional information, please contact the Borough Crime Prevention Design Advisor through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465.

9 INFORMATIVE:

Plan Nos.1231/ 04/02 Survey, 04/03 Location, 04/04 Photographic Site Plan, 04/05 Sections

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### **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Flooding (EP11, EP12)
- 2) Loss of Open Space / Relocation of Football Ground (EP47)
- 3) Affordable Housing (H5, H6)
- 4) Traffic (ST1, T6)
- 5) Parking (T13)
- 6) Impact on Neighbouring Uses (SD1, D4,D5)
- 7) Consultation Responses

National and Strategic considerations

PPS1 Delivering Sustainable development

PPG3 Housing

PPG13 Transport

PPG 17 Open Space, Sport and Recreation

PPG 25 Development and flood risk

Regional guidance: Mayor of London 2004, 'The London Plan; Spatial Development Strategy for London' GLA.

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### **INFORMATION**

The application was deferred for a site visit which took place on 1<sup>st</sup> April 2006.

#### **a) Summary**

Car Parking	Standard:	252 maximum
	Justified:	134 (55% of max)
	Provided:	134
Site Area:	1.21 ha	
Density:	464 hrph (562 habitable rooms in total)	
Council Interest:	Freehold of relocation site	

#### **b) Site Description**

This area comprises some 1.2 hectares with vehicular access from Burnt Oak Broadway, as at present, alongside a hotel. This narrow eastern boundary contrasts with the southern boundary which adjoins the rear of Albany Crescent and Summit Close. The western boundary is joined by homes in Milford Gardens and Methuen Close. From the end of the

former, a footpath currently runs to join Summit Close. The northern boundary is marked by the Edgware Brook with commercial premises standing to the north of the brook. The site slopes away from its high point on the south boundary, north and east towards the Brook.

**c) Proposal Details**

The current football club buildings are to be removed and part of the site reduced in height to match the existing pitch level. The hotel is to be retained with a widened access serving both its car park and the residential development. Those hotel spaces currently made available to the football club on match days will revert to use solely by the hotel.

This is an outline application but with the siting of the blocks and access forming part of the application. The application is to build a total of 175 homes as follows:

9 x 1 bed, 2 hab. room flats	Total	9 units	18 Hab Rooms
135 x 2 bed, 3 hab room flats	Total	135 units	405 Hab Rooms
14 x 3 bed, 4 hab room flat	Total	14 units	56 Hab Rooms
6 x 3 bed, 4 hab room maisonettes	Total	6 units	24 Hab Rooms
4 x 5 bed, 6 hab room houses	Total	5 units	24 Hab Rooms
7 x 4 bed, 5 hab room houses	Total	7 units	35 Hab Rooms
	<b>TOTALS</b>	<b>175 units</b>	<b>562 Hab Rooms</b>
		Density 464 hrph	

These homes would be provided within 9 blocks, 6 of 3 storeys with shallow pitched roofs and 3 of five storeys with flat roofs. The block in the centre of the site has a basement car park for 104 vehicles. 28 spaces are provided at ground level plus two more for the car club's use giving a total of 134 spaces. The applicant is investigating the provision of a car club based at the site. The car restraint is also to be complemented by a welcome pack to all occupiers promoting public transport and cycling and the introduction of a controlled parking zone funded by the applicant.

The site is to be drained using a Sustainable Urban Drainage system (SUDS). This slows the run off from the site so that no more water than that which currently runs off over time in storm conditions enters the Edgware Brook. The system is to allow for a 1 in a 100-year event plus 20%. The added % is to allow for climate change over 50 years as advised by PPG 25 (1 in 100 describes the severity and not the frequency of such a storm.) The proposed buildings avoid both the recorded floodplain and the predicted flooding arising from a 1 in 100 storm + 20%.

In the event that planning permission was to be granted then prior to building details of the design, external appearance, landscaping and any other matter subject to a condition would have to be submitted for approval.

The applicant intends to relocate ETFC to the Wealdstone FC ground at Prince Edward Playing Fields. This football ground has yet to be completed, work having stopped when the contractor went bankrupt. The applicant has committed to paying a total of £750,000 to Harrow Council to enable the completion and sharing the use of the Prince Edward ground. Again in the event that planning permission is granted this financial arrangement and a date for the opening of the new ground will have to be formalised by way of a S 106 agreement

with both clubs being party to the agreement together with the Council as freeholder of the Prince Edward Playing Field and Local Planning Authority.

**d) Relevant History**

This site has been by the used by the football club since 1939. Over the years various buildings have been added, floodlighting was permitted in 1974, and a four-storey hotel plus new access to the football ground in 2000. The hotel, the Premier Lodge, was built several years ago. The site is owned by Edgware Developments Ltd with Edgware Town Football Club holding over on an expired lease.

**e) Applicant's Statement**

The proposal has been subject to consultation, organised by the applicant, with local residents. Consequently additional landscaping has been suggested (but shown in this outline application for illustrative purposes only). Housing is considered appropriate given the housing policies of HUDP. The detailed flood risk assessment has formed the basis of siting the new buildings. An area of landscaped public open space will be provided in the northern section of the site alongside the Brook and in the central part of the site. A minimum of 30% affordable housing will be provided.

Draft heads of terms have been offered by the applicant except for the request of the Highway Authority. The applicant has indicated a willingness to accept this further provision.

**f) Consultations**

**Sport England** have objected on a number of grounds namely the loss of a playing field, that offering ground sharing does not meet the Sport England's exceptions to the loss of a playing field and there is no pressing need to provide housing.

**LB of Barnet** are the Highway Authority for Burnt Oak Broadway and have requested improvements for people crossing this main road. No planning objection has been raised.

**Environment Agency** originally objected to the application but following further negotiations with the applicant have withdrawn all objections subject to certain conditions being imposed.

**Thames Water** Developer required to fund any upgrade needed to sewer system.

**English Heritage** No work required prior to determining application but the archaeological position should be reserved by condition

<b>Advertisement</b>	Major Development		Expiry: 12-JAN-06
<b>Notifications</b>	Sent 311	Replies 20	Expiry 28-DEC-06

**Summary of Responses:** Loss of football stadium, loss of open space, loss of 'drain off area', too high a density, traffic congestion, presence of flying bats, lack of infrastructure, increased noise, potential subsidence, over development, reduction in security.

## **APPRAISAL**

### **1) Flooding**

The applicant has submitted a Flood Risk Assessment. This looks at (i) flooding from the brook, (ii) flooding from surface water accumulating on the site and (iii) the relationship of the buildings to the watercourse. In the case of (i) there are no raised flood defences. Since the new development is limited to areas outside of the flood plain there will be no change in the floodplain storage area. Concerning (ii) the permitted rate of water flowing from the site has been agreed between the applicant and the Environment Agency. The modelling carried out shows that the total volume of water to be stored on site is approx. 660 cubic metres. This is to be accommodated by forming the central open space into a shallow basin which would only fill with water in the event of a 1 in 100 + 20% flood event. Last in respect of (iii) the assessment demonstrates that, in addition to being above the flood level, that the ground floor level should be at least 50.51m above ordnance datum. Also that at least a 8m strip is to be kept alongside the brook to enable maintenance of the brook.

### **2) Loss of Open Space & Relocation of Ground**

The existing football ground has been used by the club since 1939. It is a private ground with no public rights of access or use of the pitch. It is designated as 'Open Space' in the UDP. In August 2005 the final report commissioned by Harrow Council on the Quantity, Quality and Access to sports, recreation and open spaces in the borough was published. The writer of the report has confirmed that there is a surplus of senior pitches. If some senior pitches were re-designated for junior use this shortfall would be overcome. This surplus on the face of it meets one or more of the five Sport England exceptions to opposing the loss of a playing field. In particular 'The playing field which would be lost as a result of the proposed development would be replaced by a playing field of an equivalent or better quality and equivalent or greater quantity in a suitable location and subject to equivalent or better management arrangements prior to the commencement of development.'

It should be noted that ground sharing between the two clubs would be formalised in the S 106 agreement. Members may be aware that there are no football pitches at the Prince Edward Playing Fields. The intended provision is for a 3,000 capacity stadium for WFC, a full size floodlit artificial surface pitch, 12 adult/junior pitches and tennis and cricket provision. The Council's assessment report comments that this will increase the surplus of senior pitches and reduce the reported deficiency in junior pitches. In conclusion the loss of this private football stadium will enable the completion of a new stadium to be used by two clubs.

### **3) Affordable Housing**

Proposed Alterations to the Housing Provision Targets in the London Plan were reported to Cabinet on 12 January 2006. The annual target for Harrow is to be increased to 400 dwellings a year and the social housing content increased to 200 a year. Current completion rates indicate that overall the target would appear to be achievable overall but in practice it will be difficult to achieve the affordable provision in the period 2007-2016.

Subject to the S 106 negotiations, the 38 social units to rent will comprise 3 x 1 bed, 18 x 2 bed, 9 x 3 bed, 6 x 4 bed and 2 x 5 bedroom homes, mainly houses. The size of the intermediate homes has to be agreed.

### **4) Traffic**

A full transport assessment has been carried out by the applicant. Barnet as highway authority have requested orally that improvements be made for pedestrians crossing the Broadway and this issue is to be addressed in the S 106 agreement.

### **5) Parking**

The Council maximum parking standard is 252 and 53% provision is made on site. In addition a car club is to be provided so that residents may have the use of a car pool. The site is well located to bus routes and is about 10 minutes walk from Edgware Tube Station. Should development take place the parking situation is to be monitored at the applicant's expense and if appropriate a controlled parking zoned may be introduced. Given the nature of the development, the release of parking spaces back to the hotel previously taken on match days and its location this provision is viewed as sufficient.

### **6) Impact on Neighbouring uses**

To the east lies the hotel and the development proposed will not impact upon it except in relation to parking. On the south boundary homes are at least 30m away except for one block in Summit Close which is 20m distant from a proposed 3 storey residential block which would stand at a lower level due to the changing ground levels. Similarly to the west amongst existing residential properties one block is 20 m away from a part three-part two-storey block. The 2-storey element faces the existing homes. To the north lies the Edgware Brook with employment buildings beyond. The relationship of the proposed blocks to the neighbouring residential development is considered acceptable.

### **7) Responses to Consultation. Most of these have been addressed in the appraisal section above**

- \* The density of scheme is acceptable; the UDP provides for a minimum density of 150 hrpa but in areas with good public transport and within or near to District Centres higher densities are acceptable and encouraged by the London Plan.
- \* The Highway Authority has expressed no concern of traffic issues save that improvement is needed for pedestrian traffic.
- \* Last on noise, the current DEFRA noise map of London indicates this area as experiencing a noise level of between 50 to 55 Dba and this is an acceptable level for residential development.

### **8) Responses to Consultation**

Most of these have been addressed in the appraisal section above. The density of scheme is acceptable; the UDP provides for a minimum density of 150 hrpa but it areas with good public transport and within or near to District Centres higher densities are acceptable and encouraged by the London Plan. The Highway Authority has expressed no concern of traffic issues save that improvement is needed for pedestrian traffic. Last on noise, the current DEFRA noise map of London indicates this area as experiencing a noise level of between 50 to 55 Dba and this is an acceptable level for residential development.

### **CONCLUSION**

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

REDEVELOPMENT: 2 TO 5 STOREY BUILDING TO PROVIDE 37 FLATS WITH UNDERGROUND PARKING (REVISED)

TWIGG BROWN ARCHITECTS for STEPHEN HOWARD HOMES & LUPO LTD

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## **RECOMMENDATION**

Plan Nos: See Informative.

### **Inform the applicant that;**

The application is acceptable subject to:

The completion of a legal agreement within one year (or such period as the Council may determine) of the date of this Committee decision on this application relating to:

- i) That the affordable housing units are available for occupation in accordance with a building and occupation programme to be submitted to and approved in writing by the LPA prior to the commencement of development.
- ii) The provision of affordable housing of a quantity, type and mix set out in the application, the social rented units to be managed by an RSL, subject to a nomination agreement with the Council

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Contaminated Land - Commencement of Works
- 3 No demolition or site works in connection with the development hereby permitted shall commence before:-
  - (a) the frontage.
  - (b) 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 amenity and highway safety.
- 4 Landscaping to be Approved
- 5 Landscaping to be Implemented
- 6 Levels to be Approved
- 7 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
  - (a) the extension/building(s)
  - (b) the ground surfacing

(c) the boundary treatment

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

REASON: To safeguard the appearance of the locality.

8 Noise and Odour/Fume from Plant and Machinery

9 Parking for Occupants - Parking Spaces

10 The construction of the surface and foul drainage system shall be provided out in accordance with details submitted to and approved in writing by the Local Planning Authority before development commences.

REASON To prevent the pollution of the water environment.

11 No soakaways shall be constructed in contaminated ground.

REASON To prevent pollution of groundwater.

12 Community Safety – Major Applications

13 Community Safety – Housing – Doors

14 Community Safety – Windows

15 Community Safety – Parking Provision

16 Compliance With Planning Conditions Precedent

#### INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

SP1 The form and Development and Pattern of Land Use

SD3 Mixed-Use Development

D4 The Standard of Design and Layout

T6 Transport Impact of Development Proposals

H5 Affordable Housing

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405  
E-mail: odpm@twoten.press.net  
Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

4 INFORMATIVE:

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

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

5 INFORMATIVE:

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

6 INFORMATIVE:

Any detailed application should include a design statement that demonstrates how crime prevention measures have been considered. These should as appropriate reflect each of the seven attributes of sustainability linked to crime prevention introduced in part 2 of "Safer Places - The Planning System and Crime Prevention".

7 INFORMATIVE:

The London Borough of Harrow seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply for this award.

For additional information, please contact the Borough Crime Prevention Design Advisor through the Crime Reduction Unit, Harrow Police Station, 74 Northolt Road, Harrow, Middlesex, HA2 ODN, tel. 020 8733 3465.

8 INFORMATIVE:

Plan Nos: 2953/GA 9A, 100A, 101A, 102A, 103A, 04A, 105A, 200A, 201A, 202A, 203A, 204A, 205A, 206, 207, 208A, 209

## **MAIN CONSIDERATIONS**

- 1) The form and Development and Pattern of Land Use (SP1)
  - 2) Mixed-Use Development (SD3)
  - 3) The Standard of Design and Layout & Residential Amenity (D4,D5)
  - 4) Transport Impact of Development Proposals (T6)
  - 5) Parking Standards (T13)
  - 6) Affordable Housing (H5)
  - 7) Consultation Responses
- 

## **INFORMATION**

### **a) Summary**

Cycle parking	34 + see report	
Car Parking	Standard:	45 maximum
	Justified:	35
	Provided:	35
Site Area:	0.118 ha	
Dwellings:	34	
Affordable dwellings:	10 of the 34	
Dwellings per ha	288	
Habitable Rooms per ha:	768	
Retail Floor Area	207 m <sup>2</sup>	
Council Interest:	None	

### **b) Site Description**

- Existing filling station at the corner of Kenton Road and Charlton Road set back behind service road to be demolished.
- Two storey homes to the north and 2/3 storey commercial building to the east facing Kenton Road.
- 4 storey flats on opposite side of Kenton Road within landscaped grounds in LB of Brent.
- Three-storey building with shops and flats over adjoins the west boundary.

### **c) Proposal Details**

- To build a two to five storey block with underground parking, using the existing access from Charlton Road serving the car wash to access the ramp to the car park.
- The ground floor facing Kenton Road is for retailing. The return frontage to Charlton Road gives access to the flats with the ground floor flats having direct access to the street and/or private gardens.
- The first, second and third floors are all residential, with the units facing the main roads having balconies.

Item 1/02 : P/3178/05/CFU continued/...

- The fourth (top) floor is also residential and is set back from the main elevation. The floors below it are successively larger giving a stepped elevation to Charlton Road; the nearest element to No.3 Charlton Road a 2 storey detached house is also 2 storey.
- At the rear of the reverse L shaped block is a common garden for use of those flats above ground floor level.
- The external materials are facing brickwork to the ground, first and second floors, coated metal panels to the third floor and the street corner with the top (fourth floor) being glazed.
- Size/Mix of housing:-

Type	1 bedroom	2 bedroom	Total
Affordable	6	4	10
For Sale	5	19	24
Totals	11	23	34

**d) Relevant History**

LBH/26868 Site used for industrial purposes in 1950s until filling station opened.	New petrol station, shop and car wash	GRANTED 15-AUG-85
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**e) Applicant's Statement**

- Proposal is a transitional building linking the larger scale buildings on Kenton Road to the low-rise residential area in Charlton Road and beyond.
- Kenton Road is predominately a residential road with houses and flats along much of its length.
- Government policy encourages the provision of intensive housing development in and around existing town centres where there is good transport accessibility.

**f) Consultations**

Environment Agency:	No objection subject to conditions
London Borough of Brent:	Reply awaited
Thames Water Utilities Ltd:	No objection

<b>Advertisement</b>	Major development	Expiry 09-MAR-06
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<b>Notifications</b>	Sent 78	Replies 1	Expiry 22-MAR-06 (Re-Notified)
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**Summary of Responses:** Insufficient car parking and increased traffic flow.

## **APPRAISAL**

### **1) The Form of Development and Pattern of Land Use**

It is considered that this proposal, given its location, is a full and effective use of land which will increase social inclusion. And given its accessibility by public transport it will encourage travel by more sustainable modes.

### **2) Mixed Use**

A number of uses and mixed-use buildings are at this location. The block immediately to the west comprises retailing on the ground floor with two floors of residential over. Other uses within the vicinity include a temple, offices and a public house.

### **3) Standard of Design and Layout & Residential Amenity**

Application subject to pre application correspondence. Plans amended following advice and amended a second time following comment on the application. Units reduced from 37 to 34, size of floors above ground level reduced and building moved further away from No 3 Charlton Road. These reductions in the size of the building, which now matches the roof line of the adjoining block except for the fourth floor element at the road junction and reducing the footprint on the Charlton Road frontage has achieved an acceptable building mass.

### **4) Transportation Impact**

The site has a public transport accessibility rating of 2. The amount of traffic movements generated to be by the proposed uses will be less than that generated by the current filling station used.

### **5) Parking Standards**

The maximum standard would require 45 spaces. 35 are provided being 1 space for each flat. A cycle space is also provided for each flat. One space is available for the retail unit for staff as per the parking standards.

### **6) Affordable Housing**

29.4% affordable units are offered in 1 and 2 bedroom flats. The intended RSL is the Metropolitan Housing Partnership who will take over and manage the ten affordable units in compliance with the required S 106 agreement.

### **7) Consultation Responses**

The parking provision is in accord with the council's standards and the vehicle movements per day will be less than at present with the filling station.

## **CONCLUSION**

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

**THE SILVER TRUMPET P.H., 41/43 STATION RD, P/432/06/CFU/ADK  
HARROW**

Ward: MARLBOROUGH

ALTERATIONS AND ROOF EXTENSION INCLUDING DORMER WINDOWS TO  
EXISTING BUILDING AND CHANGE OF USE OF UPPER FLOORS FROM PUBLIC  
HOUSE TO 11 FLATS (CLASS A4 TO C2)

MEADPARK PROPERTIES LTD

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## **RECOMMENDATION**

Plan Nos: 5001-01 - 5001-15; 5001-21 - 5001-35

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

- 1 The proposed roof extension, due to its scale, bulk and appearance would be an incongruous addition to the existing building and thereby detract from the appearance of the building and the terrace as a whole to the detriment of the streetscene. Furthermore it would detrimentally affect the visual amenity of the area and the character and appearance of the surrounding area.
- 2 The proposal, due to the position of the extraction flues at the rear and its relationship to the windows of the proposed residential units on the upper floors is likely to adversely affect residential amenity of prospective occupiers of the residential units through noise and odour nuisance.
- 3 No evidence has been provided regarding the marketing of the premises. As such, a complete assessment of the viability of an employment use at the site in question cannot be made. It is considered that this change of use could result in unacceptable loss of employment floorspace.
- 4 The proposed development, by reason of excessive number of units and size of building, with the associated disturbance and general activity would result in an over-intensive use and amount to an overdevelopment of the site to the detriment of neighbouring residents and the character of the area.
- 5 The proposed development would lead to overlooking of the rear garden space of the adjoining property and result in an unreasonable loss of privacy to the occupiers.
- 6 The proposal, due to the location of the existing two-storey rear projection at No 41 Station Road, would result in a loss of light, overshadowing and outlook to habitable room windows and would be detrimental to the visual and residential amenities of the future occupiers of the units.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
The following policies in the Harrow Unitary Development Plan are relevant to this decision:  
SD1 Quality of Design  
SH1 Housing Provision and Housing Need  
D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy  
H4 Residential Density  
H7 Dwelling Mix  
H9 Conversions of Houses & Other Buildings to Flats  
H18 Accessible Homes  
T6 Transport  
T13 Parking Standards  
EM15 Land and Buildings in Business, Industrial and Warehousing Use  
EP25 Noise

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### **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Land Use (SH1, EM15, H4, H9, H18).
- 2) Amenity (D4, D5, SD1, EP25)
- 3) Standard of Design and Layout (D4, D5, SD1)
- 4) Transport & Parking Standards (T6, T13)
- 5) Consultation Responses

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### **INFORMATION**

#### **a) Summary**

Site Area:	0.0461 ha gross, 0.0408 ha net
Habitable Rooms:	31
Density:	672 hrpa 238 dph
Car Parking:	See report
Council Interest:	None

#### **b) Site Description**

- Mid terrace, three storey commercial premises located on the western side of Station Road;
- the ground floor commercial premises is currently occupied by an Indian Restaurant (41) and Public House (43);
- the upper levels of the building can be accessed separately from a doorway to the frontage of the site, however are also internally linked to the ground floor by a stairwell;
- The established lawful use of the upper floor of the building is as offices (B1);
- From a record of enforcement complaints the upper floors have recently been used as function rooms ancillary to the bar and restaurant (A3 Use) and part live entertainment (D2).
- The parade of commercial premises are not covered by any retail frontage policy classification;
- The site layout plan nominates that there are 5 on site carspaces located to the rear of the site.
- The current restaurant and public house operates 7 days a week including restaurant: 12-3pm and 6-12pm and public house 11am-11pm Monday to Saturday and 12 pm-10.30 on Sundays and Bank Holidays.

**c) Proposal Details**

- Change of use of the first and second floors from office (B1) and conversion of residential unit at No 43 Station Road to 11 flats.
- Erection of roof extension with dormer windows at third floor level.

**d) Relevant History**

LBH/41623	Change of use from shop to bar/restaurant, with new shop front and offices above (REVISED).	GRANTED 21-DEC-90
W/385/93/FUL	Retention of single storey side extension; changes of use part 1 <sup>st</sup> floor B1 to A3, part 2 <sup>nd</sup> floor B1 to ancillary A3.	REFUSED 08-NOV-93 APPEAL DISMISSED

**Reasons for Refusal:**

1. The proposal would represent an over intensive use of this site leading to an increased demand for on-street parking and reflected in a lack of adequate parking facilities, which would be likely to give rise to problems of parking on adjoining highways which would be detrimental to highway safety, the free flow of traffic and the amenities of neighbouring residential occupiers;

2. The proposal would introduce a level of activity at first floor level not commensurate with surrounding residential properties and out of character in the locality, and detrimental to the amenities of local residents.

W/164/93/FUL	Change of use of part of 1 <sup>st</sup> floor; Class B1 to A3 (office to public house).	REFUSED 16-MAR-94 APPEAL DISMISSED
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**Reasons for Refusal:**

1. The proposal would represent an over intensive use of this site leading to an increased demand for on-street parking and reflected in a lack of adequate parking facilities, which would be likely to give rise to on street parking would be detrimental to highway safety, and the amenities of neighbouring residential occupiers;

2. The proposal would introduce a level of activity at first floor level not commensurate with surrounding residential properties and out of character in the locality, and detrimental to the amenities of local residents.

P/2366/04/CFU	Change of use: Office (Class B1) to ancillary bar & restaurant (Class A3) & part live entertainment (Class D2) on first and second floors.	REFUSED 12-NOV-04
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**Reasons for Refusal:**

1. The proposed opening hours would give rise to increased disturbance and general activity at unsocial hours and would detract from the amenities of the occupiers of neighbouring residential properties.

2. The proposal would represent an over intensive use of this site leading to an increased demand for on-street parking and reflected in a lack of adequate parking facilities, which would be likely to give rise to problems of parking on adjoining highways which would be detrimental to highway safety, the free flow of traffic and the amenities of neighbouring residential occupiers;

3. The proposal would introduce a level of activity at the upper levels of the building not commensurate with surrounding residential properties and out of character in the locality, and detrimental to the amenities of local residents and contrary to the provisions of the Harrow Unitary Development Plan.

**e) Applicant's Statement**

- None.

**f) Consultations**

<b>Advertisement</b>	Major			Expiry 30-MAR-06
<b>Notifications</b>		Sent 26	Replies 0	Expiry 21-MAR-06

**APPRAISAL**

**1) Land Use**

Current Use of Upper Floors

The application site is currently used as a restaurant (No 41) and Public House (43) on the ground floor with separate offices on the upper floors of No 43 and a residential unit on the upper floors of No 41. The application proposes the change of use of the office floorspace to residential. Policy EM15 of the Adopted Unitary Development Plan (2004) seeks to retain employment generating uses and requires that marketing evidence is provided indicating that the use is no longer viable. As no marketing evidence was provided regarding the undertaking of a suitable marketing campaign, the proposal falls short of the requirements of policy EM15. As such the proposal is contrary to council policy and therefore the change of use to residential is considered unacceptable.

Housing

The proposal includes the provision of 5 x 1 bed, 3 x 2 bed and 3 x 3 bed units. Council policies require the provision of a mix of dwelling sizes to reflect Boroughwide housing needs. The location of the site on a main road and the physical constraints of the site make it unsuitable for family accommodation and therefore the proposal is considered to be in accordance with Policies H7 and H9 which also seek to meet the housing needs of single people and smaller households.

### Density

The proposed development would be relatively high density with a density of 226 dwellings per ha. However, its location to Harrow centre, coupled with good access to services and public transport (Harrow-on-the-Hill and Harrow Weald tube/rail stations) this is considered to be acceptable.

### **2) Amenity**

Council policy EP25 states that new residential development will only be permitted on sites in non-residential use where the environment is suitable for residential use. The ground floor of the application site is occupied by a restaurant and public house and the proposed drawings shows the ventilation system located near the first and second floor bedroom and living room windows. This would clearly have a detrimental effect on the amenity of future occupiers in terms of noise and odours. The applicant has failed to submit any noise attenuation and mitigating measures that could be implemented.

Due to the projection of the existing rear extension at No 43 and the separation distance of approximately 1.5 metres to the southern flank wall of No 41, it is considered that the habitable room windows to units 4 and 9 would suffer a significant loss of light and no outlook. This would result in substandard living conditions for the future occupants of these units.

New residential development should be designed to ensure adequate privacy for new and existing housing. There is a higher expectation of privacy at the rear of dwellings and this should be considered in new developments to minimise the potential for direct overlooking and loss of privacy to private garden areas. The rear elevation of the application building is only 5.0 metres away from the side boundary with the residential building at No 1 Nibthwaite Road. The location of habitable room windows at first and second floor level would lead to direct overlooking of and loss of privacy the private garden area of No 1 Nibthwaite Road.

### **3) Standard of Design and Layout**

The main issues are the appearance of the resulting development (design considerations) and the effects that it has on the character and appearance of the area.

The application site forms part of a predominantly three-storey terrace apart from the adjoining three properties to the north which are single storey. The rest of the terrace displays a roofline of a predominantly uniform character. No 43 has a low-pitched roof which is set back from a low parapet on the front façade. Apart from the application site the properties forming part of this terrace are free from roof additions.

It is considered that the proposed roof extension at third floor level would be an inappropriate addition to the building as the scale and bulk, design and proportions of the extension would appear incongruous with neighbouring properties and out of character with the streetscene.

### **4) Transport & Parking Standards**

The proposed development makes no provision for residential parking, but given the town centre location and access to public transport and in line with PPG3, the traffic and highway implications are not considered to be unacceptable. Were an acceptable scheme approved in this location, then resident permit restrictions would apply

**5) Consultation Responses**

- None.

**CONCLUSION**

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

## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

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**373-375 STATION ROAD, HARROW**

**2/01**

**P/2567/05/CVA/SC2**

Ward: Greenhill

VARIATION OF CONDITION 3 OF PERMISSION WEST/42514/91/FUL TO ALLOW  
OPENING SUN-THURS 09.00-00.30, FRI & SAT 09.00-01.00

HEPHER DIXON for JD WETHERSPOON

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### RECOMMENDATION

Plan Nos: Ordinance Survey

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s):

- 1 The use hereby permitted shall not open to customers outside the following times:-  
*09.00 hours to 00.30 hours Sunday to Thursday and 09.00 hours to 01.00 hours  
Friday and Saturday, without the prior written permission of the local planning  
authority.*

REASON: To safeguard the amenity of neighbouring residents.

### INFORMATIVES

- 1 INFORMATIVE:

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

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

Harrow Unitary Development Plan:

EM24 Town Centre Environment

EM25 Food, Drink and Late Night Uses

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### MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Residential Amenity
  - 2) Consultation Responses
- 

### INFORMATION

This application was previously deferred at officer's request (DC Committee 11<sup>th</sup> January 2006) to await the outcome of an appeal against the Council's Licensing Panel's decision to grant an application to vary the Licence on 4<sup>th</sup> August 2005. An agreement was subsequently reached whereby a variation to extend opening hours was permitted and was similar to the hours sought in the current planning application.

**a) Summary**

Town Centre Harrow

**b) Site Description**

- West side of Station Road south of its junction with College Road and just north of Station Roads junction with Gayton Road
- Four storey property called Lynwood House – ground floor currently used as a public house with offices above
- Located within a predominantly commercial area – ground floor commercial premises surround the property
- Harrow Baptist Church and a railway designation are located to the rear of the applicant building
- Premises situated within a designated secondary shopping area

**c) Proposal Details**

Variation of condition 3 of permission WEST/42514/91/FUL to allow opening Sunday – Thursday 09.00 – 00.30 and Friday and Saturday 09.00 – 01.00. The application also requests permission for longer opening hours (09.00 – 02.00) on ‘special days’ throughout the year. These days are as follows:

- Christmas Eve (Dec 24<sup>th</sup>)
- Boxing Day (Dec 26<sup>th</sup>)
- Burns Night (25<sup>th</sup> Jan)
- Australia Day (26<sup>th</sup> Jan)
- St David’s Day (1<sup>st</sup> March)
- St Patrick’s Day (17<sup>th</sup> March)
- St George’s Day (23<sup>rd</sup> April)
- St Andrew’s Day (30<sup>th</sup> Nov)
- Thursday immediately preceding Good Friday and
- Sundays preceding Bank Holiday Monday

**d) Relevant Planning History**

WEST/42514/91/FUL	Change of Use: Class A1 to A3 (Retail to Public House) (Part of Ground Floor)	GRANTED 26-OCT-93
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Condition 3 of this Permission read as follows:

*‘the premises shall not be used except between 09.00 hours and 23.00 hours Mondays to Saturdays inclusive, and between 10.30 hours and 22.30 hours on Sundays, without the prior permission of the local planning authority’*

Reason: To safeguard the amenity of neighbouring residents

<b>e) Notification</b>	Sent 37	Replies 0	Expiry 14-NOV-05
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**f) Applicant's Statement**

- Applicant premises have been operating in Harrow for the past 14 years. During this time we are aware that there have been any material problems reported with regard to the management or running of the premises, nor are we aware that there have been any complaints regarding noise and disturbance from local residents or Police
- The premises is within a local centre, which is considered to be an appropriate location for premises that operate later in the evening. Evening trade will enhance the local economy and help regenerate the centre
- The hours applied for in this variation application are in accordance with the hours granted by the Licensing Authority
- Having regard to the nature of the premises, the nature of the area, the recent reform of the licensing system, and the excellent management record of JD Wetherspoon, we consider that the condition restricting operating hours should be varied to enable the public house to operate for the hours approved under the new Licensing Act plus slightly longer hours on identified 'special days'

## **APPRAISAL**

### **1) Residential Amenity**

The application property is situated along a designated secondary shopping frontage to the south of the established Harrow town centre, within a predominantly commercial area. No residential accommodation currently exists within close proximity to the applicant premise.

The presence of other nearby public bars, such as O'Neills, the Trinity Bar and the Fat Controller on Station Road, with late night facilities highlights the fact that this area of Harrow is suitable for such uses.

The Government currently favours a relaxation of licensing laws. The proposed extension of 2 hours between Thursday and Saturday nights appears therefore, to comply with Government policy. This coupled with the lack of any nearby residential units mean that the proposal will not have a negative impact on local residential amenity levels. The application is therefore, recommended for approval.

The Committee will be aware that the extended hours sought in this application have also to be agreed by the Licensing Panel. Should subsequent nuisance result to neighbouring residencies then any responsible authority may call for a review of the license at which time the terms of the license can be reconsidered.

### **2) Consultation Responses**

Discussed in report.

## **CONCLUSION**

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

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**PARK VIEW, 14 MOUNT PARK RD, HARROW**

**2/02**

**P/2689/05/DFU/KMS**

Ward: HARROW ON THE HILL

FRONT AND REAR DORMERS; ALTERATIONS TO SIDE AND REAR ELEVATIONS

PAUL ARCHER DESIGN for BOBBY ANAND

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## **RECOMMENDATION**

Plan Nos: 339.001, 339.002, 339.003, 339.101, 339.102b, 339.103a, site plan

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
  - (a) the extension/building(s)
  - (b) the ground surfacing
  - (c) the boundary treatmentThe development shall be completed in accordance with the approved details and shall thereafter be retained.  
REASON: To safeguard the appearance of the locality.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD1 Quality of Design  
SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens  
D4 Standard of Design and Layout  
D5 New Residential Development - Amenity Space and Privacy  
D14 Conservation Areas  
D15 Extensions and Alterations in Conservation Areas  
EP44 Metropolitan Open Land  
EP45 Additional Building on Metropolitan Open Land
- 2 **INFORMATIVE:**  
The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

3      **INFORMATIVE:**

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

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

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

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Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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**MAIN CONSIDERATIONS**

- 1) Character of building and conservation area (SD1, SD2, D4, D5, D14, D15)
- 2) Residential amenity
- 3) Impact on Protected Trees
- 4) Consultation Responses

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**INFORMATION**

**a) Summary**

Area of Special Character:	Special Char & Adv
Listed Building:	Locally Listed
Conservation Area:	MOUNT PARK
Archaeological Area/TPO:	TPO no. 399
Council Interest:	None

**b) Site Description**

- Semi-detached property with extensive grounds to side and rear
- Rear gardens form part of Metropolitan Open Land and contains protected trees
- Front elevation has 2 existing dormer windows. Left hand dormer measures 3m wide and is sited 2.1m from party boundary. Right hand dormer measures 1.5m wide and is sited 4.6m from roof verge and 1.9m from left hand dormer. Both have tiled hipped roofs and timber framed windows, and are sited 2m upslope of eaves
- Side elevation currently has two ground and two 1<sup>st</sup> floor windows
- Rear elevation has dormer window measuring 2.2m wide, sited 2.9m from party boundary, 8.1m from roof verge, and 0.5m upslope of eaves
- Levels fall to south and west

**c) Proposal Details**

- Proposed front and rear dormers, side windows and rear rooflight
- Proposed front dormer would be same size as existing right hand front dormer and would be sited 1.4m from roof verge
- Proposed rear dormer would be same size as existing rear dormer and would be sited 1.9m from roof verge
- Rear rooflight would measure 0.6m wide x 0.5m high and would be sited 0.65m from party boundary
- 2 additional windows (1<sup>st</sup> floor) proposed for side elevation

**d) Relevant History**

P/1469/05/DFU	Outbuilding to provide domestic study	GRANTED 24-AUG-05
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**e) Consultations**

**CAAC** : no objections to rear dormer or side windows. Concerns with the front dormers as the drawings do not show the building in context with its adjoining neighbour (Oakhurst Heights)

Harrow on the Hill Trust: Awaited  
Character of Conservation Area :                      Expiry: 09-DEC-05

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	3	0	02-DEC-05

**APPRAISAL**

**1) Character of building and conservation area**

The proposed dormer windows would be to the same design as the existing dormers. The proposed front dormer would be sited to the right of the existing right hand front dormer and would be of an identical size. The proposed rear dormer would match the existing rear dormer in terms of its size and position relative to the 1<sup>st</sup> floor window below it. It is considered that the dormers would improve the symmetry of the front and rear elevations elevation and as such would preserve and enhance the character of the dwelling and the conservation area. However, this is subject to the use of sympathetic materials, which can be secured by condition.

The proposed side windows would be at 1<sup>st</sup> floor level and in terms of their design, would compliment the existing ground and 2<sup>nd</sup> floor windows in this elevation. It is therefore considered that subject to the use of sympathetic materials, they would preserve and enhance the character and appearance of the locally listed building and the surrounding conservation area.

The originally proposed additional 1<sup>st</sup> floor rear window has been substituted by a small (0.6 x 0.5m) rooflight which would be flush with the rear roofslope. The additional window would have been detrimental to the appearance of the building as a result of its unbalancing affect on the rear elevation. However, it is considered that the rooflight, by virtue of its small size and position, combined with the falling levels to the rear of the building, would not be visible in views of the rear elevation. It is therefore considered acceptable in terms of its impact on the character of the building and the conservation area.

## **2) Residential Amenity**

The proposed front and rear dormers would be located in elevations which already include dormers. As they would be sited further from the party boundary than the existing dormers, it is considered that they would not give rise to increased overlooking of the attached neighbouring property.

The proposed 1<sup>st</sup> floor flank windows would face towards the boundary with Ravensholt, which is sited at a lower level than Park View. However, the presence of existing 2<sup>nd</sup> floor windows in this elevation combined with the 25m separation distance from the boundary with that neighbour, means that they would not have a significant impact in terms of increased overlooking or loss of privacy.

## **3) Impact on Protected Trees**

The proposed development would not involve extending the existing dwelling towards the protected trees and would therefore have no impact on such trees.

## **4) Consultation Responses**

- None

## **CONCLUSION**

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

RETENTION OF REAR TERRACE, RETAINING WALL AND SIDE PAVING

ORCHARD ASSOCIATES for MR & MRS A GOVANI

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## **RECOMMENDATION**

Plan Nos: 1000/SK 5

**GRANT** permission in accordance with the development described in the application and submitted plans

## **INFORMATIVES**

1 **INFORMATIVE:**

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

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

Harrow Unitary Development Plan:

SD2 Conservation Areas

SEP6 Green Belts

D14 Conservation Areas

D15 Alterations in Conservation Areas

EP31 Open Spaces

EP32 Green Belt

EP33 Development in the Green Belt

2 **INFORMATIVE:**

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

3 **INFORMATIVE:**

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

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

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

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## MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Conservation Area, Green Belt Land and Area of Special Character (SEP6, SD2, EP31, EP32, EP33, D14, D15)
  - 2) Consultation Responses
- 

## INFORMATION

### a) Summary

Green Belt:	Yes
Area of Special Character:	Special Char & Adv
Conservation Area:	PINNER HILL
Site Area:	1520m <sup>2</sup> (0.15 ha)
Council Interest:	None

### b) Site Description

- Located on the corner of Potter Street Hill and Park View Road.
- St John's School across road off Potter Street Hill.
- Surrounding uses predominantly residential, single family dwellinghouses
- Large rear and side garden area approximately 950m<sup>2</sup>
- Paving area to front.

### c) Proposal Details

- Replacement retaining wall to rear elevation between garden area and paving directly behind house
- Replacement paving to side using existing paving
- Replacement steps from paved area up to garden area

### d) Relevant History

P/1833/03/CFU	Provision of CCTV camera on 4m high pole	REFUSED 28-NOV-03 APPEAL DISMISSED 24-JUN-04
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### Reason for Refusal:

1. The proposed CCTV Camera and related pole, by reason of unsatisfactory citing, design and appearance, would detract from the appearance of the property, 'Monks Rest' and fail to preserve or enhance the character or appearance of this part of the Pinner Hill Conservation Area.

P/3221/04/CFU	Resurfacing of frontage, provision of gates, rebuilding wall, replacement wooden fence	GRANTED 18-MAR-05
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**e) Consultations**

**CAAC:** No Objection

**Advertisement** Character of Conservation Area Expiry  
22-FEB-06

<b>Notifications</b>	Sent	Replies	Expiry
	2	1	22-FEB-06

**Summary of Responses:** Replacement terrace and retaining wall larger than original, work already been done.

## APPRAISAL

### 1) Conservation Area, Green Belt and Area of Special Character

This proposal represents a modest landscaping development and is not considered to have a noticeable or significant impact on the Pinner Hill Conservation Area, the green belt of the area of special character. The existing paved area is to be repaved using existing paving stones, therefore no new impact will result. The existing retaining wall area is to be replaced with brick retaining walling. It is not considered that this will be noticeable or have an adverse effect on the surrounding area, being modest in size and following the same wall area as the existing.

### 2) Consultation Responses

Apart from the points raised in the above sections of the report, other issues raised by the objector include that work has already finished and that the paving area and retaining wall area proposed is an increase on the original area.

After conducting a site visit officers noted that work had been completed, although this is not a contravention of planning law unless planning permission is refused. There is also no evidence to suggest that the retaining wall and paving area are larger than the original, further even if they are they are not considered to have an adverse effect on the surrounding area.

## CONCLUSION

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

OUTLINE: FOUR STOREY BUILDING WITH BASEMENT WORKSHOP/STORE.  
PARKING AT GROUND FLOOR, OFFICES AT 1ST FLOOR, 4 FLATS AT 2ND/3RD  
FLOOR

G & D HIGGINS

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## **RECOMMENDATION**

Plan Nos: 05/121/2 and OS Map

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Outline - Reserved Matters (Design, Appearance, Landsc.)
- 3 The development hereby permitted shall not commence until a scheme for:-
  - (a) The storage and disposal of refuse/waste
  - (b) and vehicular access theretohas been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.  
REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.
- 4 Water Storage Works
- 5 Industrial activities shall not take place anywhere within the application site except within the building(s).  
REASON: To safeguard the amenity of neighbouring residents
- 6 Storage shall not take place anywhere within the application site except within the building(s).  
REASON: To safeguard the amenity of neighbouring residents

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
The following policies in the Harrow Unitary Development Plan are relevant to this decision:  
EM15 Land and Buildings in Business, Industrial and Warehousing Use - Outside Designated Areas  
SD1 Quality of Design  
D4 Standard of Design and Layout  
D5 New Residential Development - Amenity Space and Privacy  
T13 Parking Standards

- 2        **INFORMATIVE:**  
The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.
- 3        **INFORMATIVE:**  
Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.
- 4        **INFORMATIVE:**  
The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:  
1. work on an existing wall shared with another property;  
2. building on the boundary with a neighbouring property;  
3. excavating near a neighbouring building,  
and that work falls within the scope of the Act.  
Procedures under this Act are quite separate from the need for planning permission or building regulations approval.  
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Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Principle of Use (EM15)
- 2) Character of the Area (SD1, D4, D5)
- 3) Parking/Highway Considerations (T13)
- 4) Consultation Responses

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## **INFORMATION**

### **a) Summary**

Site Area:	265 sq.m
Habitable Rooms:	12
Density:	53dph
Car Parking	Standard: 7
	Justified: 6
	Provided: 6
Council Interest:	None

**b) Site Description**

- Small irregular shaped parcel of land located adjacent to the junction of Marlborough Hill with Station Road
- Existing building on applicant site is a two storey engineering works and offices, orientated to the southern boundary of the site
- Forecourt area is sealed with hardsurface and accommodates a limited amount of on-site parking
- Existing building surrounded by offices and commercial buildings, up to a four storey scale
- Current application represents a revision to a previously permitted scheme for outline development, which provided offices on the first and second floors with residential on the top floor as opposed to two floors of residential use as sought in this application.
- Changing the proposed second floor use from offices to residential represents the only change from the previously approved scheme

**c) Proposal Details**

- Outline application to construct a four storey block containing a workshop/store at basement level, parking at ground floor, office use at first floor level and 4 flats accommodated on the second and third floors
- Proposed scheme would involve demolishing the 2-storey building on site at present
- Four 2 bed residential units are proposed

**Revisions to Previous Permitted Scheme**

Following the granting of outline permission for a previous application, the following amendments have been made:

- Original office provision on second floor replaced by residential in order to provide an extra 2 residential units.

**d) Relevant History**

P/1356/05/COU	Outline: Redevelopment – 4 storey building – basement workshop/store, ground floor parking, 1 <sup>st</sup> and 2 <sup>nd</sup> floor offices and 2 flats on 3 <sup>rd</sup> floor	GRANTED 29-JUL-05
P/2009/03/COU	Outline: Redevelopment – 4 storey office building with 2 flats on 3 <sup>rd</sup> floor and parking on ground floor	GRANTED 18-MAR-05

**e) Applicant's Statement**

- None received

**f) Consultations  
Notifications**

Sent	Replies	Expiry
22	0	07-NOV-05

## **APPRAISAL**

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

It is highlighted that the development is predominantly the same as previously proposed, except that the building would use two floors for the provision of residential accommodation rather than one. This means that two 2-bedroom flats would replace the second floor, which was originally designated for office use, thus, increasing the residential element of the development from two flats to four.

The principle of demolishing the existing building and rebuilding a four storey mixed use development with a basement workshop/storage, ground floor parking, and both offices and residential accommodation on the upper floors has already been established in previous outline permissions. The main issue of this application therefore, is if the loss of one floor of offices in order to provide residential accommodation jeopardises the suitability of the scheme in this part of Harrow.

The site is within a commercial area and does not benefit from any amenity provision. However many commercial premises within this area contain residential units on their upper floors, and likewise lack benefit of amenity provision. A provision therefore, of 4 flats over first floor offices, ground floor parking and a basement workshop/storage is considered acceptable. It is likewise highlighted that the site benefits from good accessibility to public transport modes and to services.

### **2) Character of Locality**

There are examples of 3 and 4 storey buildings within the area and the site sits opposite the Civic Centre complex, which contains the main 6 storey building. It is considered that the proposal would not be out of character with the area.

### **3) Parking/Highway Considerations**

The proposal contains provision for 6 car parking spaces at ground floor level. Taking account of the excellent transport accessibility of the site, the proposal is considered acceptable in this regard

### **4) Consultation Responses**

See report above.

## **CONCLUSION**

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

TWO STOREY SIDE TO REAR EXTENSION TO FORM TWO SELF-CONTAINED FLATS

C&S ASSOCIATES/W H SAUNDERS for S CARPENTER ESQ

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## **RECOMMENDATION**

Plan Nos: CS/SC/26 & CS/SC/30; SITE PLAN

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 Noise - Insulation of Building(s) - 4
- 4 The development hereby approved shall not commence until a metric scale drawing detailing the hard and soft landscaping of the forecourt of the site, to include screened refuse storage for the existing dwelling and approved flats, has first been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the works have been carried out in accordance with the details so agreed and shall thereafter be retained. Reason: To safeguard the appearance and character of the locality and to ensure that satisfactory arrangements for the storage and collection of waste are made.
- 5 The development hereby approved shall not commence until a metric scale drawing detailing the subdivision of the rear garden and satisfactory access thereto from the first floor flat has first been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the works have been carried out in accordance with the details so agreed and thereafter retained. Reason: To ensure that all dwellings on the site have access to an area of outdoor amenity space, in the interests of the living conditions of occupiers of the development.
- 6 The existing garages identified in blue on the approved site plan shall be allocated one each to the two flats for the occupiers' motor vehicle storage and shall thereafter be retained for that purpose unless otherwise agreed in writing by the local planning authority. Reason: To ensure satisfactory off-street parking for the development hereby approved.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD1 Quality of Design  
SH1 Housing Provision and Housing Need

EP25 Noise

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

H9 Conversions of Houses and Other Buildings to Flats

H18 Accessible Homes

T13 Parking Standards

2 INFORMATIVE:

Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

3 INFORMATIVE:

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

4 INFORMATIVE:

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

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

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

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Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Conversion Policy (H9)
- 2) Personal circumstances
- 3) Consultation Responses

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## **INFORMATION**

### **a) Summary**

Site Area:	465m <sup>2</sup>	
Habitable Rooms:	See report	
Car Parking:	Standard:	3 max
	Justified:	2

Council Interest:            Provided:                    2  
   None

**b) Site Description**

- two storey semi-detached dwelling on south side of Ellement Close, Pinner; with single and two storey rear extensions and detached rear building
- detached block of two garages adjacent to east side of dwelling purchased by the applicant and within the site
- last house on this side of Ellement Close; adjacent to turning head; flats opposite
- rear gardens in Hill Road adjacent to east boundary of site; distance between original rear of Hill Road dwellings and common boundary between 25m and 30m
- on-street parking not controlled

**c) Proposal Details**

- conversion of recently approved two storey side to rear extension to two self-contained flats
- ground floor flat to be accessed at side with two bedrooms and living room (3 habitable rooms)
- first floor flat to be accessed at front with two bedrooms and living room (3 habitable rooms)
- the applicant's agent has advised that two existing garages opposite the site have been purchased; these are shown in blue on the application site plan

**d) Relevant History**

WEST/574/01/FUL	Detached Three Storey Building to provide 1 x Two-Bed and 1 x One-Bed Semi Detached Dwellings with Integral Garage	REFUSED 14-DEC-01 APPEAL DISMISSED 10-SEP-02
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**Reasons for Refusal:**

1. The proposal, by reason of excessive bulk and prominent siting, would be unduly obtrusive in the streetscene, result in loss of light and overshadowing, and would be detrimental to the visual and residential amenities of the occupiers of the adjoining property, and the character of the locality.
2. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s).

P/1532/03/DFU	Two Storey Side Extension	GRANTED 05-SEP-03
P/1473/05/DFU	Two Storey Side to Rear Extension	GRANTED 10-AUG-05

**e) Applicant's Statement**

- I am trying to provide for my son's future; i.e. relative independent living accommodation as well as a base for financial stability as he approaches adulthood and the setbacks he will incur in employment and earning capacity. I have followed all previous advice to achieve this aim, by purchasing the adjoining land to submit full building potential for planning approval which has been accepted. I have also incurred the maximum financial cost to the local authority for the additional land and parking facility.
- The last estimate to build the approved extension to 'plaster finish' would be financial suicide. As a family we wish to live and work in the closest proximity although as husband and wife we wish to live independent lives within the household. The drawings are self explanatory about how the property would be divided. Please take these considerations into account.

**f) Consultations**

- **LBH Occupational Therapist:** support application: the applicant's son has significant physical, sensory and learning disabilities and in adulthood will require specialist accommodation to allow him to live semi-independently; the plans submitted will meet the applicant's son's needs

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	17	1	13-MAR-06

**Summary of Responses:** large wall adjacent to rear garden boundary impact on view of garden and privacy – consequent devaluation; flats out of character with dwellings on this side of Ellement Close; overdevelopment of available space for financial gain.

**APPRAISAL**

**1) Conversion Policy H9**

Policy H9 of the replacement UDP undertakes to permit flat conversions subject to considerations of accommodation quality, sound insulation, amenity space provision, traffic/highway safety and forecourt treatment. In these regards, the proposal is assessed as follows:

- The proposal would form one flat on the ground floor and one on the first floor of the approved two-storey side to rear extension. Each flat would comprise two bedrooms and a living room. The ground floor flat would be served by an approved flank door with access ramp whilst the first floor flat would be served by a door in the ground floor front elevation. In terms of their size and circulation arrangements the proposed flats are considered to be satisfactory. The vertical arrangement of rooms avoids potential conflict between the living and bedroom areas of the two flats. A scheme of sound insulation between the flats could be agreed by condition. The original semi would remain as a single family dwellinghouse.

- Details of the subdivision of the garden have not been provided. However, if subdivided to form two conventional rectangular plots to the rear of the original dwellinghouse and side extension respectively then it is calculated that an area of just over 100m<sup>2</sup> would be available to the proposed flats. Given the size of the flats and as no objection to amenity space provision was made to the 2001 application for houses it is not considered that the proposal is unacceptable in this regard. It would be possible for occupiers of the first floor flat to access the garden around the side of the extension, subject to modifications to the ramp that could be required by condition. The ground floor flat has direct access to the garden at the rear.
- The site plan indicates that the block of two garages opposite the site are within the applicant's control and these could be made available to the two flats. The 2001 scheme for two houses had only one garaged space; in dismissing the subsequent appeal the Planning Inspector concluded that the site is not well served by public transport and that the scheme would place an extra burden on kerbside parking in a road that is already heavily parked. Since then, however, the Council's replacement UDP has been adopted with the crucial change that parking standards are now expressed in maximum, not minimum terms to encourage sustainable living. Application of the standard to the proposed flats would give a combined maximum requirement of 2.8 spaces; it is considered that the provision of two garaged spaces within that maximum – equating to one per flat – amounts to an acceptable level of provision. A condition to ensure that they are provided and retained for the purpose is suggested.
- The applicant's side boundary includes an area in front of the extension but this appears to form part of the vehicle turning head to the Close and should be kept free from obstruction. However there is a forecourt to the front of the existing dwelling and some land to the side of the turning head (abutting the rear boundary of property in Hill Road), all shown within the application site, that could be used to provide bin storage and appropriate landscaping. Subject to details of these matters, that can be controlled by condition, it is considered that the proposal is acceptable.

In terms of the residential amenity of the surrounding neighbouring occupiers, including future occupiers of the new flats, it is considered that the proposal would lead to some increased residential use intensity on the site as expressed through additional comings and goings to the property, vehicular activity and general activity from two households within the building. However it is not considered that the degree of increase associated with 2 two-bed flats in conjunction with the retained original dwelling would so greatly affect the living conditions of future and neighbouring occupiers as to be of demonstrable harm to the amenity of neighbouring occupiers. As there are original purpose-built maisonettes on the opposite side of this part of Ellement Close neither is it considered that there can be any objection to the impact of the proposal upon the character of the locality.

## **2) Personal Circumstances**

The personal circumstances of the applicant, cited as the reason for the proposed development, are noted. However the proposal has been found to be acceptable on its own planning merits and consequently there is no need to consider this issue further.

**3) Consultation Responses**

- Extensions as previously approved and found to have an acceptable relationship with neighbouring property
- it is not considered that the proposal is an overdevelopment
- motive of applicant not a material planning consideration

**CONCLUSION**

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

**GARDEN LODGE, GRIMSDYKE HOTEL, OLD REDDING, HARROW WEALD** P/2353/05/CFU/SC2

Ward: HARROW WEALD

2 ROOF VENTS IN FRONT ROOF SLOPE

FARRELL & CO for GRIMS DYKE HOTEL

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## **RECOMMENDATION**

Plan Nos: 4205-1 Rev. A and OS Map

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 The materials to be used in the construction of the roof vents hereby permitted shall match those used in the existing building.  
REASON: To safeguard the appearance of the locality

### **INFORMATIVES**

- 1 **INFORMATIVE:**

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

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

Harrow Unitary Development Plan:

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

SD1 Quality of Design

SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens

EP31 Areas of Special Character

EP32 Green Belt-Acceptable Land Uses

EP33 Development in the Green Belt

D4 Standard of Design and Layout

D11 Statutorily Listed Buildings

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Setting of Listed Building/Conservation Area (SEP6, D4, D11, D14, D15)
- 2) Green Belt/Area of Special Character (SEP6, SD1, EP31, EP32, EP33)
- 3) Consultation Responses

## INFORMATION

### a) Summary

Area of Special Character: Special Char & Adv  
Conservation Area: BROOKSHILL/GRIMSDYKE  
Green Belt: Yes  
Council Interest: None

### b) Site Description

- Application relates to the garden lodge which lies within the grounds of the Grimsdyke Hotel
- Lodge was built in 1980 and contains 40 rooms
- Located to the north of the main hotel building, on the other side of Grims Ditch
- Main hotel building is Grade II\* Listed
- Site lies within the Metropolitan Green Belt and the Brookshill Drive Conservation Area

### c) Proposal Details

- Installation of 2 roof vents in the front roof slope of Garden Lodge
- Revisions have been made to the original scheme submitted. Originally a dormer window was proposed at first floor level and both roof vents were in different positions. Dormer was removed for design reasons and the vents have been moved approx 0.4m away to a more favourable position

### d) Relevant History

LBH/14319	Erection of 2 storey detached annexe building to provide additional bedroom accommodation, formation of new access drive and car park	GRANTED 17-NOV-80
P/2469/03/CFU	Single storey rear extension to Grims Dyke Lodge	GRANTED 09-SEP-04

### e) Applicant's Statement

- None received

### f) Consultations

**CAAC:** The dormer does not match the existing dormers and would be sited too tightly in its proposed position. A rooflight would be more appropriate than a dormer. Roof vents are sited too close to the steps in the roof slope and should be more centrally located within the roof. No objection to the principle of the vents

<b>Notifications</b>	Sent	Replies	Expiry
	2	0	07-NOV-05

## **APPRAISAL**

### **1) Setting of Listed Building/Conservation Area**

Although the building is separated from the main hotel by 50m and the Grims Ditch, the grounds form part of the setting of the Listed Building. In this regard, the Council considered the original proposal for a dormer window and 2 roof vents unacceptable. While the impact of the original proposal on the setting of the Grade II\* Listed hotel and the wider conservation area was fairly limited, given the applicant building's age and location, the design of the scheme was poor and would have contravened Harrow UDP policies SD1, SD2, D4 and D15. In particular, the dormer window would have looked bulky, odd and false in its proposed location when compared to the established first floor windows and gabled roofs above and would have disrupted the symmetry and harmony of the front elevation. The two proposed roof vents were also poorly positioned and were of concern to the Councils Conservation Team.

After discussion with the applicant, revised drawings were submitted which eliminated the front dormer from the scheme and moved both proposed roof vents 0.4m away from the breaks in the roof slope. These amendments addressed the concerns originally raised by the Councils Conservation Team. In terms of the setting of the Listed Building, it is considered that the amended scheme would have an acceptable impact and would preserve the character of this part of the Conservation Area.

### **2) Green Belt/Area of Special Character**

The installation of both roof vents as proposed in the applicant's amended scheme does not raise any issues in Green Belt terms. The additions to the front roof slope would not result in the creation of any additional floorspace or increase the footprint of the existing building. The amended scheme would maintain the openness of the site and as such is considered acceptable in Green Belt terms.

### **3) Consultation Responses**

See report above.

## **CONCLUSION**

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

SINGLE STOREY SIDE AND REAR EXTENSIONS AND ROOF EXTENSIONS

MR D C BHAVSAR for MR D SHAH

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## **RECOMMENDATION**

Plan Nos: DS/10,DS/11, DS/12 and DS/13

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match

## **INFORMATIVES**

1 **INFORMATIVE:**

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

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

Harrow Unitary Development Plan:

SD1 Quality of Design

EP34 Extensions to Buildings in the Green Belt

D4 Standard of Design and Layout

SPG Extensions: A Householders Guide, adopted March 2003

2 **INFORMATIVE:**

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

3 **INFORMATIVE:**

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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## MAIN CONSIDERATIONS

- 1) Extensions in the Green Belt (EP34)
- 2) Standard of Design and Layout (D4)
- 3) Residential Amenity (D5) and Supplementary Planning Guidance
- 4) Consultation responses

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## INFORMATION

### a) Summary

Green Belt:	Yes	
Car Parking	Standard: Justified: Provided:	Double garage + spaces on drive
Council Interest:	None	

### b) Site Description

- Detached house standing on corner plot with frontages to both Dennis Lane and Hall Farm Close. Front elevation faces Hall Farm Close
- Due to the fall of the land the house is some 0.5m lower at the rear and 0.8m lower on the Dennis Lane frontage than the adjoining house

### c) Proposal Details

- To the Dennis Lane frontage to add a very small extension to the ground floor utility room with a small bathroom extension at the first floor, which lines through with the front main wall, roofed with a gable end.
- A 0.7m increase in the depth of the porch and the addition of a gable end to the double garage, both facing Hall Farm Close.
- The erection of a new single storey kitchen facing the garden with a new covered way running the length of the rear garden elevation.

### d) Relevant History

- None.

### e) Applicant's Statement

- None.

### f) Consultations

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	3	AWAITED	31-MAR-06

47

Continued/...

## APPRAISAL

### 1) Extensions in the Green Belt

Policy EP 34 sets out three tests. The first is that there should be minimal environmental impact on the green belt character and that additions be appropriate in terms of bulk, height and character. The character of this location is large detached houses standing on plots of 1000m<sup>2</sup> (quarter acre). The second is that extensions shall not be disproportionate to the existing house. The additions compared to the existing are tabulated below:

Development	Floor area		Volume		Site coverage
Original House	266 m <sup>2</sup>	100%	960m <sup>3</sup>	100%	16.3%
2 Storey Extension	74		481		
<b>Sub Total</b>	340	127%	1441	150%	20.6
1F Ext	40		176		
Sub Total	380	142%	1617	168%	20.6
Proposed	63		193		
<b>Total</b>	443 m <sup>2</sup>	166%	1810m <sup>3</sup>	188%	26.1%

The third test is that any extension shall reduce any existing environmental problem. In this case there are none to be solved.

### 2) Design and Layout

The extensions are to have pitched roofs, except most of the covered way which is to be flat which will blend with the existing house. Materials are to match the existing.

### 3) Residential Amenity and Supplementary Planning Guidance (SPG)

Due to the layout and location of principal windows the proposed extensions fit around the existing home without causing any overlooking. The potential impact of side extensions is minimised; in one case the extension is well screened and in line with the main wall. In the other case of the kitchen extension being in a recessed area, the changes of level and shielding effect of the existing house limit the impact of the extension.

### 4) Consultation Response.

None to date.

## CONCLUSION

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

REAR DORMER; ALTERATIONS AND CONVERSION TO 4 SELF-CONTAINED FLATS  
(RESIDENT PERMIT RESTRICTED)

MR D Y XIOUTAS

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## **RECOMMENDATION**

Plan Nos: SR/HR/J/E/1, HR/FF/SE/2, NC/HR/CTF/SP/1 & NC/HR/CTF/1/A

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 Before the use commences, the building(s) shall be insulated in accordance with a scheme agreed with the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.  
REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents.
- 4 Notwithstanding the submitted plans, the development hereby approved shall not commence until a drawing detailing the proposed disabled persons' access to the building, a scheme providing detail of amenity space and provision for dustbins have first been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until the forecourt and rear amenity space has been laid out in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.  
Reason: To ensure satisfactory arrangements for access to the building, satisfactory amenity space for future occupiers and to safeguard the visual amenity of the locality.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD1 Quality of Design  
D4 Standard of Design and Layout  
D5 New Residential Development – Amenity Space and Privacy  
D9 Streetside Greenness and Forecourt Greenery  
SH1 Housing Provision and Housing Need  
SH2 Housing Types and Mix

H9 Conversions of Houses and Other Buildings to Flats

H18 Accessible Homes

EP25 Noise

T13 Car Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

4 INFORMATIVE:

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

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Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

5 INFORMATIVE:

The relevant traffic order will impose a restriction making residential occupiers of this building ineligible for resident's parking permits in the surrounding controlled parking zone.

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Standard of Design and Layout (D4)
- 2) Conversions of Houses and Other Buildings to Flats (H9)
- 3) New Residential Development - Amenity Space and Privacy (D5)
- 4) Parking Standards (T13)
- 5) Consultation Responses

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## **INFORMATION**

### **a) Summary**

Council Interest: None

**b) Site Description**

- End of terrace house linked to Frewin Court; the access archway to Frewin Court is adjoining the flank boundary.
- It is brick built
- Neighbouring Frewin Court is a purpose built block of flats on three floors; its design includes dormers in the roof
- The rear plot is flat and has a reasonable amount of amenity space
- Headstone Road is a busy thoroughfare with parking only on the opposite side of the street to the application site.
- The parking is restricted to permit holders only

**c) Proposal Details**

- Alterations to roof to create a rear dormer
- Alterations and Conversion to create four self contained flats

**d) Relevant History**

EAST/1505/02/FUL	Conversion to Provide 3 Self Contained Flats	REFUSED 15-APR-03 APPEAL ALLD 16-FEB-04
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Reason for Refusal:

1. The number of converted properties in this road is already in excess of that considered appropriate, and additional conversions would result in the further loss of character of the road, and an imbalance in the mix of dwelling types and sizes, contrary to the adopted conversion policy of the local planning authority.

P/1118/05/DFU	Rear Dormer; Alts and Conv of Dwelling house to Five Self Contained Flats	REFUSED 05-OCT-05
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Reasons for Refusal:

1. The proposed dormer window, by reason of excessive bulk and relationship to the existing rear roof projection would be unduly obtrusive and would detract from the appearance of this and adjacent properties and be detrimental to the amenities of neighbouring properties.

2. The proposed development by reason of inadequate provision for on site car parking, refuse/waste bins and amenity space presents an un-neighbourly form of development and unsatisfactory living conditions for future occupiers, detrimental to the residential amenities of the occupants of neighbouring properties and would thus be contrary to the adopted conversion policy of the local planning authority and resulting in an unacceptable overdevelopment of the site.

**e) Consultations**

- None received

<b>Notifications</b>	Sent	Replies	Expiry
	21	1	22-FEB-06

**Response:** previous application refused 4months ago; insufficient parking; no onsite parking; overdevelopment

## **APPRAISAL**

### **1) Standard of Design and Layout**

The proposal includes alterations to the roof to form a rear dormer. The plans submitted propose the dormer to be sited 1m from the edge of the roof and 1m from the eaves. This is a reduction in size from a previous application and as such is now wholly contained in the roof slope. The clear separation around the dormer from other roof features results in the dormer appearing subordinate and therefore is not considered bulky and obtrusive. The resultant development would therefore not appear visually contained within the roof slope when viewed from the rear gardens of neighbouring properties. This is within the guidelines set out by the Council in the SPG.

It is noted that there is no other dormers in the immediate neighbours. As it is at the rear it is considered there will be an insignificant amount of visual impact to the street scene.

The proposed dormer is at a distance with adequate separation from neighbouring properties at the rear such that there will be no impact on light to any windows. The proposed dormer, at an oblique angle, will not result in an unacceptable level of overlooking on the gardens of neighbouring properties.

### **2) Conversions of Houses and Other Buildings to Flats**

The application proposes the conversion of a house four self-contained flats. A previous application (Our Ref: EAST/1505/02/FUL) was allowed on appeal for three self-contained flats.

The proposed new units are considered to be adequate in terms of size, circulation and layout. It is considered that, although not ideal, the vertical stacking of the rooms is acceptable. The applicant has attempted to place like rooms above like to reduce the potential for any disruption caused by occupiers on neighbouring properties. To further mitigate any potential disruption a condition is suggested to ensure adequate sound insulation is installed and retained. This is within the policies outlined in the Council's UDP.

The proposed development fits policy H18 and guidance found in the Council's SPD 'Accessible Homes'.

It is considered that there would be no unacceptable impact on the amenities of the neighbouring occupiers or the character of the locality. This is due to the currently character of the locality with Frewin Court next door, the property already subdivided into flats as well as being situated on a busy road.

### **3) New Residential Development - Amenity Space and Privacy**

The garden depth is approx 27m. There is an indication that only the ground floor rear flat will have direct access to the rear garden though a door leading from the bedroom. The other flats would be able to access the rear garden via the side of the property. Details outlining how the rear garden is to be used will need to be submitted and accepted by the LPA in writing before the flats are occupied. As such a condition is suggested to this effect. Access may be required for all flats as it is considered that nearby public amenity spaces in the vicinity are available to serve the future occupiers of the units.

### **4) Parking Standards**

Also there are no car parking spaces, no provision shown for the storage of refuse bins, or disabled access satisfactorily shown on the plans, This can be overcome by a condition for details to be submitted and approved in writing by the LPA. Although there is no car parking shown, the property is close to bus routes and is within walking distance of shops and the Harrow on the Hill Underground and Overland Rail Station. There is Permit Restricted street level car parking across the road from the application site and it is suggested that an informative be added to ensure that no further car parking permits should be made available to the occupiers of these units.

### **5) Consultation Responses**

- Points raised are considered in the above report

## **CONCLUSION**

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

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**BRIDLE COTTAGES, BROOKSHILL DRIVE, HARROW**

**2/09**

**P/1500/05/CLB/CKJ**

Ward: HARROW WEALD

LISTED BUILDING CONSENT: REPLACEMENT WEATHERBOARDING, EXTERNAL DOOR AND WINDOWS AND INTERNAL ALTERATIONS

MR FITZGERALD

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## **RECOMMENDATION**

Plan Nos: See Informative.

**GRANT** listed building consent in accordance with the works described in the application and submitted plans, subject to the following

- 1 Time Limit on Listed Building Consent - Three Years
- 2 Listed Building - Making Good
- 3 Listed Building - Demolition by Hand
- 4 Listed Building - Protection of Interior

## **INFORMATIVES**

1 **INFORMATIVE:**

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

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

Harrow Unitary Development Plan:

D11 Statutorily Listed Buildings

D13 The Use of Statutorily Listed Buildings

2 **INFORMATIVE:**

Plan Nos: 318/01; 03; F; Old Time Timber Catalogue; Singer Plywood Catalogue; Period Doors of Pembrokeshire Catalogue; photographs of previous internal doors, existing internal doors, existing link section with existing external door, proposed windows and door, existing link section and no. 1 Bridle Cottages

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Character of the Listed Building (D11, D13)
  - 2) Consultation Responses
- 

## **INFORMATION**

### **a) Summary**

Area of Special Character: Special Char & Adv

Listed Building: Grade II  
Conservation Area: BROOKSHILL  
Council Interest: None

**b) Site Description**

- Single storey semi detached Victorian cottages, joined together by a timber weather boarded link and now used as one dwellinghouse. Located on Brookshill Drive, opposite Copse Farm.
- Brookshill Drive is characterised by detached and semi detached houses, set back from an un-adopted road. Brookshill Drive is surrounded by agricultural land and is located within the Green Belt, an Area of Special Character and an Area of Nature Conservation.

**bb) Listed Building Description**

- No. 1 Bridle Cottages: Circa 1890. Formerly cottages to Copse Farm. Single-storey. Alternate red brick and yellow stock brick bands on edge, tuck-pointed. Tile roof with crested ridge. Timber gabled porch with wrought-iron finial. Bay window on right. Featured chimneys.
- No. 2 Bridle Cottages: Circa 1890. Simpler single storey cottage attached to No 1. Yellow stock brick. Patterned tiling left and new tiles right. Bracketed oversailing porch. Triangular roof vent. Featured chimneys and 4-light window to left.

**c) Proposal Details**

- Replacement weatherboarding to the link section between no. 1 and no. 2 Bridle Cottages and replacement of internal insulation;
- Replacement of external door and windows in link section with traditional timber door and windows to match those on no. 1 and no.2 Bridle Cottages;
- Replacement internal doors with timber cottage style doors.

**d) Relevant History**

LBH/1017	Use Bungalows as Residential Accommodation	GRANTED
		09-FEB-66
LBH/26949	Listed Building Consent Alterations and Replacement of Internal Doors	GRANTED
		14-MAR-85

**e) Applicant's Statement**

- None.

**f) Consultations**

<b>Advertisement</b>	Extension/alteration of listed building	Expiry: 12-OCT-05
<b>Notifications</b>	Sent 4	Replies 0
		Expiry 12-OCT-05

## **APPRAISAL**

### **1) Character of the Listed Building**

The link section between the two cottages is a later addition to the building, probably constructed in the mid 20<sup>th</sup> Century. The link between the cottages is made from weatherboarding on the outside and plywood on the inside. The application is to replace the weatherboarding, insulate the wall and replace the plywood. In listed building terms this is acceptable as the weatherboard on the outside is currently in a poor state of repair and in some places needs urgent attention. The link is not currently insulated adequately, and having been previously used as a grooms house for the riding stables, has since been bought by a family who wish to renovate the building. Therefore, the upgrading of the insulation and replacement of the plywood would enhance the character of the listed building.

The external door to the link is currently a substandard door, which is poor in repair and over the years has been painted black and white and is not in keeping with the character of the listed building. The replacement door (as shown in *Period Doors of Pembrokeshire*) is of greater quality materials and its traditional design will enhance the character of the listed building. The existing windows in the link section are of a square design and are not in keeping with the character of the listed building. This application proposes to change these to match the windows on no. 1 and 2 Bridle Cottages. This again will enhance the character of the listed building.

The internal changes involve the replacement of all the internal doors. As shown in the photograph submitted by the applicant shows the previous internal doors propped up against the side of the cottages. Although this internal work has already taken place, the previous doors are 1950s style and of poor quality. The new doors, which have already been put in place, are cottage style doors as shown in the *Period Doors of Pembrokeshire* brochure and the *Old Time Timber* brochure. These are of a Victorian cottage style, just as Bridle Cottages are, and enhance the character of the listed building.

### **2) Consultation Responses**

None

## **CONCLUSION**

For the reasons considered above, the proposed development will preserve or enhance the character and appearance of the listed building. This application is therefore recommended for grant.

REDEVELOPMENT TO PROVIDE REPLACEMENT DETACHED 2/3 STOREY HOUSE WITH INTEGRAL GARAGE

KENNETH W REED & ASSOCS. for JON KEMPNER

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## **RECOMMENDATION**

Plan Nos: 1347/09/B and 500

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 No part of the dwelling shall exceed in height 138.6 AOD.  
Reason :In order to maintain the amenities of the locality.
- 3 No demolition or site works in connection with the development hereby permitted shall commence before:-
  - (a) the frontage.
  - (b) 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 amenity and highway safety.
- 4 Landscaping to be Approved
- 5 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
  - (a) the extension/building(s)The development shall be completed in accordance with the approved details and shall thereafter be retained.  
REASON: To safeguard the appearance of the locality.
- 6 Parking for Occupants - Garages/Parking Spaces

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.
- 2 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

S1	The form of development and Pattern of land use
SEP5	Areas of Special Character, Green Belt and Metropolitan Open Land
SD1	Quality of Design
E33	Development in the Green Belt
D4	Standard of design and layout
D14	Conservation Areas
D31	Views and Landmarks
EP31	Areas of Special Character

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**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Green Belt issues (S1, SEP5, E33)
- 2) Adjoining Conservation Area (D14)
- 3) Area of Special Character (EP31)
- 4) Design of proposed house (SD1, D4)
- 5) Consultation responses

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**INFORMATION**

**a) Summary**

This application was deferred at the last meeting to enable it to be advertised in respect of the adjacent Conservation Area.

Area of Special Character:	Special Char & Adv	
Green Belt	Yes	
Car Parking	Standard:	See report
	Justified:	
	Provided:	
Site Area:	1100sqm <sup>2</sup>	
Council Interest:	None	

**b) Site Description**

- The existing house sits on a plot slightly larger than one quarter of an acre.
- It is two storeys in height with a tiled pitched roof. The back edge of this unadopted road is marked with a 4m evergreen hedge, mainly holly.
- The proposal is to demolish the house and build a three-storey house, taking advantage of the fall in ground away from the road.
- The hedge and existing trees are to be retained.
- Uphill is a detached house of similar size and materials and downhill lies Copse Farm. This building complex and properties on the north side are within the Brookshill Drive Conservation Area and one, Bridle Cottage, is a grade II listed building. The site is outside and adjoining the conservation area.
- A section of the existing curtilage adjoining Copse Farm has been excluded from the application

**c) Proposal Details**

- A three storey house, with the lowest floor being below ground level when viewed from the road but visible from the rear garden.
- The garage at basement level is to be accessed by a new gently sloping gravel drive, with the garage door facing west towards the farm complex rather than into the street. The rest of the basement comprises a kitchen and dining room and cloakroom, with living and bedrooms on the ground and first floors.
- The roof is to be plain clay tiled with facing bricks to the walls.
- The building is set back behind the front wall of the neighbouring house. This leaves a 40m deep rear garden.

**d) Relevant History**

EAST/43804/91/FUL	Two storey side extension revised	GRANTED 27-FEB-92
P/73/04/CFU	New house	REFUSED 22-MAR-04
P/3090/05/CFU	Current application on adjoining Copse Farm for alterations and change of use of Barn to B1, extensions to farm buildings to form 2 houses and construction of 12 houses.	DECISION PENDING

**e) Applicant's Statement**

- We have redesigned a proposed new house, which whilst utilising the sloping site, has no increase over the existing footprint area.
- The new house respects the front and rear building lines and is only marginally taller than the existing.
- The building has a rural character more in keeping than the existing house.
- It's proportions and volume make it no larger than the existing building (above ground level) and therefore there is no loss of space and openness on the site which would adversely affect the views and skyline to the detriment of the character and appearance of the Green Belt and Area of Special Character.

	<b>Existing</b>	<b>Proposed</b>	<b>%increase</b>
Footprint m2	82	81.5	0%
Floor Area m2	158	242.5	53%
Area Excluding basement	158	157	0%
Volume m3	572	590	3%

**f) Consultations**

**CAAC**

The proposed building represents an improvement to the locality when compared with the existing house.

<b>Advertisement</b>	Character of Conservation Area) Setting of Listed Building)		Expiry 30-JAN-06
<b>Notifications</b>	Sent 255	Replies 8	Expiry 30-JAN-06

**Summary of Responses** : Green belt site, larger 3 storey property, higher roof than existing, adverse effect on setting of listed building, detrimental to visual amenities due to height and bulk, iniquitous for developer to build purely for profit, reduction of frontage of plot. Elm Park Residents' Association; the site is one named in the Harrow Heritage Trust petition of 9 November 2005.

## **APPRAISAL**

### **1) Green Belt**

PPS2, the national planning policy statement on green belt, advises in para 3.6 that 'replacement houses need not be inappropriate provided that the new dwelling is not materially larger than that which it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which dwellings are acceptable.'

The HUDP follows this advice in policy EP33. 'Planning applications for development in the green belt' (other than major developed sites which are addressed in Policy EP35)'will be assessed in relation to whether:-

G) in the case of replacement dwellings there would be any material increase in site coverage, bulk and height of buildings.' Para 3.122 goes on to comment that ' The replacement of existing dwellings need not be inappropriate development providing the new dwellings are not materially larger than those being replaced.'

Taking the tests of site coverage, bulk and height in turn; the site coverage of the current proposal is no larger than the existing, the bulk of the building is larger but the bulk of the building above the existing ground level is comparable to the existing. The height of the proposed exceeds the existing roof between 0.5 and 1.1 m.

The further question then arises as to whether the roof line is materially larger than the existing. This has been judged by plotting the height of the existing, that refused and that now proposed onto the same drawing. This shows that the area of building facing the street is increased. It is a matter of informed judgement as to whether this increase is material. On the basis of the submitted drawing and those previously submitted a material increase would not occur in your officers' view.

### **2) & 3) Conservation Area & Area of Special Character**

The effect on the adjacent Conservation Area of the new dwelling will be to preserve or improve its character, as noted in the CAAC comments. As regard to the Area of Special Character it is considered that the existing house makes no positive contribution not being worthy of retention. The new house would not intrude on the skyline to any material extent and it would preserve or improve the character and appearance of the area.

#### **4) Design**

The new house is in a cottage style. The CAAC has commented that the design is an acceptable design in this location adjoining the conservation area.

#### **5) Consultation Responses**

**Setting of listed building** This proposal has been reduced so that the forward most part of the dwelling is now setback behind the adjoining house rather than in front as before, 12m away from the listed building. Now a distance of 26m is shown. The siting of the proposed house ensures that the setting of the listed building will not be prejudiced.

**Height and Bulk** The height issue has been addressed under green belt. The bulk of a building may also be described as its mass; the combined effect of height, width and depth plus the variations introduced into the elevations. The roof is articulated reflecting the step back in the main elevation on either side of the central part. The step forward and pitch roof to the porch to the neighbouring property achieves a similar effect.

**Reduction of Frontage** The existing frontage is some 22.5metres. This has been reduced to 14m by narrowing it on the side adjoining the farm. It is now comparable to the frontage of Bridle Cottage on the opposite side of the road. Frontages vary in this part of the street vary from 14m to 33m. The presence of the 4m hedge on the boundary with the road, the step back in the front main wall of the new house and the variety of frontage widths ensure that this does not have any adverse effect,

**EPRA & petition** Both the national and Harrow planning policies, as set in the adopted Unitary Development Plan, are discretionary permitting the replacement of homes in the Green Belt. Consequently there is not, in principle, an objection to this form of development. It has to be assessed on the details of the application.

#### **CONCLUSION**

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

FIRST FLOOR REAR EXTENSION

KENNETH W REED & ASSOCS. for MR & MRS J SNOWDON

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## **RECOMMENDATION**

Plan Nos: 1475/1; 1475/2a; 1475/3a

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s) shall be installed in the flank roof planes of the development hereby permitted without the prior permission in writing of the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD1 Quality of Design  
D4 Standard of Design and Layout  
D5 New Residential Development - Amenity Space and Privacy  
SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens  
D14 Conservation Areas  
D15 Extensions and Alterations in Conservation Areas
- 2 **INFORMATIVE:**  
The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
  1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building,and that work falls within the scope of the Act.

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

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E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

3 INFORMATIVE:

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

4 INFORMATIVE:

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

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## MAIN CONSIDERATIONS

- 1) Quality of Design and Conservation Area (SD1, SD2, D4, D14, D15)
- 2) Amenity Space and Privacy (D5)
- 3) Consultation Responses

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## INFORMATION

This application is reported to Committee at the request of a nominated member.

### a) Summary

Area of Special Character:	Special Char & Adv
Conservation Area:	SOUTH HILL AVENUE
Council Interest:	None

### b) Site Description

- Detached dwelling located on the southern side of South Hill Avenue
- Dwelling has an existing single storey rear extension measuring 3.5m in depth
- Adequate size plot with rear garden measuring 17.5m in depth
- South Hill Avenue Conservation Area characterised detached dwellings with irregular building lines.

### c) Proposal Details

- First floor extension to be constructed on the existing single storey rear extension, which has a footprint of 3.5m x 7.15m
- Flat roof to the existing extension would be removed and replaced with hipped roof
- Small dormer sited to rear (new) roof slope, with hipped roof details to match
- Distance of 1.3m maintained to site boundary with Chestnut
- Distance of 3.5m maintained to site boundary with Rosemead

**d) Relevant History**

LBH/24824	Single storey rear extension	GRANTED 31-JAN-84
WEST/484/98/FUL	First floor rear extension	GRANTED 13-OCT-98

**e) Applicant's Statement**

- None

**f) Consultations**

CAAC:	No objections
Harrow Hill Trust:	No response

**Advertisement**                      Character of Conservation Area                      Expiry 23-FEB-06

<b>Notifications</b>	Sent	Replies	Expiry
	2	1	09-FEB-06

**Summary of Responses:** 2 objection letters and a number of email communication received, all objections to development due to height, size and scale; potential loss of light; overshadowing and breach of 45° code; overlooking and out of character.

**APPRAISAL**

**1) Quality of Design and Conservation Area**

The proposed first floor rear extension would be a unique development to this detached bungalow, many dwellings along South Hill Avenue are unique in character and in built form, notwithstanding this, the proposed extension would be in accordance to the current supplementary planning guidance. The amended hipped roof would sit above the existing single storey rear extension, with the roof ridge height level with that of the existing roof ridge to the dwelling house. The proposed rear roof slope would have a small dormer with a matching hipped roof detail and a rear facing 1.5m x 1.5m window. This rear dormer would be sufficiently contained within the proposed rear slope and would form a subordinate feature to the overall proposed development. The proposed first floor extension would be obscured from view of the streetscene, in terms of the overall quality of design the proposed extension has been sympathetically designed in keeping with the original character of the dwelling and would not, therefore be considered a detriment in terms of the scale, mass and character. It is considered that proposed development, subject to the use of appropriate matching materials, would preserve and enhance the character and appearance of the dwelling and the surrounding conservation area.

## **2) Amenity Space and Privacy**

The proposed first floor extension would be set away from the neighbouring site boundaries and by replacing the originally proposed end gabled roof, with a hipped roof and smaller dormer has considerably reduced the bulk and would satisfactorily comply with the relevant SPG guidance in particular the 45 degree code. In terms of orientation of this dwelling and the neighbouring dwellings, the proposed development would not result in undue overshadowing or loss of light. It is therefore considered that the proposed development would not appear visually overbearing and obtrusive to the neighbouring dwellings.

The proposed small rear dormer would allow some overlooking of neighbouring gardens. However, the application property is only single storey at the rear and both adjoining properties are two storey in height, with first floor rear windows or dormer windows. The proposed rear extension would introduce only one first floor dormer window, centrally located. Although the flank roofplanes would not incorporate any rooflights or windows, any future insertion can be satisfactorily dealt with an appropriate condition. Based on these factors it is considered that the proposed development would not amount to any unreasonable overlooking.

## **3) Consultation Responses**

As detailed above.

## **CONCLUSION**

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

CONVERSION OF DWELLINGHOUSE TO THREE SELF CONTAINED FLATS;  
ROOFLIGHTS

SOLA DESIGN STUDIO for MR SALEEM

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## **RECOMMENDATION**

Plan Nos: 05/117/S01-02, PL01-03

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 Noise - Insulation of Building(s) - 4
- 4 Notwithstanding the submitted plans, the development hereby approved shall not commence until a drawing detailing the proposed hard and soft landscaping of the forecourt, to include the planting specification, hard surfacing materials, disabled persons' access to the building, and the provision of screened refuse/recycling for no less than 6 dustbins has first been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until the forecourt had been laid out in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure satisfactory arrangements for the storage of refuse/recycling and access to the building, and to safeguard the visual amenity of the locality.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD1 Quality of Design  
D4 Standard of Design and Layout  
D5 New Residential Development - Amenity Space and Privacy  
D9 Streetside Greenness and Forecourt Greenery  
SH1 Housing Provision and Housing Need  
SH2 Housing Types and Mix  
H9 Conversions of Houses and Other Buildings to Flats  
H18 Accessible Homes  
EP25 Noise

2 T13 Car Parking Standards

INFORMATIVE:

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

3 INFORMATIVE:

Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

4 INFORMATIVE:

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

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

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

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Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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## MAIN CONSIDERATIONS

- 1) Standard of Design and Layout (D4)
- 2) Conversions of Houses and Other Buildings to Flats (H9)
- 3) New Residential Development - Amenity Space and Privacy (D5)
- 4) Parking Standards (T13)
- 5) Consultation Responses

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## INFORMATION

### a) Summary

Council Interest: None

### b) Site Description

- Semi detached house, access around the side of the building to access the rear
- Close to Harrow View Road
- Small single storey rear extension
- Neighbouring property has a loft conversion

Item 2/12: P/151/06/DFU continued/...

- Other flat conversions in the street

**c) Proposal Details**

- Alterations and Conversion to create three self contained flats

**d) Relevant History**

LBH/10940	Erection of First Floor Bedroom Extension and Single Storey Extension to Rear of Dwellinghouse	GRANT 02-JUN-75
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**e) Applicant's Statement**

- None.

**f) Consultations**

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	17	2	03-MAR-06

**Summary of Responses:** parking, statement that locals use buses and trains false, conversion merely for commercial gain, Harrow becoming a bed-sit borough, surely covenants on deeds to prevent conversion, tenants of flats/ maisonettes rarely look after gardens

**APPRAISAL**

**1) Standard of Design and Layout**

The rooflights proposed in this scheme could normally be undertaken as Permitted Development and as such there it is considered that there would not be a detrimental impact to the street scene or to the character of the property. As such the rooflights are considered acceptable.

**2) Conversions of Houses and Other Buildings to Flats**

Policy H9 states that the Council will permit the conversion of dwelling houses into flats to maintain a variety of types. It is considered that the proposal satisfies the factors outlined in the policy and are examined in the following sections.

The proposed new units are considered to be adequate in terms of size, circulation and layout. It is considered that the vertical stacking of the rooms is acceptable. The applicant has sought to design the layout of the flats to ensure a vertical stacking that would mitigate any potential noise disturbance between the dwellings. This is in accordance with the reasoned argument paragraph 6.52 following policy H9. This states that to reduce the potential for any disruption caused by occupiers on neighbouring properties horizontal and vertical arrangements of rooms, along with adequate sound insulation would minimise noise transmission. Despite the applicant's submitted details of noise insulation, to further mitigate any potential disruption a condition is suggested to ensure adequate sound insulation is installed and retained.

The flats would be accessed via an existing communal entrance – thereby retaining the appearance of a single dwelling in the street scene - but otherwise each unit would be fully self-contained. The proposed development fits policy H18 and guidance found in the Council's SPD 'Accessible Homes'.

It is acknowledged that the conversion would increase residential activity on the site, expressed through comings and goings to the property and internally generated noise/disturbance (though not through use of the rear garden as this would only be available to the occupiers of the ground floor flat. It is not considered that there would be an unacceptable loss of residential amenity enjoyed by neighbouring occupiers.

### **3) New Residential Development - Amenity Space and Privacy**

The garden depth is approx 22.5m. The ground floor flat would have direct access to the rear garden through doors leading from the living/ dining area. The first and second floor flat would be able to access the rear garden via the side of the property. The garden is designated as for communal use on plan 05/117/PL01 and is to be landscaped as such.

### **4) Parking Standards**

There are no car parks shown, although there is an indication on the plan that one may be created on the forecourt. The property is close to bus routes along Harrow View with links to Harrow Bus Station, shops and Harrow on the Hill Underground Station. As such it is considered that there is an adequate level of parking and transport facilities available, in line with the maximum standards found in Schedule 5 of the UDP. Details of the forecourt would need to be submitted and approved in writing by the LPA and a condition therefore is suggested.

### **5) Consultation Responses**

- Commercial gain is not a material planning consideration
- Covenants on deeds are not covered by the town and Country Planning Act and so are not a material planning consideration.
- The actions of the potential occupiers is not a material planning consideration
- Other concerns are considered in the above report

## **CONCLUSION**

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

TWO STOREY SIDE EXTENSION TO FORM NEW DWELLING

LARKRIDGE DEVELOPMENT GROUP

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**RECOMMENDATION**

Plan Nos: Ph/18/11

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 Noise - Insulation of Building(s) - 4
- 4 Notwithstanding the submitted plans, the development hereby approved shall not commence until a drawing detailing the proposed hard and soft landscaping of the forecourt, to include the planting specification, hard surfacing materials, disabled persons' access to the building, and the provision of screened refuse/recycling for no less than 4 dustbins has first been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until the forecourt had been laid out in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure satisfactory arrangements for the storage of refuse/recycling and access to the building, and to safeguard the visual amenity of the locality.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plan no PH/18/11 shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents.
- 6 Restrict Use of Roof as a Balcony

**INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD1 Quality of Design  
D4 Standard of Design and Layout  
D5 New Residential Development - Amenity Space and Privacy

SH1 Housing Provision and Housing Need  
D9 Streetside Greenness and Forecourt Greenery  
SH1 Housing Provision and Housing Need  
SH2 Housing Types and Mix  
H9 Conversions of Houses and Other Buildings to Flats  
EP25 Noise  
T13 Car Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

4 INFORMATIVE:

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

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

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

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Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Standard of Design and Layout (D4)
- 2) Housing Provision and Housing Need & Conversions of Houses to Flats (SH1, H9)
- 3) New Residential Development - Amenity Space and Privacy (D5)
- 4) Parking Standards (T13)
- 5) Consultation Responses

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## **INFORMATION**

### **a) Summary**

Council Interest:           None

**b) Site Description**

- 1 The Chase Pinner is a three storey brick built end of terrace house.
- corner site at the junction of The Chase and Marsh Rd
- existing single storey side extension that set in on each end from the edge of the elevation
- space for at least 2 cars on the existing hard standing at the front of the house with an existing access from the road onto The Chase
- The application site is prominent, close to Marsh Rd
- The Chase is a cul-de-sac characterised by terraced houses of differing styles and built in different eras. There is a two storey side extensions in the street, notably at No. 1 Rose Cottages

**c) Proposal Details**

- Original submitted plans were for a three storey dwelling
- The Council has received revised plans at the Officer's for a two storey side extension, the similar in size as that Granted permission in application P/1513/05/DFU, to form a new dwelling

**d) Relevant History**

HAR/ 019172	Single storey side extension	GRANTED 29-OCT-73
P/1513/05/DFU	First floor side extension	GRANTED 10-AUG-05

**e) Applicant's Statement**

- None.

**f) Consultations**

Notifications	Sent	Replies	Expiry
	9	2	22-FEB-06

**Summary of Responses:** unable to access plans on website, proposed scheme out of character, parking and obstruction of neighbouring garages, unacceptable loss of hedge, plans not to scale

**APPRAISAL**

**1) Standard of Design and Layout**

The existing extension is almost the entire length of the flank wall of the original building with a nominal set back of 0.4m at the front and 0.6m at the rear edge of the existing elevation of No 1. The Chase is characterised predominantly by terrace houses with some semi-detached houses from a different eras. There are other 2 storey side extensions in the street notably at Rose Cottage, which is also a prominent corner site.

There was a previous letter written by a different agent to this application was submitted to the Council informally requesting advice on the three-storey extension. In the Council's response it was stated that a three storey side extension would not be acceptable in principle. As such the agent in this case was advised of this and subsequent plans were received to amend the application to a two storey extension.

The proposed two storey extension would be subordinate to the existing house and similar in appearance and impact to the character of the area to that previously granted permission. It is considered therefore that this proposed development would have an acceptable impact on the street scene and is within the guidelines of the SPG.

## **2) Housing Provision and Housing Need & Conversions of Houses to Flats**

The application proposes the extension to be used as a separate dwelling house.

Policy H9 states that the Council will permit the conversion of existing dwelling houses into flats to maintain a variety of types. It is considered that the proposal satisfies the factors outlined in the policy and are examined in the following sections. In this case it is only the extension that would be used for the proposed dwelling house and involves the subdivision of the existing plot and so can be considered as a conversion into two dwellings.

The proposed new unit is considered to be adequate in terms of size, circulation and layout. To further mitigate any potential disruption a condition is suggested to ensure adequate sound insulation is installed and retained. This is within the policies outlined in the Council's UDP.

The flats would be accessed via a separate entrance – thereby creating the appearance of a single dwelling in the street scene and ensuring that the new dwelling is fully self-contained. Details of disabled persons access to the ground floor flats have not been submitted however this would be required as a condition to be submitted and approved in writing by the LPA if this application is granted.

It is acknowledged that the conversion would increase residential activity on the site, expressed through comings and goings to the property and internally generated noise/disturbance. Due to ambient noise levels in the vicinity already being relatively high with the Marsh Road traffic and railway behind, it is not considered that there would be an unacceptable loss of residential amenity enjoyed by neighbouring occupiers.

## **3) New Residential Development - Amenity Space and Privacy**

The garden depth of the existing house is adequate to accommodate amenity space for two dwellings.

## **4) Parking Standards**

There are two car parks shown and the property is close to bus routes with transport links to Pinner shops and Underground Station. As such it is considered that there is an adequate level of parking and transport facilities available.

**5) Consultation Responses**

- A wall at the front of the property is not proposed
- Plans are to a scale accurate enough to determine application
- Other concerns are considered in the above report

**CONCLUSION**

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

TWO STOREY SIDE AND REAR, SINGLE STOREY REAR EXTENSION AND  
CONVERSION TO THREE SELF CONTAINED FLATS

J I KIM for MS J PULPANOVA

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## **RECOMMENDATION**

Plan Nos: LGPP 1-2D & 2-2D

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 Noise - Insulation of Building(s) - 4
- 4 Notwithstanding the submitted plans, the development hereby approved shall not commence until a drawing detailing the proposed hard and soft landscaping of the forecourt, to include the planting specification, hard surfacing materials, disabled persons' access to the building, and the provision of screened refuse/recycling for no less than 6 dustbins has first been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until the forecourt had been laid out in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.  
Reason: To ensure satisfactory arrangements for the storage of refuse/recycling and access to the building, and to safeguard the visual amenity of the locality.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plan no LGPP 2-2D shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents.
- 6 The window(s) in the flank wall(s) of the proposed development shall:
  - (a) be of purpose-made obscure glass,
  - (b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.REASON: To safeguard the amenity of neighbouring residents.
- 7 Restrict Use of Roof as a Balcony

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

SD1 Quality of Design

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

SH1 Housing Provision and Housing Need

SH2 Housing Types and Mix

H9 Conversions of Houses and Other Buildings to Flats

H18 Accessible Homes

EP25 Noise

T13 Car Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

4 INFORMATIVE:

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

## MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Standard of Design and Layout (D4)
  - 2) Conversions of Houses and Other Buildings to Flats (H9)
  - 3) New Residential Development - Amenity Space and Privacy (D5)
  - 4) Parking Standards (T13)
  - 5) Consultation Responses
- 

## INFORMATION

Details of this application are reported to Committee as one petition containing 36 signatures objecting to the development has been received.

### a) Summary

Council Interest: None

### b) Site Description

- Semi-detached house with pebble dash rendering, attached to 35
- Both 31 and 35 have not been significantly extended to the rear. Both have patio spaces at rear
- 33 has a single storey rear projection that extends 1m from the rear wall of the ground floor, common to other houses in vicinity
- There is a single storey garage on the side of the house. There are no other extensions
- The house at No. 31 is set forward of No. 33 by approx 1.7m
- There is an existing open porch linked into the bay at the front, this appears to be an original feature of the house as it is mirrored on the neighbouring property
- 33 is set approx 1.2m from the boundary and there is a 1.3m on the other side of the boundary to the house at No. 31
- There are a number of other 2 storey side and rear extensions in the vicinity, notably at No.32 (2SSE) and No 39 (SSRE)

### c) Proposal Details

- Single and two storey side to rear extensions, the same as that Granted permission in application P/2619/05/DFU
- Alterations and Conversion to create four self contained flats

### d) Relevant History

HAR/15366	Conversion to 2 Flats	REFUSED 13-MAY-59
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#### Reason for Refusal:

1. The conversion of this semi-detached house would be unsatisfactory and detrimental to the amenities of neighbouring properties

P/1961/05/DFU	Two Storey Side and Rear; Single Storey Rear Extension	REFUSED 07-OCT-05
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There are protected kitchen and patio windows in the rear of both No. 31 and 35. The result would be that proposed two-storey rear extension would project 2.66m beyond the line of the rear wall at No. 31. The 2.7m gap between the buildings means that the proposed would not intersect the 45° line taken from the corner of the neighbouring house at No 31. Also the proposed two-storey rear extension would project only 1m from the original first floor rear wall of the house, and the flank wall of the extension would be 3.65m from the first floor rear wall of No. 35 and the boundary. As such the extension would not interrupt the 45° line taken from the first floor corner of the neighbouring house at No. 35. It is considered that this application is acceptable and fits the guidelines of the SPG.

There two flank windows both serving bathrooms and so they would be obscure glazed and a condition is suggested to ensure this. On the rear elevation there are two windows at first floor level. It is considered that due to the windows being rear facing at an oblique angle and set away from the flank wall that there would not be an unacceptable level of overlooking on to neighbouring properties.

The proposed single storey rear extension has a flat roof and is 3m high and would fill across the rear elevation 9.23m. It would project 3m from the existing rear wall of the neighbouring semi detached house at 35. These measurements are within the guidelines found in the SPG. The rear extension has 3 large patio doors, as the eaves are only 3m in height it is not considered that there would be an unacceptable level of overlooking into neighbouring properties. The two ground floor windows and the door are 2.3m high to the highest point and therefore it is not considered that there would be any unacceptable overlooking from these windows.

## **2) Conversions of Houses and Other Buildings to Flats**

The application proposes the conversion of the house to three self-contained flats. A previous application for three self-contained flats (Our Ref: HAR/15366) was refused on 13-MAY-59. The reason for refusal is above.

Policy H9 states that the Council will permit the conversion of dwelling houses into flats to maintain a variety of types. It is considered that the proposal satisfies the factors outlined in the policy and are examined in the following sections.

The proposed new units are considered to be adequate in terms of size, circulation and layout. It is considered that the vertical stacking of the rooms is acceptable. The applicant has attempted to place like rooms above like to reduce the potential for any disruption caused by occupiers on neighbouring properties. To further mitigate any potential disruption a condition is suggested to ensure adequate sound insulation is installed and retained. This is within the policies outlined in the Council's UDP.

The flats would be accessed via an existing communal entrance – thereby retaining the appearance of a single dwelling in the street scene - but otherwise each unit would be fully self-contained. The proposed development fits policy H18 and guidance found in the Council's SPD 'Accessible Homes'.

It is acknowledged that the conversion would increase residential activity on the site, expressed through comings and goings to the property and internally generated noise/disturbance (though not through use of the rear garden as this would only be available to the occupiers of the ground floor flat. It is not considered that there would be an unacceptable loss of residential amenity enjoyed by neighbouring occupiers.

### **3) New Residential Development - Amenity Space and Privacy**

The garden depth is approx 22.5m. There is an indication that the ground floor flats would have direct access to the rear garden though doors leading from the kitchen and dining areas. The first floor flat would be able to access the rear garden via the side of the property.

### **4) Parking Standards**

There is two car parks shown and the property is close to bus routes with links to Rayners Lane and South Harrow shops and Underground Stations. As such it is considered that there is an adequate level of parking and transport facilities available.

### **5) Consultation Responses**

- Road congestion, water supply, potential occupiers, loss of value of neighbouring properties and possible buildings to the rear outside the scope of this application are not material planning issues to be considered at this time
- Other concerns are considered in the above report

## **CONCLUSION**

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

**BOTHY SHED, CANONS PARK OPEN SPACE, P/291/06/CLB/TBW  
EDGWARE**

Ward: CANONS

LISTED BUILDING CONSENT: ERECTION OF CANOPY TO SOUTH ELEVATION

Z BARZILAI for HARROW HERITAGE TRUST

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## **RECOMMENDATION**

Plan Nos: PH23/A/003, PH23/A/004, G5231/01, 05/847/GA/3/04B, 05C, 06C

**GRANT** listed building consent in accordance with the works described in the application and submitted plans, subject to the following

- 1 Time Limit on Listed Building Consent - Three Years
- 2 Listed Building - Details

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT:**  
The decision to grant Listed Building or Conservation Area Consent has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations, including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:
- 2 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance, Historic Parks and Gardens  
D11 Statutorily Listed Buildings
- 3 **INFORMATIVE:**  
The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.
- 4 **INFORMATIVE:**  
Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

5      **INFORMATIVE:**

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Character and Appearance of Listed Building
  - 2) Consultation Responses
- 

**INFORMATION**

**a) Summary**

Listed Building	Grade II
Conservation Area	Canons Park Estate
Council Interest:	Yes – Council owned building

**b) Site Description**

- The Bothy Shed is a small park shed which forms part of Canons Park Open Space. It is listed by virtue of being attached to the grade II listed walled area to the north-west of the George V Memorial Garden. The wall is red brick and dates from the 18<sup>th</sup> century, although it is much altered.
- The Bothy is a single storey rectangular structure, constructed from red brick with a pitched slate roof.

**c) Proposal Details**

- The proposed development seeks to erect a stainless steel wire trellis canopy along the southern elevation of the building. It will be fixed to the walls of the building by decorative mild steel posts fixed to the existing wall.

**d) Relevant History**

P/1575/04/DLB Listed Building Consent: Re-open blocked GRANTED  
windows, repairs and internal alterations 22-JUL-04  
associated with park keeper's facility and kiosk

**e) Applicant's Statement**

- The proposed structure is required to raise the effective height of the building eave on the public path side to reduce the possibility of climbing onto the roof.
- The eaves of the roof are very low and easily reached from the ground. The canopy is angled to make this more difficult.
- The canopy is designed to minimise the impact of such a security feature on the existing parkland character.

**f) Consultations**

- **English Heritage:** awaited.
- **Notifications** have been sent to a number of local amenity/residents groups. No responses have been received.

<b>Advertisement</b>	Character of Conservation Area		Expiry 23-MAR-06
<b>Notifications</b>	Sent	Replies	Expiry
	1	0	14-MAR-06

**APPRAISAL**

**1) Character and Appearance of Listed Building**

The Bothy is a humble, but attractive historic building within Canons Park Open Space. The proposed development, whilst relatively modern in appearance and materials, would represent a minor and lightweight addition to the building that has been sensitively designed. The canopy would only be fixed to the building on slender steel posts and therefore the works would be reversible in the widest sense. The plans show that planting could be trained over the canopy, which would provide a softer setting to the building. It is considered that the works would not detract from the character and appearance of the listed building.

The proposed development relates to plans that have already been granted consent to convert The Bothy into a park keeper's facility and a kiosk. It also forms part of the wider restoration project for Canons Park. The development of The Bothy is welcomed as not only will the building be repaired and enhanced, but also its new use should make the whole of Canons Park safer and hopefully reduce the graffiti and thefts from the Park that are detrimentally affecting it and the listed buildings within it.

**2) Consultation Responses**

No comments have been received.

**CONCLUSION**

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

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**THE ECLIPSE, 3 SHAFTESBURY PARADE, P/2473/05/CFU/SC2**  
**SHAFTESBURY AVE, SOUTH HARROW**

**2/16**

Ward: HARROW ON THE HILL

VARIATION OF CONDITIONS 4 OF PERMISSION LBH/3946 TO ALLOW OPENING TO 23:30 SUN - TUES & MIDNIGHT WED-SAT. CONDITION 6 TO ALLOW MUSIC

D2 PLANNING LTD for BARRACUDA GROUP

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## **RECOMMENDATION**

Plan Nos: OS Map

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 The use hereby permitted shall not open to customers outside the following times:- 10.30 hours to 23.30 hours Sunday to Tuesday and 10.30 hours to 24.00 hours Wednesday to Saturday, without the prior written permission of the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
EM25 Food, Drink and Late Night Uses

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Residential Amenity
  - 2) Consultation Response
- 

## **INFORMATION**

### **a) Summary**

Council Interest: None

**b) Site Description**

- Located on western side of Shaftesbury Circle, north west of its junction with Roxeth Green Avenue.
- Applicant property is 3 storey terraced, red brick building with pitched roof
- The Eclipse public house occupies the ground floor, with the above 2 floors currently vacant and used for storage.
- Surrounding area is predominantly mixed use with some residential units over ground floor commercial premises. Area around Shaftesbury Circle is primarily residential
- Permission for the existing public house dates back to 1989

**c) Proposal Details**

- Variation of conditions 4 of planning permission LBH/39461, to allow opening to 23.30 Sunday to Tuesday and until Midnight Wednesday to Saturday, and Condition 6 to allow for music.
- Opening hours from 10.30 to midnight are also sought for Bank Holiday Extensions on Sundays and Mondays

**d) Relevant History**

LBH/39461	Single storey rear extension and shop front, change of use from shop to ale, wine and food bar (Class A3) with parking (Resubmission)	GRANTED 26-SEP-89
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Condition 4 states:

*The premises should not be opened except between 10.30 hours and 23.30 hours Monday to Saturday inclusive and 10.30 and 22.30 hours on Sunday and Bank Holidays except with the prior permission in writing from the Local Planning Authority*

Condition 6 states:

*No music or amplified sound shall be played on the premises*

**e) Applicant's Statement**

- Extended hours of opening proposed by the applicant have already been discussed and agreed with the Police, Licensing Officer and the Licensing Panel
- Opening hours from 10.30 to 24.00 are also sought for Bank Holiday Extensions on Sundays and Mondays
- As the hours proposed have already been agreed, it is considered that they will not prejudice the enjoyment of neighbouring occupiers of their properties.
- Applicants have had music in the venue for some time unbeknown that they were in breach of condition 6. Equally they have not had any complaints from the Environmental Health Department or adjoining residents or occupier

- Applicants would like to vary condition 6 to allow them to have background music, live music and juke box and occasionally hold a karaoke event. This has also been agreed with the Police and Licensing Officer and Licensing Panel. They consider, based on past performance that no problems have occurred to occupiers in adjoining properties due to noise and nuisance

**f) Consultations**

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	17	1	09-NOV-05

**Summary of Responses:** Objection raised citing the disposal of bottles and other litter, damage to property boundaries, vandalism and potential noise pollution as reasons for concern.

**APPRAISAL**

**1) Licensing Act**

The Government currently favours a relaxation of licensing laws. The proposed extension of hours appears therefore, to comply with Government policy. This coupled with the predominantly mixed-use nature of the surrounding area suggest that the proposal would not have a major impact on local residential amenity levels. The application is therefore, recommended for approval.

The Committee will be aware that the extended hours sought in this application have also to be agreed by the Licensing Panel. Should subsequent nuisance result to neighbouring residencies then any responsible authority may call for a review of the license at which time the terms of the license can be reconsidered.

**2) Residential Amenity**

The applicant property forms part of the western section of Shaftesbury Circle, between Shaftesbury Avenue and Roxeth Green Avenue. The majority of this part of Shaftesbury Circle contains ground floor commercial premises with residential units above. Although residential units do occupy the upper floors of neighbouring properties, the mixed use nature of the area would suggest that an extension of opening hours by half an hour on Wednesday – Saturday, and an hour on Sunday (Monday and Tuesday night would remain the same) would not have a major impact on current amenity levels and as such, would be considered acceptable by Harrow Council. One objection has been raised to the proposal which relate to the 4 licensing objectives and attached conditions to the agreed licensing variation deal with most of the issues raised.

**3) Consultation Responses**

Discussed in report.

**CONCLUSION**

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

**SKEWERS RESTAURANT 497 NORTHOLT RD, SOUTH HARROW P/2492/05/CVA/SC2**

Ward: ROXETH

REMOVAL OF CONDITION 9 OF PERMISSION WEST/13/95/FUL WHICH RESTRICTS OPENING HOURS

OSMAN KARAKAYA

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## **RECOMMENDATION**

Plan Nos: 4802164-01 and OS Map

**GRANT** variation(s) in accordance with the development described in the application and submitted plans as follows:

- 1 The use hereby permitted shall not open to customers outside the following times:- 10.30 hours to midnight Sunday to Thursday and 10.30 hours to 01.00 hours Friday and Saturday, without the prior written permission of the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents.

## **INFORMATIVES**

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
Harrow Unitary Development Plan:  
EM25 Food, Drink and Late Night Uses

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## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Licensing Act 2003
  - 2) Residential Amenity
  - 3) Consultation Response
- 

## **INFORMATION**

### **a) Summary**

Council Interest: None

**b) Site Description**

- Located on south side of Northolt Road, east of its junction with Alexandra Avenue
- Applicant property is 2 storey terraced, red brick building with dormer roof
- Skewers restaurant located at ground floor with residential above
- Surrounding area is predominantly mixed with residential units above ground floor commercial units adjoining the applicant site on both sides and located directly opposite
- Railway line located to rear of premises
- Permission for the existing restaurant dates back to 1995

**c) Proposal Details**

- Variation of condition 9 of WEST/13/95/FUL to allow opening hours until midnight Sunday-Thursday, and until 1am on Friday and Saturday

**d) Relevant History**

WEST/13/95/FUL Change of use: motor cycle sales/servicing to restaurant, s/s rear extension & external stairs, ducting and parking GRANTED 07-MAR-95

Reason 9 stated:

*'the premises shall not be used except between 10.30 hours and 23.00 hours, Monday to Saturday inclusive, and between 10.30 hours and 22.30 hours on Sundays, without the prior written permission of the local planning authority.'*

**e) Applicant's Statement**

- None.

**f) Consultations**

Notifications	Sent	Replies	Expiry
	22	0	09-NOV-05

**APPRAISAL**

**1) Licensing Act 2003**

The Government currently favours a relaxation of licensing laws. The proposed extension of hours appears therefore, to comply with Government policy. This coupled with the predominantly mixed-use nature of the surrounding area suggest that the proposal would not have a major impact on local residential amenity levels. The application is therefore, recommended for approval.

The Committee will be aware that the extended hours sought in this application have also to be agreed by the Licensing Panel. Should subsequent nuisance result to neighbouring residencies then any responsible authority may call for a review of the license at which time the terms of the license can be reconsidered.

## **2) Residential Amenity**

The application property forms part of a parade that runs along Northolt Road between South Harrow Underground Station and Northolt Road's junction with Alexandra Avenue. The majority of this area contains ground floor commercial premises with residential units above. Although residential units do occupy the upper floors of neighbouring properties to the applicant premise, the mixed-use nature of the area would suggest that an extension of opening hours, to an existing restaurant, would not have a major impact on current amenity levels and as such, would be considered acceptable by Harrow Council. Local residents have raised no objections to the scheme.

## **3) Consultation Responses**

Discussed in report.

## **CONCLUSION**

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

SWIMMING POOL IN REAR GARDEN

LEWIS BLOCH

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## **RECOMMENDATION**

Plan Nos: Bloch - 5 & Location Plan

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years

## **INFORMATIVES**

- 1 **INFORMATIVE:**

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

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

Harrow Unitary Development Plan:

- SD1 Quality of Design
  - D4 Standard of Design and Layout
  - D5 New Residential Development - Amenity Space and Privacy
  - EP31 Areas of Special Character
  - EP33 Development in the Green Belt
- 

## **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Green Belt Land and Area of Special Character (EP31, EP33)
  - 2) Neighbouring Amenity
  - 3) Consultation Responses
- 

## **INFORMATION**

### **a) Summary**

Council Interest: None

### **b) Site Description**

- New housing development on the western side of Brockley Hill within Green Belt and Area of Special Character

Item 2/18 : P/97/06/CFU continued/...

- Dwelling situated at northern end of development on easterly side closest to Brockley Hill
- Rear garden area of approximately 306m<sup>2</sup>

**c) Proposal Details**

- Installation of swimming pool to a length of 8.6m and a width of 3.9m, in rear garden on easterly side

**d) Relevant History**

- None

**e) Applicant's Statement**

- None.

**f) Consultations**

Notifications	Sent	Replies	Expiry
	2	0	09-MAR-06

**APPRAISAL**

**1) Green Belt Land and Area of Special Character**

The property has a rear garden area of 306m<sup>2</sup>. It is proposed that the swimming pool be situated on the easterly side of the rear garden, just away from the plot's easterly flank boundary. The pool would be to a length of 8.6m and a width of 3.9m. No structure over or around the swimming pool is proposed.

It is considered that the installation of a swimming pool in the proposed location would not, due to its nature, have an undue impact on the openness of the land and the resultant character of the Green Belt, or the residential development itself. Nor is it deemed that any harm would occur to the features that characterise this Area of Special Character.

**2) Neighbouring Amenity**

It is not envisaged that there would be any impact on neighbouring amenity. The swimming pool would be situated on the opposite boundary to that of the adjacent dwelling thus minimising any potential disturbance from the proposed development.

**3) Consultation Responses**

- None

**CONCLUSION**

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

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**EAST END FARM, MOSS LANE, PINNER**

**2/19**  
**P/2953/05/CFU/TEM**  
Ward: PINNER

CONVERSION OF BARNs A AND B TO FAMILY DWELLINGHOUSE WITH INTEGRAL GARAGE AND EXTERNAL ALTERATIONS

FOUNDATION ARCHITECTURE for MR & MRS B LEAVER

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**EAST END FARM, MOSS LANE, PINNER**

**2/20**  
**P/2954/05/CLB/AB**  
Ward: PINNER

LISTED BUILDING CONSENT: CONVERSION OF BARNs A AND B TO SINGLE FAMILY DWELLINGHOUSE WITH INTEGRAL GARAGE AND EXTERNAL AND INTERNAL ALTERATIONS

FOUNDATION ARCHITECTURE for MR & MRS B LEAVER

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**P/2953/05/CFU**

**RECOMMENDATION**

Plan Nos: WPloc, WP010, WP011, WP012, WP013, WP014, WP015, WP05R, WP06R, WP10R, WP11R, WP12R, WP13R, Schedule of Repairs

**Inform** the applicant that:

1. The proposal is acceptable subject to the completion of a legal agreement within one year (or such period as the Council may determine) of the date of the Committee decision on this application relating to: -
  - i) occupation of the house hereby permitted shall not take place until all repairs to Barn B as detailed in the schedule of repairs (ref.309.8.0405.tc.01) accompanying the application have been completed to the satisfaction in writing of the Local Planning Authority.
2. A formal decision notice, subject to the planning conditions noted below, will be issued only upon the completion by the applicant of the aforementioned legal agreement.

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 The development hereby permitted shall not be occupied until all the works detailed in the application have been completed in accordance with the permission granted unless otherwise agreed in writing by the local planning authority.  
REASON: To ensure a satisfactory form of development.

- 3 The demolition shall not commence before a contract for the carrying out of the works of redevelopment of the site has been made, and all the approvals required by the conditions attached to the approval have been obtained.  
REASON: To safeguard the appearance of the locality.
- 4 The development hereby permitted shall not commence until there has been submitted to, and approved in writing by the local planning authority, a scheme of hard and soft landscape works which shall include proposals for the hedgerow and a maintenance plan for the future maintenance of the hedgerow boundaries. 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.
- 5 No relevant part of the works shall commence until detailed drawings to an appropriate scale, specifications or samples of materials, as appropriate, have been submitted to and approved in writing by the local planning authority in respect of the following, and works shall not be completed other than in accordance with the details so approved:  
a) details of the dismantling and re-erection of the Petrol Pump and Lych Gate Shelter  
b) all boundary treatments  
REASON: To ensure a satisfactory form of development in the interests of the character of the Conservation Area and the setting of listed buildings.
- 6 No physical subdivision of the site shall take place without the prior written consent of the local planning authority.  
REASON: In the interests of the appearance of the development and the character of the Conservation Area.
- 7 All the windows in the south elevation of Barn A (south barn) shall:  
a) be of purpose made obscure glass, to the satisfaction of the local planning authority  
b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.  
REASON: To safeguard the amenity of neighbouring residents.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A-F in Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the local planning authority.  
REASON: To safeguard the character of the Conservation Area and the amenity of neighbouring residents
- 9 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, as recommended in the Hertfordshire Archaeological Trust Specification for Archaeological Monitoring and Recording (13.6.02), in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the local planning authority.  
REASON: To secure the provision of archaeological works and subsequent recording of the remains in the interests of national and local heritage.

- 10 The development hereby permitted shall not commence until there have been submitted to, and approved in writing by, the local planning authority, detailed drawings of all underground works, including those to be carried out by statutory undertakers, in connection with the provision of services to, and within, the site.  
REASON: In order to safeguard the integrity of the listed building.

#### INFORMATIVES

- 1 INFORMATIVE:  
The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.
- 2 INFORMATIVE:  
The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:  
1. work on an existing wall shared with another property;  
2. building on the boundary with a neighbouring property;  
3. excavating near a neighbouring building,  
and that work falls within the scope of the Act.  
Procedures under this Act are quite separate from the need for planning permission or building regulations approval.  
A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:  
ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB  
Tel: 0870 1226 236 Fax: 0870 1226 237  
Textphone: 0870 1207 405  
E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)  
Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>
- 3 INFORMATIVE:  
The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (ie those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 0541 545500.  
  
(Please note that any reference in this informative to "planning supervisor" has no connection with any Planning Officers within Harrow's Planning Services or with the Town and Country Planning Act 1990.)
- 4 INFORMATIVE:  
SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:  
The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

- SD1 Quality of Design
- SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and
- SH1 Housing Provision and Housing Need
- D4 Standard of Design and Layout
- D5 New Residential Development – Amenity Space and Privacy
- D11 Statutorily Listed Buildings
- D13 The Use of Statutorily Listed Buildings
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- D16 Conservation Area Priority
- D20 Sites of Archaeological Importance – Field Evaluation
- D21 Sites of Archaeological Importance – Land Use Management
- D22 Sites of Archaeological Importance – Archaeological Investigation
- T13 Parking Standards
- T15 Servicing of New Developments

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**P/2954/05/CLB**

**RECOMMENDATION**

Plan Nos: WPloc, 01E, 02E, 03E, 04E, 05E, 06E, 07E, 08E, 09E, 10E, 11E, 12E, 13E, 14E, 15E, 16E, : WP05R, 06R, 10R, 11R, 12R, 13R : WP010, 011, 012, 013, 014, 015, Sketch section of glazed screen to Barn B; Schedule of Repairs

**GRANT** listed building consent in accordance with the works described in the application and submitted plans, subject to the following

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.  
REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 Written notification of the intended start of works on site shall be sent to the local planning authority at least seven days before the works hereby approved are commenced.  
REASON: In order that the local planning authority may be given the opportunity of monitoring the progress of works on site to ensure the preservation of the special interest of the building effected by the works hereby approved.
- 3 The approved works shall not be occupied or used until all the works detailed in the application have been completed in accordance with the consent unless otherwise agreed in writing by the local planning authority.  
REASON: In order to safeguard the special architectural or historic appearance of the listed building.

- 4 The demolition hereby permitted shall not commence before a contract for the carrying out of these works of redevelopment of the site has been made, and planning permission has been granted for the development for which the contract provides.  
REASON: In order to safeguard the special architectural or historic appearance of the listed building.
- 5 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, as recommended in the Hertfordshire Archaeological Trust Specification for Archaeological Monitoring and Recording (13.6.02), in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the local planning authority.  
REASON: To secure the provision of archaeological works and subsequent recording of the remains in the interests of national and local heritage.
- 6 Suitable precautions shall be taken to secure and protect the interior features against accidental loss, damage or theft during the building work. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings  
REASON: In order to safeguard the special architectural or historic appearance of the listed building.
- 7 If previously unknown evidence is discovered about historic character which would be affected by the works hereby granted, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be approved in writing by the local planning authority.  
REASON: In order to safeguard the special architectural or historic appearance of the listed building.
- 8 No relevant part of the works shall commence until detailed drawings to an appropriate scale, specifications or samples of materials, as appropriate, have been submitted to and approved in writing by the local planning authority in respect of the following, and works shall not be completed other than in accordance with the details so approved;
- a. The new roof ventilators and dormers to Barn A
  - b. New internal and external doors to all barns
  - c. New windows to all barns;
  - d. All proposed new materials and finishes.
  - e. Repairs to flint plinths
  - f. Full information relating to the timber frame repairs including specific information on joints, where traditional carpentry or other methods would be used to repair them, details of any straps/ties, details of any replacement timbers and additional support mechanisms.
  - g. Full information regarding the repairs to the internal finishes

- h. Details of extent in plan and section, construction, and handling of the junction between glazed and tiled areas for the valley rooflight to Barn B.
- i. New garage doors
- j. New steps to north of Barn B.
- k. All new external plumbing, pipes, flues or ventilation mechanisms

REASON: In order to safeguard the special architectural or historic appearance of the listed building.

- 9 The position, type and manner of installation of all new and relocated services and related fittings shall be adequately specified in advance of any work being carried out, and the written approval of the local planning authority must be obtained wherever these installations are to be visible or where ducts or other methods of concealment are proposed.

REASON: In order to safeguard the special architectural or historic appearance of the listed building.

#### INFORMATIVES

- 1 INFORMATIVE:

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

- 2 INFORMATIVE:

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

- 1. work on an existing wall shared with another property;
- 2. building on the boundary with a neighbouring property;
- 3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

- 3 INFORMATIVE:

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

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4 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

- SD1 Quality of Design
- SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and
- SH1 Housing Provision and Housing Need
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D11 Statutorily Listed Buildings
- D13 The Use of Statutorily Listed Buildings
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas
- D16 Conservation Area Priority
- D20 Sites of Archaeological Importance - Field Evaluation
- D21 Sites of Archaeological Importance - Land Use Management
- D22 Sites of Archaeological Importance - Archaeological Investigation
- T13 Parking Standards
- T15 Servicing of New Developments

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**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Impact on the Listed Buildings, their settings and the character and appearance of the Conservation Area (SD1, SD2, D4, D11, D13, D14, D15, D16)
- 2) Archaeology and Underground Works (D20, D21, D22)
- 3) Residential Amenity (SD1, SH1, D4, D5)
- 4) Access and Parking (T13, T15)
- 5) Consultation Responses

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**INFORMATION**

These items were deferred from the meeting of 8<sup>th</sup> February for consideration by the Committee at its next meeting. They were deferred from the meeting of 15<sup>th</sup> March for consideration with a report under Part II on the situation in respect of Barn C and associated buildings.

**a) Summary**

UDP Key Policies: SD1, SD2, SH1, D4, D5, D11, D13, D14, D15, D16, D20, D21, D22, T13, T15  
Listed Building: Grade II

Conservation Area:	PINNER EAST END FARM	
Car Parking	Standard:	2
	Justified:	See report
	Provided:	3 minimum
Site Area:	0.35ha	
Habitable Rooms:	7	
No of Residential Units:	1	
Council Interest:	None	

**b) Site Description**

- historic barns and ancillary structures off Moss Lane, Pinner, part of former East End Farm; referred to by applicant as barns A-F
- barns A & B and barns C, D, E listed Grade II as “East Barn” and “North Barn” respectively
- application site includes access to Moss Lane, barn yard, orchard to rear of properties in East End Way and land to ‘rear’ of barns A & B (adjacent to Moss Lane)
- site entirely within East End Farm Conservation Area; neighbouring buildings Tudor Cottage and East End House also listed Grade II; East End Farm Cottage listed Grade II\*
- site surrounded by low density residential development in Moss Lane and East End Way
- premises understood to have been used for warehousing between 1960s and 1990s, varying in intensity; currently vacant

**bb) Listed Building Description**

- East Barn to East End Farm (applicant’s Barn B): late 17<sup>th</sup>/early 18<sup>th</sup> century, timber framed, 3-bay barn with sweeping old tile roof over out-shot on west side, central wide-gabled wagon entrance, later projecting wing to south and weather-boarded. Roof construction of staggered butt-purlin and queen strut trusses
- North Barn to East End Farm (applicant’s Barn C): late 16<sup>th</sup> century, timber framed, four bay barn with wagon entrance. High weather-boarded walls under steep pitched old tile roof. Roof construction of two collar and tie-beam trusses and one queen-post truss
- Barn A: listed by virtue of being attached to Barn B, an early twentieth century structure, extended to the east, of robust, agricultural style, with a long, plain tiled roof, and with quirky but considered detailing, including Crittal windows and glazed gablets
- Barn D: listed by virtue of being attached to Barn C is a courtyard infill between structures C and E. It is of little architectural merit, but is of a robust, functional, agricultural idiom which complements its setting
- Barn E: listed by virtue of being attached to Barn C & D, is a nineteenth century, brick built cattle shed. Interior fittings have been removed, but the remaining exterior brickwork is good. It forms the northern extent of what would have been a small secondary yard, or “fold enclosure”
- Barn F: unlisted but within Conservation Area – a three bay, Dutch Barn with corrugated sheet metal roofing, weather-boarded, timber framed walls to rear and sides, and brick piers to front – front now enclosed

- the Listed Buildings are set in the East End Farm Conservation Area, a rare surviving collection of agricultural buildings set around the farmyard, and adjoining the former farm residential buildings of East End House and East End Farm Cottage listed as Grade II and Grade II\* respectively. The farmyard is enclosed by the assemblage, and is both the focal point of the Conservation Area and a key element in the setting of all the Listed Buildings

### **c) Proposal Details**

#### **Barn A**

- change of use of Barn A from storage to house of 7 habitable rooms containing kitchen/breakfast room, living and dining rooms on ground-floor, 4 bedrooms on first-floor
- alterations to Barn A in connection with the change of use from storage to residential including 3 glazed roof ventilators, 1 new dormer to west elevation and 1 to east elevation, 2 new rooflights, replace existing roller shutter doors with glazing, alterations to existing doors and windows on north and west elevations.
- demolition of existing lean to on east elevation and small replacement extension

#### **Barn B**

- change of use of Barn B from storage to residential garage in connection with new adjacent house of 7 habitable rooms – details as described above
- repair of Barns B including timber frame, roof repairs, new doors
- demolition of lean-to to Barn B
- new windows and doors and rooflights to Barn B in 1950s extension in connection with the change of use from storage to house

#### **Petrol pump feature**

- demolished and rebuilt on same site but turned through ninety degrees

### **d) Relevant History**

This site has been the subject of many planning applications over the years. Relevant decisions to these current applications are as follows:-

- **Principle of Residential Conversion**

Development Control Committee on 29th April 2003 considered a report on the principle of a conversion of the barns to residential use. The Committee resolved, inter alia:

that (1) the Committee accept that, on current advice, the only viable use for the site is one which involves an element of residential use but that any residential use should be the minimum possible and located in the least sensitive part of the site.

- The Inspector in considering appeals in 2003 also addressed this matter and it was his view that the existing storage use did not generate enough income to ensure the long term well being of the buildings. He stated that “I conclude an element of residential use is required, and would be acceptable in land use planning terms, subject to considerations of numbers and effect on the buildings and their surroundings”.

The critical point however was where that residential use was located. The Inspector took the firm view that residential was required on the *site* but that the listed barns, as the most important and historic parts of the site, should be kept free of conversion. Conversion should be restricted to the less sensitive or ancillary buildings in the group.

P/2681/04/CFU                      Demolition of storage buildings. Conversion of barn to dwellinghouse with adjacent barn as garage; Erection of new dwellinghouse with barn as garage, External alterations.                      REFUSED  
15-NOV-05

**Reasons for Refusal:**

1. The proposed new house to the north of Barn B would, by virtue of its design, form and appearance be inappropriate within the East End Farm Conservation Area and detrimental to the setting of the nearby listed buildings.
2. The proposed new house to the north of Barn B would, by virtue of its design, form and appearance, fail to respect the existing character of the Conservation Area and would appear at odds with it. It would compete visually with nearby listed buildings, to the detriment of their setting and would fail to preserve or enhance the character of the East End Farm Conservation Area.
3. The proposed pavilion building, by virtue of its flat roofed form, overtly modern appearance, size and raised floor level fail to respect the existing character of the Conservation Area and would be detrimental to the important view between Barn C and East End Farm Cottage.
4. The first floor front corner window facing No.90 Moss Lane would give rise to overlooking of the adjacent property to the detriment of residential amenity and privacy.

P/2682/04/CLB                      Listed Building Consent: Demolition, internal and external alterations in association with conversion to dwellinghouse and use of barns as garages                      REFUSED  
15-NOV-05

**Reason for Refusal:**

The proposed new house and its pavilion to the north and attached to the listed Barn B would, by virtue of its design, form and appearance be detrimental to the special historic and architectural character of the listed barn and to its setting. It would also be detrimental to the setting of East End Farm Conservation Area and would affect the group of listed buildings comprising the former farm and be detrimental to their special character.

P/2683/04/CCA                      Conservation Area Consent: Demolition of storage buildings attached to and within the curtilage of listed buildings                      REFUSED  
15-NOV-05

**Reason for Refusal:**

The proposed new structure to replace the existing buildings would, in the context of the overall scheme for the site, fail to preserve or enhance the character of the East End Farm Conservation Area.

- In determining the above 3 applications the Development Control Committee made the following resolution for each application:-

“The Committee agrees that the house within Barn A, as proposed within this scheme, and its associated use of Barn B for ancillary storage/garaging is acceptable subject to the provision of conditions to protect neighbouring amenity. In addition, the use of the eastern end of the Orchard for a small garden building, to be linked to the main new house is considered acceptable in principle, subject to details, as it is considered that this would allow the new house to survey and be linked to its own garden.” The phrase ‘subject to the provision of conditions to protect neighbouring amenity’ was agreed by Committee as an addition from the officer’s addendum.

**e) Applicant’s Statement**

The form of development proposed for Barns A/B has been subject to agreement of principles for some while and the present application, if granted, will give consent. Members will recall the application in May 2004 to restore the listed buildings which is work required and best trusted to a contractor specialising in such work. The chosen contractor currently has capacity to take on the contract. Proceeding now avoids further protected delays.

Officers are in receipt of alternative sketch ideas for the second house and are in discussion with a new representative officer at English Heritage. It is intended to submit an application based on comments made in response and in the hope that progress granting consent for the new house will allow building contracts to flow from start to finish without interruptions which unnecessarily affect neighbours.

**f) Consultations**

**Advertisement :**

Character of Conservation Area:	Expiry
Extension/Alterations of Listed Building	23-FEB-06
Environment Agency: P/2953/05/CFU	Unable to comment
P/2954/05/CLB	No comments
English Heritage: P/2953/05/CFU	No comments
P/2954/05/CLB	Do not consider that the application needs to be notified to English Heritage
Thames Water:	No objections

**Society for the Protection of Ancient Buildings:**

1. The repair proposals for the historic timber framed barns seem appropriate, although they should be covered by a formal agreement so that they are completed before residential occupation of any structure on the site.
2. If this application or something similar is approved, the number of units on the site should not be increased at any future date beyond what is currently proposed. A Section 106 agreement should prohibit an increase in residential units or any subdivision.
3. The rooflights to Barn A should be designed to be of a more agricultural character and the patio window glazing would be better if it followed the cues of the existing glazing.

4. Query the position of the new building to wrap around the east side of Barn B, but acknowledge this is done to make the most of the existing extension to Barn B. The character of Barn B might actually be better respected by removal of its extension and the extension of Barn A to the east.
5. Petrol pump should be kept in situ if at all possible
6. Query the case for north-facing patio doors at DB07 and glazed roof over the entrance to the garden at DA06.
7. Concerns about the form and scale of the new building proposed for site of Barn F and concerns about the case for demolishing Barns D and E.

**CAAC:** The repair of Barn B is welcomed. There are concerns over the roof ventilators and as such ensuring a condition on the detail of these would be preferred. A condition stating that the ventilator should be moved away from the existing dormer would see that these were more comfortably seated within the design.

<b>Notifications</b>	Sent	Replies	Expiry
	142	50	30-JAN-06

**Summary of Responses:**

Imperative that restoration of barns secured as part of planning permission for residential, Urgent Works Notice should be served, restoration of barns B and C must be completed prior to new house in Barn A being occupied, integrity of buildings should remain unaltered, ghastly proposal, conditions to restore Barn, to require blackout blinds below the ventilators and regarding pipework etc should be imposed, overdevelopment.

**APPRAISAL**

- (i) A site plan is appended indicating each building referred to in this report and identifying the Orchard.

**1) Impact on the Listed Buildings, their settings and the character and appearance of the Conservation Area**

The Committee is advised at the outset that these proposals are identical to those found acceptable in principle by the Committee in November 2005 as referred to in the resolution made at that time.

**Barn A**

This structure, listed by virtue of its physical connection with Barn B, is, nevertheless, a significant component of the historic group and dates from the mid twentieth century. It encloses the southern boundary of the farmyard; and in its long, tiled roofline complements the structures and appearances of the adjoining barns; and in its robust style complements its historic working setting. Its eastern elevation too is simple and workmanlike, and complements the character of the adjoining listed buildings on their Moss Lane frontages. While having a barn type form, it already has more domestic features, such as small paned windows and a large dormer on its southern roof slope.

During the appeal of the 2002 applications, the Council did not object to the principle of its conversion to residential use, in order to fund the repair of the listed barns, and the Inspector was broadly happy with the proposals. Since then, Development Control Committee has made two clear resolutions accepting the principle of a residential use in Barn A. It is therefore suggested that this residential use is acceptable as it will allow the repair of Barn B.

The current scheme in respect of Barn A is very similar to that considered under the appeal. The current scheme differs in that there is no internal garaging, which would now be housed within Barn B. This is considered an improvement in terms of the external appearance of the dwelling.

The more contentious items in respect of this building at the appeal were the roof ventilators, roof lights and new dormers. With regard to the roof ventilators, the applicants have produced the original architect's drawings for this building which show similar roof ventilators and therefore the Council, before the appeal, accepted the principle of this form of lighting. The roof ventilators in the appeal scheme were considered larger than those in the original architect's drawings which was a concern however. In the current scheme, the roof ventilators have been reduced in length from 2.2m to 1.7m. They would have the same height and projection above the ridgeline as the appeal scheme ventilators. In any event, the Inspector stated that:

*"I acknowledge the provenance of this proposal (the ventilators) and consider that within the plain, rather utilitarian structure of the building, these features would appear of interest and would not detract from the appearance of the building or the surrounding conservation area".*

Given these comments, and the reduction in size of the ventilators, it is considered that objections to them are not sustainable.

In terms of rooflights, the Inspector stated that these would be relatively minor works which could be incorporated satisfactorily without harm to the building or area. In comparison with the appeal scheme, a rooflight has been relocated to position it in the corner of Barn A, so that it is in part hidden by Barn B's roof, although the rooflight on the southern elevation remains the same. Again, given the amendments and the Inspector's position, it is considered that objections to the scheme are not sustainable.

The dormers were considered acceptable in the appeal scheme in terms of appearance and these remain the same in this scheme. The concerns related to amenity issues which are addressed later in this report.

The remaining external alterations are considered acceptable, as they would not significantly change the appearance of the building. The internal alterations proposed to this building are considered acceptable because it is not particularly historic and already has a partial first floor and office space within it.

## **Barn B**

The impressively proportioned, open interior, visible timber framed structure and wealth of historic interior finishes are vital components of the special interest of this building. On the exterior its largely unbroken weather boarded cladding and plain tile roof also assert the monumentality of the structure. The main barn dates from the late 17<sup>th</sup>/early 18<sup>th</sup> century.

There is an extension to the east, dating from the 1950s which is of no particular architectural or historic merit, but it does appropriately complement the main body of the building in terms of size, simplicity of design and construction, and character as a working building. There is also a later lean to extension on the northern elevation, which is of no historic or architectural merit.

The proposals consist of the repair of the historic barn, and its use as garaging/ancillary storage to the house in Barn A. Alterations are proposed in the later 1950s extension, in order for this to become part of the residence in Barn A.

Dealing with the repairs first, the barn is on the English Heritage register of Buildings at Risk and in poor and worsening condition. The proposed repairs are welcomed and indeed follow the recommendations of the Council's consultants as part of the research for the public inquiry in 2003. This barn is considered to be at greater risk than Barn C, as not only is water getting into the structure, but the front gable is structurally unstable. The applicants are therefore prioritising the repair of this structure, for this reason, and because the proposals to Barn A are less complex than the plans for a new house on the site of D, E and F. In order to secure the repairs, it is proposed to sign a legal agreement with the owners stating that the repairs to the historic barn must be completed before house is occupied.

In terms of the alterations, the lean to on the northern elevation is proposed to be demolished and this is considered acceptable, as it has no historic or architectural merit. In the 1950s part of the building, the scheme has been reduced from that proposed in the appealed scheme. Rather than two storeys of accommodation, the scheme now comprises just a lounge/dining room space on the ground floor. This reduces the need for additional natural light, the manifestation of which was considered unacceptable by the appeal inspector. Instead, the two existing windows are slightly enlarged and altered and a new door is proposed to be created on the northern elevation. The valley rooflight has been reduced in size too from the appeal scheme and would be hidden from view from the street in any event. The internal alterations are considered acceptable as they would not affect historic fabric.

The change of use and alterations of the 1950s part of the building would help to facilitate the much needed repairs to the historic parts of Barn B and are considered, on balance to preserve the special interest of the listed building and the character and appearance of the conservation area.

The petrol pump feature is proposed to be retained, which is considered acceptable as this is a quirky remnant of the area's industrial past. It is proposed for it to be removed and rebuilt in a similar position but turned through 90°. An acceptable siting is proposed which would not undermine the setting of the listed buildings or the character of the Conservation Area.

## **2) Archaeology and Underground Works**

English Heritage have previously advised that the proposed works might affect below ground archaeology and have recommended that a written scheme of investigation be secured by condition. Similarly the provision of underground services to the proposed residential unit could be controlled in detail by the suggested condition. The applicants have previously submitted a useful desktop analysis of archaeology including a programme of works which would appear appropriate.

### 3) Residential Amenity

In terms of 96 Moss Lane to the south, the proposed house contains existing ground-floor windows which overlook the garden of that property. A condition requiring obscure glazing is suggested to obviate overlooking.

It is also suggested that a first-floor dormer facing the garden is obscurely glazed, albeit that its height above floor level would prevent direct overlooking in order to obviate the perception of a loss of privacy. A first-floor west-facing dormer is proposed some 13m from an open garden which contains the vehicular access to 'Woodpeckers'. In amenity terms this is not considered to be harmful to neighbouring privacy.

A new east-facing first-floor dormer is shown which would overlook the open area within the site next to Moss Lane, but has no impact on amenity. In all other respects it is considered that the proposal would respect neighbouring residential amenity, and provide satisfactory levels of amenity for the intended residents.

### 4) Access and Parking

The proposed house would be provided with 2 indoor parking spaces within Barn B, with additional capacity for outdoor parking. While this provision exceeds the current maximum standard it is not considered objectionable given the layout of the site and the nature of the proposals.

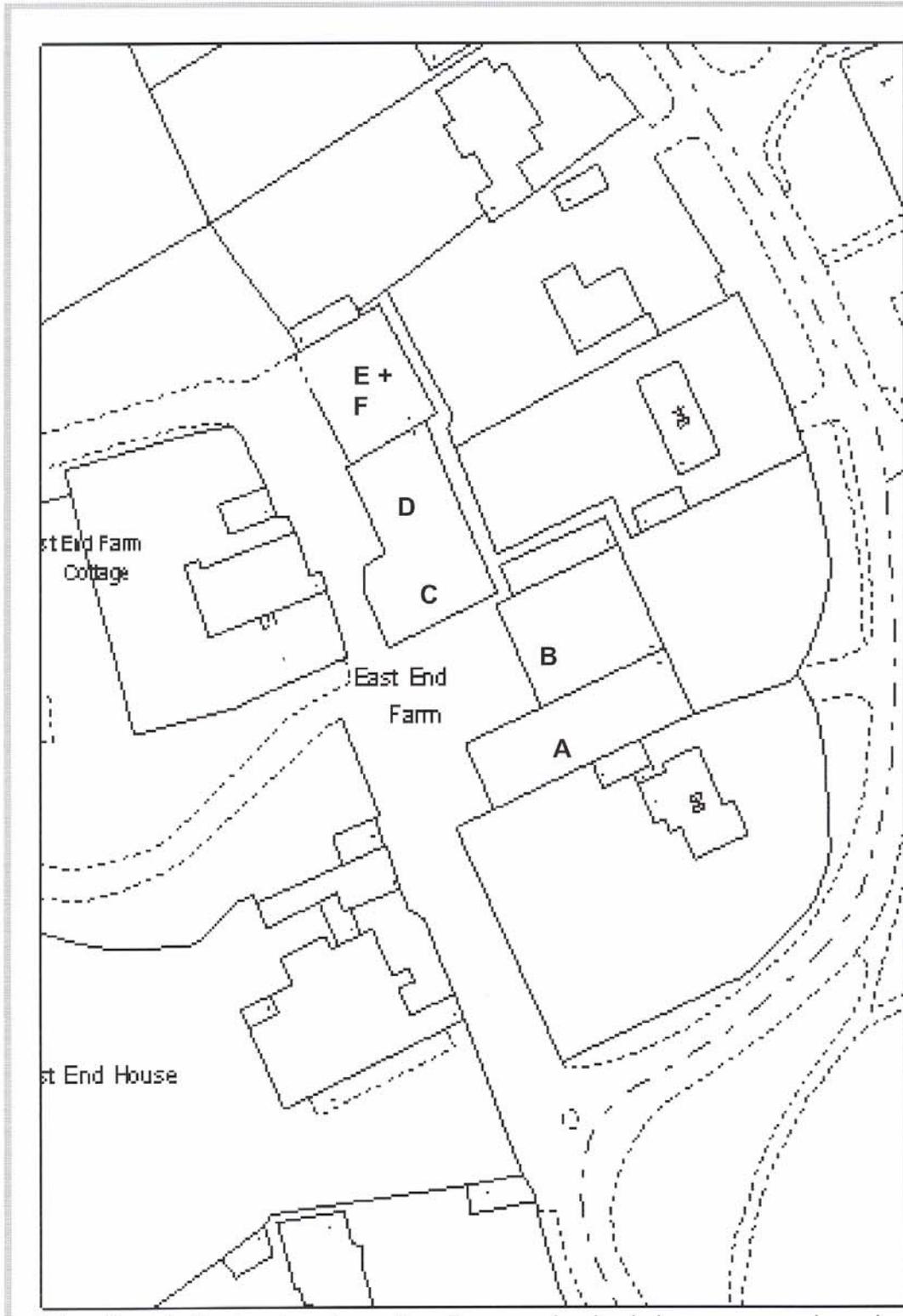
### 5) Consultation Responses

- **restoration of barns B and C must be completed prior to new house in Barn A being occupied** - this is not recommended since there are concerns that this approach would not be fair or reasonable because the Council has previously indicated how it envisages that Barn C would be repaired in association with the house on D, E and F and changing the legal agreement would be a move away from this agreed approach. Clearly a financially viable solution for the entire site needs to be found, and it appears that this is close to realisation, and so trying to circumnavigate this could jeopardise the progress made thus far. Furthermore, the Council has the fall back position of the Urgent Works notice and the potential to serve a Repairs notice, should repairs not be forthcoming to Barn C.
- **conditions to require blackout blinds below the ventilators should be imposed** – such a condition would not comply with the requirements of Circular 11/95 as it would not be enforceable or reasonable.
- **Urgent Works Notice should be served** – the Council agreed to the service of an Urgent Works Notice last summer which means that the Council would undertake the necessary propping and shoring works and reclaim the costs from the owner. The Notice has not yet been served because discussions with the owners, and the threat of the Notice have been enough to ensure that repairs to Barn B are being undertaken at present. These are full repairs, as opposed to temporary works, and are clearly much better for the long term future of the barn. In addition, it has been difficult gaining enough quotes for the works in order to meet the Council's standard procurement requirements for the Council to proceed with employing contractors to undertake the works. The Urgent Works Notice in respect of Barn C could still be served, but it should not be necessary to serve the one in respect of Barn B, as repairs are underway.

- **Response to comments of Society for the Protection of Ancient Buildings: -**
  1. A legal agreement is proposed to ensure that the repairs to Barn B are completed before occupation of the new dwelling.
  2. Any proposal to increase the number of units would require the grant of planning permission and/or listed building consent and would therefore be controlled. A legal agreement for this is not considered to be necessary.
  3. It is felt that the rooflights are in keeping with the design of the barns, while the patio doors reflect the vertical emphasis of the existing glazing. Further details of these features will be requested as part of condition 8.
  4. The proposed works aim to make the most of the existing buildings and would avoid demolition of historic fabric and the construction of new structures.
  5. The petrol pump feature is to be retained in a similar position
  6. These external alterations are considered acceptable as they would not significantly alter the appearance of the building.
  7. Works to Barns D, E and F do not form part of this application, although the comments are noted for future reference.
- **Other issues discussed in report.**

## **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including any comments received in response to publicity and consultation, as set out above, these applications are recommended for grant.



**Site plan with buildings from report indicated**

**COMMERCIAL HOUSE, 486 HONEYPOT LANE, P/3040/05/CFU/DC3  
STANMORE**

Ward: QUEENSBURY

FIRST FLOOR EXTENSION AND CHANGE OF USE FROM WAREHOUSE (CLASS B8)  
TO OFFICE (B1) USE

RISOFF WAUD ASSOCIATES LTD for PROPERTY & MANAGEMENT SERVICES

## RECOMMENDATION

Plan Nos: 1328/03 A, 1328/04 A

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years
- 2 Materials to Match
- 3 The development hereby permitted shall not commence until a scheme for:-
  - (a) The storage and disposal of refuse/waste
  - (b) and vehicular access thereto
 has been submitted to, and approved in writing by, the local planning authority. The use hereby permitted shall not be commenced until the works have been completed in accordance with the approved details and shall thereafter be retained.  
 REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.
- 4 Disabled Access - Use

## INFORMATIVES

- 1 **INFORMATIVE:**  
**SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:**  
 The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:  
 Harrow Unitary Development Plan:  
 SD1 Quality of Design  
 D4 Standard of Design and Layout  
 T6 The Transport Impact of Development Proposals  
 T13 Parking Standards  
 EM14 Land & Buildings in B class use - Designated Areas
- 2 **INFORMATIVE:**  
 The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

3       INFORMATIVE:  
Harrow Council has published a leaflet "ACCESS FOR ALL", containing design guidelines for the provision of safe and convenient access for all disabled groups. A copy is attached.

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

5       INFORMATIVE:

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

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

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#### **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Employment Policy (EM14)
- 2) Standard of Design and Layout (SD1, D4, D6, D8)
- 3) Parking Standards (T6, T13)
- 4) Consultation Responses

## INFORMATION

### a) Summary

Site Area:	821m <sup>2</sup>	
Car Parking	Standard:	4
	Justified:	4
	Provided:	6
Council Interest:	None.	

### b) Site Description

- Located in designated Stanmore Industrial Business Park.
- Existing use mixed B8 and B1
- Existing access, parking and loading/unloading areas to remain
- 67 parking spaces to rear, public parking to front off Honeypot Lane
- Current use is car warehousing, maintenance and sales
- Current use employs 50 staff.

### c) Proposal Details

- Change of use from B8 to B1.
- First floor extension to provide additional 294m<sup>2</sup> of office space
- Extension to be flush with existing roof height of first floor.
- Parking area to be used as existing.
- Employ additional 20 staff making 70 in total.
- Windows inserted at side and rear elevations.
- Insertion of lift, access ramps and disabled toilet facilities.

### d) Relevant History

EAST/472/93/FUL	Alterations to existing building and two storey rear extension for use as car ware-housing, maintenance & sales	GRANTED 14-DEC-93
EAST/552/99/FUL	Alterations to front elevation	GRANTED 30-NOV-99
P/2700/04/DFU	Infill first floor extensions for Class B1 (office) use and new access ramp at rear	GRANTED 21-DEC-04

### e) Applicant's Statement

- None.

### f) Consultations

Harrow Council Highways Engineer:	No objection
Harrow Council Access Officer:	No response

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	4	0	23-FEB-06

## **APPRAISAL**

### **1) Employment Policy**

This proposal represents a development that appears to comply with Harrow Council employment policies.

Being in a designated employment area the proposed change of use from B8 storage and distribution to B1 office use is not viewed as contentious and complies, in particular with, policy EM14 of the HUDP 2004 as there is no loss of employment or B class use with the proposal.

### **2) Standard of Layout and Design**

The proposed extension is considered to complement the appearance of the existing building. Currently the existing industrial building is mainly single storey, with the exception of the two end elevations (front and rear) which have a second storey each, with a gap of 20m in the middle. The proposed first floor extension would essentially fill in this gap making the whole building 2 storey's with the roof and build lines being flush with the existing.

There would be no adverse effect on the street scene as a result of the extension, particularly in the context of an industrial estate, further materials are to match the existing.

Windows would be inserted at ground floor level to the side and rear elevation to provide natural light into the proposed converted office area. Windows to the first floor extension would match the proposed windows to the ground both in style and position.

Accessibility issues appear to have been given due consideration with the proposal including the installation of a lift, access ramps and disabled toilet facilities proposed. However it is unclear from the drawings provided and without feedback from the access officer whether or not the proposal would meet Part M of the Building Regulations. Therefore further details on accessibility to the building should be required by way of condition before development can begin.

### **3) Parking Standards**

No new spaces are proposed as a result of the development however parking for 6 vehicles already exists to the rear of the property and public parking is available to the front on Honeypot Lane. The Harrow Unitary Development Plan 2004 standards for a redevelopment of an employment site requires 1 car space for every 200-300m<sup>2</sup> of total site area. The total site area is 821m<sup>2</sup> for 486 Honeypot Lane therefore no more than 4 spaces are required.

In addition to the above the application site is close to the London Underground Jubilee Line with Cannons Park and Queensbury stations within walking distance. Further there are several good bus links close by as well.

The highways engineer raised no objections regarding highways safety, parking or accessibility.

**4) Consultation Responses**

None.

**CONCLUSION**

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

ALTERATIONS AND FIRST FLOOR REAR EXTENSION; ENLARGE ROOF AND RAISE HEIGHT, SINGLE STOREY SIDE EXTENSION

ROBIN G BENYON for LARKSWORTH INVESTMENTS LTD

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**RECOMMENDATION**

Plan Nos: AN30A, 31A, 32A, 33A, 34A, 35A, 36A, 39, 40

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission – Three Years
- 2 Materials to Match
- 3 The window(s) in the flank wall(s) of the proposed development shall:
  - (a) be of purpose-made obscure glass,
  - (b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.REASON: To safeguard the amenity of neighbouring residents.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plan no.AN36 shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.  
REASON: To safeguard the amenity of neighbouring residents.
- 5 The development hereby approved shall not commence until a metric scale drawing detailing protective fencing for trees at the rear of the site has first been submitted to and approved by the Local Planning Authority. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.  
REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

Harrow Unitary Development Plan:

SEP5 Structural Features

SD1 Quality of Design

SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens

EP31 Areas of Special Character

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D10 Trees and New Development

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [odpm@twoten.press.net](mailto:odpm@twoten.press.net)

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

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**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Relationship to P/2529/04/DFU
- 2) Character of area (SD1, D4 & D5)
- 3) Amenity of neighbouring occupiers (SD1, D4 & D5)
- 4) Mount Park Estate conservation area (SD2 & D14)
- 5) Harrow-on-the-Hill area of special character (SEP5 & EP31)
- 6) Protected trees (SD1 & D10)
- 7) Other matters
- 8) Consultation responses



**d) Relevant History**

**No. 6 Georgian Way**

WEST/98/94/FUL	Single Storey Side and Front Extension;	GRANTED 26-APR-94
WEST/15/95/FUL	Single Storey Side and Front Extension (Revised)	GRANTED 22-FEB-95
WEST/1274/02/FUL	Balcony Inset in Front Roof Plane to Serve Loft Conversion	REFUSED 25-FEB-03

**Reason for Refusal:**

The proposed balcony would be a discordant feature in this cul-de-sac, where none of the house have such a structure; it would be detrimental to visual amenity and to the character of the street scene.

A subsequent appeal against his decision was dismissed.

P/677/03/DFU	Rooflights to Front and Rear	GRANTED 07-MAY-03
P/2529/04/DFU	Alterations to Enlarge Roof and Raise Height; Garage Extension at Side	REFUSED 21-DEC-04

**Reasons for Refusal:**

1. The proposed roof enlargement, by reason of its prominent siting, additional height and pitch, would appear unduly bulky and discordant when viewed from this part of Georgian Way and surrounding property, to the detriment of the visual amenity and character of the locality.

2. The proposed side extension, by reason of its siting and roof design, would detract from the spatial setting and appearance of this and the neighbouring dwellings, to the detriment of the visual amenity and character of the locality.

INFORMATIVE: The applicant is advised that a revised application including the following amendments would be likely to be more favourably considered: Omit the proposed roof extensions. Push the single storey extension back from the front wall by at least 3m and reduce the extent of eaves overhang.

**No. 5 Georgian Way**

P/1249/04/DFU	Replacement Detached House of Two & Three Storeys	GRANTED 09-SEP-04
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**e) Applicant's Statement**

The proposal involves the reconstruction of the roof with a dormer at the rear and rooflights to the front and sides. The eaves would be raised by two brick courses to achieve 2.5m internal headroom on the first floor and the pitched altered to provide headroom to the second floor.

The proposals are the outcome of discussions and correspondence with the planning officer. As agreed the sprocketed eaves pitch would be increased from 22.5° to 25° and the main roof from 32.5° to 35°. This results in increased ridge height by 450mm also agreed.

The raising of the eaves is in keeping with other neo-Georgian houses in Georgian Way. The roof outline and overall form of the property are sympathetically retained in principle. The dormer would be sited at the rear and not visible from the road.

The garage would be sited well back from the front of the house and would thus be barely visible from Georgian Way. The roof is in pyramidal form and the elevation to the rear garden balances to give a symmetrical composition.

**f) Consultations**

**Harrow Hill Trust:** Main problem is the alterations to the roof; height of eaves raised, roof pitch increased, dormers to back and front. The whole effect would substantially increase the perceived bulk of the house.

**Mount Park Residents' Association:** No reply

**ADVERT:** Character & Appearance of a Conservation Area; Expiry : 09-FEB-06

**CAAC:** Objections to the design: The proposed extension is not in the conservation area but is in close proximity and as such any extension in this location will affect the character of the conservation area. There are concerns that this may set a precedent in other houses, which could potentially blight the area. There are objections over the poor quality of design. The design changes the proportions and the style of the house. It is bulky with overly projecting dormers which are not appropriate to this location.

**g)**

**Notifications**

Sent	Replies	Expiry
9	2 petitions (same head petitioner and names repeated): 1 x 10 names and 1 x 5 names	30-JAN-05

**Summary of Responses:** concerned that proposal follows discussion and agreement with the planning department; similar proposal refused in December 2004 and previously an appeal dismissed; proposal runs counter to appeal Inspector's findings and supplementary planning guidance; proposal fails to compliment the streetscene and should be rejected; does not respect the context or setting of this residential area contrary to Policy D4; previous objection about proximity of garage to boundary and its inaccessibility stands.

## **APPRAISAL**

### **1) Relationship to P/2529/04/DFU**

The first floor in-fill extension incorporating juliette balcony and bow window additions featured in the previously considered scheme but no objection to these elements was raised. Similarly the replacement of the rear subordinate roof elements by a single span roof was also previously proposed and not, in itself, considered to be unacceptable.

However the roof enlargement was, under the previous scheme, to have increased the main roof pitch to 40° and the ridge height by 0.9m. This increased pitch and height was considered to appear unduly bulky and discordant, given the prominence of the property when viewed from Georgian Way and surrounding property, to the detriment of the visual amenity and character of the locality. The subject proposal seeks to overcome this objection by reduced pitch (now 35° to main element) and a lesser increase in ridge height – of 0.45m - of which 0.15m is accounted for by an increase in eaves height to achieve improved internal headroom.

The front and side rooflights featured in the previous scheme and no objections to these were raised. As originally submitted, this application had also proposed a rear dormer; however following discussion with officers, this element has been withdrawn from the application proposal.

The side extension previously proposed was to have continued the front main wall of the dwelling to within 1m of the side boundary with no. 7 and its flank wall was to have continued rearward to a depth of 5.5m, following the angle of the irregular side boundary. It was to have had a pitched roof with eaves overhang of up to 1m beyond the extension walls on all external elevations. This extension was deemed to unacceptably detract from the spatial setting and appearance the property, to the detriment of the visual amenity and character of the locality. The subject proposal seeks to overcome this objection by siting the side extension further back in the plot and by substituting a more appropriate roof/eaves design.

### **2) Character of the area**

In dismissing the appeal against the Council's decision to refuse permission for an inset roof balcony at the front (WEST/1274/02/FUL) the Planning Inspector concluded that:

“The appeal property is a wide fronted two storey detached house in a neo-Georgian style with a low pitched pan tiled roof. It is one of five similar houses grouped in a rough semi-circle around the turning head of the cul-de-sac, which make up the character of the streetscene in this locality. The houses are arranged on a steep hillside with the appellant's house in the most elevated position overlooking both the road and the other houses in the group, which are lower down. The house is therefore prominent and is highly visible in the context of the neighbouring houses and to anyone approaching this end of Georgian Way”.

At paragraph 6 he went on to conclude:

“...The appellant has pointed out that the adjoining house 5 Georgian Way is of a different style, however I do not agree that this one house establishes that there is a variety of house types. The houses beyond (nos. 4, 3 and 2) are of the same style and symmetrical design as the appellant’s house and others forming the group at the end of Georgian Way”.

Acknowledging the strong, consistent neo-Georgian character of development in the cul-de-sac it is noted that there are nuances in the detailed roof design of individual dwellings. Notably: nos. 7 & 9 have a traditional overhanging eaves and gutter treatment similar to the application dwelling, though they appear to have an additional brick course between the top of the first floor windows and the soffit board, and matching sprocketed roof design; nos. 8 & 10 have matching parapet walls rising above their first floor front windows and concealing the gutter treatment, with a conventional hipped roof design. No. 11 has been redeveloped to provide a replacement house, following permission granted in 2001 (WEST/298/01/FUL) and again on appeal in 2002 (WEST/31/02/FUL), with a much larger expanse of roof than any other dwelling in the cul-de-sac.

Whilst it remains important to ensure a continuity in the general neo-Georgian characteristics of the dwellings around the turning head of the cul-de-sac it is, in light of the above circumstances, considered that there is some scope for minor variation in individual instances. In the subject instance it is not considered that raising the eaves by 0.15m would, subject to matching bricks and detailing, materially harm the appearance of the property in the streetscene nor its contribution to the group. Furthermore, taking into account both the informal arrangement of the houses around the cul-de-sac and their variation in levels, it is considered that the increase in ridge height and pitch would now be sufficiently curtailed as to avoid the formation of an unduly bulky, discordant roof enlargement when viewed in the streetscene and from surrounding property. The replication of the original sprocketed roof design is considered particularly commendable.

The introduction of rooflights to the front elevation is as previously approved in 2003 and these are considered to remain acceptable.

Although the single storey side extension would now be wider than that for which permission was last sought, its siting back from the front elevation of the dwelling together with the angle of the property in relation to the cul-de-sac’s turning head would significantly reduce its presence in the streetscene. There would be a pinch point of 1.3m between the front corner of the extension and the side boundary but, significantly, substantial space in front of the garage/to the side of the original dwelling would be retained. Together with the more appropriately designed overhanging eaves/gutter detail and subject to matching materials, it is now considered that this part of the proposal would satisfactorily preserve the spatial setting and appearance of this and the neighbouring dwellings.

### **3) Amenity of neighbouring occupiers**

The roof extensions and the side extension would all sit well within a 45° line drawn, on plan, from the adjacent rear corner of no. 7. Although the side extension would lead to a pinch point of 1.3m at its front corner distance from the irregular side boundary would increase towards the rear (to 5m at the rear corner) by reason of its parallel flank wall. It is acknowledged that the proposal does involve substantially increased roof bulk at the rear and that the re-sited garage would now sit behind the rear elevation of no. 7, the affect of which would be exacerbated by the unfavourable change in levels between the properties. Nonetheless, given siting off the boundary/within a 45° line and the orientation of the site east of no. 7, it is not considered that the development would appear unduly overbearing or that there would be any harmful loss of light to/outlook from that property's rear facing windows. The facing ground floor flank window at no. 7 is not considered to be protected, for the purposes of the Council's guidelines, and in these circumstances the effect of the proposal on light to, and outlook from, this opening would not be such as to merit refusal.

Measured from the mid-point of the proposed flank windows in the single storey side extension there would be a distance of 2.8m and 5m respectively between them and the side boundary. Subject to obscure glazing, that can be controlled by condition, it is not considered that windows at these distances would lead to a degree of actual/perceived overlooking of no. 7's garden as to be detrimental to privacy amenity.

The additional roof bulk would increase the presence of the building when viewed from no. 5, but the arrangement of the dwellings around the cul-de-sac is such that the main focus of that property's garden is orientated away from the application site. With the favourable change in site levels towards the rear and the distance of 55m+ between the rear of the application dwelling and Brookesfield, neither is it considered that the roof would appear unduly bulky when viewed from that property or its garden.

The associated alterations at the rear – to enclose the existing rear terrace and to extend the rear bays – would bring first floor windows to a distance of 19m and 14m respectively from the common rear boundary with Brookesfield. Such a distance, combined with the change in levels and boundary screening, is considered sufficient to safeguard the privacy amenity of the occupiers at the rear.

### **4) Mount Park Estate Conservation Area**

The dormer has been removed from the scheme during the course of this application to reflect the close relationship of the site with the neighbouring Mount Park Estate conservation area at the rear. With this amendment it is not considered that the proposal, as a whole, would so severely affect views into or out of the conservation area as to be of demonstrable harm to its setting. Accordingly it is considered that the proposal would preserve the character and appearance of the neighbouring conservation area.

### **5) Harrow-on-the-Hill Area of Special Character**

Neither is it considered that the proposal would be of such significance as to cause demonstrable harm to the Harrow-on-the-Hill area of special character.

**6) Protected trees**

Subject to the conditions suggested it is not considered that the proposal would prejudice the health or survival of any trees on the site.

**7) Other matters**

Third party comments have queried the usability of the side extension as a garage. Vehicles would have to pass through a pinch point of just over 3m between the front corner of the original dwelling and the irregular side boundary with no. 7; the garage is then set 6.5m back from the pinch point – providing some manoeuvring space - and has a double width garage door to the front. It is considered, in these circumstances, that a vehicle could adequately enter and leave the garage. Even if it were not so, however, it is not considered that there is any planning interest in pursuing this question further. The property has an existing double garage and further off-street parking on the driveway; accordingly the logistics of the extension as a garage are considered to be a matter for the applicant only.

**8) Consultation Responses**

- Dormer to back and front : no front dormer proposed; rear dormer deleted
- concerned that proposal follows discussion and agreement with the planning department: pre-application discussion a legitimate activity without prejudice to the final decision of the local planning authority
- contrary to Policy D4: as the proposal is found to cause no harm to amenity and character there is no conflict with Policy D4 of the UDP
- precedent to other houses which could potentially blight the area: each application to be considered on its own merits
- overly projecting dormers: deleted to reflect this comment
- All other matters dealt with in the main report above.

**CONCLUSION**

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

REPAIR AND REFURBISHMENT OF ENBANKMENT TO BASIN LAKE

MYRA STEPHENS for SURPLUS LANDS

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## **RECOMMENDATION**

Plan Nos: See Informative.

**GRANT** permission in accordance with the development described in the application and submitted plans, subject to the following condition(s)

- 1 Time Limit on Full Permission - Three Years

### **INFORMATIVES**

- 1 **INFORMATIVE:**  
The following policies in the Harrow Unitary Development Plan are relevant to this decision:  
SEP5 Structural Features  
EP44 Metropolitan Open Land  
D14 Conservation Areas
  - 2 **INFORMATIVE:**  
The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.
  - 3 **INFORMATIVE:**  
Plan Nos:05/118/1, 05/118/1 (1/500 scale), 05/118/1(zone C), 05/118/B, 05/118/C, 05/118/2, 05/118/3, 05/118/4, 05/118/4A, 05/118/5
- 

### **MAIN CONSIDERATIONS AND POLOGIES (2004 UDP)**

- 1) Metropolitan Open Land (SEP6, EP44)
  - 2) Conservation Area Impact (D14)
  - 3) Consultation Responses
- 

### **INFORMATION**

#### **a) Summary**

Green Belt	MOL
Conservation Area:	CANONS PARK ESTATE
Council Interest:	None

**b) Site Description**

- The Basin Lake is a circular pond that is designated MOL (Metropolitan Open Land) that is open to the public
- The perimeter of the lake is also the rear boundary of houses on Canons Drive, Handel Close and Cavendish Drive.
- The basin lake is a remnant of the original and historic Canons Estate and is maintained by the Canons Park Estate Residents Association. The feature is part of the Canons Park Estate Conservation Area.
- Lake is fringed by a variety of trees that are protected by a Tree Preservation Order. There is also extensive shrubs, rushes and other ground cover that is an important area for flora and fauna. And local wildlife such as water birds that inhabit the area.

**c) Proposal Details**

Repair and make safe embankment, relocate seating to discourage activity after dusk, better management of pedestrian flows by providing additions to planting barriers, additional planting to enhance amenity value of site.

Zone A: Relocate bench to more open area

Construct aquatic planting bed

Repair 8 linear metres of eroded embankment

Zone B: Construct raised planting bed to act as a pedestrian barrier

Construct aquatic planting bed

Repair 18.2 linear metres of severely eroded embankment

Zone C: Supply and plant shrubs and plants around the glade and the embankment

Construct aquatic planting bed (11 plants).

Hedgerow infill, temporary fencing and gate: Lake planting: supply and plant 12 linear metres of Hawthorn infill (60) plants protected by post and wire fencing

Supply and install picket gate with hasp and padlock within post and wire fencing alongside hedgerow in Area B.

**d) Relevant History**

None recorded.

**e) Applicant's Statement**

Pedestrian activity has led to damage to embankment, which is hazardous to visitors and will deteriorate further if no remedial work is carried out. Trees on site are managed on a regular basis and are not in need of repair work. Gating and augmentation of raised planting beds is necessary to prevent visitors from being able to gain access to areas with high amenity value and where wildlife has been disturbed.

**f) Consultations**

Senior Landscape Architect: The proposal has been discussed in detail and is considered to be acceptable.

<b>Advertisement</b>	Character of Conservation Area	Expiry
		30-MAR-06

<b>Notifications</b>	Sent	Replies	Expiry
	25	0	23-MAR-06

## **APPRAISAL**

### **1) Effect on the Metropolitan Open Land**

This proposal merely involves urgent remedial work to the perimeter of the embankment, the surrounding planting and the provision of a new gate to restrict access to sensitive areas of bio diversity within the site. No work to existing protected trees is proposed. As such, the proposal complies with the advice in Policy in that the openness and attractive character of the land will be maintained.

### **2) Conservation Area Impact**

The proposal will have no adverse effects on the appearance and character of the Canons Park Estate Conservation Area.

### **3) Consultation Responses**

None received.

## **CONCLUSION**

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

## SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

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**31 NORTHUMBERLAND RD, HARROW**

**3/01**

**P/179/06/DFU/PDB**

Ward: HEADSTONE  
NORTH

RETENTION OF EXTENSIONS AND ALTERATIONS AND CONVERSION OF  
EXTENDED DWELLING TO TWO SELF-CONTAINED DWELLINGS

MR Q KAZAZ

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### RECOMMENDATION

Plan Nos: 01, 02, 03, 04, 05, 06, 07, 08, 09, site plan

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

- 1 The proposed parking and pedestrian arrangements do not provide adequate pedestrian and refuse collection access to the property.
- 2 The proposed hard-surfaced car parking area in the front garden would be unduly obtrusive and detract from the appearance of the building and the street-scene.
- 3 Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s) and the amenity of neighbouring residents.
- 4 The proposed development would not be fully accessible and would fail to make adequate provision for people with disabilities, thereby conflicting with the policies of the Harrow Unitary Development Plan.

### INFORMATIVES

- 1 **INFORMATIVE:**  
The following policies in the Harrow Unitary Development Plan are relevant to this decision:  
SD1 Quality of Design  
EP25 Noise  
D4 Standard of Design and Layout  
D5 New Residential Development - Amenity Space and Privacy  
H18 Accessible Homes  
T13 Parking Standards

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### MAIN CONSIDERATIONS

- 1) The Committee resolution to serve an Enforcement Notice
- 2) Relationship to applications P/289/05/DFU & P/847/05/DFU
- 3) Amenity of future and neighbouring occupiers (SD1, EP25, D4 & D5)
- 4) Character of area (SD1, D4 & D5)
- 5) Access for Disabled (H18)

- 6) Parking (SD1 & T13)
  - 7) Consultation responses
- 

## INFORMATION

### a) Summary

Car Parking	Standard:	4 (maximum provision)
	Justified:	4
	Provided:	2
Council Interest:	None	

### b) Site Description

- two storey semi-detached dwelling on north-east side of Northumberland Road, north Harrow; recently completed two storey side to rear, single storey front and rear extension and rear dormer
- adjoining semi to south east, no. 29, has end gable and rear dormer
- neighbouring semi to north-west, no. 33, has attached garage to adjacent side
- property on this side of Northumberland Road back onto North Harrow station/Metropolitan line (on embankment)
- on street parking not controlled but limited in capacity due to narrow carriageway width, vehicle crossovers and commuter parking

### c) Proposal Details

- Retention of unauthorised extensions as built
- conversion of dwelling as extended to two self-contained dwellings
- no. 31 would occupy the ground and first floor of the original dwelling, the single storey rear extension and the loft space including rear dormer; 5 habitable rooms (3 bedrooms), one forecourt parking space and 56m<sup>2</sup> rear amenity space
- no. 31A would occupy the ground and first floor of the single storey front and two storey side to rear extension; 4 habitable rooms (2 bedrooms), one forecourt parking space and 60m<sup>2</sup> rear amenity space

### d) Relevant History

P/2928/04/DFU	Two Storey Side to Rear, Single Storey Front and Rear Extension; Rear Dormer	GRANTED 11-JAN-05
The implementation of this permission is the subject of a separate enforcement investigation		
P/289/05/DFU	Two Storey Side to Rear, Single Storey Front and Rear Extension, Rear Dormer, Conversion to Three Self-Contained Flats	REFUSED 21-MAR-05

**Reasons for Refusal:**

1. The proposed conversion would amount to an over-intensive occupation of this site, by reason of the number of units proposed, and would give rise to an unreasonable increase in residential activity and associated noise and disturbance to the detriment of the amenity of neighbouring occupiers and the character of the locality.
2. The proposed conversion, by reason of inappropriate internal layout leading to a kitchen over a bedroom, would give rise to undue internal noise and disturbance that would fail to secure satisfactory living conditions for future occupiers of the development.
3. The proposed development, by reason of its design and layout, would deny access to the garden from two of the flats and would as a result fail to secure satisfactory living conditions for future occupiers as appropriate to this semi detached property.
4. The proposed development, by reason of excessive forecourt parking, would fail to make appropriate arrangements for refuse/recycling storage, disabled persons' access to the premises and space for a remedial scheme of soft landscaping, and would as a result detract from the appearance of the property in the streetscene, to the detriment of the visual amenity and character of the locality.
5. The proposed development, by reason of inadequate off street parking provision in this part of Northumberland Road, would give rise to potential for additional on-street parking demand that would be detrimental to the free flow and safety of traffic using the adjoining highway.

In addition an informative was included on the decision notice, as follows:

6. The applicant is advised that the recessed eaves/gutter detail shown on drawing no.31/01 is inconsistent with the traditional eaves/gutter arrangement indicated on the elevations on drawing number 31/02.(The application has been considered on the basis of Drawing No.31/01).

This decision is now the subject of an undetermined appeal.

**P/847/05/DFU** Two Storey Side to Rear, Single storey Front & REFUSED  
Rear Extension, Rear Dormer, Conversion to 27-05-05  
Three Self-Contained Flats (Revised);

**Reasons for Refusal:**

1. The proposed conversion would amount to an over-intensive occupation of this site, by reason of the number of units proposed, and would give rise to an unreasonable increase in residential activity and associated noise and disturbance to the detriment of the amenity of neighbouring occupiers and the character of the locality.
2. The proposed development, by reason of inadequate off-street parking provision in this part of Northumberland Road, would give rise to potential for additional on-street parking demand that would be detrimental to the free flow and safety of traffic using the adjoining highway.

This decision is now the subject of an undetermined appeal.

**P/1107/05/DCP** Certificate of Lawful Proposed Development: Use GRANTED  
of a Dwellinghouse by Six Unrelated Tenants 01-AUG-05  
Living Together as a Single Household

Development Control Committee on 15<sup>th</sup> March 2006 considered a report on the unauthorised extensions and alterations and resolved to instruct officers to initiate enforcement action to secure the removal of the single storey front extension and the single and two storey rear extension. The report is attached as an appendix.

e)

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	48	3	21-FEB-06

**Summary of Responses:** concerned that applicant is invited to negotiate to regularise a breach of planning control; application for two flats should be refused until permission for extensions fully complied with; residents have alerted the Council to the breach of planning control since last February; application involves conversion of development that has been questioned and deemed unacceptable by the Planning Committee on 8th February; single family area (no multi-occupancy); no flats in this area; precedent; add to parking problems; additional noise and activity detrimental to residents.

## **APPRAISAL**

### **1) The Committee Resolution to Serve an Enforcement Notice**

The attached report considers the background to the unauthorised building works. The officer's view is that the works as carried out are acceptable on planning grounds. The Committee is asked to give further consideration to these aspects.

### **2) Relationship to applications P/289/05/DFU & P/847/05/DFU**

Application P/289/05/DFU sought the conversion of the extended property to three flats, two of 2 habitable rooms (1 bedroom each) on the ground floor and one of 3 habitable rooms (2 bedrooms) on the first/second floors; total 7 habitable rooms of which 4 would be bedrooms. Application P/847/05/DFU also sought conversion to three flats but an amended first floor layout increased the upper floor flat to 4 habitable rooms (2 bedrooms & 1 study) increasing the total number of habitable rooms proposed for the site to 8.

In refusing the previous applications it was recognised that the property, with the approved extensions, would lead to a single family dwelling of 9 habitable rooms of which 5 would be bedrooms; it is the number of households that can be accommodated on the site that is considered to be significant in terms residential activity and associated noise/disturbance. In this context it can be noted that the scheme now proposed would reduce the number of households from three to two but would actually increase the number of habitable rooms on the site to 9.

Application P/289/05/DFU had sought to provide three parking spaces on a fully hardsurfaced forecourt parking area. Application P/847/05/DFU provided only two spaces to allow space for forecourt treatment (refuse storage, landscaping and disabled persons' access). Taking into account on-street conditions it was considered that provision to the maximum requirement, as set out in the UDP, of four spaces was justified and the shortfall in respect of both schemes was therefore unacceptable. It was, however, accepted on the second scheme that with only two spaces on the forecourt there would remain adequate space for proper forecourt treatment.

Based on the number of habitable rooms the conversion to two dwellings now proposed would generate a combined maximum UDP requirement for four spaces.

Application P/289/05/DFU was also refused for reasons relating to the internal layout and inadequate garden access; these matters were addressed by the amended scheme P/847/05/DFU. The dwellings now proposed would each have direct access to an area of private amenity space and the subdivision to form the dwellings does not lead to any overlapping areas between independent units.

### **3) Amenity of future and neighbouring occupiers**

The size and layout of the proposed dwellings would, it is considered, be acceptable. Although much of no. 31A would be confined to the width of the two storey side extension (2.5m internally) it is nonetheless considered that the room sizes and increased width at the rear would be sufficient to provide adequate circulation space within this unit. The area of private amenity space available to both units is also considered to be satisfactory in both quantitative and qualitative terms.

It is considered that internal and external activity associated with the occupation of the property as two dwellings would be likely to be less significant than that associated with the three flats previously refused and insufficient to be of detriment to the amenity of neighbouring occupiers or to the living conditions of future occupiers. In these circumstances it is not considered that the proposal would lead to an unacceptably intensive use of the property.

### **4) Character of the area**

In view of the above conclusion about the likely levels of activity associated with two independent dwellings neither is it considered that the use intensity proposed would be such as to be detrimental to the character of this locality, which comprises predominantly single family dwellings.

To facilitate the conversion the front elevation of the recently completed single storey front extension would be altered to form an independent entrance to no. 31A. Provided that the alterations to form the enlarged front opening are made good to match the finished development – a matter that could be controlled by condition – it is not considered that this aspect of the proposal would have a detrimental appearance in the streetscene.

As previously determined the use of the forecourt to provide only two parking spaces would, it is considered, leave sufficient remedial space for an acceptable scheme of landscaping, refuse storage and disabled persons' access to the dwellings. These matters could also be adequately controlled by condition if permission were to be granted.

### **5) Access for the Disabled**

Policy H18 seeks the provision of accessible new housing development. The proposed development would not facilitate disabled access, given the restricted front entrance to the building and the associated levels difference. In addition the proposed arrangements of parking spaces and necessary provision for pedestrian and refuse access would prevent adequate arrangements for disabled access, and would, in themselves, be visually obtrusive.

## **6) Parking**

The provision of two spaces would sit below the UDP maximum standard of four spaces. Taking into account that the standard is a maximum one and that the site is close to North Harrow tube station and district centre, such a level of provision might normally be considered to be acceptable.

However no on-street controls apply to Northumberland Road and consequently commuter and shopper parking, in this part closest to the centre, is unfettered. The situation is compounded by the unusually narrow carriageway, which limits parking to one side of the road, and the number of crossovers. A parking survey carried out between Station Road, Lancaster Road and 49/52 Northumberland Road on 12<sup>th</sup> & 14<sup>th</sup> July at 2pm and again at 9pm on each occasion; this found that between 95% & 100% of on-street parking space was occupied at 2pm and between 69% & 74% was occupied during the evening. It is also understood from third parties that Northumberland Road, which runs between Rayners Lane (Pinner end) and Station Road North Harrow is used as a through-route avoiding the Suffolk Road/Imperial Drive junction.

In all of these very specific circumstances it is considered that parking for the development should be provided at the upper limit of the maximum UDP standard. Failure to do so gives rise to potential for additional on-street parking demand that would be detrimental to the passage and free flow of traffic using the adjoining highway and would be unacceptable for this reason. In concluding, this it is accepted that there are visual, streetscene and accessibility issues that arise from the provision of between 2 and 4 parking spaces.

## **7) Consultation Responses**

- concerned that applicant is invited to negotiate to regularise a breach of planning control: separate to the consideration to the subject proposal
- application for two flats should be refused until permission for extensions fully complied with: not a reasonable basis to refuse permission for the proposed conversion
- residents have alerted the Council to the breach of planning control since last February: noted but no bearing on the application proposal
- application involves conversion of development that has been questioned and deemed unacceptable by the Planning Committee on 8<sup>th</sup> February: noted but no bearing on the application proposal
- single family area (no multi-occupancy): it is not considered that the conversion of the dwelling to two dwellings would be at odds with this character
  - no flats in this area: noted
  - precedent: each application considered on its own merits

All other matters dealt with in the main report above.

## **CONCLUSION**

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



**APPENDIX 1**

Meeting:	Development Control Committee
Date:	Wednesday 15 March 2006
Subject:	31 Northumberland Road, North Harrow
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Frank Stocks
Portfolio Holder:	Keith Burchell
Key Decision:	No
Status:	Public

Section 1: Summary

- 1.1 Planning permission, ref: P/2928/04/DFU, was granted on 11 January 2005 for the construction of two storey side to rear, single storey front and rear extensions and rear dormer. The development is currently being implemented at the property.
- 1.2 A series of complaints, and a petition, have been received relating to planning and construction works at the above property, in particular:
  - the manner in which planning permission was granted
  - that the development under construction is not being carried out in accordance with the approved plans
  - a lack of proper supervision of the work being carried out
- 1.3 A report was submitted to the Development Control Committee on 8 February 2006, copy attached as Appendix 1.
- 1.4 The Committee resolved not to agree with the recommendations and instructed Officers to submit a further report on the issues, in particular in respect of:
  - the additional forward projection of the front porch extension by 100mm (10cm)
  - the additional rearward projection of the single and two storey rear extension by 150mm (15cm)

- 1.5 The Committee also instructed that the complainants be advised of the date when the further report would be considered by Committee.

### Decision Required

Recommendation (for decision by the Development Control Committee):

Members determine whether to authorise enforcement action and, in the event that they consider it expedient, resolve that:

1. The Director of Legal Services be authorised to:
    - (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
      - (b)(i) the demolition of the single and two storey rear extensions;
      - (ii) the demolition of the single storey front extension;
      - (iii) the permanent removal from the land of all of the materials arising from compliance with the first (b)(i) and second (b)(ii) requirements above.
    - (c) [(b)] (i), (ii) and (iii) should be complied with within a period of three (3) months from the date on which the Notice takes effect.
    - (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
    - (e) Institute legal proceedings in event of failure to:
      - (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990;
- and / or
- (ii) comply with the Enforcement Notice

### Reason for report

To allow consideration of the works that are not in compliance with planning permission, reference P/2928/04/DFU.

### Benefits

To enhance the environment of the Borough and to safeguard the amenity of neighbouring residents.

### Cost of Proposals

There could be an award of costs against the Council if, in the event of enforcement action and a subsequent appeal, the Council was unable to present sustainable reasons for undertaking such action.

### Risks

Enforcement action would be likely to result in an appeal to the Planning Inspectorate. Risk in relation to potential cost awards is referred to above.

### Implications if recommendations rejected

The Committee is being asked to come to a balanced judgement on the expediency of authorising enforcement action.

## **Section 2 : Report**

### 2.1 Brief History

2.1.1 The property comprises a single-family dwellinghouse, with a tiled roof, and walls of coloured render over a belt of red bricks. As such, it is typical of the dwellinghouses in Northumberland Road, where several different colours of render are used. The colour of the render used on this property is similar to that of several others interspersed along the length of the road.

2.1.2 Planning application, ref. P/2928/04/DFU, for two storey side to rear, single storey front and rear extensions and rear dormer roof was granted on 11 January 2005. This permission is currently being implemented.

2.1.3 Planning application, ref. P/289/05/DFU for two storey side to rear, single storey front and rear extensions, rear dormer roof and change of use to three flats was refused on 21 March 2005. Five reasons for refusal related to:

- overintensive use of the site, with increased disturbance and activity
- unsatisfactory internal room layout
- no access to rear garden from upper floor flats
- excessive forecourt parking
- inadequate off-street parking

This decision is currently the subject of a planning appeal, to be determined by informal hearing – no date has yet been arranged.

2.1.4 Planning application, ref. P/847/05/DFU for two storey side to rear, single storey front and rear extensions, rear dormer, and change of use to three flats was refused on 27 May 2005. Two reasons for refusal related to overintensive use of the site and inadequate off-street parking, the other 3 reasons for the earlier refusal having been addressed in the revised scheme. This decision is also the subject of a planning appeal, to be determined by informal hearing – no date has yet been arranged.

2.1.5 Application, ref. P/1107/05/DCP, for a Certificate of Lawful Proposed Development to house 6 unrelated tenants living together as a single household was granted on 1 August 2005.

2.1.6 Application, ref. P/179/06/DFU, for conversion of the extended building into two self-contained dwellings was submitted in January 2006, but has not yet been determined.

### 2.2 Planning Considerations

2.2.1 The report to the 8 February 2006 Committee considered the complaints of the local residents, namely:

- Concern at the manner in which planning permission was granted

*Committee, on 8 February, were advised that planning permission was granted in January 2005, quite properly, through the delegated powers of the Group Manager Planning & Development. In concluding that the development was acceptable Officers took into account the relevant policies of the adopted Harrow Unitary Development Plan, the Council's adopted Supplementary Planning Guidance "Extensions, a Guide for Householders", and the comments received from neighbouring residents.*

- Concerns that the development is not being carried out in accordance with the approved plans

*Committee were advised that the development under construction has been checked against the approved plans of planning permission ref: P/2928/04/DFU, and anomalies found. These also relate to the several specific points raised by complainants, which are addressed separately below for clarity.*

- A lack of proper supervision of the work being carried out

*Committee were advised that a reactionary Planning Enforcement Service is provided by Harrow Council, in a similar manner to other Local Authorities. The service provided responds to specific alleged breaches of planning control, but does not carry out pro-active investigations, or the monitoring of physical development. Following the 8 February meeting, Officers are considering options for more effective liaison between the Planning and Building Control functions to identify possible breaches of planning control relating to planning permissions.*

- The erection of 2.4m high hoardings around the site frontage

*Committee were advised that site hoardings erected around a construction site do not require planning permission.*

2.2.2 The 8 February report also considered the discrepancies between the approved drawings and the works being undertaken:

- i) The rear dormer roof extension is sited less than 1000mm from the roof eaves, namely 970mm
- ii) The guttering projects some 100mm from the finished two storey side wall, whilst the approved drawings indicated a recessed eaves detail
- iii) The use of yellow bricks, rather than render, in the flank wall of the two-storey side extension
- iv) An additional ground floor window has been provided in the flank wall of the two-storey side extension
- v) A number of minor alterations to elevations (in particular, the front door opening has been reduced in height, and the single storey rear extension window opening has been modified to a door and window opening)
- vi) The mid-point of the lean-to roof of the single storey rear extension is shown as being 3 metres high on the approved plans, but it has been constructed at a height of 3.26 metres
- vii) The rearward depth of the single and two-storey rear extension is shown as 3m on the approved plans, but it has been built at 3.15m
- viii) The single storey front extension extends 100mm further forward than indicated on the approved plans

i) Rear Dormer Window

2.2.3 Committee were advised that the external face of the rear dormer window was sited 970mm metres from the eaves. Such a small difference (30mm) between that constructed and the Council's minimum distance is considered to be 'de minimus' (of no account) and lies within tolerances that would normally be allowed to workmen within the construction process. Committee seemed to be of the view that this discrepancy was within the limits of normal building tolerances and was acceptable.

*ii) Encroachment of Roof Detail over the Boundary with No. 33 Northumberland Road*

- 2.2.4 Committee were advised that the eaves and fascia of the roof have been recessed and therefore set back from the boundary line with No. 33 Northumberland Road, although the guttering on the extension projects beyond the two storey flank wall by some 100mm, the width of the standard plastic gutter. The Committee was also advised that, following a further site visit, it is apparent that the guttering detail is built within the boundary line of the application property, and this was confirmed by site photographs at the meeting. Committee seemed to be of the view that this was therefore acceptable.

*iii) Treatment of Two Storey Flank Wall*

- 2.2.5 Committee were advised that the walls of dwellinghouses in Northumberland Road typically comprise a low plinth of red bricks, with plain or coloured render above. Different colours of render are interspersed along the length of Northumberland Road, as evidenced by the series of photographs seen at the meeting

- 2.2.6 The flank wall of the extension at 31 Northumberland Road has been finished with a good quality facing brick, similar in colour to that of the render on the original dwellinghouse. It is likely that when these bricks weather in, they will be a reasonable match in colour. It is considered that the use of this material, in this colour, is not detrimental to the amenity of local residents, or the character of the street scene. Officers are also mindful of an appeal decision in respect of an Enforcement Notice (in Harrow Weald) that required the substitution of facing brickwork on the flank wall of a new extension, with white render to match the existing house and all the neighbouring houses in that part of the street. The appeal was allowed and the Enforcement Notice quashed.

- 2.2.7 Committee seemed to be of the view that the use of the facing bricks on the side wall was acceptable.

*iv) Ground Floor Flank Window Opening*

- 2.2.8 Committee were advised that, since the February report had been drafted, the unauthorised ground floor flank window opening had been blocked up. Committee therefore seemed to agree that no further action was necessary.

*v) Minor Alterations to Elevations*

- 2.2.9 Committee raised no specific concerns.

*vi) Height of Single Storey Rear Extension*

- 2.2.10 Committee were advised at the February meeting that the mid-point of the single storey rear extension is shown as being 3 metres high on the approved plans, but the complainants stated that it has been constructed at a height of 3.26 metres

- 2.2.11 The mid-point of the single storey rear extension has been measured at 3.14 metres high. The council's Supplementary Planning Guidance "Extensions, a Guide for Householders" indicates:

*"A single storey rearward projection, adjacent to a boundary, of up to 3 metres beyond the rear main wall of adjacent semi-detached or detached houses would normally be acceptable.*

*The height of single storey rear extensions should be minimised to restrict the impact on the amenities of the neighbouring residents. Subject to site considerations, the finished height of an extension abutting a residential boundary should be a maximum of 3 metres on the boundary for a flat roof, and for a pitched roof 3 metres at the mid-point of the pitch at the site boundary."*

- 2.2.12 The February report noted the proposal by the owner to reduce the height of the rearmost part of the single storey rear extension, abutting No. 29 Northumberland Road, by lowering the lintel 200mm. The intention here was to reduce the height of the mid and rearmost part of the extension.

2.2.13 At Committee Members were advised that not only the lintel but the extension roof as a whole had been lowered by slightly more than 200mm. This reduction in the overall height in relation to the adjoining property means that the extension mid height accords with the height shown on the approved drawings. The Committee noted this reduction, as evidenced on the photographs displayed at the meeting, and the consequent amelioration of the impact on the amenity of the residents at No. 29 and seemed to agree that no further action was necessary in respect of this element.

vii) Additional Depth of Single and Two Storey Rear Extension

2.2.14 Committee expressed concern about the additional rearward projection of the single and two storey rear extension. The approved plans show rear extensions with a depth of 3 metres. However, the extension constructed is to a depth of 3.15 metres, resulting in an additional projection of 150mm. The owner of the land has indicated that the rear wall could not be built in accordance with the approved plans as it would foul a drainage pipe, and he therefore increased the depth of the extensions.

2.2.15 The Council's Supplementary Planning Guidance "Extensions, a Householders Guide" indicates:

*"Two storey or first floor rear extensions abutting a side boundary have considerable potential for detrimental impact on the amenity of neighbouring properties because of the excessive bulk and loss of light. Such extensions must always comply with the 45° Code but will also be assessed against the relevant site conditions, in particular:*

- *The orientation of the house - siting south or west of the neighbour would normally be unacceptable*
- *The extent to which the proposal would rely for its setting on the garden of the adjoining house*
- *The location of the adjacent house and any existing extensions or other buildings at that property*
- *The use of the adjacent rear garden*
- *See also para B16 (relates to corner sites)"*

2.2.16 An inspection of the site revealed that the building as constructed does just break the 45° line projected from the corner of the adjoining property, by approximately the depth of the additional projection, i.e. 150mm. The development site has a favourable orientation in relation to No. 33, being sited to the south-east, with a separation distance of some 2.4m.

2.2.17 In these circumstances the Officers consider that the extension has a minimal effect on light and overshadowing, and that the impact of the additional depth is, on balance, acceptable. Whilst there is, technically, a breach of the Council's adopted guidance, this is, nevertheless, guidance and each case should be considered on its merits. The Committee is therefore asked to carefully weigh the expediency of taking enforcement action to secure strict compliance with the planning permission.

2.2.18 In respect of the other adjacent property, No. 29, the single storey rear extension directly abuts the boundary. The 200mm reduction in the overall height of the extension, to accord with the approved plans, has been noted. Given this reduction in relation to the additional depth of the extension it is suggested that this results in an acceptable impact on the adjacent property and is not materially more harmful than the approved depth of extension. Again, Committee is therefore asked to carefully weigh the expediency of taking enforcement action to secure strict compliance with the planning permission.

viii) Additional Depth of Single Storey Front Extension

2.2.19 Committee were advised that planning permission was granted for a front porch extension extending, 1250mm beyond the existing main front wall and 250mm beyond the existing front bay. The extension has been built to a greater depth than shown on the approved plans, namely 100mm, resulting in a finished depth of 1350mm.

2.2.20 Section A3 of the Council's Supplementary Planning Guidance "Extensions, a Guide for Householders" indicates:

*"Front porches and garage extensions will normally be appropriate. To safeguard the appearance of the property such extensions should not link into the existing bay windows or project significantly forward of the windows."*

2.2.21 The single-storey front extension does not link into the bay window, and Committee need to consider whether the extension of 1350mm depth, as built, is sufficiently detrimental, in terms of either the appearance of the property or streetscene, or on the amenity of neighbouring residents, than the approved extension of 1250mm depth.

2.2.22 Committee were also advised of a minor anomaly in the approved plans, in that the existing bay window is shallower than indicated in the approved plans. The bay was indicated as 1000mm deep, but is actually 890mm deep. It could be argued that the decision to grant permission was based on the assumption of a 1000mm deep bay with a relatively small forward projection of 250mm.

2.2.23 However, the only relevant consideration here is the amount by which the extension as built exceeds the depth of the extension as approved - the extension projects only 100mm beyond the depth for which permission was granted. In the Officers' view the additional depth has no material impact on visual or residential amenity, and the Committee is therefore asked to carefully weigh the expediency of taking enforcement action to secure strict compliance with the planning permission.

#### Further Representations

2.2.24 A letter has been received from a local resident objecting on the following grounds:

- The use of yellow bricks contravenes the matching materials condition on the planning permission
- The gap between the flank wall and No. 33 belongs to No. 33 and therefore could not be rendered
- The rear dormer window will allow occupants to look straight into the dormer window of No. 29
- The ground floor flank opening blocked up by the developer could be opened up in the future
- Objects to the additional depth of the front extension and the inaccurate illustration of the existing bay window
- Council Officers ignored the breach in respect of the additional depth of the rear extensions
- The mid-point height of the rear extension is still 3.128m high
- Yellow bricks are also used on the flank wall of the single storey rear extension facing No. 29
- The developer has no intention of rendering the flank wall as it is directly on the boundary
- The photo displayed at Committee, showing a gap along the boundary, was taken at a deceptive angle
- The developer has been given special treatment by the Council
- Why is the developer being helped to get retrospective planning permission?
- Every breach should be put right
- In January the developer submitted an application (P/179/06/DFU) to convert the extended building into two self-contained dwellings

2.25 A letter has been received from a planning consultant on behalf of the developer:

- Front extension will not breach the 45° guidance and retain a minimum of 5m forecourt depth
- 10cm additional depth on the front extension is indiscernible
- 15cm additional depth on single and two storey rear extension is indiscernible
- Rear extension falls well within 45° guidance
- Officers have been complicit in any decision to build at the site
- Committee's decision to seek enforcement action was purely motivated by political factors associated with mob pressure and forthcoming local elections – not sound planning reasons

Conclusions

2.2.26 The development currently under construction differs from the approved plans of planning permission ref: P/2928/04/DFU in several minor ways. It is considered that the majority of these differences, whilst not desirable, do not result in significant harm to the occupiers of neighbouring dwellinghouses, or to the character of the street scene.

2.2.27 The Committee need to give particular consideration to the expediency of undertaking enforcement action, in the areas of their greatest concern, namely, the additional 100mm depth of the single storey front extension, and the additional 150mm depth of the single and two storey rear extension. Committee is advised that each element should be considered separately in terms of its impact, rather than cumulatively.

2.2.28 PPG18 – Enforcing Planning Control advises:

*Para 5 3) "...in considering any enforcement action, the decisive issue for the LPA should be whether the breach of control would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest;..."*

*Para 5 4) "...enforcement action should always be commensurate with the breach of planning control to which it relates (for example, it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to amenity in the locality of the site)...."*

2.2.29 While the action of the owner in carrying out these works contrary to the planning permission is both unsatisfactory and contrary to all good practice, it is not of itself reason to take enforcement action against the development.

2.2.30 The Council instead need to consider whether it is expedient to take enforcement action, in line with section 172 of the 1990 Act which provides as follows:

"(1) The local planning authority may issue a notice (in this Act referred to as an "enforcement notice") where it appears to them –

(a) that there has been a breach of planning control; and

(b) that it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations."

2.2.31 It is clear, therefore, that the LPA must have proper regard to the relevant policies, SD1, D4 and D5 in the Harrow Unitary Development Plan, and the Council's adopted Supplementary Planning Guidance when assessing the effects of the development.

**Draft Breach of Planning Control**

2.2.32 If minded to enforce this breach could be:

i) Without planning permission, the construction of a single storey front extension and a single and two storey rear extension.

**Draft Reasons for Issuing the Notice**

2.2.33 "If minded to enforce against this breach the reasons could be:

It appears to the Council that the above breach of planning control occurred within the last 4 years.

The single storey front extension, by reason of excessive bulk and forward projection, beyond that which has been granted planning permission in application P/2928/04/DFU dated 11 January 2005, is unduly obtrusive and prominent in the streetscene, and is detrimental to the appearance of the building and visual amenity of the streetscene, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

The single and two storey rear extension, by reason of excessive bulk and rear projection, beyond that which has been granted planning permission in application P/2928/04/DFU dated 11 January 2005, is unduly obtrusive and overbearing, and is detrimental to the visual and residential amenities of the occupiers of the adjacent properties, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

The Council does not consider that planning permission should be granted because planning conditions cannot overcome these problems.”

2.3 Consultation

2.3.1 Ward Councillors copied for information.

2.4 Financial Implications

2.4.1 There could be an award of costs against the Council if, in the event of an appeal, the Council was unable to present sustainable reasons for undertaking enforcement action.

2.5 Legal Implications

2.5.1 Central Government circular advice is that the parties to appeals are normally expected to bear their own costs unless the conduct of a party is held to be unreasonable and, that that unreasonable conduct gives rise to the other party incurring costs which it would not otherwise have incurred. The initiation of enforcement action without being able to demonstrate sustainable reasons for doing so could be held to be unreasonable conduct.

2.6 Equalities Impact

2.6.1 None.

2.7 Section 17 Crime and Disorder Act 1998 Considerations

2.7.1 None.

**Section 3: Supporting Information/Background Documents**

Background Documents:

Planning applications: P/2928/04/DFU  
P/289/05/DFU  
P/847/05/DFU



Item 3/01 : P/179/06/DFU continued/...

Meeting:	Development Control Committee
Date:	Wednesday 8 February 2006
Subject:	31 Northumberland Road, North Harrow.
Responsible Officer:	Group Manager Planning and Development
Contact Officer:	Frank Stocks
Portfolio Holder:	Keith Burchell
Key Decision:	No
Status:	Public

### Section 1: Summary

- 1.1 A series of complaints has been received relating to planning and construction works at the above property. In particular, a petition of objection has been received containing 26 signatures.
- 1.2 The petition refers to three issues:
  - the manner in which planning permission was granted
  - that the development under construction is not being carried out in accordance with the approved plans
  - a lack of proper supervision of the work being carried out
- 1.3 Several planning applications have been submitted to the Council relating to this property, one of which, ref: P/2928/04/DFU, was granted for the construction of two storey side to rear, single storey front and rear extensions and rear dormer. A development of this nature is being implemented at the property.
- 1.4 A review of the application process for recent planning applications at this property has shown that they were processed in accordance with the Council's current standards and policies.
- 1.5 The development is being constructed slightly larger than shown on the approved plans of planning permission ref: P2928/04/DFU. There are two areas of this development that cause concern, namely the mid-point height of the single storey rear extension, and the insertion of an additional window in the flank elevation of the two storey side extension.
- 1.6 The Council's Planning Enforcement Service is reactionary, rather than being pro-active, and monitoring development. The provision of such a service would constitute an addition to performance within the Department, however, it would be out of character with the service provided by other Local Authorities, and would have budgetary implications.

Decision Required

Recommendation (for decision by the Development Control Committee).

1. The Development Control Committee agree that the Group Manager Planning and Development contact the owner of the property to negotiate amendments to the development under way, in particular:
  - i) the reduction in the height of the lintel on the single storey rear extension to secure a reduction in the roof height; and
  - ii) the removal of the ground floor window in the flank wall of the two storey side extension.
2. The Development Control Committee instruct the Group Manager Planning and Development to request that the owner of the property submits a further planning application to regularise the position in respect of the unauthorised works, including:
  - i) the additional projection of the front porch extension by 100mm
  - ii) the additional projection of the single and two storey rear extension by 150mm
  - iii) the use of facing brickwork on the flank wall of the part single, part two storey side extension
  - iv) minor changes to elevations
3. In the event that the owner does not carry out the agreed alterations, namely to block up the ground floor flank window opening, and to lower the lintel and the finished height of the single storey rear extension extension:

The Director of Legal Services be authorised to:

  - (a) Issue an Enforcement Notice pursuant to Section 172 of the Town and Country Planning Act 1990 requiring:
    - (b) (i) the lowering of the external lintel on the single storey rear extension by 200mm, with a consequent reduction in the height of the lean-to roof;
    - (ii) the blocking up of the ground floor flank window opening facing No. 33 Northumberland Road.
  - (c) [(b)] (i) and (ii) should be complied with within a period of (1) month from the date on which the Notice takes effect.
  - (d) Issue Notices under Section 330 of the Town and Country Planning Act 1990 (as amended) as necessary in relation to the above alleged breach of planning control.
  - (e) Institute legal proceedings in event of failure to:
    - (i) supply the information required by the Director of Legal Services through the issue of Notices under Section 330 of the Town and Country Planning Act 1990; and / or
    - (ii) comply with the Enforcement Notice
4. The head petitioner and the separate complainants be informed accordingly.

Reason for report

To ensure that the unauthorised aspects of this development resulting in significant harm, are altered in the interests of safeguarding the amenity of neighbouring residents.

Benefits

To enhance the environment of the Borough and to safeguard the amenity of neighbouring residents.

Cost of Proposals

None at this stage.

Risks

Enforcement action would be likely to result in an appeal to the Planning Inspectorate. The Committee may consider that the course of action set out in the recommendation is appropriate in the circumstances, in order to resolve the situation locally.

Implications if recommendations rejected

Failure to take action would result in a continuing impact on the amenity of the occupiers of neighbouring properties.

## **Section 2: Report**

### 2.1 Brief History

- 2.1.1 Planning application, ref. P/2928/04/DFU, for two storey side to rear, single storey front and rear extensions and rear dormer roof was granted on 11 January 2005. This permission is currently being implemented.
- 2.1.2 Planning application, ref. P/289/05/DFU for two storey side to rear, single storey front and rear extensions, rear dormer roof and change of use to three flats was refused on 21 March 2005. This decision is currently the subject of a planning appeal that has not yet been determined.
- 2.1.3 Planning application, ref. P/847/05/DFU for two storey side to rear, single storey front and rear extensions, rear dormer, and change of use to three flats was refused on 27 May 2005. This decision is currently the subject of a planning appeal that has not yet been determined.
- 2.1.4 Application, ref. P/1107/05/DCP, for a Certificate of Lawful Proposed Development to house 6 unrelated tenants living together as a single household was granted on 1 August 2005.

### 2.2 Options Considered

- 2.2.1 The property comprises a single-family dwellinghouse, with a tiled roof, and walls of coloured render over a belt of red bricks. As such, it is typical of the dwellinghouses in Northumberland Road, where several different colours of render are used. The colour of the render used on this property is similar to that of several others interspersed along the length of the road.
- 2.2.2 The owner of the property has indicated that he is implementing the granted planning permission for extensions to the property. A petition has been submitted to the Council relating to development at this property. The petition raises a number of concerns, which are addressed below:

i) Concern at the manner in which planning permission was granted:

Planning permission was granted in January 2005, quite properly, through the delegated powers of the Group Manager Planning & Development. In concluding that the development was acceptable Officers took into account the relevant policies of the adopted Harrow Unitary Development Plan, the Council's adopted Supplementary Planning Guidance "Extensions, a Guide for Householders", and the comments received from neighbouring residents.

ii) Concerns that the development is not being carried out in accordance with the approved plans:

The development under construction has been checked against the approved plans of planning permission ref: P/2928/04/DFU, and anomalies found. These also relate to the several specific points raised by complainants, which are addressed separately below for clarity.

iii) A lack of proper supervision of the work being carried out:

A reactionary Planning Enforcement Service is provided by Harrow Council, in a similar manner to other Local Authorities. The service provided responds to specific alleged breaches of planning control, but does not carry out pro-active investigations, or the monitoring of physical development. Should members feel that it is appropriate for the Council to provide such a service, it is recommended that a report relating to the options to deliver such a service should be submitted to the Committee at a later date.

2.2.3 In addition, local residents have raised a number of issues, not directly contained within the petition, relating to this development:

i) The erection of an eight-foot tall compounding fence:

Site hoardings erected around a construction site do not require an additional grant of planning permission.

ii) The use of yellow bricks in the flank wall of the two-storey side extension.

The walls of dwellinghouses in Northumberland Road are typically faced of a low section of red bricks with coloured render above. Different colours of render are interspersed along the length of Northumberland Road.

The flank wall of the extension at 31 Northumberland Road has been finished with a good quality facing brick, similar in colour to that of the render on the original dwellinghouse. It is likely that when these bricks weather in, they will be a reasonable match in colour. It is considered that the use of this material, in this colour, is not detrimental to the amenity of local residents, or the character of the street scene. Officers are also mindful of an appeal decision in respect of an Enforcement Notice (in Harrow Weald) that required the substitution of facing brickwork on the flank wall of a new extension, with white render to match the existing house and all the neighbouring houses in that part of the street. The appeal was allowed and the Enforcement Notice quashed.

iii) The single storey front extension extends outwards past the bay window:

Planning permission was granted for a front porch extension extending 250mm beyond the existing front bay.

There is a minor anomaly in the approved plans, in that the existing bay window projects outward further in the plans than on site. However, this does not alter the depth to which the approved plans show the front extension may be built, which is 1.25m beyond the front main wall.

The extension has been built to a greater depth than shown on the approved plans. Local residents claim this to be 400mm in front of the bay window. As such, it would appear that local residents claim the extension projects 140mm further than approved. However, measurements taken at the site indicate that the extension projects 100mm beyond the depth for which permission was granted.

Section A3 of the Council's supplementary planning guidance "Extensions, a Guide for Householders" indicates:

*"Front porches and garage extensions will normally be appropriate. To safeguard the appearance of the property such extensions should not link into the existing bay windows or project significantly forward of the windows."*

The single-storey front extension does not link into the bay window and it is considered that on this occasion the extension does not project significantly forward of the bay window. The additional projection of 100mm is considered to have no detrimental impact on either the appearance of the property or the streetscene, or on the amenity of neighbouring residents

iv) The Council's delegated report required recessed eaves to avoid encroachment, this has not been done:

As constructed the actual eaves and fascia of the roof have been set back from the boundary line with No. 33 Northumberland Road, although the guttering on the extension projects over the boundary by 100mm. The applicant has therefore constructed a partially-recessed eaves. This detail is considered to be a more visually acceptable solution than the use of a substantial parapet wall as originally proposed.

v) An additional ground floor window has been provided in the flank wall of the two-storey side extension.

The window opening was constructed to allow natural ventilation to a proposed bathroom. The owner of the property has now indicated his intention to fill the opening, reverting to the approved plans.

vi) The depth of the single and two-storey rear extension is shown as 3m on the approved plans, but it has been built at 3.15m:

The approved plans show rear extensions with a depth of 3 metres. However, the extension constructed is to a depth of 3.15 metres, resulting in an additional projection of 150mm. The owner of the land has indicated that the rear wall could not be built in accordance with the approved plans as it would foul a drainage pipe, and he therefore increased the depth of the extensions.

The Council's Supplementary Planning Guidance "Extensions, a householders guide" indicates:

Two storey or first floor rear extensions abutting a side boundary have considerable potential for detrimental impact on the amenity of neighbouring properties because of the excessive bulk and loss of light. Such extensions must always comply with the 45° Code but will also be assessed against the relevant site conditions, in particular:

- The orientation of the house - siting south or west of the neighbour would normally be unacceptable
- The extent to which the proposal would rely for its setting on the garden of the adjoining house
- The location of the adjacent house and any existing extensions or other buildings at that property
- The use of the adjacent rear garden
- See also para B16

An inspection of the site revealed that the building as constructed does just break the 45° line projected from the corner of the adjoining property. The development site is to the south-east of the adjoining property, and as such has a minimal effect on light. This small increase in depth is considered to have a marginal impact on amenity, and does not result in significant harm being caused to the occupiers of the adjoining property at No. 33.

vii) The mid-point of the single storey rear extension is shown as being 3 metres high on the approved plans, but it has been constructed at a height of 3.26 metres:

The mid-point of the single storey rear extension has been measured at 3.14 metres high. The council's Supplementary Planning Guidance "Extensions, a Guide for Householders" indicates:

*"A single storey rearward projection, adjacent to a boundary, of up to 3 metres beyond the rear main wall of adjacent semi-detached or detached houses would normally be acceptable.*

*The height of single storey rear extensions should be minimised to restrict the impact on the amenities of the neighbouring residents. Subject to site considerations, the finished height of an extension abutting a residential boundary should be a maximum of 3 metres on the boundary for a flat roof, and for a pitched roof 3 metres at the mid-point of the pitch at the site boundary."*

The mid-point of the roof currently extends beyond 3 metres in height. The owner of the land has given an undertaking to reduce the height of the lintel above the rear door opening that supports the partially completed lean-to roof over the single storey rear extension. The lintel would be lowered in height by 200mm, which would result in a re-grading of the height and angle of the roof, thereby reducing the mid-point height and the height of the rear wall of the extension, at the furthest point from the original main wall.

The depth of the extension exceeds the Council's criteria. However, as stated above, the owner has offered to reduce the height of the extension. Accordingly, its impact on the occupiers of adjoining properties stands to be reduced. In these circumstances it is considered that the difference between the approved development and the resulting development is unlikely to constitute significant harm to the amenity of the residents of 29 Northumberland Road.

viii) The rear dormer roof extension is sited less than 1 metre from the roof eaves.

The rear dormer roof extension has been measured at 0.97 metres from the eaves. Such a small difference (30mm) between that constructed and the Council's minimum distance is considered to be 'de minimus' (of no account) and lies within tolerances that would normally be allowed to workmen within the construction process.

### Conclusions

2.2.4 The development currently under construction differs from the approved plans of planning permission ref: P/2928/04/DFU in several minor ways. It is considered that the majority of these differences, whilst not desirable, do not result in significant harm to the occupiers of neighbouring dwellinghouses, or to the character of the street scene. In the areas of greater concern, namely, the height of the single storey side extension, and the window to the flank wall of the two storey side extension, the owner of the land has offered to carry out works of amelioration.

2.2.5 In these circumstances it is therefore recommended that the Group Manager Planning and Development be authorised to pursue the proposed amendments to this development.

The alleged breach of planning control

2.2.5 Without planning permission:

i) the insertion of a new window opening on the ground floor flank elevation, facing No. 33 Northumberland Road; and

ii) the construction of the height of the single storey rear extension in excess of that granted planning permission in P/2928/04/DFU without complying with the permission.

Reasons for issuing the notice

2.2.6 It appears to the Council that the above breach of planning control occurred within the last 4 years.

The single storey rear extension, by reason of excessive bulk and height, would be unduly obtrusive, result in loss of light and overshadowing, and would be detrimental to the visual and residential amenities of the occupiers of the adjacent property, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

The ground floor flank window would result in indirect or perceived overlooking of the adjoining property, No. 33 Northumberland Road and result in an unreasonable loss of privacy to the occupiers, contrary to policies SD1, D4 and D5 of the Harrow Council Unitary Development Plan 2004.

2.2.7 The Council does not consider that Planning permission should be granted because planning conditions cannot overcome these problems.

3.3 Consultation

Ward Councillors copied for information.

3.4 Financial Implications

None at this stage.

3.5 Legal Implications

Included within the report.

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3.6 Equalities Impact

None.

2.7 Section 17 Crime and Disorder Act 1998 Considerations

None.

**Section 3: Supporting Information/Background Documents**

Background Documents:

Planning applications: P/2928/04/DFU  
P/289/05/DFU  
P/847/05/DFU

**38 CECIL PARK & 58 MARSH ROAD, PINNER, P/2971/05/CFU/ADK  
REDDIFORD SCHOOL**

Ward: PINNER SOUTH

CHANGE OF USE OF 58 MARSH ROAD TO USE FOR EDUCATIONAL PURPOSES  
AND CONSTRUCTION OF 3 TEMPORARY CLASSROOM BUILDINGS AT REAR

ORMS ARCHITECTS for REDDIFORD SCHOOL

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## **RECOMMENDATION**

Plan Nos: 1346.GA.01, 1346.GA.02, 1346.GA.03, 1346.GA.04, 1346.GA.05

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

- 1 The proposal would introduce a level of activity and disturbance not commensurate with surrounding residential properties and out of character in the locality, and detrimental to the amenities of local residents.
- 2 The proposed development, by reason of the size and siting of the temporary buildings, the change of use of No.58 March Road and use in association with the main school building, with the associated disturbance and activity would result in an overdevelopment.
- 3 The size, siting and appearance of the proposed temporary buildings would be inappropriate in a residential area and would be detrimental to the visual amenities of neighbouring residents.

## **INFORMATIVES**

1 **INFORMATIVE:**

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

- SD1 Quality of Design
- D4 Standard of Design and Layout
- D10 Trees and Development
- EP25 Noise
- EP29 Tree Masses and Spines
- SEP5 Structural Features
- T13 Parking Standards
- H11 Loss of Residential Land
- SH2 Housing Types and Mix
- C6 First and Middle Schools
- C7 New Education Facilities
- SC1 Provision of Community Services
- C18 Access to Buildings

2 **INFORMATIVE:**

The proposed development is considered contrary to the general thrust and intention to control the use of the School in order to limit the impact on nearby

residential amenities, as specified in the Second Schedule of Section 106 Agreement signed in November 1998.

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### **MAIN CONSIDERATIONS**

- 1) Standard of Design and Layout (D4, D5, D10, SD1)
  - 2) Land Use (C6, C7, SC1, SH2, H11)
  - 3) Amenity (D4, SD1, C6, C7, EP25)
  - 4) Trees (EP29, D10, SEP5)
  - 5) Parking & Highways Issues (T6, T13)
- 

### **INFORMATION**

#### **a) Summary**

Site Area: 0.2299 ha gross, 0.1894 ha net  
Council Interest: None

#### **b) Site Description**

- Site lies on the southern side of Cecil Park and is occupied by 2 former residential properties and a former detached garage that is now used by Reddiford School.
- The buildings occupy a substantial part of the width of the site however, there is a 3.5 metre gap to the north-western boundary with No. 32 Cecil Park.
- The original gardens have been adapted for playground space and also contains a hall, temporary classroom and 3 sheds.
- 9 parking spaces are located along the front of the site which is utilised by staff
- No 58 Marsh Road is located on the northern side of Marsh Road and is a 2 storey 4-bedroom detached residential dwelling.
- The property has a short front drive and a landscaped rear garden with the rear boundary fence bordering onto the rear of Reddiford School.
- The immediate surrounding area is residential in character.

#### **c) Proposal Details**

- Change of use of existing residential dwelling at no 58 March Road to educational use (D1).
- The property would be used for relocating the main library with a staff quiet work and I.T. room on the ground floor and a staff flat on the first floor.
- Demolition of the existing temporary classroom at the rear of the main school building and replace with 3 new temporary classrooms, in part using the rear of the house garden.
- The three temporary classrooms would each measure 9.3m in depth, 3.8m in width and 2.9m in height (102m<sup>3</sup>).
- Removal of tress at the north end of the garden.
- Existing vehicular and pedestrian access will remain via the main entrance at Cecil Park Road.

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- Parking space in the front drive and front entrance door of No 58 Marsh Road would only be used by future occupants of the staff flat.

**d) Relevant History**

LBH/40921	Two single storey replacement classroom buildings.	GRANTED 06-AUG-90
LBH/42339	First floor extension over classroom building.	GRANTED 22-AUG-91
WEST/477/94/FUL	Two single storey rear extensions	GRANTED 23-SEP-94
WEST/393/96/FUL	Single storey rear extension to replace existing toilet block.	GRANTED 25-JUL-96
WEST/536/97/FUL	Two storey & first floor rear extensions to provide additional classroom, staffroom and ancillary facilities & retention of hardstanding.	GRANTED 16-NOV-98

**e) Applicant's Statement**

- Reddiford School currently occupies buildings that have been adapted from residential use and are unsatisfactory for the school's needs.
- The school has recognised that in the long term relocation to new premises would be the solution, however to date the school has been unable to find suitable premises or sites for development and has decided to create more space by temporary measures.
- Purpose of the application is to improve the standard and quality of accommodation available to pupils and staff not for an expansion in school staff or pupil numbers.

**f) Consultations**

**Pinner Association:**

- Have no objection in principle but do have certain concerns;
- Use at No.58 Marsh Road should be ancillary to use at adjoining school and occupation of flat should be restricted to employees of the school;
- No.58 Marsh Road should be brought within the ambit of the existing Section 106 Agreement restricting staff and pupil numbers;
- Gate between No.58 March Road and adjoining school should be kept locked to prevent it being used as a "cut through" out of hours;
- Existing traffic chaos in Cecil Park should not be transferred to Marsh Road;
- Period of permission of temporary classrooms should be limited to 3 years after which the position should be reviewed.

<b>Advertisement</b>	Major Application			Expiry 23-FEB-06
<b>Notifications</b>		Sent 34	Replies 21	Expiry 14-FEB-06

**Summary of Responses:** concern at potential increase in traffic, noise and disturbance from school; linking of 38 Cecil Park with 58 Marsh Road would encourage parents of children in the Nursery School in Marsh Road to use Cecil Park for parking, compounding the congestion, noise and pollution; loss of residential character; loss of green space and trees to rear of No 58 Marsh Road; loss of amenity to residential properties; increase in noise nuisance at break times; school site already grossly over-developed for the Cecil Park residential area; unacceptable level of increase in use; No 58 Marsh Road would fall outside restrictions of Section 106 Legal Agreement restricting numbers of staff and pupils.

## **APPRAISAL**

### **1) Standard of Design and Layout**

The subject site comprises a pair of converted semi-detached houses and a detached garage fronting onto Cecil Park with a hall, a temporary classroom and sheds located to the rear in the original rear garden space. The surrounding area is predominantly in residential character with the adjoining properties to the east and west 2 storey semi-detached residential dwellings with deep rear gardens. Adjoining the subject site to the north is No. 58 Marsh Road, a two storey detached residential dwelling (forming part of current proposal) and No.56 Marsh Road with an access way along the western boundary with No 58 Marsh Road leading to 6 garages located along the rear boundary with No 38 Cecil Park.

The proposal also entails the demolition of the existing single storey classroom to the rear of the main school building and the timber sheds along the western boundary with No. 32 Cecil Park. This would allow for the erection of 3 no. single storey temporary classrooms. The temporary classrooms would partially extend into the rear garden of No 58 March Road. No external changes are proposed to No 58 Marsh Road.

Council policies require that design and appearance of new development is appropriate to the overall streetscape and respects the scale, form and character of the surrounding area. The temporary classrooms would be located to the rear of the main school building and would only be partially visible from Cecil Park through the 3.5 metres gap between the subject site and No 34 Cecil Park. The single storey nature of the classrooms would be compatible with the existing buildings in the school grounds, however, the location of the 3 buildings is considered to be out of character and inappropriate in a residential area.

The location of the proposed classrooms is such that it would not reduce the existing playground area in size. The development would also result in an improved circulation route from the main school buildings to the Nursery School (99/101 Marsh Road) via the garden of No. 58 Marsh Road. However, in November 1998 a section 106 Agreement was entered into between the Council, the Trustees of the School and Barclays Bank. The Agreement restricts, inter alia, the use of the School for certain activities outlined in the Second Schedule. In particular, clause (3) of the Second Schedule states that:

the Land shall not be made available for use by parents or other groups for parties or other non-school functions including use by the nursery school at 99/110 Marsh Road and the Land shall not be used for any purpose outside Normal School Hours apart from the following... without the prior written permission of the Local Planning Authority. The proposal would therefore be contrary to the requirements of the S106 Agreement as it would allow for the use of the garden of No 58 Marsh Road as a route between the nursery school and the main school buildings.

## **2) Land Use**

The Council has a presumption against the loss of residential land/buildings in the borough. However, UDP Policy H11 states that there may be exceptional circumstances where appropriate community uses would be allowed to locate within residential units, providing the use respects the amenity of neighbouring occupants and not be detrimental to the environmental quality of the surroundings. The use of the ground floor of No 58 Marsh Road as a library and I.T. room and the location of two of the classrooms in the rear garden area would result in an intensification of the use of the property as pupils and staff would move between the main school building, the temporary classrooms and No 58 Marsh Road, resulting in more disturbance and activity not normally expected from a residential use. It is considered that the change of use of No 58 Marsh Road to D1/Educational and the linking with the main school site would result in a scale and intensity of use of the property and a level of activity out of character with the residential nature of the locality.

## **3) Amenity**

The Council considers the provision of good quality school buildings, with appropriate facilities as important. Council policies C6, C7 and EP25 further require that new development should not be detrimental to environmental quality of the surrounding locality or the amenities of nearby residents. On existing school sites this could entail a limit to the level of school expansion and provision of additional facilities on the site.

The 3 temporary classrooms would be located to the rear of the main school building along the western boundary with No 32 Cecil Park and No 60 Marsh Road, where it would extend into the existing rear garden of the residential dwelling at No 58 Marsh Road. The proposed classrooms would be located a considerable distance away from any habitable room windows of No 32 Cecil Park and No's 56 & 60 Marsh Road and would therefore not lead to a loss of light or privacy to these properties.

However, it is considered that the erection of the 3 classrooms in such close proximity to the boundary with adjoining residential properties, the use of No 58 Marsh Road for D1/Educational purposes and the linking of the two sites would result in the overintensification of the use of the site and would give rise to increased disturbance and activity to the detriment of the amenities of neighbouring residential occupiers and the character of the area. Furthermore, the inclusion of the site into the school site as a whole would facilitate additional circulation between the nursery school and the main school building, exacerbating the above mentioned impact.

#### **4) Trees**

The application also entails the removal of a number of mature trees and vegetation along the northern boundary of No 58 Marsh Road. This currently acts like a screen or buffer between the residential properties at No's 58 and 60 Marsh Road and the School and makes a valuable contribution to the environmental character of the residential area. It is considered that the removal of the trees and vegetation would result in noise break out from the school and loss of visual amenity to the detriment of the amenities enjoyed by adjoining residential occupiers and have a harmful effect on the character of the area.

#### **5) Parking and Highways Issues**

Existing vehicular and pedestrian access to the School will remain solely via the main entrance at Cecil Park Road and the existing parking space in the front drive of No 58 Marsh Road would only be used by the occupants of the staff flat. The purpose of the application is to improve the quality of accommodation available to staff and pupils and not for the expansion in staff or pupil numbers. The School has an existing Section 106 Legal Agreement with London Borough of Harrow that places a restriction on staff and pupil numbers. It is therefore not considered that the proposal would lead to an increase in the parking requirement or an increase in vehicle journeys to and from the site and in this regard the proposal is considered acceptable.

#### **CONCLUSION**

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

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**427- 431 RAYNERS LANE, RAYNERS LANE**

**3/03**

**P/3000/05/DVA/KMS**

Ward: RAYNERS LANE

VARIATION OF CONDITION 2 OF PLANNING PERMISSION ON APPEAL  
T/APP/M5450/A/98/291610/P5 TO PERMIT OPENING 07:00-00:30 HRS MON-THUR &  
07:00-01:30 HRS FRI-SAT & 09:00-23:30 HRS SUN

HARROW LAW PRACTICE for MR H PATEL

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## **RECOMMENDATION**

Plan Nos: Site plan

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

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

## **INFORMATIVES**

- 1 **INFORMATIVE:**

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

SD1 Quality of Design

T13 Parking Standards

EM25 Food, Drink and Late Night Uses

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## **MAIN CONSIDERATIONS**

- 1) Licensing Act 2003
  - 2) Residential amenity (EM25)
  - 3) Parking and highway safety (T13)
  - 4) Consultation Responses
- 

## **INFORMATION**

Details of this application are reported to the Committee because the application to vary a condition imposed on previous planning consent raises substantial amenity issues.

### **a) Summary**

Conservation Area:	none	
Car Parking:	Standard:	2 (maximum)
	Justified:	See report
	Provided:	2
Council Interest:	None	

**b) Site Description**

- 3-storey end of terrace building on south west corner of Rayners Lane and Village Way East within Rayners Lane district centre
- ground floor in A4 (private members club/bar) use with residential above
- neighbouring properties fronting Rayners Lane have similar arrangement of commercial ground floors with residential above

**c) Proposal Details**

- Vary condition 2 of planning permission WEST/623/97/FUL to permit extended opening hours
- Proposed opening hours: 07:00-00:30 Monday-Thursday, 07:00-01:30 Friday-Saturday and 09:00-23:00 Sunday

**d) Relevant History**

WEST/623/97/FUL	Change of use: Class A1 (retail) to class A3 (restaurant) on ground floor with parking at rear	REFUSED 30-JUN-98 APPEAL ALLOWED
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**Reasons for refusal:**

- 1) The proposed change of use would result in increased noise, disturbance and general activity to the detriment of the amenities of neighbouring residents
- 2) The proposal would result in a proliferation of Class A3 uses to the detriment of residential amenity

**e) Applicant's Statement**

- None.

**f) Consultations**

Access Officer:	no response
Community Safety:	no response

Notifications	Sent	Replies	Expiry
	41	1	07-MAR-06

**Summary of Responses:** disturbance from loud music until 1 or 2am in breach of current rules, club not responsive to complaints

**APPRAISAL**

**1) Licensing Act 2003**

The hours permitted by the current planning permission are 10:00-23:00 Monday-Saturday and 10:00-22:30 Sunday.

The proposal if granted would extend the permitted opening hours to 07:00-00:30 Monday-Thursday, 07:00-01:30 Friday-Saturday and 09:00-23:00 Sunday, and is intended to bring the late night closing time allowed by planning into line with that allowed under the Licensing Act 2003.

Notwithstanding the above, the remit of the licensing panel is restricted to the 4 licensing objectives defined by the Licensing Act, namely preventing crime and disorder, public safety, preventing public nuisance, and protecting children. Significantly, they do not include the affect of increased noise and disturbance on private amenity, for example of neighbouring residents.

## **2) Residential Amenity**

Policy EM25 of the adopted Harrow Unitary Development Plan requires that the Council seeks to ensure that proposals for food, drink and any late night uses do not have a harmful affect on residential amenity. The policy requires, inter-alia, that the location of the premises, the proximity of residential properties, and hours of operation be taken into account when assessing applications for such uses.

In this case, the site is situated on a street corner within a designated district centre. Although the club occupies the ground floor, it has residential premises on its upper floors as do neighbouring commercial premises on both sides of Rayners Lane. It is therefore considered that whilst operating the premises until 11:30pm may be acceptable, an extension beyond this time would be likely to give rise to additional noise, activity and disturbance at unsocial hours and would therefore be detrimental to the amenities of occupiers of neighbouring residential properties. In respect of this resulting in differing hours being permitted under planning and licensing controls, this situation was anticipated by the Inspector at the time of the against the refusal of planning permission for a late night use in Northolt Road (Ref. WEST/617/95/FUL) who reasoned that although opening hours were also subject to licensing controls, these controls could be relaxed in future and that a planning condition restricting hours of operation was necessary in view of the residential accommodation on upper floors in the vicinity. The maintenance of the current restrictions on hours in regard to late night opening would also be consistent with other late night operations in the vicinity, at nos. 332, 419, 424, 434, 436-440 and 442-444 Rayners Lane, all of which have conditions requiring closure by, at the latest, 11:30pm. Indeed, it is considered that were the late night restrictions on the application property to be relaxed, it might be difficult for the Council to resist applications for similar relaxations of the restrictions on the other late night uses in the vicinity.

## **3) Parking and highway safety**

The application property has 2 off-street parking spaces at the rear, which are accessed via the service road leading from Village Way East. There are no proposals to increase the level of off-street parking and on-street parking in the vicinity is subject to daytime restrictions. It is not considered that permitting an extension of opening hours beyond the current 11pm closing time would result in significant problems in terms of highway safety as traffic levels are likely to be substantially lighter in the late evening than during daytime hours, and the site is well served by public transport, being within walking distance of several bus routes and Rayners Lane station.

## **4) Consultation Responses**

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

- disturbance from loud music until 1 or 2am in breach of current rules: matter for enforcement
- club not responsive to complaints: not a material planning consideration

**CONCLUSION**

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

**THE BLACK PEPPER RESTAURANT, 461 UXBRIDGE ROAD, HATCH END**

Ward: HATCH END

REMOVAL OF CONDITION 11 ON PLANNING PERMISSION WEST/122/96/FUL RESTRICTING HOURS OF USE (10.30 - 23.00 HRS MON-SAT AND 10.30 - 22.30 HOURS ON SUNDAYS)

DAVID WINEMAN for IVERIA LIMITED

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## RECOMMENDATION

Plan Nos: Site plan

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

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

## INFORMATIVES

- 1 **INFORMATIVE:**  
The following policies in the Harrow Unitary Development Plan are relevant to this decision:  
SD1 Quality of Design  
T13 Parking Standards  
EM25 Food, Drink and Late Night Uses

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## MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Licensing Act 2003
  - 2) Residential amenity (EM25)
  - 3) Parking and highway safety (T13)
  - 4) Consultation Responses
- 

## INFORMATION

### a) Summary

Car Parking:	Standard:	2 (maximum)
	Justified:	See report
	Provided:	0
Council Interest:	None	

**b) Site Description**

- 3-storey mid-terraced building on south on south side of Uxbridge Road within Hatch End district centre
- ground floor in A3 (restaurant) use with residential above
- neighbouring properties fronting Uxbridge Road have similar arrangement of commercial ground floors with residential above

**c) Proposal Details**

- Remove condition 11 of planning permission WEST/122/96/FUL to permit extended opening hours
- Opening hours would be controlled solely through premises license which allows: 10:00-00:30 Sunday-Thursday and 07:00-01:30 Friday-Saturday

**d) Relevant History**

WEST/122/96/FUL Change of use: Class A2 (betting shop) to class GRANTED  
A3 (restaurant) on ground floor with link 08-JUL-96  
enclosure and parking at rear

**e) Applicant's Statement**

- none

**f) Consultations**

Community Safety: no response  
Hatch End Association: Oppose removal of condition due to proximity of residential flats. Concerned that removal would result in use becoming like a wine bar/pub.

Notifications	Sent	Replies	Expiry
	14	0	17-MAR-06

**APPRAISAL**

**1) Licensing Act 2003**

The proposal if granted would remove the existing condition controlling opening hours, and enable the premises to operate 10:00-00:30 Sunday-Thursday and 10:00-01:30 Friday-Saturday as allowed by the premises license granted under the Licensing Act 2003.

Notwithstanding the above, the remit of the licensing panel is restricted to the 4 licensing objectives defined by the Licensing Act, namely preventing crime and disorder, public safety, preventing public nuisance, and protecting children. Significantly, they do not include the affect of increased noise and disturbance on private amenity, for example of neighbouring residents.

## **2) Residential Amenity**

Policy EM25 of the adopted Harrow Unitary Development Plan requires that the Council seeks to ensure that proposals for food, drink and any late night uses do not have a harmful affect on residential amenity. The policy requires, inter-alia, that the location of the premises, the proximity of residential properties, and hours of operation be taken into account when assessing applications for such uses.

In this case, the site is situated on a street corner within a designated district centre. Although the club occupies the ground floor, it has residential premises on its upper floors as do neighbouring commercial premises on both sides of Uxbridge Road. It is therefore considered that whilst operating the premises until 11:30pm may be acceptable, an extension beyond this time would be likely to give rise to additional noise, activity and disturbance at unsocial hours and would therefore be detrimental to the amenities of occupiers of neighbouring residential properties. In respect of this resulting in differing hours being permitted under planning and licensing controls, this situation was anticipated by the Inspector at the time of the against the refusal of planning permission for a late night use in Northolt Road (Ref. WEST/617/95/FUL) who reasoned that although opening hours were also subject to licensing controls, these controls could be relaxed in future and that a planning condition restricting hours of operation was necessary in view of the residential accommodation on upper floors in the vicinity. The maintenance of the current restrictions on hours in regard to late night opening would also be consistent with other late night operations in the vicinity, at nos. 250-252, 282, 302, 310, 348-350, 353, 371, and 423, all of which have conditions requiring closure by, at the latest, 11:30pm. Indeed, it is considered that were the late night restrictions on the application property to be relaxed, it might be difficult for the Council to resist applications for similar relaxations of the restrictions on these other late night uses in the vicinity.

## **3) Parking and highway safety**

The application property has 2 off-street parking spaces at the rear, which are accessed via the service road. There are no proposals to increase the level of off-street parking and on-street parking in the vicinity is subject to daytime restrictions. It is not considered that permitting an extension of opening hours beyond the current 11pm closing time would result in significant problems in terms of highway safety as traffic levels are likely to be substantially lighter in the late evening than during daytime hours, and the site is well served by public transport, being within walking distance of several bus routes and Hatch End station.

## **4) Consultation Responses**

- none

## **CONCLUSION**

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

## SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

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4/01

**LAND AT JUNCTION OF HILLSIDE ROAD, AND POTTER STREET HILL, NORTHWOOD** P/629/06/CNA/DC3

Ward: Adj Auth - Area 2(W)

CONSULTATION FROM LB OF HILLINGDON INSTALLATION OF 10M HIGH TELECOM POLE WITH ANTENNA AND EQUIPMENT CABINET

LONDON BOROUGH OF HILLINGDON

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### RECOMMENDATION

Plan Nos: 01A, 02A

**OBJECT** to the development set out in the application and submitted plans for the following reasons:

- 1 The proposal, by reason of excessive size and unsatisfactory siting next to the green belt, conservation area and area of special character, would be visually obtrusive and unduly prominent to the detriment of the amenity of local residents and the visual amenity of the surrounding locality.

### INFORMATIVES

- 1 **INFORMATIVE:**  
These comments are provided by this Council as a Local Planning Authority affected by the development and are made in response to consultation under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995.

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### MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Compliance with ICNIRP
  - 2) Need for Installation (D24)
  - 3) Character of Area and Visual / Residential Amenity (S1, SEP5, SEP6, SD2, EP31, EP33, D4, D24)
  - 4) Consultation Responses
- 

### INFORMATION

#### a) Summary

Green Belt:	Yes
Conservation Area:	Pinner Hill Estate
Area of Special Character:	
Council Interest:	None

**b) Site Description**

- Border with Harrow Council and Hillingdon Council
- Adjacent to Pinner Hill Estate Conservation Area
- Adjacent to Area of Special Character
- Adjacent to Green Belt
- Surrounding uses predominantly residential

**c) Proposal Details**

- Proposed development to be located on public footpath
- Installation of 10m high dummy telecom pole with antenna
- Equipment cabinet at ground level measuring 1450mm x 650mm x 1250mm
- Pole and cabinet to be painted to match the existing street furniture
- Proposal to improve existing 2G network and establish 3G coverage in the area

**d) Relevant History**

- None

**e) Applicant's Statement**

- Orange has considered all other existing structures and building where possible to locate their equipment and proposal site deemed most appropriate.
- The proposal forms part of the improvement of Orange's network coverage to this part of the city network as an improvement to the 2G network and in preparation for the 3G rollout.

**f) Consultations**

Notifications	Sent	Replies	Expiry
	4	0	08-APR-06

**APPRAISAL**

**1) Compliance with ICNIRP**

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines

**2) Need for Installation**

The applicant seeks to improve its existing 2G network and establish 3G coverage, which its existing structures cannot provide. It is considered that this point alone does not warrant the addition of the new telecoms structure in this vicinity.

**3) Character of Area and Visual / Residential Amenity**

The proposed dummy telegraph pole and equipment cabinet is considered to be inappropriately located. Due to the sensitive nature of the immediate surrounding area (being a conservation area, area of special character and green belt) the proposal to erect a telecoms structure is not considered to be conducive with the overall character of the area.

Policy D24 of the Harrow Unitary Development Plan 2004 suggests that telecoms installations are considered favourable provided they do not have a detrimental impact on structural features identified in policy SEP5, of which green belts and areas of special character are included. It is considered, although attempting to reflect the existing 7m street light next to the proposal site, that the proposed mechanical structure would not complement the character of the surrounding area.

Policy SEP6 requires the Council to ensure that proposed developments do not have an adverse impact on (amongst other things) the character and amenity of green belts and areas of special character. Policy SD2 further emphasises this point with regard to conservation areas and goes further by stating the Council will preserve and enhance conservation areas.

In this instance the proposal is not considered to preserve or enhance the Pinner Hill Estate Conservation Area. On the contrary it is considered that it would in fact have a detrimental impact on the character of the surrounding area.

It is therefore considered that by reason of excessive size and unsatisfactory siting next to the green belt conservation area and area of special character, would be visually obtrusive and unduly prominent to the detriment of the amenity of local residents and the visual amenity of the surrounding locality.

#### **4) Consultation Responses**

None.

#### **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

Prior approval of details of siting and appearance is required and this application is recommended for refusal.

LAND AT VICTORIA ROAD, SOUTH RUISLIP, P/356/06/CNA/SC2  
MIDDLESEX

Ward: Adj Auth - Area 2(W)

CONSULTATION: INSTALLATION OF 11.4 METRE HIGH IMITATION TELEGRAPH  
POLE MOBILE PHONE MAST AND EQUIPMENT CABINETS

STAPPARD HOWES

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## RECOMMENDATION

Plan Nos: Site location map and unnumbered photographs and photomontages

**RAISE NO OBJECTIONS** to the development set out in the application,  
subject to regard being had to the following matters:

### INFORMATIVES

1 **INFORMATIVE:**

These comments are provided by this Council as a Local Planning Authority affected by the development and are made in response to consultation under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995.

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## MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Impact on London Borough of Harrow
  - 2) Consultation Responses
- 

## INFORMATION

### a) **Summary**

Council Interest: None

### b) **Site Description**

- South side of Victoria Road west of its junction with Field End Road
- Field End Road represents part of the boundary between the London Borough's of Harrow and Hillingdon
- Site currently used as a maintained highways pavement and verge
- Surrounding area is mixed use. Retail park located to the south of the site with residential to the north. Residential and commercial properties with residential above located east of the site.

**c) Proposal Details**

- Installation of 11.4m high imitation telegraph pole mobile phone mast and associated equipment cabinet
- Cabinet would measure 1.58m x 0.28m x 2.2m (high)
- Scheme of soft landscaping proposed for the base of the cabinet and mast in order to screen the base of the cabinet and mast
- Mast to be finished with a wooden pole effect while the cabinet would be plastic coated steel with Olive Green colour

**d) Relevant History**

- None relevant

**e) Applicant's Statement**

- there is an operational need for the development
- alternative sites have been looked at but the applicant site represents the most suitable option
- the proposal complies with ICNIRP guidelines

**f) Consultations**

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	1	0	21-MAR-2006

**APPRAISAL**

**1) Impact on London Borough of Harrow**

The proposed works are not considered contentious and would not impact negatively on the amenity levels of nearby residents within the London Borough of Harrow. The location of the scheme, west of Hillingdon's boundary with Harrow, means that the closest residential properties to the proposed site are within the London Borough of Hillingdon. Distances of approx 115m – 130m separate the applicant site from the nearest residential dwellings within the Borough of Harrow. Such distances ensure that the proposal, if granted, would not impact negatively on the residential amenity levels of nearby Harrow residents. Furthermore, the proposed works would not impact on the character or visual amenity of this part of the Harrow boundary. Accordingly it is considered that the proposed works would have no impact on the London Borough of Harrow.

**2) Consultation Responses**

None

**CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, Harrow Council raises no objections to the proposals set out in this application

## SECTION 5 - PRIOR APPROVAL APPLICATIONS

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**KENTON LANE BILLBOARDS, KENTON LANE, P/615/06/CDT/DC3  
HARROW**

**5/01**

Ward: BELMONT

DETERMINATION: INSTALLATION OF 11.8 METRE HIGH TELECOMMUNICATION  
LAMP POST AND EQUIPMENT CABINET

MASON D TELECOM

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### **RECOMMENDATION 1:**

**PRIOR APPROVAL of details of siting and appearance IS required**

### **RECOMMENDATION 2:**

Plan Nos: 01 A, 02 A

**REFUSE** approval of details of siting/appearance for the following  
reason(s):

- 1 The proposal, by reason of excessive size and unsatisfactory siting, would be visually obtrusive and unduly prominent to the detriment of the amenity of local residents and the visual amenity of the green chain and of the surrounding locality.

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### **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Compliance with ICNIRP
  - 2) Need for Installation (D24)
  - 3) Character of Area and Visual / Residential Amenity (S1, SEP5, D4, D24, EP46)
  - 4) Consultation Responses
- 

### **INFORMATION**

#### **a) Summary**

Green Belt: Yes  
Council Interest: None

#### **b) Site Description**

- Two advertisement hoardings to rear
- Mixed retail, commercial and residential on opposite side of Kenton Lane
- Site on Kenton Lane public footpath/verge
- Designated green chain
- Health Centre and middle immediately adjacent to proposal site.

**c) Proposal Details**

- Erection of 11.8m mock lamppost/telegraph pole with antennae hidden within top section of pole
- At ground level associated equipment cabinet measuring 14.5cm x 6.5cm x 12.5cm
- Lamppost to be finished in charcoal grey, cabinet to be ivory green
- To provide 3G coverage in the Kenton Area.

**d) Relevant History**

EAST/466/93/DTD	Determination: 15m high telecommunications mast, antennas and equipment cabin	GRANTED 20-DEC-93
EAST/312/94/FUL	22.5m Telecommunications Mast and Antenna	REFUSED 20-JUN-94

**Reasons for Refusal:** No record

EAST/339/94/DTD	Determination: 15m High Telecommunications mast, antennas and equipment cabin	REFUSED 21-JUN-94
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**Reasons for Refusal:** No record

**e) Applicant's Statement**

- Proposed site not in designated area
- Proposed structure to blend in with existing street scene
- Proposal complies with Code of Best Practice
- Utilising existing telecoms masts in vicinity would not meet technical specifications required for 3G.
- Proposal fully complies with policy D26 of the Harrow UDP 2006

**f) Consultations**

<b>Notifications</b>	Sent	Replies	Expiry
	23	0	06-APR-06

**APPRAISAL**

**1) Compliance with ICNIRP**

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines.

**2) Need for Installation**

The applicant seeks to improve its existing 2G network and establish 3G coverage, which its existing structures cannot provide. It is considered that this point alone does not warrant the addition of the new telecoms structure in this vicinity.

### **3) Character of Area and Visual / Residential Amenity**

The site is located in and is surrounded by a designated green chain, of which was formally the Belmont Railway Line. Policy EP46 of the Harrow Unitary Development Plan 2004 requires the Council to safeguard and improve the character of the Boroughs green chains from inappropriate development.

Furthermore policy D24 of the Harrow Unitary Development Plan 2004 highlights telecoms installations are considered favourable provided they do not have a detrimental impact on structural features identified in policy SEP5, of which green chains are included. It is considered, although attempting to reflect the existing lamppost next to the proposal site, that the proposed structure would not complement the character of the surrounding area or the green chain.

It is therefore considered that by reason of excessive size and unsatisfactory siting in the green chain, would be visually obtrusive and unduly prominent to the detriment of the amenity of local residents and the visual amenity of the surrounding locality.

### **4) Consultation Responses**

None to date.

### **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

Prior approval of details of siting and appearance is required and this application is recommended for refusal.

**JUNCTION OF DU CROS DRIVE AND, MERRION AVE, P/442/06/CDT/SC2  
STANMORE**

Ward: CANONS

DETERMINATION: ERECTION OF 8M TELECOMMS POLE WITH ONE ANTENNA AND  
EQUIPMENT CABINET

PHA COMMUNICATIONS LTD

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**RECOMMENDATION 1:**

**PRIOR APPROVAL of details of siting and appearance IS required**

**RECOMMENDATION 2:**

Plan Nos: Drawing No's GLN8039 01A + 10A, OS Map and photograph no. GLN8039

**REFUSE** approval of details of siting/appearance for the following  
reason(s):

- 1 The proposal, by reason of excessive size, and unsatisfactory siting and appearance would be visually obtrusive and unduly prominent to the detriment of the amenity of local residents and the visual amenity of the surrounding locality.

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**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Compliance with ICNIRP
  - 2) Need for Installation
  - 3) Character of Area and Visual / Residential Amenity (S1, D4, D26)
  - 4) Consultation Responses
- 

**INFORMATION**

**a) Summary**

Council Interest: None

**b) Site Description**

- North side of Du Cros Drive, west of its bridge over railway line
- Site currently used as a maintained highways pavement and verge
- Network Rail land with some growth to the rear of the site
- Surrounding area is primarily residential – semi detached block towards the rear of site and directly opposite

**c) Proposal Details**

- Installation of new 8m dummy telegraph pole which will hold one antenna and associated cabinet at ground level
- Cabinet would be sited 4.5m west of the pole and would measure 1.45m x 0.65m x 1.25m
- Telegraph pole would be finished in wood effect and cabinet would be painted midnight green

**d) Relevant History**

- None.

**e) Applicant's Statement**

- there is an operational need for the development
- alternative sites have been looked at but the applicant site represents the most suitable option
- the proposal complies with ICNIRP guidelines

**f) Consultations**

<b>Notifications</b>	<b>Sent</b>	<b>Replies</b>	<b>Expiry</b>
	11	1	30-MAR-06

**Summary of Responses:**

Concerns regarding the siting of the proposed equipment and its impact on local residents. Health concerns also raised.

**APPRAISAL**

**1) Compliance with ICNIRP**

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines

**2) Need for Installation**

The applicant includes information with their submission showing existing coverage deficiency within this part of the borough. They state that this part of Harrow is a known area of insufficient radio coverage, due to the lack of radio base stations and topography. As such, the applicant shows both technical justification and an operational need for the works proposed.

**3) Character of Area and Visual / Residential Amenity**

The scale and location of the proposal is such that the works would have a negative visual impact on both the character of the area and the amenity of nearby residents. While the land to the rear of the site does contain some tree growth, the close proximity of residential dwellings, particularly No.67 Du Cros Drive, means that any installation of telecommunications equipment would impact negatively on the amenity levels of these residencies. The proposed pole would be sited 9m from the front of No.67 Du Cros Drive

while the proposed cabinet would be sited 6.5m away. Such a location, so close to residential properties would inevitably reduce residential amenity and therefore contravene Council Policy. In addition, the installation of a dummy 'telegraph pole' would appear unusual without the associated telephone cables. Accordingly, the application is recommended for refusal.

#### **4) Consultation Responses**

**Siting:** addressed in appraisal.

**Health Concerns:** PPG8 2001 "30 – *the planning system is not the place for determining health safeguards. It remains centred Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a Local Planning Authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them*".

#### **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

Prior approval of details of siting and appearance is required and this application is recommended for refusal.

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**LAND O/S 354 HIGH RD, HARROW WEALD**

**5/03**

**P/441/06/CDT/SC2**

Ward: HARROW WEALD

DETERMINATION: 15 METRE HIGH SLIMLINE TELEGRAPH POLE WITH THREE ANTENNAS AND ONE DISH AND FOUR EQUIPMENT CABINETS

PHA COMMUNICATIONS LTD

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**RECOMMENDATION 1:**

Plan Nos: Drawing No's GLN3199 101 - 104 + OS Map

**PRIOR APPROVAL of details of siting and appearance IS NOT required, subject to the following informatives:**

- 1 Standard Informative 28 – Telecommunications Development 1
  - 2 Standard Informative 29 – Telecommunications Development 2
- 

**MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Compliance with ICNIRP
  - 2) Need for Installation
  - 3) Character of Area and Visual / Residential Amenity (S1, D4, D26)
  - 4) Consultation Responses
- 

**INFORMATION**

**a) Summary**

Council Interest: None

**b) Site Description**

- East side of High Road north of its junction with Alma Road and south of its junction with Boxtree Road
- Site currently used as a maintained highways pavement and verge.
- Surrounding area is primarily commercial. Bus Terminal located west of the site, beyond which is recreation ground. Major retail outlet and car park situated to the east
- Other telecommunication equipment located north of applicant site

**c) Proposal Details**

- Erection of a new 15m slim line pole, which will hold 3 antennas, and 4 associated equipment cabinets at ground level
- Cabinets to be site 1m south of slim line pole with dimensions no greater than 5 cubic metres

**d) Relevant History**

P/2902/03/CDT      Determination – provision of 12m high ultra slim      REFUSED  
telecommunication mast and equipment cabinet      19-JAN-04

**Reasons for Refusal:**

1. The proposed development by reason of its proximity to existing similar telecommunications equipment and street furniture, would give rise to a proliferation of such apparatus to the detriment of the visual amenities and appearance of the area.

P/1077/04/CDT      Determination – provision of 12m high ultra slim      REFUSED  
telecommunications mast and equipment      14-JUN-04  
cabinets      APPEAL  
ALLOWED  
30-JUN-05

**Reasons for Refusal:**

1. The proposed development by reason of its proximity to existing similar telecommunications equipment and street furniture, would give rise to a proliferation of such apparatus to the detriment of the visual amenities and appearance of the area.

**e) Applicant's Statement**

- there is an operational need for the development
- alternative sites have been looked at but the applicant site represents the most suitable option
- the proposal complies with ICNIRP guidelines

**f) Consultations**

Notifications	Sent	Replies	Expiry
	17	awaited	30-MAR-06

**APPRAISAL**

**1) Compliance with ICNIRP**

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines

**2) Need for Installation**

The applicant includes information with their submission showing existing coverage deficiency within this part of the borough. They state that this part of Harrow is a known area of insufficient radio coverage, due to the lack of radio base stations and topography. As such, the applicant shows both technical justification and an operational need for the works proposed.

### **3) Character of Area and Visual / Residential Amenity**

The Planning Inspectorate in previous successful appeals, have accepted the suitability of this part of High Street for the installation of telecommunications equipment. There are a number of signposts, column, bus stops and cabinets on this part of the highway and on the opposite side. The proposed addition would be sited approx 25 – 35m south of two existing telecoms poles. It is considered that such a distance from the applicant site would not represent a proliferation of equipment, particularly in a primarily commercial area. The proposed development would not be visually detrimental to the character of the area. Its height and design would not be out of place or unduly prominent on a busy road with other street furniture and a mixture of commercial and other land uses. Furthermore, its installation would not impact negatively on residential amenity due to the commercial nature of the surrounding area. Accordingly, it is considered that prior approval of details of appearance and siting is not required.

### **4) Consultation Responses**

No responses as of date of this report (22nd March).

### **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

Prior approval of details of siting and appearance is not required.

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**LAND ADJ. TO 86 GEORGE V AVE, PINNER**

**5/04**

**P/459/06/CDT/SC2**

Ward: HEADSTONE  
NORTH

INSTALLATION OF 10M TELEGRAPH POLE WITH ONE ANTENNA AND EQUIPMENT CABINET

PHA COMMUNICATIONS LTD for ORANGE PCS LTD

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### **RECOMMENDATION 1:**

Plan Nos: Drawing No's GLN8162 01, 02 + OS Map

**PRIOR APPROVAL of details of siting and appearance IS NOT required, subject to the following informatives:**

- 1 Standard Informative 28 – Telecommunications Development 1
  - 2 Standard Informative 29 – Telecommunications Development 2
- 

### **MAIN CONSIDERATIONS AND POLICIES (2004 UDP)**

- 1) Compliance with ICNIRP
  - 2) Need for Installation
  - 3) Character of Area and Visual / Residential Amenity (S1, D4, D26)
  - 4) Consultation Responses
- 

### **INFORMATION**

#### **a) Summary**

Green Belt: Yes  
Council Interest: None

#### **b) Site Description**

- East side of George V Avenue near the southern boundary of Pinner Park
- Equipment to be sited on a grass verge next to dual carriageway.
- Site within designated area of Metropolitan Open Land
- Surrounding area consists of Pinner Park to the north, east and west of the site. Residential properties located south of applicant site.

#### **c) Proposal Details**

- Erection of a new 10m telegraph pole which will hold one antenna with associated equipment cabinet at ground level
- Cabinet to be sited 1m south of telegraph pole and would measure 1.45m x 0.65m x 1.25m (high)

**d) Relevant History**

- No relevant site history

**e) Applicant's Statement**

- there is an operational need for the development
- alternative sites have been looked at but the applicant site represents the most suitable option
- the proposal complies with ICNIRP guidelines

**f) Consultations**

Notifications	Sent	Replies	Expiry
	8	awaited	15-APR-06

**APPRAISAL**

**1) Compliance with ICNIRP**

The proposal includes an ICNIRP declaration confirming compliance with the public exposure guidelines

**2) Need for Installation**

The applicant includes information with their submission showing existing coverage deficiency within this part of the borough. They state that this part of Harrow is a known area of insufficient radio coverage, due to the lack of radio base stations and topography. As such, the applicant shows both technical justification and an operational need for the works proposed.

**3) Character of Area and Visual / Residential Amenity**

The proposed mast and cabinet would be sited along a grass verge beside the busy George V Avenue at the southern end of Pinner Park. The nearest residential properties to the site would be located 75-85m south and such a distance ensures that the proposal would not impact negatively on local residential amenity. The siting of the mast would be in the vicinity of other telegraph poles and a 10m high 'double headed' lamppost but, in the Council's opinion, would not represent a proliferation of such street furniture. The presence of such items would help to integrate the mast into the surrounding area. It is the Council's opinion that both the design and siting of the proposed pole would ensure that the proposal would have little visual impact on either the character of the area or the amenity of residents. The proposed masts' dummy telegraph pole design and timber finish and the proposed midnight green cabinet would match other existing street furniture and would sit comfortably within the sites backdrop. Accordingly, the application is recommended for approval.

**4) Consultation Responses**

No responses to date.

## **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above:

Prior approval of details of siting and appearance is not required.