



DEVELOPMENT CONTROL COMMITTEE

WEDNESDAY 28 JUNE 2006

PLANNING APPLICATIONS RECEIVED

DEVELOPMENT CONTROL COMMITTEE

28TH JUNE 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

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SECTION 1 – MAJOR APPLICATIONS

Item: 1/01

11 WAKEHAMS HILL PINNER, LONG P/1094/06/COU/ADK MEADOW

Ward PINNER

OUTLINE: SITING & MEANS OF ACCESS FOR 14 FLATS AND 18 CAR PARKING SPACES; DEMOLITION OF EXISTING HOUSE AND OUTBUILDINGS

Applicant: MR SANTOKH SINGH SAHOTA

Agent: SANDERS LAING

RECOMMENDATION

Plan Nos: SS04/102, 111 & 112

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

- 1 The proposed development, by reason of its excessive size, bulk and siting, would be visually obtrusive and out of context with the prevailing pattern of development in the area which is characterised by 2 storey detached dwellings, to the detriment of the visual amenities of neighbouring residents and the character and appearance of the area.
- 2 The proposed car parking area accessed via a narrow road would be likely to give rise to conditions prejudicial to safety and the free flow of pedestrians and vehicular traffic on the adjoining highway.
- 3 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.
- 4 The proposed development, by reason of excessive number of units and size of building, with the associated parking, 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 access road and rear parking area, by reason of excessive size and unsatisfactory siting in relation to the neighbouring residential properties, and associated disturbance and general activity would be unduly obtrusive and detrimental to the visual and residential amenities of the occupiers of those properties and the character of the area.

Continued/...

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
- SH2 Housing Types and Mix
- SEP5 Structural Features
- EP20 Use of Previously-Developed Land
- EP21 Vacant and Disused Land and Buildings
- EP43 Green Belt and Metropolitan Open Land Fringes
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D10 Trees and New Development
- H4 Residential Density
- H7 Dwelling Mix
- T13 Parking Standards

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1)** Character of Area & Site Layout (SEP5, SD1, D4, D5, EP43)
- 2)** Residential Amenity (SD1, EP25, D4, D5)
- 3)** Housing Provision & Density (SH1, SH2, H4)
- 4)** Trees (EP29, D10, SEP5)
- 5)** Parking (T13)
- 6)** Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major Dwellings
Site Area:	0.2940 ha gross, 0.1665 ha net
Car Parking:	Standard: 00. Justified: 00. Provided: 18
Council Interest:	None

b) Site Description

- The subject site is located to the north side of Wakehams Hill. The site is occupied by a 2 storey dwelling house and an outbuilding, and is accessed via a narrow road located between the subject site and No 9 Wakehams Hill.
- The area is characterised by double storey detached dwellings.
- The site is bounded to the north east by Green Belt, to the north west by rear gardens of properties located on Terrilands, and to the west by No 9 Wakehams Hill.
- The application site is located within an Archaeological Priority Area.

Continued/...

The narrow road leading to the application site is located just to the right of the junction between Wakehams Hill and The Squirells.

c) Proposal Details

- Outline application to demolish existing house and outbuildings;
- Siting and Means of Access for 14 flats (three storey building) and 18 car parking spaces.

d) Relevant History

- None

e) Applicant Statement

- None

f) Consultations:

Advertisement: | Major Development | Expiry: 25-MAY-06

Notifications:

Sent:	Replies:	Expiry:
31	34	02-JUN-06

Summary of Response:

- Out of character with area, increase in density inappropriate in neighbourhood with associated noise and disturbance, development on higher ground leading to overlooking and reduction in privacy, would be visually intrusive, adverse effect on the value of properties, increase in amount of traffic will lead to increased danger and inconvenience to residents, prominent location at top of hill will dominate all surrounding property and be ugly blight on local beauty spot, lead to further demand on water pressure could result in inadequate supply, loss of trees, access road unsuitable for large development.

APPRAISAL

1) Character of Area and Site Layout

Council policies require that new development is appropriate to the overall streetscape and respects the scale, form and character of the surrounding area. The application site is currently occupied by a detached 2 storey residential dwelling and a single storey outbuilding. The surrounding area is characterised by 2 storey detached residential dwellings set within ample sized plots of land.

The adjoining properties to the north-west consist of 2 storey residential dwellings with deep rear gardens. Adjoining the subject site to the west is No. 9 Wakehams Hill, a two storey detached residential dwelling which is separated from the subject site by a narrow access road. The north eastern boundary of the site is bounded by the Green Belt.

Continued/...

The proposal entails the demolition of the existing residential building and outbuilding. This would allow for the erection of a 3 storey building containing 14 flats and the provision of 18 car parking spaces.

The proposed building would broadly follow the footprint of the existing building along the northern part of the site with the eastern part of the building located in the existing garden area. The proposed building would be set in by between 14 metres and 4.8 metres from front boundary with Wakehams Hill.

The principle of the proposed development is considered to be inappropriate. As previously stated, the area is characterised by 2 storey, detached residential dwellings set within ample sized plots of land. The 3 storey, high density nature of the proposal would therefore be out of character with the general pattern of development in the area.

Furthermore, it is also considered that the scale and bulk of the proposed building would be excessive and unduly prominent in the streetscene. The location of accommodation in the roof space would entail dormer windows flush with the front façade resulting in the appearance of a three storey development which would be at odds with the 2 storey character of the adjoining properties. For the reasons of excessive size, bulk, siting and unsatisfactory design, it is considered that the proposed development would be visually obtrusive and overbearing and would not respect the scale, massing and form of the adjacent properties. This is considered to be to the detriment of the visual amenities of the occupiers of adjoining properties and to the detriment of the character and appearance of the area.

2) Residential Amenity

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 side elevation of the proposed building is only 4.8 to 6 metres away from the side boundary with the residential property at No 6 Terrilands. The location of habitable room windows at first and second floor levels could lead to direct overlooking of and loss of privacy to the private garden area of No 6 Terrilands. Furthermore, it is also considered that the location of the proposed 3 storey building would present a level of visual bulk that would be detrimental when viewed from the rear gardens of No's 5-7 Terrilands.

3) Housing Provision & Density

The proposal includes the provision of 14 flats. The site is located in an area that is predominantly residential. Council policies require the provision of a mix of dwelling sizes to reflect Boroughwide housing needs. The provision of smaller dwelling units in this location is considered to be in accordance with Policies SH1, SH2 H7 which also seek to meet the housing needs of all household sizes.

Continued/...

However, the proposed development would be relatively high density with the provision of 14 flats. This is considered to be inappropriate in a low density area which is characterised by detached houses with deep rear gardens. Furthermore, the site is not located in an area with good access to public transport and as such the proposed density is considered unacceptable in this location.

4) Trees

The application also entails the removal of a number of mature trees and vegetation on the site. The front boundary of the site along Wakehams Hill is very well screened by a hedge and trees approximately 6 metres in height. A high hedge and trees of approximately 5 metres in height act like a screen or buffer between the subject site and the access road separating the site from No 9 Wakehams Hill. Approximately 4 metre high trees also grow along the north west and north east boundary of the site and make 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 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

It is considered that the provision of 18 off-street parking spaces in the southern corner of the site is adequate in terms of the number of spaces required for this new residential development. However, the provision of 18 car parking spaces and the amount of hard surfacing would detract from the character of the area. In addition to this the movement of cars on the access road would have an adverse effect on the amenity of the occupant of No 9 Wakehams Hill and the access point onto Wakehams Hill near its junction with The Squirrels would be likely to give rise to conditions prejudicial to safety and the free flow of pedestrians and vehicular traffic on the adjoining highway contrary to the requirements of policies T13 and Schedule 5.

6) 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 refusal.

Continued/...

408 - 412 KENTON RD, KENTON

Item: 1/02

P/3178/05/CFU/RP1

Ward

KENTON EAST

REDEVELOPMENT: 2 TO 5 STOREY BUILDING TO PROVIDE 34 FLATS WITH UNDERGROUND PARKING (REVISED)

Applicant: STEPHEN HOWARD HOMES & LUPO LTD

Agent: TWIGG BROWN ARCHITECTS

RECOMMENDATION

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

1) 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

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

1 Prior to the commencement of works on the site, a detailed investigation of the site should be carried out to assess the effect of any residual contamination on the proposed development. The method and extent of this investigation shall be agreed in writing with the local planning authority in consultation with the Environment Agency prior to the commencement of the investigation.

REASON: To safeguard the site workers, local residents, future residents and the general environment, and prevent pollution to the water environment.

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

Continued/...

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

3 The development hereby permitted shall not commence until details that show how the principles and practices of the Secured by Design Award Scheme are to be incorporated into the development have 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: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

5 Prior to the commencement of the development hereby permitted, details that show how the standards set out in the Park Mark Safer Parking Award Scheme Guidelines are to be incorporated into the provision of the underground parking element of the scheme hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works. Once approved, the development shall be carried out in accordance with the agreed details.

REASON: In the interests of providing a safe parking environment compatible with delivering safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

6 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.

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

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

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

REASON To prevent the pollution of the water environment.

9 No soakaways shall be constructed in contaminated ground.

REASON To prevent pollution of groundwater.

Continued/...

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

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

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

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

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

13 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.

14 Any plant and machinery, including that for fume extraction, ventilation, refrigeration and air conditioning, which may be used by reason of granting this permission, shall be so installed, used and thereafter retained as to prevent the transmission of noise, vibration, and odour/fume into any neighbouring premises.

REASON: To ensure that the proposed development does not give rise to noise and odour/fume nuisance to neighbouring residents.

Continued/...

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

15 The proposed parking space(s) shall be used only for the parking of private motor vehicles in connection with the development hereby permitted and for no other purpose.

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

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

REASON: To prevent the increased risk of flooding.

INFORMATIVES

17 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

18 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.

19 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>

Continued/...

20 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.)

21 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).

22 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".

23 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.

24 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.

Continued/...

- 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.
-

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 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

This application was deferred at the meeting in April 2006 for further information regarding affordable housing and traffic. This is given in the Appraisal section of the report concerning housing and in the applicant's statement concerning traffic.

a) Summary

Statutory Return Type:	Major Dwellings
Affordable dwellings:	10 of the 34
Retail Floor Area	207 m ²
Dwellings:	34
Cycle parking	34 + see report
Site Area:	0.118 ha
Habitable Rooms:	
Density:	0 hrph, 288 dph
Car Parking:	Standard: 45 maximum
	Justified: 35
	Provided: 35
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.

Continued/...

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.
- 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 New petrol station, shop and car wash GRANTED
 Site used for industrial 15-AUG-85
 purposes in 1950s
 until filling station
 opened.

e) Applicant 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

Continued/...

Highways Engineers:

The development would unquestionably be no worse than the effect of the current site user, who has an exit from the car wash onto Charlton Road at the north end of the frontage onto that road. Also the traffic effect should be a great deal better on the Kenton Road arm of the junction as the current use for fuel sales and the convenience store generate much more traffic throughout the day on that frontage than would the proposed residential use.

The vehicle access for the flats is to be taken at the furthestmost point from the junction on the road of lesser status (Charlton Road) which is proper practice and will minimise interference with queuing at the lights as well as improve the safety aspect of access to the site.

There may be occasions when cars exiting the site will attempt to join a queue of vehicles waiting at the stop line of the traffic signals and this would be anticipated in the morning peak hour. In other locations, where specific difficulties have arisen from such a situation, a "keep clear" marking has been put on the road in an appropriate position and this could be tried if it was decided that some assistance was needed. It is not considered that the possibility of such occasional occurrence would be sufficient weight to warrant refusal of the application and the location of the access is considered to be the optimum arrangement.

Advertisement:

| Major development

| Expiry: 09-MAR-06

Notifications:Sent:
78Replies:
1Expiry:
22-MAR-06
(Re-Notified)**Summary of Response:**

- Insufficient car parking and increased traffic flow.

Continued/...

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. As the Highways Engineer stated: *"the traffic effect should be a great deal better on the Kenton Road arm of the junction as the current use for fuel sales and the convenience store generate much more traffic throughout the day on that frontage than would the proposed residential use"*.

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 S106 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.

Continued/...

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.

Continued/...

10 OXFORD RD, WEALDSTONE

Item: 1/03

P/614/06/CFU/DT2

Ward **MARLBOROUGH**

USE OF EDUCATIONAL PREMISES (CLASS D1 USE) FOR OFFICES (CLASS B1 USE) AND MEDICAL (CLASS D1 USE) PURPOSES

Applicant: CNWL MENTAL HEALTH NHS TRUST

Agent: ROLFE JUDD PLANNING

RECOMMENDATION

Plan Nos: Unnumbered ground floor, first floor and site location plan.

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

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

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

2 The premises shall be used for the purpose specified on the application and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1995 (or in any provision equivalent to that class in any statutory Instrument revoking and re-enacting that Order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

3 The D1 use hereby permitted shall not open to patients outside the following times: Monday - Sunday 8.00am to 8:00pm Not after 9 30pm on any two nights between Monday - Friday.

REASON: To safeguard the amenity of neighbouring residents and the character 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:

EM13 Land and Buildings in Business Use - Designated Areas

C8 Health Care and Social Services

C16 Access To Buildings and Public Spaces

T13 Parking Standards

Continued/...

2 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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Change Of Use (EM13, C8)
- 2) Parking/Access (C8, T13, C16 Supplementary Guidance Document 'Access For All')
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Change of Use
Site Area: 269² m
Business Use Area:
Proposal Site (PS37)
Car Parking: Standard: 1
Justified: 0
Provided: 0
Council Interest: None

b) Site Description

- Site is on the south side of Oxford Road, 350m from Wealdstone High Street.
- Comprises a multi storey building in use as Western Governors Graduate School

c) Proposal Details

- Permission is sought for use of educational premises for office (Class B1) and/or medical (Class D1) purposes on two storeys.

d) Relevant History

None

Continued/...

e) Applicant Statement

- Central and North West London Mental Health Trust provides a range of mental health services for people suffering from adverse physical, psychological and social consequences of substance misuse.
- Trust works alongside the Local Authority's Drug Action Team and Harrow PCT (Primary Care Trust), who in turn fund the Harrow Community Drug and Alcohol Service, which aims to reduce drug and alcohol related crime and violence on the streets of Harrow.
- Permission is sought for a dual use of the first floor of the premises as Offices, (Class B1) and/or an Educational/Medical use (Class D1), so that the Trust can relocate the services provided by the Harrow Community Drug and Alcohol Service from the existing premises at Bessborough Road, where they are the freeholders and which are no longer suitable.
- To permit a dual use would allow the property to revert to a lawful B1 use during a ten year period as permitted development in accordance with Class E, Part 3, Schedule 2 of the Town And Country Planning (General Permitted Development) Order 1995.
- Should the applicants vacate the building it could be marketed with a B1 use and delays in securing a new occupier could be minimised.
- Similar proposal granted last year for a dual B1/D1 use at Trust premises at Premier House, 38-40 High Street (ref: P/1264/05/CFU).
A dual use also serves a practical purpose, as both the Trust and Harrow CDT would need ancillary offices for the respective D1 services that they provide. A planning condition restricting the D1 element to medical and educational services only is recommended in this report.
- The applicants wish to provide a stronger service within the community and this would involve increasing their overall staffing complement from 18 to 26, but the existing premises at 44 Bessborough Road are limited and would not provide sufficient floor space to meet anticipated needs. The additional staff would provide professional enhancement and an expansion of the service in a larger work base than is available at the existing premises. They would comprise four clinical staff and an occupational therapist, an administrative person, a young persons outreach worker and a criminal justice worker.

f) Consultations:

Access Officer :

Highway Engineers : The site is in the Wealdstone CPZ. Providing appropriate planning conditions can be recommended for the type of D1 use that is proposed, then there is no objection.

Notifications:

Sent:
33

Replies:
0

Expiry:
27-MAR-06

Continued/...

APPRAISAL

1) Change of Use

The existing premises have a D1 (Non Residential Institutions) use. As such, the proposed D1 use will be in the same use class and will create some employment opportunities like the educational use it would replace. Indeed, the proposed move from the existing premises would involve an expansion in the service and an increase in staff from 18 to 26. The proposal therefore complies with the advice in Policy EM13 that seeks to protect the stock of land and buildings that generate employment uses within the designated area. The proposal is also consonant with the advice in Policy C8. It says that there should be sufficient appropriate social care and health care facilities to cater for the needs of the community. The other dual use B1 (Office) also meets with the advice in Policy EM13 and the objectives of the site's designation as a Proposal Site where business/residential uses are to be encouraged as part of the regeneration of Wealdstone.

2) Parking/Access

The site is within the District Centre and has good public transport accessibility and is close to the Peel House public car park. The proposal would not generate a need for parking or an increase in traffic movement in excess of that experienced in terms of the current/ previous use of the premises. Moreover, the applicants stressed in their accompanying statement that, as a Government Body, they are keen to encourage sustainable modes of transport for their employees. As such, they have prepared a Travel Plan for all of their staff across the Trust. This includes an analysis of traffic activity in the area and provides a number of alternative forms of travel.

The applicants have calculated that 20% of their staff travel solely by car in their journey to and from work. The Travel Plan includes incentives that encourage staff to use alternatives to the car. They include interest free rail season ticket loans, discounts for cycle sales, identification of problems restricting walking to work, a car pool database and organising video/teleconferencing instead of travelling to meetings. In these ways, it is hoped that dependence by employees on car borne means of travel will be reduced. This is commendable and means that traffic conditions in the area of the district centre could improve in time.

No external alterations or extensions are proposed for the premises; however the entrance to the building is not accessible to people with disabilities. The applicants submitted a plan showing a ramped entrance and adequate circulation space in the off street parking area at the side of the building that meets the advice in Policy D4 and the SPD 'Access for All' and is considered to be acceptable.

3) Consultation Responses

None received.

Continued/...

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.

Continued/...

Item: 1/04

**LAND R/O 25-28 BELMONT CIRCLE & P/687/06/CDP/DT2
13-25 BELLAMY DRIVE, KENTON LANE,
HARROW**

Ward BELMONT

RESERVED MATTERS (DETAILS OF DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) REQUIRED BY CONDITION 2 OF PLANNING PERMISSION P/3347/04/COU FOR REDEVELOPMENT IN FORM OF DETACHED PART 2/3 STOREY BUILDING FOR 2 HOUSES AND 12 FLATS WITH CAR PARKING

Applicant: MR E RYAN

Agent: TRIAD PLANNING & DESIGN LTD

RECOMMENDATION

Plan Nos: 06/500/RM/01A 06/500/RM/02A 06/500/RM/03A TRIA/BEL/001/D

APPROVE the details in accordance with the development described in the application and submitted plans:

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

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

Continued/...

3 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
- SD1 Quality of Design
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- D10 Trees and New Development
- H18 Accessible Homes

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Standard of Design and Appearance (SD1, SH1, D4, D5, H18)
- 2) New Residential Development - Amenity Space and Privacy (D5)
- 3) Landscaping
- 4) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major Dwellings	
Site Area:	1790m ²	
Habitable Rooms:	34	
Density:	190 hrph	78 dph
Car Parking:	Standard:	18
	Justified:	See report
	Provided:	15
Council Interest:	None	

b) Site Description

- Adjacent to north east boundary of Belmont Local Centre
- Triangular piece of land formerly occupied by 39 lock up garages in 3 rows alongside site boundaries and used for car related activities or storage use
- Access provided by 'L' shaped single carriageway private service road between Kenton Lane (to south of site) and Weston Drive (to north)
- Arm to Kenton Lane proposed for improvement as Service Road Proposal 6
- Houses in Bellamy Drive to the north east of site
- Rear of commercial premises in Belmont Circle to south west on opposite side of Weston Drive service road
- Belmont Line Green Chain/Site Of Nature Conservation Importance adjacent to north west boundary with houses on Felbridge Avenue beyond
- Public car park at southern end of green chain next to Kenton Lane arm of service road.

Continued/...

c) Proposal Details

- Approval of details of reserved matters relating to design of the buildings, external appearance of the buildings and landscaping of the site.

d) Relevant History

P/3347/04/COU	Outline: Redevelopment in form of detached 2/3 storey building for 2 houses and 12 flats with car parking	REFUSED 18-MAR-05
	Reason For Refusal: The proposed development, by reason of excessive number of units, size of building and hard surfaced parking areas, would be detrimental to the visual amenities of the area and give rise to an overdevelopment of the site to the detriment of the character and appearance of the area	ALLOWED ON APPEAL 02-FEB-06
P/995/05/COU	Outline: Redevelopment: detached 2 storey building to provide 10 flats and houses with car parking	GRANTED 17-JUN-05

e) Applicant Statement

- Not submitted

f) Consultations:

- **Engineering Services:** requested that storm water run off be attenuated
- **Thames Water:** similar comment

Advertisement: | Major Development | Expiry: 27-APR-06

Notifications:

Sent:	Replies:	Expiry:
98	0	19-APR-06

APPRAISAL

1) Standard of Design and Appearance

The articulation of the building has a vertical emphasis that accentuates, in particular the steepness of the roof pitches. However the articulation is adequate and the elevational treatment, showing return walls to projecting bays, balconies and changes in roof lines and door way details provide visual interest. The architectural form of the building and the palette of building materials is in keeping with the character and appearance of development in the locality. It is concluded that the design and appearance of the building meets the advice in Policy D4.

Continued/...

2) New Residential Development - Amenity Space and Privacy

Concern was had for the height of the building in relation to existing two storey properties in Bellamy drive to the north and east of the site and Felbridge Avenue to the north and west of the site and the potential for overlooking and loss of privacy to result. However, in granting planning permission for the 10-unit scheme, it was observed that separation distances between existing windows in rear elevations of the respective houses and those in the proposed development would be adequate.

In this proposal the site has an 'L' shaped configuration, with the main elevations on a north west-south east axis and the three storey section having a south eastern frontage that would face the public car park. In such circumstances any overlooking would be oblique, across rear gardens at distances of 25m and more, extending to more than 40 m towards the eastern site boundary, where most of the amenity space is provided for the site. The south facing windows in the proposed development would face the rear of commercial buildings on Belmont Circle. Therefore, it is concluded that no loss of privacy and residential amenity would occur for neighbours or future occupiers of the development.

The Inspector also ruled out such possibilities in comparing the two storey scheme with the Section 78 appeal into the Outline proposal in which siting and means of access were considered, noting that the tallest element of the proposed development would be sited closer to existing denser and taller buildings around Belmont Circle, with the whole development acting as a transition between the denser development to the south and the more suburban existing development to the north east.

3) Landscaping

The proposed landscaping of the site, is considered to be acceptable and in line with the advice in Policies D9 and D10.

4) Consultation Responses

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.

Continued/...

SPORTS EAST, HARROW SCHOOL **Item: 1/05**
FOOTBALL LANE, HARROW **P/123/06/CFU/RP1**

Ward HARROW ON THE HILL
12 x 15M MASTS AND 24 x 10M COLUMNS TO PROVIDE FLOODLIGHTING TO
ARTIFICIAL TURF PITCHES & TENNIS COURTS

Applicant: HARROW SCHOOL
Agent: HARROW SCHOOL GENERAL FUND

RECOMMENDATION

Plan Nos: Location Plan, Site Plan 100-02211-101-J, Tennis UK52530/4, Astro UK52530/4TO87RLHC, HL 250H 15mB, Tech Spec AL 5760

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

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

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

2 The floodlighting hereby permitted shall only be used on any day between the hours of 30 minutes before sunset until 2200 hours.

REASON: To safeguard the amenities of the locality.

3 The illumination from the lighting permitted to the tennis courts shall not exceed 766 LUX in the first 100 hours of operation of any light and 600 LUX thereafter. The illumination from the lighting permitted to the two pitches shall not exceed 478 LUX in the first 100 hours of operation and 382 LUX thereafter.

REASON: To safeguard the amenities of the location.

4 The development hereby permitted shall not commence until samples of the materials to be used in the construction of the light columns and light fittings have been submitted to, and approved in writing by, the local planning authority.

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

REASON: To safeguard the appearance of the locality.

5 The light fittings shall be fixed and maintained in accordance with specification sheets AL5760 and drawings UK2530/4 and /5.

REASON: To safeguard the amenities of the locality.

Continued/...

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.

EP44 Metropolitan Open Land

D14 Conservation Areas

D23 Lighting and Floodlighting

2 INFORMATIVE:

The applicant is reminded that the conditions attached to planning permission WEST/27/01/FUL continue to apply to the area to be floodlit.

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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1)** Metropolitan Open Land (EP44)
- 2)** Conservation Areas (D14)
- 3)** Lighting and Floodlighting (D23)
- 4)** Consultation Responses

INFORMATION

This report has been brought back to the Committee following the site visit by Members on 14th June 2006.

a) Summary

Statutory Return Type: Major - Other
Site Area: 2.24 ha net
Conservation Area: Nearest to site is Harrow School CA
Council Interest: None

b) Site Description

- A block of 12 tennis courts and two sports pitches which together form an L shape.
- These are situated within a much larger sports area between Football Lane and the borough boundary at Watford Road known as Sports East.

Continued/...

Item 1/05 : P/123/06/CFU continued/...

- The improvement and re-levelling of the larger area was permitted in 2002 and the works have been carried out including landscaping and the re-routing of the public footpath which now threads its way between the pitches.

c) Proposal Details

- To erect 12 x 16m high columns around the two pitches. The light fittings are to provide 382 LUX to pitch 1 and 214LUX to pitch 2. The greater brilliance on Pitch 1 is required to meet the standards of the English Hockey. When being used for training it will be lit the same as Pitch 2. A lower level of lighting is needed for football, as recommended by the Football Association, on Pitch 2.
- A total of 32 lights will be supported on the 12 columns.
- To erect 24 x 8m high columns around the twelve tennis courts. The light fittings are to provide 590 LUX to each court as recommend by the Lawn Tennis Association. Lighting will be controlled to each court so that only those in use will be lit.
- A total of 48 lights will be supported by the 24 columns.

d) Relevant History

WEST/27/01/FUL	Replacement athletics track, 12 replacement tennis courts, 2 all weather pitches, new equipment store, relocation of parade ground and improvements to access to Watford Road	GRANTED 28-APR-03
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e) Applicant Statement

- Previous permission given in 2003 for various sports facilities known as Sports East. Lighting removed from that application due to concern amongst committee members.
- Previous withdrawn lighting proposals comprised 16 x 18m high columns to the pitches and 24 x 10m high columns to the tennis courts.
- Latest technology enables the lighting columns to be reduced and lower than previously submitted.
- No lighting to be used after 2200 hours.
- To lower the columns any further would require changing the angle at which lights are mounted and would increase light spillage compared to that arising from the current proposal.
- The intensity of light is greater in the first 100 hours of use after which the lights deteriorate by about 25% to give a less amount of light for the life of the fitting, around 4,000 hours.

Continued/...

f) Consultations:

Greater London Authority: No comment

London Borough of Brent: No comment

Harrow Hill Trust: Use to be limited, light pollution controlled and perceived extent of urbanisation kept as low as possible

English Heritage: No comment

Advertisement:	Character of Conservation Area	Expiry: 30-MAR-06
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Notifications:

Sent:
52

Replies:
5

Expiry:
02-MAY-06

APPRAISAL

1) Metropolitan Open Land (MOL)

This is strategic open land within the urban area which contributes to the structure of London. Essential facilities will only be acceptable where they do not have an adverse impact on the openness of MOL. Policy EP 45 of the HUDP addresses additional building on MOL. Para 3.138 explains that the Council accepts that ancillary development may be necessary to sustain open land uses. That the open character and views to/from MOL should be minimally affected.

In 2002 it was accepted that, taking into account the School's statement of need of sporting facilities and the lack of all weather, illuminated pitches and benefits to community users that the need for the proposal had been demonstrated. Since then community use of the facilities has commenced.

2) Conservation Area

By day, when viewed by looking west towards the Hill, the lighting masts will be seen against the backdrop of the Hill surmounted by a line of buildings being in conservation areas. Closer up the masts will also be seen in the setting of the tree lines and fencing around the newly improved sports facilities.

In reverse, when looking east outward from the school conservation area, the columns will be seen amongst trees, fences and playing areas in the foreground.

By night, the glow of the lighting will be seen together with that already generated by Westminster University, the hospital and golf driving range which stand on the east side of Watford Road just over the borough boundary.

Continued/...

3) Lighting

Apart from school buildings, the nearest residential properties are approximately 450m away in Pebworth Road. The intervening rise in the ground level and trees, which have been added to by virtue of the landscaping condition attached to the previous 2002 permission will limit direct viewing. Whilst the lights may be visible such are the areas of light created that no light will shine directly onto these homes. The lit areas around the pitches do not extend any nearer than 350m to Pebworth Road properties.

An ecological assessment was undertaken in 2001. A number of measures to improve the ecological value of the playing fields were suggested and a condition imposed. The lighting did not give rise to any ecological issue.

4) Consultation Responses:

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

Use: This is limited by the conditions attached to the previous permission, the use of the lights is also to be controlled by condition; hours, intensity of light and speed of light. The visibility of the columns during the day and night have been addressed in the appraisal section.

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.

Continued/...

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item: 2/01

THE VILLAGE INN, 402-406 RAYNERS LANE P/830/06/DVA/OH

Ward RAYNERS LANE

VARIATION OF CONDITION 6 OF PLANNING PERMISSION LBH/45486 TO ALLOW OPENING SUNDAY TO THURSDAY 07.00 HOURS TO 00.30 HOURS ON THE FOLLOWING DAY AND FRIDAYS & SATURDAYS 07.00 HRS TO 01.30 HRS OF THE FOLLOWING DAY; EXTENDED OPENING ON SPECIAL DAYS

Applicant: J D WETHERSPOON PLC

Agent: HEPHER DIXON

RECOMMENDATION

Plan Nos: Site plan

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: - 07.00 hours to 00.30 hours Sunday to Thursday and 07.00 hours to 01.30 hours Friday and Saturday, or outside the times on the following special days:

- Thursday immediately preceding Good Friday and Sundays preceding Bank Holiday Mondays: 07.00 – 01.30 the following day
- Christmas Eve, Boxing Day, New Years Eve: 07.00 – 02.30 the following day
- Burns Night (25th January), Australia Day (26th January), St David's Day (1st March), St Patrick's Day (17th March), St George's Day (23rd April) and St Andrew's Day (30th November):
 - 07.00 – 02.00 the following day (if the day falls on a Sunday – Thursday)
 - 07.00 – 02.30 the following day (if the day falls on a Friday – 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

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Residential Amenity (EM24, EM25)
- 2) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Other
Town Centre: Rayners Lane – Secondary Parade
Council Interest: None

b) Site Description

- East side of Rayners Lane, south of the junction with Village Way
- 2 storey building with ground floor public house (Class A4) and first floor staff accommodation
- Site located towards the northern end of Rayners Lane designated district centre and within the designated secondary shopping frontage
- South of the site is further designated shopping frontages (primary and secondary) and Rayners Lane Library is situated to the rear of the site
- Surrounding area is predominantly commercial with ground floor commercial units with some residential units on upper floors

c) Proposal Details

- Variation of condition 6 of permission LBH/45486 to allow opening Sunday – Thursday 07.00 – 00.30 and Friday and Saturday 07.00 – 01.30. The application also requests permission for longer opening hours on ‘special days’ throughout the year. These days and proposed longer opening hours are as follows:
- Thursday immediately preceding Good Friday and Sundays preceding Bank Holiday Mondays: 07.00 – 01.30 the following day
- Christmas Eve, Boxing Day, New Years Eve: 07.00 – 02.30 the following day
- Burns Night (25th January), Australia Day (26th January), St David’s Day (1st March), St Patrick’s Day (17th March), St George’s Day (23rd April) and St Andrew’s Day (30th November):
 - 07.00 – 02.00 the following day (if the day falls on a Sunday – Thursday)
 - 07.00 – 02.30 the following day (if the day falls on a Friday – Saturday)

Revisions to Previous Application:

Following the previous decision (P/2580/05/CVA) the following amendments have been made:

- Opening at 07.00 hours instead of at 09.00 hours in the morning every day
- Same closing time at 00.30 Sun – Thurs, close at 01.30 Fri & Sat instead of 01.00
- Previous opening and closing times on ‘Special Days’ were from 09.00 – 02.00, this application seeks to open at 07.00 on special days with various closing times (please refer to section above)

Continued/...

d) Relevant History

WEST/45485/92/FUL

Change of use: Class A1 to A3 (retail to public house) ground floor rear extension and new shop front

GRANTED
03-NOV-92

Condition 6 of this permission read as follows:

“the premises shall not be used between 9.30-11.00 Mon – Sat and 9.30-10.30 Sunday and at no other time unless the written approval of the Local Planning Authority to any variation is first obtained.”

REASON: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

P/2580/05/CVA

Variation of condition 6 of permission LBH/45486 to allow opening Sun – Thurs 09.00-00.30, Fri and Sat 09.00 – 01.00 and extended opening on special days

GRANTED
17-MAR-05

e) Applicant Statement

- This application is to rectify the situation between the hours granted by the licensing panel and the hours allowed by the LPA
- The site is located in a district centre and the surrounding area is predominantly commercial, there is not a high level of residential occupancy in the vicinity, however there is some residential above the shops
- Having regards to the nature of the premises, the nature of the area and the excellent management record of JD Wetherspoon, it is considered the amendment to the hours of opening would not result in any detrimental impacts and as such is in accordance with the Harrow Unitary Development Plan

f) Consultations:

Notifications:

Sent: 30
Replies: 0

Expiry: 02-MAY-06

Summary of Response:

- None

Continued/...

APPRAISAL

1) Residential Amenity

The application property is situated along a designated secondary shopping frontage to the north of Rayners Lane designated district centre, within a predominantly commercial area. Some residential units do occupy the upper floors of neighbouring buildings. However, due to the location of the applicant premises, within a district centre and within a secondary shopping frontage, it is considered that an extension of opening hours would be acceptable, as it would not have a major impact on current amenity levels. Neighbouring occupiers have raised no objections to the scheme.

The Government currently favours a relaxation of licensing laws. The proposed extension of hours therefore appears to comply with Government policy. This coupled with the predominately commercial nature of the surrounding area mean that the proposal will not have a major impact on local residential amenity levels. This application is therefore recommended for grant.

It should be noted that the Licensing Panel has agreed the extended hours sought in this application. Should subsequent nuisance result to neighbouring residencies then the responsible authority may call for a review of the license at which time the terms of the license can be considered.

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 any comments received in response to publicity and consultation, as set out above:
this application is recommended for grant.

Continued/...

8 JULIUS CAESAR WAY, STANMORE

Item: 2/02

P/440/06/CFU/DC3

Ward CANONS

INSERTION OF WINDOW TO EAST ELEVATION

Applicant: ANTHONY PELL

RECOMMENDATION

Plan Nos: P001, P002, P003, P004

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

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

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

2 The window hereby permitted shall be glazed in obscure glass.

REASON: To safeguard the amenity of neighbouring residents.

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

REASON: To safeguard the appearance of the locality.

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

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

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.

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Green Belt Land and Area of Special Character (SEP6, SD1, EP33, D4)
- 2) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Householder
Green Belt:
Council Interest: None

b) Site Description

- Existing building is detached 2-storey single family dwelling
- Blank wall to side east elevation facing street
- Green Belt Area and Area of Special Character recently redeveloped for 96 residential houses

c) Proposal Details

- Insertion of window to east elevation on blank wall at first floor level

d) Relevant History

EAST/1060/99/OUT	Outline: Redevelopment – 4.86ha for 96 detached houses; 2.3ha for public open space; access from Brockley Hill	GRANTED 29-JUN-00
P/1280/03/CDP	Details pursuant to condition 2 (A,B,C) of planning permission EAST/1060/99/OUT permitting the construction of	APPROVED 17-OCT-03
P/1454/04/CFU	Provision of fences and gates at site entrances: separation of Public Open Space from housing development with new turning head	REFUSED 13-JAN-05

Reasons For Refusal:

1. The proposal would result in the unacceptable closure of the agreed means of access to the Brockley Hill Open Space in the absence of a satisfactory alternative means of access.

2. The proposed gates would hinder the free movement of visits by members of the public to the Public Open Space and therefore undermine the value of the POS and its enjoyment by the public.

e) Applicant Statement

- None

Continued/...

f) **Consultations:**
Stanmore Society : no responses

Notifications:

Sent:	Replies:	Expiry:
3	0	01-JUN-06

Summary of Response:

- None

APPRAISAL

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

This proposal represents a minor alteration to the appearance of the existing dwelling. Due to the fact that permitted development rights were removed in the consent for earlier planning applications EAST/1060/99/OUT & P/1280/03/CDP for the development of this site and the surrounding area for 96 residential houses, this minor alteration requires the benefit of planning permission before it can be implemented.

The window is for the upstairs bathroom. It would be 50cm by 90cm and would reflect the size and lines of existing windows at 1st floor level on the building. The proposed window would not have an adverse effect on the appearance of the greenbelt or the building, being a minor alteration to the appearance of the existing building.

The window would overlook a street. Hence, it raises no amenity issues. It is assumed that this will be obscure glazed, given that it is for a bathroom. To ensure that this is provided, a condition is attached to this effect.

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 any comments received in response to publicity and consultation, as set out above:
this application is recommended for grant.

Continued/...

226 STREATFIELD RD, HARROW

Item: 2/03

P/1147/06/DFU/LW

Ward QUEENSBURY

SINGLE STOREY FRONT, SIDE AND REAR, AND TWO STOREY SIDE TO REAR
EXTENSIONS, CONVERSION OF HOUSE TO 2 SELF-CONTAINED FLATS

Applicant: MR D VARASANI

Agent: DAVID R YEAMAN & ASSOC.

RECOMMENDATION

Plan Nos: 001, 002E

GRANT permission for the development described in the application and submitted plans subject to the following condition(s):

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

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

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

REASON: To safeguard the appearance of the locality.

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

SH2 Housing Types and Mix

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

H18 Accessible Homes

H9 Conversions of Houses and Other Buildings to Flats

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.

Continued/...

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:

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

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

5 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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Conversion Policy (SD2, H9)
- 2) Accessible Homes (H18, SPG - Accessibility)
- 3) Parking (T13)
- 4) Impact on Neighbouring Amenity & Character and Appearance of Area (SD1, D4, D5, H9)
- 5) Consultation Responses

Continued/...

INFORMATION

This application is presented to the Committee for decision following the receipt of a neighbour petition with 8 signatures, objecting to the proposal and a request from a Nominated Member.

a) Summary

Statutory Return Type:	Minor Dwelling
Car Parking:	Standard: 3.4 (maximum)
	Justified: 2
	Provided: 2
Council Interest:	None

b) Site Description

- The application site is located on the southern side of Streatfield Road, Harrow.
- It is occupied by a two storey semi detached dwelling with side garage to the flank boundary.
- Attached house, No 224 is improved with a single storey rear extension and two storey side extension.
- Adjacent house, No 216 is improved with a single storey rear extension.
- The front yard is currently landscaped, however both adjoining dwellings have hard surfacing.

c) Proposal Details

- Conversion of the dwelling house into two self contained flats, three bedroom flat on the ground floor and a two bedroom flat on the first floor.
- Two car parking spaces at front of the site
- Rear amenity space provided for both flats. To facilitate the conversion, extensions are also proposed.
- Side garage removed and replaced with two storey side extension wrapping around the rear of existing dwelling, extending for width of the site.
- Ground floor rear portion of extension will protrude 4m from existing rear flank wall.
- On first floor, extension wraps around rear of dwelling for a distance of 2m, protruding 2.3m from rear flank wall of the original building.
- Proposal also involves single storey front extension to facilitate entrance porch and extension of a proposed bedroom.

d) Relevant History

P/1523/05/DFU	Conversion of house into three self-contained flats, single storey front and rear, two storey side to rear extensions.	REFUSED 10-AUG-05
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Continued/...

Reasons for Refusal:

1. The proposed conversion would result in an over-intensive use of the property which, by reason of associated disturbance and general activity, would detract from the residential amenities of the occupiers of neighbouring properties and be out of character in the locality.
2. The proposal makes no provision for access to the rear garden from the first floor flat and thus provides an inadequate standard of amenity for the future occupiers thereof.
3. The proposed side parapet would be unduly obtrusive and overbearing in relation to the adjoining property and the streetscene, detracting from the neighbour's amenities and the character of the locality.
4. The proposed 'French' doors and railings to the rear elevation of the proposed first floor extension would not represent an appropriate form of development in the locality and would give rise to a likely increase in actual and perceived overlooking of the adjacent property, to the detriment of the established character of the area and to the residential amenities of the adjacent occupiers.
5. The proposal does not make adequate provision for parking within the curtilage of the property and given the present highway and traffic conditions in this road, is likely to have an adverse effect on highway safety and movement; the proposed thus conflicts with the adopted conversion policy of the local planning authority.

Revisions to Previous Application:

Following the previous decision (P/1523/05/DFU) the following amendments have been made:

- Reduction from 3 to 2 self-contained flats.
- Proposed side parapet removed.
- Rear facing French doors and railings removed from first floor.

Revisions to this Application:

Following preliminary assessment of the proposal, the following amendments were requested;

- Increase in door widths, to 900mm for front and rear doors and 800mm for internal doors, unless not approached head on, in which case they will remain at 900mm. This is required in order to comply with SPG – Accessible Homes.

e) Applicant Statement

- By reducing the number of flats from 3 to 2 – the proposal does not now result in an over intensive use of the property.
- Access to the rear part of the back garden is now specifically provided from the first floor flat and has been expressly delineated on the site plan to show a good area of amenity space for each flat.
- The proposed side parapet, which was considered to be unduly obtrusive and overbearing in relation to the adjoining property in the street scene, has been reduced in height relative to its neighbour.

Continued/...

- The French doors and railings to the rear elevation at first floor level have now been omitted to reduce any incidents of perceived overlooking.
- Parking – 1 parking space for each property, indicated at the front of the property.

f) Notifications:

Sent:	Replies:	Expiry:
8	1 petition, 8 signatures	24-MAY-06

Summary of Responses:

- Objection – increase people, cars and noise – reversing out of drive is hazardous – Streatfield Road is regularly double parked and lined with cars, resulting from shops and schools in area – 3 schools within half mile radius, potential for children to be injured – overdevelopment – precedent.

APPRAISAL

1) Location of Conversion

The proposal is located within an area of predominantly single family dwellings, with similar flat conversions occurring in the locality. The site is within close proximity to the Local Centre of Honeypot Lane and as such an increase in density in this location is considered appropriate. The conversion would create a suitable interface between the adjoining residential areas and Local Centre. The conversion also serves to create a mix of housing types available in the borough, in compliance with the intentions of the UDP.

In terms of floor space, the size of the proposed rooms are satisfactory, taking into account the size of household likely to occupy the units. The proposal successfully complies with the Environmental Health Standards for internal amenity space.

Access to the flats is obtained through a single front entrance, which serves to ensure that the building will maintain its appearance as a single dwelling house from the street, with minimal impact on the local character.

The layout of the flats is satisfactory in terms of vertical stacking. The provision of 'like room' over 'like room' helps to minimise noise transmission and create a suitable neighbourly relationship between the flats. There is a small overlap of the first floor living area over bedroom 2 on the ground floor, however the overlap is only for an area of 3m² and occurs at the entrance to the bedroom. Furthermore, this area of the proposal is part of the extension and as such, it will be possible to ensure suitable sound insulation is installed to minimise any sound transmission between the flats. Internal circulation throughout the flats is also considered appropriate.

Continued/...

Both flats are provided with private amenity space, accessed directly from the rear of each flat. A minimum of 75m² is provided for each flat, which is considered acceptable given the size of the households likely to occupy the units.

The proposal involves two parking spaces in the front yard, involving a large area of hard surfacing to cater for the parking area. Currently the site is only partially paved. The loss of the landscaped area is not normally accepted by Council however in this instance, given the location and current parking concerns in the area, it is considered pertinent to provide two spaces on the site for the proposal. Furthermore, both adjoining dwellings have completely paved front gardens, used for parking and as such, it is not considered that the proposal will appear out of place in the street scene. In addition to the parking spaces, the site is served by public transport along Streatfield Road and is within walking distance to Queensbury underground station.

2) Accessible Homes

The proposal complies with the requirements of Council's SPG, and provides adequate parking space, door widths, entrance ways and turning circles to facilitate the ground floor flat being converted into living accommodation for disabled or elderly persons.

3) Parking

The proposed parking layout, which involves the provision of one space for each flat is considered acceptable. The area is characterised with front yard, off street parking and therefore the parking layout will not appear incongruous in the street scene.

4) Impact on Neighbouring Amenity & Character and Appearance of Area

The proposed ground floor extension complies with the requirements of the SPG. At the front of the site the new porch is consistent with other porches in the immediate vicinity and will not appear out of character in the streetscene. The side extension will abut the driveway of the adjoining plot, and replace the existing garage on the site. To the rear the extension will protrude an extra 4m from the rear flank wall of the dwelling, along both side boundaries. The attached dwelling, No. 228 has an existing rear extension along this boundary, which protrudes in excess of 4m and as such, this proposal will have minimal (if any) impact on this plot. The adjacent dwelling, No. 216 has a rear garage along the boundary, and the extension will continue along adjacent to the garage and stop at the front facing wall of the garage. The proposal therefore extends further than the permitted 3m in the SPG, however given that the adjacent dwelling is stepped away from the boundary, and as the extension will abut a driveway, it is not considered to create an unacceptable impact on the amenity of this plot.

Continued/...

The front ground floor portion will have a mono pitched roof and appear subservient to the existing dwelling. The remainder portion of the ground floor extension (where not occurring in conjunction with a first floor extension) will remain flat roofed to a height of 3m, which is consistent with the existing rear extension on the adjoining dwelling. It is considered that the ground floor extension remains within the scale and character of the existing building and the local area.

The first floor extension will occur above the proposed ground floor extension, along the boundary to the adjacent dwelling No. 216 and as such abuts the driveway of this property. The extension is set back 1m from the main face of the dwelling and the hipped end roof is stepped down from the existing ridge line, ensuring that the proposal remains subservient to the existing building, reduces bulk and does not create a 'terracing' effect.

The adjoining dwelling No. 216 has one flank window facing the proposal, however the window is to a stairwell and is therefore not protected. No flank windows are proposed and as such will not create an overlooking effect on the adjoining plot. The proposal wraps around the rear flank wall of the existing building, but remains within the 45° splay from both adjoining dwellings. Given this, it is not expected that the proposal will have any undue impacts on amenities of either adjoining plots.

The proposal remains consistent with the design and scale of the original building and as such is in character with the dwelling and the general area.

5) Consultation Responses

- Adequate parking is provided on site for proposal, access to and from the site can occur in compliance with Council's parking requirements.
- The proposal is not considered to be overdevelopment as the two flats can occur on the site with minimal impact to the adjoining plots.
- Proposal will not create a precedent; each application is assessed on its merits and individual site circumstances.

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.

Continued/...

'FIELD COTTAGE', BROOKSHILL, P/652/06/DFU/TEM
HARROW WEALD

Item: 2/04

Ward HARROW WEALD

ADDITIONAL VEHICLE CROSSOVER

Applicant: MR V N JOCIA
Agent: D J HUMPHRIES

RECOMMENDATION

Plan Nos: 1:1250 Block Plan, Proposed layout (received 10-MAR-06)

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

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

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

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:

EP31 Areas of Special Character

EP34 Extensions to Buildings in the Green Belt

SEP5 Structural Features

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

SD1 Quality of Design

D4 Standard of Design and Layout

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:

Before implementing the planning permission hereby granted, or the works indicated in your certificate of lawful proposed development, the applicant is advised to contact the Council's Highways Crossings Officer on 020 8424 1799 or by email to john.almond@harrow.gov.uk to find out whether the construction of the crossover is acceptable in highway terms.

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Impact on Character of Area, Green Belt and Area of Special Character (EP31, EP34, SEP5, SEP6, SD1 and D4)
- 2) Traffic Considerations, (T13)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Householder
Area of Special Character:
Green Belt:
Council Interest: None

b) Site Description

- The application site contains a detached property in a large plot located on the east side of Brookshill within the Harrow Weald Ridge Area of Special Character
- The subject site is located in the Green Belt and has an existing crossover towards the northern boundary
- The adjacent properties on each side of the site are detached properties with similar plot sizes.
- The site has a hard surfaced front garden with room for up to six vehicles and there is a large tree near the front boundary.
- An opening has already been made in the front wall in order to accommodate the proposal

c) Proposal Details

- Creation of an additional vehicular crossover at the southern side of the plot.

d) Relevant History

LBH/11699	Erection of Single Storey Rear and Side Extensions and Erection of New Front Porch	GRANTED 26-MAR-76
HAR/4016/1	Double Vehicular Access, Lieu Single Access	GRANTED 24-APR-62
HAR//4016/H	Erection of Detached House And Garage	GRANTED 05-DEC-61

e) Notifications:

Sent:	Replies:	Expiry:
2	0	06-APR-06

Continued/...

APPRAISAL

1) Impact on Character of Area, Green Belt, and Area of Special Character

The width of the proposed vehicle crossover would be 3m, which is the same width as the existing crossover. A number of properties along Brookshill have two vehicle crossovers, and this includes the adjacent property to the south (Angora).

This small additional crossover would have no impact on openness and would not detract from the character of the Green Belt and the Area of Special Character or the appearance of the area.

2) Traffic Considerations

The proposal would facilitate vehicles entering and leaving the site front-first, to the benefit of highway safety and the free flow of traffic.

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 any comments received in response to publicity and consultation, as set out above, this application is recommended for grant.

Continued/...

17 HIGH ST, WEALDSTONE

Item: 2/05

P/1113/06/DVA/LW

Ward **MARLBOROUGH**

VARIATION OF CONDITION 4 OF PLANNING PERMISSION (LBH/24865) TO ALLOW OPENING FROM 10:30AM-1:00AM MON-THUR & SUN & 10:30AM-3:00AM FRI-SAT

Applicant: A & S FAST FOOD LTD

Agent: JOSHUA SIMONS

RECOMMENDATION

Plan Nos: N/S/H/A/06/01, Site Plan

GRANT permission for the variation 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:-10.30am to 01.00am the following day Sunday to Thursday and 10.30am to 03.00am the following day Friday and Saturday, without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

2 The opening hours hereby permitted shall be discontinued and the premises opening hours reverted to hours no later than permitted by Condition 4 of planning permission LBH/24865 1 (one) year from the date of this permission, unless otherwise approved in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

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:

EP25 Noise

EM25 Food, Drink and Late Night Uses

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Licensing Act 2003
- 2) Residential Amenity (EP25, EM25)
- 3) Consultation Responses

Continued/...

INFORMATION

a) Summary

Statutory Return Type: Other

Council Interest: None

b) Site Description

- The site is currently occupied by a three storey terraced building within Wealdstone District Centre with a fast food chicken outlet operating out of the ground floor level. The two floors above are used as residential flats.
- The adjoining buildings are similarly composed, with commercial uses on the ground floor and residential above.
- There are several other late night uses in the area, including public houses and off licenses.
- The site is within close proximity to the Harrow and Wealdstone train station, located to the south.

c) Proposal Details

- Variation of Condition 4 of planning permission LBH/24865 to allow opening until 1am Monday to Thursday and Sunday, and 3am Friday and Saturday.
- These hours along align with the Licensing Panel agreed hours.
- Existing opening hours are from 10.30 – 23.30hrs Monday to Saturday and from 10.30 – 22.30hrs on Sundays and Bank Holidays.

d) Relevant History

LBH/24865	Use as restaurant and take away food shop and erection of extractor trunking at rear.	GRANTED 17-FEB-84
P/3008/05/DVA	Variation of C4 of PP. LBH/24865 to allow opening from 10.30-01.00 Sun – Thurs & 10.30-03.00 Fri and Sat.	REFUSED 16-MAR-06

Reason for Refusal:

The proposed variation on condition would result in increased disturbance and general activity of unsocial hours to the detriment of the amenities of neighbouring residents.

e) Applicant Statement

- Increased opening hours would not cause increased disturbance anymore than existing takeaways in High Street which are not subject to planning restrictions and trade up to 3am.

f) Consultations:

- None

Notifications:

Sent:
24

Replies:
0

Expiry:
24-MAY-06

Continued/...

APPRAISAL

1) Licensing Act 2003

Following the implementation of the Licensing Act 2003 the Council has established a licensing panel to consider and determine applications to vary or establish new licenses under the provisions of the Act. In determining license applications under the Act, the Panel considers crime and disorder prevention, public safety, public nuisance prevention and the protection of children. The Licensing Panel has agreed the proposed hours.

2) Residential Amenity

Policy EM25 seeks to protect residential amenity from food and drink uses by assessing proposals in relation to their location, relationship to residential property, the nature of the proposed use, hours of use, soundproofing, parking and servicing arrangements and fume extraction arrangements.

The site is located within the secondary frontage of Wealdstone High Street which in this area has a conglomeration of late night uses such as public houses and off licenses, as well as other fast food outlets. Previously, hours have been extended in the area to cater for these uses, which are generally encouraged in the area. To date, no uses in the area have planning permission to open until 3.00am, however several A3 uses, that do not have planning conditions restricting opening hours, have current licenses to open until 3am on Friday and Saturday nights and are operating till this time.

Residential uses exist above the subject site, and in the adjacent buildings within the parade. However, given the nature of the area and the existing late night uses, it is not expected that an extension of the opening hours of this business create any significant exacerbation of the impact of existing late night uses on the existing residential amenities of the area. Furthermore, no objections were received from adjoining residents in relation to the proposal.

In order to ensure that the impact on residential amenity can be monitored, a condition allowing the use to operate to these hours for a year is suggested to allow for future reassessment of the situation. Furthermore under the licensing laws should subsequent nuisance to neighbouring residencies occur, then any responsible authority may call for a review of the license, at which time the terms of the license can be reconsidered.

Fume extraction currently exists on site and has been in place since 1984. The arrangements of this will not change as a result of this application, but as a result of the increase in hours, will remain in operation later. It is not considered that the extended operation of the fume system will have any considerable impacts on the adjoining residential uses.

3) Consultation Responses

None

Continued/...

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.

Continued/...

BENTLEY WOOD HIGH SCHOOL, BRIDGES ROAD, STANMORE

Item: 2/06
P/1002/06/CFU/ML1

Ward STANMORE PARK
REPLACEMENT TEMPORARY DOUBLE MOBILE CLASSROOM UNIT (2 YEARS), AND
TEMPORARY TRIPLE CLASSROOM UNIT (2 YEARS)

Applicant: THE SCHOOL GOVERNORS
Agent: TONY WELCH ASSOCIATES

RECOMMENDATION

Plan Nos: 840.05.BW.10; 01; 02; 04

GRANT permission for the development described in the application and submitted plans subject to the following condition(s):

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

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

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

- (a) 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.

3 The building(s) hereby permitted shall be removed and the land restored to its former condition within two year(s) of the date of this permission, in accordance with a scheme of work submitted to, and approved by, the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and to permit reconsideration in the light of circumstances then prevailing.

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.

Continued/...

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:

SD1 Quality of Design

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

EP31 Areas of Special Character

EP32 Green Belt-Acceptable Land Uses

EP33 Development in the Green Belt

D4 Standard of Design and Layout

C7 New Education Facilities

C16 Access to Buildings and Public Spaces

3 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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Development in the Green Belt (SEP6, EP31, EP32, EP33) / Area of Special Character (EP35) and New Education Facilities (C7)
- 2) Standard of Design and Layout (SD1, D4, C16)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor - Other

Green Belt:

Council Interest: Council owned

Continued/...

b) Site Description

- Site is to the north west of houses on Binyon Crescent and Bridges Road.
- The school is a low-rise brick built structure that is rectangular in shape and has two wings extending westwards at the northern and southern ends of the site
- There is an existing double mobile classroom unit at the northern end of the main building which is proposed to be replaced and re-sited in this application.

c) Proposal Details

- Re-sited replacement temporary double mobile classroom unit.
- Temporary triple mobile classroom unit.

d) Relevant History

LBH/987/1	Erection of single-storey building to provide two temporary classrooms	GRANTED 24-SEP-70
LBH/987/3	Erection of 3 mobile classrooms	GRANTED 09-JUL-75
LBH/987/4	Erection of 2 mobile classrooms	GRANTED 03-OCT-75
LBH/987/8	Erection of 4 mobile classrooms	GRANTED 16-JUN-78
LBH/17979	Retention and continued use of mobile classroom units	GRANTED 30-SEP-80
LBH/18104	Retention and continued use of 4 mobile classroom units	GRANTED 30-SEP-80

e) Applicant Statement

- None.

f) Consultations:

Director of Education : No response.

Notifications:

Sent:
18

Replies:
0

Expiry:
24-MAY-06

APPRAISAL

1) Development in the Green Belt/Area of Special Character and New Education Facilities

Policy EP33 of the UDP states the criteria against which development in the Green Belt will be assessed. The location of the proposed double and triple mobile classroom units would be to the east of the existing building envelope. The double classroom would be sited on an area of grassland to the north of the hard surfaced playground, the triple classroom being located at the northern end of this playground.

Continued/...

The proposed units would therefore affect the openness and character of this area of the Green Belt and Area of Special Character, contrary to policies EP31 and EP33. Temporary structures however would not be detrimental to the character of the Green Belt and Area of Special Character in the longer term, the openness and character of this area being restored following the removal of these buildings at the expiration of any permission. It is suggested, therefore, that a temporary permission would allow the provision of improved educational facilities, in line with the aims of policy C7 while preserving the longer term character and appearance of this sensitive area.

2) Standard of Design and Layout

Both units would have wheelchair access via external ramps. There are no residential properties close enough to the proposed mobile classrooms to be affected by this development and therefore this application is not deemed to have any detrimental effects on the amenities of neighbouring occupiers.

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 any comments received in response to publicity and consultation, as set out above:
this application is recommended for grant.

Continued/...

438 ALEXANDRA AVE, SOUTH HARROW

Item: 2/07

P/564/06/DVA/SW2

Ward RAYNERS LANE

VARIATION TO CONDITION 8 OF PLANNING PERMISSION REF: LBH/17672
GRANTED 22-SEP-1980 TO EXTEND HOURS OF OPENING UNTIL 1AM MONDAY
TO THURSDAY AND 1.30AM FRIDAY TO SUNDAY

Applicant: MR MUSA SARILMAZ

Agent: K HANDA

RECOMMENDATION

Plan Nos: KH/MS/PLNG/CONDTN/0206/1

GRANT permission for the development described in the application and submitted plans subject to the following condition(s):

1 The proposed variation of condition would result in increased disturbance and general activity at unsocial hours to the detriment of the amenities of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

D4 Standard of Design and Layout

EM25 Food, Drink and Late Night Uses

EP25 Noise

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

1) Residential Amenity and Noise (EP25)

2) Character of the Area (D4)

3) Consultation Responses

INFORMATION

a) **Summary**

Statutory Return Type: Other

Conservation Area: Rayners Lane

Council Interest: None

Continued/...

b) Site Description

- No. 438 falls under A3 use class, however is also operating as an A5 take away without permission – currently being investigated by Enforcement
- No. 436 operates as a take away (A5) and opens 9.00am to 23.30 Monday to Saturday, and 9.00am to 22.30 on Sunday
- No. 434 is a Butcher (A1), No. 432 is a travel agent (A2);
- No. 430 is a restaurant (A3) and operates 10.30 to 23.00 Monday to Saturday and 10.30 to 22.30 on Sundays
- The shops, restaurants and takeaway's have residential accommodation above
- There is a service road to the rear that is used by residents to access the flats and for servicing the shops, restaurants and takeaways along this part of Alexandra Avenue
- The site is located in the Rayners Lane District Centre on a Secondary Frontage

c) Proposal Details

Variation of hours

- 12.00-1.00am Monday to Thursday
- 12.00-1.30am Friday to Sunday

Approved Hours:

- 12 noon-23.00 Weekdays
- 12 noon-12pm Saturdays
- Closed Sundays

d) Relevant History

438 Alexandra Avenue

LBH/17672	Change of Use from Shop to Restaurant	GRANT 22-SEP-80
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436 Alexandra Avenue

WEST/998/00/VAR	Variation of WEST/998/00/VAR to allow use between 9.00-23.00 (Mon-Sat) and 9.00-22.30 (Sun) and Take Away	GRANT 08-FEB-01
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430 Alexandra Avenue

WEST/256/02/FUL	COU: Retail to restaurant (ground floor) 10.30-23.00 (Mon-Sat) and 10.30 to 22.30 (Sun)	GRANT 06-JUN-02
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e) Applicant Statement

- None

f) Consultations:

- None.

Continued/...

Notifications:

Sent:
13

Replies:
0

Expiry:
10-JAN-06

APPRAISAL

1) Residential Amenity/Noise

This variation is being sought as a result of the Licensing Panels resolve to grant the application to vary the premises licence. The licensing panel granted an application on 12th September 2005 for the supply and sale of alcohol together with late night refreshment and hours the premises are open to the public. The hours are as follows:

Late night refreshment:

12.00-00.30: Monday – Thursday

12.00-01.00: Friday – Sunday

Supply of Alcohol:

12.00-00.30: Monday – Thursday

12.00-01.00: Friday – Sunday

Hour's premises are open to the public:

12.00-01.00: Monday – Thursday

12.00-01.30: Friday – Sunday

The proposed variation of condition would align hours of opening with the licence granted by the panel.

It is acknowledged that the Rayners Steak and Kebab restaurant is on the secondary frontage of Rayners Lane District Centre, and given this location it is expected that there will be a high frequency of people visiting at various times of the day. The area is served by North Harrow Tube Station and various bus routes that connect with Harrow Town Centre. The District Centre also includes residential units above the shops; take away's and restaurants. The residents of the properties are located in a busy area, which creates associated noise throughout the days and nights. The extended opening hours would contribute to the noise created from this shopping area. Having received no objection from neighbouring occupiers the proposal is not considered to detrimentally impact the amenity of neighbouring occupiers.

2) Character of the Area

It is not considered that the proposal would materially affect the character or appearance of the Rayners Lane Conservation Area or the adjacent grade 2 listed building.

3) Consultation Responses

None.

Continued/...

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations this application is recommended for grant.

Continued/...

63 DENNIS LANE (WODE HOUSE), STANMORE

Item: 2/08

P/1098/06/CFU/ML1

Ward STANMORE PARK

SINGLE STOREY REAR EXTENSION

Applicant: MR & MRS M SEHGAL

Agent: ANGLIAN HOME IMPROVEMENTS

RECOMMENDATION

Plan Nos: Proposed floor plans and elevations (4 sheets), Block Plan

GRANT permission for the development described in the application and submitted plans subject to the following condition(s):

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

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

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 Extension to Buildings in the Green Belt

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

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

Continued/...

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>

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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 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

INFORMATION

a) Summary

Statutory Return Type: Householder
Green Belt
Council Interest: None

b) Site Description

- Detached bungalow with accommodation in loft space standing on a large irregular shaped plot on the western side of Dennis Lane.
- Adjacent property at No.65 is at a higher level than No.63 and No.45 is at a lower level due to the gradient of Dennis Lane.
- The rear garden of No.63 falls away to a lower level towards the south of the site.
- There is an existing patio at the rear of the property which forms a raised terrace towards the south of the site.
- There are protected trees onsite but not in the vicinity of the proposed extension.

c) Proposal Details

- The erection of a single storey rear extension in the form of a fully glazed conservatory at the southern end of the property
- The conservatory would be 5.1m wide, 5.1m wide and 4.5m high (to the roof edge).

Continued/...

- d) **Relevant History**
EAST/44503/92/FUL Single storey extension, roof alterations and front and rear dormer windows and separate double garage (revised) GRANTED
14-MAY-92
- e) **Applicant Statement**
- None.
- f) **Notifications:**
- | | | |
|-------|----------|-----------|
| Sent: | Replies: | Expiry: |
| 2 | 0 | 18-MAY-06 |

APPRAISAL

1) Extensions in the Green Belt

Policy EP34 of the UDP states that extensions to properties in the building should minimise environmental impact on the green belt character and be appropriate in terms of bulk, height and site coverage. This proposed extension would not be deemed to have a detrimental environmental impact on the green belt character, most of the 5.1m deep extension being sited in an area where there is already a 4.24m deep patio. The height of the proposed extension would be 4.5m due to the lower land levels at this part of the site, the existing patio in this location being approximately 2m high to meet with the internal ground floor level of the property.

The additions proposed to the property in terms of area are as follows:

m ²	Original	Existing	% Increase	Proposed	% Increase
Footprint	240	265	10.4	295.8	11.6
Floor Area	280	390	39.2	420.8	7.9
Volume	Not known				

An increase in the footprint by 11.6% on a large site such as this (the property itself taking up less than half the width of the site and the rear garden being at least 50m in length) would not be a disproportionate development here, particularly considering the location of the proposed extension on an area of the site already partially developed.

2) Standard of Design and Layout

The proposed fully glazed conservatory would have a hipped pitched roof and is not considered to be of an unacceptable design.

Continued/...

3) Residential Amenity and Supplementary Planning Guidance

A 5.1m deep single storey rear extension is 2.1m deeper than SPG recommendations would normally allow. However due to the siting of this proposed extension towards the centre of the site it would easily comply with the 'two for one' code and therefore not be deemed to cause overshadowing or a loss of light to neighbouring properties. In the same way this proposal's height is 4.5m to the roof edge, 1.5m more than the SPG recommended 3m. Such a height is necessary here, however, due to the fall in the land level towards the south of the site and its setting away from neighbouring properties would ensure no detriment to their residential or privacy amenity.

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 grant.

Continued/...

LAND AT FENTIMAN WAY, SOUTH HARROW P/771/06/CFU/OH

Ward ROXBOURNE

THREE STOREY BLOCK OF SIX FLATS; BIN STORE AND PARKING (RESIDENT PERMIT RESTRICTED)

Applicant: M D PROPERTIES

Agent: W J MACLEOD ARCHITECT

RECOMMENDATION

Plan Nos: 05/3012/1A, 05/3012/2A, 05/3012/3, site plan

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

CONDITIONS

1 The development hereby permitted shall not commence until details of 1 home within this scheme built to 'Lifetime Home' standards and 1 home built to 'Wheelchair' standards, and to include the provision of a disabled persons' parking bay within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the homes have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure that, where the development is capable of meeting 'Lifetime Home' or 'Wheelchair' Standards, the development complies with the policies of the Harrow Unitary Development Plan.

2 The development hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments, to gain access to, and egress from, the building(s) (without the need to negotiate steps) have 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 thereafter retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

3 No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected to include details of acoustic fencing adjacent to No.109 Roxeth Green Avenue 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

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.

Continued/...

Item 2/09 : P/771/06/CFU continued/...

4 No demolition or site works in connection with the development hereby permitted shall commence before:-

(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.

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

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

6 The ensuite bathroom window(s) in the rear 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 The development hereby approved shall not commence until details for the provision and storage of recycling materials from the flats hereby approved have first been submitted to, and agreed in writing by, the local planning authority. The development shall not be occupied until the details so agreed have been implemented.

REASON: To ensure satisfactory arrangements for the storage and collection of recyclable materials are made.

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

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

Continued/...

Item 2/09 : P/771/06/CFU continued/...

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

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

10 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.

11 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.

12 The development hereby permitted shall not be occupied until the car parking, turning and loading area(s) shown on the approved plan number(s) 05/3012/1A have been constructed and surfaced with impervious materials, and drained in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces shall be permanently marked out and used for no other purpose, at any time, without the written permission of the local planning authority.

REASON: To ensure the satisfactory provision of parking areas, to safeguard the appearance of the locality and in the interests of highway safety.

13 The proposed parking space(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the use of the premises as a single family dwellinghouse and for no other purpose.

REASON: To ensure that adequate parking provision is available for use by the occupants of the site.

Continued/...

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

REASON: To prevent the increased risk of flooding.

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
- SH2 Housing Types and Mix
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D8 Storage of Waste, Recyclable and Re-usable Materials in New Development
- D9 Streetside Greenness and Forecourt Greenery
- T13 Parking Standards
- H18 Accessible Home
- C16 Access to Buildings and Public Spaces

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 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.)

Continued/...

4 INFORMATIVE:

There may be public sewers crossing this site, so no building will be permitted within 3 metres of the sewers. The applicant should contact the Area Service Manager Mogden at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure.

Tel:- 0645 200800.

5 INFORMATIVE:

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

6 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.

7 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.

8 INFORMATIVE:

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

9 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>

Continued/...

10 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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) HUDP Proposal Site 22 (I5)
- 2) Residential Amenity (SD1, D4 & D5)
- 3) Character and appearance of Area (SD1, D4 & D5)
- 4) Parking and Highway Safety (SD1, D4 & T13)
- 5) Living Condition of Future Occupiers (SD1, D4 & D5)
- 6) Disabled Persons' Access/Lifetime Homes (SD1, D4, H18 & C16)
- 7) Other matters
- 8) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings
Site Area:	0.018 ha gross, 0.018 ha net
Habitable Rooms:	18
Car Parking:	Standard: 8 (maximum)
	Justified: 8
	Provided: 8
Council Interest:	None

b) Site Description

- Site comprises irregular shaped parcel of land between The Arches, the rear gardens of 95-109 Roxeth Green Avenue and the site boundaries of the 3 blocks of flats named "Braeburn", "Appletree" and "Cherrystone"
- "Braeburn" to the northeast is 4 storeys high, "Appletree" opposite is 4 storeys high and "Cherrystone" to the southwest is 3 storeys high
- Site is accessed via a new highway access in between 101 and 103 Roxeth Green Avenue

Continued/...

c) Proposal Details

- Construction of three-storey building containing a total of six flats, each with two bedrooms
- Each flat has a private balcony area on the front elevation to match the surrounding flats
- Provision of 8 parking spaces for the proposal
- Communal amenity space provision of approximately 220m²
- Bin store located adjacent to the eastern flank of the proposal
- Illustrative scheme of landscaping submitted with proposal

d) Relevant History

WEST/900/02/OUT	Outline: Demolition of garage of 95 Roxeth Green Avenue, redevelopment to provide 33 flats in 4 x 2/3 storey blocks, access and parking (revised)	DEEMED REFUSED 10-APR-03
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The Committee resolved that had an appeal against non-determination not been made, the application would have been refused for the following reasons:-

1. The proposed development, by reason of its size, bulk and siting would be visually obtrusive and out of character with neighbouring residential properties, would not respect the scale and massing of those properties, to the detriment of the visual amenities of the neighbouring residents.
2. The proposed development, by reason of excessive site coverage by buildings and hardsurfacing would comprise an overdevelopment of the site reflected in the inadequate levels of parking and usable rear amenity space, to the detriment of the character of the area and the amenities of neighbouring residents.
3. The proposed development makes no provision for affordable housing or for lifetime homes, contrary to policies H9 and A5 of the adopted Borough UDP and H6 and H19 of the revised draft UDP.
4. The proposed vehicular access would give rise to an unacceptable loss of amenity for the adjoining occupiers due to the increased disturbance and general activity.

Dismissed on Appeal

P/993/03/COU	Outline: Demolition of garages and redevelopment to provide 24 flats in 3 x 3 storey blocks & 1 x 2 storey block with accommodation in roof space	GRANTED 11-JUL-03
P/1007/03/COU	Outline: Redevelopment to provide 8 commercial units for B1 (light industrial) use	GRANTED 11-JUL-03

Continued/...

Item 2/09 : P/771/06/CFU continued/...

P/70/04/COU	Outline: Demolition of garages and redevelopment to provide 22 flats in 2 x 4 and 1 x 3 storey blocks	GRANTED 22-MAR-04
P/1332/04/CDP	Details pursuant to conditions 2, 4, 7, 9, 11, 13-15, 18-19 of planning permission P/70/04/COU permitting the construction of 22 flats in 3 blocks dated 22-MAR-2004	GRANTED 09-JUL-04

e) Applicant Statement

- This application forms the natural extension to the existing flatted development completed some time ago
- The style and materials chosen for the building reflect the established pattern of development
- We have used the slope of on the site positively to reduce the impact of the proposed building on the rear of the houses in Roxeth Green Avenue
- On the rear elevation there are only obscurely glazed bathroom windows in order to reduce potential overlooking

f) Consultations:

Thames Water: Public sewers may cross the site.

Notifications:

Sent:	Replies:	Expiry:
56	0	05-JUN-06

Summary of Response:

- None

APPRAISAL

1) HUDP Proposal Site 22

The proposed development would take place on part of the former Roxeth Nursery site, identified as HUDP proposal site 22 for residential and/or business use. Pursuant to the proposal site designation planning permissions P/70/04/COU & P/1332/04/CDP for residential development have been implemented on approximately two-thirds of the site comprising a total of 22 flats in three and four storey blocks. These are sited adjacent to the north and western boundaries with The Arches and the Rayners Lane Estate respectively; 32 parking spaces for the existing development are provided with gated access from Roxeth Green Avenue between nos. 101 & 103.

Accordingly it is not considered that there can be any objection to the principle of residential development on this site and it remains, therefore, to consider the merits of the particular scheme proposed in terms of amenity, character, highway safety, living conditions of future occupiers and disabled persons' access/lifetime homes.

Continued/...

2) Residential Amenity

The proposed building would comprise three storeys with a hipped roof over reaching a ridge height of 11m, falling to 8m at the eaves. It would be sited on the remaining third of the former nursery site to the north-west of nos. 103-109 Roxeth Green Avenue: a distance of 10m would be maintained between the rear elevation of the block and the rear garden boundaries of these dwellings and there would be an overall back-to-back distance of 36m. The rear elevation of the block would contain bedroom and bathroom windows at ground floor level but on the first and second floor the bedroom windows would be re-sited around to the flank elevations of the block.

The amenity issues of visual impact and privacy upon existing occupiers in Roxeth Green Avenue were considered by the Planning Inspector determining the appeal related to application WEST/900/02/FUL. Although only two storey, he found the relationship between the nearest block of 8m to the site boundary and 34m to the rear of the Roxeth Green Avenue dwellings to be sufficient to ensure an acceptable visual impact. He also concluded that the flats could be arranged so as to avoid principal windows in the part of the block closest to the boundary and that other windows, at a distance of 15m from the rear boundary of the nearest existing dwellings, would be sufficient to secure a reasonable level of privacy. Taking these comments into account, together with the fall in levels from Roxeth Green Avenue and subject to the suggested glazing controls, it is not considered that the relationship of the proposed block to existing property at the rear would be detrimental in terms of visual bulk, overlooking nor loss of light/overshadowing.

Within the site the building would face the existing four-storey block, Appletree, at a distance of 26m and would sit to the south of the other four-storey block, Breaburn, at a distance of 7m. The front elevation would contain principal windows and balconies and these would face/overlook the windows and balconies of the existing blocks; however such relationships are already established within this self-contained development and are not considered to be unacceptable in this context. Neither, when viewed from within the existing development, is it considered that the block would appear unduly bulky or obtrusive. The siting and separation of the proposed building with the existing blocks is considered sufficient to prevent undue loss of light/overshadowing to the other flats and their amenity areas.

In view of the distance from existing property in Coles Crescent and the impact of the blocks already approved and constructed, it is not considered that the proposal would adversely affect the amenity of the neighbouring occupiers within the adjacent part of the Rayners Lane Estate. Neither is it considered that the proposal would prejudice the proper functioning or use of the business units of the adjacent Arches.

Continued/...

The proposal would provide 6 x 2 bed (three habitable room) flats bringing the total number of units on the site to 28. It is recognised that this would increase activity and associated disturbance emanating from the site, but taking into account noise generated by the adjacent railway and commercial uses within the Arches it is not considered that this would be so significant as to be detrimental to the residential amenity of the locality or of neighbouring occupiers.

The proposal would lead to increased use of the access between nos. 101 & 103 Roxeth Green Avenue. This was the subject of consideration by the Planning Inspector in respect of WEST/900/02/FUL and was the basis of his decision to dismiss the appeal; he concluded that the traffic likely to be generated by the scheme for 33 flats then before him would be significantly greater than the 24 (by then) approved and that it would be detrimental to the living conditions of the occupiers adjoining the access road. Whilst increasing the number of units the proposal would still fall five-flats below the number of units considered to be unacceptable by the Inspector. In these circumstances there is no objection to the subject proposal in this regard.

3) Character and Appearance of Area

The design of the building, in terms of windows/detailing, material, roof form and use of balconies would match closely the existing blocks within the site. Although different in character to the surrounding prevailing two-storey inter-war development it is considered that this gated site is self-contained and that the block should therefore relate more closely to the recently completed development within it. In these circumstances it is not considered that the character and appearance of the proposal would be unacceptable. Details of materials and landscaping can be adequately controlled by condition.

4) Parking and Highway Safety

As noted above the proposal would lead to increased use of the access between nos. 101 & 103 onto Roxeth Green Avenue. However it is not considered that the degree of increased use associated with 6 two-bedroom flats would be so significant as to lead circumstances detrimental to the free flow and safety of pedestrians and traffic using the Borough distributor road.

The HUDP maximum parking standard applicable to the proposed development is 8.4; a total of 8 additional spaces are proposed. The level of provision is consistent with that provided across the rest of the site and considered to be acceptable. The additional spaces would be located within a tapering part of the site to the north-east side of no. 109 Roxeth Green Avenue; given ambient daytime levels of noise and disturbance it is not considered that there can be any objection in principle to the provision of car parking on this side of the site. However to prevent disturbance from parking and manoeuvring activity at quieter periods such as night time and weekends it is considered that acoustic fencing to the flank garden boundary should be erected; a condition to secure the agreement of details and implementation is therefore suggested.

Continued/...

No disabled persons' parking bay has been shown but it is considered that this could be achieved by minor modifications to the layout and could be adequately dealt with by a condition.

5) Living Conditions of Future Occupiers

The size and layout of the flats is considered to be acceptable and the block would secure satisfactory stacking of room uses throughout the building. Each room would have a source of natural light and each flat would have a balcony of approx. 4m². These private balconies would supplement a communal garden area of some 220m² to the rear of the proposed block. Having regard to UDP Policy D5 and central Government advice it is considered that the proposed arrangements for amenity space are acceptable in both qualitative and quantitative terms. (In respect of the appeal scheme WEST/900/02/FUL the Planning Inspector found the arrangements then proposed to be acceptable).

A bin store is proposed to the north-east flank of the proposed block. This would house 4 x 1100 litre bins for the communal use of the occupiers of the proposed block and is considered to be acceptable. A ground floor secondary living room window has been omitted from this flank to accommodate the store and in all other respects it is not considered that the store would be detrimental to the amenity of the future occupiers or of existing neighbouring occupiers. No arrangements for recycling have been shown but it is considered that these could be adequately secured by condition.

6) Persons' Access/Lifetime Homes

As a new development and in conjunction with the requirements of the Building Regulations it is considered that the internal layout of the proposed flats and communal areas is capable, with minor modifications, to achieve compliance with the Council's Lifetime Homes supplementary planning document. This would address such matters as door widths, access to upper floors and bathroom layout. Disabled persons' access to the building at ground floor level has not been detailed but again it is considered that this could be achieved with suitable modification or a ramp. A condition controlling these aspects is therefore suggested.

7) Other Matters

The proposal would add to the supply and range of housing within the Borough consistent with HUDP Policies SH1, SH2 and H7. As a development of less than 15 units on a site not exceeding 0.5 hectares there is no policy requirement to seek the provision of affordable housing.

A condition regarding site drainage is suggested upon the recommendation of the Council's Drainage Engineer.

8) Consultation Responses:

- None

Continued/...

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.

Continued/...

Item: 2/10

**1 & 2 GROVE COTTAGES, WARREN P/378/06/CFU/MRE
LANE, STANMORE**

Ward CANONS

REDEVELOPMENT TO PROVIDE REPLACEMENT DETACHED TWO STOREY
DWELLING WITH DETACHED GARAGE (REVISED)

Applicant: MR HANI HASNA

Agent: TREATMENT ARCHITECTURE

RECOMMENDATION

Plan Nos: 330 Existing Site Plan, 330 Proposed Site Plan, 330 Proposed Basement and Ground Floor Plan, 330 Proposed First Floor and Roof Plan, 330 Proposed Section AA and Section BB, 330 Proposed Elevations, 330 Proposed House Front Elevation in Relation to Pine House & Site Plan

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

1 The development hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments, to gain access to, and egress from, the building(s) (without the need to negotiate steps) have 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 thereafter retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

2 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.

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

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

Continued/...

5 The development hereby permitted shall not be occupied until visibility is provided to the public highway above a height of

(a) 0.6 metres from the footway

(b) 1.05 metres from the carriageway

from a point on the centre line of the new access road for a distance on each side of the centre line (such dimensions to be first agreed in writing by the local planning authority).

The visibility splays thereby provided shall thereafter be retained in that form.

REASON: To provide a suitable standard of visibility to and from the highway, so that the use of the access does not prejudice the free flow of traffic or the condition of general safety along the neighbouring highway.

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

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

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

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

8 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.

Continued/...

9 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.

10 None of the existing trees on the site shall be lopped, topped, felled or uprooted without the prior written permission of the local planning authority. Any topping or lopping which is approved shall be carried out in accordance with British Standard 3998 (Tree Work).

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:

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

SD1 Quality of Design

EP31 Areas of Special Character

EP32 Green Belt-Acceptable Land Uses

EP33 Development in the Green Belt

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.

Continued/...

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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E-mail: odpm@twoten.press.net

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

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Greenbelt Land and Area of Special Character (SEP6, SD1, D4, EP31, EP32, EP33)
- 2) Residential Character and Neighbouring Amenity (D4, D5)
- 3) Design of Proposed House (SD1, D4)
- 4) Parking and Highway Safety (T13)
- 5) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Dwellings

Site Area: 920m²

Green Belt:

Habitable Rooms: 11

Car Parking: Standard: 4

Justified: 4

Provided: 2

Council Interest: None

b) Site Description

- Site occupied by a pair of 2-storey semi-detached cottages on the western side of Warren Lane adjacent to Stanmore Common
- Located within the Metropolitan Green Belt and Area of Special Character
- Site subject to a tree preservation order
- Area characterised by large dwellings set on large plots with a semi-rural atmosphere
- Heavily wooded area adjoining the property to the south-west

Continued/...

c) Proposal Details

- Demolish semi-detached cottages and garages and replace with one detached 2-storey dwelling and single storey double garage
- Dwelling to be set back from road frontage by 10.5 m
- Dwelling to have a frontage width of 11m, overall depth of 12.9 m and total height of 6.6m to flat roof
- Alter vehicular access from dual access to a single access with hard surfacing

Revisions to Previous Application:

Following the previous decision (P/1890/04/CFU) the following revisions have been made:

- Dwelling of different style architecture but of similar size and siting as approved scheme

d) Relevant History

P/1890/04/CFU	Redevelopment to provide replacement detached 2 storey dwelling with detached garage	GRANTED 11-NOV-04
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e) Applicant Statement

	Existing	Proposed
Footprint (m ²)	122.44	158.75
Floor Area (m ²)	202.59	274.45
Volume (m ³)	1081.79	915.37

f) Consultations:

Harrow Council Highways Engineer: No objection. Visibility condition recommended.

Notifications:

Sent:	Replies:	Expiry:
5	0	28-APR-06

Summary of Response:

- None

APPRAISAL

1) Greenbelt Land and Area of Special Character

	Original	Existing	Approved	Proposed	% over original
Footprint (m2)	122.44	153.5	146.6	158.75	29.5%
Floor Area (m2)	202.59	233.65	241.79	274.45	35.4%
Volume (m3)	1081.79	1155.15		915.37	- 16.4%

Continued/...

The requirements of UDP Policy EP33 states that the proposal must be appropriate to its greenbelt location. It is considered that this has been achieved by way of the design of the new dwelling and it's siting.

The proposal is considered to be well designed in relation to the size and shape of the site. The replacement dwelling would be set further back from the road in accordance with the general building line of the dwellings to the north east. Whereas the existing semi-detached cottages tend to be spread across the width of the plot spanning an overall width of 13.6m at two-stories, the proposed dwelling and double garage would have a greater depth and retain more space around the sides, being to a width of 11m.

While the new dwelling would comprise increased floor area than that of the existing cottages combined due to the provision of an additional floor by way of a basement level, the overall volume of buildings on site would be reduced.

The flat roof design, increased spacing from the flank boundaries and increased set back of the dwelling from the front boundary all serve to reduce the visual bulk of the building as viewed from Warren Lane.

It is considered that the general openness and character of the site and this part of the green belt would be further enhanced by the proposal with the dual access points being replaced by a single access and landscaping undertaken to the front garden area. The application does not propose the removal of any trees from the site and conditions are suggested to ensure appropriate landscaping is achieved. The proposed dwelling and garage would not conflict with the purposes and proper functioning of the green belt and the impacts to the skyline would be negligible. Subject to the requirements of Policy EP33 as discussed above it is considered that the existing situation would be improved by the proposed replacement dwelling and this part of the green belt and area of special character would be maintained and enhanced.

The application site lies within a designated area of special character and adjoins Little Common Conservation Area on it northern boundary. There are no concerns over the loss of the two existing properties, being of modest design and detail and although very bold and striking in appearance, the proposed development would not detract from the character and appearance of the adjoining conservation area as agreed with the Planning Department's Conservation Division.

2) Residential Character and Neighbouring Amenity

The residential character of the site is established by the existing semi-detached cottages that have been in use as a single dwelling for a number of years. The locality has a semi-rural character with only 2 further dwellings along this stretch of the lane. Given the scale, design and location details it is not envisaged there would be any impacts to adjoining properties. The new dwelling would be set over 10m away from Pine House, the adjacent dwelling and would not give rise to any issue of overshadowing on, or loss of outlook from this neighbouring dwelling.

Continued/...

3) Design of Proposed House

The architecture is of a striking modernist style. Being much more contemporary than the more traditionally designed scheme approved in 2004 it is acknowledged that the proposal bears no resemblance to existing dwelling types within the immediate area. The scheme does however appear to be well considered in the context of the surrounding landscape with a heavy use of glazing to provide woodland reflections together with the use of natural stone cladding acting to blend the building in with its surrounding woodland environment. The design scheme is considered to be innovative and of high quality and is considered to be acceptable.

In consultation with the Planning Department's Urban Design Officer, concerns were raised over the siting of the proposed dwelling, being set back further than the existing cottages and the location of the garage at the front. With regards to these points raised it is considered that the proposed siting of the dwelling is appropriate to the locality by respecting the front building line of the two adjacent dwellings. The principle of locating the garage to the front is also considered to be appropriate to the locality and more favourable than a garage attached to the side of the dwelling against the site's flank boundary. The siting of the garage is identical to that proposed in the previously approved application.

4) Parking and Highway Safety

Sufficient parking is provided on site. A concern relating to the level of visibility for vehicles to safely exit the property due to the gradient down into the site can be sufficiently addressed by the use of the suggested highway planning condition.

5) Consultation Responses

Issues related to the proposed siting of the new dwelling and detached garage raised by the councils' urban design officer were acknowledged but in light of the approved scheme of 2004, which proposed the same siting as in this application, it was not considered that the proposed siting was inappropriate.

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.

Continued/...

51A ROXBOROUGH PARK, HARROW

Item: 2/11

P/754/06/DCO/SW2

Ward GREENHILL

RETENTION OF TERRACE AT REAR, 2.4M HIGH FENCING TO PART OF SIDE BOUNDARY (REVISED)

Applicant: W A CONSTRUCTION UK LTD

RECOMMENDATION

Plan Nos: AR/TPA/GA-01A, 02, 03A, 04A, 05A, 06A and site plan

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

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

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

2 The materials design and finish of the fencing hereby approved, shall match that of the existing boundary fencing.

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

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

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.

Continued/...

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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Textphone: 0870 1207 405

E-mail: 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 Residential Amenity (D4, D5)
- 2) Consultation Responses

INFORMATION

Application was called to committee at the request of a nominated member.

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- No. 51A is a detached property on the East side of Roxborough Park
- The property is a two storey single family dwelling house in a prominent location on a bend in the road
- The property is set forward of No. 53 (the neighbouring dwelling to the north of the site), and slightly forward of Hale Lodge, a three storey block of flats to the south
- The road is characterised by terraced and detached properties set back from the road which vary in scale and design

c) Proposal Details

- The proposal is for the retention of a terrace at the rear, conversion of part of the garage to a kitchen, and the erection of a 2.4m high fence to part of the side boundary
- This is a revised application following the above refusal. The application has been amended to omit the single storey rear extension and the wall and railings to the front and side boundary adjacent to No. 53

Continued/...

d) Relevant History

P/42/06/DCO	Retention of single storey extension and terrace at rear; alterations and conversion of garage to kitchen; wall and railings at front and side boundary adjacent to No. 53	REFUSE 02-MAR-06
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Reason for Refusal: The walls and railings, by reason of prominent siting, unsatisfactory design and stark appearance provide an obtrusive feature in the streetscene, to the detriment of local visual amenity and the character and appearance of the area.

e) Applicant Statement

- None

f) Consultations:

- None.

Notifications:

Sent:	Replies:	Expiry:
28	1	12-APR-06

Summary of Response:

Hale Lodge Harrow (Management) Limited

- Object to fencing
- Very high
- Well above the existing standard height
- Ugly
- Intrusive
- Out of keeping with neighbourhood

APPRAISAL

**1) Standard of Design and Residential Amenity
*Terrace at Rear***

The amenity areas of No. 53 are set well away from the raised terrace area and will not be unduly overlooked. A block of flats is situated to the south of the site. There are no shared or individual amenity areas to the rear or side of the flats that would be adversely effected by the retention of the terrace area, and there are no protected windows on the flank elevation. The retention of the raised terrace will not detrimentally impact the character of the area or the visual or residential amenities of the surrounding occupiers.

As the rear boundary fence to the application property, which is shared with part of the garden boundary to No. 53 would be over 16m from the edge of the terrace it is not considered that there would be an unacceptable opportunity to overlook the neighbouring amenity space causing undue loss of privacy to neighbouring residents. The terrace does not therefore raise any negative amenity concerns and is considered to be acceptable.

Continued/...

2.4m Fence to Part of Boundary

There is an access road that separates the location of the fence and the windows serving the block of flats to the south.

The excess height of the fence would not cause harm to the safety or free flow of traffic along Roxborough Park or to the garages at the rear of the flats. Given the marginal increase and that these windows are not protected, no negative amenity concerns are raised.

The fence does not flank a highway and will not be prominent in the streetscene. It is considered that there will be no detrimental impact to the character of the area or the amenity of the neighbouring occupiers and is therefore this element of the proposal is considered to be acceptable.

2) Consultation Responses

- Material planning considerations addressed in the appraisal

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.

Continued/...

22 FERRING CLOSE, HARROW

Item : 2/12

P/794/06/DFU/CM2

Ward HARROW ON THE HILL

SINGLE STOREY REAR EXTENSION; ALTERATIONS TO ROOF TO FORM SIDE AND REAR DORMERS

Applicant: MR & MRS A CONNELLAN

Agent: MR H KELLY

RECOMMENDATION

Plan Nos: 050902/01, 050902/02 Rev B, 050902/03, Site Plan

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

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

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

2 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 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.

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

REASON: To safeguard the appearance of the locality.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION -
HOUSEHOLDER APPLICATION:

The decision to grant planning 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:

Continued/...

Harrow Unitary Development Plan:

SD1 Quality of Design

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

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:

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MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character of the area (SD1, D4 & D5)
- 2) Amenity of neighbouring Occupiers (SD1, D4 & D5)
- 3) Consultation Responses

INFORMATION

Details of this application are reported to the committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Householder

Council Interest: None

Continued/...

b) Site Description

- The site is located at the eastern end of Ferring Close.
- The site contains a semi-detached bungalow that has a pebbledash and brick finish and is located towards the front of the property.
- The dwelling has one existing planning permission for a single storey side and rear extension that has been implemented.
- The neighbouring dwelling to the south No.24 Ferring Close has no planning history and is as originally constructed. The dwelling to the north No.20 Ferring Close has a planning permission for a single storey rear extension this has been constructed.
- The surrounding neighbourhood is residential in character, typified by semi-detached bungalows.

c) Proposal Details

- To construct a single storey rear extension adjacent to the existing conservatory and alter the roof to provide for a side and rear dormer.

d) Relevant History

On the 4th May 2006 after completing a site inspection a letter was written to the applicants explaining that the proposal as submitted would be unacceptable and suggested a number of amendments. These included reducing the width of the rear dormer and removing the part gabled roof to be replaced with a small side dormer. On the 25th May amended plans were received that allowed this application to be considered more favourably.

P/2519/05/DFU: Alterations To Roof to Form Side And Rear Dormers; Single Storey Rear Extension;	GRANTED 20-DEC-05
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e) Applicant Statement

- None

f) Consultations:

- None

Notifications:

Sent:	Replies:	Expiry:
2	1	20-APR-06

Summary of Response:

- Ferring Close is dominated by bungalows and bought by people who wanted to live on ground level; they do not lend themselves to conversions. Concerned my property will lose its value and put off any buyers due to this alteration. Do not want to be overlooked by a rear extension and dormer that will create a loss of privacy. Concerned about a building site next-door involving a major reconstruction; raises medical issues: need the weekends and evenings to have peace and quiet and rest without building noise.

Continued/...

Cannot withstand the noise and disruption inside and outside my house. If granted, No.22 Ferring Close will become an extremely large dwelling particularly when viewed from the rear elevation, the extension will break symmetry within the Close and spoil the overall effect. Suggested condition would be to limit work on the site from 08.00 – 18.00 Monday to Friday and that no work in connection with the planning application be permitted during weekends or bank holidays.

APPRAISAL

1) Amenity of Neighbouring Occupiers

The single storey rear extension is to project 1.95m from the rear wall of the dwelling to the south No.24 Ferring Close, it is to have a width of 4.55m which in fills a section between the southern boundary and existing kitchen. The roof of the extension is to be flat and have a height of 3m when measured from ground level. It is considered that this part of the application is acceptable in relation to the neighbouring dwellings. It is considered that the size and appearance of this proposal is acceptable in relation to the existing property.

The applicant has proposed a side dormer after advice from the planning officer. The original roof alteration (part end gable) was considered to be too bulky and therefore out of character in the streetscene. The revision now includes a side dormer that is located 1.4m from the roof eaves, and there is a space of at least 500mm between the sides of the dormer and the hips of the roof. It is considered that the revised dormer is satisfactory in relation to the neighbouring occupiers and the character of the locality. The position of the dormer ensures that it will not overlook the neighbouring rear garden, and as the flank facing windows on No.20 are already obscure glazed there would be no overlooking. It is possible to further protect the amenities of neighbouring occupiers at No.20 by ensuring that the window in the side dormer is obscure glazed and is un-opening below an internal height of 1.8m.

The proposal has also provided for a rear dormer, the original proposal provided for a rear dormer that essentially spanned the width of the existing dwelling, this was considered to be unacceptable and an amendment was submitted on the advice of the planning officer. The amended rear dormer design provides for a separation of 500mm from the party wall with No.24 Ferring Close and 1m from both the roof eaves and the roof of the existing kitchen projection. The dormer is to be set below the ridge of the roof and have a sloped roof. When viewed from the rear elevation the dormer is in scale with the surrounding roof space and there is the retention of a clearly visible section of roof around all of the sides. Although it is recognised that the addition of this dormer window may lead to the perception of overlooking into the neighbouring garden any overlooking would be indirect and as such is not considered to be unreasonable. When considering potential effects of the rear dormer on the abutting properties within Merton Road they are considered to be minimal. As the existing dwelling is a bungalow the rear dormer will only be sited at first floor level and when taking into consideration the 12m depth of the garden any overlooking is will be minimal.

Continued/...

Paragraph D1 of the Council's guidelines for householder development recognises that roof form plays a significant part of the character of residential areas and that alterations to roof form therefore needs careful consideration. The paragraph goes on to comment that roof alterations and dormer windows should compliment the original street character and not dominate buildings or impair their proportions/character. This guidance gives effect to Policies SD1 & D4 of the UDP which seek a high standard of design and layout in all development proposals.

Although the guidance goes on to prefer hip-to gable roof extensions in respect of semi-detached and (end) terraced houses such alterations need more careful consideration in respect of bungalows, where roof extensions can have a greater presence and impact in the streetscene. In the subject instance Ferring Close has a strong development pattern of detached and semi-detached bungalows with hipped roofs and it is considered that this pattern contributes positively to the character and appearance of the streetscene. No hip-to-gable roof extensions were observed within the vicinity of the site and it can be noted that that application P/2519/05/DFU was amended to provide a side dormer, rather than a gable end, to preserve the appearance and proportions of that and neighbouring bungalows.

The proposed side dormer would preserve the roof form of this bungalow at a prominent position at the head of the Close and with a tile hung finish to match the original roof, would have a satisfactory appearance in the streetscene. Together with the rear dormer it is not considered that there would be any detriment to the character of this residential locality.

2) **Consultation Responses**

- This would be the second planning permission for side and rear dormers within Ferring Close within the last 6 months, it is not considered that the character of the bungalows are adversely affected by this type of development.
- Question of overlooking and loss of privacy has been dealt with in the report above.
- It is not considered that the bulk of the dwelling will be unacceptable or have an adverse effect on the character of the area.
- The symmetry of the dwelling when viewed from the streetscene will be maintained given the addition of a very small side dormer, which is considered to be more acceptable than the part gable originally proposed.
- Objections raised with regard property value, actual construction of the extensions and personal medical issues are not able to be assessed by the local planning authority as material considerations when making a decision for this proposal.

CONCLUSION

For all the reasons considered above, and weighing up the development plan polices 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.

Continued/...

**SILVERWOOD, 22 SOUTH VIEW RD,
PINNER**

**Item: 2/13
P/894/06/CFU/SB5**

Ward PINNER

INSTALLATION OF FLANK WINDOW AND TWO REAR ROOFLIGHTS OVER GARAGE

Applicant: MR & MRS SPENCER
Agent: SIMPSON MCHUGH

RECOMMENDATION

Plan Nos: 2432/2 REV A

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

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

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

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

REASON: To safeguard the appearance of the locality.

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

EP31 Areas of Special Character

EP33 Development in the Green Belt

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 Area Impact

D15 Extension and Alterations in Conservation

Continued/...

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:

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

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>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Quality of Design, Green Belt, Areas of Special Character and Conservation Area (SEP6, SD1, SD2, EP31, EP33, D4, D14, D15)
- 2) Amenity Space and Privacy (D5)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Householder

Green Belt:

Conservation Area: Pinner Hill

Council Interest: None

Continued/...

b) Site Description

- Detached dwelling located on the north side of South View Road.
- Single storey side extension forming the attached garage.
- Wedged shaped plot.
- Pinner Hill Conservation Area falls within designated green belt land and area of special character.
- South View Road itself is a private road and predominately comprised of large detached dwellings situated on large open plots.

c) Proposal Details

- Installation of a feature window to the southwest flank elevation to the garage. The proposed window would take shape of the end-gable and would measure 3.6m in width and 3.1m in height (to the pitch).
- Installation of two roof lights to the rear roof slope of the garage, measuring 0.75m x 0.80m.
- Distance of 4m maintained to the north site boundary
- Distance of 7m maintained to the southwest site boundary
- North and west boundaries adjacent to woodlands

d) Relevant History

LBH/12442/1	Outline: Erection of detached house and garage	GRANTED 12-JAN-78
LBH/23378	Use of garage for games room and extension to form new garage	GRANTED 14-JUN-83
P/1120/05/CFU	Alterations to entrance feature, new front porch	GRANTED 29-JUL-05

e) Applicant Statement

- None.

f) Consultations:

CAAC : No objections

Advertisement:	Character of Conservation Area	Expiry: 08-JUN-06
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Notifications:		
Sent:	Replies:	Expiry:
2	0	09-FEB-06

Continued/...

APPRAISAL

1) Quality of Design, Green Belt, Areas of Special Character and Conservation Area

Many dwellings along South View Road are unique in character and in built form; the proposed alteration to the southwest flank elevation to the garage would be unique to this detached dwelling house situated on green belt land within Pinner Hill Conservation Area. The feature window comprised of eight glazed panels set within a frame would take form of the gable end wall and would be set 3.15m above ground level, measuring 3.6m in width and 3.1 in height (pitch point). The proposed development would be visible from the streetscene, however a distance of 12.5m would be maintained from the south corner of the garage and to the boundary fronting South View Road. In terms of the overall quality of design the proposed feature window 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.

The proposed installation of two roof lights to the rear roof slope of this garage is a common feature found on this and other detached dwellings within Pinner Hill Conservation Area. The proposed development would be obscured from view of the streetscene and faces onto dense woodland situated beyond the north and west site boundaries.

It is considered that proposed development, subject to the use of appropriate matching materials, would preserve the character and appearance of the dwelling and the surrounding conservation area. It is not considered that the proposal would cause demonstrable harm to this part of the Area of Special Character or the designated Green Belt Area.

2) Amenity Space and Privacy

The proposed feature window to the southwest elevation of the garage, although visible from the streetscene would be sufficiently set away from neighbouring dwelling The Ridge, which is situated directly opposite to the subject site. Given that the proposed window would be set 3.15m above ground level and that there are no internal floors above ground level within the garage, it is considered that the proposed development would not appear visually overbearing or obtrusive to the detriment of the privacy amenity of the neighbouring occupiers at The Ridge. The proposed roof lights along the rear roof slope would be obscured from view of The Ridge.

In relation to Oak Lodge the proposed development to the garage would be obscured from view by the dwelling house on the subject site and therefore any impact would be negated.

3) Consultation Responses

As detailed above.

Continued/...

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.

Continued/...

**HEATHFIELD SCHOOL, 100 BEAULIEU P/674/06/CVA/ADK
DRIVE, PINNER**

Ward PINNER SOUTH

DEED OF VARIATION: AMENDMENT TO SECTION 106 PLANNING AGREEMENT TO ALLOW EXTENDED USE OF SPORTS CLUB FACILITY FROM 09.00 - 12 NOON ON SATURDAYS AND 10.00 - 13.00 HOURS ON SUNDAYS TO 08.00 - 19.00 HOURS ON SATURDAYS AND 10.00 - 16.00 HOURS ON SUNDAYS

Applicant: GIRLS DAY SCHOOL TRUST

Agent: MALCOLM JUDD & PARTNERS

RECOMMENDATION

Plan Nos: 10 Rev C, SK21 and unnumbered site plan showing the position of bollards (All received on 12-JUN-06); 1 x Supporting Application Statement.

GRANT Deed of variation of the Section 106 agreement described in the application subject to the following requirement:

Five (5) car parking spaces closest to residential properties on Frobisher Close (as shown on Drawing No.10 Rev C) will not be used on Saturdays and Sundays.

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:

S1 Form of Development and Pattern of Land Use

SD3 Mixed-Use Development

SR2 Arts, Cultural, Entertainment, Tourist and Recreational Activities

SC1 Provision of Community Services

EP25 Noise

R9 Indoor Sports Facilities

R13 Leisure Facilities

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Amenity (EP25, SD3, SR2, SC1, R9, R13)
- 2) Parking/Traffic Impact
- 3) Consultation Responses

Continued/...

INFORMATION

a) Summary

Statutory Return Type: Not Categorised
Council Interest: None

b) Site Description

- The subject site is located to the west side of Beaulieu Drive. The site is occupied by Heathfield School, and is accessed via a narrow road located between No's 29 and 31 Beaulieu Drive.
- The area is characterised by double storey terraced and semi-detached dwellings.
- The site is bounded to the east by the rear gardens of dwellings fronting Beaulieu Drive, to the south by the rear gardens of dwellings in Frobisher Close and Hardy Close, and to the west by the rear gardens of dwellings in Boundary Road.
- The properties in Boundary Road lie within the London Borough of Hillingdon.
- To the north the site is bounded by Canon Lane First and Middle Schools.
- There are approximately 70 car parking spaces located within the school grounds.

c) Proposal Details

- Variation of part of the Section 106 agreement dated 12th November 1998, relating to the use of the swimming pool and sports hall outside of approved hours of use and increase in the number of users.
- The proposed variation also entails the removal of the restriction to allow use by the general public in addition to the current group of pupils, parents and staff.
- The current request to vary the section 106 Agreement entails the following:
Existing Hours:
 4. The swimming pool and sports hall shall not be used outside the following hours:
Monday – Friday 9.00am – 9.00pm
Saturday – 9.00am – 12.00 noon
Sunday – 10.00am – 1.00pm
Proposed Hours:
Monday to Friday 8.00am – 9.00pm
Saturday 8.00am – 7.00pm
Sunday 10.00 – 4.00pm

Continued/...

- 4.5 Without the prior written consent of the Local Planning Authority the swimming pool and sports hall shall not be used other than by the staff and pupils of the school within the following hours:

Monday - Friday 8.30 – 4.30

Proposed: amend the opening hours on Monday to Friday inclusive to 8.00am.

Add 'during term time' after 'used'.

- 4.6 Without the prior written consent of the Local Planning Authority the swimming pool and sports hall shall not be used other than by staff and pupils of the school and parents of pupils of the school within the following hours:

Monday – Friday 4.30 pm – 9.00pm

Saturday 9.00am – 12 noon

Sunday 10.00 – 1.00pm

Proposed: Delete this sub-clause as the hours of operation are controlled by clause 4.

- 4.7 Within the hours in Clause 4.2 no more than 40 adults in aggregate (staff and parents with children) may use the swimming pool and sports hall at any one time without the prior written consent of the Local Planning Authority

Proposed: Delete and substitute the following words:

Within hours of operation no more than 50 adults in aggregate may use the swimming pool and sports hall at any one time without the prior written consent of the Local Planning Authority.

- 4.8 Within the hours on clause 4.2 the swimming pool and sports hall shall not be used when any part of the remainder of the school building is being used for purposes attracting other visitors to the site.

Proposed: Delete and substitute the following hours the swimming pool and sports hall shall not be used when any part of the remainder of the school building is being used for purposes attracting other visitors to the site.

Monday – Friday 4.30pm – 9.00pm

Saturday 8.00am – 7.00pm

Sunday 10.00 – 4.00pm

Continued/...

Revisions to Previous Application:

Following the previous decision to refuse the request to vary the S106 agreement the following amendments have been made:

- Reduction of the aggregate number of users from 60 to 50.

d) Relevant History

WEST/666/97/FUL	Extension to existing building to provide indoor swimming pool and sports hall with ancillary accommodation.	GRANTED 13-NOV-98
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Planning permission for the construction of a new swimming pool and sports hall at Heathfield School was granted by the Council in November 1998 (WEST/666/97/FUL). The report to Committee is appended. It was resolved to grant planning permission subject to a legal agreement to restrict the use of the sports hall and swimming pool in the following ways:

1. The swimming pool and sports hall shall not be used outside the following hours:
Monday – Friday 9.00am – 9.00pm
Saturday – 9.00am – 12.00 noon
Sunday – 10.00am – 1.00pm
2. Without the prior written consent of the Local Planning Authority the swimming pool and sports hall shall not be used other than by the staff and pupils of the school within the following hours:
Monday – Friday – 8.30am – 4.30pm
3. Without the prior written consent of the Local Planning Authority the swimming pool and sports hall shall not be used other than by the staff and the pupils of the school and parents of pupils of the school within the following hours:
Monday – Friday – 4.30pm – 9.00pm
Saturday – 9.00am – 12.00 noon
Sunday – 10.00am – 1.00pm
4. Within the hours stated in paragraph 3 above, no more than 40 adults in aggregate (staff and parents with children) may use the swimming pool and sports hall at any one time without the prior written consent of the Local Planning Authority.
5. Within the hours in paragraph 3 the swimming pool and sports hall shall not be used when any part of the remainder of the site school building is being used for purposes attracting other visitors to the site.
6. The swimming pool and sports hall shall not be let out to any other body or organisation without the prior written consent of the Local Planning Authority.

Continued/...

The Section 106 agreement was completed on 12th November 1998. The primary purpose of the Section 106 agreement was to restrict the use of the swimming pool and sports hall outside of normal school hours in the interest of the amenities of neighbouring residents. Residents had indicated that they suffer considerable disruption and noise nuisance from cars arriving at the school when children are picked up and set down.

On 12th April 2001 a request was made by the Girls Day School Trust to vary the Section 106 agreement relating to the use of the school to allow the Kings Trust Sport Camps (a registered charity) to use the swimming pool and the sports hall between 09.15 and 16.30 hours during the following dates:

2nd – 5th April 2002
5th – 9th August 2002
12th – 16th August 2002
19th – 23rd August 2002

On 5th July 2001, the Development Control Committee agreed to permit the activity camps at the school on the days specified. The sports camp events took place on those days.

On 15th May 2002 the Trust again requested that a similar camp could be held in 2003 either run by the Kings Trust or by another operator. Additionally, they would let the facilities to third parties (such as swimming clubs) outside school hours in term time, and also make facilities available all day on Saturdays and from Mondays to Saturdays during the school holidays. On 11th December 2002, the Development Control Committee considered this report and agreed to permit the activity camps and additional hours of use at the school on days specified in 2003. This authority expired on the 30th June 2004. This was once again renewed on 27th July 2005.

A further request to vary the Agreement was made in June 2004, as follows:

- iii) Allow the continued use of the facilities by third parties outside school hours between the hours of 16.30 and 21.00 on weekdays during term time 09.00 and 21.00 weekdays during school holidays and between 09.00 hours and 18.00 hours on any Saturday for one year.
- iv) Allow the additional use of the facilities by third parties between 09.00 hours and 18.00 hours on any Sunday, and
- v) Vary the maximum number of users (as set out in Clause 4.3 of the Second Schedule to the Agreement) from 40 to 60.

At the Development Control Committee on 26th July 2004 concern was expressed regarding the potential impact of additional activity on neighbouring residents, and only part I) of the proposed variations was allowed, for a one year period only.

Continued/...

- 4.1 Without the prior written consent of the Local Planning Authority the swimming pool and sports hall shall not be used other than by the staff and pupils of the school within the following hours:

Monday - Friday 8.30 – 4.30

Proposed: amend the opening hours on Monday to Friday inclusive to 8.00am.

Add 'during term time' after 'used'.

A further request for variation of the Section 106 agreement was received in 2005. The changes proposed are scheduled below: (Numbered according to numbers on Section 106 Agreement).

4. The swimming pool and sports Hall shall not be used outside the following hours:

Monday – Friday 8.30am-9.00pm

Saturday 9.00am – 12.00pm

Sunday 10.00am – 1.00pm

Proposed: Amend the hours to:

Monday to Friday 8.00am – 9.00pm

Saturday 8.00am – 7.00pm

Sunday 10.00 – 4.00pm

- 4.1 Without the prior written consent of the Local Planning Authority the swimming pool and sports hall shall not be used other than by staff and pupils of the school and parents of pupils of the school within the following hours:

Monday – Friday 4.30 pm – 9.00pm

Saturday 9.00am – 12 noon

Sunday 10.00 – 1.00pm

Proposed: Delete this sub-clause as the hours of operation are controlled by clause 4.

Within the hours in Clause 4.2 no more than 40 adults in aggregate (staff and parents with children) may use the swimming pool and sports hall at any one time without the prior written consent of the Local Planning Authority

Proposed: Delete and substitute the following words:

Within hours of operation no more than 60 adults in aggregate may use the swimming pool and sports hall at any one time without the prior written consent of the Local Planning Authority.

Continued/...

- 4.2 Within the hours on clause 4.2 the swimming pool and sports hall shall not be used when any part of the remainder of the school building is being used for purposes attracting other visitors to the site.

Proposed: Delete and substitute the following hours the swimming pool and sports hall shall not be used when any part of the remainder of the school building is being used for purposes attracting other visitors to the site.

Monday – Friday 4.30pm – 9.00pm
Saturday 8.00am – 7.00pm
Sunday 10.00 – 4.00pm

The application to vary the Section 106 agreement was refused at the Council's Development Control Committee on 7th December, 2005 for the following reason:

"The proposed hours of use and number of users would give rise to increased disturbance and general activity and would detract from the amenities of the occupiers of neighbouring residential properties".

An appeal has been made to the Planning Inspectorate against the Council's refusal. The appeal will be decided following a Hearing. The Council is still to be notified of the date.

e) Applicant Statement

- None

f) Consultations:

None.

Notifications:

Sent:
65

Replies:
1

Expiry:
10-MAY-06

Summary of Response:

- fully supportive of extended hours whilst facility is accessible to local residents with a limit on the number of members allowed to use the facility.

Continued/...

APPRAISAL

1) Amenity

The Council considers the provision of new or improved indoor sports facilities at suitable location as important. Since resources are scarce and opportunities for new development are limited, it is important that the best possible use is made of new and existing facilities for example, securing dual or multi-use facilities at schools or by extending premises. Private organisations will also be encouraged to make facilities available to as many people as possible.

Council policies R13, SR2 and EP25 further require that new development should not be detrimental to environmental quality of the surrounding locality or the amenities of nearby residents.

The extension to the school buildings housing the swimming pool and sports hall is located on the western flank of the existing buildings, adjacent to the junior assembly wall. The building is two storeys in height with the swimming pool on the ground floor with the sports hall above. The building is located a considerable distance (approximately 30 metres) away from the boundary with the 18 metre deep rear gardens of properties located on Boundary Road.

It is therefore not considered the use of the indoor facilities outside of the current opening hours would lead to any disturbance and activity to the detriment of the amenities of neighbouring residential occupiers.

As has already been highlighted, Policies S1, SD3, SR2 and EP25 aim to ensure that proposed development within residential areas do not pose any significant and detrimental impacts to the amenity of neighbouring residents. The use of the facilities by the general public as oppose to staff, pupils and parents exclusively is considered to be acceptable. This will ensure that local residents have access to indoor sports facilities in accordance with the requirements of the above stated UDP policies.

The increase in the aggregate number of adult users from 40 to 50 is considered to be marginal and would not result in an intensification of the use and would not result in noise disturbance and level of activity to the detriment of nearby residential amenity.

2) Parking/Traffic Impact

In terms of car parking, the school has ample on site parking. Parking spaces are located along the eastern and southern side of the site. It is also proposed that the quad area to the front of the swimming pool and sports hall building be made available for parking. This area is accessible via a narrow access road with drop-down bollards.

Continued/...

The majority of car parking spaces are located well away from residential dwellings and are adequately screened by fencing and vegetation to prevent any noise nuisance. However, there are 5 car parking spaces along the southern boundary with the residential properties located on Frobisher Close which are in close proximity to the rear elevations of these houses. The applicants have confirmed that these parking spaces (shown on dotted lines in Drawing No.10 Rev C) will not be used for parking on Saturdays and Sundays. This will prevent the additional vehicle movement from causing a detrimental impact on the amenity of the adjoining residential properties.

3) **Consultation Responses**

The Highway Engineer commented that the proposal is unlikely to increase traffic problems to a significant extent.

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 variation to the Section 106 agreement is recommended for approval.

Continued/...

24 TUDOR RD, WEALDSTONE

Item: 2/15

P/532/06/DFU/MRE

Ward WEALDSTONE

CONVERSION OF DWELLING HOUSE INTO TWO FLATS, WITH SINGLE STOREY REAR EXTENSION AND EXTERNAL ALTERATIONS

Applicant: MR S SHAH & MISS S NORONHA

Agent: CUSACK ASSOCIATES

RECOMMENDATION

Plan Nos: 2005/02/01, 2005/02/02 B, 2005/02/03 A, 2005/02/04 A & Site Plan

GRANT permission for the development described in the application and submitted plans subject to the following condition(s):

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

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

2 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 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.

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

REASON: To safeguard the appearance of the locality.

4 The development hereby permitted shall not be commenced until all the works detailed in the application have been completed in accordance with the permission granted and shall thereafter be retained unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory form of development.

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:

Continued/...

Harrow Unitary Development Plan:

SD1 Quality of Design

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

EP25 Noise

H9 Conversions of Houses and Other Buildings to Flats

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:

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:

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.

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Amenity and Character of Extensions (SD1, D4 & D5)
- 2) Character of Area (SD1, D4, D5, D9)
- 3) Residential Amenity (SD1, D4, D5)
- 4) Traffic and Highway Safety/Parking (T13)
- 5) Accessibility
- 6) Consultation Responses

INFORMATION

Referred to DCC by Nominated Member.

a) Summary

Statutory Return Type:	Minor
Car Parking:	Standard: 2.8 (maximum)
	Justified: 0
	Provided: 0
Council Interest:	None

b) Site Description

- 2-Storey, end of terrace property situated on the northern side of Tudor Road
- No other flat conversions in Tudor Road
- Front garden not suitable for providing off-street parking
- Rear garden depth is approximately 22m
- Adjacent pathway providing side access to rear garden
- No other dwellings extended in this, or adjacent terrace row

c) Proposal Details

- Conversion of dwelling to two self-contained flats with single storey rear extension
- The application comprises a proposal for a single storey rear extension to a 2.4m depth, spanning across the rear of the dwelling to a 5.2m width.

d) Relevant History

- None.

e) Applicant Statement

- None.

f) Consultations:

- **Highways Engineers** – No objection

Notifications:

Sent:	Replies:	Expiry:
6	0	01-APR-06

Continued/...

APPRAISAL

1) Amenity and Character of Extensions

The application comprises a proposal for a single storey rear extension. The extension would be to a 2.4m depth, spanning across the rear of the dwelling to a 5.2m width. The extension would have a pitched roof over to a mid-point pitch height of 3m. The proposal complies with the relevant SPG for extending to the rear of terraced dwellings and is considered to be acceptable.

2) Character of Area

It is not considered that any detrimental change to the single-family dwelling house character of Tudor Road would occur as a result of this proposed conversion as this would be the first in the road. No external alterations are proposed in the front elevation of the dwelling and hence it will appear as a single-family dwelling house as viewed from the street.

3) Residential Amenity

It is considered that the size of the proposed flats would reasonably meet the needs of non-family occupiers that the development would be likely to attract. Both units would comprise one double bedroom, a living room, a kitchen and one bathroom. The submitted plans show the layout of the rooms in each unit to be acceptable in relation to one another, the size and layout of the flats is therefore considered appropriate for this development.

It is proposed that the property's rear garden would be split between the two units. A boundary line running horizontally across the garden set back approximately 9.5m from the rear of the proposed rear extension to form an area allocated for the ground floor flat. The rear section, allocated for the first floor flat, would be accessed via the side passage running down the sites flank boundary. This provision and means of access is considered to be acceptable for both units.

It is proposed that refuge storage be contained within each units section of rear garden. Access to the refuge storage area would be via the side passage running adjacent to the property and is considered to be acceptable.

4) Traffic and Highway Safety/Parking

The property's front garden is not suitable for any provision of parking due to its insufficient depth. The site is well outside the controlled parking zone and although the increase by one unit may aggravate the parking situation it would only be marginal and would therefore be recommended as acceptable. The new units would be in relatively close proximity to Harrow & Wealdstone Station and local bus services, and the availability of shops/services within Wealdstone local centre make the units ideal for non-car owning occupiers. Highways & Transportation raised no objection.

Continued/...

5) Accessibility

The application does not conform to Lifetime Home Standards as it was not considered to be feasible due to the site not be able to provide a car parking space to a width of 3.3m.

6) 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 grant.

Continued/...

21 LANCE RD, HARROW

Item: 2/16

P/531/06/DFU/RM2

Ward WEST HARROW

SINGLE STOREY REAR EXTENSION; CONVERSION OF DWELLING HOUSE TO TWO SELF-CONTAINED FLATS

Applicant: MR G HENDERSON

Agent: MR J I KIM / ArchiTech

RECOMMENDATION

Plan Nos: LAPP 1-1 rev A & LAPP 1-1a

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

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

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

2 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 LAPP 1-1 Rev A 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.

3 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 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.

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

REASON: To safeguard the appearance of the locality.

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

REASON: To safeguard the amenity of neighbouring residents.

Continued/...

- 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.

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
- 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:

Continued/...

Item 2/16 : P/531/06/DFU continued/...

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>

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.

6 INFORMATIVE:

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Standard of Design and Layout (D4 & D5)
- 2) Conversions of Houses and Other Buildings to Flats (H9 & D9)
- 3) Accessible Homes (H18)
- 4) Parking Standards (T13)
- 5) Consultation Responses

INFORMATION

Details of this application are reported to the Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type:	Minor Dwelling
Car Parking:	Standard: 3 maximum
	Justified: 1 maximum
	Provided: 0
Council Interest:	None

Continued/...

b) Site Description

- A two storey, brick built, end of terrace house on the south side of Lance Road
- Property has benefited from a rear dormer roof extension and 1.5m deep single storey rear extension,
- Neighbouring property at No. 23 to the West, has a 2.55m deep single storey rear extension and a similar dormer roof extension
- There is inadequate depth for a parking space on the forecourt; no houses in the street have off street parking
- There is a detached single storey outbuilding adjacent to the rear boundary
- To the side and rear of the plot there is a footpath servicing the rear gardens of the neighbouring properties
- Gentle gradient upwards to the rear and 2m close board fences on both boundaries

c) Proposal Details

- Development to provide a single storey rear extension 2.6m deep and 3m high across the full width of the dwelling
- Alterations to existing side elevation to install two windows (obscure glazed) at ground floor level
- Conversion of extended house to two self-contained flats:
 - 1x two habitable room unit on the ground floor and
 - 1x three habitable room unit on the first and second floors

d) Relevant History

WEST/244/02/CLP	Certificate of Proposed Development;	Lawful	GRANTED
	Dormer Window		04-APR-02

e) Applicant Statement

- None

f) Consultations:

Highways Engineer: no objections

Notifications:

Sent:	Replies:	Expiry:
14	3	01-APR-06

Summary of Responses:

three houses already converted to flats; parking problems; neighbouring house bought because of quiet neighbours; likelihood of noise impact; increased traffic; people living on first floor; privacy; new front door would not maintain the character or appearance of the property; type of occupant is likely to change and associated antisocial behaviour; suggestions: retain existing front door, effective sound insulation, replace layout of the top flat to address concerns about overlooking.

Continued/...

APPRAISAL

1) **Standard of Design and Layout** ***Single Storey Rear Extension***

The single storey rear extension would replace the existing. The proposed would be 2.62m deep and 3m high and extend across the entire rear elevation. The proposed would have a flat roof and one 'coxdome' roof light. There would be two patio doors opening out on the rear elevation and no openings in the flank elevations.

It is considered that there would not be an unacceptable level of impact on the amenity of neighbouring occupiers. The extension would project further than the SPG guideline, which is 2.4m in respect to terraced properties, however the proposed extension would broadly draw in line with the existing rear extension on the neighbouring property at No. 23 Lance Road. Also there is a footpath approx 1m wide separating the flank boundaries of No.s 21 and 19. Therefore there is a permanent separation between the proposed development and the amenity space at the rear of No. 19. As such it is considered that the site circumstances would mitigate any adverse impact on the occupiers of either neighbouring property.

Window in Flank Wall

The two proposed windows in the flank elevation facing No. 19 would be 0.9m by 0.9m wide. This window is contrary to guidance in the SPG, which states that large windows on flank walls are unacceptable if they are less than 3m from a boundary. This is to protect the amenity of immediate neighbours. However the proposed windows would look out onto the windowless flank wall of the neighbouring house. Also the existing 2m-boundary fence of No. 19 would obscure any view of the window from that property. Taking these site-specific circumstances into account, it is not considered that the windows would cause an unacceptable level of perceived or actual overlooking and as such are considered acceptable.

The plans indicate that the proposed ground floor window in the flank wall facing No. 19 would be glazed and maintained with obscured glass. A condition is suggested to ensure that the obscure glazing is fitted and retained. Also the windows shall be high-level opening only to prevent any impediment to the users of the shared house side access footway.

Notwithstanding that this window is considered to be acceptable, it is allowed only on the basis that it will not be treated as protected in the event of any application for development at No. 19. An informative drawing the applicant's attention to this is suggested.

Continued/...

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 justification paragraph 6.52 following Policy D9. 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. Notwithstanding 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, and should include insulation of the party wall with the neighbouring property as well as insulation between the proposed units.

The amount of amenity space after the extension and the outbuilding would be small. UDP Policy supports no provision for amenity space for first floor flats especially where there is public amenity space nearby, as in this case with West Harrow Recreation Ground. So there is no objection on lack of amenity space.

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.

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. However given the ambient noise levels in this established residential location and the level of disturbance associated with one additional unit, it is not considered that this proposal would be detrimental to the amenity of neighbouring occupiers or the character of the locality in this case.

Although there would be a lounge room at first floor to the rear this is not considered unacceptable as the windows already exist and so any overlooking issues would remain from the present form. Also overlooking would be at an oblique angle from the amenity space of the neighbours.

3) Accessible Homes

There is no available parking on the site and therefore the Lifetime Homes Standards are not feasible.

Continued/...

Details of disabled person's access to the ground floor flat have been submitted. It is considered that there is adequate width to allow access via the internal and external doors and corridors for the ground floor flat. Amendments were made during the course of the application to provide additional space in the bathroom to allow easier access and mobility within that room.

4) Parking Standards

There is no off street parking shown on the plans and none can be accommodated on site. It is considered that as there is bus routes and the West Harrow Tube Station within easy walking distance that this is acceptable within the UDP Policies. The reasoned argument of Policy T13 states, "*The Council will support low or zero parking developments in suitable sites particularly where public transport provision and accessibility is good...*"

An appeal on a site in nearby 1 Butler Avenue was recently allowed (after a Refusal by the Council on application P/1883/05/DFU on 12-10-05). The Inspector in this case made note of the parking situation in the vicinity and in drawing attention to a previous appeal and Government Advice in Planning Policy Guidance Note 13: "*Transport*" remarked that "Councils should not require developers to provide more spaces than they themselves wish" and that due to "the proximity of the site to the Town Centre and the bus routes the flats would suit occupiers who did not use private cars".

5) Consultation Responses:

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

- The 'type' of occupants is not a material planning issue and cannot be considered in any planning assessment.
- Any potential antisocial behaviour caused by future occupants is not a material planning issue and cannot be considered in any planning assessment
- The character and appearance of the street scene would not be unacceptably impacted as the scheme retains a single front door
- Although three houses have already been converted in the street each application is considered on its own merit
- Other concerns raised 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.

Continued/...

120 CHRISTCHURCH AVE, KENTON

Item: 2/17

P/529/06/DFU/MRE

Ward KENTON WEST

CONVERSION OF DWELLINGHOUSE INTO TWO SELF CONTAINED FLATS
WITH SINGLE STOREY REAR EXTENSION AND EXTERNAL ALTERATIONS

Applicant: MRS P PATEL

Agent: K HANDA

RECOMMENDATION

Plan Nos: KH/PP/PLNG/CONV/FLATS/0206/1 & Site Plan

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

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

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

2 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 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.

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

REASON: To safeguard the appearance of the locality.

4 The development hereby permitted shall not be commenced until all the works detailed in the application have been completed in accordance with the permission granted and shall thereafter be retained unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory form of development.

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:

Continued/...

- SD1 Quality of Design
 - D4 Standard of Design and Layout
 - D5 New Residential Development - Amenity Space and Privacy
 - EP25 Noise
 - H9 Conversions of Houses and Other Buildings to Flats
 - T13 Parking Standards
-

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Amenity and Character of Extensions (SD1, D4 & D5)
- 2) Character of Area (SD1, D4, D5, D9)
- 3) Residential Amenity (SD1, D4, D5)
- 4) Traffic and Highway Safety/Parking (T13)
- 5) Accessibility
- 6) Consultation Responses

INFORMATION

Referred to DCC by Nominated Member.

a) Summary

Statutory Return Type: Minor
Car Parking: Standard: 2.8 (maximum)
Justified: 1
Provided: 1
Council Interest: None

b) Site Description

- 2-Storey, end of terrace property situated on the northern side of Christchurch Avenue
- Front garden can provide off-street parking
- Rear garden depth is approximately 27m
- Property has side access

c) Proposal Details

- Conversion of dwelling to two self-contained flats with single storey rear extension
- The application comprises a proposal for a single storey rear extension.
- The extension would be to a 3m depth, spanning across the rear of the dwelling to a 6.6m width and a flat roof over to a height of 3.05m.

d) Relevant History

- None.

e) Applicant Statement

- None

Continued/...

f) Consultations:

- **Highways Engineers** - No objection

Notifications:

Sent:
7

Replies:
1

Expiry:
08-APR-06

Summary of Response:

- appearance of property will be out of character; increase on car parking pressure

APPRAISAL

1) Amenity and Character of Extensions

The adjoining terraced dwelling has a rear extension to a greater depth and height; hence the proposal would not impact upon this dwelling. With regards to the adjacent dwelling at no.118 it is considered that flank of the proposed extension on this side would be spaced sufficiently away from the boundary between the dwellings, at 2.2m, to negate the potential for any adverse impact.

2) Character of Area

It is considered that no detrimental change to the residential house character of Christchurch Avenue would occur as a result of this proposed conversion as the conversion rate in the road is relatively low.

An additional front door is proposed to provide a separate entrance to the first-floor flat. While it is acknowledged that this external alteration would change the appearance of the property from a single-family dwelling house to that which comprises two units, it is not considered to adversely impact on the character of the area.

3) Residential Amenity

It is considered that the size of the proposed flats would reasonably meet the needs of non-family occupiers that the development would be likely to attract. Both units would comprise one double bedroom, a living room, a kitchen and one bathroom. Additionally the ground floor flat would comprise a study.

The submitted plans show the layout of the rooms in each unit to be acceptable in relation to one another, the size and layout of the flats is therefore considered appropriate for this development.

It is proposed that the property's rear garden would be split between the two units. A boundary line running horizontally across the garden set back approximately 12m from the rear of the proposed rear extension to form an area allocated for the ground floor flat. The rear section, allocated for the first floor flat, would be accessed via the side passage running down the sites flank boundary. This provision and means of access is considered to be acceptable for both units.

Continued/...

4) Traffic and Highway Safety/Parking

The front garden is currently hard surfaced with no soft landscaping and can provide parking for two cars, which is considered to be adequate. Many of the surrounding properties within the vicinity of the site have off-street parking; therefore it is considered that providing parking in the front garden is not out of character with the surrounding area. As two car spaces would be accommodated to the front of the site, it is highlighted that this application can be used as an opportunity to improve the front garden landscaping to which a scheme has been submitted.

Highways & Transportation raised no objection.

5) Accessibility

The application conforms to Lifetime Home Standards adhering to the Council's Accessible Homes SPD.

Consultation Responses:

- All points raised regarding the external appearance of the property and parking provision are addressed in the above sections of the 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.

Continued/...

19 - 21 ROXBOROUGH RD, HARROW **Item: 2/18**
P/843/06/CFU/DT2
Ward GREENHILL
DETACHED 3 STOREY BLOCK OF NINE FLATS (REVISED); (RESIDENT PERMIT RESTRICTED)

Applicant: SHINGLEBANK LTD
Agent: GILLETT MACLEOD PARTNERSHIP

RECOMMENDATION

Plan Nos: 06/2369/1A 06/2369/2A 06/2369/3

GRANT permission in accordance with the development described in the application and submitted plans subject to the following conditions:

1 The development hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments, to gain access to, and egress from, the building(s) (without the need to negotiate steps) have 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 thereafter retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

2 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.

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.

Continued/...

Item 2/18 : P/843/06/CFU continued/...

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

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

5 The development hereby approved shall not commence until details of cycle storage have been submitted to and approved by the Local Planning Authority. The facilities shall be provided as approved before occupation of the development.

REASON: To ensure the provision of satisfactory parking facilities.

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

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

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

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

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

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

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

REASON: To prevent the increased risk of flooding.

Continued/...

10 The development hereby permitted shall not be occupied until details of a dwarf wall or fence of a maximum height of 600mm along the whole of the property frontage have been submitted to and approved in writing by the Local planning Authority such wall or fence to be retained thereafter unless otherwise agreed by the Local planning Authority.

REASON: To prevent unauthorised parking of vehicles along the street frontage and in the interest of highway safety.

11 Any vehicular crossovers that become redundant as a result of the development hereby approved shall be reinstated as part of the footway by the Council at the applicant's own expense.

REASON: In the interests of highway safety.

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
- D10 Trees and New Development
- H4 Residential Density
- 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:

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

Continued/...

Textphone: 0870 1207 405

E-mail: odpm@twoten.press.net

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

3 INFORMATIVE:

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

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:

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.

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Residential Character (SD, D4, D9, D10)
- 2) Neighbouring Residential Amenity (D5)
- 3) Parking and Highway Considerations (T13)
- 4) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Dwellings
Site Area:	0.74ha
Habitable Rooms:	27
Density:	364hrh 121 dph
Car Parking:	Standard: 13
	Justified: See report
	Provided: See report
Council Interest:	None

b) Site Description

- Site is on the east side of Roxborough Road near to the A404 Pinner Road/Greenhill Road traffic roundabout.
- Comprises a detached gabled house that has two flat roofed single storey wings, one of which extends to the rear of the site and a single storey extension to the kitchen. Both of the wings have a recessed entrance to the property. The exterior walls are finished in smooth faced render and the house has an artificial slate tiled roof. The property has a long rear garden and two off street parking spaces on the frontage. There is a detached garage and several outbuildings in the garden towards the eastern boundary of the site.
- Site is bounded to the rear by a triangular wedge of green open space that lies adjacent to the footpath and the dual carriageway along Greenhill Way.
- Roxborough Road is characterised by a mix of semi detached houses and short terraces of houses. There are also several detached buildings at the northern and southern ends of the road, of which the application site is an example.

c) Proposal Details

- Demolition of all buildings on the site
- Development of a detached three storey block to provide 9 x 2 bedroom flats
- Proposed building would have a maximum height to the roof ridge of 10.1m (6.8m to eaves line on road frontage) a depth of 20.7m and a width of 13.7m on a plot width of 18m.
- Spacious communal garden area

Continued/...

Revisions to Previous Application:

Following the previous decision (P/1479/05) the following amendments have been made:

- Elevational changes involving the replacement of two front door entrances and a side door entrance with a larger central front door and hallway, involving changes in the internal circulation layout.

d) Relevant History

P/1479/05/CFU	Detached three storey building to provide nine flats	GRANTED 11-NOV-05
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e) Applicant Statement

- Not submitted.

f) Consultations:

- **Engineering Services:** No development should take place until surface water attenuation/storage works details have been approved by the LPA.
- **Highways Engineers:** No objections provided that the development is resident parking restricted. A condition recommended that the Council at the applicants expense reinstates any redundant vehicular crossing and that a low wall or fence is provided to prevent vehicles attempting to park along the front of the property.

Notifications:

Sent:	Replies:	Expiry:
42	1	21-APR-06

Summary of Response:

- Roof line is higher than adjacent house (no 23) and considerably higher than 13-17 Roxborough Rd. Roof line should be lowered to be more in keeping with this side of the road.
- No parking provision is made therefore future occupants should not be allowed to apply for residents parking permits.
- The forecourt should be landscaped and provided with planting.
- No car parking should be allowed on the site

APPRAISAL

The positioning of the windows to habitable rooms on the southern elevation of the proposed flats could prejudice the development potential of the neighbouring detached property to the south of the site, 17 Roxborough Road, as overlooking and loss of privacy could result for flank wall windows to corresponding habitable rooms if a similar development was proposed there. However, in the previous proposal that was given planning permission, the windows on the southern elevation were in the same position and this is a material consideration.

Continued/...

It is concluded therefore that should future proposals for similar schemes be made elsewhere, this consideration will be taken into account more fully and applicants may be advised to design alternative forms of fenestration to overcome such problems.

1) Residential Character

In its siting, setting, proportions, height, bulk, scale and massing the proposal is the same as the previous scheme that was given planning permission. The only difference is in the design and arrangement of the entrance to the building. There is now a single, wider main entrance at the front of the building, replacing the twin front entrances and the entrance on the northern elevation at the side of the development.

It is considered that the proposed changes would result in a better and more practical layout of the internal circulation area of the building and elevational treatment of frontage of the development that would be in keeping with the appearance of the area. As such the proposal meets the advice in Policy D4. It says that all development should have regard to the scale and character of the surrounding environment and should respect the form of the existing townscape.

2) Neighbouring Residential Amenity

As a result of the proposed elevational changes a more neighbourly relationship would exist with the neighbouring property to the north of the site, as the main entrances would be at the front and rear of the property. This would generally be in line with the advice in Policy D5. It advises that residential development should ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded.

3) Parking and Highway Considerations

The area is in a CPZ (Controlled Parking Zone) and is also close to the A404 Pinner Road and the Town Centre. In these circumstances the advice in Policy T13 and the guidance in Planning Policy Guidance Note 13 (PPG13) on the need to promote sustainable development are appropriate. The advice from the Council's Highway Engineer concurs with this, subject to conditions and the proviso that the development is Resident Permit Restricted.

4) Consultation Responses

As referred to in the 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.

Continued/...

5A VICTORIA TERRACE, HARROW

Item: 2/19

P/453/06/DRE/RP1

Ward HARROW ON THE HILL

RENEWAL OF PLANNING PERMISSION WEST/106/01/REN: CONSTRUCTION OF 2 TWO STOREY TERRACED HOUSES WITH PARKING PROVISION ON LAND OPPOSITE 9/10 VICTORIA TERRACE

Applicant: IAN TAIT HOMES LTD

Agent: DAVID R YEAMAN & ASSOCIATES

5A VICTORIA TERRACE, HARROW

Item: 2/20

P/625/06/DCA/RP1

Ward HARROW ON THE HILL

RENEWAL OF CONSERVATION AREA CONSENT TO DEMOLISH EXISTING WORKSHOP AND SHED

Applicant: IAN TAIT HOMES LTD

Agent: DAVID R YEAMAN & ASSOCIATES

P/453/06/DRE

RECOMMENDATION

Plan Nos: Site Location plan 1/1250, AM4A (revised), AM5/1/C, AM5/2/A, AM5/3/B

GRANT permission for the development described in the application and submitted plans subject to the following conditions

1 The use hereby permitted shall not be commenced 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 safeguard the character or appearance of the Conservation Area.

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

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

Continued/...

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

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

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

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

5 No works or development resulting in any change in the approved levels of the site in relation to the adjoining land and highway(s) shall be carried out without the prior permission, in writing, of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, and to ensure a satisfactory appearance, drainage and gradient of access.

6 The development hereby permitted shall not be occupied 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.

7 The use hereby permitted shall not be occupied until the car parking, turning and loading area(s) shown on the approved plan number(s) have been constructed and surfaced with impervious materials, and drained in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces shall be permanently marked out and used for no other purpose, at any time, without the written permission of the local planning authority.

REASON: To ensure the satisfactory provision of parking areas, to safeguard the appearance of the locality and in the interests of highway safety.

Continued/...

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 to E in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

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

(a) amenity space

(b) parking space

and to safeguard the amenity of neighbouring residents.

9 The proposed garage(s)/parking space(s) shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) in connection with the use of the premises as a single family dwellinghouse and for no other purpose.

REASON: To ensure that adequate parking provision is available for use by the occupants of the site.

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

REASON: To ensure that adequate drainage facilities are provided.

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

REASON: To ensure that adequate drainage facilities are provided.

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:

H3 New Housing Provision - Land Identified for Housing and Vacant Sites

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

EP31 Areas of Special Character

Continued/...

2 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).

3 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".

4 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.

P/625/06/DCA/RP1

RECOMMENDATION

Plan Nos: HP 138/0

GRANT Conservation Area Consent in accordance with the works described in the application and submitted plan subject to the following conditions:

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

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

2 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made, and planning permission has been granted for the development for which the contract provides.

REASON: To protect the appearance of the:-

(c) conservation area

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) New Housing Provision (H3)
- 2) The Standard of Design and Layout (D4)
- 3) Residential Development (D5)
- 4) Conservation Area Impact (D14, D15)
- 5) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor - Other
Conservation Area: Harrow on the Hill Village
Site Area: 195m²
Area of Special Character: Harrow on the Hill
Council Interest: None

b) Site Description

- This site is split into two parts. On the south side of Victoria Terrace between Nos 4 and 5 stood a lean to building used for non residential purposes. On the north side was a vacant parcel of land opposite 9 & 10 Victoria Terrace.
- The site is within the Harrow on the Hill Village Conservation Area and Harrow Hill Area of Special Character.

c) Proposal Details

- To build two terraced houses in the gap site between Nos 4 & 5. The design of these two storey homes will reflect the design of the existing houses in the terrace. Also proposed is the formation of a parking area on the opposite side of the road for three vehicles with a 1.5m fence separating the parking area from the landscaped area which will face properties in West Street.
- These are applications to renew an existing planning permission and a conservation area consent. Prior to the previous permission /consent expiring the conditions precedent were discharged and development has commenced using the 2001 permission and conservation area consent. A minor change has been made to the front elevation of the houses by bring the front door forward in line with the front elevation to match Nos 3,4,6 and & 7 Victoria Terrace.

d) Relevant History

WEST/65/96/FUL	Construction of 2 x 2 bedroomed houses with parking	GRANTED 08-JUL-96
WEST/163/01/REN	Renewal of planning permission WEST/65/96/FUL for 2 x 2 bedroomed two storey houses with parking	GRANTED 04-MAY-01

Continued/...

e) Applicant Statement

- The principle of development has been established by the previous permissions.
- Development has lawfully commenced under the previous permission. The new permission is sought to authorise the minor change to the plans.

f) Consultations:

CAAC: No objection

English Heritage: Determine in accord with national and local policy guidance

Environment Agency: Unable to respond

Thames Water : No objection

Notifications:

Sent:
36

Replies:
3

Expiry:
18-APR-06

Summary of Response:

- Security to rear of West Street, loss of on street parking, public right to turn by using parking area.

APPRAISAL

There has been no material change in circumstances since the grant of the previous planning permission.

1) New Housing Provision

Policy H3 indicates that the Council may take action to achieve development where permissions for residential development have remained unused for a long time. In this case, if development had not commenced, this site could have become subject of this policy.

2) The Standard of Design and Layout

The form of development is in keeping with the existing terraces. A bin enclosure is provided as part of the parking area screen by a 1.5m fence. The rear gardens are modest in size and are larger than some in Victoria Terrace. Windows face into the street and to the rear.

3) Conservation Area Impact

The building would be in keeping with Conservation Area and the removal of the lean-to building/building houses would enhance the character and appearance of the Conservation Area.

Continued/...

4) Consultation Responses

The provision of the fencing would secure the rear of properties in West Street. The loss of street car parking was not held to be a weighty objection when permission was granted on the previous two occasions. Indeed it would difficult to object to the development on this ground given the public right to pass and re-pass on the highway does not extend to parking where the sub soil is in private ownership and parking constitutes a trespass. As for the turning point the applicant has not offered this and it does not form part of the previous permissions.

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.

Continued/...

29 WIMBORNE DRIVE, PINNER

Item: 2/21

P/805/06/DCO/CM2

Ward PINNER SOUTH

RETENTION OF TWO STOREY SIDE TO REAR, SINGLE STOREY FRONT AND REAR EXTENSION (REVISED)

Applicant: P A KULKARNI

Agent: D N TALPADE

RECOMMENDATION

Plan Nos: KT/AK/04002C, KT/AK/04003F, KT/AK/05/05/1

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

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

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

2 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 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.

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

REASON: To safeguard the appearance of the locality.

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

Continued/...

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>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character of the area (SD1, D4, & D5)
- 2) Amenity of neighbouring occupiers (SD1, D4, & D5)
- 3) Consultation Responses

INFORMATION

Details of the application were reported to the Development Control Committee on the 7th June 2006. The application was deferred for a member's site visit, which took place on the 14th June 2006.

a) Summary

Statutory Return Type: Householder

Council Interest: None

b) Site Description

- The site is located on the southern side of Wimborne Drive.
- The site contains a two-storey semi-detached dwelling located towards the front of a long rectangular site.
- The dwelling at 31 Wimborne Drive is set away 2m from the side boundary shared with 29 Wimborne Drive.
- The adjoining properties, being 27 and 31 Wimborne Drive, do not have rear/side extensions.

Continued/...

- The surrounding neighbourhood is residential in character, typified by predominantly two-storey semi-detached dwellings.

c) Proposal Details

- To retain and complete construction of a two storey side to rear and single storey front and rear extension

Revisions to Previous Application:

Following the previous decision (P/66/05/DFU) the following amendments have been made:

- Construction of a flank wall straight down the western boundary with a depth of 12.28m, rather than a staggered flank wall with a depth of 12.08m as previously approved.
- The length of the first floor side to rear extension is to be 10.68m, rather than 10.08m as previously approved.
- Providing a 470mm separation between the eastern boundary for the single storey rear extension rather than 680mm as previously approved. The total width of the rear elevation has increased to 7.615m as opposed to 7.40m due to the removal of the flank wall stagger on the western boundary and the single storey rear extension being closer to the eastern boundary.

d) Relevant History

- None

e) Applicant Statement

- None

f) Consultations:

Notifications:

Sent:
4

Replies:
1

Expiry:
25-APR-06

Summary of Response:

The revised application will require work on the boundary; concern regarding the horizontal 45° splay, affect the light and future value of property; would find it difficult to build a side extension should this go ahead.

APPRAISAL

1) Character of the area

The street is characterised by semi-detached dwellings. In this area the proposal is considered to have a satisfactory relationship with the adjoining dwellings and the streetscene. The extensions have been designed in accordance with Councils supplementary planning guidance for householder extensions, and complement existing building form.

Continued/...

2) Amenity of neighbouring occupiers

The two-storey side extension will not appear overbearing or visually obtrusive when viewed in the context of the existing dwelling. The first floor front wall has been set in 1m behind the main front wall and the proposed roofline dropped below the existing main ridge, giving a subordinate appearance to the dwelling. The extension will not overlook or unduly shade adjoining properties nor adversely interfere with neighbour's outlooks. No side windows are proposed. There are no protected windows on the adjacent flank wall of 31 Wimborne Drive that would be adversely affected by the proposal. As No.31 is set off the side boundary by 2m and set slightly rearwards of No.29, the rear two-storey projection of 2.9m will accord with the 45° angle drawn on plan from the first floor rear corner of the next door dwelling. The two-storey element is setback away from 27 Wimborne Drive by approximately 4.8m, a sufficient distance to ensure no adverse effects are generated on that property, meeting the 45° angle.

The single storey rear extension has a depth of 3.0m from the applicants rear wall, when measured from both neighbouring properties the extension does not exceed 3m and is therefore considered to be acceptable. The roof is to be a 3.15m high flat roof; the extension will not unduly detract from the amenity of the dwelling or site. The extension will not overlook or unduly shade adjoining properties nor adversely interfere with neighbour's outlooks. The 0.47m set in from the boundary with 27 Wimborne Drive provides a level of separation over and above that perceived as generally acceptable in the SPG and enhances a subordinate appearance to the dwelling. The rear garden remains a large open pace, ensuring the extension does not appear cramped.

The proposed single storey front extension will not detract from the streetscape of Wimborne Drive, which includes similar front elevation elements (for example 37 and 44 Wimborne Drive). The proposed front elevation is coherent with the existing façade and will tie in with the existing front door. No link is proposed between the porch and front bay window.

3) Consultation Responses

- Any work that is required on the boundary of the property would likely fall under the Party Wall Act 1996, which is outside the remit of Council.
- Issues regarding the 45° splay, and loss of light have been dealt with in the report above.
- The potential loss of value and difficulty with future neighbouring side extensions are not within the powers of the Local Planning Authority to consider.

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.

Continued/...

44 HIGH ST, HARROW ON THE HILL

Item: 2/22

P/776/06/DFU/OH

Ward HARROW ON THE HILL

CHANGE OF USE OF GROUND AND LOWER GROUND FLOORS FROM OFFICES (CLASS B1) TO CAFE AND RETAIL (CLASS A3 & A1)

Applicant: KATINA BRUM

RECOMMENDATION

Plan Nos: A3 plan (showing ground floor front, rear and lower ground)

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

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

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

2 The premises shall be used for the purpose specified on the application and for no other purpose, including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and in the interest of highway safety

3 The garden area and terrace detailed on the approved drawing shall not be made available for the use of customers, except in the event of fire or other emergency which requires the premises to be rapidly vacated.

REASON: In the interests of the amenities of neighbouring residents.

4 The bread ovens within the rear ground and lower ground floors shall be retained in a visible condition to the satisfaction of the local planning authority.

REASON: To ensure the retention of this feature of interest within the building.

5 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.

Continued/...

6 The use hereby permitted shall not be open to customers outside the following times:-

(a) 8am to 6pm, Monday to Friday inclusive,

(b) 10am to 5pm Saturday and Sunday

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:

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

D14 Conservation Areas

T13 Parking Standards

EM15 Land and Buildings in Business, Industrial and Warehousing Use - Outside Designated Areas

EM25 Food, Drink and Late Night Uses

2 INFORMATIVE: The applicant is advised that any future introduction of external mechanical ventilation/extraction equipment will require a separate application for planning permission.

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.

Continued/...

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) Loss of Employment Floorspace (EM15)
- 2) Character of Conservation Area (SD1, SD2, D4, D14)
- 3) Neighbouring Amenity (EM25)
- 4) Traffic and Highway Safety/Parking (T13)
- 5) Consultation Responses

INFORMATION

Details of this application were reported to the Committee on 7th June 2006. The application was deferred to enable a Member's site visit.

a) Summary

Statutory Return Type:	Change of Use
Green Belt	Harrow on the Hill
Car Parking:	Standard: 1
	Justified: 0
	Provided: 0 (see report)
Council Interest:	None

b) Site Description

- Three storey mid-terraced property located on the eastern side of High Street within Harrow on the Hill Village Conservation Area
- The ground and lower ground floors of the property are currently vacant, with an existing use class order B1
- The first floor is in residential use
- There is a rear garden area and terrace and a service access path at the rear with access through a doorway located on Short Hill (which runs underneath 5 Short Hill)

c) Proposal Details

- Change of use of existing ground and lower ground floors from a B1 office use to café/retail (class A3 and A1)

Continued/...

d) Relevant History

LBH/F/31625/W	Change of Use: basement & ground floor from light industrial and retail to office with front ground floor room as customer display and sales area	GRANTED 05-AUG-82
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e) Applicant Statement

- Homecraft goods for sale, i.e. chutneys, jams, greeting cards, arts and crafts, bespoke kitchenalia
- Clients will benefit from eat-in or take-away options; sandwiches, soups, cakes, milkshakes, smoothies, organic ice creams, coffees and fine teas will be available
- Items on menu bought from a supplier, there is no need for cooking or frying, Therefore there will be minimal aromas or none at all, which means no requirement for ventilation
- Noted that the nearest competitors serve cooked breakfast from 7.30am and another opens at 8.30am. Both of these premises are in close proximity to residential properties
- We have revised number of cover from 32 (as originally submitted) to 12 covers
- No impact from refuse disposal and it will be removed from the rear
- Intend to operate business in an environmentally considerate manner and recycle waste
- Fire risk at proposed business is minimal due to the nature and method of food production
- It is inconceivable that a tea room/coffee house as proposed would be any noisier than an office environment
- Our captive market is based on foot fall – local residents, workers, morning commuters, local businesses, St. Dominic's College students Harrow School boys and staff
- Recent developments on the Hill for example the old Harrow Hospital on Roxeth Hill, the Kings Head Hotel and Braconhyrst in Roxborough Park have led to increased residential occupancy. New residents require enhanced local services such as that proposed and as local residents with their own parking, our potential clientele will be able to walk to our premises

f) Consultations:

- **Highway Engineers** : B1 use could cause 3-6 cars looking for all day parking in the area; therefore no objection on parking grounds
- **CAAC**: No objection to change of use, but need to see details of any external works (e.g. terracing, new shop front etc).

Advertisement:	Character of Conservation Area	Expiry: 18-MAY-06
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Continued/...

Notifications:

Sent:
8

Replies:
8

Expiry:
23-MAY-06

Summary of Response:

7 x objections: parking, traffic congestion, problems with deliveries, already A3 uses on Hill, ventilation from kitchen-cooking smells, fire risk, detrimental to amenity and character of the area, noise, once A3 granted a full restaurant with cooking etc could take place.

1 x no objection: in support of application

APPRAISAL

1) Loss of Employment Floorspace

Policy EM15 of the HUDP seeks to resist the loss of B1 floorspace, on employment grounds, subject to the assessment of individual proposals against specific criteria. In relation to each of these: -

- a) The Council's survey of available business premises, dated January 2005, show there to be 365,225m² available office in the Borough as a whole, ranging from prime office rents of £96.84 to £285.14 per square metre and rents of £64.56 to £150.64 per square metre for older premises. Such a level of provision for the Borough is considered to be generous, though may not be evenly distributed. The proposal would result in the loss of approximately 118m² floorspace of non-modern type but would not, on its own, detract from the range of office sizes and type available within the Metropolitan Centre. In the longer term it is considered that the loss of older, less suitable accommodation at Harrow on the Hill – could increase values within Harrow Town Centre and therefore stimulate the development of more suitable accommodation. In these circumstances it is not considered that the proposal would result in any conflict, in this case, with criterion A.
- b) There is no evidence to suggest that the use of the premises for A1/A3 occupation would be harmful to the local economy for the purposes of criterion B. Indeed, the addition of the proposed A1/A3 unit would add to the interest, the appearance and the vitality of the area.
- c) The applicant has stated that the B1 use has been extensively marketed for at least 12 months with no positive response.
- d) The site has been vacant for a period of at least 12 months.
- e) Criterion E does not apply.
- f) For the purposes of criterion F access to the site is considered to be reasonable. There are two bus routes available and Harrow on the Hill tube station is within reasonable walking distance.
- g) As B1 offices it is unlikely that access for delivery vehicles is necessary on any significant scale, though it can be noted that there is a service path at the rear of the site, with access via Short Hill. Accordingly there is no conflict with criterion G.

Continued/...

2) Character of Conservation Area

It is considered that the change of use of the existing vacant B1 offices would enhance the character of the conservation area. The premises have been vacant for a long period of time. It is considered that bringing this unit back into use would serve to enhance the appearance of this property creating an active shop frontage. The proposed change of use would add to the interest in this part of the Hill and to the vitality of the area.

3) Neighbouring Amenity

Given the potential for a food and drink premises to cause detrimental amenity impacts for nearby residential premises, selective restrictive conditions are proposed.

This application is for a mixed use scheme and as detailed within the applicant's statement the use would entail a retail element and only light preparation of sandwiches, hot drinks and possible reheating of soups would occur on the premises, no cooking would occur. All produce would be sourced from an external supplier. The applicant has stipulated that the maximum number of proposed covers within the premises is reduced from 32 (as originally submitted) to 12. Therefore, the A3 element of the proposed business has been reduced, retaining the A1 retail element as the predominant use.

It is considered necessary to restrict the use of the premises to that proposed within the application to ensure that no other use within use class A3 (for example a restaurant) can be established without further consideration by the Local Planning Authority. It is considered that this restrictive condition is necessary because the intensity of use and amount of activity associated with other A3 uses may differ to the proposed café use, such a change of use within this use class would therefore need to be assessed in light of the circumstances then prevailing.

In light of the proximity of residential occupiers, a condition restricting the hours of operations is proposed. The applicant wishes to open between 8am-6pm Monday to Friday and 10am-5pm Saturday and Sunday. It is considered that in light of the site location, on a busy thoroughfare that these hours of use are acceptable. As well as this, a condition restricting the use of the rear garden area is proposed to ensure that no unreasonable activity associated with customer use can occur within the rear garden area.

The proposed noise insulation condition attached would further negate potential noise disturbance within the building.

In relation to refuse storage, there is an area set aside within the rear garden to accommodate refuse from the premises. It is considered that this location is satisfactory in relation to neighbouring amenities as it is sited at the rear of the garden and away from any neighbouring windows.

Continued/...

4) Traffic and Highway Safety/Parking

The property has a right of way to an access pathway at the rear which itself is accessed via an opening on Short Hill. This access route could be used for refuse collection and deliveries associated with the proposed business.

As discussed earlier, access to public transport within this location is reasonable. There is no parking associated with this property and it is noted that parking on the Hill is at a premium. However, it should be noted that if this property was brought back into use as a B1 office it could well accommodate up to ten staff members each looking for parking in the area, as well as visitors to the premises.

In contrast, the nature of the proposal as a mixed use A1/A3 property would be more likely to attract passing pedestrians, local residents, as well as office workers within the vicinity of the site. Some element of parking would be likely to occur as a result of this proposal, however it is considered that this would be unlikely to be any more than what the current B1 use would demand, therefore it is considered that a parking reason for refusal can not be justified on this basis.

5) Consultation Responses:

Material planning concerns addressed in appraisal above.

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.

Continued/...

73A GORDON AVE, STANMORE

Item: 2/23

P/225/06/DFU/LW

Ward STANMORE PARK

SINGLE STOREY FRONT AND SIDE EXTENSION, REAR DORMER, REVISED ROOF OVER EXISTING GARAGE

Applicant: MR N PATEL

RECOMMENDATION

Plan Nos: 01, 02 Rev A, 03 Rev A, 04, 05 Rev A, Site Plan

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

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

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

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

REASON: To safeguard the appearance of the locality.

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

D5 New Residential Development - Amenity Space and Privacy

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.

Continued/...

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MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Appearance and Character of Area (SD1, D4, SPG - Extensions)
- 2) Neighbouring Amenity (SD1, D4, D5, SPG – Extensions)
- 3) Consultation Responses

INFORMATION

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

a) Summary

Statutory Return Type: Householder
Council Interest: None

b) Site Description

- The application site is located on the southeastern corner of Gordon Avenue and Maytree Lane and is occupied by a two storey detached dwelling with integral garage.
- The surrounding area consists predominantly of two storey-detached dwellings.
- The adjoining dwelling to the immediate east, No. 73, has a single storey rear extension.
- The adjoining dwelling to the immediate rear, Whernside, also has a single storey rear extension.

c) Proposal Details

- Front and side ground floor extension that will wrap around the northwestern corner of the dwelling.
- New roof over existing garage to create a single roof over the extension and garage.
- Two rear dormers to facilitate loft conversion.

d) Relevant History

LBH/16591	Erection of single storey extension to side and rear of dwelling house.	GRANTED 14-OCT-80
P/363/06/DFU	Erection of brick wall with metal railing along Gordon Avenue frontage.	GRANTED 26-APR-06

Continued/...

2) Neighbouring Amenity

The front/side extension brings the dwelling closer to the corner boundary and therefore is located a considerable distance from all adjoining dwellings. Given this, no impact is expected on the existing amenity of the neighbouring plots. Furthermore, the new roof over the garage is lower than the existing roof and as such will result in a reduction of bulk along the boundary to No. 73.

The proposed rear dormers will not impact upon the existing neighbouring amenities or create a significant loss of privacy to the neighbouring houses or gardens. The dormers are located approximately 20m from the rear boundary line, and almost 25m from Whernside (the dwelling), this distance mitigates against any overlooking from the dormers. Furthermore, the site has significant vegetation along the boundaries to both adjoining dwellings.

3) Consultation Responses:

- Discussed in text.

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.

Continued/...

73A GORDON AVE, STANMORE

Item: 2/24

P/1101/06/DFU/AB4

Ward STANMORE PARK

RETENTION OF SINGLE STOREY OUTBUILDING AT REAR OF GARDEN

Applicant: MR N PATEL

RECOMMENDATION

Plan Nos: R1, Site Plan

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

1 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 R1 shall be installed in the rear 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.

2 Within 2 months of the date of this planning permission, details of proposed planting between the outbuilding and the boundary with Whernside shall be submitted to and approved by the Local Planning Authority.

REASON: In the interests of the appearance of the area and neighbouring amenity.

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

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION -
HOUSEHOLDER APPLICATION:

The decision to grant planning 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

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Impact on neighbouring amenity and appearance of the area (SD1, D4, D5)
- 2) Consultation Responses

INFORMATION

The Committee on 7th June 2006 requested that this application be reported to the meeting on 28th June 2006 for consideration with application P/225/06/DFU.

a) Summary

Statutory Return Type:

Site Area: 651m²

Council Interest: None

b) Site Description

- The site is located on the south side of Gordon Avenue on the eastern corner of its junction with May Tree Lane
- There is a two storey detached house located on the site.
- Detached houses are located to the east in Gordon Avenue and at the rear in May Tree Lane

c) Proposal Details

- Retention of detached outbuilding at far end of rear garden some 12m from house, adjacent to May Tree Lane boundary
- 4.6m long x 3m wide x 3.6m high to apex of ridged roof
- Brick elevations, tiled roof

d) Relevant History

P/225/06/DCP	Single storey front and side extension, rear dormer, revised roof over existing garage.	See agenda item 2/23
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P/363/06/DFU	CURRENT APPLICATION Erection of brick wall with metal railing along Gordon Ave frontage, with entrance gates.	GRANTED 26-APR-06
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e) Applicant Statement

- None

f) Consultations:

Notifications:

Sent:
2

Replies:
1

Expiry:
18-MAY-05

Continued/...

Summary of Response:

- Building described as 'Garden Store' but is a large brick building for such a limited purpose. If permission is granted it should be conditioned upon its use being limited for that purpose alone.
- Proposal to plant four new conifers between rear wall of the building and adjacent to fence is impractical as there is insufficient room for any trees.

APPRAISAL

1) Impact on neighbouring amenity and appearance of the area

The outbuilding is modest in size and is largely screened by adjacent vegetation.

The western boundary adjoining the highway of May Tree Lane is screened by very tall, dense trees and hedges, so that only a small portion of the pitched roof is visible from the street. There are also many trees with hedging along the rear boundary and the majority of the outbuilding is behind a tall hedge, so that a limited view only is available from the adjacent property. Given these considerations, it is considered that an acceptable impact is provided on the appearance of the area and neighbouring amenity.

The application also involves planting four conifer trees behind the outbuilding to further screen it from the neighbours at Whernside, and an appropriate condition is suggested.

2) Consultation Responses:

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

- The use of the outbuilding is ancillary to the house as a garden store. If the use of the outbuilding changes at any time in the future this will be a matter for the Enforcement Team to investigate.
- If there is insufficient room behind the outbuilding to plant the four proposed Conifer trees a different species could be planted.

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.

Continued/...

**EBBERSTON, 39 SOUTH HILL AVE, P/74/06/DFU/SB5
HARROW**

Ward HARROW ON THE HILL

FIRST FLOOR REAR EXTENSION

Applicant: MR & MRS J SNOWDON
Agent: KENNETH W REED & ASSOCS.

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

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

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

REASON: To safeguard the appearance of the locality.

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

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

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

Continued/...

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.

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

6 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.

7 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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

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

INFORMATION

This application is reported to Committee at the request of a nominated member. Details of this application were reported to the Committee at its meeting on 11th April and 7th June but was deferred to allow a Members' site visit. A Member's site visit has been arranged for 14th June.

a) Summary

Statutory Return Type: Householder

Area of Special Special Char & Adv

Character:

Conservation Area: SOUTH HILL AVENUE

Council Interest: None

Continued/...

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 □haracterized 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 Statement

- None

f) Consultations:

CAAC: No objections

Harrow Hill Trust: No response

Advertisement: | Character of Conservation Area | Expiry:
23-FEB-06

Notifications:

Sent: 2 Replies: 1 Expiry: 09-FEB-06

Summary of Response:

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.

Continued/...

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.

5) Consultation Responses:

- As detailed above.

Continued/...

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.

Continued/...

48 ELLEMENT CLOSE, PINNER

Item: 2/26

P/273/06/DFU/PDB

Ward PINNER SOUTH

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

Applicant: S CARPENTER ESQ

Agent: C&S ASSOCIATES/W H SAUNDERS

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

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

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

REASON: To safeguard the appearance of the locality.

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 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.

Continued/...

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

7 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

8 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.

9 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.

10 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

Continued/...

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>

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

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

INFORMATION

Details of this application were reported to the Committee at its meeting on 11th April and 7th June but was deferred to allow a Member's site visit. This took place at 6.15pm on Wednesday 14th June.

a) Summary

Statutory Return Type:	Minor Development
Site Area:	465m ²
Habitable Rooms:	See report
Car Parking:	Standard: 3 max Justified: 2 Provided: 2
Council Interest:	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 outbuilding
- 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

Continued/...

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 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.

Notifications:

Sent: 17	Replies: 3	Expiry: 13-MAR-2006
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Continued/...

Summary of Response:

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; inadequate turning space, proposal now constitutes new development not permissible under Town & Country Planning Act, application is property development by stealth or land that belonged to the Council.

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 100m² 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.

Continued/...

- 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:

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

- 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
- turning space not affected
- application to be considered on its own merits under the Town & Country Planning Act
- details of application proposal and site history as set out

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.

Continued/...

3 PINE CLOSE, STANMORE

Item: 2/27

P/71/06/CFU/SC2

Ward STANMORE PARK

SINGLE AND TWO STOREY EXTENSION

Applicant: MR I MALIK

Agent: D SILVERMAN

RECOMMENDATION

Plan Nos: 05/164/1A + 2B and un-numbered site plan

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

1 The development hereby permitted shall not be occupied or used 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.

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

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

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

(a) the 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.

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

REASON: To safeguard the appearance of the locality.

Continued/...

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:

Areas of Special Character, Green Belt and Metropolitan Open Land

SD1 Quality of Design

EP31 Areas of Special Character

EP33 Development in the Green Belt

EP34 Extension to Buildings in the Green Belt

D4 Standard of Design and Layout

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:

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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1)** Green Belt and Area of Special Character (SEP6, SD1, EP31, EP33, EP34)
- 2)** Amenity of Neighbours (SD1, D4)
- 3)** Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Householder

Green Belt:

Council Interest: None

b) Site Description

- Large, part 2, part 3 storey, split level detached dwelling which, due to the slope of the site, is accommodated on upper and lower ground floors and on a first floor
- Dwelling set on ample sized plot of land located at the eastern end of Pine Close, east of Stanmore Hill
- Dwelling has a red brick finish with aluminium windows and is flat roofed in design.

Continued/...

Item 2/27 : P/71/06/CFU continued/...

- Property built in 1972
- The large rear/side garden accommodates a lake to the south of the property
- Dwelling within Greenbelt
- Applicant property is surrounded by similar large detached houses set within ample sized plots of land

No history of previous additions to the site

c) Proposal Details

- Single and two storey extension
- Both extensions would be to the front of the existing house
- Single storey extension involves both a 5.2m side extension and a 3.2m front projection of the upper ground floor to create an additional 76.5 sq. m. of floor space
- First floor extension would extend over the existing and proposed part of the upper ground floor extension to provide 120 sq. m. of additional floor space
- Existing red/brown tiled cladding at first floor level would be removed and replaced with a rendered finish
- Existing aluminium double glazed windows to be replaced with fully glazed windows with little aluminium
- Original application included a proposed detached garage at the western boundary but this was later withdrawn in amended plans

d) Relevant History

- None

e) Applicant Statement

- None

f) Consultations:

Notifications:

Sent:
3

Replies:
0

Expiry:
23-FEB-06

Continued/...

APPRAISAL

1) Green Belt Land and Area of Special Character

Plan policy requires that ‘development will be strictly controlled within the green belt to ensure that such land remains primarily open and existing environmental character is maintained or enhanced’ and in the case of extensions to dwellings, ‘not result in disproportionate additions over and above the size of the original dwelling’.

	Original	Existing	% Over original	Proposed	% over original
Footprint (m²)	257	257	+0%	333.5	29.8%
Floor Area (m²)	485	485	+0%	681.5	40.59%
Volume	Not known				

The applicant property has not been extended in the past and is not of any great architectural importance. The ground and first floor extensions are proposed for the northern part of the dwelling. Extending the upper ground floor would provide 76.5sq m of additional floor space. This extension would project 5.2m from the side of the building and 3.2m from the buildings front. It currently accommodates the main entrance to the dwelling, a study area and a garage. The proposal would increase this floor space at the expense of the garage and would accommodate a living room, kitchen and hallway.

The proposed first floor extension would project over the existing and proposed upper ground floor and would provide an additional 120sq m. of floor space. The first floor section would be stepped back 1.5m in order to accommodate a glass-fronted balcony and would provide 2 additional en-suite bedrooms. Although these extensions would result in a 43.8% addition to the original/existing footprint of the dwelling, the scale, location and siting of the dwelling means the extensions would sit comfortably within the confines of the applicant property. Furthermore, the substantial grounds surrounding the dwelling can accommodate the detached garage and proposed extensions without detracting from the openness of the site. The Council feels therefore, that taking into account both the particular characteristics of the site and the disposition of the house that sufficient space, in Green Belt terms, would remain around the house in order to maintain the openness of the site.

The first floor section of the property is currently finished with some red/brown tiled cladding, which is proposed to be replaced with a rendered finish. This rendered finish, above an existing ground floor red brick design, would represent an improvement on the aesthetic design of the building as would the proposed replacement of all existing aluminium double glazed windows with fully glazed windows, details of which would have to be approved by the Council.

Continued/...

2) Residential Amenity

The existing boundaries to the north, south and east of the dwelling are tree lined with mature trees and substantial shrub growth and any development on site would not impinge on properties adjoining these boundaries. The Council therefore is of the opinion that a granting of permission for the works proposed would not result in any negative impact on local residential amenity.

3) Consultation Responses

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.

Continued/...

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

6 - 8 WHITCHURCH PARADE, WHITCHURCH LANE, EDGWARE
Item: 3/01
P/1023/06/DVA/LW

Ward CANONS

VARIATION OF PLANNING PERMISSION EAST/1405/02/VAR TO ALLOW OPENING FROM 11.00-03.00 THE NEXT DAY ON SUNDAY-THURSDAY, AND 11.00-04.00 THE NEXT DAY ON FRIDAY AND SATURDAY

Applicant: RAJESH PATEL

RECOMMENDATION

Plan Nos: 04130/1, 04130/2, Site Plan

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

1 The proposed variation of condition to increase the 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.

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

EP25 Noise

EM25 Food, Drink and Late Night Uses

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Licensing Act 2003
- 2) Residential Amenity (EP25, EM25)
- 3) Consultation Responses

INFORMATION

a) **Summary**

Statutory Return Type: Other

Council Interest: None

b) **Site Description**

- The application site is located on the southern side of Whitchurch Parade, Whitchurch Lane, Edgware.
- The site is occupied by a single storey building, with usable space within the roof.

Continued/...

Item 3/01 : P/1023/06/DVA continued/...

- The site is within a small, undesignated parade, which is located just south east of the designated Edgware local centre.
- The parade consists primarily of A1 and A2 uses, with the same occurring within the Edgware local centre.
- Residential accommodation is not provided above the buildings in the parade.

c) Proposal Details

- Variation of planning permission EAST/1402/02/VAR to allow opening from 11.00am to 3am the following day Sunday to Thursday and 11.00am to 4am the following day Friday and Saturday.
- The Licensing Panel have imposed hour restrictions of 10.00am to 12.00am Sunday to Thursday and 10am to 01.00am the following day Friday and Saturday.
- Existing openings hours are to midnight Monday to Saturday and 11pm on Sundays, by virtue of a variation of the original permission.

d) Relevant History

EAST/861/98/FUL	Change of Use: Retail to Restaurant (Class A1 to A3)	GRANTED 31-MAR-99
EAST/1405/02/VAR	Variation of condition 9 of E/861/98/FUL to permit opening hours of up to 24.00hrs Mon-Sat and 23.00hrs on Sunday	GRANTED 16-JAN-03

e) Applicant Statement

- None.

f) Consultations:

Notifications:

Sent:	Replies:	Expiry:
26	3	30-MAY-06

Summary of Response:

- Is in close proximity to residential areas, which would be affected by loud music. Family life would be affected with the presence of this club.
- Whitchurch Lane is busy with traffic through the night. If openings hours are extended, the traffic will be extended to early hours of the morning, affecting amenity of neighbours.
- The club is not appropriate within a residential area, more appropriate to a town centre. The presence of people coming and going, and requiring food after closing, causes disturbance and rubbish.
- Parking outside flats until late, car doors slamming, shouting, rubbish.
- Residents are entitled to peace and quiet.
- It is primarily residential area, these opening hours will change a peaceful area.
- It will cause unwarranted disturbance through noise.

Continued/...

- Existing club causes disturbance as door is left open and when it closes people create additional noise in the street.
- Increase in opening hours would only increase the disturbances already suffered by residents.
- Proposal will have a negative effect on property prices in the area.
- The proposal would create considerable social and economic costs to the residents of the area, without providing any benefits.

APPRAISAL

1) Licensing Act 2003

Following the implementation of the Licensing Act 2003 the Council has established a licensing panel to consider and determine applications to vary or establish new licenses under the provisions of the Act. In determining license applications under the Act the Panel's considerations are limited to crime and disorder prevention, public safety, public nuisance prevention and the protection of children. Significantly these considerations do not extend to the affect of proposals on private amenity, for example neighbouring residents. Such concerns are therefore properly dealt with as material considerations to planning applications for associated uses and development. The site has received the following licensing hours:

Sunday to Thursday 10am until 12am

Friday and Saturday 10am until 01.00am

2) Residential Amenity

Policy EM25 seeks to protect residential amenity from food and drink uses by assessing proposals in relation to their location, relationship to residential property, the nature of the proposed use, hours of use, soundproofing, parking and servicing arrangements and fume extraction arrangements.

To the west of the site, along Whitchurch Lane is designated Edgware District Centre with a concentration of A1, A2 and some A3 uses. The subject site is located outside this centre, within a minor parade on the edge of a residential area. Within the parade, the majority of businesses are A1 or A2, with the only other late night use being the site immediately adjoining the subject site. This neighbouring A3 use is permitted to open to 11pm Monday to Saturday and 10.30pm Sunday.

The business has already received one extension of the opening hours, which was considered acceptable given that at the time of consideration, there were no previous noise complaints against the use and the extension of hours was relatively minor. Complaints have since been received in relation to the use, and therefore any extension of opening hours would need to have due regard to this.

The proposed extension of hours would pose a significant threat to residential amenity, principally by reason of noise and disturbance. Such problems can manifest in the form of internally generated noise (music and amplified sound), external disturbance from patrons leaving premises particularly at closing times, vehicular activity and alcohol-fuelled anti-social behaviour.

Continued/...

The premises current opening hours until 12am Mon to Saturday and 11pm on Sundays are considered acceptable within a predominantly residential area but the proposed opening hours, subject of this report, seek to stay open for a further three hours Sunday to Thursday, and four hours Friday to Saturday. This represents a significant extension, the affects of which would be amplified by the size of the premise of its location within a primarily residential area. It is considered that such an extension of opening hours would give rise to additional noise, activity and disturbance at unsociable hours from patrons, leaving the premises, door slamming, vehicles starting up and patrons waiting for taxi's. In an out of centre location which unsuitable for the proposed hours of use. Such activities would be detrimental to the amenities of occupiers of neighbouring residential properties and contrary to Council Policy. A refusal of planning permission on residential amenity grounds is therefore recommended.

3) Response to Notification Replies

- Majority of the concerns are addressed above, and are relevant planning grounds.
- Property prices are not a relevant planning concern.

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 refusal.

Continued/...

HARROW COMMUNITY SPORTS CENTRE, BROADFIELDS, HEADSTONE LANE, HARROW WEALD

Item: 3/02

P/150/06/CVA/SC2

Ward HEADSTONE NORTH

VARIATION OF CONDITION 6 OF PLANNING PERMISSION WEST/33/02/P/FUL TO CHANGE OPENING HOURS (FROM 08:00-23.00HRS MON-SAT & 08:00-22.30HRS ON SUN) TO 08:00-23:00 MON-THU, 08:00-24:00HRS FRI-SAT & BANK HOLIDAYS AND 08:00-23:00HRS ON SUNDAYS

Applicant: HUNTER PLACE PLANNING LTD

RECOMMENDATION

Plan Nos: Supporting Statement by Hunter Page Planning Ltd received 19/01/2006;
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 increased disturbance and general activity at unsocial hours to the detriment of the residential amenity of neighbouring occupiers.

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

EM25 Food Drink and Late Night Uses

EP25 Noise

T13 Parking Standards

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Licensing considerations (EM25)
- 2) Amenity considerations (EP25 & D5))
- 3) Parking AND vehicular activity (T13)
- 4) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Other

Green Belt:

Conservation Area:

Site Area: 0.00 ha gross, 0.00 ha net

Continued/...

b) Site Description

- The application relates to Harrow Community Sports Centre, which is a 'pavilion' style building located within Headstone Lane Sports Ground. The sports pavilion provides ancillary sports/changing facilities for clubs using the sports ground, as well function room facilities and a members bar for social events. The main entrance to the sports pavilion is via a gate at the southern end of Broadfields.
- Broadfields is a no-through road that junctions with Headstone Lane at its northern end. It is predominantly characterised by residential houses with on and off-street parking.

c) Proposal Details

- Planning permission was granted in 2002 for a replacement pavilion with function room, members bar and ancillary accommodation.
- A condition was placed on the planning permission restricting the pavilion's opening hours to 8.00 hours - 23.00 hours Monday to Saturday, and 8.00 hours - 22.30 hours on Sundays.
- The reason for the restricting the pavilion's opening hours was to protect the amenity of neighbouring residents.
- This current proposal seeks to amend the condition to vary the opening hours from 8.00 hours - 23.00 hours Monday to Thursday and Sundays, and 8.00 hours - 24:00 hours on Friday, Saturday and Bank Holidays.

d) Relevant History

WEST/33/02/FUL	Replacement pavilion with function room, members bar and ancillary accommodation.	GRANTED 11-APR-02
WEST/178/01/FUL	Single storey infill extension and retention of single storey infill extension to provide changing room facilities and enclosure of veranda for play area.	REFUSED 04-MAY-01 APPEAL ALLOWED

Reasons for Refusal:

1) The extensions are not considered essential for the proper functioning of the land use, given the amount of floorspace within the existing clubhouse which is given over to other inappropriate, albeit lawful uses. In these circumstances the proposal would be contrary to the provisions of Policy E10 of the Unitary Development Plan.

2) The scale of the extensions is considered excessive in terms of bulk and site coverage, would not minimise the adverse environmental impact on this part of the Green Belt and would therefore be contrary to the provisions of Policy E11 of the Unitary Development Plan.

3) The use of the extensions, which has been linked to that of an intensive use pitch, would result in an intensification in the use of the sports club and would exacerbate existing problems of noise and disturbance to neighbouring residents, contrary to the provisions of Policy R12 of the Unitary Development Plan.

Continued/...

WEST/687/96/FUL	Single storey detached building to provide day nursery facility with access and parking (revised).	REFUSED 02-DEC-96 APPEAL DISMISSED
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Reasons for Refusal:

1) Apart from the grounds man's store, the proposed development would constitute an inappropriate use within the Green Belt contrary to the provision of PPG2 and policies E9 and E10 of the HUDP.

2) The proposal, by reason of excessive bulk and associated hard surfacing, would be detrimental to the green and open character of the Green Belt. The proposed design of the servicing and access way would be prejudicial to conditions of highway and pedestrian safety within the site.

3) Car parking cannot be satisfactorily provided within the proposed car park and the overspill parking onto the adjacent grassed areas that would occur would be detrimental to the amenities of neighbouring residents and the character of the Green Belt.

WEST/92/93/FUL	Single storey extension to pavilion, use for purposes including Class D2 (Assembly and Leisure), and new car parking.	REFUSED 24-MAY-93
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Reasons for Refusal:

1) The proposed extensions and hard surfacing would not be necessary to support the adjacent playing fields use, and would therefore be inappropriate development for the Green Belt not acceptable under either national or local planning policies.

2) The proposed use of the pavilion for increased and intensified assembly and leisure purposes would be contrary to national and local planning policy which does not consider such uses appropriate to the Green Belt, and seeks to resist them.

3) The use of the site for the purposes indicated would, due to the intensified use of the pavilion for the purposes proposed and the increased pedestrian and vehicular activity close to nearby residential properties, lead to a significant disturbance and loss of amenity to the occupiers of these properties.

e) Applicant Statement

- Owners currently have to apply to extend hours for individual functions, this is a costly and time consuming process and one they wish to avoid by extending the licence by one hour permanently.
- The Council's planning restriction on hours applies to the newly built pavilion; there was no such restriction on the previous pavilion that existed on site before it was replaced.
- The restrictions are causing other similar venues in the area to have an advantage in terms of gaining customers.

Continued/...

- The pavilion bar is vital to maintain the viability of the sports club, the restricted opening hours are considered to be unreasonable as they are detrimental to sustaining the future use of the sports ground.
- Ancillary facilities are encouraged by Sport England guidance to enhance the viability of sports clubs. This view was supported by the planning inspector (see para 12 of planning decision APP/M5450/A/01/1064104), who noted the following in reference to ancillary uses at the pavillion;
‘Considering that these appeared to be part of the original pavilion, I do not consider that the club can be expected to convert them to changing rooms and loose the income generated.’

f) Consultations:

Environmental Health : No comments received

Notifications:

Sent:
84

Replies:
9

Expiry:
16-MAR-06

Summary of Responses:

- The entrance to the sports club is less than 100m from approximately 45 homes, the additional opening hours will make the lives of the residents even worse than existing through the unsociable behaviour generated by the sports club.
- The proposal will exacerbate further existing parking problems and traffic congestion in Broadfields and Randon Close caused by the Sports Club, particularly at closing time.
- Longer drinking hours will fuel additional noise and anti-social behaviour already a problem caused by the sports club.
- The pavilion is there to support the viability of the field for sporting use, extending the opening hours of the bar is contrary to the nature and purpose of the facility.
- The management of the sports club has demonstrated an irresponsible attitude and the volume of complaints to the Council would only increase should the proposal be granted.
- There are other venues in the area that cater for late night refreshment which are not in the centre of a residential area, and therefore more appropriately located.
- The proposed extension of hours is an attempt to overcome the restrictions and responsibilities that come with Green Belt status.

Continued/...

APPRAISAL

1) Licensing Issues

In January 2006, the Licensing Panel resolved to grant all licensable activities between 10.00 hours and 23.00 hours Monday to Thursday, 10.00 hours and 24.00 hours on Fridays and Saturdays, and between 12.00 hours to 22.30 hours on Sundays.

The extension was granted despite representations by neighbouring residents and Harrow Council's Environmental Protection Team, who stated at the panel meeting that a noise abatement notice still applied to the premises. It was also stated that the management of the premises had not paid due attention to the issue of noise nuisance, and that there were particular concerns that the designated premises supervisor had no record of previous incidents. For the above reasons the Council's Environmental Protection Team concluded that they were opposed to any extension to the premises' licensed hours.

Notwithstanding the Licensing Panel's decision, it should be noted that the remit of the panels decision is restricted to four objectives defined by the Licensing Act 2003, 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 that of neighbouring residents, an issue which falls under the remit of the Council's planning powers. It is this consideration therefore, which will form basis of determining this planning application.

2) Residential Amenity

Policy EM25 of the Council's adopted Unitary Development Plan (UDP) requires that the Council seeks to ensure that any late night uses do not have a negative impact on residential amenity. The policy requires 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 pavilion is situated within a predominantly residential area, with houses located within close proximity, including residential gardens less than 10m away. The proposed extension of hours would allow for the pavilion to open a further hour on Friday's and Saturday's, a further 30 minutes on Sundays and until midnight on bank holidays. Whilst this does not seem excessive, it is not considered to be acceptable given the evident negative amenity impacts currently experienced by neighbouring residents as a result of the pavilion's existing night time activities, particularly through noise disturbance. It is acknowledged that activity within the pavilion itself is not the main problem, but the anti-social behaviour and noise that is generated from people arriving and leaving the premises, particularly at closing time.

With the above in mind, it is not considered that the close proximity of the pavilion and its main access to residential properties, lends itself well to night time activities later than the hours permitted at present.

Continued/...

3) Parking and vehicular activity

A number of the notification responses from residents noted parking and highway problems in Broadfields resulting from visitors arriving to, and departing from the pavilion and sports field. Whilst it is not considered that parking and highway problems should be a reason for refusing the proposed extension of hours, the pavilion clearly generates vehicular activity which can be particularly disturbing to local residents through the noise it generates. This therefore contributes to the noise disturbance discussed in the paragraph above, and therefore the general negative impacts that the proposed extension of hours would have on residential amenity.

4) Consultation Responses:

Response to applicant's supporting planning statement

- *Owners of pavilion currently have to apply to extend hours for individual functions, this is a costly and time consuming process and one they wish to avoid by extending the licence by one hour permanently.*

The cost and time implications of applying for extended licensing hours is not a material planning consideration.

- *The Council's planning restriction on hours applies to the newly built pavilion; there was no such restriction on the previous pavilion that existed on site before it was replaced.*

The original pavilion was built before the first Town and Country Planning Act, and therefore before planning powers existed to restrict the hours of such uses.

- *The restrictions are causing other similar venues in the area to have an advantage in terms of gaining customers.*

Financial competition is not a material planning consideration.

- *The pavilion bar is vital to maintain the viability of the sports club, the restricted opening hours are considered to be unreasonable as they are detrimental to sustaining the future use of the sports ground.*

Whilst economic viability is not a material planning consideration, the Council accepts the importance of ancillary uses in such premises for generating income to support recreational/sports club uses, however this should only be in circumstances where the amenities of local residents would not be compromised.

- *Ancillary facilities are encouraged by Sport England guidance to enhance the viability of sports clubs. This view was supported by the planning inspector....*

See response to above point.

Continued/...

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 any comments received in response to publicity and consultation, as set out above:
this application is recommended for refusal.

Continued/...

Item: 3/03

LAND TO R/O 179 TURNER RD, P/613/06/DFU/MRE
EDGWARE

Ward QUEENSBURY

TWO STOREY DETACHED DWELLING HOUSE

Applicant: MICHAEL O'SULLIVAN

Agent: CHARLES WELSH

RECOMMENDATION

Plan Nos: 1127/BB/100, 1127/BB/101 A, 1127/BB/102 A & Site Plan

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

1 The proposed dwelling, by virtue of it's size and siting, would have an unacceptable relationship with neighbouring properties, appearing unduly bulky and obtrusive, resulting in loss of light and overshadowing, to the detriment of the visual and residential amenities of the occupiers of these adjacent properties, contrary to the policies of the Harrow Unitary Development Plan.

2 The proposed dwelling, by reason of excessive bulk and inadequate space about the building, would be cramped, give rise to overdevelopment of the site and detract from the established pattern of development in the area and the character of the locality to the detriment of the character and appearance of the area.

3 The proposal would represent overdevelopment of the site, by reason of inadequate rear garden depth and amenity space, contrary to the provisions of the Harrow Unitary Development Plan and detrimental to the character of the locality.

4 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.

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

D5 New Residential Development - Amenity Space and Privacy

Continued/...

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Standard of Design and Layout (D4)
- 2) New Residential Development - Amenity Space and Privacy (D5)
- 3) Parking Standards (T13)
- 4) Consultation Responses

INFORMATION

Referred to the DCC by a nominated member at the applicants request.

a) Summary

Statutory Return Type: Minor Dwelling
Car Parking: Standard: 2 (maximum)
Justified: 02
Provided: 01
Council Interest: None

b) Site Description

- Site located to the rear of no.179 Turner Road affronting to Camrose Avenue and adjacent to sub station and railway line
- New corner dwelling under construction adjacent to no.179 (P/1298/05/DFU)
- Level of site approximately 1.2m below level of Camrose Avenue

c) Proposal Details

- Redevelopment to provide a two-storey single dwelling house
- Parking provided with access via rear private access road

d) Relevant History

P/1298/05/DFU	Detached house at side with parking and access	GRANTED 18-JULY-05
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- New dwelling adjacent to No.179 Turner Road is currently under construction

e) Applicant Statement

- None

f) Consultations:

Highways Engineer: Objection: siting of house likely to encourage drivers of vehicles calling at premises to stop at an inappropriate location on Camrose Avenue to the detriment of the safety and free flow of traffic on the highway

Notifications:

Sent:	Replies:	Expiry:
10	1	03-APR-06

Continued/...

Summary of Response:

- highway safety issue with turning at junction, overlooking

APPRAISAL

1) Impact of proposed dwelling on Character of Area

Architecturally, the dwelling is of a bold contemporary design. While not being remotely of the local dwelling character the design is considered to be innovative and acceptable.

The locality is of a coherent development character with a symmetrical, level building line on the opposite side of Camrose Avenue. It is considered that the proposed siting of the new dwelling would not relate to the local context by not relating to the existing footprint pattern on Camrose Avenue. This consideration was reached in consultation with the planning department's Urban Design Officer.

2) Residential Amenity

The new dwelling would be spaced approximately 14.5m from the rear elevation of no.179 and the new corner dwelling on Turner Road and a little further from that of no.177. The proposed height of the dwelling is 6m. While the overall height and roof type are deemed to be reasonably sympathetic in terms of bulk it is considered that the dwelling would be unreasonably overbearing as viewed from the rear of these properties and their rear gardens and appear visually obtrusive when viewed from the same.

It is not considered that the new dwelling would give rise to any unreasonable levels of overlooking on any surrounding properties due to no windows being proposed in the rear or southerly flank elevation.

The proposed garden area is considered to insufficient for a dwelling house. Approximately half the garden area would comprise the steep bank running down the site's flank boundary adjacent to Camrose Avenue. This section is not considered to be practical as useable garden space leaving a useable section of just 30m², which is considered to be insufficient.

The proposed siting of the dwelling would result in pedestrian access being via Camrose Avenue. It is considered that the proposed siting of the house is likely to encourage drivers of vehicles calling at the premises to stop at an inappropriate location on Camrose Avenue. This would be to the detriment of the safety and free flow of traffic on the highway.

3) Parking Standards

One car parking space would be provided which is considered to acceptable for this development type

Continued/...

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 refusal.

Continued/...

Item: 3/04

**THE RAMBLING INN, 410 KENTON LANE, P/443/06/DVA/TEM
HARROW**

Ward BELMONT

DELETION OF CONDITION 2 OF PLANNING PERMISSION EAST/241/95/FUL (AS
VARIED BY EAST/772/95/VAR) RELATING TO OPENING HOURS

Applicant: THE POST CODE PUB CO LTD

Agent: PROSPECT PLANNING

RECOMMENDATION

Plan Nos:

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

1 The proposed deletion of condition 2 would give rise to increased disturbance and general activity at unsocial hours and would detract from the amenities of the occupiers of nearby residential properties.

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

T13 Parking Standards

EM25 Food, Drink and Late Night Uses

EP25 Noise

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Licensing Act 2003
- 2) Residential Amenity (EM25, EP25)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Other

Belmont Local Centre

Council Interest: None

b) Site Description

- The site of the application is situated on the ground floor in the middle of a two-storey commercial parade within Belmont Local Centre.

Continued/...

- The site is currently used as a pub (class A5) and is located on the north east side of Kenton Lane near the junction with Belmont Circle.
- Both the adjoining premises are commercial units and above the site is a restaurant (class A3)
- To the northwest is an Esso garage.
- To the southwest the parade contains Tesco Metro.
- Residential uses are located nearby above a parade on the opposite side of Kenton Lane, to the south in Kenton Lane, and adjacent to a car park at the rear of the site.

c) Proposal Details

- Deletion of Condition 2 of Planning Permission EAST/241/95/FUL (as varied by EAST/772/95/VAR) relating to opening hours, thereby removing any planning control over hours of use.
- The hours of use agreed by the Licensing Panel are: Mondays to Tuesdays 10:00 am until 12:00 am, Wednesdays and Thursdays 10:00 am until: 12:30 am, Fridays and Saturdays 10:00 am until 01.00 am and Sundays: 10:00 am until 11:30 pm.

d) Relevant History

EAST/241/95/FUL	Change of use Financial & Professional to Food and Drink (Class A2 to A3)	GRANTED 19-JUN-95
EAST/772/95/VAR	Variation of Condition 2 of planning permission EAST/241/95/FUL to allow use of Premises For Class A3 (Food and Drink) to Midnight each day.	REFUSED 10-DEC-95

Reason for Refusal:

The proposed extended hours of use would result in increased noise, disturbance and general activity at unsocial hours to the detriment of the amenities of neighbouring residents.	APPEAL ALLOWED 31-MAY-96
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e) Applicant's Statement

- Applicant, Post CO Ltd, who operate the premises as a pub as well as other premises make this application to get condition 2 removed from the planning permission, as it is now superfluous with the enactment of the Licensing Act 2003.
- Aware of the four statutory objectives which the Council must seek to promote, as set down in its policy document viz, prevention of crime and disorder, public safety, prevention of public nuisance and protection of children from harm.
- Whole purpose of new regime to introduce greater flexibility to overcome problems associated with universal closing time.
- Unacceptable if Council as Licensing Authority is required to be flexible while at same time as Local Planning Authority is operating fixed opening hours.
- Under Section 182 of Licensing Act 2003, consideration should be given to individual merits of an application and a particular premises and Panel is required to consider all issues associated with impact of premises upon amenity generally and residents in particular.

Continued/...

- New Licensing Act allows local authorities much greater control over all premises for which a license is required, including Classes A3, A4 and A5.
- Council must consider relevance of retaining arbitrary planning conditions based on out of date guidance and contrary to paragraph 22 of Circular 11/95 (The Use of Conditions in Planning Permissions) which advises that '*A condition which duplicates the effects of other controls will normally be unnecessary...*'
- While it is the Local Planning Authority's responsibility to consider appropriateness of Class A3-A5 uses in land use terms, details of arrangements for operation of the use, once permitted, should pass fully to Licensing Panel.
- Removal of Condition 2 would allow fair and equitable consideration and control through Council's licensing policy
- By virtue of paragraph 22 of 11/95 Condition 2 may be considered 'ultra vires'.

f) Consultations:

Notifications:

Sent:
16

Replies:
0

Expiry:
14-APR-06

Summary of Response:

- None.

APPRAISAL

1) Licensing Act 2003

Since the introduction of the Licensing Act 2003 the Council has set up a Licensing Panel to consider and determine applications to vary or establish new licenses under the provisions of the Act. In determining license applications under the Act the Panel's considerations are limited to crime and disorder prevention, public nuisance prevention and the protection of children. Significantly these considerations do not extend to the effect of proposals on private amenity, for example neighbouring residents. Such concerns are therefore properly dealt with as material considerations in planning application for associated uses and development.

The Licensing Panel took advice from all the relevant authorities and on 28 September 2005 granted a license for the hours below.

Mondays to Tuesdays - 10:00 am until 12:00 am

Wednesdays and Thursdays - 10:00 am until 12:30 am

Fridays and Saturdays - 10:00 am until 01.00 am

Sundays: 10:00 am until 11:30 pm.

(The current planning permission enables the premises to open until midnight, seven days a week.)

When the Licensing Panel granted those opening hours they did not take into account the residential amenity of the area, and the overall impact those opening hours would have on nearby residents as this is not within their remit.

Continued/...

2) Residential Amenity

Policy EM25 seeks to ensure that residential amenities are protected from food and drink uses and late night uses by examining proposals in relation to their location, relationship to residential properties, the type of use proposed, hours of use, soundproofing and servicing arrangements and fume extraction arrangements.

By their nature pubs pose a significant threat to residential amenity, principally by reason of noise and disturbance. Such problems can manifest in the form of internally generated noise (music and amplified sound), external disturbance from people leaving the premises especially at closing times and vehicular activity.

There are other problems related to pubs at night time not least alcohol fuelled anti-social behaviour.

The removal of Condition 2 as proposed would mean that opening hours would be controlled by the Licensing Panel whose remit does not include the impact of proposals on private amenity. This could potentially have considerable impact on the amenity of nearby residential premises given that the Panel has already granted extended hours of use which go beyond those authorised by EAST/722/95/VAR.

This is considered to be inappropriate and unacceptable given that the site is located in a local centre not in a major town centre where late night activity is more rampant, as more outlets providing entertainment, food, drink and facilities can be expected as well as the availability of public transport.

In this location the impact of customers leaving the premises in the early hours of the morning would be greater in terms of noise, activity and disturbance and from associated door slamming and vehicle noise. It is considered that these activities and the additional noise generated would be detrimental to the amenities of nearby occupiers of residential properties. A refusal of planning permission on residential grounds is therefore recommended.

In relation to this issue, the Council's decision to refuse, because of adverse residential impact, a proposed variation of planning hours at Wards Wine Bar, 38-40 Lowlands Road, to bring them in line with those agreed by the Licensing Panel was supported on appeal in February 2006 (P/1618/05/CVA).

The Inspector based his decision on relevant UDP policies, particularly EM25, and PPG24 : Planning and Noise. The Inspector stated "*I note that recent changes have been made to licensing laws. However my decision is based on my observations at the site and relevant planning policies and the fact that the proposed hours have been approved by the Licensing Panel does not outweigh my conclusions on the main issue*", which he identified as the living conditions of local residents.

Continued/...

This decision lends support to the Council's approach to this matter as Local Planning Authority, and in order to continue to protect local residential amenity, it is suggested that the removal of Condition 2 be refused.

3) Parking and Highway Safety

The application site has access to a car park at the rear and there is a service road in front of the premises. While deleting the condition would result in harm to residential amenity from late night vehicular activity, it would not result in detriment to highway safety in the early hours of the morning.

4) 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 refusal.

Continued/...

153 GREENFORD RD, HARROW

Item: 3/05

P/142/06/DVA/RV2

Ward HARROW ON THE HILL

VARIATION OF CONDITION 5 OF PLANNING PERMISSION WEST/447/98/FUL TO PERMIT OPENING 10:00 HOURS SUNDAY TO THURSDAY AND 10:00 HOURS FRIDAY & SATURDAYS UNTIL 01:30 HOURS THE FOLLOWING DAY

Applicant: K NADARAJAH & R SRITHARAN

RECOMMENDATION

Plan Nos: TLM/SRT/01 & Site Plan

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

1 The proposed variation of condition 5 of appeal decision WEST/447/98/FUL to permit opening from 10.00 hours Sun-Thur until 01.00 hours the following day and from 10.00 hours Fridays and Saturdays until 01.30 hours of the following day would result in increased disturbance and general activity at unsocial hours to the detriment of the amenities of neighbouring residents.

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

EP25 Noise

EM25 Food, Drink and Late Night Uses

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Residential Amenity (EP 25, EM25)
- 2) Consultation Responses

INFORMATION

Details of this application are reported to Committee in accordance with category 14 of the scheme of delegation agreed 7 September 2004.

a) Summary

Statutory Return Type: Other

Council Interest: None

b) Site Description

- The subject site is located on the western side of Greenford Road within a parade of nine other units.
- The site lies within the Sudbury Hill Local Centre

Continued/...

- The units within the parade consists of a number of uses that range from retail shops to a pizza Hut (A3) at no 151, and other A3 uses at 145, 160 & 164.

c) Proposal Details

- Vary condition of WEST/447/98/FUL to extend opening hours to 1.00am Sunday to Thursday and 1.30am Friday & Saturdays. The proposed hours would be an additional half an hour Sunday to Thursday beyond the agreed licensing hours.

d) Relevant History

WEST/447/98/FUL	Change of Use : retail to hot food takeaway/restaurant on ground floor with single storey rear extension, external alterations at rear & extractor duct	REFUSED 09-SEP-98 APPEAL ALLOWED 09-DEC-99
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Subject to the following condition: “
*The premises shall not be open for customers outside the following hours:
10.30-23.00
Mondays to
Saturdays
10.30-22.30
Sundays”*

Reasons for Refusal:

1. Parking Insufficient
2. Loss of retails frontage - centre

WEST/492/99/FUL	Change of use: Class A1 to Class A3 (retail to hot food and drink) on G/F & single storey rear extension & extraction Duct	REFUSED 29-JUL-99
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Continued/...

Reasons for Refusal:

1. Car parking cannot be satisfactorily provided within the cartilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s)
2. The proposed change of use would result in an unacceptable loss of retail frontage, leading to a loss of vitality to the shopping centre as a whole, contrary to the provisions of the Unitary Development Plan

e) Applicant Statement

- None.

f) Consultations:

Licensing Panel: No objection and granted a license application for the hours of:

Mondays to Thursdays	10.00am - 00.30am
Fridays & Saturdays	10.00am - 01.30am
Sundays	10.00am - 00.30am

Notifications:

Sent:	Replies:	Expiry:
18	0	12-MAY-06

APPRAISAL

1) Residential Amenity

It is proposed to vary condition 5 of appeal decision T/APP/M5450/A/99/1028710/P8 to permit opening from 10.00 hours Sun-Thur until 01.00hours the following day and from 10.00hours Fridays and Saturdays until 01.30 hours of the following day.

HUDP Policy EP25 undertakes to minimise noise and disturbance through, *inter alia*, controlling times of operation. Policy EM25 seeks to ensure that proposals for food & drink and late night uses do not have a harmful effect on residential amenity and in assessing applications regard will be had, *inter alia*, to the location of the premises, the proximity of residential property, the type of use proposed, soundproofing, parking/servicing and fume extraction.

The premises are located on the main road of a local centre between two railway stations and served by local bus routes. In such a location the degree of ambient noise and general disturbance may be expected to be greater than surrounding residential areas both during the daytime and, albeit to a lesser degree, also during evenings and weekends. However consideration must also be given to the living conditions of the occupiers of flats/maisonettes above ground floor level in this parade and that opposite; this particularly as the use of the application premises involves a take away element – likely to generate a more significant amount of external activity.

Continued/...

Item 3/05 : P/142/06/DVA continued/...

Whilst ambient noise levels from traffic is likely to remain higher than surrounding residential roads at the closing times proposed, it is considered that activity associated with the use would be more intrusive to immediately neighbouring occupiers and would as a result be detrimental to their residential amenity.

It is therefore considered that the hours of use proposed are unacceptable and notwithstanding the decision of the licensing committee, whose consideration includes general public nuisance but not the amenity of specific neighbouring occupiers, it is recommended that permission be refused.

As the proposal only involves the variation of controls over hours of opening it is not considered that there are any material implications relating to parking/servicing or fume extraction.

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 any comments received in response to publicity and consultation, as set out above: this application is recommended for refusal.

Continued/...

Item: 3/06
STANMORE HALL, WOOD LANE, P/903/06/CLB/LH
STANMORE

Ward STANMORE PARK
LISTED BUILDING CONSENT: REPLACEMENT TILING TO REAR TERRACE

Applicant: STANMORE HALL PROPERTIES
Agent: GROSS FINE

RECOMMENDATION

Plan Nos: 10329/1, Stanmore Hall Terrace Tiles photos x 3 of existing terrace tiles, site plan

REFUSE consent for the works described in the application and submitted plans for the following reason(s):

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

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

SD2 Conservation Areas, Listed Buildings, Sites of Archaeological Importance and Historic Parks and Gardens
D11 Statutorily Listed Buildings

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Statutorily Listed Buildings (D11)
- 2) Conservation Areas, Listed Buildings, Sites of Archaeological Importance, and Historic Parks and Gardens (SD2)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Listed Building Consent to Alter/Extend
Listed Building: Grade II*
Council Interest: None

Continued/...

b) Site Description

- The application site is located on the south side of Wood Lane just north of the corner with Stanmore Hill.
- This is an early 19th century two and three storey detached large stone mansion, decorated in a picturesque, Tudor Gothic style.
- It was altered and extended circa 1890.
- This property received a grade II star listing in 1971.
- There is a terrace constructed of tiles along the rear of the property from the east, round along the west side of the property.
- Creating a distinct design feature, there is a central section of tiles made of a different material and of a larger size. These lead from the rear entrance down the steps to the surrounding grounds.

c) Proposal Details

- Replace the rear terrace tiles in one continuous pattern, ignoring the existing central section.
- The proposal is to use tiles of a different type to those existing, as well as in a different size to the existing tiles in the central section.

d) Relevant History

- None

e) Applicant Statement

- The existing tiles are inappropriate for external use. The tiles have become badly laminated and loose due to the effects of frost action.
- The proposed tile is acceptable to residents and provides necessary weather resisting properties.

f) Consultations:

Stanmore and Harrow Historical Society: no response

Advertisement: | Extension/alteration of listed building | Expiry: 11-MAY-06

Notifications:

Sent:
22

Replies:
0

Expiry:
27-APR-06

Summary of Response:

- None

Continued/...

APPRAISAL

1) Replacement of tiling to rear of property

- The proposed development involves replacing tiling to the rear terrace. This extends from the east and along the west side of the building. The proposed tiles are grey porcelain measuring 30cms by 30cms. They cover an area of approximately 633 metres squared.
- The primary duty in considering applications for listed building consent is to assess the extent to which the proposals affect the special architectural and historic interest of the building as outlined by policies D11 and SD2 of the Harrow UDP.
- There is no objection to the principle of replacing those tiles which are old and worn. However, the proposed replacement tile is not of the same quality or detailing as the existing materials of this grade II * listed building. Although this tile has been used in other parts of Stanmore Hall, these areas have tended to be in more discreet locations and on the modern part of the building. In comparison, the garden terrace is adjacent to the original part of the historic building and is much more prominent. Due to its quality and siting it is considered it would have a negative impact on the building's special architectural and historic character.
- In addition, the existing tiles have a central section created of tiles of a different material, and colour, and are of a larger size to those surrounding it. This creates a design feature leading from the rear entrance down the steps to the surrounding grounds. Unlike those surrounding it, these tiles do not appear old or worn. The proposed plans do not take these points into account, proposing one replacement pattern and tile for the whole terrace. Again therefore it is considered that the proposal would have a negative impact on the building's special architectural character.

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 any comments received in response to publicity and consultation, as set out above: this application is recommended for refusal.

Continued/...

2 WHITEHALL RD, HARROW

Item: 3/07

P/313/06/CFU/RP1

Ward GREENHILL

ALTERATIONS AND EXTENSION TO DWELLINGS AND CHANGE OF USE TO RESIDENTIAL CARE HOME

Applicant: PACELAND ESTATES LTD

Agent: STARR KILLOCH ADAMS ARCHITECTS

2 WHITEHALL RD, HARROW

Item: 3/08

P/306/06/CCA/RP1

Ward GREENHILL

DEMOLITION OF SINGLE STOREY SIDE/REAR EXTENSION, GARAGE AND SHED

Applicant: PACELAND ESTATES LTD

Agent: STARR KILLOCH ADAMS ARCHITECTS

P/313/06/CFU

RECOMMENDATION

Plan Nos: 9452/100, 101,102A, 103A,

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

- 1 The proposed development by reason of unsatisfactory design and appearance would detract from the character and appearance of the property and fail to preserve or enhance this part of the Conservation Area contrary to HUDP policy D15 and the Roxborough Park & The Grove Conservation Area Policy Statement.
- 2 The proposed extensions, by reason of excessive bulk, prominent siting and unsatisfactory design, would be unduly obtrusive with inadequate space about the buildings and would detract from the established pattern of development in the street scene and the character of the locality.

INFORMATIVES

1 INFORMATIVE:

The following policies in the Harrow Unitary Development Plan are relevant to this decision:

- D4 Standard of Design and Layout
- D14 Conservation Areas
- D15 Extensions and Alterations in Conservation Areas

Continued/...

P/306/06/CCA

RECOMMENDATION

Plan Nos: 9452/100,101,102A,103A

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

- 1 The proposed demolition, in the absence of an acceptable proposal for the replacement of the building(s), would be inappropriate and detrimental to the appearance and character of this part of the Conservation Area.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Standard of Design and Layout (D4)
- 2) Conservation Area Impact (D14, D15)
- 3) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Minor Other / Conservation Area Consent
Conservation Area:	Roxborough Park & The Grove
Site Area:	0.06 ha
Car Parking:	Standard: To be assessed on merit provided restraint based approach shown
	Justified: No justification submitted
	Provided: 3
Council Interest:	None

b) Site Description

- The existing house is an attractive two storey detached dwelling, which although not symmetrical, is well proportioned.
- To the rear of the house is a single storey extension which has been used as a second and separate dwelling
- The site lies within the Roxborough Park Conservation Area.

c) Proposal Details

- Existing extensions and outbuildings to be demolished
- Major extensions to be built on three sides of the main house in a 'wrap around' arrangement.
- The proposed single storey rear extension would extend *towards* the rear boundary with Hale Lodge beyond which stand lock up garages
- The extended property is to be used as an 8 bed residential care home for adults.

Continued/...

d) Relevant History

- None.

e) Applicant Statement

- Application complies with HUDP policy H14 (conversion of dwellings to care homes)
- Site close to good transport links and local amenities.
- Layout has been designed to comply with Dept of Health guidelines for Care Homes for Adults.
- Plans amended reducing home from 11 to 8 bedrooms , omitting dormers and bedrooms in roof space and the impact of the extensions. Side extension has been set back.

f) Consultations:

- **CAAC** : The extension fills the depth of the plot. The design would work better if it were to be set back on the left hand side to make it less symmetrical
- **Conservation Team** : Proposed development is excessively large and not subservient to existing building. Rear dormer very large-flat roof and poorly sited windows. Front Dormers not in keeping with character and appearance of original property. Change of use also questionable from conservation area perspective-could negatively impact on the character of area and sense of place.
- **The Harrow Hill Trust** : Wrap around development to be avoided, impact on locally listed shops at 26-40 Lowlands Road.

Advertisement:	Character of Conservation Area	Expiry: 13-APR-06
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Notifications:

Sent:	Replies:	Expiry:
19	4	26-APR-06

Summary of Response:

- existing traffic problems will be made worse; description of development rather non specific.

APPRAISAL

1) Standard of Design and Layout

The floorspace resulting from the development would be approximately 380 m², in comparison with the site area of 600 m². The main amenity area would measure 10 x 11 m with a patio to the rear of the dining room. Overall, too much is being added to the house.

Continued/...

2) Conservation Area Impact

Development proposals are to be judged against Policy D15 and the supplementary planning guidance produced in the form of character analyses and policy statements. These include criteria that any extension or alteration should be in scale and harmony with surrounding buildings and the area and should not adversely effect the street scene. The revised proposed development does not meet this policy.

Demolition in a Conservation Area

Policy D14 addresses demolition in a conservation area. If buildings make a neutral contribution, in this case the rear extension known as White Cottage, the garage and shed, the test is that they should be assessed against the proposed development. Since the latter is unacceptable the existing buildings should be retain unless and until an acceptable form of development is submitted.

3) Consultation Responses

- **Traffic and parking** : There is no specific parking standard for this use. 3 parking spaces are proposed which given the site's location within an area of high public transport accessibility and existing on street parking restrictions, are regarded as sufficient
- **Unspecified development** : The physical parts of the development are clear and shown in the drawings. The description of the change of use from houses to a care home is equally clear. The applicant has not provided any information as to the nature of the residents and for the purposes of determining the application this is not required. It may be required to obtain other necessary consents from other council departments and other statutory bodies.

CONCLUSION

For all the reasons considered above, and weighing up the development plan polices 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.

Continued/...

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

Continued/...

SECTION 5 - PRIOR APPROVAL APPLICATIONS

Item: 5/01
LAND IN FRONT OF PUBLIC HOUSE, 76 UXBRIDGE ROAD **P/1264/06/CDT/SC2**

Ward HARROW WEALD

PRIOR APPROVAL DETERMINATION: 12.5M HIGH REPLACEMENT COLUMN WITH ANTENNAE AND ONE GROUND BASED EQUIPMENT CABINET ON LAND ADJACENT TO LEEFE ROBINSON PH, 76 UXBRIDGE ROAD

Applicant: O2 (UK) Ltd
Agent: Waldon Telecom Ltd

RECOMMENDATION

Plan Nos: Drawing No's P/11971C-1/GEN/050 Rev. D + 051

PRIOR APPROVAL of details of siting and appearance IS NOT required subject to the following informatives:

INFORMATIVES

1 INFORMATIVE:

The applicant is advised that this decision relates only to the planning requirements imposed by the Town and Country Planning (General Permitted Development) Order 1995.

2 INFORMATIVE:

The applicant is advised that a notification to the local highway authority will be required under the New Roads and Street Works Act 1991 for opening the highway (footway) for installation and any associated ductwork.

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

Statutory Return Type: Not categorised
Council Interest: None

Continued/...

b) Site Description

- North western side of Uxbridge Road, Harrow Weald, outside Leefe Robinson VC Public House (PH)
- Pavement adjacent to the road between the 2 crossovers at Leefe Robinson VC Public House
- Residential properties opposite
- Existing telecommunications mast and equipment on site (P/2224/04/CDT)
- 2 similar telecommunications masts (EAST/1263/01/DTD & EAST/1344/01/DTD) and ancillary equipment cabinets located approximately 27m and a further 33m north east of the site, outside the Texaco service station.

c) Proposal Details

- Replacement of an existing 12m 3G street column with a 12.5m column and additional equipment cabinet capable of accommodating both 2G and 3G technologies
- Cabinet to be sited approx. 3.5m north of proposed mast. It would have a green galvanised steel finish and would measure 1.36m x 0.35m x 1.43m high
- Column would have a grey galvanised steel finish
- Applicant is willing to relinquish their existing permission to erect a separate 2G column outside No. 72 Uxbridge Road, if approval is granted to upgrade their existing column outside The Leefe Robinson VC Public House.

d) Relevant History

EAST/1263/01/DTD	Determination: 15m high monopole mast with tri-band antenna and 2 equipment cabinets	REFUSED 12-FEB-02 APPEAL ALLOWED 15-AUG-2002
EAST/1344/01/DTD	Determination: 15m high monopole mast with 3 antennas and 2 equipment cabinets	REFUSED 21-JAN-02 APPEAL ALLOWED 30-SEP-2002
P/2224/04/CDT	Determination: Provision of 12m high column antenna with 3 equipment cabinets	REFUSED 08-SEP-04 APPEAL ALLOWED 01-AUG-2005

Reasons for Refusal:

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 amenity and appearance of the street scene and the area in general.

Continued/...

e) Applicant 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:
1

Replies:
awaiting

Expiry:
05-JUN-06

Summary of Responses:

-

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 O2 are licensed to operate both GSM and UMTS in the UK for the delivery of second and third generation services and the site to which this application refers, is required to provide 2G coverage in and around the Stanmore West area. 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 telecommunications equipment would be sited to the east of the car park serving the Leefe Robinson Public House. The proposed equipment cabinet would be located to the immediate north of the existing 3G cabinet and lies at the rear of a footway abutting a grass verge. The erection of a telecommunications column at this location has been established by the appeal decision dated 01 Aug 2005. The current application will involve replacing the existing column and erecting a new column 0.5m higher than existing along with the installation of a new equipment cabinet.

Although the applicant site is within close proximity to existing street furniture, the Council feels that increasing the height of the column by 0.5m, to 12.5m, and installing an additional equipment cabinet would not represent a proliferation of equipment. The presence of such items would help to integrate the mast into the surrounding area. Furthermore, the applicant's willingness to relinquish an existing permission for a separate 2G column outside 72 Uxbridge Road is also considered favourable and would prevent a proliferation of equipment within the area.

Continued/...

The applicant site, when approached from the west would be seen against the backdrop of a petrol station with its associated buildings and signage and would not appear obtrusive. Its location, outside a public house with a large car park out front, provides an adequate backdrop for telecommunication equipment when viewed from the south while existing trees to the east of the junction with Brookshill provide a sufficient backdrop when viewed from the east. The nearest residential properties would be located 30-35m east of the site and such a distance ensures that the proposal would not impact negatively on local residential amenity. It is the Council's opinion that the works proposed are relatively minor in nature and, coupled with the applicants willingness to relinquish a previous permission for a telecommunication pole outside 72 Uxbridge Road, would ensure that the proposal would have little visual impact on either the character of the area or the amenity of residents.

4) Consultation Responses:

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.

Continued/...