



**DEVELOPMENT CONTROL  
COMMITTEE**

**TUESDAY 17 OCTOBER 2006**

**ADDENDUM**

This page is intentionally left blank

**ADDENDUM**

**DEVELOPMENT CONTROL COMMITTEE**

**TUESDAY 17<sup>TH</sup> OCTOBER 2006-10-17**

**Agenda item 12: Planning Applications Received**

Amendment of Standard Condition:

It has come to light that one of the standard conditions: WT\_STORAGE - Water Storage Works is incorrectly drafted. This condition is imposed on a number of planning applications being reported tonight, and also is relevant to application P/ 2471/06 in respect of the redevelopment of Raebarn House, granted permission on 5 October, subject to a legal agreement.

In effect, the condition seeks to prevent any development commencing before a water storage system is in place. The problem is that the provision of a water storage system is, in itself, development and therefore the condition could never be complied with.

As currently drafted, the condition states:

*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.*

The proposal is to slightly amend the wording of the condition as follows, in order to allow compliance (the new text is emphasised):

*The development **of any foundations and / or buildings** hereby permitted shall not be commenced until surface water attenuation / storage works have been provided in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained. REASON: To prevent the increased risk of flooding.*

Committee is asked to agree the amended wording to the standard condition, for application to all of the relevant applications on tonight's agenda, and to agree that this can be applied to the Raebarn House application decision, currently being prepared for legal agreement and decision later this week.

**Section 2**

**2/01**

**Information**

This application is reported to committee as a result of the receipt of an objection letter signed by three persons. This objection has now been withdrawn.

Petition received with three signatures has now been withdrawn.

**2/03**

Substitute the word 'Buildings' with 'Building' in the description of the development.

2/06

### **Residential Amenity**

Page 35 (small)

Delete the word 'of' after the word 'proportions and before pay.

### **The level of useable Amenity space**

Page 37 (small)

Delete the sentence 'However , Langley Road.....unjustified'

Add/substitute - 'However, refusal on this ground alone would not sustainable.

### **Landscape Treatment and the Impact of any front garden/forecourt parking.**

Delete the words 'as of' after the word 'viewed' and before 'positively'.

2/07, 08 & 09

### **Residential Amenity**

Amend sentence 5 as follows:-

'The proposed house would be sited between 14 & 18m from the rear wall of No 92 and 22m from that of No 94.

Add after 'perception of overlooking' in Para 2:-

'4 high level rooflights are shown in the rear roofslope facing Nos 92 and 94. Although actual overlooking would not be possible from these windows, it is suggested that a condition requiring them to be obscure glazed be included in order to reduce any perception of the overlooking being felt by the neighbouring residents'

Add new para after 'would be affected'-:

'2 proposed rooflights would be provided at angle from The Cottage, and would serve a first-floor corridor. It is not considered that overlooking from the window would result in significant reductions in amenity.

### **Notification**

2 additional replies received.

Summary of responses: As Committee Report.

### **RECOMMENDATION**

Item 2/07 : P/1931/06/DFU

Amend Condition 11 as follows:-

'The Approved Method Statement in relation to trees should be implemented during construction of the development hereby permitted. Details of monitoring and type of ground protection shall be submitted to and approved by the Local Planning Authority before commencement of the development hereby permitted. The approved details should be implemented. REASON: As per report.

Add Condition 14 as follows:-

'The four rooflights in the east elevation should be of purpose –made obscure glass, and should be therefore retained in that form. REASON:- To safeguard the amenity of neighbouring residents.'

**2/12**

Amend Description;

'Retention of fencing to front and west boundaries.

Delete Condition 1

Amend condition 2: Add The scheme shall be first submitted to and agreed by the Local Planning Authority.

## **INFORMATION**

The application was deferred for a Member Site Visit at meeting of 19 September. The site visit took place on 30 September.

CAAC: Objection – proposal does not overcome previous objections and enforcement should be taken. The fence should be close-boarded rather than having horizontal panels, with no concrete posts.

**2/13**

24 further notification responses received, no additional issues raised which are relevant to the application's current proposal.

A letter from Local MP Tony McNulty

- has been received stating that whilst there is a need for an extraction system to be installed in the premises because of the noxious smells emanating from the kitchen, the fact that this has been linked to the provision of decking in the rear Beer Garden is totally unacceptable and such a large extension to the premises will be further intrusion into residential life of the area.

- Response :- the proposed decking has now been deleted from the proposal.

**2/14** Revised plans – showing internal recessed ramp – please replace old plan nos. DPG/495F/TH/001 REV B with new plans nos. DPG/49SF/TH/001 REV C.

**2/15** Amend Condition 2:

Notwithstanding the forecourt details shown on Drawing No: FA/40/02/Rev B the development hereby approved shall not commence until a metric scale detailing the hard and soft landscaping of the forecourt, to include the provision of only one parking space (for a disabled person); pedestrian etc...'

**2/17** Delete Condition 1 and substitute LBCA\_Time 3

Amend description to refer to ' ....replacement of external 2nd floor window'

**2/19** Correct Applicants Name (on page 118 small)

Mr & Mrs Portnoi

**2/20** **RECOMMENDATION**

Additional condition suggested as follows:

3. The development hereby approved shall not commence until a metric scale drawing to show means of acoustic enclosure have first been submitted to and approved in writing by, the local planning authority. The drawing shall include details of the external appearance of the enclosure including its mounting, a cross section through the enclosure and a specification of its acoustic insulation qualities. The development shall not be used until the enclosure has been installed and fitted thereafter be retained and maintained to preserve the background LA90 noise level at the nearest neighbouring residential façade and to prevent the emission of tones and sounds or other specific sounds in relation to neighbouring residential property. REASON:- To safeguard the amenity of neighbouring residential occupiers.

### **CONSULTATIONS**

Environmental Health: The measurements taken by the applicants consultant show that the units will not meet the requirements of the Council's standard condition (not to increase the background LA90 noise level at the nearest residential façade during the hours of operation). However, the applicants consultant have confirmed that the acoustic enclosure will achieve approximately 15db noise reduction; subject to implementation the development should comply with the suggested condition.

## **2<sup>nd</sup> Notifications**

Replies: 0

### **Summary of Responses**

Noise will affect use and enjoyment of garden and house, potential fume and odours, unsightly, object to any more building and noisy air conditioning units, letters sent to wrong address/drawings not sent out/not online/will take legal action against the Council.

### **APPRAISAL**

1 Noise

Add para as follows:

The units would be sited centrally at ground floor level on the rear elevation and this is considered to be the optimum location in relation to the boundaries with surrounding property. No planting/landscaping is specifically included in the proposal and the boundaries are already delineated by domestic fencing. However the applicants noise consultant recommends that provision of an acoustic enclosure, constructed of acoustic panel with a sound absorbent insulation core encased in perforated galvanised steel or aluminium; isolation mounts are also recommended to minimise structural borne noise and vibration. In accordance with observations from the Council's Environmental Health noise team and subject to the suggested conditions these mitigation measures are considered a satisfactory safeguard in respect of the residential amenity of neighbouring occupiers.

### **Consultation Responses**

Add as follow:

Notification errors corrected by second notification; applications available to view at offices conventionally as well as online. Any legal action a separate matter. All other points addressed above.

**2/21**

Agreed drawing nos: 16/06.PL.01A, 02B, 03C, 04A, 05A, 06, 08C, 09A, 10A, 11B

Re-notification to Nos 11 & 11a Gordon Avenue.

Due to alterations to proposal, being additional rear glazing.

Richard Keisner, 11a Gordon Avenue.

### **Summary of Responses**

Appearance of building is out of character, building is too visible, overlooking from glazing in rear elevation, removal of planting on flank boundary

## **Response to Notification Replies**

- The proposal does not propose the removal of planting on the flank boundary
- Additional glazing is not considered to significantly increase levels of overlooking beyond original proposal
- All other issues addressed in the 'appraisal'

### **Notification reply**

V G Shah, 11 Gordon Avenue

Summary of response

Building is out of character; overlooking from windows in rear elevation and additional windows; the shape and size of development is out of place on Gordon Avenue.

### **2/22 Notification Reply (late)**

Summary of response

Overdevelopment; over-intensity of units; protected bats on site; opposed to use of Stratton Close for access to site; disturbance to houses fronting Whitchurch Lane from increased traffic on access road; overlooking issues, design is of poor quality, inadequate amenity space, use of access road would be detrimental to highway safety.

### **2/24 Add Condition 6**

The use hereby permitted shall not commence until details of filtering devices/plant to be installed in the flu and kitchen extraction shall be submitted to and approved by the Local Planning Authority. The use hereby permitted shall not be commenced until the works have been completed in accordance with the approved details and thereafter retained in that form. REASON: In the interests of safeguarding the amenity of neighbouring occupiers.

**2/26** Petition containing 20 signatures objecting to the development received

**2/29** Delete informative and amend Recommendation to read 'Approve the details'

**2/32** Delete Condition No 1 - renumber remaining

**RECOMMENDATION**

TS06-082N/1-6; 06/990/01, 02B, 03B, 04B, 05, 06B, 07B;  
06/990/SK13.10.06; Design & Access Statement Rec'd 5th September  
2006

AUTHORISE the Chief Planning Officer to GRANT planning permission after 24th October 2006, subject to the receipt of no material representations and the following conditions:- [as on the main report and additionally as follows]

12. The development hereby permitted shall not commence until the following details have been submitted to and approved in writing by the local planning authority:-

- metric scale drawings to show the elevations and external finish of the proposed bin and cycle store;
  - metric scale drawings and detailed specifications of any roller shutters, security grilles, rainwater goods protection and lighting/CCTV fixtures.
- The development shall not be used or occupied until the details so agreed have been implemented.

REASON: To ensure that the proposed development and any associated security arrangements are compatible with the visual amenity and character of the locality.

13. HWY\_VIS3

**INFORMATION**(c) Proposal Details

Note the following amendments:-

North flank dormer to be finished in lead and reduced in size;  
Minor revisions to fenestration arrangements to improve surveillance in recognition of crime prevention officer's concerns;  
Refuse store moved away from the building to a detached building adjacent to the cycle store - south side car park - in recognition of crime prevention officer's concerns.

Additionally the applicant has advised that the harness room extension/foyer may not be constructed in the initial phase of development. Elevations have been submitted to illustrate the interim finish.

(e) Applicant's Statement

General additional points:-

Second floor office suite needed to provide the project with a revenue stream and is arranged over the top floor to keep costs down. The roof has been designed for simplicity of construction and to keep costs down. The front dormer is needed to maximise rental value. The internal lift cannot be provided elsewhere so the side dormer is unavoidable.

The foundations will be designed as piled foundations to address tree concerns and soil conditions generally.

Three parking bays are proposed for staff of the office suite. In the lease agreement the number of staff bays is 7 to provide also for the Museum Trust and catering staff.

The gallery and lobby extensions may be built as a second phase due to funding. Drawings to show the interim finish to the elevations and external areas are provided.

In response to the crime prevention officer's comments:-

The scheme has been revised to improve natural surveillance and the bin store has been resited away from the building. The guardian drainpipe system will be used to prevent climbing.

Detailed window and door specifications to be given close attention but not planning matters. However materials can be agreed by condition.

Internal grilles to be used to the original fenestration; roller shutters where needed to be discussed at the appropriate time.

Lighting can be agreed by condition. Provision of CCTV with Harrow Council is supported.

Internal matters are not planning issues but should be noted, of clarity, that there is no bar and that none is intended.

Further details of the covered entrance can be agreed by condition.

The recesses have been reduced on the amended plans in balance with aesthetic considerations.

#### (f) Consultations

Highways Engineer: No objection subject to condition HWY\_VIS3

Access Officer: No comments, but applicant should be advised of 'Access for All' SPD for accurate specifications for facilities.

Pinner Association: No reply

Crime Prevention Design Advisor: Site has suffered vandalism and graffiti; environmental factors are situation in large park surrounded by high trees and shrubbery; not overlooked. Observations as follows:

Site and building layout: Recommend active windows to north, west and south elevations; bin store should be resited and secure; drainpipes should be protected.

Windows: Ground floor windows and accessible windows should be certified to relevant British standard. Sills should be angled.

Perimeter doors: Doors should be fitted to appropriate standard; emergency doors should be manufactured from steel.

Roller shutters: Shutters linked to an alarm system should be fitted with internal locks where possible.

Lighting: In this location lighting will assist not deter the criminal. During hours of use CCTV compatible lighting should be used and external doors' lighting operated by photoelectric cell.

Parking areas: Should meet safer parking award scheme standards.

Monitored security system: Should be linked to alarm receiving centre.

CCTV: should be used.

Further detailed advice relating to CCTV and internal matters provided.

Notifications: No replies to date (EXPIRY 24-10-2006)

## **APPRAISAL**

### 2. Design

#### Context, Scale and Character

The revised arrangements to the elevations and the proposed 'phasing' of the development are not considered to unacceptably affect the integrity or quality of the proposal.

#### Refuse Storage

Subject to the conditions suggested the revised refuse storage arrangements are considered to be acceptable.

### 6. Trees and Landscaping

The nearest tree affected by the proposal is the Swamp Cyprus tree fronting the principal elevation on the south side. In accordance with UDP Policy D10 details for the protection of this tree have been sought and received during the course of the application. These show that the path, adjacent to the building and under the canopy of the tree, would be raised to achieve satisfactory entrance thresholds using a 'no dig' solution, maintaining 1.9m from the trunk and with timber edging. The area between the path and the tree - currently tarmac - would be regraded and laid with turf. Subject to further details of the extent of these works around the base of the tree, which can be controlled by condition, the proposal is considered to be acceptable in this regard.

Details of landscaping to make good the areas affected by the development can also be satisfactorily controlled by condition.

### **Section 3**

**3/03** 2 further objections received:

- resubmit concerns expressed previously, disruption to sleep, addition of an extra hour to Monday night only adds to disturbance

**3/04-3/05** 2 further objections received

- trees have already been felled with or without permission
- consider further felling of trees to be premature pending the fate of the property
- object to demolition
- character and appearance of conservation area
- Council will drive away a certain sector of home owners out of the Borough if application is allowed

**DEVELOPMENT CONTROL COMMITTEE – 17 OCTOBER 2006**

**AGENDA ITEM 11**

**ADVANCE WARNING GIVEN OF REQUESTS TO MAKE REPRESENTATIONS ON  
PLANNING APPLICATIONS**

Application	Objector	Applicant/Applicant's Representative (who has advised that they would wish to reply)
<b>Items 2/07, 2/08, 2/09 – East End Farm, Moss Lane, Pinner</b>	Mr James O'Malley	
<b>Item 2/22 – Land rear of 123-135 Whitchurch Lane, Edgware</b>	Mrs Collins	Mr Peddar (Applicant's Agent)
<b>Item 2/24 – 454 Alexandra Avenue</b>	Mr N J Avari	Mr Jeremy Peter (Applicant's agent)
<b>Item 2/26 – The John Lyon School, Playing Fields, Sudbury Hill</b>	Mrs Sowter <b>(LATE OBJECTION)</b>	

This page is intentionally left blank