



**DEVELOPMENT MANAGEMENT
COMMITTEE TO COMMENCE ON
THE RISING OF THE STRATEGIC
PLANNING COMMITTEE WHICH
STARTS AT 6.30PM**

WEDNESDAY 7 MAY 2008

PLANNING APPLICATIONS RECEIVED

DEVELOPMENT MANAGEMENT COMMITTEE

APPLICATIONS

WEDNESDAY 7TH MAY 2008

PLANNING APPLICATIONS RECEIVED

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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

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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

Harrow Unitary Development Plan, adopted 30th July 2004

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

Section 17 of the Crime & Disorder Act 2004

DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY 7TH MAY 2008

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HA7 4DA

2 X INTERNALLY
ILLUMINATED NAME
SIGNS, 1 X NON-
ILLUMINATED NAME
SIGN, 3 X NON-
ILLUMINATED
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SECTION 1 – MAJOR APPLICATIONS

None

SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item: 2/01
THE CASE IS ALTERED PUBLIC HOUSE, P/3374/07/DAD/GL
28 OLD REDDING, HARROW WEALD
HA3 6SE

Ward HARROW WEALD

EXTERNALLY ILLUMINATED FREESTANDING SIGN AND WALL SIGN, 2 X NON-ILLUMINATED FREE STANDING SIGNS

Applicant: Mark Douglas
Statutory Expiry Date: 29-JAN-08

RECOMMENDATION

Plan Nos: CIA11007 A; D; E; F; G (all received 04-Dec-2007); E1; E2; Proposed signage 1; Proposed signage 2 (all received 13-Feb-2008)

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

1 The period of this consent shall be five years from the date of this consent, following which the advertisement shall be removed and the site reinstated.

REASON: To comply with the provisions of the Town Country Planning (Control of Advertisements) Regulations 2007.

2 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

3 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

4 No advertisement is to be displayed without the permission of the owner of the site, or any other person with an interest in the site entitled to grant permission.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

5 Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

6 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Item 2/01: P/3374/07/DAD continued

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

7 The maximum luminance of the sign shall not exceed the values recommended in the Institution of Lighting Engineers' Technical Report No. 5 (Second Edition).

REASON: In the interests of highway safety and amenity.

8 All illumination shall be non-intermittent unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the amenities of the locality.

9 The advertisement(s) hereby granted shall not be illuminated except between the period from 15 minutes before the premises are open for use by the public, to 15 minutes after the premises are closed to the public.

REASON: To safeguard the amenities 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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3D.3 Maintaining and improving retail facilities

4B.1 Design principles for a compact city

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D14 Conservation Areas

EP31 Areas of Special Character

T6 The Transport Impact of Development Proposals

Brookshill Drive and Grimsdyke Estate Conservation Area Policy Statement

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1)** Standard of Design and Layout, Amenity, (3D.4, 4B.1) (D4, D14, EP31)
- 2)** Public Safety (D4, T6)
- 3)** S17 Crime & Disorder Act (D4)
- 4)** Consultation Responses

INFORMATION

This application is referred to Committee at the request of a Nominated Member. This application was deferred from the Development Management Committee on 27 February for further consideration.

a) Summary

Statutory Return Type: Advertisements

Conservation Area: Brookshill Drive and Grimsdyke Estate

Area of Special Character Harrow Weald Ridge
Council Interest: None

b) Site Description

- Detached public house and gardens on southern side of Old Redding adjacent to The Lookout parking and amenity area
- Within Brookshill Drive Conservation Area, Green Belt and Harrow and Weald Ridge Area of Special Character

c) Proposal Details

- Removal of two metal signage boards (1.15m x 0.7m) on at north east corner of site and replacement with two new wooden framed blackboards, (1.15m x 0.7m) (non-illuminated)
- Removal of existing illuminated blackboard (1.5m x 1.25m) above entrance on single-storey section of frontage and replacement with illuminated (static downlighter) timber framed blackboard (1.1m x 0.9m)
- Removal of two existing free-standing signs, each 1.25m high x 1.7m wide with total height of 2.4m and replacement with a single sign 1.1m high and 0.9m wide with total height of 2.4m with static downlighter at the base on either side

d) Relevant History

EAST/1429/02/ADV	Externally illuminated lettering with totem sign on frontage (revised) and non-illuminated sign in rear amenity area	REFUSE 14-APR-03
P/735/06/CAD	Externally illuminated sign writing on building	REFUSE 01-AUG-06

Reason for Refusal

The proposed illuminated sign by reason of excessive size and prominent siting would be unduly obtrusive in this sensitive location, would detract from the character and appearance of this part of the Conservation Area and Area of Special Character and be detrimental to visual amenity.

P/734/06/CFU	Alterations to elevations, external paving, terrace extension and canopy, extension to car park onto adjoining country park; new vehicle height restriction frame and lighting	REFUSE 30-MAY-06
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Reasons for Refusal

1 The proposed alterations and lighting to the front and rear façades of the public house, by reason of unsatisfactory design and prominent siting, would be unduly obtrusive in this sensitive rural location, would detract from the appearance and character of the Conservation Area, the Area of Special Character, the public house itself and would be detrimental to visual amenity.

2 The proposed raised terrace and canopy, by reason of site coverage, would result in a cumulative overdevelopment of the original building which has already been significantly extended, to the detriment of the character and openness of the Green Belt and the Area of Special Character and Conservation Area.

3 The proposed extension of the car park within the adjacent country park is an unacceptable form of development, as it would fail to retain the openness and character of the Green Belt.

4 The white picket fence fronting the highway, extending from the public house into the Country Park along with other landscaping details, would fail to retain a visual break between the two sites, to the detriment of the openness and character of the Green Belt.

5 Insufficient information has been provided with the application to enable a full assessment of the impact of the proposed development on existing trees and landscaping, which represent an important amenity feature within the Green Belt, Area of Special Character and Conservation Area.

P/2727/06/DFU	Integral chiller room cabinet at rear clad in close boarded fence, timber cladding, chimney flue on side (east) elevation, enlarged terrace, glazed entrance, new windows, external alterations and lighting	REFUSE 14-DEC-06
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Reason for Refusal

1 The proposed alterations and lighting to the front facade of the public house, including timber cladding, extended window and excessive lighting, by reason of unsatisfactory design and prominent siting, would be unduly obtrusive in this sensitive rural location, would detract from the appearance and character of the Conservation Area, the Area of Special Character, the appearance of the public house itself and would be detrimental to visual amenity, contrary to policies EP31, EP33, D4, D14 and D23 of the Harrow Unitary Development Plan.

P/1533/07/DFU	Timber decking and foldaway terrasol ramp for wheelchair access.	GRANT 18-JUL-2007
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e) Pre Application Discussion

None

f) Applicant Statement

- Proposal intends to remove metal boards and replace signage with boards that are more appropriate to the Conservation Area

g) Consultations:

Conservation Area Advisory Committee: Sustainable lighting, which relies on PV cells, should be used here.

Design and Conservation Officer: Proposal is clear improvement on existing signage. The proposal would enhance the character of the conservation area.

Highways Engineers: No objection

Advertisement:	Character of Conservation Area	Expiry: 17-JAN-08
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Notifications:

Sent:
3

Replies:
0

Expiry: 08-JAN-08

Summary of Response:

- N/A

APPRAISAL

1) Standard of Design and Layout, Amenity

The proposed signs are modest in scale and would blend well with the building and the wider area. They would be smaller than those which they replace and would not look disproportionately large in relation to the building.

Some of the existing signs do not have the benefit of advertisement consent and form an open enforcement case. This application would resolve the situation.

The proposed signs would represent a reduction in the level of signs in this location. The external illumination of two of the signs using downlighters is considered to be appropriate, would only make a minor change to the character of the pub and is considered acceptable. Considering the existing signage on the façade of the building and in the garden, the proposal would be sympathetic with regards to the Area of Special Character, would result in a reduction in the amount of development in the Green Belt and would enhance the character and appearance of the Brookshill Drive and Grimsdyke Estate Conservation Area.

Although the use of photovoltaic cells would represent a more sustainable form of development, this is outside the scope of the requirements for advertisement consent and is not a material planning consideration with respect to this application.

2) Public Safety

The proposal would reduce the level of visual clutter at the front of the site. As such, it would represent an improvement in terms of public and highway safety. The Highways Engineers have no objection, and therefore the proposal is considered acceptable.

3) S17 Crime & Disorder Act

The proposal would have no impact on crime and disorder in the locality.

4) Consultation Responses:

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

- 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.

**STELLA MARIS, 39 OAKHILL AVENUE,
PINNER, HA5 3DL**

**Item: 2/02
P/4259/07/DFU/SB5**

Ward PINNER

REDEVELOPMENT TO PROVIDE 2/3 STOREY BLOCK WITH BASEMENT OF 3 SELF-CONTAINED FLATS, WITH PARKING IN BASEMENT AND BIN STORE AT SIDE (AND ACCESS)

Applicant: Tarlochan Ghatorhe
Agent: Stephen Coulson
Statutory Expiry Date: 31-MAR-08

RECOMMENDATION

Plan Nos: 1283-01 L; 1283-02 L; 1283-OS.01 B; 1283-OS.03; 1283-OS.04; Design and Access Statement; Unnumbered Photographs

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 five years from the date of this permission.

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

2 The development hereby permitted shall not 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 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 window(s) in the flank wall(s) of the proposed development shall:

- (a) be of purpose-made obscure glass,
- (b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

4 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.

Item 2/02: P/4259/07/DFU continued

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

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

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

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

(a) the frontage.

of the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

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

REASON: To prevent the increased risk of flooding.

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

REASON: To ensure that adequate drainage facilities are provided.

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 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.

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 Prior to the commencement of the development hereby permitted, a detailed schedule of measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development, shall be submitted to and approved in writing by the local planning authority. Any such security measures must meet the standards of the Secured by Design Award scheme (<http://www.securedbydesign.com/guides/index.aspx>), and shall include the following requirements:

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

The works shall be fully implemented prior to first occupation or beneficial use of the development 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 amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan, and Section 17 of the Crime & Disorder Act 1998.

14 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 (<http://www.saferparking.com/Info.aspx>) are to be incorporated into the provision of the parking element of the scheme hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented prior to first occupation or beneficial use of the development in accordance with the approved details and shall thereafter be retained.

REASON: In the interests of providing a safe parking environment compatible with delivering safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan, and Section 17 of the Crime & Disorder Act 1998.

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 London Plan and-or the Harrow Unitary Development Plan set out

Item 2/02: P/4259/07/DFU continued

below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

- 3A.1: Increasing London's supply of housing
- 3A.2: Borough housing targets
- 3A.4: Efficient use of stock
- 3A.5: Housing choice

Harrow Unitary Development Plan:

- 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
- T13 Parking Standards
- H10 Maintenance and Improvement to Existing Housing Stock

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE:

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

5 INFORMATIVE:

There may be public sewers crossing/adjacent to the site, so no building will be permitted within 3m of the sewers. The applicant should contact the Area Service Manager, Mogden at Thames Water Utilities at the earliest opportunity, in order to

Item 2/02: P/4259/07/DFU continued

establish the likely impact of this development upon the sewerage infrastructure.
Tel: 08459 200 800.

6 INFORMATIVE:

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

7 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.

8 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 (London Plan & 2004 UDP)

- 1) Design and Character of Surrounding Area (D4, D5, D9)
- 2) Residential Amenity (D5)
- 3) Housing Provision and Need (3A.1, 3A.2, 3A.4, 3A.5) (H10)
- 4) Parking & Highway Safety (T13)
- 5) Accessible Homes (3A.5)
- 6) Trees (D10)
- 7) S17 Crime & Disorder Act (D4)
- 8) Consultation Responses

INFORMATION

This application is being reported to the Development Management Committee as the proposal involves the provision of more than 2 dwellings. The application was deferred by Development Management Committee on 2 April for a Member Site Visit that took place on 2 May.

a) Summary

Statutory Return Type: Minor Dwellings
Site Area: 0.0759 ha
Habitable Rooms: 12

Item 2/02: P/4259/07/DFU continued

Density: 158 hrph, 39.5dph
Car Parking: Standard: 4.8
Justified: 5
Provided: 5
Council Interest: None

b) Site Description

- Large detached, two storey house located on west side of Oakhill Ave
- The property has been extended at the side with a 2 storey extension
- Levels in Oakhill Avenue generally fall toward the south
- Existing house in dilapidated condition
- Deep rear garden
- Neighbouring detached dwelling to the north, Doric House is set back some 7m behind the subject property
- Neighbouring detached dwelling to the south, Wainstones has the same front building line as the subject property
- Street characterised by detached two storey houses and bungalows set within relatively spacious plots, generally set back, well within planted frontages
- The character, appearance and design of dwellings house vary and there is no distinct defined architectural merit in the locality

c) Proposal Details

- Demolition of existing dwelling house
- Redevelopment to provide new 2/3 storey detached building with basement, comprising 3 self-contained flats
- 4 parking spaces would be provided in the basement and a further space provided in the front garden
- Bin store provided in the side part of the front garden (nearest to Wainstones)

Revisions to Previous Application:

Following the previous decision (P/3214/06/CFU) the following amendments have been made:

- Reduction in height of the overall building
- Relocation of the refuse storage to the front of the garden
- New porch canopy added
- Removal of one car parking space from front garden and relocated in undercroft
- Removal of side dormer
- Removal of raised patio area at rear and new level terrace area

d) Relevant History

P/1504/04/CFU	Redevelopment: detached two-storey building with accommodation in roof to provide 5 flats with integral garage and forecourt parking	REFUSE 15-OCT-04 APPEAL DISMISSED 12-MAY-06
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Reasons for Refusal

1 The proposed development by reason of excessive number of units, size of building and hard-surfaced parking areas, with the associated disturbance and general activity, would result in an over-intensive use and amount to overdevelopment of the site to the detriment of neighbouring residents and the character of the area.

2 The proposed hard-surfaced car parking area in the front garden would be unduly obtrusive and detract from the appearance of the building and the street scene.

3 The proposed forecourt would not provide adequate manoeuvring area, this combined with an inadequate number of parking spaces would give rise to parking on the highway giving rise to conditions prejudicial to highway safety.

P/2544/05/CFU Redevelopment: 2/3-storey block to provide 3 flats garaging and parking. REFUSE 21-DEC-05

Reasons for Refusal

1 The proposed development, by reason of excessive size, a lack of space around the building, extent of hard-surfacing, awkwardly sited main entrance and poor interface of the ground floor of the building with the streetscape would amount to an overdevelopment of the site to the detriment of future occupants, neighbouring residents and the character of the area.

2 The proposed development provides a poor parking layout and by reason of the parking demand generated would be likely to give rise to conditions prejudicial to safety and free flow of pedestrians and vehicular traffic on the adjoining highway.

P/3214/06/CFU Demolition of existing dwelling and redevelopment to provide two/three storey block of 3 self-contained flats with undercroft parking, access and bin store at side. REFUSE 22-JAN-07

Reasons for Refusal

1 The proposed development by reason of size, bulk, massing, design and siting would appear bulky, obtrusive, overbearing and out of proportion with the existing development in the vicinity representing an overdevelopment and over-intensification of the use of the site and would therefore detract from the appearance and proportions of the nearby properties to the detriment of the visual amenity and character of the locality, contrary to policies SD1, D4, and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance, Extensions: A Householders Guide and; Supplementary Planning Guidance: Designing New Developments (2003).

2 The proposed development, by reason of its layout, design, positioning of windows in the North flank elevation and unsatisfactory siting of bin stores and would result in a mutual loss of privacy and would fail to meet standards for Accessible Homes and Secured by Design criteria to the detriment of residential amenities of future occupiers of the site and nearby occupiers contrary to policies SD1, D4, D5 and H18 of the Harrow Unitary Development Plan 2004. Supplementary Planning Document - Accessible Homes

**e) Pre Application Discussion
PAT/ENQ.1950/06/06/2007**

The principle of a redevelopment of existing detached dwellinghouse with

- self-contained flats was considered acceptable by the Planning Inspector in 2005
- The proposal addresses the issue of the whole development meeting Lifetime Homes standards
- Concerns about the overall bulk of the proposal, in particular emphasised by the need to raise the eaves on the side elevations, and thereby lengthen the ridge, to accommodate basement parking. However, it is recognised that the ridge would be seen in a different plane to the front element of the roof, and that would help diminish its impact in the streetscene. Other than that general comment it was considered, on balance, that you have developed the scheme to a point where the previous issues have been addressed
- Parking was acceptable on the whole with approval of the moderate gradient of the ramp to the sub basement. The only issue raised was that it would be desirable to remove the parking space at the front
- Secure by design principles should be incorporated with any proposal to restrict the opportunity for crime
- A landscape proposal plan detailing at least two trees for the site frontage and five trees for the rear should be considered

f) Applicant Statement

- Design and Access Statement (paraphrased):
 - Stella Maris one of the original houses in area built in 1910 & suburban sprawl has grown around it;
 - House is currently in a dilapidated state;
 - Pressure for development in the area for higher density and smaller dwellings;
 - Attached scheme has been arrived at in response to the reasons for refusal of the previous schemes;
 - Fully in accord with the Council's SPG: Accessible Homes;
 - Has been vetted by the Metropolitan Police for Safety by Design;
 - The scheme is in full accordance with the Council's Code of practice for the storage and collection of refuse and materials for recycling in domestic properties;
 - The proposed replacement to Stella Maris is directly comparable in volume and actually smaller in footprint area than the existing property;
 - Proposals have been designed to incorporate fully and completely all the eighteen design standards itemised in the Council's SPD publication Accessible Homes;
 - Redesign relocates the bin store to an outside location so that it may comply with the travel distance specified in the Code of 'Secured by Design';
 - Pinner station is within a 10 minute walking distance for Metropolitan line trains and good bus services in and around the town centre;
 - Proposal provides for 5 parking spaces in line with Council standards
 - Vehicular access to the site is available from Oakhill Avenue;
 - The slope between the garage and street has been adjusted to achieve a building of lesser volume above ground and to reduce its prominence in the street elevation;

- Proposal places the front door in the street elevation in a prominent position;
- A second main access door is located at the bottom of the ramp to provide level entry;
- Site is freely accessible for wheelchair users and designed in accordance with Part M of the Building Regulations;
- Space has been allocated for a wheelchair access lift;
- There is ample amenity space within the scheme;
- A landscaping scheme will be prepared is required;
- Cycle storage has been provided;
- Replacement of Stella Maris will serve to act as a model for this type of development in a brownfield;
- Positive contribution to the immediate townscape.

g) Consultations:

The Pinner Association (summarised):

- We have opposed previous applications for flat development on this site as being, inter alia, out of character with the locality and being over-intensive use of the site
- The Planning Inspector who determined an appeal in respect of one of the applications did not share our fundamental objection to flat development here and considered it acceptable in principle.
- If this form of development cannot be objected to as such we would prefer a two flat scheme to a three flat scheme to keep the additional activity created to a minimum.
- Should you be minded to grant the present application we would ask that you deal with the vexed questions of the carriageway and footpath elements of Oakhill Avenue wither by conditions or S106 Agreement as appropriate.
- The applicant has incorporated the part of the footpath co-extensive with the property into its front garden. It should be re-instated and properly maintained thereafter.
- The applicant should also be required to make up and thereafter maintain the carriageway of Oakhill Avenue co-extensive with his property.
- Thought should also be given to the best route for any construction traffic so as to cause minimum disturbance to neighbours and minimum damage to the carriageway and the applicant should be required to enter into a routing agreement with the Council as a pre-condition of any consent.

Notifications:

Sent:
46

Replies:
56

Expiry: 07-MAR-08

Summary of Response:

Development will have adverse effect on character of area, flats not suitable for Oakhill Ave, bulky inappropriate structure; concerns about parking as proposal offers insufficient car parking spaces; safety of the road would be compromised by increase in traffic volume; increased traffic load will increase the wear on the renovated road, for which other residents have paid for; drainage of the road is only just sufficient; proposed basement development will also be an issue

concerning drainage; increased size of the development; neighbouring house on both sides and at the back will lose light and privacy; trees in the front and rear have all been removed; footpath outside the property has been removed; the house currently has been neglected.

Summary of Response

Letter received from agent, in response to the objections raised against the proposed development by local resident, the applicant would like to clarify some of the points raised by objectors: (summarised)

- The applicant unsuccessfully attempted to actively participate in the road resurfacing, irrespective of his proven willingness to contribute financially and administratively, the applicant was not invited to contribute to the road surfacing which finally went ahead.
- Damage to Road – the applicant reassures local residents that there will be no damage to the resurfaced road as per the ‘Design and Access statement’
- Subsidence, drainage, Basement, Flooding, Parking and Traffic are not either relevant to planning or will comply with relevant planning or buildings regulations.
- Footpath – The Design and Access statement confirms that the applicant will renew the footpath after the building works are completed in line with the rest of the landscaping for the site.
- High Court Case – This relates to a boundary issue and has nothing to do with current application.
- The height of the proposal is lower in height than ‘Lingwood’
- Number of Bedrooms – existing Stella Maris has 7 bedrooms on the first floor and a further bedroom on the ground floor. This makes a total of eight bedrooms which is one fewer than contained in the current proposals.
- New Build at 41 Rushdene Road, Eastcote – The reference to this project is entirely irrelevant to the current application.
- Tree – the silver birch removed from the front of the house was only felled after planning permission was granted – the approval confirms that the tree was dead/ dying and that the remedy was to fell the birch tree.

APPRAISAL

1) Design and Character of Surrounding Area

This application follows on from a number of previous applications made for similar developments on this site, which were subsequently refused planning permission for reasons stated above. One of the main concerns with previous applications have been in relation to the excessive bulk and size of the proposed development, in comparison to its immediate neighbouring properties and with Oakhill Avenue as a whole. In particular, there were concerns with the overall height of the development, which was considered to be significantly higher than the neighbouring property ‘Doric House’ situated to the north of the subject site. In the previous application ref: P/3214/06/CFU, other issues also included, the side dormer located on the southern roof plane and the location of the bin store at the front.

This new application has now been shown to overcome the reasons for refusal raised under P/3214/06/DFU. Although, the proposed development would be higher than the existing dwelling house on this site, the overall height of the proposed development has been reduced to be at a lower ridge height than that of the neighbouring dwelling Doric House.

The depth of the proposed development would remain unchanged to that previously proposed under P/3214/06/CFU. However, given that the bulk of this would be located at the rear and the overall rearward projection would be no greater than 2m over and above this existing property, together with the reduction in the height of the proposed building, it is considered that the proposed development would not appear unduly bulky or visually obtrusive, when viewed from the adjacent neighbouring rear gardens.

The proposed basement area would be partially visible in the streetscene. However, given that this part of the proposal would be set 6.6m behind the main front building line, and a minimum of 12.7m from the front boundary, it is not considered that the proposed basement would have an adverse impact upon the character and appearance of the locality.

The proposed bin store would be located at the side of the front garden, set 0.7m behind the front building line of the proposed building. It is considered that in terms of access for the future occupiers of this site and for the refuse collection service, the proposed siting of the bin store is considered to be acceptable. It is acknowledged that the proposed bins store would be visible in the streetscene, however, it is considered that a suitable landscaping scheme to show planting and screening around the bin store would help soften the impact of the proposed brick built structure. A suitable condition is therefore suggested to ensure that a landscaping scheme is implemented.

2) Residential Amenity

The proposed development, as per previous schemes would fail to comply with the 45° Code found in Harrow Council's Supplementary Planning Guidance: 'Extensions, A Householders Guide' at the front in relation to Doric House. However it would be no worse than the existing situation as the existing house Stella Maris fails in this regard also. However, the proposed building would not be any closer to the boundary than the existing dwellinghouse. Furthermore, by reducing the height of the proposed development and given that the new roof over would be hipped away from the flank site boundary, it is considered that the proposal would not have an unreasonable impact upon the residential amenities of the neighbouring occupiers at Doric House.

In addition to the above, the proposed flank elevation facing Doric House would consist of high level, obscure glazed and non-opening windows. It is considered that the proposal overcomes the previous reason refusal under P/3214/06/DFU in this respect. It is therefore considered that the proposal would not have an unreasonable impact upon the privacy amenity of the neighbouring occupiers at Doric House.

With regard to the neighbouring property Wainstones, the projecting eaves of

the proposed roof would transgress the 45-degree line drawn on plan from the first floor rear corner of this neighbouring property. However the Council's SPG states that the 45 degree code should not be applied mechanically, but should be applied as part of an assessment of site considerations. In this regard, the application site is located north of the neighbouring property at Wainstones. In terms of natural daylight the proposal would not result in undue overshadowing of the neighbouring property. It is therefore considered that any perceived impact would be negated, and as such the proposed development is not considered to be a detriment to the residential amenities of the neighbouring occupiers at Wainstones.

3) Housing Provision and Need

The proposed development would provide 1 x 2 bed dwelling, 1 x 3 bed dwelling and 1 x 3-4 bed dwelling. This provision of additional housing to the Boroughs housing stock is supported and would be in line with the London Plan policies and the relevant Harrow UDP policies.

- 4) The proposed parking arrangement appears to be an improvement on the previous scheme and parking provision is in keeping with Harrow UDP parking standards. The highways officer has expressed no objections with the proposed development, providing that the parking space at the front of the property is dedicated for disabled use to comply with Lifetime Homes Standards.

5) Accessible Homes

The proposed development has been shown to meet all 16 of the Lifetime Homes Standards as stipulated in the Council's Supplementary Planning Document 'Accessible Homes'. The proposed development would have level threshold access, wider corridor and adequate internal door widths. The proposal also shows a living room at entrance level, which can be used as a convenient temporary bed space; a wheelchair accessible entrance level WC and future space provision for a wheelchair lift.

6) Trees

There are no significant tree issues on site. However, the Council's Tree Officer does recommend that a full landscape plan for the rear and front gardens should be conditioned. There is potential in the rear garden to accommodate at least 2 forest type landscape trees.

7) S17 Crime & Disorder Act

The applicant has addressed the previous concerns raised under P/3214/06/DFU in terms of Safer Places principles. The proposal would now incorporate a porch entrance and the proposed bin store has been relocated to the front garden and thereby making it more visible in the streetscene in terms of natural surveillance. The proposed development is therefore not considered to raise any community safety issues, and the two secure by design conditions are imposed.

8) Consultation Responses:

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

Item 2/02: P/4259/07/DFU continued

- Concern was raised by some objectors that flats would not be appropriate for Oakhill Avenue as this is dominated by single-family dwellings. This issue alone is not considered to warrant a refusal in this instance
- Noise & effects from construction is a temporary activity and not a legitimate planning consideration
- Drainage and water supply are not planning considerations.

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.

Item: 2/03
32 OAKHILL AVENUE, PINNER, HA5 3DN P/0326/08/DFU/MRE
Ward PINNER

DEMOLITION OF EXISTING DWELLING HOUSE AND REDEVELOPMENT TO PROVIDE 2 X 2 STOREY DETACHED DWELLINGS WITH INTEGRAL GARAGES AND NEW VEHICULAR ACCESSES

Applicant: Anwar HashamGraham
Agent: Seabrook Partnership
Statutory Expiry Date: 19-MAR-08

RECOMMENDATION

Plan Nos: 1269 OS1, 1269 OS2 D, 1269 15, 1269 16, Design & Access Statement

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 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 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.

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

Item 2/03: P/0326/08/DFU continued

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.

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

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

a: the storage and disposal of refuse/waste

b: and vehicular access

thereto has been submitted to, and approved in writing by, the local planning authority.

The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

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

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

8 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.

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

(a) 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.

Item 2/03: P/0326/08/DFU continued

10 The existing access(es) shall be closed when the new access(es) hereby permitted is / are brought into use, and the highway shall be reinstated in accordance with details to be submitted to, and approved by, the local planning authority. The development shall not be used or occupied until the reinstatement works have been completed in accordance with the approved details. The works shall thereafter be retained.

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

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

REASON: To prevent the increased risk of flooding.

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

REASON: To ensure that adequate drainage facilities are provided.

13 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.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3A.1: Increasing London's supply of housing

3A.2: Borough housing targets.

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

T13 Parking Standards

Supplementary Planning Guidance: Extensions: A Householders Guide (2003)

Supplementary Planning Guidance: Designing New Development (2003)

Supplementary Planning Document: Accessible Homes and "Access for All" (2006)

2 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.

3 INFORMATIVE:

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

4 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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.

6 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 (London Plan & 2004 UDP)

- 1) Design and Character of Surrounding Area (D4, D5, D9)
- 2) Residential Amenity (D5)
- 3) Housing Provision and Need (3A.1, 3A.2, 3A.4, 3A.5) (H10)
- 4) Parking & Highway Safety (T13)
- 5) Accessible Homes (3A.5)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

This application is being reported to the Development Management Committee at the request of a Nominated Member. The application was deferred by Development Management Committee on 2 April for a Member Site Visit that took place on 2 May '08.

a) Summary

Statutory Return Type:	Minor Dwellings
Site Area:	0.085ha
Car Parking:	Standard: 3.2
	Justified: See report
	Provided: 4
Council Interest:	None

b) Site Description

- Existing bungalow on the east side of Oakhill Avenue within large site to a 25.5m width and an area of approximately 870m²
- Subject building is set in front of southerly adjacent bungalow 'Darlands' by a maximum of 6.2m, following a bend in the road
- Northerly adjacent two-storey dwelling at No.34 is spaced well away from the shared boundary at 8m and has numerous ground and first-floor windows in the facing flank wall
- No overall coherent pattern of development in the street scene with bungalows and houses built at different times and in varied styles but prevailing character of detached dwellings set in wide plots
- Un-adopted road, maintained by local residents
- Plot slopes from the house situated higher 34 Oakhill Ave in the north down to the bungalow situated at No. 30 in the south
- Protected kitchen window in the flank elevation of No. 30 at approximately mid-depth
- A number of trees on the plot, none of which are protected

c) Proposal Details

- Demolition of existing bungalow and splitting of site into two sites – northerly and southerly
- Northerly site to comprise a 5 bed detached house with a large front gabled feature, 2 x front and rear dormers and a projecting two-storey rear element; house would be to a 11.1m with and a maximum height of 8m, and with an approximate rear garden area of 190m²
- Southerly site to comprise a 3 bed detached house with low-sloping roof on

Item 2/03: P/0326/08/DFU continued

its southerly side and front projecting garage; house would be to a width of 8.45m and a maximum height of 7.95m, and with an approximate rear garden area of 151m²

- New vehicle access to serve each house and new front garden layouts proposed

Revisions to Previous Application:

Following the previous decision (P/0102/07/DFU) the following amendments have been made:

- Northerly proposed dwelling is the same as in previous application
- Southerly proposed dwelling is of a revised architectural style with reduced bulk on southerly side by the provision of a low-sloping roof reaching maximum ridge height 7.3m from the southerly flank boundary
- Southerly proposed dwelling is sited forward of previously proposed dwelling and is spaced further from southerly flank boundary
- Reduction in parking spaces of southerly proposed dwelling from 3 to 2
- Revised layout of proposed dwellings to comply with Lifetime Homes Standards

d) Relevant History

LBH/18554/W	Single storey extension to both sides 24/03/81 reg	GRANT 29-JAN-81
LBH/19534/W	Single storey rear extension	GRANT 08-JUN-81
P/2293/04/CFU	Redevelopment to provide 2 storey detached house with access and parking on that part of site adjacent to no.34	WITHDRAWN 10-SEP-04
P/2294/04/CFU	Redevelopment to provide 2 storey detached house with access and parking on central part of the plot	WITHDRAWN 10-SEP-04
P/2295/04/CFU	Redevelopment to provide 2 storey detached house with access & parking on that part of site adjacent to "Darlands"	WITHDRAWN 10-SEP-04
P/2072/04/CFU	Redevelopment to provide 2 storey detached house with access and parking on that part of site adjacent to no.34	WITHDRAWN 22-DEC-04
P/2073/04/CFU	Redevelopment to provide 2 storey detached house with access and parking on central part of the plot	WITHDRAWN 22-DEC-04
P/2074/04/CFU	Redevelopment to provide 2 storey detached house with access & parking on that part of site adjacent to "Darlands"	WITHDRAWN 22-DEC-04
P/0102/07/DFU	Demolition of existing dwelling and redevelopment to provide 2 x two storey detached dwellings with integral garage, new vehicular access	REFUSE 30-MAR-07

Reasons for Refusal

1 The proposed dwellings by reason of their layout, bulk, height and staggered siting would give rise to unsatisfactory relationship between the proposed houses and the existing adjacent dwellings in the vicinity having an unacceptable overbearing, enclosing and overpowering impact on the nearby existing houses and the proposed house (southern side) resulting in a loss of outlook and amenities to future occupiers of the site and the adjacent occupiers. The proposal would also be visually intrusive, overbearing and dominant on the street scene to the detriment of the character of the area contrary to policies SD1, SH1, D4, D5 and D9 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance; `Designing New Development` (2003) and Supplementary Planning Guidance; `Extensions: A Householders Guide` (2003).

2 The proposal has failed to demonstrate adequate provision for people with disabilities, compliance with Lifetime Homes Standards and adequate and satisfactory provision for refuse storage to the detriment of the amenities of future occupiers of the site provision for refuse storage contrary to policies SD1, D4, D5, D8, D9 and H18 of the Harrow Unitary Development Plan (2004), and Supplementary Planning Document; `Accessible Homes` (2006) and Supplementary Planning Document; `Access for All` (2006).

e) Pre Application Discussion

None

f) Applicant Statement

The Site

- 32 Oakhill Avenue is close to Pinner Town Centre and well located for access to the A404
- Oakhill Ave is a residential street running approximately north to south comprising a mix of single and two storey dwellings. Road is un-adopted and been in part resurfaced to give a gravelled appearance
- Site is on a distinct sharp rise and a deviation from the straightness of the road way
- Site contains a large bungalow with a relatively shallow garden and elliptical drive, immediate area contains a mix of dwellings in style, size, number of storeys and external materials and also a variation in rear garden size
- Pressure for development in the area is demonstrated by the recent extension of a nearby bungalow into a substantial two storey house
- The applicant and owner of the property intends to remain in the southerly of the two houses

Transport Links

- The site is close to Pinner Town Centre although is not well served by public transport. Most transport is consequently of the personal and individual variety
- Nevertheless Pinner Station is within a ten minute walk for Metropolitan and Mainline Trains and good bus services in and around the centre
- In accordance with indications from the planning department the proposal does contain car parking provision in accordance with Council Standards

Access

- Vehicular access available form Oakhill Ave, cycle parking in proposed integral garages
- Site freely accessible to all pedestrians including those with mobility restrictions
- Internally the houses will be designed in accordance with Part M of the Building Regulations in relation to door widths and level thresholds

The Design

- Integral garages to follow local precedent
- Both dwellings stand well away from their respective shared boundaries, each being well in excess of the 1m standard contained in the Council's own planning advice
- Circumstances do not allow the establishment of a strict building line and the application is at pains to show that it complies with the spirit of the local planning standards
- Pre-application advice drew attention to the vertical right to light of the 'protected' kitchen window to 30 Oakhill Ave – the siting of the southern dwelling ensures that this vertical access to light is unhindered
- External materials to be locally supplied bricks and clay roof, in keeping with prevailing. Timbered and rendered front gable

Height

- Replacing a single storey dwelling with two two-storey dwelling is not contrary to planning polices and is in keeping with the national effort to use existing sites more intensively

Amenity Space

- Level of amenity space exceeds much or the rear space standards of neighbouring properties
- Landscaping scheme will be prepared to meet any condition appended to full planning permission
- Overlooking from neighbouring properties would actually be improved as the rear elevations do not face each other, also existing trees ensure privacy

Refuse

- Separate brick enclosure 1.4m high to accommodate 3 bins provided for each house.

Conclusion

- Applicant intent on providing an appropriate residential development to this high-density area of suburban Pinner that will provide a model for accessibility, the potential for applicable and practical renewable energy usage and sustainability issues
- Contributing towards the housing need of the area and a positive contribution to the immediate townscape

g) Consultations:
Highways Engineer: No objection

Notifications:

Sent:
43

Replies:
26

Expiry: 26-FEB-08

Summary of Response:

Proposal would damage character of street; would appear cramped and out of character; disruption of front building line; development would dwarf the neighbouring bungalow; impact on the kitchen window of the neighbouring property; overlooking; loss of footpath; loss of an attractive outlook from neighbouring properties; reduction in green space; increase in traffic; increased pressure on on-street parking; strain on drain capacity; damage to road surface; contrary to restrictive covenants; non participation by current occupiers to maintain the road; damage to drains, road and manhole covers during construction, and in construction of basement; bungalows needed for elderly and disabled people;; bin stores inadequate; applicant and agents motivated by financial gains at the expense of neighbours; plot illegally enlarged to incorporate the footpath at the front; some trees appear to have been cut down; development would set precedent; increased pressure on infrastructure.

Letter received from agent, in response to objections raised against the proposed development by local residents – The applicant would like to clarify some of the point raised by objectors:

- Applicant wishes to make it clear that he was always ready to participate in the resurfacing of Oakhill Avenue.
- Objection has been raised about forward encroachment of the site boundary into the public realm by the placement of the post and chain boundary marker.
- The applicant has provided the Land Registry plan for the property, ref. NGL 82025, which he claims shows that the boundaries are as officially recorded. A copy of this document is attached.
- My client has no objection to a mutually third acceptable third party assessing the position of the existing boundary marker and adjusting it if necessary, such as in the case of the road surfacing being completed to Barrow Point Lane.

APPRAISAL

1) Design and Character of Surrounding Area

Oakhill Avenue has no single distinct style of architecture, rather the street is characterised by a number of differing styles of dwelling, both single and two storey. The prevailing character of the road is defined by each dwelling being detached and set within relatively wide sites. It is not considered that the provision of two houses on the site would be unacceptable in principle. The site is to an existing width of over 25m and the splitting of the site into two would result in two sites of comparable widths to that within the locality.

The proposed dwellings are of contrasting architectural styles. The larger house to the northerly side of the site is of traditional style, with a large front central gable feature and two front dormers. The southerly side house is to a more contemporary style with a low sloping roof running down its southerly flank.

It is considered that the overall architectural style of the houses would not be harmful to the character and appearance of the area and is considered to be acceptable.

The siting of the houses would see the southern house positioned 1.55m from

the boundary shared with the neighbouring bungalow at Darlands. The northern house would have a wider gap to the northern boundary at 2.65m at the front, reduced down to 2.3m toward the rear. The spacing between the proposed houses would be 1.8m. The separation of the houses would not be unacceptable at almost 2m. Nearby two storey houses have similar gaps and so this close proximity of the houses would not be out of character in the street. The relationship between the proposed houses and the respective adjacent houses is considered to be comparable to the pattern of development in Oakhill Avenue. The large open flank side of No.34 together with a maximum 2.6m spacing of the northerly proposed house would ensure a wide spacing between these dwellings. The proposed southern house would be sited forward of corner of 'Darlands' and would interrupt a 45° line drawn on plan from the corner of the neighbouring bungalow. It would however be set behind the level of the existing bungalow and the provision of a low-sloping roof on this side, only reaching full ridge height some 7m from the boundary, is considered to remove a sufficient amount of bulk to reduce the prominence of the dwelling to an acceptable level in the streetscene. The proposal is therefore considered to acceptable in terms of the character and appearance of the area.

Forecourt Treatment

Policy D9 states that the Council will seek to achieve and retain a high quality of street side greenness and forecourt greenery in the borough. The amount of streetside greenness and forecourt greenery is an important determinant of the character of Oakhill Avenue and surrounding streets.

The proposed forecourt would have provision for 4 car parking spaces 2 of which would be within integral garages. The 2 external spaces would be capable of being widened to 3.3m to accommodate disabled parking spaces.

As noted, D4 states that the Council will expect a high standard of design and layout in all developments including adequate refuse storage.

The front garden layout displays sufficient potential for adequate levels of soft landscaping, and the potential for bin storage to the side of the dwellings. This element of the proposal is considered to be acceptable with the attachment of a landscaping and refuse storage condition to supplement the proposed front garden layout in accordance with policy D9.

2) Residential Amenity

The previously refused application (P/0102/07/DFU) was considered to cause an unreasonable loss of light and overshadowing to a protected window in the flank wall of the adjacent bungalow 'Darlands'. The re-siting of the southerly proposed house, further forward than the previously proposed house, results in its rear wall not encroaching over the level of the protected window and therefore not interrupting an upward 45° plane from the window. It is therefore considered that no harmful impact would be imposed on 'Darlands' in this respect.

The rear wall of 'Darlands' would project 6.6m beyond the rear of the southerly proposed house. This difference in rear building line would result in the proposed dwelling being almost entirely obscured from view from the rear garden of 'Darlands' and it is therefore considered that the proposed house would not appear visually obtrusive or overbearing as viewed from this

adjacent rear garden.

To the front, as previously described, the front corner of the southerly proposed house would transgress a 45° splay taken from the front corner of 'Darlands'. On this side 'Darlands' does however only have an integral garage projecting forward of the principal front wall of the bungalow. It is therefore considered that the forward projection of the proposed southerly house would not have any harmful impact on the frontage of 'Darlands'.

The large vacant side plot at No.34 will ensure a generous spacing between the northerly proposed house and this adjacent house. No.34 has numerous facing flank windows but it is considered that with over a 10m spacing between the dwellings no adverse impact would be imposed on this dwelling in terms of overshadowing or loss of outlook. The flank wall of the northerly proposed house would be spaced 2.5m from the shared boundary. The side garden at No.34 slopes down to the subject site which would serve to reduce the perceived bulk of the proposed house. It is considered that this difference in levels together with the spacing of the proposed house from the shared boundary would adequately reduce the perceived bulk of the new dwelling as viewed from this adjacent garden and would not appear visually obtrusive or overbearing as viewed from the garden of No.34. The proposed northerly house has no windows in this facing flank wall and there would therefore be no overlooking issues onto the side garden of No.34.

The first-floor rear wall of the northerly proposed house would be spaced a minimum of 17.5m from the rear of the flatted block at No's.7-12 Burhill Grove. This spacing together with existing dense trees and vegetation around the shared boundary which would serve as partial screening, would result in there being no overshadowing or loss of privacy issues for this flatted block.

The design and siting of the houses would see a reduction of the overall amenity space as the built form of the houses would be further back than the existing bungalow. The remaining land would still however provide a sufficient level of amenity for the occupiers of the proposed dwellings and would be comparable to other properties in the immediate locality. The proposal is therefore considered to be acceptable in this respect.

3) Housing Provision and Need

The proposed development would provide 1 x 5 bed dwelling and 1 x 3 bed dwelling. This provision of additional housing to the Boroughs housing stock is supported and would be in line with the London Plan policies and the relevant Harrow UDP policies.

4) Parking & Highway Safety

As noted above there is provision for 4 car park spaces to be created which would be achieved through creating two new crossovers. The number of parking spaces accords with is acceptable within the Council's UDP. The Council's Highways Engineer did not raise any objection to the scheme. It is considered that the site is near a variety of public transport options including buses around the Town Centre as well as Pinner Station within easy walking

distance.

5) Accessible Homes

As this is a new development it is considered reasonable to expect the new dwellings to comply closely with Lifetime Homes Standards as found within the 'Accessible Homes' SPD. It is considered that these standards can be complied with, with the relevant planning condition attached, and the proposal is considered to be acceptable in this respect.

6) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

7) Consultation Responses:

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

- Increased pressure on infrastructure not a material planning consideration
- Loss of footpath; encroachment and enlargement of plot to incorporate the footpath a civil matter and not a material planning consideration
- Non participation by current occupiers to maintain the road and any subsequent damage to road surface and manhole covers not a material planning consideration
- Contrary to Human Rights and contrary to restrictive covenants; not a material planning consideration
- No Tree preservation Orders on the site, therefore removal of trees within this particular site is not a material planning consideration
- Other concerns raised are considered in the above report

CONCLUSION

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

SAINSBURYS SUPERMARKET, 13 THE BROADWAY, ELM PARK, STANMORE HA7 4DA

Item: 2/04

P/0070/08/DAD/LW

Ward STANMORE PARK

2 X INTERNALLY ILLUMINATED NAME SIGNS, 1 X NON-ILLUMINATED NAME SIGN, 3 X NON-ILLUMINATED 'WELCOME' WALL SIGNS, AND 1 X NON-ILLUMINATED ATM SURROUND SIGN

Applicant: Sainsbury's Supermarkets Ltd

Agent: EG&S Architecture

Statutory Expiry Date: 29-FEB-08

RECOMMENDATION

Plan Nos: D8730-054-EL02 Rev G, 1903-PP-050

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

1 The period of this consent shall be five years from the date of this consent, following which the advertisement shall be removed and the site reinstated.

REASON: To comply with the provisions of the Town Country Planning (Control of Advertisements) Regulations 2007.

2 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

3 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

4 No advertisement is to be displayed without the permission of the owner of the site, or any other person with an interest in the site entitled to grant permission.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

5 Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

6 Any structure or hoarding erected or used principally for the purpose of

displaying advertisements shall be maintained in a safe condition.

REASON: To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

7 The maximum luminance of the sign shall not exceed the values recommended in the Institution of Lighting Engineers' Technical Report No. 5 (Second Edition).

REASON: In the interests of highway safety and amenity.

8 All illumination shall be non-intermittent unless otherwise agreed in writing by the local planning authority.

REASON: To safeguard the amenities of the locality.

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF ADVERTISEMENT CONSENT:

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

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

PPG19 - Outdoor Advertisement Control (1992)

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.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1)** Amenity (PPG19)
- 2)** Public Safety (PPG19)
- 3)** S17 Crime & Disorder Act (D4)
- 4)** Consultation Responses

INFORMATION

This application is reported to Committee at the request of a Nominated Member. This application was deferred at Development Management Committee on 2 April to await revised plans.

a) Summary

Statutory Return Type: Advertisements

Council Interest: None

b) Site Description

- Subject site is located on the southern side of The Broadway, with a second road frontage in Elm Park

Item 2/04: P/0070/08/DAD continued

- The site is occupied by a Sainsbury's Supermarket, with the front entrance addressing The Broadway, and access to the car park from Elm Park
- The site is within the Stanmore District Centre, with The Broadway entrance being within a designated Primary Shopping Frontage
- The Broadway is a mix of designated Primary and Secondary Shopping Frontages, with the local area characterised by shopping and business uses
- Elm Park is mainly outside the District Centre designation and is primarily comprised of detached and semi detached residential dwellings

c) Proposal Details

- Internally illuminated name sign suspended from the store canopy fronting The Broadway, maximum height 690mm x 4700mm width
- Internally illuminated name sign on rear wall of building facing upper deck of car park of building facing upper deck of car park, maximum height 850mm x 5600mm width
- Non-illuminated name sign over car park entrance in Elm Park, maximum height 450x2100 width
- 3 x non-illuminated 'Welcome' wall signs, two within the front forecourt area adjacent to The Broadway entrance, and one at the rear entrance, adjacent to the car park. The signs are 2.2m high x 1.2m wide
- Non-illuminated sign in the form of folded aluminium panels surrounding an ATM in the front wall of the building, facing The Broadway. The panels are 2.29m high and have a total width of 2.55m
- The signs have already been installed

Revisions to Current Application:

- The proposed illumination of the 'Sainsbury's' name sign above the car park entrance has been deleted from the scheme

d) Relevant History

EAST/741/00/ADV	Non-illuminated freestanding pole and fascia signs	GRANT
		11-JAN-2001
EAST/928/00/ADV	Retention of illuminated fascia (front and rear of building), non-illuminated wall and locational signs	GRANT
		24-MAY-2001
P/0399/08/DAD	Replacement non-illuminated wall and freestanding signs	GRANT
		20-MAR-08
P/0094/08/DAD	Installation of ATM on 'The Broadway' frontage	GRANT
		18-MAR-08

e) Pre Application Discussion

None

f) Applicant Statement

None

g) Consultations:

Stanmore Society – No response received.

Elm Park Residents Association – The top end of Elm Park services

Sainsbury's car park, however remains primarily a residential road. All motorists accessing the Elm Park car park will already have decided to use the car park when they turn off the main Church Road junction, they are therefore well aware it is a Sainsbury's.

The signage around the site is far in excess of what we were promised by Sainsbury's.

There are a large number of huge advertising banners affixed to railings around the walkway alongside the store, and massive notices which are plastered on every available space.

Sainsbury signage is of an obtrusive design and nature (it is not directional but purely advertising) and will be detrimental to the street scene and our residential area. Please refuse planning permission of the two signs to be lit up on the car park entrance (yards from residential homes) as well as the one above the car park, which is at the height of resident's bedroom windows.

Notifications:

Sent:
29

Replies:
20

Expiry: 19-FEB-08

Summary of Response:

Application shows a total disregard for our environment and will create huge problems with intrusive lighting from their signage in residents living and sleeping areas; Support Elm Park Residents Association objection; Reference to internally illuminated signs misleading, as the signs are external; Illumination of sign on the Broadway would comprise west wing of locally listed building, especially when viewed from near bottom of Stanmore Hill, sign could be moved further west along main wall; sign next to Bernays Institute should not be illuminated.

APPRAISAL

1) Amenity

The sign on The Broadway elevation is currently illuminated, and was given permission in 2001. However a condition on the permission required the illumination to cease in 2006. Therefore this application seeks the retention of the sign. The illumination of the sign on The Broadway elevation is considered appropriate in terms of the District Centre location and the amenity of the building and the local area. There is a locally listed building, the Bernays Institute, adjacent to the site. The continued illumination of the sign is not considered to result in an undue impact on the setting of the building, being separated by the open courtyard, and would not be over and above that already created by the Sainsbury's building itself.

Illumination of the name sign on the rear wall of the building was approved in 2001. This illumination is not considered to have an undue impact on the neighbouring occupiers, given that they are sited some 90m away from the sign, and the existing lighting in the car park would reduce the impact of the proposed illumination. The scale of the sign is consistent with the size of the

building and use and would not be out of keeping with the signage generally used on such premises. The replacement name sign over the car park entrance has no further impact on amenity than the original sign.

The new welcome wall signs are also considered acceptable, as they are sited directly outside the front and rear entrances of the building and are therefore appropriately sited.

The proposed ATM surround signage is also considered to be appropriately sited and an acceptable addition to The Broadway primary shopping frontage. The sign occurs within the existing glass shop front of Sainsbury's, and as such does not result in a loss of significant retail frontage.

2) Public Safety

The new signage does not have an impact on public safety. The signs are sited so as not to result in an impact on highway or pedestrian safety.

3) S17 Crime & Disorder Act

The proposal is not expected to have any impact in relation to this legislation.

4) Consultation Responses:

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

- Main points discussed in main body of report
- Internally illuminated signs refer to the sign being lit from the inside of the sign itself, not the inside of the building

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.

Item: 2/05
297 EASTCOTE LANE, SOUTH P/0090/08/DFU/MT
HARROW, HA2 8RU

Ward ROXBOURNE

SINGLE AND TWO STOREY SIDE AND REAR EXTENSION; SINGLE STOREY FRONT EXTENSION AND CONVERSION INTO TWO FLATS AND BIN STORE AT FRONT

Applicant: Mr Jettinda Bagga
Agent: Miss Mel Ramic
Statutory Expiry Date: 25-MAR-08

RECOMMENDATION

Plan Nos: M2/098/X01 Revision P, Design and Access Statement (Received 29th January 2008), M2/098/P01 Revision D (Received 21st April 2008)

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.

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 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.

4 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

5 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

Item 2/05: P/0090/08/DFU continued

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.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

7 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated and retained for use by the occupants of the ground floor flat only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

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

8 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.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3A.1 Increasing London's supply of housing

3A.5 Housing choice

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

H10 Maintenance and Improvement to Existing Housing Stock

EP25 Noise

T13 Parking Standards

Supplementary Planning Guidance: Extensions, A Householders Guide (2003)

Supplementary Planning Document 'Accessible Homes (2006)

"Houses in Multiple Occupation - Minimum Standards for Amenities and Standards" Category F Housing Act 2004.

"Code of practice for the storage and collection of refuse and materials for recycling in domestic properties (2008)"

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1)** Character and Appearance of the Area, and Amenity (D4, D5, SPG)
- 2)** Conversion of Buildings to Flats (D4, D5, D9, H10, EP25)
- 3)** Accessible Homes (3A.5) (SPD)
- 4)** Parking Standards (T13)
- 5)** S17 Crime & Disorder Act (D4)
- 6)** Consultation Responses

INFORMATION

The application is reported to Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type:	Minor Dwellings
Car Parking:	Standard: 2.4
	Justified: 2
	Provided: 1
Lifetime Homes:	1
Council Interest:	None

b) Site Description

- The subject site is on the south-eastern side of Eastcote Lane. The property contains a two-storey end of terrace dwelling
- The dwelling has no existing extensions
- The property to the north-east of the subject site is No. 295. The property contains a two-storey mid-terrace dwelling that is attached to the dwelling at No. 297
- The property to the south-west of the subject site is No. 299. The property contains a two-storey end of terrace dwelling
- The surrounding street is characterised by two-storey terrace dwellings. The street is a busy thoroughfare flanked by curb-side car parking and street trees

c) Proposal Details

Single and Two-Storey Side Extension

- The proposal would include a two-storey side extension that would have a width of 2.35 metres. The side extension would have a depth of 6.8 metres at ground floor level and 5.8 metres at first floor level. The first floor level would be set back from the main front wall of the first floor by 1.0 metre. The ground floor element of the side extension would be set back 0.6 metres from the main front wall of the ground floor.
- The proposed side extension would have a subordinate pitched roof.

Single and Two-Storey Rear Extension

- The proposed rear extensions would have a depth of 2.40 metres
- The ground floor element would have a width of 6.9 metres and have a pitched roof over with a height at the mid-point of 3.0 metres
- The first floor element would have a width of 4.5 metres and have a pitched roof

Single Storey Front Extension

- The proposed single storey front extension would have a depth of 0.6 metres and would not extend beyond the existing alignment of the main front wall of the dwelling
- The extension would have a width of 2.2 metres and have a pitched roof over, consistent with the existing
- The extension to the front would provide an entry foyer

Conversion into 2 Flats

- It is proposed to convert the extended dwelling house into two self-contained flats
- The proposed ground floor flat would consist of one bedroom (10.5m²), a combined living room and kitchen (18.5m²) and would have a total habitable floor space of 29.0m²
- The proposed first floor flat would consist of two bedrooms (12.6m² & 8.0m²), a living room (17.4m²) and a kitchen (8.5m²). The total habitable floor space of the flat would be 46.5m²
- The access to these flats would be from a communal entrance, which would lead to two separate entrances
- Separate garden areas of 62.0m² and 76m² are proposed for Flat 1 and 2, respectively
- A refuse and recycling area for 5 bins would be located within the dwelling. Access to the refuse storage area would be via double doors on the front elevation of the dwelling
- One off-street car-parking space would be provided in front of the dwelling. The space would have a minimum width of 3.3 metres

The front garden layout would include an area of soft landscaping

d) Relevant History

P/1276/05/DFU	Single and two storey side and rear extension; single storey front extension (revised)	GRANTED 09-AUG-05
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e) Pre Application Discussion

None

f) Applicant Statement

See Design and Access Statement

g) Consultations:

Traffic and Parking Engineer: No objections

Access Officer: No Response

Notifications:

Sent:
7

Replies:
2

Expiry: 03-MAR-08

Summary of Response:

Overdevelopment; character; density; loss of light

APPRAISAL

1) Character and Appearance of the Area, and Amenity

The proposed extensions to the dwelling are fundamentally the same as approved under P/1276/05/DFU on 09/08/2005.

The proposed single storey front extension would not protrude beyond the alignment of the existing main front wall and would be consistent with the style and design of the dwelling. The proposed two-storey side extension would be set back from the main front wall at first floor level by 1.0 metre and have a

subordinate pitched roof. The proposed extensions would be in accordance with the guidance set out in the Council's SPG for such developments. It is considered that the proposed extensions would not appear unduly bulky in the streetscene or against the original dwelling house.

The proposed rear extension would have a depth of 2.4 metres, which complies with the requirements of the SPG. The height of the proposed single storey element of the proposal, which would be abutting the shared boundary with No. 295, would be 3.0 metres at the mid-point of the pitched roof. The proposal would therefore comply with the requirements of the SPG in this regard. There are no protected windows in the flank elevation of the adjacent dwelling facing the subject site. The proposed two-storey side and rear extension would comply with the horizontal 45-degree rule when measured from the rear corner of the neighbouring dwelling at No. 299. In relation to the neighbouring property at No. 295, the eaves of the proposal would interrupt the 45 degree line by 0.1 metres. The proposed extension was approved previously under application number P/1276/05/DFU, the extensions have the same dimensions as those which were approved. As such it would be unreasonable to refuse the extension on this basis. Overall it is considered that the proposal would not result in unreasonable loss of light or outlook for the adjacent dwellings.

Based on the above reasons, the proposed extensions would not materially harm the character and appearance of the dwelling house or the locality and would not be harmful to the amenities of adjacent neighbouring occupiers.

2) Conversion of Buildings to Flats

The key aspects of the proposal are discussed below, having regard to relevant UDP and London Plan polices and other material considerations.

Circulation and Layout

It is considered that the proposed units would be acceptable in terms of vertical stacking. Also the proposed size of the ground and first floor flats would conform to those stipulated in the space standards of the Council's informal guidance on conversion of buildings into flats. Within each flat all bedrooms, living areas and bathrooms would be accessible from a common access lobby and not from other rooms. Access to the entrance of the dwelling would be from a pathway adjacent to the proposed car-parking space. It is considered that the overall circulations and layout of the proposal would provide satisfactory living arrangements to both flats.

Access to Amenity Space

The application proposes access to the private amenity space at the rear for both the ground floor and first floor flats, with direct access from the ground floor flat and the kitchen for the first floor flat, which would be located on the ground floor. The gardens for the proposed flats would be 62.0m² for the ground floor flat and 76.0m² for the first floor flat. The quantity of amenity space provided for both flats is considered satisfactory.

Landscape Treatment/ Refuse and Recycling Storage

Paragraph 4.21 of policy D4, recognises the contribution front gardens can make to the character of an area or locality. The LPA will seek their retention, reinstatement and enhancement in proposals as stipulated in policy D9. This is to ensure that the greenery of the front gardens is enhanced to improve the appearance of the development and the street scene. The proposed layout of the front garden would include one off-street parking space, a pathway to the dwelling entrance and an area of soft landscaping. It is considered that the proposed landscaping would be sufficient to enhance the appearance of the property and the streetscene and would therefore meet the objectives of policies D4 and D9. Conditions have been included requiring details of the landscaping to be approved by the Council prior to the commencement of the development and requiring implementation of the approved landscaping following occupation of the development.

Policy D4 also refers to the storage of refuse and waste and states that this should not be to the detriment of the visual and residential amenities or detrimental to the character of the area. The refuse and recycling bin area for the flats would be located in the dwelling (behind double doors, similar in style to garage doors), and would therefore be screened from the view of the general public. The size of the bin storage area would be adequate for the storage of 5 bins as required by the Council's Waste Management Policy. The proposed storage of refuse is therefore considered satisfactory.

Impact on Neighbouring Amenity

It is acknowledged that the conversion would increase residential activity on the site, 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, in principle it is considered acceptable.

3) Accessible Homes

The Councils adopted supplementary planning document (SPD) on 'Accessible Homes' seeks to ensure that new homes can be adapted to meet Lifetime Home standards. It is recognised that in the conversion of an existing building to flats that it is unlikely for a building to be fully Lifetime Homes compliant, but it is considered that this proposal should strive to meet as many of the Lifetime Homes standards as possible. It is considered that the proposed ground floor flat would meet or be adaptable to meet the following points of the Lifetime Homes criteria stated on pages 8-9 of the Council's SPD: 1, 2, 3, 4, 6, 7, 8, 9, 11, 13, 14 and 16.

It is considered that the proposed parking area forward of the dwelling would be capable of being adapted to provide a car parking space in accordance with the Lifetime home standards, as the area has adequate depth and width. The proposal would have a ramped threshold to the communal entrance and the internal layout for the proposed ground floor flat including the width of doors and circulation areas and the dimensions of the bathroom would meet the standards of the SPD in relation to Lifetime Homes. The proposal would therefore be acceptable in relation to the SPD.

4) Parking Standards

297 Eastcote Lane is on the 114 Bus Route between Mill Hill Broadway and Ruislip Station. No. 297 is also within 250 metres of the H9 and H10 bus routes (to Harrow Bus Station/Harrow-on-the-Hill Underground Station), and 500 metres to the 282 bus route between Ealing Hospital and Mount Vernon Hospital. Furthermore, it is considered that some on-street car parking is available in the vicinity of the site. According to Schedule 5 of the Harrow UDP, the maximum car parking standard for the proposal would be 2.6 spaces. The applicant has shown one parking space in the forecourt. Council's Traffic and Parking Engineer has not raised any objection to the proposal and it is therefore unlikely that this would result in any unreasonable impacts to the traffic and parking situation in the area.

5) S17 Crime & Disorder Act

The proposal is not expected to have any impact in relation to this legislation.

6) Consultation Responses:

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

- Material planning concerns addressed in the report 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.

Item: 2/06
7 ATHENA CLOSE, HARROW ON THE HILL, HA2 0JB **P/0999/08/CFU/NR**

Ward HARROW ON THE HILL

INSTALLATION OF REPLACEMENT WINDOWS AND NEW FRENCH DOOR ON REAR ELEVATION OF GROUND FLOOR FLAT

Applicant: G Murphy and O Hynes

Statutory Expiry Date: 06-MAY-08

RECOMMENDATION

Plan Nos: 01; Site Photograph; Design and Access Statement

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 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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development – Amenity Space and Privacy

D10 Trees and New Development

D15 Extensions and Alterations in Conservation Areas

Supplementary Planning Guidance 'Extensions: A Householder Guide (2003)

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.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23
7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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 (London Plan & 2004 UDP)

- 1) Character and Appearance of the Conservation Area (D4, D5, D15, SPG)
- 2) Residential Amenity (D5, SPG)
- 3) Trees and New Development (D10)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application is reported to the Committee because the applicant is a Council employee.

a) Summary

Statutory Return Type: Householder
Conservation Area: Roxeth Hill
Council Interest: None

b) Site Description

- Ground floor flat located in a purpose built block of four flats on the west side of Byron Hill Road, with a further identical block located to the south, together forming Athena Close
- The neighbouring property at No.21 Byron Hill Road is a residential dwellinghouse
- The property is located within Roxeth Hill Conservation Area
- The property currently has two steel framed single glazed windows to the rear elevation
- The windows on the front elevation have been replaced and consist of double glazed white aluminium frames

c) Proposal Details

- Replacement double glazed white aluminium framed windows to rear elevation, to match those on the front elevation
- The living room window will be replaced with a set of French doors leading to the rear amenity space

d) Relevant History

HAR/13533	Erect 8 flats and garages and access road	GRANT 15-APR58
WEST/24/99/FUL	Installation of replacement windows on front elevation	GRANT 19-MAR-99

e) Pre Application Discussion

None

f) Applicant Statement

- Design and Access Statement

g) Consultations:

Conservation Area Advisory Committee: No objection

Advertisement: | Character of Conservation Area | Expiry: 17-APR-08

Notifications:

Sent: 4 Replies: 0 Expiry: 17-APR-08

Summary of Response:

N/A

APPRAISAL

1) Character and Appearance of the Conservation Area

Roxeth Hill Conservation Area is characterised by a mixture of development types, in terms of age and scale. Athena Close dates from the late 1950's and is not considered to make a positive architectural contribution to character and appearance of the area. The application property is situated in a block that is set back from the highway by approximately 20 metres and is well screened by vegetation. The proposal is to replace the existing original single glazed steel framed windows in the rear elevation with white aluminium framed windows, including the formation of French doors for access to the rear garden. The proposed windows would match those on the front elevation.

Given the style of the building and that the proposed replacement windows would match those on the front elevation, it is not considered that the proposed replacement windows would be objectionable. It is considered that aluminium frame windows would be appropriate replacements, given the character of the building and the style of the existing windows.

It is therefore considered that the proposal would preserve the character and appearance of the building itself and this part of the Conservation Area and would not set a precedent for the use of non traditional windows on other buildings that are more visible in the street scene and/or make a positive contribution to the character of the area.

2) Residential Amenity

Given that the proposal is for replacement windows and that they would be located on the rear elevation of the property, it is not considered that any additional amenity impact would occur as a result of the proposal. The proposed French doors are not considered to result in additional overlooking and the proposal is therefore considered acceptable in this regard.

3) Trees and New Development

As the proposal relates to replacement windows and no building works are proposed, it is not considered that the proposed works would affect any trees on site. There have been no objections on tree grounds and the proposal is therefore considered to be acceptable in this regard.

4) S17 Crime & Disorder Act

It is not deemed that this application would have any detrimental impact upon community safety and is therefore acceptable in this regard.

5) Consultation Responses:

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

- 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.

502 UXBRIDGE ROAD, HATCH END HA5 4SL **Item: 2/07**
P/0092/08/DFU/ST

Ward HATCH END

SINGLE AND TWO-STOREY SIDE EXTENSIONS; SINGLE AND TWO-STOREY REAR EXTENSION; AND VEHICULAR ACCESS

Applicant: Ferdeco Inv Ltd
Agent: Saxton Design
Statutory Expiry Date: 30-MAY-08

RECOMMENDATION

Plan Nos: 2878.01 and Front Garden Detail both received 2 April 2008; 2878.02 Revision C received 4 April 2008; 2787.03 Revision D received 21 April 2008.

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.

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 eastern-most 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.

4 The window(s) in the ground and first floor eastern elevation 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.

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

6 The existing access shall be closed when the new access hereby permitted is / are brought into use, and the highway shall be reinstated in accordance with details to be submitted to, and approved by, the local planning authority. The development shall not be used or occupied until the reinstatement works have been completed in accordance with the approved details. The works shall thereafter be retained.

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway.

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:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

T13 Parking Standards

Supplementary Planning Guidance: Extensions: A Householders' Guide

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area (D4, D5, D9 and T13), Supplementary Planning Guidance – Extensions: A Householders Guide (2003)
- 2) Residential Amenity (D5), Supplementary Planning Guidance – Extensions: A Householders Guide (2003)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application has been called to the Committee for determination by a Nominated Member.

a) Summary

Statutory Return Type: Householder Development

Council Interest: None

b) Site Description

- Detached dwelling on the eastern corner of Towers Road and Uxbridge Road with a detached garage on the eastern side of the dwelling
- To the east is No. 504 Uxbridge Road, a two-storey detached building with a veterinary clinic on the ground floor with a residence on the first floor
- To the north is No. 2a Towers Road, a detached dwelling
- Across Towers Road is a detached two-storey dwelling
- The site is in an Archaeological Priority Area
- The site sits outside the flood zone

c) Proposal Details

- Single and two-storey side extension with a hipped roof;
 - The single storey side extension would have a width of 3.7m and a depth of 9.2m, matching both the front and rear building lines and set in 1.1m from the boundary with No. 504 Uxbridge Road;
 - The first floor side extension would have a width of 3.7m and a depth of 8.2m. This would be set in 1m behind the main front building line, match the rear building line and would be set in 1.1m from the boundary with No. 504 Uxbridge Road;
- Single and two-storey rear extension with a hipped roof;
 - The single storey rear extension would have a depth of 4.25m and width of 4.6m;
 - The first floor rear extension would have a depth of 3.25m and width of 4m.

Revisions to Current Application:

- Deletion of the western single storey extension;
- Set the first floor of the side extension 1m behind the main front building line;
- Simplified the front elevation by deleting the awnings;

Item 2/06: P/0999/08/CFU continued

- Reduced the number of parking spaces by two and increased soft landscaping in the front garden;
- Set in the first floor rear extension flank wall by 0.5m from the ground floor side building line;
- Correction of inconsistencies in the plans;
- Provision of site specific flood zone mapping.

d) Relevant History

None

e) Pre Application Discussion

None

f) Applicant Statement

- None

g) Consultations:

Traffic and Parking – no objections

English Heritage – no objections

Drainage – no objections

Notifications:

Sent:
5

Replies:
2

Expiry: 14-Mar-08

Summary of Response:

Over-intensive use of the site that would require a change of use; new vehicular access off Towers Road could be hazardous as this road is very narrow and congested with cars; large and overbearing; negative impact on No. 500 Uxbridge Road; would prefer the application determined by the Committee.

APPRAISAL

1) Character and Appearance of the Area

Due to the site's visually prominent corner location, the two-storey rear extension would be visible from Towers Road and Uxbridge Road. It would read as a subordinate extension to the original dwelling, as the first floor flank wall would be set in 0.5m from the main flank wall in compliance with 4.B.16 of the SPG, the proposed width would not visually dominate the rear elevation, and the roof is stepped down from the main ridge height. The existing side setback to Towers Road would be retained, and there would be 23m distance between the rear building line and the boundary with No. 2a Towers Road, maintaining a sense of openness around the building.

The two-storey side extension would have a subordinate hipped roof, and the first floor would be set back 1m behind the front building line. The design and form of the two-storey side extension would be in accordance with paragraphs 4.B.9 and 4.B.10 of the SPG, and in keeping with the existing dwelling.

The front garden is currently predominantly hard paved, and the proposed

plans would provide additional soft landscaping and screening of the dwelling from Uxbridge Road. The proposal retains existing trees along the front setback, which are not protected specimens. This additional landscaping of the front garden is supported, to soften the appearance of the building as seen from the public way.

The proposed front elevation door and window opening locations and proportions would be in keeping with the existing dwelling, and the street-scene. It is recommended that a standard condition be imposed requiring the materials and finishes to match the existing dwelling.

The dwelling is located in a row of properties characterised by large, detached dwellings. The proposed extensions comply with the SPG, and would not visually dominate the existing dwelling or the street scene. The proposal would be in keeping with the character and appearance of the area.

2) Residential Amenity

The proposed two-storey side extension would comply with the horizontal 45-degree splay applied from No. 500 Uxbridge Road. This neighbouring building has ground and first floor openings in the flank wall facing the application property. The ground floor openings relate to the veterinary use of the premises and therefore would not constitute protected openings. The proposal would not interrupt the 45-degree splay applied to the first floor openings, and would comply with paragraphs 3.12 and 3.14 of the SPG. The two-storey side extension would maintain reasonable light and outlook for occupiers of No. 504 Uxbridge Road.

There are two windows proposed on the flank wall located within 3m of the side boundary. These windows would service a stairwell and a hallway, which are not habitable rooms. Given the size, location and use of the rooms, these windows would not adversely impact on the amenities of No. 504, subject to imposition of a condition requiring obscure glazing. A standard condition is also recommended restricting further eastern flank wall openings.

The proposal incorporates removal of an existing vehicular crossover off Uxbridge Road, and formation of a new crossover off Towers Road. This would be supported, as Uxbridge Road is a London Distributor Road and as such experiences high traffic volumes. The crossover would be approximately 10m away from Uxbridge Road, and the location would not conflict with the existing street tree, the existing letter box, or any other vehicular crossovers. The application is supported by the Council's Highways Engineer, and it would not adversely impact on the safety or flow of traffic on Towers Road or Uxbridge Road. The proposed crossover would not detrimentally affect on-street parking, as Towers Road has ample on-street parking available.

The proposal would provide two on-site parking spaces, complying with Schedule 5 of the Harrow Unitary Development Plan.

3) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an

increase in perceived or actual threat of crime.

4) Consultation Responses:

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

- **Over-intensive use of the site that would require a change of use - Response:** The proposal retains the current single residential dwelling use of the site, and its proposed size is not atypical for dwellings in this area. Should a change of use be sought, it would be subject to a separate planning application and would be considered on its merits.
- **New vehicular access off Towers Road could be hazardous as this road is very narrow and congested with cars - Response:** Discussed in the above report.
- **Large and overbearing - Response:** Discussed in the above report.
- **Negative impact on No. 500 Uxbridge Road - Response:** As detailed in the report above, the proposal would comply with the SPG and as such would not be considered to adversely impact on the amenities of occupiers of No. 500 with regard to loss of privacy, light and outlook.
- **Would prefer the application determined by the Committee. - Response:** The application has been called in by a Nominated Member.

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.

**124A HARROW VIEW, HARROW
HA1 4TJ**

**Item: 2/08
P/0933/08/DFU/TM**

Ward HEADSTONE SOUTH

GARAGE AT REAR

Applicant: Peter Barron
Statutory Expiry Date: 12-MAY-08

RECOMMENDATION

Plan Nos: DRG Reference 2396668, DRG No. 1 rev B and DRG PDB01 received on 28 February 2008, DRG DSB1 and Site Plan received 17 March 2008

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

T13 Parking Standards

Supplementary Planning Guidance: Extensions: A Householders' Guide

2 INFORMATIVE:

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

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

Procedures under this Act are quite separate from the need for planning permission

or building regulations approval.

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Communities and Local Government Publications, PO Box 236, Wetherby, LS23
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Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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 (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area (D4, D5)
- 2) Residential Amenity (D5)
- 3) Traffic and Parking (T13)
- 4) S17 Crime & Disorder Act (D4)
- 5) Consultation Responses

INFORMATION

This application has been reported to the Committee because the applicant is a Council Employee

a) Summary

Statutory Return Type: Householder Development

Council Interest: None

b) Site Description

- The property is located on the north western corner of Harrow View and Longley Road
- It comprises a two storey building which accommodates two self contain residential flats
- There is a single garage located at the rear of the site (attached to the neighbour's garage) which is accessed from Longley Road
- The rear garden is approximately 23 metres deep with 1.8 metre close boarded fencing to side boundaries

c) Proposal Details

- Demolition of existing single garage
- Re-construction of a new flat roofed single garage that is 4.95 metres deep, 2.65 metres to 4.5 metres wide, and 2.3 metres in height
- One window is proposed to the eastern flank wall facing the premises

d) Relevant History

None

e) Pre Application Discussion

None

f) Applicant Statement

Reconstruction of garage to rectify damage caused as a result of subsidence

g) Consultations:

Notifications:

Sent:

4

Replies:

0

Expiry: 17-APR-08

Summary of Response:

N/A

APPRAISAL

1) Character and Appearance of the Area

Paragraph E.1 of the Harrow Council Supplementary Planning Guide: Extensions: A Householders Guide (2003) states "a garage attached to the house or in a prominent location close to the house should be treated the same way as other extensions. It should reflect or harmonise with the design of the existing house and be built in matching materials".

The proposed garage would be sited 15 metres away from the existing property (converted into two flats) on the site, but would be sited in a prominent location. The materials of the proposed garage would match the existing garage and building located on the site. The dimensions, footprint and siting of the garage proposed are similar to the existing garage and would not project any further forward than the existing garage.

As such it is considered that the proposed development would preserve the character and appearance of the site, the existing streetscene, and the surrounding area, and would comply with Policies D4 and D5 of the Harrow Unitary Development Plan 2004 and the Harrow Council Supplementary Planning Guide: Extensions: A Householders Guide (2003).

2) Residential Amenity

One window is provided to the eastern wall of the garage. This window would directly overlook the rear garden of the subject premises only. Therefore no undue loss of privacy is anticipated. The dimensions of the proposed garage would replicate that of the existing garage; therefore it is unlikely to have a detrimental impact on the visual amenities of the locality. The proposal would comply with Policy D5 of the Harrow Unitary Development Plan 2004 and Harrow Council Supplementary Planning Guide: Extensions: A Householders Guide (2003).

3) Traffic and Parking

The proposal would not result in the loss of off-street parking as it is for a replacement garage, and it would not require any alteration to the existing vehicle access. The proposal would have no impact in terms of traffic or

Item 2/08: P/0933/08/DFU continued

parking and would therefore comply with Policy T13 of the Harrow Unitary Development Plan 2004.

4) S17 Crime & Disorder Act

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

5) Consultation Responses:

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

- 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.

**31 HARROW FIELDS GARDENS
HARROW ON THE HILL, HA1 3SN**

**Item: 2/09
P/4251/07/CFU/DG**

Ward HARROW ON THE HILL

SINGLE STOREY SIDE TO REAR EXTENSIONS; EXCAVATED REAR PATIO;
CONVERSION OF GARAGE INTO HABITABLE ROOM; EXTERNAL
ALTERATIONS

Applicant: Mr A Patel
Agent: J G Prideaux
Statutory Expiry Date: 18-MAR-08

RECOMMENDATION

Plan Nos: H1, H2, H3, H4, H5, H6, H7, & Tree Protection Plan (received 17/12/2007), H8A (received 28/02/2008), H9 & H10 (received 22/01/2008), Design & Access Statement 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 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 wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of the amenity of neighbouring residents.

4 Prior to the commencement of any demolition or building works the staked Heras Tree Protection Fencing must be erected and located wholly within the boundaries of the property, and retained for the duration of the building works.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received

Item 2/09: P/4251/07/CFU continued

in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D10 Trees and New Development

D14 Conservation Areas

D15 Extensions and Alterations in Conservation Areas

T13 Parking Standards

Supplementary Planning Guidance: Extensions: A Householders' Guide

Sudbury Hill Conservation Area Policies 1, 3, 4, 9 and 10

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 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 (London Plan & 2004 UDP)

- 1) Character and Appearance of the Conservation Area (D4, D5, D14, D15 SPG)
- 2) Impact on Trees (D10)
- 3) Residential Amenity (D5, SPG)
- 4) Loss of Garage/Parking Facility (T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application is being reported to the Development Management Committee due to the submission of a petition containing six signatures objecting to the proposal.

a) Summary

Statutory Return Type: Householder Development

Conservation Area: Sudbury Hill

Council Interest: None

b) Site Description

- Two storey semi-detached dwelling, located on the northern side of Harrow Fields Gardens and backs onto Sudbury Hill with a rear garden area of between 6.4 metres and 10 metres in length
- The subject site has a steep slope from the rear to the front of the property; there is a retaining wall in the rear garden that is located between 1.9 and 2.6 metres from the main rear of the dwelling and is flush with the rear wall of the garage
- It is approximately 1.2 metres in height and steps in the retaining wall provide access to the rear garden

Item 2/09: P/4251/07/CFU continued

- The property has existing on-site car parking and car parking has been designated on Harrow Fields Gardens along the front of the site
- The subject site is located within the Sudbury Hill Conservation Area and was constructed in 1979-1980 is part of a modern housing development
- Three protected trees are located in close proximity to the dwelling (one in the front and two in the rear garden area)
- Adjoining property No. 32 is located to the east of the subject site and has not been extended; it is set forward approximately 3.0 metres in the streetscene
- Neighbouring property No. 30 is located to the west of the subject site and is located approximately 24 metres from the subject site

c) Proposal Details

Single storey rear extensions

- It is proposed to construct two single storey rear extensions: one to the rear of the garage (on the west of the property) and another in-fill rear extension on the east of the property (adjacent to No. 32).
- The east rear extension would project 3.1 metres from the existing rear wall along the boundary shared with No. 32, it would be set 200mm behind the existing main rear wall.
- It would project approximately 2.5 metres from the rear wall of No. 32.
- It would extend for a width of 3.1 metres to link with the original part of the dwelling.
- A pitch and hip roof is proposed to the extension with a height of approximately 2.75 metres at the eaves and 3.6 metres in height at the top of the pitch (mid-point height of 3.1 metres).
- A large glazed window is proposed that would cover almost the entire rear elevation in terms of width and height.
- The west rear extension would extend the flank wall to the rear of the garage for an additional depth of 1.3 metres. The extension would be a width of 6.0 metres and a projection from the main rear wall of 4.0 metres.
- The garage door would be set back from the front by 1.25 metres, with the existing gabled roof over the garage to be retained.
- Two gabled roofs are proposed to the extensions with a height of approximately 2.7 metres at the eaves and 3.4 metres in height at the top of the pitch (mid-point height of 3.1 metres).
- Two double doors are proposed to the rear elevation

Conversion of garage to habitable room

- The garage door had been retained to the front but would be set back 1.2 metres from the front of the garage
- It is proposed to also retain the flank walls of the component of the garage set back to allow sufficient space for car parking in the forecourt however, this area will not be enclosed
- Two windows are proposed to the flank elevation looking towards No. 30 Harrow Fields Gardens

External alterations / rear excavated patio

- It is proposed to excavate part of the rear garden and relocate the existing

retaining wall

- It will be extended 1.35 metres to accommodate the proposed rear extension and an additional depth of 1.1 metres to the rear behind the garage for a total additional depth of 2.45 metres; it would be extended for a width of 7.1 metres with a total excavated area of approximately 22.05m²
- The height of the retaining wall would be approximately 1.5 metres.

Revisions to Previous Application:

Following the previous decision (P/2244/07/DFU) the following amendments have been made:

- The application now proposes a hipped rather than gable end roof.
- The overall roof height of the rear extension has been reduced by 700mm.
- The application is now submitted accompanied by a Tree Protection Plan to overcome the reason for refusal number 1.

d) Relevant History

P/2244/07/DFU	Single storey rear extensions; excavated rear patio; conversion of garage into habitable room; external alterations	REFUSE 01-OCT-08
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Reasons for Refusal

1 The applicant has failed to demonstrate that the proposed extension including excavated patio area would have no material impact on the long term survival of trees of amenity value on the adjoining site and within the site. In the absence of such information, the proposal would result in a potential loss of trees to the detriment of visual amenity and character of the area contrary to policies SD1, SD2, D4, D10, and EP29 of the Harrow Unitary Development Plan (2004) and policy 8 of the Sudbury Hill Conservation Area Policy Statement (1994).

2 The proposed extension by reason of its design would be harmful to the appearance of the property and would fail to preserve or enhance the Conservation Area contrary to policies SD1, SD2, D4, , D10, D14, D15 of the Harrow Unitary Development Plan (2004) and the Sudbury Hill Conservation Area Policy Statement (1994).

e) Pre Application Discussion

None

f) Applicant Statement

- Refer to Design & Access Statement

g) Consultations:

Harrow Conservation Area Advisory Committee – Proposals are out of proportion, and poorly designed, constitute overdevelopment, and are too close to rear boundary line. The design is of poor quality and would intrude into the open space of the Sudbury Hill corridor. We would also resist the loss of garage here.

Harrow Hill Trust – No comments received

CAAC – Proposals are out of proportion, and poorly designed, constitute overdevelopment, and are too close to rear boundary line. The design is of

poor quality and would intrude into the open space of the Sudbury Hill corridor. We would also resist the loss of garage here.

Advertisement:	Character of Conservation Area	Expiry: 20-FEB-08
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Notifications:

Sent:	Replies:	Expiry: 2-FEB-08
2	1 + 2 Petitions 1 petition containing 6 signatories objecting to the proposal and 1 petition contain 6 signatories in support of the proposal.	

Summary of Response:

The drawings lack clarity and sufficient information and it is questionable as to whether Council should have validated the application; the tree protection plan is inadequate. The positioning of the retaining wall will have a material effect upon the existing lime tree to the rear of the property. The protective fencing shown on the Tree Protection Plan is unacceptably located outside the boundary of the site; the elevation drawing numbered H6 is misleading and does not indicate that the garage door is being relocated backwards. This will create a deep archway to the front elevation which is completely out of character with the area; the design of the extension is unsatisfactory and would be harmful to the general appearance of the estate; the loss of garage will increase demand for on street parking.

APPRAISAL

1) Character and Appearance of the Conservation Area

Council's Conservation Officer believes that the existing modern dwelling house contains little architectural merit. The previous bulk of the proposed end gable has been reduced in the current application. To this end it is considered the proposed revised pitch and hip roof has overcome the previous reasons for refusal.

The proposed dimensions of the extensions would comply with the SPG in respect of single storey rear extensions to semi-detached dwellings. The extension would project 4.0 metres from the main rear wall of the dwelling house and satisfy the requirements of the "two for one" rule (SPG, paragraph C.5. Page 9) when viewed from neighbouring property no.32. The height of the extension would be 2.7 metres at the boundary line.

The external alterations proposed to the front of the dwelling house are considered minor and would not result in any material harm to the character or appearance of the conservation area. This design would also ensure that the overall shape and bulk of the dwelling house from the street remains the same whilst also accommodating extra space for the parking of cars nullifying the loss of garage space.

It is therefore considered that the proposal would preserve the character and appearance of the conservation area.

2) Impact on Trees

It is considered that the proposal would not cause any material harm to the existing significant trees on and adjacent to the site. Council's tree protection officer considers that the proposed tree protection strategy would be adequate in ensuring the safeguard of the trees during the construction process. A condition would be imposed stating that the Tree Protection Fencing should be Staked Heras fencing and erected prior to the commencement of any demolition/building works and located wholly within the boundaries of the site.

3) Residential Amenity

It is considered that the windows proposed to the western flank wall facing No. 30 Harrow Fields Gardens would not impact on the amenity of occupiers of the adjacent property due to the distance between the properties (approximately 24 metres).

It is considered the size and bulk of the eastern extension would not impact on the amenity of the occupiers of adjoining property No. 32. The rear projection complies with SPG for semi-detached dwellings, as it does not exceed 3.0 metres from the rear wall of the neighbouring property. Furthermore, the extension does not project beyond the depth of the existing main rear wall (maximum of approximately 2.5 metres). The proposed height exceeds the maximum recommended in the SPG (3.0 metres) however, it is considered that the additional height would not have an overbearing appearance to the detriment of visual amenity of nearby occupiers.

4) Loss of Garage/Parking Facility

The proposal would result in the loss of a purpose built parking facility (garage). In its place the scheme proposes to reduce the internal size of the garage without changing the existing roof design. This would allow extra space within the drive to allow for the parking of two cars on site, which is considered adequate.

4) S17 Crime & Disorder Act

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

5) Consultation Responses:

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

- All issues have been addressed 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.

**23 NIBTHWAITE ROAD, HARROW
HA1 1TB**

**Item: 2/10
P/0076/08/DFU/ST**

Ward MARLBOROUGH

CONVERSION OF DWELLINGHOUSE TO TWO FLATS; SINGLE STOREY SIDE TO REAR EXTENSION; ROOF ALTERATIONS TO FORM GABLE END AND REAR DORMER (RESIDENT PERMIT RESTRICTED)

Applicant: Mr M Shah
Statutory Expiry Date: 27-FEB-08

RECOMMENDATION

Plan Nos: ARK0 1G; ARK0 2E; and ARK0 4F all received 18 March 2008; WPA01 and WPA02 both received 8 April 2008; Location Plan and Access and Design Statement both received 2 January 2008

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.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

4 Notwithstanding the approved drawings; the development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the front garden of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

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

Item 2/10: P/0076/08/DFU continued

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

6 The window(s) in the flank wall(s) of the proposed development shall:

(a) be of purpose-made obscure glass,

(b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

7 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.

8 The use hereby permitted shall not be commenced until all the works detailed in the application including division of the rear garden into separate amenity areas and provision of the refuse storage areas, 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.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3A.1 Increasing London's supply of housing

3A.2 Borough housing targets

3A.5 Housing choice

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

EP25 Noise

T13 Parking Standards

SPG Extensions: A Householders Guide (2003)

Accessible Homes Supplementary Planning Document (2006)

National Guidance

PPS 1: Sustainable Development (2005)

PPS 3: Housing (2006)

PPS10: Waste Management (2005)

2 INFORMATIVE:

The applicant's attention is drawn to the requirements in the attached Considerate

Item 2/10: P/0076/08/DFU continued

Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 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.

5 INFORMATIVE:

Dimensioned measurements shown on the plans override scaled measurements.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area (3A.1, 3A.2, 3A.5) (D4, D5) SPG Extensions: A Householder Guide)
- 2) Residential Amenity (D5, D9, T13, EP25) (SPG Extensions: A Householder Guide (2003), Accessible Homes SPD (2006)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

The application is reported to the Development Management Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type:	Minor Dwellings
Lifetime Homes	1
Council Interest:	None

b) Site Description

- Two-storey semi-detached dwelling on the northern side of Nibthwaite

Item 2/10: P/0076/08/DFU continued

Road on a rectangular block

- The dwelling has not been extended
- The neighbouring adjoining dwelling (No.21) has a 4.2m deep rear extension built as permitted development
- No. 25 has a single storey side extension

c) Proposal Details

- Single storey side extension to be 1.8m wide, and 2.8m high with a flat roof
- Single storey rear extension to be 4.28m deep and 8.2m wide, built to the boundary with No. 21 and set in 1.1m from the boundary with No. 25
- Hip to gable end and rear dormer
- Conversion of internal space into 1x2 bed ground floor flat (providing for four people with a total habitable space of 74sqm) and 1x 3-bed maisonette (providing for four people with a total habitable space of 64sqm)

Revisions to Current Application:

- Deletion of second door on the front elevation
- Internal changes so that the integrated bin storage area became part of the floorspace of the ground floor flat
- Provision of bin storage for both flats in their private amenity space at the rear
- Ramped access to the front door and from the ground floor flat into the rear garden
- Consistency between plans with regard to the height, width and form of the building.

Revisions to Previous Application:

Following the previous decision (P/2955/07DFU) the following amendments have been made:

- Reduces the ground floor flat from 3-bed to 2-bed
- Modification of the rear dormer location within the roof plane including its set in from the roof edge, party wall and roof eave
- Reconfiguration of ground floor flank wall windows so that none service habitable rooms
- Removal of bin storage from the front garden
- Compliance with Lifetime Home standards, irrespective of non-provision of disabled parking.

d) Relevant History

P/2955/07/DFU	Conversion of dwelling house to two residential units; single storey side to rear extension; roof alterations to form gable end and rear dormer	REFUSE 5-NOV-07
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Reasons for Refusal:

1 The proposed conversion by reason of failure to comply with Lifetime Homes Standards, inadequate room sizes and over intensive use of the property, would give rise to an unreasonable increase in residential activity and

would provide substandard accommodation, to the detriment of the amenities of future occupiers of the site, neighbouring occupiers and the character of the area, contrary to the provisions of Policies SD1, D4, D5, H9 and EP25 of the Harrow Unitary Development Plan (2004).

2 The proposed habitable room window serving Bedroom 2 on the flank elevation would result in poor outlook for the future occupier of the ground floor flat, would give rise to a loss of privacy and prejudice the future development of the neighbouring property to the detriment of future occupiers of the site and neighbouring occupiers contrary to the provisions of policies SD1, D4, D5 and H9 of the Harrow Unitary Development Plan (2004).

3 The proposal by reason of inadequate/unsatisfactory provision for refuse/recycling waste storage and siting of refuse bins on the forecourt, together with inadequate scope for soft landscaping of the forecourt would detract from the appearance of the property in the street scene to the detriment of the character of the area and amenities of neighbouring occupiers contrary to policies SD1, D4, D8 and D9 of the Harrow Unitary Development Plan (2004).

4 The proposed roof extension, by reason of excessive size and bulk, would be unduly obtrusive and overbearing, would detract from the appearance of this, and adjacent, properties, and be detrimental to the amenities of neighbouring properties, contrary to Policies SD1, D4, D5 of the Harrow Unitary Development Plan, and Supplementary Planning Guidance - "Extensions: A Householders Guide (2003)".

e) Pre-Application Discussion

None

f) Applicant Statement

- Design and access statement submitted.

g) Consultations:

Traffic and Parking – No objection subject to standard informative (INFORM_33) restricting resident parking permits for future residents.

Notifications:

Sent:
10

Replies:
1

Expiry: 05-FEB-08

Summary of Response:

The Council advised residents that no more flat conversions would be occurring in Nibthwaite Road; impact on on-street parking availability; cars parked on sites overhang the pavement; refuse bins are being left on the pavement; cumulative impact on sewerage system; groundwork to a property in Colton Road has damaged the pavement and requires repairs.

APPRAISAL

1) Character and Appearance of the Area

The building would retain its principal entrance via the existing front door, with a shared internal lobby which would provide separate access to each flat. This is considered acceptable, as the building would retain its appearance as a

traditional dwelling in the street-scene.

The proposal would provide for soft landscaping of at least 50 per cent of the front garden, which is supported in order to maintain the visual amenity of the site and the street scene. A standard condition is recommended requiring further details of proposed hard/soft landscaping including planting details prior to commencement of works.

The bins for refuse and recycling materials would be stored within each flat's own rear private amenity space. The bins would then be taken along the side passageway (forming part of the subject site) to the front on collection days only. This arrangement would avoid bin storage in the front garden, reducing the potential for negative impacts on the visual amenity of the street scene.

The extension of the hipped roof to a gable end would be acceptable in accordance with D4 of the SPG, and would not adversely impact on the character of the dwelling or the area.

2) Residential Amenity Neighbouring Occupiers

The depth of the single storey rear extension would match the rear building line of No. 21 Nibthwaite Road, and the flat roof height would be 2.8m in accordance with 4.C.4 and 4.C.7 of the SPG respectively.

The single storey side to rear extension would extend 3m beyond the rear building line of No. 25 Nibthwaite Road, and would be set in 1.1m from the side boundary in accordance with 4.C.2 of the SPG.

The rear dormer would be located 1.25m from the party wall, 1.44m from the roof edge and 1m above the eaves of the roof as measured along the roof slope. The rear dormer form and location within the rear roof slope would comply with D.5 of the SPG.

There would be two ground floor flank windows servicing bathrooms. As these would be non-habitable rooms, the windows would be acceptable, subject to a standard condition requiring these to be obscure glazing up to a height of 1.8m above the finished floor level.

The proposal would not adversely impact on the amenity of occupiers of neighbouring properties with regard to loss of light, outlook or privacy.

The previously refused application raised concern with regard to intensification of use of the site. Based on the bedroom sizes, this prior application would have provided accommodation for a maximum of ten people, whereas the current application reduces this to a maximum of eight occupiers due to deletion of a bedroom. This reduction in the potential number of occupiers is supported, and would be consistent with the number of residents able to be accommodated in an extended semi-detached dwelling. It is also considered that the proposed division of the rear garden into two private amenity areas would not result in an over-intensive use of the rear of the site. Modifications to

the previously refused design would also reduce potential for amenity impacts on neighbouring occupiers by deletion of flank windows to habitable rooms.

Nibthwaite Road is within a controlled parking zone, and there is an existing crossover servicing the property shared with No. 25. The proposal would continue the existing scenario, where there would be sufficient space to accommodate a vehicle in the front garden parked at an angle without overhanging the public way. Provision of one on-site parking space would be supported considering the site's location close to a variety of public transport and shopping facilities. The Council's Traffic and Parking section do not object to the proposal, subject to an informative advising future occupiers that they would not be entitled to a resident parking permit.

Flat Occupiers

The rear garden would be divided into two separate private amenity areas. The ground floor occupiers would access their rear garden (67sqm) directly from its living room, and the maisonette occupiers would access their private amenity space (81sqm) via the side passageway forming part of the site. Considering the availability of convenient access and the size of the amenity spaces in relation to the size of the proposed units, the rear gardens would be acceptable.

The suitability of the proposed flats in terms of the vertical stacking of rooms is considered satisfactory in terms of minimizing the potential for noise transmission between units.

Both flats meet the Council's minimum room sizes standards, and the total habitable floor area guidelines under this guidance. The ground floor and maisonette flats would have good internal amenity.

Where feasible, the ground floor flat should fulfil the requirements of Lifetime Homes Standards as detailed in the Accessible Homes SPD (2006). The front garden would not provide adequate space for on-site disabled parking, therefore this is not required in this instance. The internal spaces within the habitable rooms provide sufficient space for turning circles and for future expansion of the bathroom if required, and the door widths would be sufficient. Ramped access to the front door, and from the ground floor flat living room into the rear garden would be provided. It is recommended that a standard condition be imposed requiring the ground floor flat to be built to Lifetime Home standards as shown on the plan, and retained to those standards.

3) S17 Crime & Disorder Act

There are no material planning concerns regarding this application and the above Act.

4) Consultation Responses:

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

- The Council advised residents that no more flat conversions would be occurring in Nibthwaite Road: *The Council's policies do not restrict flat conversions in Nibthwaite Road.*

Item 2/10: P/0076/08/DFU continued

- Impact on on-street parking availability: Addressed under Appraisal
- Cars parked on sites overhang the pavement: Addressed under Appraisal.
- Refuse bins are being left on the pavement: Addressed under Appraisal.
- Cumulative impact on sewerage system: This is not a material planning consideration.
- Groundwork to a property in Colton Road has damaged the pavement and requires repairs: This is not related to the current planning application.

CONCLUSION

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

**2A NIBTHWAITE ROAD, HARROW
HA1 1TA**

**Item: 2/11
P/0545/08/DFU/ST**

Ward MARLBOROUGH

CONVERSION OF DWELLINGHOUSE INTO 3 FLATS; SINGLE AND TWO-
STOREY REAR EXTENSION (RESIDENT PERMIT RESTRICTED)

Applicant: Pink Tower Ltd
Statutory Expiry Date: 17-APR-08

RECOMMENDATION

Plan Nos: RnM/PA08/100, RnM/PA08/101 both received 7 February 2008;
RnM/PA08/102B, RnM/PA08/103A and Planning, Design and Access
Statement all received 11 April 2008

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.

3 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated and retained for use by the occupants of the ground floor front flat only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

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

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

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

(a) The storage and disposal of refuse/waste

(b) and vehicular access thereto

(c) details of the bin enclosure fencing

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.

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

The boundary treatment shall be completed:

a: before the building(s) is/are occupied

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

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

7 Notwithstanding the approved drawings; the development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt and rear of the site. This scheme shall also specify the location of the existing Eucalyptus tree in the south-eastern corner of the site, and outline measures for its retention and protection during and post construction. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

8 The erection of fencing for the protection of the retained tree in the rear garden 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.

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 use hereby permitted shall not be commenced until all the works detailed in the application including division of the rear garden into separate amenity areas and provision of the refuse storage area, 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.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3A.1 Increasing London's supply of housing

3A.2 Borough housing targets

3A.5 Housing choice

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

EP25 Noise

T13 Parking Standards

National Guidance:

PPS 1: Sustainable Development (2005)

PPS 3: Housing (2006)

SPG Extensions: A Householders Guide (2003)

Accessible Homes Supplementary Planning Document (2006)

Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (issued 12 March 2008)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

1. work on an existing wall shared with another property;

2. building on the boundary with a neighbouring property;

3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 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.

5 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.

6 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 (London Plan & 2004 UDP)

- 1)** Character and Appearance of the Area (3A.1, 3A.2, 3A.5) (D4, D5) (SPG Extensions: A Householder Guide
- 2)** Residential Amenity (D5, D9, T13, EP25) (SPG Extensions: A Householder Guide (2003); Accessible Homes SPD (2006)
- 3)** S17 Crime & Disorder Act (D4)
- 4)** Consultation Responses

INFORMATION

The application has been referred to the Committee for determination at the request of a Nominated Member.

a) Summary

Statutory Return Type: Minor Dwellings

Lifetime Homes: 2

Council Interest: None

b) Site Description

- Two-storey detached dwelling on the southern side of Nibthwaite Road, with a detached outbuilding in the rear garden
- Directly adjacent to the east is a private service road

Item 2/11: P/0545/08/DFU continued

- Further to the east beyond the service road, is a row of single/two-storey mixed use buildings (typically ground floor retail with upper level flats) fronting Station Road
- To the west is No. 2 Nibthwaite Road, a two-storey semi-detached dwelling that has been converted into three flats
- To the south is a part single and part two-storey industrial building set back from the site with hard stand parking directly adjacent to the site
- Nibthwaite Road is characterised by two-storey semi-detached dwellings, a number of which have been converted into flats
- Nibthwaite Road is a controlled parking zone

c) Proposal Details

- Convert existing dwelling into three flats
- Flats 1 (one-bedroom) and 2 (one-bedroom) would be accommodated on the ground floor, with Flat 3 (one-bedroom) on the first floor
- Construct a single and two-storey rear extension with a depth of 3.3m, for a width of 9.2m at the ground floor level and a width of 6.7m at the first floor level
- The rear garden would be divided into two areas. There would be a private amenity area for the ground floor rear flat and a communal garden area for the front ground floor flat and the upstairs flat
- The communal bin storage area would be located in the rear garden for collection from the service road
- One accessible parking space would be accommodated in the front garden

Revisions to Current Application:

- Deleted one first floor flat
- Reduction in height of the two-storey rear extension
- Reconfiguration of the internal layout to comply with minimum room sizes, total habitable area and Lifetime Home standards
- Indication on plan how the rear garden would be divided up
- Deletion of the side access gates off the service road and internal access provided within the site to the gardens and refuse/waste storage area
- Increase soft landscaping in the front garden

d) Relevant History

P/3652/07/DFU	Two-storey building with habitable roof space to provide six flats.	WITHDRAWN 08/01/08
P/0448/08/DFU	Demolish existing dwelling and construct two-storey residential flat building with four self-contained flats	CURRENT – ALSO ON AGENDA FOR 7 MAY 2008 COMMITTEE MEETING

e) Pre Application Discussion

None

f) Applicant Statement

- Planning, Design and Access Statement

g) Consultations:

Traffic and Parking – No objections, subject to imposition of an informative advising that future occupiers would not be entitled to a resident parking permit.

Waste Officer – No response.

Notifications:

Sent:	Replies:	Expiry: 21-MAR-08
37	0	

Summary of Response:

N/A

APPRAISAL

1) Character and Appearance of the Area

The building would retain its existing street scene appearance as viewed from Nibthwaite Road. Being a corner site, the two-storey rear extension would be visible from the service road and at an oblique angle from the public way. The Council has specific controls for two-storey rear extensions on corner sites (paragraph 4.B.16 of the SPG), requiring a 0.5m setback at the first floor level. This would not be required in this instance, because the road is a service road rather than a public thoroughfare, and the first floor element is already set in 2.4m from the side boundary. Amended plans were received decreasing the height of the ridge to the two-storey rear extension to achieve a more subordinate roof form, and to minimise the visual bulk of the additional roof area as seen from neighbouring properties.

The proposal would provide a minimum of 50 per cent soft landscaping in the front garden in accordance with the Council's policy, which would preserve the visual amenity of the building as viewed from Nibthwaite Road. It is recommended that a standard condition be imposed requiring landscaping details prior to commencement of works.

There are rows of vegetation along the southern and eastern boundaries of the site, including a Eucalyptus tree in the south-eastern corner which is not subject to a tree protection order. It would be reasonable to require retention of this Eucalyptus tree, as it could be accommodated with limited or no modification to the design of the bin storage area, and it does enhance the visual amenity of the site. As such, it is recommended that a standard condition be imposed requiring a landscape plan specifying methods for its retention during and post-construction periods.

The bins for refuse and recycling materials would be stored in the communal area of the rear garden. The Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (issued 12 March 2008) would require 1 x 1100 litre waste bin and 1 x 1280 litre blue bin for a new build three-flat development, whereas typically nine individual wheelie bins would be supplied for a flat conversion of this size.

Provision of two large communal bins as shown on plan would be supported in this instance, due to the site's location adjacent to a service road enabling convenient refuse collection, and as it avoids visual amenity impacts on the Nibthwaite Road street scene. It is not considered that the bin storage area would adversely impact on the visual amenity of the private road, which has a mixed form characteristic of the road's service use. There would be sufficient space to store bins of this size in the rear communal area, and a standard condition is recommended requiring further details of the bin storage area including its enclosure prior to commencement of work.

Subject to imposition of the conditions above, it is considered that the visual amenity of the property would be maintained and the proposal would not adversely impact on the character and appearance of the building and the street-scene.

2) Residential Amenity

Amenity – Neighbouring Occupiers

The proposed two-storey rear extension would extend a maximum depth of 0.9m beyond the main rear building line of No. 2 Nibthwaite Road. There is a distance of 4.3m between the flank building lines of Nos. 2 and 2a Nibthwaite Road. The proposal would comply with the horizontal 45-degree splay applied from No. 2 Nibthwaite Road, in accordance with paragraphs 3.12-3.14 of the SPG.

There are two protected windows located on the ground floor of No. 2 Nibthwaite Road facing the subject site. The protected windows are predominantly located opposite the existing flank wall to be retained, and the proposal would continue this building line further rewards. There is a distance of 4.3m between these windows and the flank wall of the proposed development, and the development would not interrupt a 45 degree vertical splay applied from the bottom of these windows. As such, the proposal would maintain an acceptable level of light to these openings, complying with paragraphs 3.12 to 3.14 of the SPG.

The 4m wide service road to the east of the site provides a buffer zone between the site and the Station Road properties, and the nearest first floor element of the Station Road properties is approximately 9.5m from the site's side boundary. The single storey rear elements of the Station Road sites typically relate to ground floor commercial/retail uses. The distance and nature of land use would serve to maintain the amenities of occupiers of these Station Road properties. The proposal would not detrimentally impact on the amenity of the neighbouring occupiers with regard to loss of light or outlook.

There are no openings on the eastern flank wall of the subject site, maintaining privacy to occupiers of properties fronting Station Road, in accordance with 3.4 of the SPG. The western flank wall would retain two existing openings, the ground floor main communal entrance to the building and a first floor staircase window. These are set back 3m from the side boundary which is acceptable in accordance with paragraphs 3.4, 3.5, 3.6 and 3.8 of the SPG. The proposal would not adversely impact on the amenity of neighbours with regard to loss of

privacy.

The proposal would intensify use of the site, from a single dwelling with a minimum of four habitable rooms to a three-flat development with seven habitable rooms, and it would also divide the rear garden into two amenity areas. Nibthwaite Road contains a number of dwellings that have been converted into either two, three or four flats, and there are also flats above properties fronting Station Road. As such, and particularly considering that this site is relatively large, seven habitable rooms would be in keeping with the immediate locality and other rear gardens to converted houses would be similarly divided or maintained in communal use. Seven habitable rooms would also be consistent with the number of habitable rooms able to be accommodated within an extended single dwelling.

Nibthwaite Road is within a controlled parking zone, and there is an existing crossover off Nibthwaite Road for access to a single car space. The proposal would continue this existing scenario, and there would be sufficient depth retained in the front garden to accommodate a vehicle without overhanging the public way. Provision of one on-site parking space would be supported, considering the site's location close to a variety of public transport and shopping facilities. The Council's Traffic and Parking section do not object to the proposal, subject to an informative advising future occupiers that they would not be entitled to a resident parking permit, and 'Resident Permit Restricted' included in the description of the development.

Amenity – Flat Occupiers

The rear garden would be divided into two separate amenity areas. Flat 2, being located on the rear ground floor, would have direct access into its own private amenity area of 63sqm. Flat 1 on the ground floor and Flat 3 above would have access within the site to a communal garden at the rear with a useable area of 91sqm. The areas and allocation of amenity space within the rear garden would be reasonable considering the number of flats, potential number of occupiers and their convenient access to the rear garden area.

The suitability of the proposed flats in terms of the vertical stacking of rooms is considered satisfactory in terms of minimizing the potential for noise transmission between units. The proposed flats would comply with the Council's policy with regard to minimum room sizes and total habitable areas. The internal layout provides reasonable amenity with regard to light and outlook.

Subject to the Council's Accessible Homes SPD (2006), the ground floor flats should be built to Lifetime Homes standards where feasible. The car parking space in the front garden would be compliant, as it would be at least 3.3m in width with level and ramp access provided to the main entrance. The internal layout would comply with the Accessible Homes policy, and a standard condition is recommended requiring the development to be built and retained to Lifetime Home standards in accordance with the approved plans.

3) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

4) Consultation Responses:

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

- 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.

**2A NIBTHWAITE ROAD, HARROW
HA1 1TA**

**Item: 2/12
P/0448/08/DFU/ST**

Ward MARLBOROUGH

CONSTRUCT TWO-STOREY BUILDING TO PROVIDE FOUR FLATS,
DEMOLITION OF EXISTING HOUSE (RESIDENT PERMIT RESTRICTED)

Applicant: Pink Tower Ltd
Statutory Expiry Date: 20-MAY-08

RECOMMENDATION

Plan Nos: RnM/PA07/100F, RnM/PA07/101E, RnM/PA07/102F all received 21 April 2008; Planning, Design and Access Statement, RnM/PA07/103B, RnM/PA07/104A all received 30 January 2008

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 window(s) in the eastern flank wall(s) of the proposed development shall:

- (a) be of purpose-made obscure glass,
- (b) be permanently fixed closed below a height of 1.8m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

4 The development hereby permitted shall not be occupied or used until the forecourt parking space shown on the approved plans has been made available for use. The space shall be allocated for use by the occupants of the ground floor eastern side flat (Flat 1) only and shall be used for no other purpose without the prior written permission of the Local Planning Authority.

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

Item 2/12: P/0448/08/DFU continued

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

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

(a) The storage and disposal of refuse/waste

(b) and vehicular access thereto

(c) details of the bin enclosure fencing

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

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

7 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.

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

(a) 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.

9 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 building(s) is/are occupied

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.

10 Notwithstanding the approved drawings; the development hereby permitted shall not commence until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for the forecourt and rear of the site. This scheme shall also specify the location of the existing Eucalyptus tree in the south-eastern corner of the site, and outline measures for its retention and protection during and post construction. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

11 The erection of fencing for the protection of the retained tree in the rear garden 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.

12 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.

13 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.

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

REASON: To ensure that adequate drainage facilities are provided.

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

REASON: To 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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3A.1 Increasing London's supply of housing

3A.2 Borough housing targets

Item 2/12: P/0448/08/DFU continued

3A.5 Housing choice

3A.6 Quality of new housing provision

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D5 New Residential Development - Amenity Space and Privacy

D9 Streetside Greenness and Forecourt Greenery

EP25 Noise

T13 Parking Standards

National Guidance:

PPS 1: Sustainable Development (2005)

PPS 3: Housing (2006)

SPG Extensions: A Householders Guide (2003)

Accessible Homes Supplementary Planning Document (2006)

Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (issued 12 March 2008)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 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.

5 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.

6 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 (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area (3A.1, 3A.2, 3A.5 3A.6) (D4, D5) SPG Extensions: A Householder Guide
- 2) Residential Amenity (D5, D9, T13, EP25) SPG Extensions: A Householder Guide (2003); Accessible Homes SPD (2006)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Minor Dwellings

Lifetime Homes: 4

Council Interest: The application is for construction of a residential flat building containing four self-contained flats, which exceeds the Director of Planning's delegated powers specified in the Revised Schedule of Delegated issued 19 April 2007.

b) Site Description

- Two-storey detached dwelling on the southern side of Nibthwaite Road, with a detached outbuilding in the rear garden
- Directly adjacent to the east is a private service road
- Further to the east beyond the service road, is a row of single/two-storey mixed use buildings (typically ground floor retail with upper level flats) fronting Station Road
- To the west is No. 2 Nibthwaite Road, a two-storey semi-detached dwelling that has been converted into three flats
- To the south is a part single and part two-storey industrial building set back from the site with hard stand parking directly adjacent to the site
- Nibthwaite Road is characterised by two-storey semi-detached dwellings, a

Item 2/12: P/0448/08/DFU continued

- number of which have been converted into flats
- Nibthwaite Road is a controlled parking zone

c) Proposal Details

- Demolish existing dwelling
- Construct a two-storey detached building for four self-contained flats
- The building would have a total depth of 12.8m and width of 10m. This would be set back 4.8m from the front boundary, 0.1m from the eastern boundary with the service road, 1.9m from the western boundary with No. 2 Nibthwaite Road, and 13.9m from the rear boundary
- Flats 1 (one-bedroom) and 2 (two-bedroom) would be accommodated on the ground floor, with Flats 3 (one-bedroom) and 4 (two-bedroom) on the first floor
- The rear garden would be divided into three areas, with a private amenity area each for the two ground floor flats and a communal garden area for the two first floor flats
- A communal bin storage area would be located in the rear garden for collection from the service road
- One accessible parking space would be accommodated in the front garden

Revisions to Current Application:

- Submission of Land Registry Title document to confirm right of access over the passageway at the side
- Provision of direct access from the ground floor flats into their respective private amenity spaces
- Amended plans reconfiguring the internal layout of the bathrooms
- Deletion of western flank wall windows facing No. 2 Nibthwaite Road
- Consistency in eastern flank wall openings between plan and elevation
- Deletion of openings into service road and provision of access within site
- Deletion of side access road openings

d) Relevant History

P/3652/07/DFU	Two-storey building with habitable roof space to provide six flats.	WITHDRAWN 08/01/08
P/0545/08/DFU	Conversion of existing dwellinghouse to three flats, single and two-storey rear extension	CURRENT – ALSO ON AGENDA FOR 7 MAY 2008 COMMITTEE MEETING

e) Pre Application Discussion

None

f) Applicant Statement

- Planning, Design and Access Statement

g) Consultations:

Traffic and Parking – No objections, subject to imposition of an informative

advising that future occupiers would not be entitled to a resident parking permit.

Access Officer – No response

Drainage – No objection, subject to imposition of standard conditions.

Notifications:

Sent:
27

Replies:
3

Expiry: 05-Mar-08

Summary of Response:

Loss of light to kitchen and living room; loss of light and privacy to rear private amenity space; exacerbate existing lack of on-street parking; insufficient on-site parking; likely to result in unauthorised parking in service road; this site has no right of way to use the private service road for pedestrian or vehicular access; rubbish collection should not occur from the service road; overdevelopment of the site; inconsistency with regard to windows on eastern flank wall; overlooking from eastern windows to rear of properties fronting Station Road; proposed building is higher than existing; loss of light to bedroom.

APPRAISAL

1) Character and Appearance of the Area

The proposed building would have the appearance of a detached dwellinghouse, with a centralised common entrance. The building would incorporate a crown roof, and two front bay windows similar in form to the semi-detached street scene evident in Nibthwaite Road. The proposed height of the building (8m) would match the existing maximum height, and would be lower than No. 2 Nibthwaite Road. The proposed width of the building at 10m would be similar to existing 9m width, which is less than the typical 13m width for semi-detached pairs in the street scene. The depth of the proposal would be approximately 2m deeper than the directly adjacent property at No. 2 Nibthwaite, but it would be set back 3.2m from this building. The building front setback would be consistent within the street scene, and it would retain a 14m deep rear garden. The location of the building within the site is consistent with other properties in the vicinity, and a sense of openness would be maintained around the building. Visually, the site is separate from the properties fronting Station Road due to the service road between, and their orientation at right angles to the site. It is considered that the proposed detached building would not adversely impact on the character and appearance of the street scene, as it would be similar in its location, height, overall form and spacing within a street scene characterised by semi-detached dwellings.

The proposal would provide for soft landscaping for approximately 50 per cent of the front garden, which is supported in order to maintain the visual amenity of the site and the street scene. A standard condition is recommended requiring further details of proposed hard/soft landscaping including planting details prior to commencement of works.

There are rows of vegetation along the southern and eastern boundaries of the site, including a Eucalyptus tree in the south-eastern corner which is not

subject to a tree protection order. It would be reasonable to require retention of this Eucalyptus tree, as it could be accommodated with limited or no modification to the design of the bin storage area, and it does enhance the visual amenity of the site. As such, it is recommended that a standard condition be imposed requiring a landscape plan specifying methods for its retention during and post-construction.

The bins for refuse and recycling materials would be stored in the communal area of the rear garden. In accordance with the Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (issued 12 March 2008), the proposal would require 1 x 1100 litre waste bin and 1 x 1280 litre blue bin. There would be sufficient space to store bins of this size in the rear communal area, and a standard condition is recommended requiring further details of the bin storage area including its fencing prior to commencement of work. Use of the rear garden would avoid bin storage in the front garden, reducing the potential for negative impacts on the visual amenity of the street scene.

2) Residential Amenity

The proposed two-storey building would project approximately 2m beyond the main rear building line of No. 2 Nibthwaite Road, set in 1.9m from this common boundary. The flank building line of No. 2 is then set 1.1m further away from this boundary. The proposal would comply with the horizontal 45-degree splay applied from No. 2 Nibthwaite Road, in accordance with paragraphs 3.12-3.14 of the SPG.

There are two protected windows located on the ground floor of No. 2 Nibthwaite Road facing the subject site. There is a distance of 3m between these windows and the flank wall of the proposed development, and the development would not interrupt a 45 degree vertical splay applied from the bottom of these windows. As such, the proposal would maintain an acceptable level of light to these openings, complying with paragraphs 3.12 to 3.14 of the SPG. The 4m service road to the east of the site provides a buffer zone to the Station Road properties and the nearest first floor element is approximately 9.5m distant. The single storey rear elements of the Station Road sites typically relate to ground floor commercial/retail uses. The distance and nature of land use would serve to maintain the amenities of occupiers of these Station Road properties. The proposal would not detrimentally impact on the amenity of the neighbouring occupiers with regard to loss of light or outlook.

There are no openings on the proposed western flank wall of the building. There would be two highlight windows on the eastern flank wall, servicing kitchens. These windows would not detrimentally impact on the privacy of occupiers in properties fronting Station Road, due to the high sill heights and the 9.5m distance between the proposed windows and the nearest first floor element of the Station Road buildings. It is recommended that standard conditions be imposed, advising the applicant that the windows would not be protected openings and requiring obscure glazing and a minimum height of 1.8m above finished floor level. Subject to these conditions, the proposal would not adversely impact on the amenity of neighbours with regard to loss of

privacy.

Use of the western passageway within the site adjacent to No. 2 Nibthwaite Road would not unreasonably impact on the amenities of these neighbouring occupiers. This is because both ground floor flats would have direct access to private amenity spaces and the bin storage area, located on the eastern side away from No. 2 which will limit the number of occupiers using the side passageway. It is also noted that the main entrance would be located on the front elevation, instead of the existing side access. This would improve the amenity of the neighbours.

Nibthwaite Road is within a controlled parking zone, and there is an existing crossover off Nibthwaite Road for access to a single car space. The proposal would continue this existing scenario, and there would be 4.8m depth retained in the front garden to accommodate a vehicle without overhanging the public way. Provision of one on-site parking space would be supported, considering the site's location close to a variety of public transport and service/shopping facilities. The Council's Traffic and Parking section do not object to the proposal, subject to an informative advising future occupiers that they would not be entitled to a resident parking permit.

The rear garden would be divided into three separate amenity areas. The ground floor Flat 1 and Flat 2 occupiers would have direct access to their rear gardens, with areas of 34sqm and 46sqm respectively. There is a preference for private amenity space to be accessible from a property's primary living areas, however in this instance it would be preferable to locate the bedrooms at the rear to minimise disturbance from traffic on Station Road. The two first floor flats' occupiers would access the communal rear garden with a useable area of 59sqm from the front door, and then via a pathway on the western side located within the site. The areas and allocation of amenity space within the rear garden would be reasonable considering the number of flats, potential numbers of occupiers and their convenient access to the rear garden area.

The suitability of the proposed flats in terms of the vertical stacking of rooms is considered satisfactory in terms of minimizing the potential for noise transmission between units. The internal layout provides reasonable sized rooms with good light and outlook.

Subject to the Council's Accessible Homes SPD (2006), the development should be designed to Lifetime Homes standards. The carparking space in the front garden would be compliant, as it would be at least 3.3m in width and adjacent to the main entrance with level access provided to a covered entrance. The internal layout and door widths of all flats comply with Lifetime Home standards, in accordance with the Accessible Homes SPD (2006). An area is available for future installation of a communal lift, and the stairs would be capable of accommodating a stair lift. The proposal complies with the Accessible Homes SPD (2006) and a standard condition is recommended requiring the flats to be constructed and retained in accordance with Lifetime Home standards.

3) S17 Crime & Disorder Act

It is considered that the design of the development would not lead to an increase in perceived or actual threat of crime.

4) Consultation Responses:

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

- **Loss of light to kitchen and living room (No. 2 Nibthwaite Road):** Addressed in appraisal above.
- **Loss of light and privacy to rear private amenity space (No. 2 Nibthwaite Road):** The new development would be located to the east of No. 2, therefore there would be minimal loss of light to the neighbour's southern private amenity area. The proposal would have first floor bedroom windows facing into the site's own rear yard, and at an oblique angle to No. 2 similar to the existing situation. It is not considered these windows would result in direct overlooking or unreasonable loss of privacy to No. 2.
- **Exacerbate existing lack of on-street parking; insufficient on-site parking and likely to result in unauthorised parking in service road :** Addressed in appraisal above.
- **This site has no right of way to use the private service road for pedestrian or vehicular access:** The applicant submitted documentation from the Land Registry Office showing that he has a right of way over the side passageway. However, restrictions on use of land are a civil matter, which would not be overridden by any grant of planning permission.
- **Rubbish collection should not occur from the service road:** Restrictions on use of land are a civil matter, which would not be overridden by any grant of planning permission.
- **Overdevelopment of the site:** Subject to the conditions, the proposal would comply with the Council's policies and it is considered that the development would not result an overdevelopment of the land.
- **Inconsistency with regard to windows on eastern flank wall:** This has been rectified in the amended drawings.
- **Overlooking from eastern windows to rear of properties fronting Station Road:** Selected eastern flank windows were deleted in the amended drawings, with the remaining two windows conditioned to be obscured glazed and at a height of 1.8m to maintain privacy to neighbouring occupiers.
- **Proposed building is higher than existing:** As shown in plan, the existing and proposed buildings have the same maximum height.
- **Loss of light to bedroom (No. 49):** Addressed in appraisal above.

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.

**26 KENTON GARDENS, HARROW
HA3 8DE**

**Item: 2/13
P/0447/08/DFU/NR**

Ward KENTON WEST

CHANGE OF USE FROM DWELLINGHOUSE TO RESIDENTIAL CARE HOME
(CLASS C3 TO C2)

Applicant: John Beckley
Agent: Davis R Yeaman & Associates
Statutory Expiry Date: 08-APR-08

RECOMMENDATION

Plan Nos: 001; 002; Site Photographs; Design & Access Statement

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 number of bed spaces available for residents in care shall not exceed 6.

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

3 The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site, to provide one off street parking space and associated soft landscaping. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

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.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D9 Streetside Greenness and Forecourt Greenery
- C8 Health Care and Social Services
- C17 Access to Leisure, Recreation, Community and Retail Facilities
- H14 Residential Institutions
- T13 Parking Standards

Supplementary Planning Guidance: Extensions: A Householders' Guide

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 (London Plan & 2004 UDP)

- 1) Community Use (C8, H14)
- 2) Character and Appearance and Residential Amenity (D4, D5, D9)
- 3) Accessibility (C17, SPD)
- 4) Traffic and Parking (T13)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

Application has been called to Committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Change of Use
Council Interest: None

b) Site Description

- Two-storey semi-detached property, located on the south side of this crescent, on the inside of the bend in the road.
- The property currently has two-storey side, single-storey front and extensions and a rear dormer.
- The lawful use of the property is as a single-family dwellinghouse and

Kenton Gardens is characterised by similar residential dwellings.

- The property has a substantial rear garden with a depth of 23.5 metres.
- The front garden of the property is hard surfaced, providing two off street parking spaces

c) Proposal Details

- Change of use from dwellinghouse (C3) to residential care home (C2).
- Care home to provide assisted accommodation for 6 people aged between 18 and 65 years, suffering from mental illnesses.
- A minimum of 2 members of staff would be on duty at any one time, in addition to a manager.
- The facility would be manned for 24 hours a day, with 1 one carer to sleep overnight, whilst 1 is on duty.
- The residents will share communal facilities, such as a lounge and kitchen.
- No external alterations are proposed.

d) Relevant History

LBH/36901	Single storey front and rear, two storey side extensions (revised)	GRANT 26-OCT-88
LBH/41710	Rear dormer window	GRANT 18-OCT-90
APPEAL/8/97/ENF	Without planning permission, the installation of a canopy over the rear patio area	ALLOWED 25-NOV-97

e) Pre Application Discussion

None

f) Applicant Statement

- Design and Access Statement.

g) Consultations:

Highways Engineer: No objection.

Head of Social Services: No response.

Notifications:

Sent:	Replies:	Expiry:
17	3	18-MAR-08

Summary of Response:

Concerns over increase in traffic and parking as a result of staff and visitors, noise from additional comings and goings; use as a business premises.

APPRAISAL

1) Community Use

The proposal is to convert the property from a single-family dwellinghouse (C3) to a residential care home (C2). There would be a maximum of 6 residents, with 2 members of staff present at all times. Policy C8 seeks to ensure that sufficient social care and health facilities are provided to cater for the needs of the community. Policy H14 recognises the need for residential dwellings to be

used as care homes, subject to no significant adverse effects on surrounding properties, the character of the locality, public transport accessibility, location close to other healthcare facilities and highway safety.

The proposal would not result in a significant amount of additional occupiers to that of a residential dwellinghouse, particularly one of this size. Given this level of activity, it is not considered that the proposal would have an unacceptable impact on the amenities of neighbouring occupiers. The proposal is to retain one parking space on the front forecourt and provide refuse storage and a gently sloping access to the front door. The rest of the forecourt will be soft landscaped. It is considered that the impact on the street scene would be acceptable and that the refuse bins would be adequately sited, so as to minimise the impact on the streetscene.

The property is located close to Kenton Road, where adequate healthcare services are provided. Kenton Local Centre is approximately 500 metres away and adequate public transport services such as local buses and Kenton London Underground/Overground station are located within walking distance. It is considered that the one off street parking space to be provided on site would be adequate to serve the proposed use and the proposal is considered to comply with Policies C8 and H14.

2) Character and Appearance and Residential Amenity

As discussed, it is not considered that the proposed change of use would be detrimental to the amenities of neighbouring residents or unduly change the character of this residential locality. The front forecourt would incorporate soft landscaping that would result in an improvement on the existing appearance of the property.

3) Accessibility

The proposed internal arrangements at ground floor level comply with the Council's SPD on Accessible Homes. Two bedrooms are proposed at ground floor level, one with a disabled ensuite and an assisted bathroom with 1500mm turning circle would also be provided. The kitchen and living area would be located on the ground floor. Gently sloping access is shown at the front and rear of the property, to provide disabled access to the main front entrance and the rear amenity space and the proposal is therefore considered to meet the requirements of Policy C17 and the Council's SPD.

4) Traffic and Parking

As discussed, it is considered that one off street parking space is adequate to meet the needs of the proposed use. The proposal is not expected to result in a significant level of additional activity and it is considered that the property is reasonably well served by public transport. The Council's Highways Engineer raises no objections and the proposal is therefore considered acceptable in this regard.

5) S17 Crime & Disorder Act

It is not deemed that this application would have any detrimental impact upon community safety and is therefore acceptable in this regard.

6) Consultation Responses:

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

- Addressed in 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.

Item: 2/14
BRAEMONT & THE WHITE HOUSE, P/0356/08/DFU/ML1
REENGLASS ROAD, STANMORE
HA7 4NT

Ward CANONS

REDEVELOPMENT TO PROVIDE 2 SINGLE/TWO STOREY DETACHED HOUSES WITH ROOMS IN ROOFSpace (REVISED)

Applicant: Octagon Developments Ltd
Agent: Bell Cornwell
Statutory Expiry Date: 24-MAR-08

RECOMMENDATION

Plan Nos: 553-01, 02B, 03A, 04A, 05A; Location Plan; Planning, Design & Access Statement; Arboricultural Survey & Tree Protection Measures.

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 buildings

(b) the ground surfacing

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 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.

4 The erection of staked fencing for the protection of any retained tree shall be undertaken in accordance with the plan tf 640/TPP/100, before any equipment, machinery or materials are brought onto the site for the purposes of the

Item 2/14: P/0356/08/DFU continued

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.

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

6 The proposed garages shall be used only for the parking of private motor vehicles (and domestic storage if appropriate) 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.

7 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 F 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 and the character and appearance of the streetscene.

8 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.

9 No site works or development shall commence until details of the levels of the buildings in relation to the adjoining land and highway, 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

Item 2/14: P/0356/08/DFU continued

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.

10 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 buildings are occupied

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.

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

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with the policies of the Harrow Unitary Development Plan.

12 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.

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

REASON: To ensure that adequate drainage facilities are provided.

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

REASON: To prevent the increased risk of flooding.

15 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.

16 The window(s) in the southern first floor flank walls of The White House shall:

(a) be of purpose-made obscure glass

(b) be permanently fixed closed below a height of 1.8 metres above finished floor level,

and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

17 The windows in the northern ground floor flank wall of Braemont serving the proposed 'Drawing Room' and the southern ground floor flank wall of The White House shall:

(a) be of purpose-made obscure glass,

(b) be permanently fixed closed below a height of 1.8 metres above finished floor level,

and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

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

REASON: To safeguard the amenity of neighbouring residents.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

London Plan:

3A.5 Housing choice

Harrow Unitary Development Plan:

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

T13 Parking Standards

Supplementary Planning Guidance 'Extensions: A Householder Guide' (2003)

Supplementary Planning Document 'Accessible Homes' (2006)

2 INFORMATIVE:

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

3 INFORMATIVE:

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

1. work on an existing wall shared with another property;

2. building on the boundary with a neighbouring property;

3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission

or building regulations approval.

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23
7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

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.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area (D4, D5, D9, SPG)
- 2) Residential Amenity (3A.5) (D4, D5, SPG)
- 3) Accessibility (3A.5) (SPG)
- 4) Traffic and Parking (T13)
- 5) Impact on Protected Trees (D10)
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

This application is reported to committee at the request of a Nominated Member.

a) Summary

Statutory Return Type: Minor Dwelling
Lifetime Homes: 2
Wheelchair Standards: 2
Council Interest: None

b) Site Description

- The subject site is located on the eastern side of Reenglass Road, Stanmore.
- The White House is a two storey detached dwelling with carriage drive and front projecting attached garage on its southern side.

Item 2/14: P/0356/08/DFU continued

- Braemont is a two storey detached dwelling to the north of The White House with carriage drive and single storey side extension containing a garage on its northern side.
- The adjacent dwelling to the south of The White House, Pippens, is a bungalow on the corner of Reenglass Road and London Road, with an integral garage.
- The adjacent dwelling to the north of Braemont is Steden, a two storey detached property sited forward of Braemont's front building line.
- Directly opposite the two properties is the United Synagogue.
- There is a fall in the level of the land from north to south along Reenglass Road.
- There are three other examples in the street of replacement dwellings.

c) Proposal Details

- Demolition of existing dwellings
- Construction of a replacement two-storey detached dwelling on each site
- The new house at The White House would have a crown roof, two rear dormers, an integral garage, and single storey front, side and rear elements
- The property would be a five bedroom dwelling, with accommodation in the roofspace
- The Braemont replacement house would have a crown roof, two rear dormers, an integral garage and single storey front and rear elements
- The house would also have a substantial two storey rear element towards its boundary with The White House
- It would be a six bedroom dwelling, with accommodation in the roofspace.
- The existing carriage driveways and vehicle accesses are to be retained

Revisions to Previous Application

Following the previous decision (P/3750/07/DFU) the following amendments have been made:

- Soft landscaping in front of the properties has been increased
- The depth of the proposed replacement dwelling at Braemont has been reduced by approximately 1m close to the boundary with Steden
- The first floor of Braemont's two storey rear projection has also been reduced in depth by approximately 1m and pulled away from the boundary with The White House by approximately 0.5m to make this element more subordinate
- A flank first floor window in the two storey rear element at Braemont has been removed

d) Relevant History

The White House

P/2730/07/DFU	Replacement single/two storey house with rooms in roofspace.	GRANT 10-OCT-07
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Braemont & The White House

P/3750/07/DFU Redevelopment to provide 2 single/two REFUSE
storey houses with rooms in roofspace. 04-JAN-08

Reasons for Refusal

1 The proposed new dwellinghouse at Braemont, by reason of its design, excessive size and depth of rearward projection, would be visually obtrusive, excessively bulky, and out of character with neighbouring properties and would result in overshadowing, the loss of light and actual and perceived overlooking of the adjacent property Steden, to the detriment of the residential and visual amenities of neighbouring occupiers and the character and appearance of the area, contrary to policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance 'Extensions: A Householders Guide' (2003).

2 The proposed redevelopment would result in excessive hardsurfacing of the forecourt with inadequate planting and soft landscaping which would be detrimental to the character and appearance of the area and the streetscene, contrary to policies D4 and D9 of the Harrow Unitary Development Plan (2004). P/2730/07/DFU granted planning permission for the redevelopment of The White House for a replacement house. P/3750/07/DFU sought permission for the redevelopment of The White House and adjacent Braemont, as does this current application, but was refused planning permission (see above for reasons). The proposed replacement house at The White House is largely the same as part of this latest application as that granted permission as part of P/2730/07/DFU, and so this report focuses primarily on the redevelopment of Braemont, the revisions to the refused P/3750/07/DFU and the minor changes proposed to The White House compared to the previously approved P/2730/07/DFU

e) Pre Application Discussion

None

f) Applicant Statement

None

g) Consultations:

Drainage Engineer – Suggested 3 conditions:

Highways Engineer – no objections

Stanmore Society – Pippins is good enough to require protection from 'architectural bullying' on the adjacent site; Synagogue opposite does not justify the increase in the volume of each house by about a third; Unfortunate permissions have allowed even larger houses to be built to the north on Reenglass Road which threaten overcrowding as the site sizes have remained the same; Building line brought closer to the road; The proposed identical design shows that little thought has been given to the site's surroundings.

Notifications:

Sent:
9

Replies:
1

Expiry: 28-FEB-08

Summary of Response:

Will result in a loss of light to kitchen and dining rooms at Pippins; Will result in a loss of privacy at Pippins due to the increased height and depth of The White House; Building work will cause disruption to occupant of Pippins and may be a security risk.

APPRAISAL

1) Character and Appearance of the Area

The proposed replacement dwelling at Braemont would be a two storey brick built construction of a fairly traditional style, with crown roof, chimney and flat and monopitch roofs over the ground floor protrusions. The dwelling would have a projecting garage and two-storey projecting element over the main entrance at the front. A bay window detail has been shown on the ground floor of the front elevation. At the rear there would be a significant two-storey projection, 4.6m deeper than the proposed main rear wall, this element having a hipped pitched roof 0.5m lower than the property's main ridge line and set in by approximately 0.5m from the southern side of the building. The proposed dwelling would be at a higher ground level than The White House to the south but lower than Steden to the north, its main roof ridge line falling between that at the two houses on either side.

The revisions to the previously refused P/3750/07/DFU have seen the depth of the proposed replacement dwelling at Braemont reduced along with the depth of the first floor rear projection. In this way the scheme is now considered to respect the character of development in the area and so is deemed to be acceptable in terms of its bulk and rear projection.

The proposed replacement property at The White House differs from the approved P/2730/07/DFU at two storey level at its northern rear corner which would be infilled, with another infill at single storey level adjacent to Pippins. Neither of these proposed differences to the previously approved scheme would be detrimental to the character and appearance of the area.

In terms of hard surfacing in the frontages of both properties, a reason for refusal of P/3750/07/DFU, it is considered that the proposed layouts are now acceptable. The frontage of The White House has reverted to that approved as part of P/2730/07/DFU and the frontage of Braemont has seen an increase in soft landscaping versus the refused application P/3750/07/DFU. In this regard the current application is deemed to be acceptable in terms of its impact upon the character and appearance of the area.

2) Residential Amenity

There are not deemed to be any detrimental impacts upon the residential amenities of the adjacent occupiers as a result of the proposed alterations to the redevelopment of The White House versus the approved scheme P/2730/07/DFU, the proposed single storey infill close to the adjacent property Pippins not being deemed to result in a loss of light or overshadowing.

The dwelling to the immediate north of Braemont, Steden, is a two-storey property with a small single storey rear extension towards its boundary with the

application site. Although this element contains flank windows they are not protected as there are also windows in the rear elevation. The revisions to the depth of the proposed replacement dwelling at Braemont are considered to address the issues of concern as part of the refused application P/3750/07/DFU, and therefore would ensure that Steden to the north would not suffer from an unacceptable degree of overshadowing or loss of light or due to the proposed property at Braemont. The removal of the previously approved first floor window in the northern flank of the proposed two-storey rear projection at Braemont also addresses the previous reason for refusal of P/3750/07/DFU relating to overlooking of Steden. In these regards this proposal is deemed to have no unacceptably detrimental impacts upon neighbouring occupiers.

3) Accessibility

The proposed replacement dwellings have integral garages capable of providing an accessible parking space. Doorway and hallway widths meet the requirements of the SPD. Ceiling hatches are indicated for the future installation of chair lifts. Bathrooms are provided on the ground floor, as are studies which would be capable of being used as bedrooms if the need arose. Level entrances are indicated, with turning circles possible in all reception rooms. The proposals are therefore considered to comply with the requirements of the 'Accessible Homes' SPD and are capable of being Lifetime Homes.

4) Traffic and Parking

The Council's Highways Engineer has no objections to the proposed development, which include double garages with adequate turning space within the sites. Further car parking spaces would be available on the driveways and as such the proposal is considered to have sufficient parking provision for the size of families likely to occupy the dwellings. The existing carriage drives and vehicular accesses would remain unchanged and as such there are no objections to the access provisions.

5) Impact on Protected Trees

The submitted Tree Protection Plan is considered acceptable and would ensure a minimal disturbance of protected and non-protected trees during construction. Conditions suggested by the Council's Arboricultural Officer have been added to this recommendation to ensure the acceptability of the redevelopment in this regard.

6) S17 Crime & Disorder Act

The proposal is not expected to have any impact in relation to this legislation.

7) Consultation Responses:

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

- *Will result in a loss of privacy at Pippins due to the increased height and depth of The White House* – The proposed replacement dwelling at The White House is not considered to unacceptable compromise privacy of the occupants of Pippins to the south.

Item 2/14: P/0356/08/DFU continued

- *Building work will cause disruption to occupant of Pippins and may be a security risk* – These are not material planning considerations.
- *Building line brought closer to the road* – Only Braemont is significantly closer to the road than at present, but due to the siting of Steden to the north further forward still this is deemed to be acceptable and not of detriment to the character and appearance of the area.

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.

HARROW HIGH SCHOOL, GAYTON ROAD, HA1 2JG **Item: 2/15**
P/0628/08/CFU/TM

Ward GREENHILL

TWO STOREY DETACHED BUILDING AT JUNCTION OF SHEEPCOTE ROAD AND KENTON ROAD

Applicant: Harrow High School
Agent: Wintersgill LLP
Statutory Expiry Date: 29-APR-08

RECOMMENDATION

Plan Nos: 1135-SP01, 1135-EX01, 1135-P01 rev A, 1135-P02 rev A; Design & Access Statement, received 4 March 2008; Arboricultural Impact Assessment received 11 April 2008; and addendum to appendix D of the Arboricultural Impact Assessment received 14 April 2008

Grant permission for the development described in the application and submitted plans for the following reason(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 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.

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

REASON: To ensure that adequate drainage facilities are provided.

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

REASON: To prevent the increased risk of flooding.

6 The development of any buildings hereby permitted shall not be commenced until the protective tree fencing required by condition 6 has been inspected and

Item 2/15: P/0628/08/CFU continued

approved by the Planning Council Arboricultural Officer. Periodic inspections by a qualified Arboricultural Consultant shall be undertaken to check that all tree protection measures are in place. Reports of the Arboricultural Consultant shall be supplied to the Planning Arboricultural Officer.

7 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.

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.

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

- (i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point of 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- (ii) details of the species, diameter (measured in accordance with para (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- (iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (v) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

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

Item 2/15: P/0628/08/CFU continued

10 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.

11 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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

12 No development shall take place until a schedule of landscape maintenance for a minimum period of 2 years has been submitted to, and approved by, the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

13 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.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

D4 Standard of Design and Layout

D10 Trees and New Development

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:

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.

4 INFORMATIVE:

The landscaping plan required by condition 8 of this planning permission should show how the proposed footpaths materials and plantings are to link to the existing footpath materials plantings.

The same hard surface materials (as the adjacent existing) should be proposed to provide continuity. Details of proposed hard surfacing would be required. The same or similar plant species would need to be used to provide continuity in the school grounds. The proposed planting should include more shrubs. Any trees removed from the site should also be replaced elsewhere within the site. A detailed planting plans and plant schedule, giving plant sizes and plant container sizes, numbers and density of planting would be required.

You are advised that granting of this planning permission does not constitute Council consent (as the land owner) for the removal of any trees within the subject premises. Should permission be obtained to remove any tree, it is likely that a replacement tree would be sought.

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Design, Character and Appearance (D4, SPG)
- 2) Traffic and Highway Safety/Parking (T13)
- 3) Residential Amenity (D4)
- 4) Trees and Landscaping (D10)
- 5) S17 Crime & Disorder Act (D4)
- 6) Consultation Responses

INFORMATION

This application has been reported to the Committee because the Council is the owner of the subject site.

a) Summary

Statutory Return Type: Minor Development

Council Interest: Council Owned

b) Site Description

- Site sits on the eastern side of Sheepcote Road, is used for education purposes (Harrow High School) and is bounded by 3 highways, Gayton Road (north west), Kenton Road (south), and Sheepcote Road (west). To the east residential housing bounds the site
- Residential housing is located on the western side of Sheepcote Road, adjacent to the site, where their rear gardens back onto Sheepcote Road. Mature trees 10 –15m in height have been planted along the rear boundaries of these properties
- The school contains a series of linked buildings and detached buildings
- There are two access points to the site within Gayton Road for both pedestrians and vehicles. One is located adjacent to the junction of Gayton Road and Sheepcote Road, and the other located adjacent to the junction of Gayton Road and Kenton Road
- There is a 4 metre high retaining wall located on southern and western boundaries of the site
- There are 5 mature trees located adjacent to the southern site boundary and several smaller trees located adjacent to the western site boundary and between the existing mature trees
- The proposed building site is currently grassed. To the east of Sheepcote road, behind the existing classrooms is an all weather sports pitch. A majority of the internal area of the school surrounding this all weather sports pitch is hardstand, which is used for parking purposes
- To the south of the site beyond Kenton Road is Northwick Park roundabout junction with the A404 and rail links to London from Harrow on the Hill Rail Station

c) Proposal Details

- Construction of a two storey detached building within the southwestern corner of the site. The building would be set back 5 to 15 metres from the highway boundaries of Sheepcote Road and Kenton Road and set away 3.197 metres from the existing classrooms
- The building would have a height of 12.6 metres, a width of 18.5 metres excluding the two stair cases, and 21 metres in width including the two stair cases, and a depth of 19.7 metres
- The total building footprint would be 367.09m² with an internal floor space of 668m²
- The proposed roof would have hipped ends with a flat top. Roof lights, solar panels and condenser units are proposed to the roof top
- The proposed building would be accessed from the ground floor, via northern, southern and western elevations. Two internal staircases and one internal lift are proposed for the building
- The building would accommodate new classrooms, a social room, toilet facilities and an IT room. Some landscaping is proposed adjacent to the northwestern corner of the proposed building

Item 2/15: P/0628/08/CFU continued

- A new paved walkway and access ramp to the western entrance is proposed adjacent to the Sheepcote Road boundary. Further provision for landscaping is also made

d) Relevant History

EAST/830/95/LA3	Alterations, one/two storey School Extension, Sports Hall/Performing Arts Building, All Weather Pitch, Vehicle/Foot Access from Gayton Rd, Parking	GRANT 15-MAY-96
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e) Pre Application Discussion

Planning Advice Meeting on 28 January. Discussion summarised below

- Flood risk assessment to be undertaken and Tree constraints plan to be submitted with planning application
- Address security issues through design of building and provide fencing between proposed and existing classrooms. Asked whether regard had been given to the 'Safer Places Agenda'
- Applicant to consider acoustic issues, solar panels locations and address through design of building
- Design and Access statement to be submitted with proposal
- Staffing numbers and additional pupil numbers to be confirmed and any new travel plan needs to reflect parking arrangements and travel arrangements for out of hour's use of school

f) Applicant Statement

- The new building will stand within the demise of Harrow High School to South East of the existing school building. The building will provide Post-16 education and social facilities
- The proposed new building will be sited on an area of the grounds laid to lawn. The surrounding roads are raised above the building site by approximately one level. The combination of this raised ground level together with retention of existing trees and shrubs and provision of new paths, landscaping and planting would form a visual and acoustic buffer
- The ridge and eaves of the new building would be below or would align with existing buildings. The simple form and proportions of the building would compliment the existing school buildings
- External materials, fenestration and window design would match the existing buildings. The solar panels and associated mechanical plant would be visually obscured from surrounding areas
- The internal layout has been designed to maximise teaching space and provide ancillary facilities. New premises would be accessed via a new pedestrian ramp with internal staircase and lift

Summary of the applicant's arboricultural impact assessment:

- The trees are not statutorily protected
- There are four mature trees along the southern site boundary
- Two chestnut trees are worthy of protection. One ash tree is in poor condition and is not worthy of retention and should be removed

Item 2/15: P/0628/08/CFU continued

- The existing lime tree would be un-affected by the development proposed but should be removed
- Identifies minimum distances between the mature trees and excavation works (root protection areas)
- The younger, smaller trees on the site could be transplanted
- The proposed building should be constructed on pile pad foundations, not concrete strip foundations
- The proposal should include protective tree fencing as shown in figures 2 and 3 of the British Standard 5837.

g) Consultations:

Drainage Engineer – No Objection – conditions recommended

Highways Engineer – No Objection

Advertisement: | General Notification | Expiry: 10-APR-08

Notifications:

Sent:	Replies:	Expiry: 02-APR-08
39	0	

Summary of Response:

N/A

APPRAISAL

1) Design, Character and Appearance

Policy D4 of the Harrow Unitary Development Plan (2004) states “the Council will expect a high standard of design and layout in all development proposals.

The Councils Supplementary Planning Guidance: Designing New Development (2003) (SPG) states “the design and form of buildings should create visual interest and variety. Buildings within the same area should generally be composed of related forms and materials. This will help achieve an overall sense of visual coherence”. It further recognises the need for provision of refuse storage, whether the storage area is internal or external.

The existing classrooms on the site comprise a series of two storey-linked buildings that were permitted in 1996 (planning permission EAST/830/95/LA3). By virtue of the proximity of these linked buildings to Sheepcote Road, and their visual prominence within the streetscene, their built form defines the built character of the site.

Residential housing adjacent to the site of Sheepcote Road are orientated away from the site, such that their rear gardens which are approximately 25 – 30 metres deep, back onto Sheepcote Road.

In having regard to the context of the built development within the site, it is considered that the bulk, scale and design of the proposed building would have a good visual relationship with existing built form on-site, as the bulk and scale of the building would be similar to the existing buildings. The frontage of the proposed building would differ slightly to the existing buildings, as would not

have bay windows. However it is unlikely that this minor design change would result in the building appearing as an incongruous feature within the site.

It is not anticipated that the proposed building would have a detrimental impact on the visual amenity and character of the streetscene as it would continue the pattern of the development established on the site, including the boundary setback. The context, scale and character of the development would compliment the subject site and the surrounding setting

The combination of the elevated ground level of the surrounding highways and setback of the building from highway boundaries would reduce its visual prominence. The proposed solar panels and condenser units would not be visually prominent as they would be attached to the flat roof of the building, which would be elevated 4-5 meters above the highway, and therefore they are unlikely to have a visual impact on the locality. The development would respect the character and appearance of the public realm.

The proposed development makes provision for internal refuse storage on ground and first floor levels. The refuse storage areas would measure 1 metre in width and 1.6m in depth, and would not be visible from any external public vantage point and unlikely to have an impact on the amenity of the site.

The proposal would comply with Policies D4 of the Harrow Unitary Development Plan (2004).

2) Residential Amenity

Residential properties in the vicinity of the development are limited to those properties, which back onto Sheepcote Road, being Nos. 1 – 15 Ash Burnham Gardens. The dwellings are orientated to the west, and front onto Ash Burnham Gardens, where their rear gardens are separated from the site by Sheepcote Road (25 – 30 metres wide). The rear boundaries of these properties are treated with mature trees approximately 12 – 15 metres high.

By virtue of the orientation of the dwellings, the length of the rear gardens, the separation from the site, and existing boundary treatment, it is considered that the proposed development would not have a detrimental impact on the visual amenities of neighbouring occupiers, nor would it result in any undue loss of privacy.

3) Traffic and Highway Safety/Parking

It is considered that the proposed development would not have a detrimental impact on highway safety through parking or traffic generation. The site has existing off street parking within the site and access points for vehicular traffic. The proposed development would not impact these existing services, and would be suitable in servicing the proposed development.

4) Trees and Landscaping

By virtue if the proposed siting, the development would result in the loss of one Ash tree and would have an impact on several existing trees within the site during the construction process. It is considered that the Ash Tree could be

successfully replaced through conditions of the planning permission or through any agreement formed by the Council as the landowner. All other trees within the site can be protected during construction works by planning conditions as recommended. In this instance it is considered that refusal due the loss of this tree could not be substantiated.

The proposed building would result in the loss of soft landscaping within the site. Condition 8 recommended above, requires the submission of a landscape development plan for approval. These landscaping works would replace any amenity associated with existing soft landscaping to be lost. The specific details to be submitted for approval are outlined in informative 4.

It is considered that the retention of existing trees and provision of further soft landscaping would preserve the amenity of the locality and contribute significantly to character, appearance and amenity of the site and provide visual mitigation to the bulky appearance of existing and proposed buildings, the existing hardstand parking areas and the All Weather sports pitch. The proposal would comply with Policy D10 of the Harrow Unitary Development Plan (2004).

5) S17 Crime & Disorder Act

It is considered that the proposal would not have any adverse security or crime implications.

6) Consultation Responses:

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

- Consultation responses are considered in the above assessments.

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.

Item: 2/16
ST BERNADETTE'S PRIMARY SCHOOL, P/0904/08/DFU/ML1
CLIFTON ROAD, HARROW, HA3 9NS

Ward KENTON EAST

3M HIGH WELDMESH FENCING ALONG NORTHERN AND EASTERN BOUNDARIES WITH QUEENSBURY RECREATION GROUND

Applicant: St Bernadettes Primary School
Statutory Expiry Date: 15-MAY-08

RECOMMENDATION

Plan Nos: Site Plan, Site plan (showing siting of fencing), Letter from 4Tec Security Limited, Details of fencing from 4Tec

Grant permission for the development described in the application and submitted plans for the following reason(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 details of the siting of the proposed fencing, in the form of detailed drawings, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall then be installed in accordance with the approved details and thereafter retained.

REASON: To safeguard the appearance and character of the area.

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 London Plan and-or the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

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:

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:

Item 2/16: P/0904/08/DFU continued

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

MAIN CONSIDERATIONS AND POLICIES (London Plan & 2004 UDP)

- 1) Character and Appearance of the Area (D4)
- 2) Residential Amenity (D4)
- 3) S17 Crime & Disorder Act (D4)
- 4) Consultation Responses

INFORMATION

This application is reported to committee due to the Council's ownership interest.

a) Summary

Statutory Return Type: Minor development, all other

Council Interest: Council Owned

b) Site Description

- Primary School sited at the northern end of Clifton Road and the southern end of Queensbury Park
- There is an existing approximately 3m high fence along the site's northern boundary with Queensbury Park, an approximately 2m high fence marking the eastern boundary with the park

c) Proposal Details

- The proposed 3m high weldmesh fencing would replace the existing fencing along the site's northern and eastern boundaries with Queensbury Park
- The proposed weldmesh fencing would run for approximately 73m along the eastern boundary and approximately 94m along the northern boundary
- The fencing would be galvanised steel finished in green RAL6005 polyester powder coat

d) Relevant History

None

e) Pre Application Discussion

None

f) Applicant Statement

- First preference would be for palisade fencing, weldmesh listed as an alternative favoured option.
- The school has been burgled twice in the last 5 months, on both occasions entry was from the eastern boundary
- The school has been working to install new security measures which this fencing would complete, having been advised by the Crime Prevention Officer to install a fence

g) Consultations:

Crime Prevention Design Advisor – A 3m high perimeter fence would help to deter unauthorised access from Queensbury Park into St Bernadette's School. Both palisade and prison weldmesh provide vandal resistant, robust boundary treatments that are difficult to scale, providing they incorporate an anti-climb topping.

Notifications:

Sent:
13

Replies:
0

Expiry: 23-MAR-08

Summary of Response:

N/A

APPRAISAL

1) Character and Appearance of the Area

Although the Applicant's first preference is for palisade fencing it is considered that this would be harmful to the character and appearance of the area, being visually obtrusive. The stated second preference of weldmesh fencing is considered to be more appropriate as it is less visually obtrusive, being similar to the type of fencing currently on site, and is therefore the type of fencing proposed as part of this application. The design and appearance of the weldmesh fencing proposed is therefore not deemed to be detrimental to the character and appearance of the area. The proposed fencing replaces fencing of a similar height along the site's northern boundary and is approximately 1m higher than that along its eastern boundary at present. Although adjacent to the southern end of Queensbury Park the fencing proposed would be relatively unobtrusive due to its open design and is stated to be necessary in terms of security. The proposed weldmesh fencing is therefore considered to be acceptable and would not have an unacceptable impact upon the character and appearance of the area.

2) Residential Amenity

The proposed fencing is considered to have no detrimental impacts upon residential amenity, its siting meaning that it would be set well away from neighbouring properties and would therefore have no harmful impact upon outlook.

3) S17 Crime & Disorder Act

The proposed fencing is deemed to increase the physical protection of the site, being a well designed security feature, and has the support of the Crime Prevention Design Advisor.

4) Consultation Responses:

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

- 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.

**FORMER GOVERNMENT OFFICES SITE,
HONEYPOT LANE, STANMORE HA7 1BB**

**Item: 2/17
P/0191/08/DDP/DC3**

Ward CANONS

DETAILS OF REFUSE ARRANGEMENTS REQUIRED BY CONDITION 20 OF
PLANNING PERMISSION REFERENCE: P/2317/06/CFU ALLOWED ON APPEAL
12 NOVEMBER 2007

Applicant: Berkeley Urban Renaissance Ltd
Agent: Turley Associates
Statutory Expiry Date: 11-MAR-08

RECOMMENDATION

APPROVE the details as described in the application

INFORMATION

a) Summary

Statutory Return Type: Minor Development
Site Area: 6.2 ha
Habitable Rooms: 2325
Density: 128 hrph, 381dph
Car Parking: Standard: 1135 (maximum)
Justified: 740
Provided: 740 (65%)
Council Interest: None

b) Site Description

- Irregular shaped site previously used as government offices. 6190 sqm of empty offices remain, rest of site is vacant. Main access was from Honeypot lane and secondary access on foot was to Whitchurch Lane, emerging opposite to Canons Park station
- Northern boundary of site abuts end of rear gardens of houses on the south side of Whitchurch Lane. An LUL sub station and the railway embankment form eastern boundary
- To the south is the Parr Road Employment Area and then to the west Honeypot Lane and common land through which flows Edgware Brook. Beyond the brook are two modest housing areas, Bramble Close and Amber House
- Part of the site lies within the Environment Agency's designated floodplain for the Edgware Brook

c) Proposal Details

- Approval of refuse storage and disposal details required by condition 20 to planning permission P/2317/06/CFU
- Condition 20 states: *'Development shall not proceed beyond ground floor damp proof course level until a scheme for the storage, collection and disposal of refuse and waste and vehicular access thereto has been submitted to and approved in writing by the local planning authority. No*

building shall be occupied until works have been carried out in accordance with the approved details.'

d) Relevant History

P/2245/07/COU	New pedestrian access route and associated landscape works (as part of the comprehensive development of the former government office and DVLA site)	REFUSE 04-MAY-07
P/2315/07/CFU	Redevelopment to provide 798 residential units (including 40% affordable housing) 959 sq m class A1/A2/A3/A4/A5/D1 & D2 floorspace; 7927 sq m of B1(a),(b),(c) floorspace including a business incubator centre; creation of a new access onto Whitchurch Lane; associated flood alleviation, landscaping, car parking and highway works - revisions to application.	REFUSE 04-MAY-07
P/2246/07/COU	New pedestrian access route and associated landscape works (as part of the comprehensive development of the former government office and DVLA site)	REFUSE 10-JAN-07 APPEAL ALLOWED 12-NOV-07
P/2317/07/CFU	Redevelopment to provide 798 residential units (including 40% affordable housing) 959 sq m class A1/A2/A3/A4/A5/D1 & D2 floorspace; 7927 sq m of B1(a),(b),(c) floorspace including a business incubator centre; creation of a new access onto Whitchurch Lane; associated flood alleviation, landscaping, car parking and highway works	REFUSE 10-JAN-07 ALLOWED ON APPEAL 12-NOV-07

e) Pre Application Discussion

N/A

f) Applicant Statement

N/A

g) Consultations:

N/A

Notifications:

N/A

APPRAISAL

- 1) The proposed details show how refuse storage and collection will be collected through phases 1 & 2 of the development as approved in accordance with approved Condition 22 (phasing). The proposed details submitted in accordance to this condition are considered acceptable by Harrow Council Waste Management Policy Officer.

- 2) S17 Crime & Disorder Act
The proposed details of refuse disposal & storage does not affect the security of the site.

- 3) Consultation Responses:
Apart from the points raised in the above sections, other issues raised are:
 - None

CONCLUSION

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

SECTION 3 – OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

174 - 178 KENTON ROAD, HARROW
HA3 8BL

Item: 3/01
P/0029/08/DFU/ML1

Ward KENTON WEST

CHANGE OF USE FROM RETAIL TO RESTAURANT/DRINKING
ESTABLISHMENT (CLASS A1 TO CLASSES A3/A4)

Applicant: Mr N Patel

Agent: Libby Wetherall

Statutory Expiry Date: 06-MAR-08

RECOMMENDATION

Plan Nos: Proposed GA (received 08/01/2008), Site Plan, Design and Access Statement

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

- 1 The proposal in association with existing adjacent non-retail uses would create a harmful concentration of non-retail frontage, leading to a loss of vitality to the shopping parade and to the shopping centre as a whole, contrary to the objective of policies SEM2 and EM18 of the Harrow Unitary Development Plan (2004).
- 2 The proposed change of use would result in an overintensive use of the site, the Design and Access Statement stating that establishment would have a total capacity of 350 people. Such an intensity of use and the associated noise and disturbance would be detrimental to both neighbouring residential amenity and the character and appearance of the area, contrary to the objectives of policies EP25 and EM25 of the Harrow Unitary Development Plan (2004).
- 3 The proposed opening hours, until 02:00 seven days a week, 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 and the character and appearance of the area, contrary to policies SEM2, EP25 and EM25 of the Harrow Unitary Development Plan (2004).
- 4 The increased use intensity of the proposal would encourage additional and injudicious on street parking, particularly in adjacent residential streets, to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway and amenity of neighbouring residents, contrary to the objectives of policies EM25 and T13 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 INFORMATIVE:

The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision: SEM2, EP25, D4, EM18, EM25, T13,

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Character and Appearance of the Area (SEM2, EP25, D4, EM18)
- 2) Residential Amenity (EP25, EM25)
- 3) Parking (T13)
- 4) Accessibility (SPD)
- 5) Licensing Act
- 6) S17 Crime & Disorder Act (D4)
- 7) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type: Change of Use
Council Interest: None

b) Site Description

- Site is occupied by a three storey terraced buildings with commercial units at the ground floor and two floors of residential accommodation above
- The site is within Kenton Local Centre's Designated Shopping Frontage
- The site consists of the ground floor commercial units at 174, 176 and 178 Kenton Road which constitute a recently vacated furniture shop
- There is an access door in the frontage leading to a stairway to the residential units on the first and second floors in-between Nos.176 and 178, the retail unit being linked internally to the rear of this stairway
- There is residential accommodation above most of the shops along this parade
- There are single storey extensions and secondary accesses to the residential units above at the rear of the site where there is also a service road
- Non-retail uses in this section of the Designated Shopping frontage (between Mayfield Avenue and Willowcourt Avenue) include 'California Chicken Takeaway' adjacent at No.180, 'Kenton Nails' beauty salon at No.186 and 'Man Chui Restaurant at Nos.188-190
- There is a pay and display parking bay in front of Nos.164-176 with a maximum stay limit of 2 hours

c) Proposal Details

- Change of use from retail to restaurant/drinking establishment (Class A1 to Classes A3/A4)
- Unit to operate as 'Blue Zoo' restaurant and bar
- The proposed restaurant can seat 180 customers, the bar has a standing capacity of 170. The overall capacity would therefore be 350 customers
- The proposed hours of operation are 11:00 until 02:00 seven days a week
- There would be 13 full time staff, 4 part time staff and one casual position
- Servicing of the unit will take place from the rear service road

d) Relevant History

EAST/719/00/FUL	Change of use from shop to restaurant and take-away (Class A1-A3)	REFUSE 08-SEP-00
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Reasons for Refusal

1 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.

2 Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum 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).

e) Pre-Application Discussion

None

f) Applicant Statement

- Design and Access Statement submitted
 - Details a low demand for retail units in Kenton due to a lack of passing trade and competition from Harrow town centre
 - States that the proposed A3/A4 use will attract a more financially secure tenant
 - The unit will enhance the appearance of the area, attract people to the centre and provide benefits for other units in the centre
 - Site has good public transport links
 - Marketing appraisal included in Appendix
 - Statement from current Leaseholder included in Appendix
 -
- Parking Survey
 - A high level of parking availability can be found on the surrounding streets including Mayfield Avenue, Willow Court Avenue, Becmead Avenue and Hillbury Avenue
 - Side streets did once suffer from parking congestion caused by commuters using the Kenton train station. However since the Local Authority introduced parking restrictions between 11am and 12 noon the problems subsided
 - Most of the residential properties on these streets have off street parking
 - The Premier Inn car park contains approximately 100 spaces and the use of these spaces is not restricted to customers of the business, this has a high level of vacant spaces
 - Sainsbury's also has a 'pay and display' system for their car park and as such some of their 379 spaces (including 12 disabled bays) may be available to our customers
 - It is our view that we have sufficient evidence that there is a satisfactory amount of parking spaces available to accommodate our proposal
 - Site is located within 250m proximity to Kenton rail station and is serviced by London Bus Routes 14, 183, 223, 223, H10 and H18
 - Signed an agreement with a local cab company to provide

exclusive service to our venue

- Letter from Sainsbury's, Kenton, Store Manager
 - 'C&R are welcome to use the Kenton Sainsbury's Car Park in the evenings, however owners park at their own risk and Sainsbury's will not accept any liability for Loss or Damages. Should this agreement affect our customers then the store will have to review this decision'

**g) Consultations:
Highways Engineer**

- There are concerns here namely additional parking pressures generated on neighbouring Mayfield and Willowcourt Avenues as a result of the proposal. This is reinforced by the fact that there are already several similar establishments in this locality
- The additional information (i.e. parking survey) – 12 noon to 1pm is not relevant as it gives a snap shot of parking levels just following the 'witching hour' of the daytime 11 to noon anti commuter restriction. Because of this parking levels will be inherently low. In any event it is the evening and night time parking which is the real issue. No information is provided
- The suggested use of the Premier Inn car park is unlikely to work given its proximity and more importantly the need to pay for the privilege of parking does not encourage its use. Free on street parking in neighbouring residential roads will be the natural preferable option
- The same would apply to the Sainsbury's car park although it would appear that this would not be charged for but its proximity does not favour use for the proposal. Also Sainsbury's can withdraw this provision at any time
- The existing A3 establishments on the LB Brent also potentially generate parking issues on LBH roads so the cumulative additional impact will further impinge on Harrow's road network
- It must be remembered that the waiting restrictions in Mayfield Avenue & surrounding roads were put in at the request of the emergency services i.e. fire brigade as passage for their vehicles was previously impeded. If evening / night time parking does prevail then we would be potentially creating new problems for the fire brigade & ambulance service. This obviously must be avoided
- On a positive note the mini cab provision is useful but its impact cannot be quantified
- There is therefore an objection on highway grounds as follows:- 'The increased use intensity of the proposal would encourage additional and injudicious on street parking to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway'

Notifications:

Sent:
23

Replies:
26 objecting
47 in support
+ 2 petitions of
objection (9 and 41
signatures)

Expiry: 13-FEB-08

+ 4 petitions of support
(6, 8, 22 and 34
signatures)

Summary of Response:

Objection

Disturbance to local residents in early hours of the morning; Site will attract vermin at rear due to food waste; More cooking smells in an area already crowded with restaurants; Decreasing retail space, a lot of takeaways have recently opened; Occupants living above will be disturbed by late night loud noise; Mayfield Avenue and Willowcourt Avenue close to Kenton Road are now pay and display, the rest of these roads have a 1hour restriction; Such parking restrictions acknowledge the existence of parking problems in the area; No allowance for parking made, customers will park on the residential side roads and cause disturbance walking back to their vehicles; Will be detrimental to the character of the area; Private drives are already parked across in residential side streets; Ventilation systems at rear face adjacent residential properties; Do not need another restaurant/drinking establishment, especially of this size; The proposed business will not increase trade in the parade during normal business hours; The parade needs businesses that will increase footfall in normal working hours; Noise from late night uses in Kenton is at present unacceptable; Elderly residents are unaware of the proposed changes; Residents on the other side of Kenton Road should be notified of the application; Parking problems make it difficult for emergency services to gain access to properties; Anti-social behaviour has recently occurred at 3am, makes residents feel unsafe; Unit is very large (2m frontage, 400 sq metre floor area) which will cause huge parking problems on side streets; Retail units need to be retained to maintain vitality in the area; Increase in litter; Existing establishments have adequate parking areas unlike this proposal; Are already 7 restaurants within 50 yards of the site; Need for shops such as newsagents so elderly residents without cars can shop locally in safety; Parking bay in front of the site can only accommodate 7 cars; Roads are not safe for local children; Such establishments do not create a harmonious community but become a burden upon the community; At least 14 eateries in this part of Kenton alone; The last bus is at 12:15am.

Support

Premises marketed as 1 or 3 units for 9 months unsuccessfully in 2007, due to a lack of passing trade; Previous leaseholder would have been made bankrupt had they not sold to the Applicant; Too much retail competition from Harrow town centre; A1 use unsustainable in this parade; New business will bring vitality to the parade and bring in custom to existing units; Will not attract antisocial behaviour; A large number of A1 units have shut in recent years; No objection; Will attract younger people and increase trade; Like a ghost town during the day; Objectors are doing so on personal grounds and do not want competition to their own businesses; Traffic problem will not be made worse; Sufficient parking in side roads which are always empty, most houses have their own drives, metered parking available; Need more businesses for local residents; Local MP should be supporting the application; Decline in number of

people visiting the parade; Supermarkets have replaced traditional shops; Will attract more professionals and families; Interior will be to a high specification; Misleading objection petition suggested the proposal was for a pub/club; Will enable local businesses to entertain business clients locally; Transport links are close by; No such high class restaurant in Harrow; Would feel more secure if more people in the area, very quiet and doesn't feel safe at present; CCTV monitoring will benefit the area; Bars on the opposite side of the road under Brent open until 2am doing good business; Refit contract important to a local business; Local taxi service would have a direct line to the business to avoid noise from comings and goings; Good bus and train services nearby, most people who drink will use public transport; Will provide employment in the area; Applicant has acted professionally and responsibly in all recent business ventures; Procedures will be in place to prevent anti-social behaviour; Local community will benefit from a large meeting place; Will boost local economy; Competition will be good for the area; Would make area more attractive; St Luke's Hospice will benefit from the proposed 'Grand Opening Evening' and an annual event; ventilation to be installed at high level.

APPRAISAL

1) Character and Appearance of the Area

Policy EM18 of the Council's UDP states that the change of use of Class A1 units in the Designated Shopping Frontages of Local Centres is only permitted if a number of criteria are met. In terms of appropriateness to the Centre the proposed Class A3/A4 use is considered to be acceptable. The second caveat is that the length of frontage should not exceed 30% of the total designated frontage in the Centre. At present the amount of non-retail frontage in the Centre stands at 25.48% and the proposed change of use of this triple width unit would bring this total to 33.43%. It is accepted that the 30% limit is likely to be broken by changes of use when the existing situation is close to this amount and so, although the triple width unit takes the figure to 3.43% above the policy's limit this is not deemed to be unacceptable. Clause C of this policy relates to servicing and D to appropriate frontage design, both of which are deemed to be acceptable as proposed.

Clause E of Policy EM18, however, permits changes of use of A1 units providing that a harmful concentration of non-retail uses is not created or added to. This proposal would effectively see the loss of the equivalent of 3 retail units, although the unit is at present joined this has not always been the case and the width is akin to that of three 'standard' size units in the parade. The proposed change of use to a restaurant/drinking establishment would be sited adjacent to the existing takeaway at No.180. There is also a double width restaurant at Nos.188-190 in the same stretch of the parade (this stretch lying between Mayfield and Willowcourt Avenues). This would mean that, as well as resulting in effectively creating four non-retail units in a row with a combined frontage of 23.8m, the double width unit on the corner of this section of the parade would increase the total number of 'standard' width units in food and drink use in the parade to 6 and the width to 36.1m, this figure increasing to 7 and frontage width to 39.1m when the other non-retail use in this section of the parade is included out of a total of 14 'standard' sized units with a combined frontage width of 87.9m. In this regard the proposed change of use, in

association with existing adjacent non-retail uses, would be considered to create a harmful concentration of non-retail frontage, leading to a loss of vitality to the shopping parade and to the shopping centre as a whole, contrary to the objective of policies SEM2 and EM18 of the Harrow Unitary Development Plan (2004).

The proposed change of use would also be considered to result in an overintensive use of the site, the Design and Access Statement stating that establishment would have a total capacity of 350 people. Such an intensity of use and the proposed late opening hours (until 02:00, seven days a week), would cause associated noise and disturbance which would be detrimental to the character and appearance of the area, along with increased levels of parking, traffic, comings and goings, litter, noise, fumes and potential antisocial behaviour being detrimental to the character and appearance of this Local Centre, contrary to the objectives of policies EP25 and EM25 of the Harrow Unitary Development Plan (2004). The proposed hours of use until 02:00 seven days a week, in particular are considered to be inappropriate in this Local Centre, until 02:00 seven days a week, and would be particularly detrimental to the character and appearance of the area, notwithstanding other units with late opening hours outside of the Council's area of jurisdiction.

2) Residential Amenity

Policy EM25 of the adopted UDP states that proposals for food and drink uses and late night uses should not have a harmful effect on residential amenity, with particular regard to a number of specific issues including the proximity of residential properties (particularly flats above), the hours of operation, parking arrangements and arrangements for fume extraction. The proposed change of use would result in an overintensive use of the site, the Design and Access Statement stating that establishment would have a total capacity of 350 people. Such an intensity of use would, in combination with the proposed opening hours until 02:00 daily, would lead to levels of associated noise and disturbance from comings and goings and the number of people within the site at any one time would be detrimental to neighbouring residential amenity, particularly those in residential units above the units, contrary to policies EM25 and EP25 of the UDP. The proposed parking arrangements (addressed later in this report), would also result in harm to residential amenity, and would therefore also be contrary to the objectives of policy EM25 of the UDP. It has also not been demonstrated that acceptable extraction and ventilation systems could be provided at the site for the scale of use proposed in a way which would be of no harm to residential amenity, as required by policy EM25 for changes of use such as that proposed here.

The concentration of non-retail frontage that the proposed change of use would result in would also be of detriment to the amenities of the local population, the loss of vitality to the shopping parade and to the shopping centre as a whole resulting in a less useful centre to serve the needs of local residents and others utilising this Local Centre.

3) Parking

The Council's Highways Engineer is concerned that the proposed change of use, particularly considering its scale, would generate additional parking pressures on neighbouring Mayfield and Willowcourt Avenues as a result. Several similar establishments in this locality already create such pressures which this proposal would only add to. Although the Applicant's have submitted a parking survey and extra information regarding parking and transport issues these are not considered by the Highways Engineer to address the objections raised, the proposed alternative arrangements being unlikely to be used in practice in terms of parking when neighbouring residential streets offer by far the most convenient free parking. Such parking would be of detriment to the residential amenities of neighbouring occupiers, and would be deemed to encourage additional and injudicious on street parking, particularly, to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway, contrary to the objectives of policies EM25 and T13 of the Harrow Unitary Development Plan (2004).

4) Accessibility

As no new shopfront is proposed at this stage access to the building is not for consideration at this stage. There are concerns, however, that the proposed layout would not facilitate convenient access for all. It is considered that adjustments to the internal layout would need to be made to an acceptable scheme to the WCs to improve accessibility, the disabled WC in particular being shown as having a door which would open out onto what is likely to be a busy corridor, completely blocking this corridor.

5) Licensing Act

No application under the Licensing Act in relation to the proposed use has been made at the present time.

6) S17 Crime & Disorder Act

It is not deemed that this application would have any detrimental impact upon community safety and is therefore acceptable in this regard.

7) Consultation Responses:

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

- **Objection** - Site will attract vermin at rear due to food waste – this is an issue which would be dealt with by Environmental Health, should such problems arise
 - Elderly residents are unaware of the proposed changes – all nearby residential properties have been notified and a site notice was erected to ensure the local population are well informed about this application's existence
 - Residents on the other side of Kenton Road should be notified of the application – this is the responsibility of Brent Council who have been notified of this application

- **Support** - The following issues were considered during the assessment of this application and the formulation of this report's recommendation, as justified in its Appraisal, but are either at odds with the locally adopted

planning policy or are subjective opinions. They are not considered to overcome the reasoned recommendation this report has reached as its conclusion:

- Premises marketed as 1 or 3 units for 9 months unsuccessfully in 2007, due to a lack of passing trade; Previous leaseholder would have been made bankrupt had they not sold to the Applicant; Too much retail competition from Harrow town centre; A1 use unsustainable in this parade; New business will bring vitality to the parade and bring in custom to existing units; Will not attract antisocial behaviour; A large number of A1 units have shut in recent years; Will attract younger people and increase trade; Like a ghost town during the day; Traffic problem will not be made worse; Sufficient parking in side roads which are always empty, most houses have their own drives, metered parking available; Need more businesses for local residents; Decline in number of people visiting the parade; Supermarkets have replaced traditional shops; Will attract more professionals and families; Will enable local businesses to entertain business clients locally; Transport links are close by; Would feel more secure if more people in the area, very quiet and doesn't feel safe at present; CCTV monitoring will benefit the area; Bars on the opposite side of the road under Brent open until 2am doing good business; Local taxi service would have a direct line to the business to avoid noise from comings and goings; Good bus and train services nearby, most people who drink will use public transport; Will provide employment in the area; Procedures will be in place to prevent anti-social behaviour; Local community will benefit from a large meeting place; Will boost local economy; Would make area more attractive.
- The following issues are not considered to be material planning considerations
 - Objectors are doing so on personal grounds and do not want competition to their own businesses; Local MP should be supporting the application; Interior will be to a high specification; Misleading objection petition suggested the proposal was for a pub/club; No such high class restaurant in Harrow; Refit contract important to a local business; Applicant has acted professionally and responsibly in all recent business ventures; St Luke's Hospice will benefit from the proposed 'Grand Opening Evening' and an annual event; Competition will be good for the area

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.

SECTION 4 – CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None