

# **Planning Committee**

## **PLANNING APPLICATIONS RECEIVED**

**DATE:                      Wednesday 13 January 2016**

**PLANNING COMMITTEE**

**APPLICATIONS**

**WEDNESDAY 13TH JANUARY 2016**

**PLANNING APPLICATIONS RECEIVED**

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**PLANNING COMMITTEE**

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## SECTION 1 – MAJOR APPLICATIONS

ITEM NO: 1/01

ADDRESS: AYLWARD PRIMARY SCHOOL, PANGBOURNE DRIVE,  
STANMORE

REFERENCE: P/4772/15

DESCRIPTION: REDEVELOPMENT TO PROVIDE A SINGLE AND TWO STOREY BUILDING FOR A 630 PLACE THREE FORM OF ENTRY PRIMARY SCHOOL WITH INTEGRATED 26 PUPIL NURSERY; RE-ESTABLISHMENT OF (LIMITED VEHICULAR ACCESS) ENTRANCE OFF DALKEITH GROVE; ASSOCIATED LANDSCAPING TO INCLUDE HARD AND SOFT PLAY AREAS AND BOUNDARY PLANTING; DEMOLITION OF EXISTING PRIMARY SCHOOL BUILDINGS

WARD: CANONS

APPLICANT: EDUCATION FUNDING AGENCY (EFA)

AGENT: HKS ARCHITECTS FOR AND ON BEHALF OF KIER CONSTRUCTION

CASE OFFICER: CONOR GUILFOYLE

EXPIRY DATE: 12/01/2016

### RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to referral to the National Planning Casework Unit who are responsible for handling referrals to the Secretary of State for Communities and Local Government for possible 'call in' in accordance with the Town Planning (Consultation) (England) Direction 2009 and the DCLG letters of 10 March 2011 and 10 Feb 2012, **GRANT** planning permission for the development described in the application and submitted plans subject to conditions.

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow and the land at Aylward Primary School, Pangbourne Drive, Stanmore, HA7 4RE

### INFORMATION

The application is reported to the Planning Committee because the Council is the Landowner and the proposal is a major development and therefore falls outside of category 1(d) of the Council's scheme of delegation.

### Legal Comments

Regulation 3 of the Town and Country Planning General Regulations 1992 [Statutory

Instrument 1992/1492] provides that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under Section 77 of the Town and Country Planning Act 1990 for determination by him.

The application is made by LB Harrow who intends to carry out the development on the land at Aylward Primary School, Pangbourne Drive, Stanmore, HA7 4RE

The grant of planning permission for this development falling within Regulation 3 shall ensure only for the benefit of LB Harrow.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 3219 sqm

Net reduction in Floorspace: 2961 sqm

GLA Community Infrastructure Levy (CIL) Contribution: The Mayor of London Charging Schedule (February 2012) outlines that CIL will not be payable where "*Development is used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education*".

The Harrow School Expansion Programme

Harrow Council has a statutory responsibility to provide sufficient school places for its area. Like most London Boroughs, Harrow is experiencing a significant increase in demand for school places. The increasing demand is primarily birth rate driven but is complicated by other factors such as migration, household occupancy, size of families, etc. The main pressure on school places is currently in the primary sector, though pressure is also being experienced in the special educational needs sector and will be experienced in the secondary sector when the additional pupil numbers progress through to the high schools.

Harrow Cabinet agreed its school place planning strategy in February 2010 to meet the increasing demand for school places. Harrow is a congested urban borough and there is very limited effective scope to build new schools. In July 2015, Cabinet agreed on a Primary School Expansion Programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by the opening of temporary additional classes as required to meet the peak and variations in demand.

Harrow has been opening additional temporary reception classes since 2009, with an increasing trend in the number of places opened. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their reception intakes and 9 temporary additional reception classes were also opened. Statutory proposals for phase 2 of the Primary School Expansion has been completed with 19 school obtaining planning permission to expand.

The re-development of the site is now being considered as part of the Government's Priority Schools Building Programme (PSBP). The PSBP was launched in July 2011 and is procured by the Education Funding Agency on behalf of the Department for Education. The PSBP aims to raise standards in education, through a combination of investment in buildings and ICT, so that young people can fulfil their potential and so that

staff can use their skills to best effect.

Aylward Primary School is an existing two form of entry (FE) primary school catering for circa 565 pupils. The proposal is to provide a new 3 FE school building on the existing site for pupils aged 3-11, including an integrated unit for (12) pupils with Autism Spectrum Disorders (ASD). The re-development is designed to accommodate a total of 630 pupils, comprising 592 mainstream places, 26 nursery pupils and a 12 pupil ASD unit.

### **Site Description**

- The application site lies between, and is bounded by, the rear gardens of properties on Dalkeith Grove to the south, Dovercourt Gardens to the East, Pangbourne Drive to the north-east/north and Westbere Drive to the north/north-west. To the west, the site is bounded by woodland within the ownership of Transport for London, on the far side of which lies a car park and/or railway.
- The site is accessed from the north, opposite the 'T' junction between Pangbourne Drive, Westbere Drive and Morecambe Gardens, from which a driveway leads to a car park featuring 45 (including 2 accessible) spaces for staff.
- An existing site access exists to the south-east, off Dalkeith Grove (between Nos 48 and 46). It is currently out of use.
- The existing school building typology is that of as single storey units 'stitched' together, resulting in 'dead ends' and a somewhat disjointed layout.
- The existing buildings are sited along two main layouts; one along an approximate west-east orientation occupying most of the site width, at a location approximately between the central and northern 'half' of the site; and another along a north-south orientation, on the eastern side of the site, covering most of the site depth.
- There are playing fields enclosed within the site which are sited to the south, south-west, and west. To the west and south, there are a large number of established trees including a landmark Cedar tree, a tall tree trunk, and to the west, a large landmark Willow. These 'green' areas around the site (south, south-west, west, part of north-west) are identified within the Local Plan as areas of Open Space.
- Hard play areas feature to the west/north-west and east, directly adjacent to buildings.
- The primary school currently has approximately 565 pupils including an integrated unit for (12) pupils with Autism Spectrum Disorders (ASD) and nursery.

### **Proposal Details**

- The application proposes demolish the existing two form of entry (FE) primary school and nursery building and Autism Spectrum Disorder (ASD ) unit and build a new three FE replacement primary school, nursery and ASD unit to cater for an increased number (65) of pupils.
- The replacement building would occupy a more coherent singular main footprint (in contrast to the ad-hoc footprint and layout of the existing buildings), running west-east/north-east, sited on the southern 'half' of the site, directly in front of the existing entrance. The building would be part-single, part-two storey in scale, with its majority across two storeys.
- The building would feature a contemporary external appearance, with two contrasting brown/beige/cream 'clay' brick finishes, including recessed elements to add texture, visual interest to demarcate the frontage/main reception, and break down the bulk/massing.
- Car parking would be provided in the same northern area of the site, as existing, with

- an increase of three parking spaces, totalling 48 (including 2 accessible) spaces.
- Cycle parking provision, which could be partly replaced with scooter parking given the pupil ages, would feature to the front and rear (given the different access routes to the site) of the school, with further details to be secured by planning condition.
- The proposal also includes a comprehensive landscaping scheme, including tree planting to infill existing gaps in planting along the southern boundary with rear gardens of properties on Dalkeith Grove.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

P/0145/10 - Replacement of existing windows and doors to south elevation; installation of steel canopy over existing external play area construction of timber fence with gates (application under regulation 3 of the town and country planning general regulations 1992) – GRANTED : 30/04/10

P/1609/05/DFU - Provision of additional car parking spaces re-alignment of road/grassed areas – GRANTED : 16/09/05

EAST/691/01/LA3 - Single storey extension to nursery classroom – GRANTED : 03/08/01

EAST/790/94/LA3 - Enclosed link and single storey extension to provide 3 class rooms and parking spaces – GRANTED : 07/03/95

LBH/41575 - Application under reg.4 Of the T&CP Gen Regs 1976: single storey building to provide additional classrooms cloakroom toilets & ancillary accommodation covered link & additional parking spaces – GRANTED : 17/11/15

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

- The revised scheme for the site was considered in consultation with the Education Funding Agency as part of the Priority Schools Building Programme ITT (Invitation to Tender) Process and further pre application meetings to discuss the developing design and application requirements. A public consultation meeting also took place at the school on 24<sup>th</sup> September 2015, with a broadly positive response received to the proposal.

### **Applicant Submission Documents**

- Design and Access Statement
- Planning Statement
- Statement of Community Involvement
- Statement of Community Use
- School Travel Plan
- Surface Water Drainage Design Philosophy
- Outline Transport Feasibility Assessment,
- Construction Method Statement
- Part L Compliance Report
- Adaptive Comfort and Overheating Report
- Pre-Development Arboricultural Survey
- Preliminary Ecological Assessment

- Daytime Bat Survey
- Phase I Geo-Environmental Assessment Report
- Phase II Ground Investigation Report,
- Flood Risk Assessment
- Landfill Waste Acceptance Criteria documentation

## Consultations

**Sport England** – Objection - The existing playing field can support a wide range of pitches and these pitches can be moved to allow well used areas such as goal mouths to recover. The proposed replacement shows the site is only capable of accommodating a single pitch.

**Highways** – No objection - The delivery and service plan should be submitted with the [updated] Travel Plan (including provision to ensure that deliveries are made during non-peak hours) and the construction logistics plan (method statement) – can be conditioned.

**Landscape Architect** – No objection - subject to the following hard and soft landscape conditions

- Landscaping to be Approved.
- Hard landscape Material Details
- Landscaping Scheme - Implementation including a period of 5 year period for replacements of soft landscape
- Boundary Treatment
- Hard landscape Material Details
- Levels
- Management and maintenance objectives and programme for all the school grounds / landscape areas

**Tree Officer** – No objection - subject to tree protection measures in relation to existing trees which are to be retained at the site.

**Waste Management** – No comment

**Drainage Engineer** – No objection - subject to revised flood water storage calculations and drainage details being agreed prior to the commencement of the development, which can be secured by condition.

**Transport for London** – No objection

**London Underground Limited** - No objection

**Designing Out Crime Officers** – No comment

**Environment Agency** – No objection

**Thames Water Utilities** – No comment

**Canons Park Residents Association** – No comment

## Advertisement

## **Notifications**

Sent: 127

Replies: 20

Expiry: 12-11-15

## **Addresses Consulted**

127 properties on;

Dalkeith Grove, Pangbourne Drive, Dovercourt Gardens, Westbere Drive, Morecambe Gardens, Heronslea Drive

## **Summary of Responses**

18 letters of objection. The main issues of objection can be summarised as follows;

- Objection to use/'introduction' of vehicular access to the school from Dalkeith Grove which would exacerbate congestion and cause safety issues
- Increased pupil numbers and traffic will cause congestion and safety issues detrimental to quality of life for surrounding residents
- Inadequate parking provision
- Transport report submitted by applicant contains errors
- Proximity of school to the rear garden fences of properties on Dalkeith Grove, combined with its height 2.5m above ground level at those properties, would result in a loss of privacy and encroachment to the occupiers of those properties.
- Material loss of privacy to first floor of neighbouring properties, and general concerns about overlooking to rear of properties (namely on Dalkeith Grove)
- Detrimental loss of sunlight and overshadowing to properties on Dalkeith Grove by siting, presence, and scale of building
- Noise pollution – namely from nursery and reception area close to rear gardens on Dalkeith Grove
- Resident can hear children during play time – closer school building to properties (on Dalkeith Grove) will increase disturbance
- Rubbish bins proposed to be placed near rear garden of 58 Dalkeith Grove (and others nearby), causing detrimental amenity impacts and attracting vermin
- Lighting will cause disturbance in the early hours of the morning to properties on Dalkeith Grove
- Car boot sales will be held on the school site directly behind the rear gardens of properties on Dalkeith Grove
- Disturbance to existing drainage
- Construction of the school will cause disturbance to residents
- Building is poor quality design and overall scheme features a poor layout
- Proposal is overdevelopment of the site and placed in wrong area of site

## **APPRAISAL**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

*'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'*

The Government has issued the National Planning Policy Framework [NPPF] which

consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan (consolidated with alterations since 2011)(2015) [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

## **MAIN CONSIDERATIONS**

Principle of the Development  
Character and Appearance of the Area  
Residential Amenity  
Traffic and Parking  
Development and Flood Risk  
Accessibility  
Sustainability  
Trees and Development and Biodiversity  
S17 Crime & Disorder Act  
Consultation Responses

### **Principle of the Development**

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality build environment that reflect the community needs and support its health, social and cultural wellbeing. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 that: *“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Local Planning authorities should give great weight to the need to create, expand or alter schools”.*

Furthermore, on the 15/08/11 the DCLG published a policy statement on planning for schools development which is designed to facilitate the delivery and expansion of state funded schools. It states:

*“The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state funded school places, increasing choice and opportunity in state funded education and raising educational standards.....The Government wants to enable good schools to open and new schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state funded school sector to meet both demographic needs and the drive for increased choice and higher standards”.*

*“It is the Government’s view that the creation and development of state funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”*

Core policy CS1 of the Harrow Core Strategy (2012) states that: *“The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements.”* Policies 3.16 and 3.18 of The London Plan (2015) seek to ensure, inter alia, that development proposals which enhance social infrastructure, education and skills provision are supported.

Policy DM 46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are; (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and would not result in any adverse impacts on residential amenity or highway safety.

Aylward Primary School is part of the Government’s Priority Schools Building Programme (PSBP). The PSBP was launched in July 2011 and is procured by the Education Funding Agency on behalf of the Department for Education aiming to raise the standards of teaching spaces within education. The educational use of this site is long established. The existing buildings on the site are time served, with the Council and the EFA identifying them as being in poor condition and subject to high-cost repairs. The existing buildings are poorly configured and form an incoherent sprawl on the site. The proposed school would feature a good quality, sustainable design, with a considerable reduction in land-take, resulting in an improvement in education facilities for local people and an increase in the amount of open land on the school site. It would feature a building which is fit for its purpose and rational in its layout, use and form, with the resulting benefits to managing the accommodation in terms of efficiencies of scale/energy use, and classroom layouts.

Furthermore, as outlined above, Harrow needs to create more primary school places to meet a growing demand. Having regard to the very limited availability of land for new schools within the borough against the backdrop of existing and projected demand for places, it is considered that there is a clear need for additional educational space and, as such, the proposals have strong policy support at local, regional and national level. Furthermore, the site is located within a reasonably accessible, established location, with an established pupil catchment, to help meet the demand for places within the surrounding community.

It is acknowledged that the ‘green’ areas around the site, namely those to the south, south-west, west, and part of north-west, surrounding the existing conglomeration of established school buildings on the site in those directions, are identified within the Local Plan as areas of Open Space. Policy 7.18B of the London Plan (2015) and Policies DMP 18 and 19 of the Harrow Development Management Policies Local Plan are relevant in this respect. As outlined above, the proposal would introduce a more coherent pattern of development on the site with a more efficient land-take by buildings. It would result in a net reduction of floor space/building footprint of 2961 square metres. In doing so, whilst it is acknowledged that the current open space designation was ‘designed around’ the existing school buildings into which the proposal would partly encroach, it is pertinent to acknowledge that the proposal would result in an increased level of ‘open space’, albeit not predominantly on areas covered by existing buildings and thus not those parts of the

site under such a designation in the Local Plan. However, the above policies adopt a flexible approach if provision is made within the immediate surrounding area, and the replacement open space would not be of a different type than that it replaces as they are both open landscape/recreation/play areas within the same use of land on the same application site. Policy DMP18 is particularly supportive in such instances, where the proposal would secure the future of existing buildings (the school in this instance) on an open space where there would be no loss of necessary capacity, or quality, for the proper functioning of the open space. For the reasons set out above, the encroachment into the designated open space in this instance is considered acceptable as it would satisfy the above policy exceptions.

In summary, having regard to the above policy considerations, the principle of development is considered to be acceptable by officers. It is considered that the proposals would make a significant contribution to social and educational infrastructure within the London Borough of Harrow. The proposed development will result in a significant improvement in terms of the quality of the physical facilities on the site and the removal of poor quality accommodation which is past its life-cycle.

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

The National Planning Policy Framework emphasises that in the pursuit of sustainable development, proposals which would replace poor design with better design and would provide positive improvements in the quality of the built environment should be encouraged (Paragraph 9). The NPPF makes it very clear that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making better places for people.

The London Plan (2015) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2015) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2015) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation. Policy 7.8D of The London Plan (2015) states that *'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'*.

Core Policy CS(B) states that *'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.'*

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2015) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces.

### Layout, Scale and Massing

The design and layout of the replacement school seeks to consolidate the school, nursery and ASD (with Autism Spectrum Disorders) unit into a coherent simple built footprint, which maximises the opportunities to utilise the remainder of the site, in contrast to the incoherent sprawl of buildings which have been extended in an ad-hoc fashion over time, which currently spread across the site.

The design and layout of the school in an irregular 'L'-shaped building footprint, combined with its orientation running east-west, and siting directly in front, albeit further to the south, of the existing entrance, would result in a clearly defined focal point at the end of the main northerly entrance into the school site. The revised scheme includes a 'civic approach' to the school for users from car or foot from the north, as both would access the school further into the site along a tree lined route which would be direct, clear way-finding. To the south, the closer siting of the building towards Dalkeith Grove would encourage dispersal of pedestrian traffic through shorter routes, facilitated by an access ramp, as would the siting of the nursery in this location to enable shorter, more direct access, for pedestrian users approaching from the south-eastern pedestrian entrance off Dalkeith Grove. This route would also enable a direct, short, route for users of the integrated unit for pupils with Autism Spectrum Disorders (ASD), including a very limited vehicular access solely for pickup and drop-off of those pupils (notwithstanding its use for limited school deliveries), which can be maintained behind a 'secure line'. For the same reasons of distance, the nursery adjacent to the ASD unit on the south side of the building, and the southern siting of the building in general, would allow for ease of pedestrian access for users from the south-eastern access off Dalkeith Grove, and the ability to secure such users and pupils behind a separate 'secure line'.

The two storey element of the building would be primarily limited to the more 'central' elements of the building, although it would take up the majority of the building. At one-to-two storeys in scale, the resultant mass and scale of the building would primarily run in a linear fashion in an east-east orientation, and angle partly to the north-east. Due to this angled element, and the siting of the main entrance/reception at its end, whilst located further south/into the site than the existing school building, when approaching the site from the main vehicular and pedestrian entrance to the north, along with its tree lined direct path downslope and use of detailed external treatments (alternating brick colour/type, recessed brick texture, school crest on elevation), this siting of the main entrance would further contribute to the high degree of legibility and clear way-finding for both regular users and unaccustomed visitors to the site by foot or car from its main entrance.

In terms of its scale and massing, the main linear element of the school would be sited in the southern 'half' of the site compared to the northern 'half' as at present. Due to the sloped nature of the land, and the need for a level base for the school, some re-contouring of the land on which it is sited would take place, resulting in a level up to 2m above that of the southern boundary and rear gardens of the properties of Dalkeith Grove along it. However, the closest point of the building to that boundary would be 32m, at single storey in scale, measuring 4.4m high. Where it increases to two storeys in scale, at a height of 8.1m, it would be 35.5m or greater from that boundary. These distances would gradually increase east-wards. Given these distances, even at a 2m higher level than the land to the south, the above measurements are not considered to appear detrimental to the built character and pattern of development of the site and surrounding area, the latter of which is characterised by two storey residential properties.

To the east/north-east, and north/north-west, the distances would be considerably

greater to the site boundaries owing to the siting of the building. Whilst the north-eastern part of the building would feature taller single storey elements at 8.85m tall, given its considerably reduced bulk and considerably increased distance to the site boundaries than the aforementioned southern element/main building orientation, the same view is reached. For the same reasons of distance, the same view is reached with regard to its impacts to the north/north-west and western boundaries. Whilst closer to the western boundary than the southern boundary at parts (irregular site shape), the woodland railway embankment/buffer nature of the land beyond that boundary is such that the building is not considered to be of a scale, bulk or mass detrimental to the setting of the site and that neighbouring context.

The above layout, in contrast to the existing school, would enable a 'softer' building frontage with landscaping and attractive 'soft social' areas of greenery to the front and rear of the school buildings. The layout of the buildings would allow for passive surveillance of these areas by users of the school, and allow for such areas to surround the majority of the school, rather than the existing building layout which dominates the site and encloses spaces, with its 'back' to the greenery. This would result in an improved aesthetic outlook for its users and more useable/functional places in close proximity to the building, such as the hard and informal areas which would surround the ground floor rooms.

In choosing the above massing, siting and layout of the building, the applicant considered the feasibility of a variety of options as outlined in the Design & Access Statement. However, owing to various site constraints, particularly the need to minimise disruption to the existing operational school that needs to continue teaching during the construction of the new buildings, and the constraints of existing landscape features (trees) and the physical nature of the site (levels, drainage considerations and mitigation requirements), the current scale, siting and layout was chosen. Operational needs and improved internal teaching requirements, needs, efficiencies and educational standards also influenced the layout of the proposed building.

Given the above considerations, the proposal is considered acceptable in this regard.

### Design and Appearance

The main materials for the building would consist of two contrasting brown/beige/cream 'clay' brick finishes, and the school's logo and colours. This would provide a contemporary finish and appearance to the school building, and would be emphasised further by the use of contrasting panels of the two brick varieties. Doing so would also 'break up' the repetitive sequence of the windows, avoiding an 'institutional' appearance which emphasises bulk and mass. Certain brickwork panels would be recessed or expressed by 15mm to further break-up the mass of the elevations and add visual interest. Given its siting 'tucked' away in a parcel of land behind the rear gardens of neighbouring properties, away from direct prominence from any surrounding street scene, and surrounded by considerable landscaping/green space, officers consider that the proposed materials would be appropriate in this setting, and would allow for a modern, 'fresh' and uplifting finish and appearance fitting of its intended land-use.

The accompanying Design and Access Statement outlines that the window design has been driven by sustainable design principles, incorporating louvres and clear elements of glazing to allow for plenty of natural light, and the need to deliver an efficient internal environment.

The roof-top plant would be concentrated to an area of plant-well directly above the kitchen and plant room, visually screened by a bank of louvres, with the other roof elements plant-free.

Subject to a condition, requiring specific material samples to be submitted to the Local Planning Authority for further consideration, prior to the commencement of the development, the material approach is considered to be acceptable.

As such proposal is considered to have an acceptable impact on the character and appearance of the area.

### Landscaping

A comprehensive landscape strategy has been submitted with the proposal. The proposed materials have been chosen to match the existing landscape, including tarmac surfacing to the hard and social area around the building. The soft social spaces would feature lawn to maximise play surface. Planting/trees would line the main arrival area and pathway to the building, with a year round planting palette chosen. The Cedar tree would be retained. External dining areas and an increase in open/grassed/landscaped areas would provide a high quality enjoyable space for students. Hard landscape areas around the building would allow for indoor and outdoor learning environments. In similar regard, by placing all Phase 1 classrooms on the ground floor with direct access to outdoor spaces, within a secure line, a high quality, secure learning environment for young children would be created, resulting in a positive learning environment.

The nursery and ASD would feature 1.05m high picket fencing and 1.8m high closed board timber fencing to demarcate them, and along parts where secure lines are required, these areas and others in the site would feature a 2m high steel fence. The former would be in keeping with the trees and landscaping around the site, as well as that of neighbouring residential properties and their boundaries, to ensure no unwanted stimulus affects its pupils. The latter is required for security purposes to form 'secure lines'. Whilst 2m high and steel in construction, it would be of a mostly transparent 'weldmesh' nature which would result in minimal visual obtrusion and its 2m scale, 200mm above a standard residential boundary fence, set within the site, is not considered to appear visually obtrusive.

Overall, on balance, the proposed landscaping strategy would result in a high quality, much improved 'useable' scheme for the benefit of both the character and appearance of the site, and the quality and enjoyment of space afforded to its users. This consideration is reiterated by the comments from the Council's landscape officer, who raises no objection to the proposal, subject to further details which could be secured by condition. Subject to such details being secured by condition(s), the proposal is considered to comply with The National Planning Policy Framework (2012) and relevant planning policies, namely Policies 7.4B, 7.6B and 7.8 C and D of The London Plan (2015), Core Policy CS1 B and D of the Harrow Core Strategy (2012) and Policies DM 1, DM22 and DM24 of the Harrow Development Management Policies Local Plan (2013).

### **Residential Amenity**

Policy 7.6 of The London Plan (2015) states that "Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate".

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) requires that: “*All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers*”. “The assessment of the design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

#### Amenity impacts in relation to scale, massing and siting

The comments raised in representations objecting to the proposal are acknowledged and noted. As set out in section 2 above, the main linear element of the school would be sited in the southern ‘half’ of the site compared to the northern ‘half’ as at present. Due to the sloped nature of the land, and the need for a level base for the school, some re-contouring of the land on which it is sited would take place, resulting in a level up to 2m above that of the southern boundary and rear gardens of the properties of Dalkeith Grove along it. However, the closest point of the building to that boundary would be 32m, at single storey in scale, measuring 4.4m high. Where it increases to two storeys in scale, at a height of 8.1m, it would be 35.5m or greater from that boundary. These distances would gradually increase east-wards. Given these distances, even at a 2m higher level than the land to the south, the above measurements are not considered to appear detrimental to the built character and pattern of development of the site and surrounding area, the latter of which is characterised by two storey residential properties. Whilst it is acknowledged that the school would be closer to these properties than existing, and taller than existing, the distances and scale would still be generous in terms of assessing the impacts of a development proposal on neighbouring occupiers. Given these considerations, the school’s scale, siting, mass/bulk, and overall form would not be sufficient to result in an overbearing impact, loss of outlook or light (day/sun/sky), or overshadowing, to a degree which would be detrimental to the amenities of the occupiers of neighbouring properties on Dalkeith Grove to the south/south-west/south-east. Whilst it would feature windows on its elevations facing the rear of those properties, such distances are not sufficient to cause a loss of privacy or overlooking to the occupiers of those properties or their rear gardens, the latter of which would be at least 33.5m away, which is greater than a typically relationship in a residential development of similar building size.

To the east/north-east, and north/north-west, the distances would be considerably greater to the site boundaries owing to the siting of the building. Whilst the north-eastern part of the building would feature taller single storey elements at 8.85m tall, given its considerably reduced bulk and considerably increased distance to the site boundaries than the aforementioned southern element/main building orientation, the same view is reached as above, for the same reasons. For the same reasons of distance, and proposal characteristics as outlined above, the same view is reached with regard to its impacts to properties at the north/north-west and western boundaries.

#### Increase in Intensity of Use

Paragraph 123 of the NPPF (2012) states that planning decisions should aim to “*avoid noise from giving rise to significant adverse impacts on health and quality of life arising from noise from new development*”. The proposal would result in a material increase in the number of pupils from 565 to 630 (including nursery and ASD). As such some additional noise and disturbance is likely to arise as a result of the intensified use. It is inevitable that the noise impacts will become more acute as pupil numbers rise over the next few years. The National Planning Policy Framework places particular emphasis on meeting the need for school places. Within urban areas, the growth of school places will

results in some additional impacts upon nearby residential properties. The NPPF nevertheless requires that particular weight be applied to the need to expand and provide new schools.

The site benefits from an existing use as a school which involves an element of noise generation during the school day, and to a lesser degree, by community events taking place at the school. Whilst the proposal would result in the school being closer to properties to the south/south-west/south-east (those on Dalkeith Grove in particular), the predominant impacts arising from these closer activities (classrooms, nursery, ASD unit) are not considered to take place to a degree materially greater than existing, particularly given the limited increase in pupil numbers proposed. Similarly, some noise generation would take place along the re-opened access off Dalkeith Grove. However, this access was in existence previously and it is being proposed to be re-used, with the existing highway access and bell mouth formed and found satisfactory by the Highway Authority, where there was no guarantee it would not be used again in future. Furthermore, its use would be limited to pick-up and drop-off for the 12 pupil ASD centre, and deliveries to the school, where such generation is very limited in the context of the total 630 pupil number attending the school and their associated vehicle movements around the proximity of the school. Given this limited intensity of use, noise generation is not considered to take place to a degree detrimental to neighbouring amenity.

Plant will be installed directly above the kitchen and plant room on the single storey element towards the east/north-east side of the building. However, the existing building already features associated plant, albeit at a greater distance to neighbouring properties. However, given that the proposed replacement plant is likely to be more modern/efficient over existing, and would be sited at least 32m from the nearest residential boundary, (which itself would comprise the far end of a rear garden, being 52m from the nearest house), even with increased pupil numbers, the combined effect is not considered to result in a level of noise increase over existing which would be detrimental to neighbouring occupiers.

Further to the above, in terms of general noise generation from school activities or extracurricular activities/community uses, a suitably worded planning condition could ensure that no music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises in the vicinity of the premises.

Accordingly, it is considered that whilst some increase in noise will arise as a result of the development, the additional noise and disturbance is not considered to significantly undermine residential amenity to a detrimental degree, and would not outweigh the strong emphasis given to expanding schools within the communities which they are intended to serve as set out in National Planning Policy and the support within the Local Plan.

#### Vehicle Access and Traffic

The proposed car parking area would be located in the same area as existing. Whilst the proposal would result in increased pupil numbers, the level of car parking would remain similar to existing (45) at 48 spaces. This is for future staff increases rather than for pupil/parent parking, which is still encouraged, via the School Travel Plan, to take place by alternative methods (the school have no powers to prevent parking on the public highway). Furthermore, the siting of the building and proposed pedestrian routes to the south/south-east would encourage pedestrian traffic through improved accessibility,

including the provision of the access ramp on the entrance off the currently redundant access off Dalkeith Grove, and the siting of the nursery to the south, adjacent to these access points. As such, significant increases in vehicular traffic to and from the site, which would take place to a detrimental degree to neighbours, are not considered to arise.

### Community Use of Facilities

The proposed school building is intended primarily for primary education. However, as per the existing school, it is proposed to use it for community activities during term time and holiday periods as well as some evening and weekend use. Use of the building and external sports pitches by the local community outside of school hours would be supported by Local Plan policy.

The application is accompanied by a statement of community use which outlines the school's intentions to carry on as existing in terms of activities and use. The school wishes to continue to offer community access for groups and individuals during and outside of normal school hours. Both the car parking and cycle parking spaces would be made available for community users. The additional facilities for the use of the local community outside of school hours will result in additional vehicular trips and some noise and disturbance to neighbouring occupiers. As such, to reduce this impact, a condition is recommended to be added to the permission restricting the hours of use of the building and the playing fields for community use and to request further details of such activities.

### Construction Phasing

It is inevitable that noise and disturbance would increase during the construction process. However, the impacts would be temporary and can be mitigated to some extent. A detailed construction management strategy (logistics plan) has been submitted with the application. Highway officers are confident that subject to ensuring that deliveries are made during non-peak hours, its overall aims and objectives are sufficient and achievable. This requirement, and further details, could be secured by a suitable planning condition. Such a document would detail working practices including managing and maintaining site access routes, the site compound location, delivery times and security procedures in order to help safeguard the residential amenity of neighbouring occupiers as much as possible. Officers consider that the management and mitigation measures, secured by a planning condition, would be sufficient to reduce the impacts on the amenities for neighbouring occupiers during the construction phase to acceptable levels.

### Odour

A representation received raised an objection to the siting of the refuse store proposed to the rear of the ASD unit, at the rear of its drop-off area, near the rear garden of 58 Dalkeith Grove. This was on the basis that it would cause odour problems and attract vermin. All schools feature refuse areas and if properly secured, they should not pose a vermin threat. However, the proposed distance of this particular refuse area would, at 1m to the rear garden fence of No.56 and a similar distance to adjacent properties, be unacceptable due to its potential odour impacts to those nearby residents. It is considered reasonable and necessary to require a revised location for this refuse area to avoid the concerns raised. Subject to such a revised location being secured by condition, the proposal is considered acceptable in this regard.

### Lighting

Given the distance of the proposed building to the nearest residential properties, and its

scale/siting, use, and the site topography, whilst the concern raised about excessive/detrimental lighting causing disturbance to neighbours is noted, the use of the school and minor ancillary lighting around the site in this urban location is not considered to result in lighting impacts, particularly given the distances involved, sufficiently intense as to be to the detriment of neighbouring occupiers. Furthermore, details of external lighting could be secured as part of the (hard) landscaping condition, to ensure detrimental sighting of lighting columns/collards or similar features does not take place unacceptably close to residential properties.

In summary, officers consider that the proposal would accord with policy 7.6B of The London Plan (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2015).

### **Traffic and Parking**

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel and ensure that development proposals will not adversely impact on the transport capacity and the transport network, at both corridor and local level. This is further emphasised by core policy CS 1 R of the Harrow Core Strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The proposed car parking area would be located in the same area as existing, to the north. The proposal would result in 65 increased pupil numbers over existing. The level of car parking would remain similar to existing (45) at 48 spaces, with the increased spaces to account for staff increases rather than for pupil/parent parking, which is still encouraged, via the School Travel Plan, to take place by alternative methods. Two accessible parking spaces would feature, as per existing. These would be available to the public during community use/out of hour uses.

The proposal to re-open the Dalkeith Road access and feature a new access leading to the rear of the school. Its vehicular use would be limited to pick-up and drop-off for the 12 pupil ASD centre, and deliveries to the school, where such generation is very limited in the context of the total 630 pupil number attending the school and their associated vehicle movements around the proximity of the school. It would ensure that disabled users and ASD users arrive as close to the building as possible, which is considered good quality design in this regard.

Having considered the transport and highways implications of the proposal, no objection was raised by the Council's highway officers, subject to a satisfactory construction method statement, sufficient cycle parking provision, and adherence to an updated travel plan (current plan dated 2015) as the school expands. The construction method statement could be secured by a suitable planning condition as outlined in the previous section. In terms of cycle parking, it must be provided in accordance with London Plan standards (2015). This requires 1 long stay space per 8 staff (approximately 10 spaces), 1 long stay space per 8 students (79 spaces) and 1 short stay space per 100 students (6 spaces). The spaces need to be located close to the school entrance points, and in doing so, they would benefit from passive surveillance and appear more attractive for

their use. In turn, this would encourage their use in accordance with the aims of the School Travel Plan, and discourage additional vehicular traffic trips to and from the school. Given the age of children using the school, cycle parking may be substituted in favour of scooter parking, and for very young children this should ideally be located close to the Early Years access points. These details could be secured by condition. Whilst the total number of 93 spaces may appear high, the acceptable form cycle provision could be considered in further detail as part of the above condition if this presents issues for the school. Subject to such a condition, the proposal is considered acceptable in this regard.

Further to the above, a condition could ensure that approved details in the School Travel Plan are implemented upon first occupation of the school, and revised in line with annual reviews to take account of, and mitigate against, the increased pupil numbers.

For the reasons outlined above the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of policy 6.3 of The London Plan, core policy CS 1 R of the Harrow Core Strategy, and policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

### **Development and Flood Risk**

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Similarly, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that *“proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”*.

The site lies in flood zone 1 and therefore has a low risk of fluvial flooding. As such, there are no restrictions in planning policy for constructing of a building on the site, subject to surface water management controls. The proposed details, including the submitted Flood Risk Assessment, have been referred to the Council’s Drainage Engineers who are satisfied with the proposals, subject to further details which, at the time of writing this report, had broadly been informally agreed with some minor details outstanding. Drainage officers are therefore confident that the outstanding details are capable of being secured by planning condition. Subject to the outstanding drainage details being secured by condition before the development is commenced, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy DM 10 of The Harrow Development Management Policies Local Plan (2013).

### **Accessibility**

The London Plan (2015) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM 2 of the harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

The revised scheme includes a ‘civic approach’ to the school for users from car or foot

from the north, as both would access the school further into the site along a direct pathway leading to clear way-finding to the main school entrance. To the south, the closer siting of the building towards Dalkeith Grove would encourage dispersal of pedestrian traffic through shorter routes, facilitated by an access ramp, as would the siting of the nursery in this location to enable shorter, more direct access, for pedestrian users approaching from the south-eastern pedestrian entrance off Dalkeith Grove.

Level access and entrance doors meeting the requirements of Section 6 of the relevant British Standard BS8300 would be provided to the building both internally and externally around the building. The proposals include the retention of 2 accessible parking bays located in close proximity to the main front entrance. All areas and circulation spaces within the building have been designed to be accessible in respect of door opening widths and internal circulation routes. Corridor widths would all have a minimum width of 1800mm and all doors would have a minimum clearance of 800mm. One lift would be provided to the upper floors, and another stair core features room for a second lift to be installed should demand necessitate so. Accessible bathrooms would feature throughout. Overall, these measures are considered acceptable to enable inclusive access for all throughout the school as per the requirements of policy 7.2 of the London Plan (2015) and policy DM 2 of the Harrow DMP LP (2013).

### **Sustainability**

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations. Currently the target is a 40% reduction for all major development proposals. Policy 5.2 C outlines that "*major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions are to be met within the framework of the energy hierarchy*".

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to "*utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials*"..."*Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity*". Policy DM 14 highlights that development proposals should incorporate renewable energy technology where feasible.

Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The building has been designed to benefit from solar heating opportunities through exposed thermal mass by exposing the concrete ceiling soffits which act as 'thermal sponges' to absorb daytime heat gains and limit the rise in room temperature. Night cooling is then used to flush the heat from the concrete slab to create the potential for radiative and convective cooling the following day. Natural daylight has also been designed-for with glazing areas optimized to balance the competing demands of delighting and thermal energy balance. Assisted natural ventilation would be provided, and the building fabric has been designed to exceed minimum standards for energy use

in educational buildings. Gas source heat pumps have been considered, via calculations carried out, as the most appropriate low zero carbon solution to meet the project's energy/carbon targets. They would therefore form the primary heating mechanism for the school, via a single gas absorption heat pump configured to act as a lead heat source and sized to meet the base heat demand for hot water generation. The system proposed would generate a building that achieves a BREEAM 'excellent' rating.

Given the above, it is considered that, overall, the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, core policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Council's adopted SPD Sustainable Building Design.

### **Trees, Development and Biodiversity**

Policy 7.21B of The London Plan (2015) states that "Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species".

Policy DM 22 of the Development Management Policies Local Plan states that:

*"A. The removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal."*

*"B. Development proposals will be required to include hard and soft landscaping that:*

- a. Is appropriate to the character of the area;*
- b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;*
- c. Achieves a suitable visual setting for the building(s);*
- d. Provides for sufficient space for new or existing trees and planting to grow; and*
- e. Supports biodiversity."*

*"Proposals for works to trees in conservation areas and those the subject of tree preservation orders will be permitted where the works do not risk compromising the amenity value or survival of the tree."*

The applicant has provided an Arboricultural Assessment with the application. None of the trees are protected by a tree preservation order but nevertheless they make a positive contribution to the amenity value of the area. Some trees, including the iconic Cedar tree, will be retained and relocated. Other trees would be removed, but replacement planting would form part of a comprehensive landscaping strategy, with more planting than existing. The Council's Tree officer has reviewed the proposals, and notes that the tree impact assessment and suggested tree protection measures are acceptable and should be implemented as recommended in the arboricultural report. Subject to tree protection measures being secured by condition, the proposal is considered to satisfy the above policy context.

Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that *"The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought"*. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment.

The biodiversity of the site will be enhanced through the planting of new trees and shrubs. Therefore officers consider that the ecological and aesthetic value of the area would be enhanced.

To ensure that no offences occur under the wildlife and Countryside Act 1981, a condition is recommended to ensure that any vegetation clearance work is undertaken outside of the bird nesting season between March and August or if this is not possible for a suitably qualified ecologist to determine if nesting birds are present before any vegetation clearance takes place. In addition, a condition is recommended for bird boxes or bird bricks to be erected in suitable locations on or near the new school building which would cater for Regional (London) or UK Biodiversity Action Plan (BAP) species.

Subject to conditions in respect of the above matters, officers consider that the ecological and aesthetic value of the area would be significantly enhanced and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2015) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

### **S17 Crime & Disorder Act**

Policy 7.3 of The London Plan (2015) and core policy CS1 E of the Harrow Core Strategy 2012 seek to ensure that developments should address security issues and provide safe and secure environments. The proposed site is within a residential area and as such, the school receives very good levels of natural surveillance at its entrance points and from rear gardens of properties. The site will be protected by a secure line which will prevent people gaining access to the rear/secured/vulnerable user areas of the site unless through the designated entrance. The cycle parking spaces should be sited (and secured by condition) in areas in front of the building which would benefit from natural/passive surveillance.

The Design and Access Statement (which would form an approved document of the planning permission to which the development should adhere, should permission be granted) outlines how the proposal would incorporate further crime prevention measures in accordance with 'Secured by Design'(SBD) principles, particularly the SBD "New Schools 2014" guidance document. All external windows and doors would be made to independently certified standards set out in BS 7950 and PAS 24 respectively. Consideration would be given to the design of rainwater goods to ensure they cannot be climbed.

Given the above, the proposal is considered satisfactory in this regard.

### **Consultation Responses**

The material planning considerations raised in the representations received from the public have been addressed within the relevant sections of the report above.

It is noted that a representation objects to the proposal on the basis that car boot sales will be held on the school site directly behind the rear gardens of properties on Dalkeith Grove. However, the proposal is for an education use of the site, as per the current use. Therefore no material change of use of the land over existing is proposed. The school travel plan would limit the use of the Dalkeith Grove entrance, which runs past the rear of some properties on Dalkeith Grove, for use by the ASD unit and school deliveries only, with car boot sales or similar out of hours traffic prohibited. This would be a

requirement of the 'sign off' of the School Travel Plan, which the school is bound to update on a yearly basis. If an ancillary 'community use' activity such as a school car boot sale took place, this would have to be ancillary to the main school use, where it would be an exception rather than a norm, with traffic continuing to enter the site from the north and using that existing car park.

The representation objecting to the proposal on the basis that the transport report submitted by applicant contains errors is noted. The application details have been independently assessed and reviewed by the Council's Highways and Travel Plan officers. They also had direct input at pre-application stage, including knowledge of revised parking control measures (controlled parking zone) currently under review/consultation on Dalkeith Grove. Therefore, whilst the representation in this regard is noted, given the assessment undertaken by relevant officers in this regard, the proposal is considered acceptable in terms of traffic/highways/highway safety grounds.

#### Statutory consultee objection – Sport England

Sport England is a statutory consultee for this application. Where a local authority is minded to grant planning permission against Sport England's advice on land owned by a local authority or used for educational purposes, then the application should be referred to the National Planning Casework Unit who are responsible for handling referrals to the Secretary of State for Communities and Local Government for possible 'call in'. This referral is in accordance with the Town Planning (Consultation) (England) Direction 2009 and the DCLG letters of 10 March 2011 and 10 Feb 2012

Sport England were involved during the pre-application discussions, where the suggested an arrangement for playing fields on the proposed re-developed site. However, this took place in the early pre-application process, before the main planning constraints (landscaping/trees, drainage requirements, building/school requirements, construction/demolition/servicing logistics), were known. Those drivers led the current playing field/recreation proposals and layout. As the proposal did not incorporate their suggested arrangement, Sport England objected to the proposal.

However, the objection was on the basis of a 'desk top study' of the application site and planning application details, without the benefit of the above planning constraints and other factors which influenced the design later in the pre-application process. The applicant contacted Sport England to enter into dialogue to explain these constraints which led to the proposed design, but they have maintained their objection on a matter of principle. However, they have stated that they will consider the applicant's case in further detail, but this will take some time. At the time of writing this report, the applicant is awaiting a revised response. Therefore, until such time that the objection is withdrawn, or in the event that it is maintained, in accordance with the above procedure, if members resolve to grant planning permission, the application will need to be referred to the National Planning Casework Unit for comment before a decision may be reached.

#### **CONCLUSION**

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

#### **CONDITIONS**

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

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

2 Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out in accordance with the approved plans: AYL-A-J-00-X03, REV.01 - Design and Access Statement, AYL-A-J-00-X04 REV.01 - Planning Statement, AYL-A-J-00-X07 REV.01, REV.01 - Statement of Community Involvement, AYL-A-J-00-X08, REV.01, 09/10/15 – Statement of Community Use', Aylward Primary School – School Travel Plan 2015, dated October 2015, DS/442815 - Surface Water Drainage Design Philosophy, Issue No.2, dated October 2014, 5273/004/R04, Outline Transport Feasibility Assessment, dated August 2014, 442815-100 REV.D, RAB:902B, REV 3.0, Flood Risk Assessment, dated June 2015, 15-03306-Issue 1 - ACS Landfill Waste Acceptance Criteria documentation, Construction Method Statement, dated 09/10/15, Part L Compliance Report, Rev.01, dated September 2015, Adaptive Comfort and Overheating Report, Rev.01, dated September 2015, RT-MME-117448-01, Pre-Development Arboricultural Survey, dated August 2014, RT-MME-117449-01-01 - Preliminary Ecological Assessment, dated August 2014, RT-MME-117449-01-02 - Daytime Bat Survey, dated August 2014, UK14.1614 - Phase I Geo-Environmental Assessment Report, dated 10/07/14, UK14.1614 - Phase II Ground Investigation Report, dated 27/08/14, AYL-A-L-00-X01 REV.2, AYL-A-L-00-X03 REV.2, AYL-A-L-00-X04 REV.2, AYL-A-L-00-X05 REV.2, AYL-A-L-00-X06 REV.2, AYL-A-L-00-X07 REV.2, AYL-A-L-00-X08 REV.2, AYL-A-L-00-X09 REV.2, AYL-A-L-20-001 REV.3, AYL-A-L-20-101 REV.3, AYL-A-L-20-201 REV.2, AYL-A-L-20-X01 REV.2, AYL-A-L-20-X02 REV.2, AYL-A-L-20-X03 REV.2, AYL-A-L-20-X04 REV.2, AYL-A-L-20-X05 REV.2, AYL-A-L-90-002 REV.1, AYL-A-L-90-X01 REV.1, AYL-A-L-90-X02 REV.1, AYL-A-L-92-001 REV.1, D2354 L.002, D2354 L.003, D2354 L.004, D2354 L.005, D2354 L.006, D2354 L.100, D2354 L.201, D2354 L.400, D2354 L.006, D2354 L.001 REV.B, AYL-A-S-41-X01 REV.2, AYL-A-L-20-201 REV.2, AYL-A-L-20-101 REV.3, AYL-A-L-20-001 REV.3, AYL-A-L-20-X07 REV.1, AYL-A-L-20-X08 REV.1, AYL-A-L-20-X09 REV.1, Site Location Plan, REV.1

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

3 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces noted below shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any works above damp proof course level of the building(s) hereby permitted is carried out.

a: the external surfaces of the buildings

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

REASON: To safeguard the character and appearance of the locality, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013). To ensure that measures are agreed and in place to safeguard the character and appearance of the locality during the construction phase of the development so that the development is completed in accordance with approved details, this condition is a PRE-COMMENCEMENT condition.

4 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. The development shall be carried out in accordance with the approved details.

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 in accordance with policy DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013). 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, this condition is a PRE-COMMENCEMENT condition.

5 A Demolition and Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site. The Statement shall include, but shall not be limited to:

- i. the parking of vehicles of site operatives and visitors
- ii. the routes to be used by construction traffic
- iii. the number and type of vehicles to be used in the construction of the development
- iv. details of the phasing of work
- v. loading and unloading of plant and materials
- vi. storage of plant and materials used in constructing the development
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

The demolition and construction of the building(s) on site shall be carried out in accordance with the approved Method Statement.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network, in accordance with policies DM1 and DM43 of the Council's Development Management Policies Local Plan 2013. In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network this condition is a PRE-COMMENCEMENT condition.

6 The construction of the building(s) hereby approved 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 details shall include the following;

- Thames Water indirect connections consent. Please note that all drains to remain should be checked/CCTV surveyed.
- Storage calculations with a total catchment and hardstanding areas pre and post development.
- Cross section of tanks/ dry pond with levels. Please note that sw storage should be provided below the lowest point in the system (S16 73.12)
- Clarification why a hydrobrake FC1 is required.
- Full details of ACO drainage channel in front of the building

The works shall thereafter be retained in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

7 The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site. Soft landscape works shall include: planting plans, and schedule of plants/trees/shrubs, noting species, plant/tree/shrub sizes and proposed numbers/densities. Hard landscape works shall include: details of materials used, hard standing treatment, details of boundary treatment, revised location of refuse adjacent the ASD drop-off area to a location which would cause detrimental odour impacts to neighbouring residential properties, location and specification of external lighting detached from the school building, including any lighting columns or bollards.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

8 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 buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

9 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Survey at Aylward School by Middlemarch Environmental (dated August 2014). This will include that arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the recommendations of the Arboricultural Survey. The tree protection measures shall be erected 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, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

10 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, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

11 Prior to the occupation of the buildings hereby approved, details of cycle storage (87 long term space, 6 short term spaces) on the site, including location, some of which can

be partly substituted by scooter parking for children, shall be submitted to and approved in writing by The Local Planning Authority. The cycle storage thus approved shall be carried out and implemented in full on site for the sole use of the school and nursery in accordance with the approved details and shall be retained for the duration of this educational use on the site.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan 2015 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

12 If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, time must be allowed for birds to fledge and the nest should not be disturbed during building works.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

13 The development hereby permitted shall not commence above damp proof course level, until details of bird and bat boxes to cater for National/Regional (London) or UK Biodiversity Action Plan (BAP) species, to be erected on the development or within the site, have been submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented on site and thereafter retained.

REASON: To enhance the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

14 The use of the development shall not commence until a community use agreement and management strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include access by non-educational establishments, details of activities/events and the numbers of persons attending including a mechanism to record usage, details of pricing policy, hours of use, management responsibilities, and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved community use agreement and management strategy and it shall be kept updated to reflect changing usage of the building/external spaces and shall be made available at anytime for inspection upon request for the local planning authority.

REASON: To secure well managed and safe community access to the facilities provided in accordance with policy DM 46 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the community use would not give rise to adverse detrimental impacts on the residential amenities of the surrounding neighbouring occupiers in accordance with policy 7.6B of the London Plan (2015) and policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

15 No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To ensure that the proposed development does not give rise to undue noise nuisance to neighbouring residents, in accordance with policy 7.6B of the London Plan (2015) and policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

16 The Aylward School Travel Plan shall be updated and submitted to and approved in writing by the Local Planning Authority in accordance with the approved details upon the first occupation of the development hereby approved. Thereafter a Travel Plan review shall be undertaken and a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority annually and not later than 31<sup>st</sup> August for each year of the expansion of the school. The mitigation measures identified in the Travel Plan shall be implemented for the duration of the development.

REASON: To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning Policy:**

National Planning Policy Framework (2012)

### **The London Plan (2015):**

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.2 – Minimising carbon dioxide emissions

5.3 – Sustainable design and construction

5.6- - Decentralised Energy in development proposals

5.7 – Renewable Energy

5.8 – Innovative Energy technologies

5.9 – Overheating and Cooling

5.10 – Urban Greening

5.11 – Green roofs and development site environs

5.12 – Flood risk management

5.13 – Sustainable Drainage

5.18 – Construction, excavation and demolition waste

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.10 – Walking

6.13 – Parking

6.11 – Smoothing traffic flow and tackling congestion

7.1 – Building London's neighbourhoods and communities

7.2 – An inclusive environment

7.3 – Designing out crime

7.4 – Local character

7.5 - Public Realm

7.6 – Architecture

7.8 – Heritage Assets

7.13 – Safety, security and resilience to emergency

7.15 – Reducing noise and enhancing soundscapes

7.18 – Protecting Local Open space and Addressing Local Deficiency

7.19 – Biodiversity and Access to Nature

7.21 – Trees and Woodlands

### **Harrow Core Strategy (2012)**

CS1: Overarching Principles

CS1 B – Local Character  
CS 1 Q/R – Transport  
CS 1 T – Sustainability  
CS 1 U – Sustainable Flood Risk Management

**Harrow Development Management Policies Local Plan (2013):**

Policy DM 1 – Achieving a High Standard of Development  
Policy DM 2 – Achieving Lifetime Neighbourhoods  
Policy DM 7 – Heritage Assets  
Policy DM 9 – Managing Flood Risk  
Policy DM 10 – On Site Water Management and Surface Water Attenuation  
Policy DM 12 – Sustainable Design and Layout  
Policy DM 14 – Renewable Energy Technology  
Policy DM 18 – Protection of Open Space  
Policy DM 19 – Provision of New Open Space  
Policy DM 20 – Protection of Biodiversity and Access to Nature  
Policy DM 21 – Enhancement of Biodiversity and Access to Nature  
Policy DM 22 – Trees and Landscaping  
Policy DM 23 – Streetside Greenness and Forecourt Greenery  
Policy DM 42 – Parking Standards  
Policy DM 43 – Transport Assessments and Travel Plans  
Policy DM 44 - Servicing  
Policy DM 45 – Waste Management  
Policy DM 46 – New Community Sport and Educational Facilities

**Other Relevant Guidance:**

Supplementary Planning Document Sustainable Building Design (2009)  
Supplementary Planning Document: Access for All (2006)  
Harrow Surface Water Management Plan (2012)

**2 CONSIDERATE CONTRACTOR CODE OF PRACTICE**

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

**3 COMPLIANCE WITH PLANNING CONDITIONS**

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

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

**4 GRANT WITH PRE-APP**

Plan Nos: AYL-A-J-00-X03, REV.01 - Design and Access Statement, AYL-A-J-00-X04 REV.01 - Planning Statement, AYL-A-J-00-X07 REV.01, REV.01 - Statement of Community Involvement, AYL-A-J-00-X08, REV.01, 09/10/15 – Statement of Community Use’, Aylward Primary School – School Travel Plan 2015, dated October 2015, DS/442815 - Surface Water Drainage Design Philosophy, Issue No.2, dated October 2014, 5273/004/R04, Outline Transport Feasibility Assessment, dated August 2014, 442815-100 REV.D, RAB:902B, REV 3.0, Flood Risk Assessment, dated June 2015, 15-03306-Issue 1 - ACS Landfill Waste Acceptance Criteria documentation, Construction Method Statement, dated 09/10/15, Part L Compliance Report, Rev.01, dated September 2015, Adaptive Comfort and Overheating Report, Rev.01, dated September 2015, RT-MME-117448-01, Pre-Development Arboricultural Survey, dated August 2014, RT-MME-117449-01-01 - Preliminary Ecological Assessment, dated August 2014, RT-MME-117449-01-02 - Daytime Bat Survey, dated August 2014, UK14.1614 - Phase I Geo-Environmental Assessment Report, dated 10/07/14, UK14.1614 - Phase II Ground Investigation Report, dated 27/08/14, AYL-A-L-00-X01 REV.2, AYL-A-L-00-X03 REV.2, AYL-A-L-00-X04 REV.2, AYL-A-L-00-X05 REV.2, AYL-A-L-00-X06 REV.2, AYL-A-L-00-X07 REV.2, AYL-A-L-00-X08 REV.2, AYL-A-L-00-X09 REV.2, AYL-A-L-20-001 REV.3, AYL-A-L-20-101 REV.3, AYL-A-L-20-201 REV.2, AYL-A-L-20-X01 REV.2, AYL-A-L-20-X02 REV.2, AYL-A-L-20-X03 REV.2, AYL-A-L-20-X04 REV.2, AYL-A-L-20-X05 REV.2, AYL-A-L-90-002 REV.1, AYL-A-L-90-X01 REV.1, AYL-A-L-90-X02 REV.1, AYL-A-L-92-001 REV.1, D2354 L.002, D2354 L.003, D2354 L.004, D2354 L.005, D2354 L.006, D2354 L.100, D2354 L.201, D2354 L.400, D2354 L.600, D2354 L.001 REV.B, AYL-A-S-41-X01 REV.2, AYL-A-L-20-201 REV.2, AYL-A-L-20-101 REV.3, AYL-A-L-20-001 REV.3, AYL-A-L-20-X07 REV.1, AYL-A-L-20-X08 REV.1, AYL-A-L-20-X09 REV.1, Site Location Plan, REV.1

# AYLWARD PRIMARY SCHOOL, PANGBOURNE DRIVE, STANMORE



## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01

ADDRESS: 'THE COTTAGE', HILL CLOSE, HARROW

REFERENCE: P/4926/15

DESCRIPTION: SINGLE STOREY FRONT EXTENSION; SINGLE AND TWO STOREY SIDE TO REAR EXTENSION; SINGLE STOREY REAR EXTENSION; ROOFLIGHT; (DEMOLITION OF EXISTING GARAGE)

WARD: HARROW-ON-THE-HILL

APPLICANT: MR B MCNICHOLAS

AGENT: LAMONT PLANNING ASSOCIATES

CASE OFFICER: GRAHAM MANSFIELD

EXPIRY DATE: 14/12/2015

### RECOMMENDATION

**GRANT** planning permission for the development described in the application and submitted plans, subject to condition(s).

### INFORMATION

This application is reported to planning committee due to the public interest received under Part 1 Proviso E of the scheme of delegation dated 29th May 2013.

Statutory Return Type: Householder

Council Interest: None

Gross Floorspace: Approx 110sqm

Net additional Floorspace: Approx 75sqm

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

Harrow CIL: N/A

### Site Description

- The application site is an end plot located on the north east side of Hill Close a private road situated off Orley Farm Road.
- The site has an area of approximately 396.72m<sup>2</sup> and comprises of a two storey 1950's style property which has special features including Flemish Bond brickwork and a distinctive cat slide roof with a protruding chimney.
- The property has a single storey rear kitchen projection which measures 2.6m deep and 2.4m wide
- The property has an attached side garage and an open porch feature
- The existing dwelling has a footprint of approximately 70.18m<sup>2</sup> and a maximum height of approximately 7.95m.
- To the rear of the property is a small raised concrete patio with steps to the grassed ground level.

- The property is bound to the south by Lianda, a two storey detached property of early 1930's origin which takes its design from the early garden suburb movement.
- Lianda has previously been extended with a two storey side extension adjacent to the common boundary with the application site and a single storey rear extension
- Lianda is a noticeably lower ground level than the application property.
- To the north of the application site is the rear garden of Weathertrees, a substantial property located on South Hill Avenue, which is set at a higher elevation than the application site.
- No's 10 and 11 Runnelfield adjoin the rear of the site and due to the ground levels are situated at an elevated position.
- The gardens of 10 and 11 Runnelfield rise in gradient from the rear boundary of the application site.
- The boundary treatments to the north, south and east of the site are comprised of hedgerows and shrubbery.
- Site levels differ at the site with Hill Close itself dropping in levels from north to south. The levels also drop significantly from west the east.
- The site is located in the South Hill Avenue Conservation Area and is also located within an Area of Special Character.
- The application site is within a critical drainage area of Harrow

### **Proposal Details**

- It is proposed to demolish the existing garage and attach a single and two storey side to rear extension
- It is proposed to attach a single storey rear conservatory to the rear elevation of the proposed two storey side to rear extension
- The proposed ground floor element of the side to rear extension would attach to the north west side of the application property and would be flush with the existing front elevation
- The proposed ground floor element would be 2.6m in width and 12.0m in depth.
- The proposed ground floor side to rear extension would include a wrap around element of 5.0m which would involve the demolition of the kitchen projection.
- The proposed first floor element of the side to rear extension would be set back from the original front corner of the dwellinghouse by 1.0m and would 2.6m in width and 11.0m in depth.
- The proposed first floor element would wrap the original rear elevation by 2.5m and would have a projection depth from the original rear elevation by 3.5m
- The proposed roof would be subordinate from the main ridge of the dwellinghouse and consist of two projecting gable features to the side and rear, which would involve a small crown element on top.
- It is proposed to attach a conservatory to the rear elevation of the two storey rear extension.
- The proposed conservatory would be 3,4m in depth and 5.0m in width and have a glazed mono-pitch roof.

### **Revisions to Previous Application**

- The proposal has significantly changed since the previous refused planning application under reference P/4015/14. The current proposal seeks the retention and extension of the existing dwelling rather than a demolition and the construction of a new two storey dwellinghouse.

### **Relevant History**

P/4015/14; Replacement Detached Single And Two Storey Dwellinghouse With Accommodation In the Roof Including Side Dormer, And Basement; Earthworks to include Changes Of Levels; Refuse And Cycle Storage; Landscaping And Parking; REFUSE : 08/12/2014;

#### Reasons for Refusal

1. The proposed replacement dwelling, by reason of excessive scale, massing and inappropriate design and siting, would result in a prominent, visually imposing, dominant and obtrusive form of development in the streetscene which would be out of proportion and scale with neighbouring dwellinghouses. The development would also result in a significant reduction of the openness of the application site, and the resultant dwellinghouse would appear cramped at odds with the open and spacious form of development in Hill Close. The proposal therefore fails to preserve or enhance the character and appearance of the South Hill Avenue Conservation Area and the Area of Special Character, contrary to Policies 7.4B, 7.6B and 7.8 of The London Plan (2011), Core Policies CS1B and CS1D of the Harrow Core Strategy (2012), Policies DM6 and DM7 of the Harrow Development Management Policies Local Plan (2013), the adopted Supplementary Planning Document – Residential Design Guide (2010) and the Harrow on the Hill SPD: Appendix 4(E): South Hill Avenue Conservation Area Appraisal and Management Strategy (2008).

2 The proposed development results in a hard landscaped front garden that has a negative impact on the soft, informal and semi rural character of this part of the conservation area. The proposal fails to preserve or enhance the character and appearance of the South Hill Avenue Conservation Area, contrary to policies 7.4B, 7.6B, 7.8 C/D of The London Plan (2011), Core Policies CS1B/D of the Harrow Core Strategy (2012), policies DM1 and DM7 of the Harrow Development Management Plan (2013), and the Harrow on the Hill SPD: Appendix 4(E): South Hill Avenue Conservation Area Appraisal and Management Strategy (2008).

3 The proposed development by reason of its siting and proximity to the neighbouring property at Lianda, would result in an obtrusive and overbearing impact to the detriment of the visual and residential amenities of the neighbouring occupiers contrary to policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Documents Residential Design Guide 2010

4 The application has failed to demonstrate that the development would not result in the loss of trees, which are of significant amenity value and an important feature of the Conservation Area contrary to policies 7.4B and 7.21B of The London Plan (2011) and policy DM22 of the Harrow Development Management Policies Local Plan (2013).

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

- The applicant sought pre-application advice for the current scheme following the previous refusal of planning permission under P/4015/14. The principles of the development were considered acceptable and the overall proposal was considered an improvement of the previous refused scheme.

#### **Applicant Submission Documents**

- Design and Access Statement; Arboricultural Impact Assessment

#### **Summary of Design and Access Statement**

- Unlike the majority of buildings in Orley Farm Road and Hill Close the present building was not built by the South Hill Avenue Estates Company in the period 1913-1932
- Current building was built in 1950's with a garage added at a later stage
- The proposed extensions will enlarge the house to create a family home
- The height of the extension is subservient to the original house
- Palette of external materials will complement the surrounding houses
- Cottage style will be maintained with the retention of original catslide feature
- Concrete driveway to be replaced by bounded gravel
- Proposal would not impede significant views
- Trees have already been removed from site, and have been done with Council's permission

## Consultations

- Tree Officer – No Objections
- Conservation Officer – No Objections, subject to conditions.
- CAAC – *It goes from being a cottage to no longer being a cottage. You get an overlapping double gable on the rear elevation which is awkward. The form of the roof switches to a gable which jars with the existing house. It appears like too many extensions not subordinate or complementary to the existing. Compared to the neighbours it comes out too far. From the front this would be OK. It is the flank that is the issue.*
- Harrow Hill Trust – *In the committee's view the revised proposals, whilst an improvement on the previous scheme, would still constitute overdevelopment of the site and would harm the special character of the conservation area. The proposed extensions by virtue of their height, mass and architectural design would dominate the modest, but well proportioned 'cottage' dwelling and the site in general. In particular the proposed crown roof is a result of the extension being too deep. If the side extension were set back from the front façade, this could remove the need for a crown roof and maintain the presence of the existing asymmetric front façade. In short the extension as seen from the street would appear subservient. To the rear, the proposal has an awkward relationship with the existing asymmetric gable. The proposal overlaps the existing rear, creating a strange gable over gable. The proposed two storeys at the rear therefore appears excessive, whilst a single storey rear might respect the existing house and neighbours. The proposed conservatory further reinforces the idea that the design appears as a series of disjointed extensions laid over each other, as opposed to a single coherent design where the existing house is not overwhelmed.*

*Aside from problems with the design the extension of the house halfway down the garden is clearly contrary to Harrow's policy with respect to conservation areas that open space, whether private or public, is to be preserved. The application should be refused.*

- South Hill Estate Residents Association - *Although these revised proposals appear to be an improvement on those that were the subject of the previous application (P/4015/14), the proposed extensions will still neither preserve nor enhance the character and appearance of the Conservation Area. Therefore we ask you to reject this current application and to refuse planning permission.*

*The revised proposals will result in a building that is still not sympathetic to the Conservation Area and is an over-development of the site. The proposed scheme*

*will adversely affect the street scene and the character and appearance of this part of the Conservation Area.*

*We are especially concerned by the design of the proposed extensions to the front elevation of the existing house. As proposed, these do not respect the existing front elevation and they adversely affect the street scene and the character and appearance of the area. Viewed from the street, the north-western part of the extended front elevation will appear ponderous and out of balance in the way its bulk rises up towards the roof ridge, with no slope of the roof to reflect (even to a lesser extent) the roof slope to the right of the existing front elevation.*

*The over-dominance of the proposed extensions referred to in 3 above might be lessened if the proposed side extension were to be set back somewhat from the existing front elevation and the roof redesigned.*

*We are also concerned that the depth of the proposed extensions seems to amount to the infilling of a substantial portion of the rear garden. This would not respect the integrity of the openness of the area and the historic layout of the South Hill Estate.*

### **Advertisement**

- Newspaper Advertisement – Expiry Date; 23/11/2015
- Site Notice – Expiry Date; 19/11/2015

### **Notifications**

Sent: 9

Replies: 7

Expiry: 16/11/2015

### **Addresses Consulted**

'Lianda', Hill Close, Harrow, HA1 3PQ

'Wessex', Hill Close, Harrow, HA1 3PQ

'Aramis', Hill Close, Harrow, HA1 3PQ

'Clovelly', Hill Close, Harrow, HA1 3PQ

'Clifton House', Hill Close, Harrow, HA1 3PQ

'The Steps', Hill Close, Harrow, HA1 3PQ

'Weathertrees', South Hill Avenue, Harrow, HA1 3NZ

10 Runnelfield, Harrow, HA1 3NY

11 Runnelfield, Harrow, HA1 3NY

### **Summary of Responses**

- The proposed two storey rear extension would extend nearer towards the rear gardens of Runnelfield
- Demolition of garage will generate increase in on-street parking
- The turning circle at the end of Hill Close would turn into a parking lot
- Gross overdevelopment of the site which would harm the special character of the area
- Proposed extensions by reason of their height, mass and architectural design would overwhelm the existing house.
- Character of the house would be lost due to the proposed extensions
- Proposed extensions do not relate to the architecture of the existing house
- Proposed extensions are overbearing and bulky
- Scale of proposed extensions would be out of character with the existing building and

area.

- The Cottage is unsuited for development
- Sloping roof design will make the building out of character with surrounding buildings
- Out of keeping with the South Hill Avenue Conservation Area
- The proposed development would not enhance or preserve the conservation area.
- The proposal would be an architectural mess
- Loss of trees
- Loss of outlook from rear of Lianda
- A large extension in a small plot would be out of keeping with the surrounding properties
- Proposed house (sic) would have unacceptable space for rear garden
- No plans for site parking.
- The proposal site backs on to 11 Runnelfield and affords full views across the rear of the cottage from the back garden and vice versa
- Large fir tree on rear boundary acts offers screening between the application site and rear gardens of Runnelfield and should be preserved.

## **MAIN CONSIDERATIONS**

Character and Appearance of the Conservation Area

Residential Amenity

Trees

Critical Drainage

Accessibility

Traffic & Parking

Equality and Human Rights

S17 Crime & Disorder Act

Consultation Responses

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

The National Planning Policy Framework 2012 advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

Policy 7.4B of The London Plan (Consolidated with amendments since 2011) (2015) states that 'Buildings, streets and open spaces should provide a high quality design response that (amongst other factors), (a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, (d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, (e) is informed by the surrounding historic environment. Core Policy CS1.B of the adopted Harrow Core Strategy 2012 states that all developments shall respond positively to the local and historic context.

Policy DM1 of the Council's Development Management Policies Local Plan 2013 states that 'All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted'

The South Hill Avenue Conservation Area appraisal notes that the historical development of Hill Close was based on the 'Garden Suburb' ideal which sought large open spaces between dwellings. The principles of the 'Garden Suburb' have ensured a leafy and reasonably open streetscape. It is under this context that all the properties on

Hill Close are considered to enhance the Conservation Area. The dwelling itself is in keeping given its scale and Arts and Crafts character, with an informal, asymmetric front elevation, with a steep roof pitch and dominant chimney which all forms part of the characteristic Arts and Crafts character of the area. The detailing provides a high quality character including Flemish brick bond and creasing tiles at eaves.

The existing property is a modest dwellinghouse compared to the surrounding larger houses on Hill Close. The host property is of a unique design and maintains an original catslide roof feature.

The existing house is relatively small in comparison to other family homes in the area and the proposal seeks to update the existing property by attaching a two storey side to rear extension with single storey conservatory extension. The overall proposal is considered to be an improvement on the previously refused application under reference P/4015/14 due to the fact that the original house is to be retained with appropriately proportioned extensions rather than a loss of the 'The Cottage'.

An objection has been raised to the principle of any development to the existing dwellinghouse. However, all applications are assessed against the council's policies and supplementary planning documents. Each application is assessed on its own merits, in terms of proposed size, scale, design, site circumstances and impact on neighbouring amenity. The application site is also within a conservation area and therefore the Council has a duty to protect the surrounding character of the conservation when determining planning applications.

Objections have been raised in regards to the architectural design and size of the proposed extensions to the dwellinghouse.

Paragraph 6.11 of the Harrow Residential Design Guide SPD (2010) states that an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or surrounding streetscape.

The application site is an end plot within Hill Close and also sits at a higher elevation than the neighbouring properties. Comments have stated that the proposed two storey side to rear extension would be set too high and would loom and dominate over the original building and neighbouring properties in Hill Close.

However, the proposed two storey side to rear extension would be subservient to the main roof ridge of the existing property. Furthermore the proposed first floor of the side to rear extension would have an appropriate set back of 1.0m from the original corner of the front elevation of the dwellinghouse.

The proposed two storey side to rear extension, due to the appropriate set back at first floor level and subordinate roof would result in an addition to the dwellinghouse that would not be unduly bulky.

Comments have also been received regarding objection to the proposed crown roof feature which would link the roof of the existing dwellinghouse with the roof of the proposed two storey side to rear. It is considered the proposed crown roof element would be small and not visually prominent within the streetscene and therefore would have a satisfactory impact on the host dwellinghouse and surrounding conservation area.

In addition to the comments received regarding the crown roof element, objections state that the proposed two storey element and conservatory are unduly deep.

The existing property has an original single storey kitchen projection which projects approximately 2.6m from the main dwelling. The proposed two storey side to rear extension would result in the demolition of the kitchen projection and the attachment of a two storey rear projection that would be 3.6m in depth from the main dwellinghouse. It is considered that the two storey side to rear extension would not be unduly deep and would be a satisfactory addition to the existing dwellinghouse.

It is proposed to attach a conservatory at ground floor level onto the rear elevation of the proposed two storey side to rear extension. The proposed conservatory would be 3.4m in depth and 5.0m in width. The proposed conservatory would be a modest addition in conjunction with the two storey side to rear extension. Furthermore, the lightweight design of the proposed conservatory would ensure that it would not appear as a bulky addition to the existing dwellinghouse.

Overall the proposed depth would be 4.4m from the original rear projection of the property, although this would be over that as recommended by paragraph 6.59 of the Harrow Residential Design Guide SPD (2010), the proposed extensions would be set off the boundary with the adjacent property Lianda.

As such the proposed depth of the extensions would comply with Paragraph 6.60 of the Harrow Residential Design Guide SPD (2010), due to the staggered building line and siting of 4.5m from the common boundary with Lianda.

Overall the proposed two storey side to rear extension would be seen as a proportionate and subordinate addition to the host dwellinghouse.

Numerous objections refer to the architectural design of the proposed extensions including the overlapping gable feature to the rear of the two storey side to rear extension. It is considered that the design of the proposed extensions are appropriate and would maintain the character of the existing dwellinghouse. The proposed extensions would feature gable ends with creasing tiles which would match the appearance of the existing gable feature. Furthermore, the unique catslide feature of the property would be preserved.

Notwithstanding this, the conservation officer has commented on the application and has stated that the proposal is acceptable in terms of scale and subject to conditions regarding materials would preserve the surrounding South Hill Avenue Conservation Area and maintain the area of special interest.

A condition has been attached to this permission requiring the applicant to provide sample materials for the proposed extensions and to ensure that the brickwork bond matches the original dwellinghouse

Objections have highlighted that the current proposals would harm the appearance and area of the South Hill Avenue Conservation Area and would appear cramped within the site, whilst contributing to a loss of the garden space.

One of the key characteristics of the South Hill Avenue Conservation Area is the 'Garden Suburb' feel of the area. The area appraisal for the South Hill Avenue Conservation

Area refers to gardens being a positive contribution to the conservation area which reinforces its sense of openness.

Whilst it is recognised that the plot size of the application site is significantly smaller than the surrounding properties on Hill Close, it is considered that the proposal would not lead to a significant loss of garden land.

The current rear and side garden has a total area of 255sqm and the proposed development would result in a remaining garden space of approximately 220sqm. The proposed development would not exceed 50% of the rear garden space and would therefore comply with paragraph 6.19 of the Harrow Residential Design Guide SPD (2010).

Furthermore, the proposed two storey side to rear extension would not be unduly wide and would therefore maintain a sufficient gap between the proposed north west flank and rear boundary of Weathertrees.

It is therefore considered that the proposed development would maintain a sufficient amount of garden space and would preserve the openness around the application site which is a key characteristic of the surrounding South Hill Avenue Conservation Area.

The proposed development would also seek to retain the front garden space and would seek to replace the existing concrete driveway with a gravel bond material.

The revised application is considered to overcome the previous concerns regarding soft landscaping as highlighted in the reason refusal under reference P/4015/14. The retention of the soft landscaping to the front of the dwellinghouse is considered to preserve the semi-rural nature and open feel of the surrounding South Hill Avenue Conservation area.

Given the above considerations, and noting the objections received, the proposed development, by reason of its satisfactory design, massing, bulk and height, would constitute a visually harmonious feature. As such, it is considered that the previous reasons for refusal under planning application P/4015/14 have been overcome. The development would preserve the character and appearance of the South Hill Avenue Conservation Area. It would therefore accord with policies 7.4.B, 7.6.B and 7.8C/D of The London Plan (consolidated with amendments since 2011) (2015), policy CS1.B/D of The Harrow Core Strategy 2012, policies DM1 and DM7 of the Harrow Development Management Policies Local Plan 2013, the guidance contained in the adopted Supplementary Planning Document 'Residential Design Guide' 2010 and the Harrow on the Hill Conservation Areas SPD (appendix 4 E, the South Hill Avenue Conservation Area Appraisal and Management Strategy) 2009.

### **Residential Amenity**

Policy 7.6B, subsection D, of The London Plan (consolidated with amendments since 2011)(2015) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity

for future occupiers of development, will be resisted'.

As stated in section one above, the application site sits at a higher elevation than the adjacent property 'Lianda'. It is considered that the proposed two storey side to rear extension would not unduly harm the occupiers of Lianda in terms of amenity due to the fact that the existing dwellinghouse already projects beyond the extended first floor of Lianda. As such, the existing dwellinghouse already breaches a horizontal 45 degree splay from the first floor rear corner of Lianda.

Furthermore, the south west flank of the two storey side to rear extension would be located approximately 4.8m from the common boundary with Lianda and therefore it is considered that the proposed development would not unduly harm the occupiers of Lianda in terms of overshadowing, outlook and daylight.

For the same reasons, due the separation distance, it is considered that the proposed conservatory to the rear would not unduly impact upon the daylight, outlook or overshadowing to the neighbouring occupiers of Lianda.

Due to the separation distances it is considered that the proposal would not harm the occupiers of Weathertrees to the north west or the properties on Runnelfield to the north east in terms of amenity.

Objections have been received from residents in Runnelfield, which highlight that the proposed extensions would come closer to the rear boundary and therefore impact on the privacy of these residents.

Whilst the elevated positions of the application property and properties on Runnelfield afford views across to the rear elevations and vice versa, it is considered that this relationship does not currently do not lead to unacceptable levels of overlooking.

While it is recognised that the two storey rear extension and conservatory would project from the original rear elevation by approximately 6.0m, a sufficient distance of 10.m would be maintained between the extended rear elevation and common boundaries with 10 and 11 Runnelfield.

The rear elevations of Runnelfield are sited approximately 17.0m, from the shared boundary with the application site, therefore it is considered that there would be a sufficient separation distances not to cause any harm in terms of overlooking or perceived overlooking.

In summary, and noting the objections received, the proposal respects the amenities of the neighbouring occupiers in accordance with Policy 7.6B of The London Plan (consolidated with amendments since 2011) (2015), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and guidance contained in the council's adopted Supplementary Planning Document: Residential Design Guide (2010).

### **Trees**

Hill Close contains a variety of high density planting and trees that contribute to the natural feel of the Conservation Area. Objections have been raised in relation to the impact on trees and loss of trees as a result of the proposed extensions.

A full Arboricultural report, tree survey and tree protection scheme has been submitted as part of the application. These details have been reviewed by the Council's Tree

Officer who has commented that the report and survey submitted are satisfactory.

Therefore it is considered that the proposed development would not have detrimental harm to the surrounding trees and would also overcome the previous reasons for refusal under planning application P/4015/14, whereby no evidence was submitted in relation to the impact on neighbouring trees.

In summary, and noting the objections received, the applicant has demonstrated that the proposed development would not result in the loss of trees, which are of significant amenity value. As such, it is considered that the proposals would comply with Policy DM22 of the DMP as well as being contrary to policies 7.4B and 7.21B of The London Plan (2011) and policy DM22 of the Harrow Development Management Policies Local Plan (2013).

### **Critical Drainage**

The application site is located in a critical drainage area of Harrow. DM10 was introduced to address surface water run-off and flood risk from developments. The application would result in a net increase in development footprint and there is the potential for surface water run off rates to increase. In order to address this issue it is considered necessary to attach an informative to this permission.

### **Accessibility**

Policies 3.5, 3.8, and 7.2 of The London Plan (consolidated with amendments since 2011) (2015), policy CS1.K of the Harrow Core Strategy and policies DM1 and DM2 of the Development Management Policies DPD require all future development to meet the highest standards of accessibility and inclusion. To amplify these policies, the Council has adopted Supplementary Planning Document: Access for All SPD (2006) which requires all new development to comply with Lifetime Homes, where feasible.

It is considered that the plans demonstrate that the proposal would be compliant with Lifetime homes standards.

### **Traffic and Parking**

A number of objections have been raised to the lack of parking as a result of the proposed development. The proposal would result in the removal of the garage, however by today's standards this structure would be unable to store a car.

It is considered that the retention of the driveway at a depth of approximately 5.0m would provide adequate parking for the extended property.

Furthermore, Harrow Council Highway Authority has been consulted as part of the application and have stated that they would have no concerns regarding the proposals.

Therefore, it is considered that the proposed development would not unduly impact on the surrounding area in terms of traffic and parking.

### **Human Rights and Equalities**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the

London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

### **S17 Crime & Disorder Act**

It is considered that the proposed development would not adversely impact upon community safety issues

### **Consultation Responses**

- Gross overdevelopment of the site which would harm the special character of the area
- Proposed extensions by reason of their height, mass and architectural design would overwhelm the existing house.
- Character of the house would be lost due to the proposed extensions
- Proposed extensions do not relate to the architecture of the existing house
- Proposed extensions are overbearing and bulky
- Scale of proposed extensions would be out of character with the existing building and area.
- The Cottage is unsuited for development
- Sloping roof design will make the building out of character with surrounding buildings
- Out of keeping with the South Hill Avenue Conservation Area
- The proposed development would not enhance or preserve the conservation area.
- The proposal would be an architectural mess
- Proposed house (sic) would have unacceptable space for rear garden
- A large extension in a small plot would be out of keeping with the surrounding properties
  - *These concerns are addressed in section one of the report*
- Loss of outlook from rear of Lianda
- The proposal site backs on to 11 Runnelfield and affords full views across the rear of the cottage from the back garden and vice versa
- The proposed two storey rear extension would extend nearer towards the rear gardens of Runnelfield
  - *These concerns are addressed in section two of the report*
- Loss of trees
- Large fir tree on rear boundary acts offers screening between the application site and rear gardens of Runnelfield and should be preserved.
  - *These concerns are addressed in section three of the report*
- Demolition of garage will generate increase in on-street parking
- The turning circle at the end of Hill Close would turn into a parking lot
- No plans for site parking.
  - *These concerns are addressed in section six of the report*

### **CONCLUSION**

The development would preserve the character and appearance of the property, the character and appearance of the South Hill Avenue Conservation area and area of special character. Furthermore, the development would have a reasonable impact on the amenity of the neighbouring occupiers.

For all the reasons considered above, and weighing up the development plan policies and proposals and other material considerations, this application is recommended for **grant**. Appropriate conditions have been attached to ensure that the proposed extension

would maintain the appearance of the surrounding Conservation Area.

## **CONDITIONS**

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

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

2 The brickwork bond shall match the existing brickwork bond used in the existing dwellinghouse.

REASON: To ensure the external materials of the development match those used in the existing dwellinghouse and the conservation area in accordance with policy DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013).

3 Notwithstanding the details on the approved plans, the development hereby permitted shall not be commenced beyond damp proof course level until there has been submitted to, and approved in writing by, the local planning authority, material details for the elevations of the single storey side to rear extension, with samples of each of the materials to be provided at the application site. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure the proposal is in keeping with the character of the existing dwellinghouse and the conservation area in accordance with policy DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013). Details are required prior to the commencement of development beyond damp proof course to ensure irreparably harm is not caused to the conservation area.

4 The development hereby permitted shall be carried out in accordance with the following approved plans: Design & Access Statement; TheCottageHillC/14/01; TheCottageHillC/14/02; TheCottageHillC/14/03; TheCottageHillC/14/04; Arboricultural Impact Assessment; Tree Survey Schedule; Tree Constraint Plan; Tree Protection Plan  
REASON: For the avoidance of doubt and in the interests of proper planning.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans 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 residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6 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 site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

## **INFORMATIVES**

1 The following policies are relevant to this decision.

### **National Planning Policy**

National Planning Policy Framework 2012

### **The London Plan (Consolidated with amendments since 2011) (2015)**

7.2 An inclusive environment

7.4.B Local Character

7.6.B Architecture

7.8 C/D Heritage assets and archaeology

7.19 Biodiversity and access to nature

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

CS1.B Local Character

CS1D Local Character

### **Harrow Development Management Policies Local Plan 2013**

DM1 Achieving a High Standard of Development

DM7 Heritage Assets

DM10 On Site Water Management & Surface Water Attenuation

DM22 Trees and Landscaping

DM 42 Parking Standards

### **Adopted Supplementary Planning Documents**

Supplementary Planning Document Residential Design Guide 2010

Harrow on the Hill Conservation Areas SPD (appendix 4 E, the South Hill Avenue Conservation Area Appraisal and Management Strategy) 2009.

## **2 INFORM\_PF2**

Grant with pre-application advice

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

## **3 INFORM23\_M - Considerate Contractor Code of Practice**

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

(Include on all permissions involving building works where they could affect a public highway)

## **4 INFORM32\_M – The Party Wall etc Act 1996**

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 building
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236; Fax: 0870 1226 237; Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

## 5 INFORM 51\_M Compliance With Planning Conditions Requiring Submission and Approval 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 the development in breach of a planning condition will invalidate your planning permission.

\* If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

## 6 SUDS

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further

information.

7 A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

Plan Nos: Design & Access Statement; TheCottageHillC/14/01; TheCottageHillC/14/02; TheCottageHillC/14/03; TheCottageHillC/14/04; Arboricultural Impact Assessment; Tree Survey Schedule; Tree Constraint Plan; Tree Protection Plan

**'THE COTTAGE', HILL CLOSE, HARROW**



ITEM NO: 2/02  
ADDRESS: 28 PARK DRIVE, RAYNERS LANE, HARROW  
REFERENCE: P/4947/15  
DESCRIPTION: REDEVELOPMENT TO PROVIDE A TWO STOREY DWELLING;  
PARKING; BOUNDARY FENCE; LANDSCAPING AND BIN /  
CYCLE STORAGE  
WARD: HEADSTONE NORTH  
APPLICANT: MR AVTAR SOKHI  
AGENT: MR FIDA HUSSAIN  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 15/12/2015

## **RECOMMENDATION**

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

## **INFORMATION**

The application is reported to the Planning Committee as there has been significant objection from neighbouring residents. As such, it falls outside the scope of the exception criteria set out at provision E of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: E13 Minor Dwellings

Council Interest: N/A

Net additional Floor space: 131 sqm

GLA Community Infrastructure Levy Contribution (provisional): £4,585

Harrow Community Infrastructure Levy Contribution (provisional): £14,410

## **Site Description**

- The application site comprises a bungalow on the western of Park Drive
- Neighbouring properties 30 and 26 Park Drive are two storey semi-detached dwellinghouses
- The area is characterised by two storey semi-detached properties of varying character.

## **Proposal Details**

- The application proposes demolition of the existing bungalow and construction of a new two storey detached dwellinghouse to the same width as the existing dwelling and projecting an additional 6m at ground floor.

## **Revisions to Previous Application**

- N/A

### **Relevant History**

- N/A

### **Pre-Application Discussion**

- N/A

### **Applicant Submission Documents**

- Design and Access Statement

### **Consultations**

Drainage – No objection subject to conditions

Thames Water – No objection

Highways authority – no objection

### **Advertisement**

- N/A

### **Notifications**

Sent: 6

Replies: 25 – Including petition of 11 signatures.

Expiry: 13/11/2015

Site Notice:

Erected 12/11/2015

Expiry: 04/12/2015

### **Addresses Consulted**

22, 24 The Close

24, 26, 30 Park Avenue

### **Summary of Responses**

- Overdevelopment
- Overshadowing of No. 30
- Character of building will be lost
- Proposal does not appear to be a family home but has the signs of an HMO or care home.
- Drainage issues
- Pressure on parking
- Loss of privacy from first floor windows
- Loss of form of accommodation which is in short supply for our elderly population

Grounds of petition

- Change of character of the road being one of only two bungalows
- Loss of light and overshadowing of 30 Park Drive
- Layout and density for a small plot 5 bedrooms is out of keeping with the road
- Water and Drain problems – past experience with drainage issues and soak away of water
- Garden Grabbing – loss of garden space
- Potential to turn into a Business/Carehome/HMO due to all the disabled aids or

provision for.

## **APPRAISAL**

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

*'If regard is to be had to the Development Plan for the purpose of any determination to be under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'*

In this instance, the Development Plan comprises The London Plan (2015), the Harrow Core strategy 2012 and Development Management Policies Local Plan 2013 [DMP].

## **MAIN CONSIDERATIONS**

Principle of the Development and Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Development and Flood Risk

Accessibility

S17 Crime & Disorder Act

Consultation Responses

### **Principle of the Development and Character and Appearance of the Area**

Paragraph 12 of the NPPF states that:

*'This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'*

Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.

Core Policy CS1.B specifies that *'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'*

The Core Strategy (2012) sets out Harrow's spatial strategy for managing development and growth in the Borough over the plan period from 2009 to 2026. The strategy provides a positive plan for ensuring that the Borough's housing, employment, infrastructure and other needs are met over the plan period in a way that contributes to achieving sustainable development.

Policy DM1 of the DMP gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted."

The Council has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance and requires extensions to harmonise with

the scale and architectural style of the original dwellinghouse. Substantial weight is accorded to the SPD as a material planning consideration.

It is noted that objections have been received in relation to the proposed new dwellinghouse being overdevelopment and out of character with the area. However, the proposed dwelling would have a pitched roof with a gable front projection to a similar height to the adjoining dwellings. The design and appearance of the proposed development is considered to be acceptable, subject to a condition to secure final details of proposed materials, which would be attached to the permission, should approval be granted. Given that the site of the new proposed house would be restricted it is considered necessary to recommend a condition restricting permitted development to ensure the site is not overdeveloped in the future.

It is considered that the proposed development would not unacceptably harm the appearance of the locality and therefore accord with policy DM1 of the Harrow Development Management Plan (2013)

### **Residential Amenity**

Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

Policy 7.6B, subsection D, of The London Plan (2015) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

### **Impact on neighbouring properties**

It is noted that objections have been received regarding overshadowing of No.30. However, the proposed new dwelling house would be set 1m from each adjoining boundary and would project a further 0.5m at the rear than the existing bungalow. Both adjoining neighbouring properties have an existing attached garage along the boundary with the application site. The proposed first floor of the new dwellinghouse would not interrupt a 45° line drawn from the nearest corner of the neighbouring properties and therefore it is considered there would be no undue impact on the residential amenities of this neighbouring property.

There is one obscure glazed flank window proposed at first floor level, it is considered there would be no undue impact with regard to overlooking of the adjoining neighbouring properties.

It is noted that objections have been received regarding the likelihood that the development will be used as a House in Multiple Occupation or care home. However, this application is for a new dwellinghouse and the application has been assessed in this regard. Given that there is an existing care home in close proximity to the application site it is considered necessary to recommend a condition restricting the use of the development to that of a single family dwellinghouse to ensure that there is no undue impact on the residential amenities of the neighbouring occupiers.

### **Amenity Impacts on the Future Occupiers of the Dwellings**

Table 3.3 of the adopted London Plan (2015) specifies minimum Gross Internal Areas

(GIA) for residential units. Paragraph 3.36 of the London Plan (2015) specifies that these are minimum sizes and should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Council's adopted SPD.

In addition, paragraph 59 of the National Planning Policy Framework (2012) (NPPF) states that local planning authorities should consider using design codes where they could help deliver high quality outcomes. Policy 3.5C of The London Plan (2015) also specifies that Boroughs should ensure that, amongst other things, new dwellings have adequately sized rooms and convenient and efficient room layouts. In view of paragraph 59 of the NPPF and Policy 3.5C of The London Plan (2015), and when considering what is an appropriate standard of accommodation and quality of design, the Council has due regard to the Mayor of London's Housing Supplementary Planning Guidance (SPG) (November 2012).

The room sizes of the dwellinghouse are shown in the table below, along with the minimum floor areas for rooms as recommended by the Housing Standards Policy Transition Statement (May 2015):

	<b>Gross Internal Floor Area</b>	<b>Bedrooms</b>	<b>Built-in storage</b>
Housing Standards Policy Transition Statement (May 2015)	5 bedroom, 9 person (137 sqm)	Double 11.5sqm Single 7.5sqm	3.5 sqm
Proposed Dwellinghouse	223 sqm	Double 1 – 14.2 sqm Double 2 – 16.9 sqm Double 3 – 17.2 sqm Double 4 – 16.9 sqm Single – 7.3 sqm	3.5 sqm

With reference to the above table, it is considered that adequate Gross Internal Area, room sizes and storage space of the dwellinghouse would result in an acceptable form of accommodation.

#### Outdoor Amenity Space

Policy DM 27 of the Harrow DMP LP (2013) states that: *“Residential development proposals that provide appropriate amenity space will be supported. The appropriate form and amount of amenity space should be informed by*

- a. the location and dwelling mix;*
- b. the likely needs of future occupiers of the development;*
- c. the character and pattern of existing development in the area;*
- d. the need to safeguard the privacy and amenity of neighbouring occupiers; and*
- e. the quality of the space proposed including landscaping (see Policy DM22 Trees and Landscaping).”*

The proposal has shown the provision of a private amenity space for the proposed dwellinghouse. On this basis, the proposal is considered to be acceptable with regards to the above policy.

#### Refuse storage

Policy DM 45 of the Harrow DMP LP (2013) outlines that bin and refuse storage must be provided in such a way to minimise its visual impact and avoid nuisance to occupiers, while providing a secure and convenient facility for occupiers and collection". Refuse storage for the proposed dwelling would be within an enclosure sited to the rear of the property which is considered to be acceptable.

In conclusion, it is considered that the proposed development would have no detrimental impact upon the residential amenities of the future occupiers of the site or that of the adjoining neighbouring site and therefore the proposal is considered to be acceptable with regards to the above stated policies.

### **Traffic and Parking**

Policy DM42 of the DMP gives advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

The subject site would provide sufficient provision for off-street parking for the proposed development in the line with the London Plan maximum parking standards set out under policy 6.13 and as such there would be no conflict with the above stated policy. Given that the existing access is to be retained it is considered there would be no undue impact on highway safety. The Council's Highway Authority has raised no objection to the proposal.

### **Development and Flood Risk**

The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water run off and flood risk from developments. The application would result in a net increase in development footprint and there is the potential for surface water run off rates to increase. The Drainage authority have raised no objection and have recommended conditions.

### **Accessibility**

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes 2010* (SPD) outlines the necessary criteria for a 'Lifetime Home'

The submitted Design and Access statement has provided sufficient details to satisfy lifetime home standards.

### **Equalities Impact**

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

### **S17 Crime & Disorder Act**

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the DMP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The proposed layout of the development would result in natural surveillance of the property from the street scene. In this regard, the proposal is considered not to give rise to any conflict with regards to the above stated policies.

### **Consultation Responses**

Overdevelopment - addressed in appraisal

Overshadowing of No. 30 - addressed in appraisal

Character of building will be lost- addressed in appraisal

Proposal does not appear to be a family home but has the signs of an HMO or care home- addressed in appraisal

Drainage issues- addressed in appraisal

Pressure on parking- addressed in appraisal

Loss of privacy from first floor windows- addressed in appraisal

Loss of form of accommodation which is in short supply for our elderly population- addressed in appraisal

Grounds of petition

Change of character of the road being one of only two bungalows- addressed in appraisal

Loss of light and overshadowing of 30 Park Drive- addressed in appraisal

Layout and density for a small plot 5 bedrooms is out of keeping with the road - addressed in appraisal

Water and Drain problems – past experience with drainage issues and soak away of water - addressed in appraisal

Garden Grabbing – loss of garden space - - addressed in appraisal

Potential to turn into a Business/Carehome/HMO due to all the disabled aids or provision for - addressed in appraisal

### **CONCLUSION**

For all the reasons considered above, and having taken full account of all relevant material considerations including any responses to consultation, the application is considered to be consistent with the policies and proposals of the development plan as set out in the National Planning Policy Framework (2012), The London Plan (2015), the Harrow Core Strategy (2012), the Harrow Development Management Local Plans Policy (2013).

### **CONDITIONS**

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

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

2 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces noted below shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any work above DPC level of the buildings hereby permitted is carried out.

a: the external surfaces of the buildings

b: the ground surfacing

c: the boundary treatment

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

REASON: To safeguard the character and appearance of the locality, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on approved plans be installed in the flank elevations of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

4 The development of the dwellinghouse hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

5 The development of the dwellinghouse hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B and E in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouse hereby permitted 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 amenity space and to safeguard the amenity of neighbouring residents, in accordance with policy DM1 of the Councils Development Management Policies Local Plan 2013.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Class L

in Part 3 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouse hereby permitted without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents by restricting the use of the property to a single family dwellinghouse, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

8 The development hereby permitted shall be carried out in accordance with the following approved plans: 28PAR001-1; 28PAR001-2; 28PAR001-3; 28PAR001-4; 28PAR001-5; Site Plan; Design and Access Statement

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

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning Policy Framework (2012)**

#### **The London Plan (2015) policies:**

- 3.1 - Ensuring Equal Life Chances For All
- 3.3 - Increasing Housing Supply
- 3.4 - Optimising Housing Potential
- 3.5 - Quality and Design of Housing Developments
- 3.8 - Housing Choice
- 5.3 – Sustainable Design and Construction
- 5.12 – Flood Risk Management
- 5.13 – Sustainable drainage
- 6.9 – Cycling
- 6.13 - Parking
- 7.1 - Building London's Neighbourhoods and Communities
- 7.2 - An Inclusive Environment
- 7.3 - Designing Out Crime
- 7.4 - Local Character
- 7.6 – Architecture

### **Harrow Core Strategy (2012)**

Core Policy CS1 – Overarching Policy

### **Development Management Policies DPD (2012)**

- Policy DM 1 – Achieving a High Standard of Development
- Policy DM 2 – Achieving Lifetime Neighbourhoods
- Policy DM 10 – On Site Water Management and Surface Water Attenuation
- Policy DM 27 – Amenity Space
- Policy DM 42 – Parking Standards

### **Supplementary Planning Documents / Guidance**

- Housing Supplementary Planning Guidance (2012)
- Housing Standards Policy Transition Statement (2015)
- Supplementary Planning Document: Residential Design Guide (2010)
- Supplementary Planning Document - Accessible Homes (2010)
- Supplementary Planning Document – Sustainable Building Design (2009)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

## 2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

## 3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

## 4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

## 5 DUTY TO BE POSITIVE AND PROACTIVE

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

## 6 INFORM61\_M

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £4,585 of

Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £4,585 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 131sqm

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

7 Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;

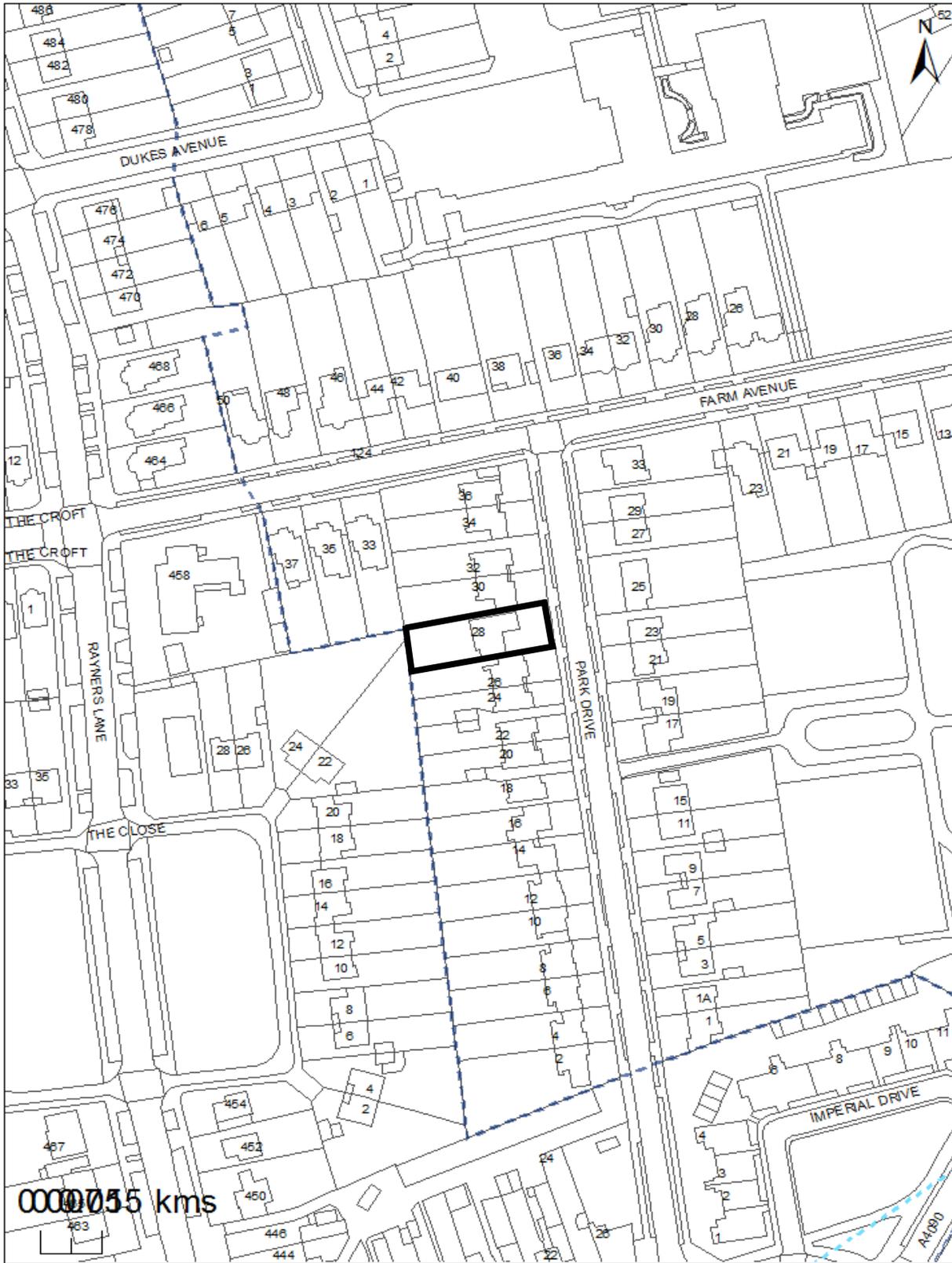
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £14,410.

Plan Nos: 28PAR001-1; 28PAR001-2; 28PAR001-3; 28PAR001-4; 28PAR001-5; Site Plan; Design and Access Statement

# 28 PARK DRIVE, RAYNERS LANE, HARROW



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ITEM NO: 2/03  
ADDRESS: 62-64 KENTON ROAD, HARROW  
REFERENCE: P/4426/15  
DESCRIPTION REDEVELOPMENT TO PROVIDE A FOUR STOREY BUILDING FOR A THIRTY-THREE ROOMED HOUSE OF MULTIPLE OCCUPATION (HMO) WITH AMENITY SPACE, PARKING, LANDSCAPING AND BIN / CYCLE STORAGE  
WARD GREENHILL  
APPLICANT: SAV DEVELOPMENTS LTD  
AGENT: CITY PLANNING  
CASE OFFICER: JUSTINE MAHANGA  
EXPIRY DATE: 20/11/2015

## RECOMMENDATION

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

## INFORMATION:

This application was previously reported to Planning Committee on 16<sup>th</sup> December 2015 and was deferred for a site visit. This application being presented to Planning Committee as it would provide in excess of 400 sqm of non-residential floorspace. The application is therefore referred to the Planning Committee as it is excluded by Proviso 1(d) of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: 18: Minor Development  
Council Interest: None  
Gross Floorspace: 872sqm  
Net Additional Floorspace: 580.1sqm  
GLA Community Infrastructure (CIL) Contribution: £20,303.50  
Harrow Community Infrastructure (CIL) Contribution: £31,905.50

## Site Description

- The application site is located on the northern side of Kenton Road, at no. 62-64 and contains a two-storey detached building.
- The property is irregular in shape, with a narrow projection at the rear.
- The existing building is constructed of white painted render and is located at the front of the site, with a single-storey projection at the side (adjacent Belvoir Court to the east).
- The Council's Licensing Department has confirmed that the premises was most recently in use as a 12 bedroom (22 occupant) HMO (Licence number –

LN/000004806).

- To the front of the building is a parking forecourt, with two dropped kerbs.
- The surrounding area is predominantly residential, consisting of flatted developments along Kenton Road and semi-detached dwellings to the north-east along Rufford Close.
- Three-storey blocks of flats adjoin the application site on both sides of Kenton Road; Belvoir Court to the east and St Georges Court to the west.
- The rear boundary of the site adjoins the communal amenity space of a three-storey block of flats along Rufford Close.
- The property is not located within a conservation area, nor are there any listed buildings in the immediate surrounds.

### **Proposal Details**

- The proposed development intends to demolish the existing two-storey building.
- The proposed replacement build would comprise a four storey detached HMO building (sui generis) providing 33 rooms, with a gross internal area of 872sqm.
- The building would include a basement level which would comprise a plant area and utility room.
- The proposed building would be constructed of red and orange brickwork, with a recessed lightweight fourth floor.
- 160sqm of outdoor communal amenity space would be located at the rear of the building.
- 2 wheelchair accessible car parking spaces would be provided in the front forecourt off Kenton Road.
- Refuse and recycling storage and secure sheltered cycle parking for 33 cycles would be provided in the rear garden.
- The HMO would comprise 33 single rooms, of which:
  - 5 rooms would have en-suite facilities;
  - 25 rooms would have an ensuite and kitchen facilities; and,
  - 3 wheelchair rooms would be provided on the ground floor.
- Communal facilities would include 4 kitchens, one living room on the ground floor and communal bathrooms on each level.

### **Relevant History**

WEST/485/95/FUL

Change of use from Class C1 to C2 (guest house to residential care home for the elderly)

REFUSED : 17 October 1995

WEST/162/94/FUL

Single storey side to rear extension

GRANTED: 08 July 1994

WEST/606/93/FUL

Change of use: Class C1 to C2 (Hotel to Children's' Care Home)

GRANTED: 17 January 1994

WEST/162/94/FUL

Single storey side to rear extension

GRANTED : 08 July 1994

**Pre-Application Discussion (P/2706/15/PREAPP):**

- The amended proposal to introduce a four-storey 33 bedroom HMO at the application site is acceptable in principle.
- Chamfering the north-eastern corner of the building is not considered acceptable in design terms. This corner should further inset from the common boundary with Belvoir Court.
- In order to provide a high standard of communal facilities for the 33 occupiers of the proposed HMO, it is recommended that the floorspace of the kitchen facilities is increased.
- Within any planning application the applicant would need to demonstrate that no harm would result to the amenity of surrounding residential occupiers.

**Applicant Submission Documents**

- Design and Access Statement, prepared by DGA
- Planning Statement, prepared by City Planning.
- Sunlight and Daylight Appraisal, prepared by Model Environments
- Environmental Health and Housing Statement, prepared by Glazebrook Associated LTD
- Energy Statement, prepared by Ensphere
- Transport Statement, prepared by TTP Consulting
- Travel Plan, prepared by TTP Consulting; and,
- Construction Management Plan, prepared by TTP Consulting.

**Consultations**

- Highways Authority (Parking): No Objection
- Drainage Engineer: Recommended conditions of approval.
- Landscape Architect: No Objection subject to standard conditions.
- MET Police: No objections.
- TFL: The easiest way to meet accessibility requirements on types of cycle parking, as well as serve different user needs generally, is to provide a mix of types of cycle stands. Please ensure that this is included in the final plans.
- Environmental Health: No objections.

Site Notice:

Posted: 12/10/2015

**Neighbourhood Notifications:**

Belvoir Court, 68 Kenton Road, HA3 8UX

Beaufort Court, Rufford Close, Harrow, HA3 8UX24

24 Flambard Road, Harrow, HA1 2NA

26 Flambard Road, Harrow, HA1 2NA

St George Court, 58 Kenton Road, Harrow, HA3 8AB

1-11 Rufford Close, Harrow, HA3 8UX

Sent: 40

Replies: 0

Expiry: 22/10/2015

## Summary of Comments;

- N/A

## APPRAISAL

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:  
*'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'*

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

In this instance, the Development Plan comprises The London Plan (consolidated with alterations since 2011)(2015) and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy 2012, Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

## MAIN CONSIDERATIONS

Principle of Development  
Character and Appearance of the Area  
Residential Amenity  
Accessibility  
Traffic and Parking  
Sustainable Building and Design  
Equalities  
S17 Crime & Disorder Act 1998  
Consultation Response

### Principle of Development

Paragraph 50 of the National Planning Policy Framework (NPPF) (March 2012) states:  
*'To deliver a wide choice of high quality homes, widen opportunity for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:*

- *Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community;*
- *Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand'*

Paragraph 3.55 of the London Plan (consolidated and with amendments 2011) (2015) identifies that shared accommodation or houses in multiple occupation are a strategically important part of London's housing offer, which meets distinct needs and reducing pressure on other elements of the housing stock.

Policy DM30 of the DMP (2013) provides requirements for the proposals that result in the creation of properties into houses of multiple occupation. Specifically, it requires that a) there is good accessibility to local amenities and public transport; b) they accord with Accessible Homes Standards and provide satisfactory living conditions for the intended occupiers; and c) there will be no adverse impact on the amenity of the occupiers of neighbouring properties of the character of the area.

The Council's Licensing Department has confirmed that the application site has most recently been in use as a 12 room (22 occupant) HMO (License number - LN/000004806). While the property is currently vacant, it is considered that due to the poor condition of the building, the licensed HMO would provide a sub-standard of accommodation to any potential occupiers. The on-going vacancy of the property also has the potential to contribute to anti-social behaviour in the area.

Accordingly, the proposal to introduce a 33 bedroom HMO at the application site is acceptable in principle, subject to compliance with the relevant London Plan policies, development plan policies and supplementary planning guidance which seeks to provide high quality residential development and protect the residential amenity of surrounding occupiers.

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

DM1 of the DMP states that 'All development...proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted'. It goes on to say that 'the assessment of the design and layout of proposals will have regard to the context provided by neighbouring buildings and the local character and pattern of development and the provision of appropriate space around buildings for setting and landscaping as a resource for the occupiers and secure privacy and amenity' (DM1).

The application site is located within a predominantly residential context. In terms of the composition of the residential buildings, the surrounding area along Kenton Road is characterised by multi-level flatted developments, while north-east of the site along Rufford Close is characterised by smaller semi-detached properties. The design of development along Kenton Road comprises more traditional three-storey brick buildings with pitched roofs as well as contemporary designed three-storied rendered buildings with inset fourth floors and roof terraces. In this context, the surrounding area does not include a strong urban character or significant coherence or commonality of design. Notwithstanding this, the application site, Belvoir Court (to the east) and the adjoining row of properties west of the site maintain a relatively consistent front building line.

### Massing and scale

The proposed development would replace the existing two-storey pitched roof building, with a three-storey brick building with an inset fourth floor.

The building would form part of the streetscene and appropriately relates its siting to the building line along Kenton Road. Specifically, the front building line of the proposed development would align with the principle front elevation of Belvoir Court to the east and would be set marginally forward of St Georges Court to the west. While the proposal represents an increased building footprint from the existing building, when considered in the context of the surrounding development, the building would sit comfortably within the central area of the site, leaving adequate spaces around the building to provide an appropriate setting. The building would be set a minimum distance of 1.1m from the side boundaries, which is similar to that provided on adjoining properties.

The scale of the building takes its cues from the surrounding development further west along Kenton Road at no. 46 (Pine Court) and no 48 Kenton Road. Specifically, these properties include three-storey rendered buildings, with an inset flat roofed fourth floor.

The height and width of these properties is similar to that proposed at the application site. Furthermore, while the parapet height of the proposed building would slightly exceed the eaves of adjoining properties at Belvoir Court and St Georges Court, the maximum height of the building sits below the roof pitch of both adjoining properties. The ground floor lightweight conservatory located in the north-east corner of the ground floor and the resultant L shape of the upper floors reduces the bulk of the building when viewed from the rear facing windows of properties on Rufford Close (to the rear).

While the flat roofed design of the building enables the development to provide four storeys while maintaining the established maximum building heights of the original pitched roof development nearby, the design of the building ensures that this level is subservient to the main building. Specifically, the fourth floor would be constructed of timber panels to distinguish from the lower levels, while the footprint has been set in from all parapets. The proposed screening to roof terraces has also been inset. Accordingly, the proposed fourth floor appears a recessive element which would not dominate the appearance of the building within the streetscene.

Accordingly, the massing and scale of the proposed building is considered to be proportionate to the site and the surrounding scale of development.

### Architecture

In terms of architecture, the proposed building would provide a more contemporary design approach, taking cues from the three / four-storey rendered buildings located west of the site along Kenton Road, while the proposed use of brick would relate to the traditional form of the three-storey buildings adjoining the site. The front façade of the building is considered to include reasonable reveals for window and door openings to provide a successful contrast from the brick elevation. The proposed inset fourth floor would be constructed of timber cladding in order to distinguish from the main building.

Accordingly, this design approach is considered to satisfactorily relate to the surrounding development. The architectural design would provide a building of appropriate proportions which would sit comfortably within its surroundings. Subject to the use of robust materials, which would be secured by conditions, it is considered that the building proposed would accord with policies 7.4.B and 7.6.B of the London Plan, policy CS1.B of the CS and policy DM1 of the DMP.

### Layout and Landscaping

The proposed siting of the building appropriately relates to the surrounding development and enables a sufficient area of landscaping to the front of the building. Specifically, the ratio and arrangement of soft and hard landscaping to the front of the building is considered to improve the visual appearance of the proposal within the streetscene. The use of hedging to the front of the ground floor windows would also provide an appropriate defensible barrier to these rooms. Notwithstanding this, while the proposed layout of the front garden is generally acceptable, a condition of approval will require the submission of further details relating to landscaping, landscaping materials and the proposed boundary treatment.

The proposed location and arrangement of cycle storage in the rear garden is considered acceptable. While the location of the refuse storage in the rear garden does not comply with the Department for Transport guidance and the Council's Refuse Code of Practice, which encourages bin placement to be within 10m of the point of pick up, given the scale of the required refuse storage shelter, it is not considered that this could

be suitably accommodated within the front garden. It is considered that an internal management regime, required by way of a condition of approval, would be sufficient in ensuring that refuse was stored in the rear garden and brought forward on collection days.

The rear garden would also include a 160sqm communal garden. The location of this amenity area and proposed boundary treatment are considered to be acceptable.

## **Residential Amenity**

### Impact of the development on Neighbouring Amenity

Policy DM1 of the DMP seeks to “ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.

The existing HMO has a license to accommodate a maximum of 22 occupiers within 12 rooms. In this respect, the proposed 33 room HMO building would increase residential activity on the site, expressed through comings and goings, by a maximum of 10 persons.

The applicant has indicated that the HMO would implement management services, such as a 24 hour concierge, to manage and minimise any noise and disturbance impacts to surrounding residents. A Construction Management plan has also been prepared by TTP consulting, outlining procedures which would be undertaken during construction in order to reduce the impact on the highway and surrounding residents.

Furthermore, it is noted that the proposed development would not be out of character with the surrounding three-storey flatted developments, which are likely to achieve higher occupancy rates than the proposed development. No objections to the proposal have been received.

Accordingly, the potential increased activity at the site is not considered to increase noise and disturbance to the detriment of the amenities of neighbouring occupiers, in accordance with DM1 of the DMP.

### Impact of the extension on Neighbouring Amenity

To the east, the application site adjoins Belvoir Court, a three-storey ‘L’ shaped building with communal amenity space located adjacent the common boundary with the application site. The proposed development would be located 1.0 – 1.2m from this common boundary. At ground floor the proposed building would project approximately 5.9m beyond the main rear elevation of Belvoir Court. However, as the element of the proposal adjacent to this building would be a lightweight glazed structure with a pitched roof rising away from the common boundary, this relationship would not result in undue impacts to the ground floor or rear amenity space of Belvoir Court in terms of overshadowing, overbearing impacts or loss of light.

The proposed first, second and third floor of the development have been recessed from the common boundary with Belvoir Court to accord with the 45 degree code. A Natural Light Report, based on the methodology of the BRE’s ‘Site Layout Planning for Daylight and Sunlight’ submitted with this application also concludes that the overall daylight, sunlight and overshadowing effects on Belvoir Court as a result of the proposals are in accordance with the standards set by the BRE guidelines.

To the west, the application site adjoins St Georges Court, a three-storey flatted

development. At the rear, the proposed development would extend approximately 0.5m beyond the rear elevation of this property. Given this relatively marginal extension beyond this property and the 2.7m separation between the buildings, no loss of outlook, light or increased sense of enclosure would occur to the occupiers.

The proposal includes flank wall windows at ground, first and second floors facing both neighbouring properties. A glazed door would also be located within the western flank elevation of the building. A review of the existing arrangement on the site and neighbouring properties indicates that St Georges Court to the west and the application site both include flank wall windows. It appears that the small flank wall windows at St George's Court serve landings. In this context and also considering that the proposed windows serve bathrooms, kitchens or landings and as these proposed windows are not located to the rear of the flank walls of the neighbouring properties, these windows are not considered to result in a harmful degree of overlooking.

In terms of overlooking to the rear, it is acknowledged that the proposal would introduce additional rear facing windows and inset fourth floor roof terraces. However, given the character of the adjoining properties, which include three-storey flatted developments with communal gardens to the rear of the buildings, it is not considered that the proposal would result in an undue harm to the amenity of these properties in terms of loss of privacy. Furthermore, as the proposed fourth floor roof terraces have been inset from the parapet walls and include appropriate screening, no significant overlooking would result.

It is considered that the proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and would therefore accord with the aims and objectives of policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), Core Policy CS1B of the Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Plan (2013), and the adopted SPD: Residential Design Guide (2010).

## **Future Occupiers**

### **Internal Configuration**

The proposed development would provide a HMO comprising 33 rooms. The applicant has indicated that the internal layout of the proposal has been designed in accordance with the Harrow Standards for Licensable Houses in Multiple Occupation and following advice from the Council's Licensing Officer.

### **Room Size and Layout**

Policy 3.5C of The London Plan specifies that Boroughs should ensure that, amongst other things, "new dwellings have adequately sized rooms and convenient and efficient room layouts". Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that "proposals will be required to comply with the London Plan minimum space standards.

Given that the proposal is for HMO accommodation rather than self-contained private units, regards has been given to the standards provided within the London Plan Supplementary Planning Guidance, which requires the minimum area of a single bedroom to be 8sqm, while a double or twin room should include a minimum area of 12sqm. In addition to this the Standards for Licensable Houses in Multiple Occupation requires that a single person unit (bedsit room) with kitchen facilities includes a minimum

area of 13sqm.

The proposed development includes the following:

Ground floor:

<b>Room</b>	<b>Type</b>	<b>Area (sqm)</b>
G.1	Disabled access room with ensuite	18.8sqm (including ensuite)
G.2	Disabled access room	12.4sqm
G.3	Disabled access room	13.2sqm
G.4	Single room with ensuite and kitchen facilities	15.9sqm including ensuite
G.5	Single room with ensuite	14.4sqm including ensuite
G.6	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
G.7	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
G.8	Single room with ensuite and kitchen facilities	15.6m including ensuite

First floor:

<b>Room</b>	<b>Type</b>	<b>Area (sqm)</b>
1.1	Single room with ensuite and kitchen facilities	16.4sqm including ensuite
1.2	Single room with ensuite and kitchen facilities	15.5sqm including ensuite
1.3	Single room with ensuite	13.1sqm including ensuite
1.4	Single room with ensuite	16.2sqm including ensuite
1.5	Single room with ensuite and kitchen facilities	16.1sqm including ensuite
1.6	Single room with ensuite and kitchen facilities	16.5sqm including ensuite
1.7	Single room with ensuite and kitchen facilities	18.2sqm including ensuite
1.8	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
1.9	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
1.10	Single room with ensuite and kitchen facilities	15.6sqm including ensuite

Second Floor:

<b>Room</b>	<b>Type</b>	<b>Area (sqm)</b>
2.1	Single room with ensuite and kitchen facilities	16.4sqm including ensuite
2.2	Single room with ensuite and kitchen facilities	15.5sqm including ensuite
2.3	Single room with ensuite	13.1sqm including ensuite
2.4	Single room with ensuite	16.2sqm including ensuite
2.5	Single room with ensuite and kitchen facilities	16.1sqm including ensuite
2.6	Single room with ensuite and kitchen facilities	16.5sqm including ensuite
2.7	Single room with ensuite and kitchen facilities	18.2sqm including ensuite
2.8	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
2.9	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
2.10	Single room with ensuite and kitchen facilities	15.6sqm including ensuite

Third floor:

<b>Room</b>	<b>Type</b>	<b>Area (sqm)</b>
3.1	Single room with ensuite and kitchen facilities	16.4sqm including ensuite
3.2	Single room with ensuite and kitchen facilities	16.0sqm including ensuite
3.3	Single room with ensuite and kitchen facilities	17.1sqm including ensuite
3.4	Single room with ensuite and kitchen facilities	17.4sqm including ensuite
3.5	Single room with ensuite and kitchen facilities	16.2sqm including ensuite

As detailed in the above tables, each room either meets or exceeds the requirements set out in the London Plan for minimum room sizes. It is also considered that each of the rooms would provide an adequate outlook and receive a satisfactory level of natural light. The proposed section plans also demonstrate that habitable rooms within the proposed fourth floor would have adequate room that would be of a satisfactory height for future occupiers. In this context, it is considered that the proposed living accommodation provided within the 33 rooms, in terms of size and layout would be considered acceptable.

Each of the proposed rooms at fourth floor would also be provided with approximately 2.7sqm of private amenity space in the form of an inset roof terrace. Each terrace would be inset from the sides of the building and would be enclosed by 1.1m high obscured glazed balustrading. 1.8m high screening would be provided between adjacent terraces to protect the privacy of the occupiers. Given the scale, screening and appropriate siting

of these terraces, the provision of private amenity space at fourth floor is considered acceptable.

### Communal facilities

The ground floor would provide a 37.8sqm open plan living / dining and kitchen room. The kitchen would provide a single oven/grill and sink to provide facilities for the ground floor occupiers who are without private kitchen facilities. One communal bathroom and WC is provided for the two occupiers of rooms G.2 and G.3 (wheelchair accessible) who are without private shower facilities.

The proposed first and second floors would include a 10.0sqm kitchen / dining room, provided with a single oven/grill and sink to provide facilities for the occupiers of each floor who are without private kitchen facilities. No communal bathroom / WC would be provided at first or second floors as each room would be provided with an ensuite.

The proposed third floor would include a 10.0sqm communal kitchen.

Following pre-application discussions, the Council's HMO Licensing officer has confirmed that the amended provision of shared kitchens, bathrooms and living room facilities at each level are acceptable and meet the required standards set out at Schedule 3 of The Licensing and Management of Houses in Multiple Occupation & Other Houses (Miscellaneous Provisions) (England) Regulations 2006.

The proposed scheme also includes a 160sqm external amenity area to the rear of the building.

Given the above, it is considered that the proposal would have no significant adverse implications for host and neighbouring residential amenities, and would accord with policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), policies DM1 and DM30 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

### **Accessibility**

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (consolidated with alterations since 2011)(2015) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document *Accessible Homes 2010* (SPD) outlines the necessary criteria for a 'Lifetime Home'.

In addition to the above, Policy DM30 of the DMP (2013) which relates to houses of multiple occupation, requires that they accord with Accessible Homes Standards and provide satisfactory living conditions for the intended occupiers.

While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. Those units that are indicated as Wheelchair Accessible units should meet M4(3) of the Building Regulations.

Notwithstanding this, in accordance with Lifetime Homes Standards, the applicants Design and Access Statement has confirmed that level access would be provided to the site at ground floor level from the parking area, within two wheelchair spaces provided on the ground floor of the development. Furthermore, the staircase would be of a design that could incorporate a chairlift in future. The Design and Access Statement has also demonstrated that the Lifetime Home Criteria would be achieved in each of the proposed rooms and communal areas.

While it is acknowledged that the proposal meets Lifetime Homes Standards, a condition of approval is required to ensure that the proposed development would meet regulations M4 (2) and M4(3) of the Building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan (consolidated with alterations since 2011)(2015), standard 5.4.1 of the Housing SPG (2012).

### **Traffic and Parking**

Policies DM26 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

The application site is located within an area with a PTAL (Public transport Accessibility Level) of 6a, which is considered to be an excellent level of accessibility to public transport nodes and community facilities. Notwithstanding this, the surrounding area includes extensive parking controls.

At present the application site is served by an informal parking area that can accommodate four vehicles. Access to this area is via two crossovers onto Kenton Road.

The proposed development would utilise the existing vehicle and pedestrian crossover from Kenton Road. Two off-street wheelchair parking spaces would be provided within the front forecourt, which would accord with the requirements of the London Plan. While the proposal would represent an overall reduction in off-street parking, given the high PTAL of the site and the nature of the units which are unlikely to be used by car owners, the Highway Authority have raised no concerns. Indeed the removal of a crossover is considered to be beneficial to highway safety and convenience. Additionally, due to the nature of the use it was considered that a reduction in car parking is feasible and facilitates the increased use of soft landscaping to the front of the building.

In terms of trip generation, the Travel Plan submitted by the applicant indicated that the proposed development has the potential to generate 84 additional two-way trips per day. However, given the high PTAL rating of the site and also considering the nature of the proposed accommodation, it is considered that the majority of these trips would be undertaken by sustainable modes of transport.

Secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (consolidated with alterations since 2011)(2015) requirements. This has been provided on site in the rear garden and is therefore considered acceptable.

It is therefore considered that the development would not result in any significant increase in traffic movements from the site or unreasonable impacts on highway safety and convenience, and subject to safeguarding conditions would therefore accord with policies DM26 and DM42 of the DMP (2013).

### **Sustainable Build and Design**

The applicant has provided an Energy Statement, prepared by Ensphere. This statement provides an overview of the energy strategy in consideration of the site context, energy requirements and local priorities. Specifically, the proposed development has been designed to include the following:

- High performance building fabric and efficient lighting and controls to reduce energy demand;
- Passive design measures to reduce energy demand; and,
- Future proofing that flats to ensure potential connection to nay future district energy network.

The Energy Statement indicates that the proposal would include a 35% carbon reduction relative to the Building Regulations Part L 2013. Though not necessary for minor development (The London Plan policy for reductions in carbon emissions below Building Regulations standards relates to major applications), the reduction in carbon emissions of the development is supported and encouraged.

The submitted information is considered to meet policy 5.2 of The London Plan (2015), and DM12, 13 and 14 of the Harrow Development Management Policies Local Plan (2013).

### **Equalities**

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is not considered that there are any equality impacts as part of this application.

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

Prior to the submission of this application, the applicant entered into discussion with the Designing out Crime Officer from the Metropolitan Police. The Designing out Crime officer has confirmed that all recommendations made in regards to the security of residents, residents' property and that of neighbouring residents and their property have been incorporated within the final design.

Specifically, the main security concerns raised by the Designing out Crime Officer have been addressed as follows:

- Strategic planting has been incorporated to discourage trespass outside ground floor windows and inside rear garden;
- Fob / key access and digilocks to internal and external doors to control movement within and around the building;
- Internally linked and monitored audible alarms to side and rear access doors;
- Concierge service at main entrance requiring all visitors to check in;
- Design measures to discourage congregation in the vicinity of the building, including the removal of dwarf walls; and,
- Secure refuse and cycle stores with a locking strategy;

It is considered that the proposed new build would not adversely impact upon community safety issues and as such, would comply with policy 7.3 of The London Plan (2015) or Policy DM2 of the Harrow Development Management Policies Local Plan (2013).

### **Consultation Responses**

- N/A

### **CONCLUSION**

It is considered that the proposed scheme for a 33 bedroom house in multiple occupation would contribute to a strategically important part of the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan and Policy DM30 of the DMP (2013). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

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

### **CONDITIONS**

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following documents and plans: 1469-001A; 1469-109-D; 1469-010-A; 1469-011-A; 1469-021-D; 1469-022-D; 146-023-B; 1469-024-A; 146-025-A; 1469-100-H; 1469-110-H; 1469-111-H; 1469-113-G; 1469-114-E; 1469-200-A; 1469-201-A; 1469-210-E; 1469-211-E; 1469-212-G; 1469-300-A; 1469-301-A ; Design and Access Statement; Sunlight and Daylight Appraisal; Environmental Health and Housing Statement; Energy Statement; Travel Plan; Construction Management Plan.

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

3 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above ground floor damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted, provided at the application site, and approved in writing by, the local planning authority:

- a: External materials of the proposed buildings
- b: external materials of the proposed bin and cycle storage

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of The Development Management Policies Local Plan 2013. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

4 The development hereby permitted shall not proceed above ground floor damp proof course level until there has been submitted to, and approved by, the local planning authority:

A: A scheme of hard and soft landscape works for the site;

B: Details and specifications of boundary treatments

Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, thereby according with policy 7.4.B of The London Plan 2015 and policies DM1 and DM22 of the Development Management Policies Local Plan 2013.

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, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

6 Notwithstanding the approved plans, prior to development beyond damp course proof level, details for a scheme for works for the disposal of surface water, surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with the objectives set out under the National Planning Policy Framework 2012 and policy DM10 of the Harrow Development Management Policies Local Plan 2013. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

7 The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area, thereby according with policy 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of the Harrow Development Management Policies Local Plan 2013. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

9 The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2) and M4(3), of the Building Regulations 2010 and thereafter retained in that form.

REASON: To ensure that the development meet the appropriate accessibility standards in accordance with policies 3.5 and 3.8 of The London Plan, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

#### **INFORMATIVES:**

##### **1 INFORMATIVE:**

The following the policies are relevant to this decision:

National Planning Policy Framework 2012

The London Plan (consolidated with alterations since 2011)(2015): 3.3, 3.5, 5.12, 6.3, 6.9, 6.13, 7.3.B, 7.4.B, 7.6.B, 7.8.C/D/E

Harrow Core Strategy 2012: CS1.B/KHarrow Development Management Policies Local Plan (2013): DM1, DM2, DM10, DM12, DM30, DM42, DM45.

Supplementary Planning Document: Residential Design Guide 2010

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Accessible Homes 2010

##### **2 INFORM\_PF2**

Grant with pre-application advice

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

### 3 INFORMATIVE:

Please be advised that this application attracts a liability payment of £20,303.50 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £20,303.50 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 605sq.m.

### 4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £31,905.50

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

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

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

### 6 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

### 7 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

#### 8 Remove yellow site notice

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

Plan Nos: 1469-001A; 1469-109-D; 1469-010-A; 1469-011-A; 1469-021-D; 1469-022-D; 146-023-B; 1469-024-A; 146-025-A; 1469-100-H; 1469-110-H; 1469-111-H; 1469-113-G; 1469-114-E; 1469-200-A; 1469-201-A; 1469-210-E; 1469-211-E; 1469-212-G; 1469-300-A; 1469-301-A ; Design and Access Statement; Sunlight and Daylight Appraisal; Environmental Health and Housing Statement; Energy Statement; Travel Plan; Construction Management Plan.

# 62-64 KENTON ROAD, HARROW



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

None.

**SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None.

**SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None.