

Mr Gulam Kassam
Mentor Milestones Ltd
123 Kesteven Walk
Peterborough
Cambridgeshire
PE1 5DT

TOWN & COUNTRY PLANNING ACT 1990

FINAL DECISION NOTICE

Ref: P/1953/10

With reference to the application received on 22 July 2010 accompanied by Drawing(s)
add plans to final document

For: DEMOLITION OF ALL EXISTING BUILDINGS ON THE SITE AND CONSTRUCTION OF A COMMUNITY CENTRE COMPRISING A SPORTS HALL, GYMS, PRAYER HALL FOR UP TO 200 PEOPLE, LIBRARY WITH SEMINAR ROOMS AND ANCILLARY CAFE/RESTAURANT AND CHILDREN'S PLAY CENTRE (REVISED APPLICATION).

(PLANNING APPLICATION DOCUMENTS AVAILABLE TO VIEW AT NORTH HARROW LIBRARY, PINNER ROAD, HA1 4HF)

At: North Harrow Assembly Hall, Station Road, (inc 34 and 36 Canterbury Road and, 37 and 39 Gloucester Road), Harrow, Middlesex, HA1 4PE

HARROW COUNCIL, the Local Planning Authority,

Grant permission in accordance with the development described in the application and submitted plans, subject to the following condition(s) or reasons for refusal:

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	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,

	<p>have been submitted to, and approved by, the local planning authority. There shall be no raising of ground levels across the site otherwise than in accordance with details to be submitted to and approved in writing by the local planning authority.</p> <p>REASON: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to ensure that the works are carried out at suitable levels in relation to the highway and adjoining in line with PPS25 and in the interests of the amenity of neighbouring residents, the appearance of the development, gradient of access and future highway improvement.</p>
3	<p>The development hereby permitted shall not commence until full details/specifications or samples of the external finished materials to be used in the construction of the building, and associated external fixtures and fittings have been submitted to, and approved in writing by, the local planning authority. Unless otherwise agreed in writing, the development shall be carried out only in complete accordance with the approved details.</p> <p>REASON: To ensure that the appearance of the building hereby approved reflects the design and quality thresholds set by national, regional and local planning policies outlined in this report.</p>
4	<p>Prior to any demolition taking place on-site, details of a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The demolition of the buildings and structures on the site shall be carried out in accordance with the approved Demolition Method Statement. The statement shall include details of facilities and methods to accommodate construction vehicles and deliveries during demolition and the construction of the building.</p> <p>REASON: To safeguard the amenities of surrounding properties from the effects of demolition and safeguard the appearance of the locality.</p>
5	<p>Works [including demolition] shall not commence on-site until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects, based on the Department of Environmental Services' 'Code of Deconstruction and Construction Practice', has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in accordance with the approved details.</p> <p>REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network.</p>
6	<p>The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.</p>

	<p>REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions.</p>
7	<p>The development of any buildings hereby permitted shall not be commenced until details of the works for the disposal of surface water, surface water attenuation and storage works to meet the requirements of the Flood Risk Assessment have been submitted to, and approved in writing by, the local planning authority.</p> <p>REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to PPS25.</p>
8	<p>The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works including cycle parking racks and irrigation proposals which shall also include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.</p> <p>REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.</p>
9	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out not later than the first planting and seeding seasons prior to first use of any part of the development. Any 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.</p> <p>REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.</p>
10	<p>Before any superstructure works commence on site details of the brown roof shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ol style="list-style-type: none"> Biodiversity based with extensive substrate base (depth 60-160mm); plant selection comprising predominantly native species appropriate to and applicable for aspect and use to encourage biodiversity; and An agreed mix of species to be planted within the first planting season as agreed in writing by the local planning authority, following the practical

	completion of the building works.
11	<p>The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the local planning authority. Evidence that the roof has been installed in accordance with sub-points a) to c) above shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
12	<p>Prior to the beneficial occupation of any part of the development, a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by the local planning authority. The boundary treatment shall be completed prior to first use of any part of the development. The development shall be carried out in accordance with the approved details and shall thereafter be permanently retained.</p> <p>REASON: To safeguard the amenity of neighbouring residents and the character of the locality.</p>
13	<p>A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for the Green Wall shall be submitted to, and approved in writing by the local planning authority prior to the occupation of any part of the development. The Landscape Management Plan shall be fully implemented within 6 months of the completion of the green wall construction. The landscape maintenance schedule shall include details of the arrangements for its implementation and shall run from implementation of final planting continuing for the lifetime of the building. Maintenance shall be carried out in accordance with the approved schedule in writing by the Local Planning Authority.</p> <p>REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development.</p>
14	<p>The development hereby permitted shall not be occupied until a scheme for the storage and disposal of refuse / waste and vehicular access thereto has been implemented in accordance with details to be submitted to and approved in writing by the local planning authority.</p> <p>REASON: To ensure adequate standards of hygiene and refuse / waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties.</p>

15	<p>The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 [10 minutes] during which plant is or may be in operation. Following installation but before any new plant comes into operation, measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents.</p>
16	<p>Notwithstanding the provisions of S55 of the Town and Country Planning Act 1990 (as amended) there shall be no external lighting installed on or to illuminate the buildings on the site unless in accordance with a detailed lighting scheme to be submitted to and approved in writing by the local planning Authority.</p> <p>REASON: To safeguard the amenities of adjoining properties.</p>
17	<p>The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment [FRA] dated June 2010 Ref: 100611-NHCC by WSP Ltd and the following mitigation measures detailed within the FRA:</p> <ul style="list-style-type: none"> - Limiting the surface water run-off generated by the 1 in 100 year critical storm with an allowance for climate change to the Greenfield run-off rate of 5 l/s as detailed in Section 8.1.11 of the FRA; - Provision of a minimum of 75 cubic metres compensatory flood storage on the site as detailed in Section 8.1.21 of the FRA; - Installation and operation of a water level sensor in the culvert on site to provide accurate warning when the culvert is nearing capacity as detailed in Section 8.1.31 of the FRA; and - There shall be no ground raising in external areas or storage of materials or equipment in the land liable to flood as detailed within Section 8.1.24 and 8.1.26 of the FRA. <p>REASON: To prevent flooding by ensuring satisfactory storage of / disposal of surface water from the site. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To ensure satisfactory warning to enable safe access and egress from and to the site. To ensure that there will be no increase in risk of flooding to other land / properties due to impedance of flood flows and / or reduction of flood storage capacity.</p>
18	<p>Prior to first use of any part of the development hereby permitted,</p>

	<p>measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: http://www.securedbydesign.com/guides/index.aspx and shall include the following requirements:</p> <ol style="list-style-type: none"> 1. All main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets'; 2. All window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'. <p>Following implementation the works shall thereafter be retained. REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D4 of the Harrow Unitary Development Plan 2004, and Section 17 of the Crime & Disorder Act 1998.</p>
19	<p>Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, no advertisements shall be erected / displayed on the Community Centre hereby approved without the prior written permission of the Local Planning Authority. REASON: To enable the Local Planning Authority to ensure that any such adverts are carried out in a manner which will not be harmful to the character and appearance of the development or the locality.</p>
20	<p>Prior to commencement of development, details of measures seeking to achieve a reduction in carbon dioxide emissions of at least 20% from on-site renewable energy generation unless it can be demonstrated that such provision is not feasible shall be submitted to and approved in writing by the local planning authority. The details as approved shall be implemented prior to first use of any part of the development and thereafter permanently retained. REASON: In the interest of sustainability, improving energy efficiency and increasing the proportion of energy used generated from renewable sources.</p>
21	<p>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</p>

	<p>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.</p> <p>REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.</p>
22	<p>The development hereby permitted shall not be brought into use until the car parking, turning and loading area(s) and cycle parking facilities as approved have been constructed and where appropriate surfaced in permeable materials in accordance with details submitted to, and approved in writing by, the local planning authority. The car parking spaces and cycle parking facilities shall be permanently marked out/retained and used for no other purpose, at any time, without the written permission of the local planning authority.</p> <p>REASON: To ensure the satisfactory provision of parking areas, to safeguard the appearance of the locality and in the interests of highway safety.</p>
23	<p>Prior to commencement of development, an internal bat roost survey must be conducted by a Natural England licensed bat worker, the findings of which shall be submitted to and approved in writing by the local planning authority.</p> <p>REASON: There has been no recent survey and there is a possibility of bats now being resident on site, which are legally protected under the EC Habitats Directive and in UK legislation by the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended) and by the Wildlife and Countryside Act (1981) (as amended).</p>
24	<p>During construction works on-site, a Watching Brief for bats shall be conducted by a Natural England Licensed bat worker, details which shall be submitted to and approved in writing by the local planning authority. Should bats be found on-site, all works shall cease and not commence again until such details to include measures for the protection of bats are submitted to and approved in writing by the local planning authority.</p> <p>REASON: There is a possibility that bats, which are legally protected under the EC Habitats Directive and in UK legislation by the Conservation (Natural Habitats, etc.) Regulations 1994 (as amended) and by the Wildlife and Countryside Act (1981) (as amended), may be discovered/become established during any onsite works.</p>
25	<p>Prior to commencement of any works on-site including demolition, details of any proposed culvert repairs and maintenance shall be submitted to and approved in writing by the local planning authority, including</p>

	<p>consultation with and approval by the Environment Agency. Such details / repairs of the culvert hereby permitted shall be carried out prior to commencement of development and the culvert maintained for the lifetime of the development.</p> <p>REASON: To prevent any risk of flooding to the satisfaction of the Environment Agency.</p>
26	<p>Notwithstanding the information shown on the submitted plans, details for the provision of disabled WCs shall be submitted to and approved in writing by the local planning authority prior to commencement of development. Such details should aim to accord with disabled WC provision as set out by BS:6465-1:2006 `Sanitary Installations, Approved Document M of the Building Regulations and Access for Disabled People Design Guidance Note by Sport England. Such details as approved shall thereafter be permanently retained.</p> <p>REASON: To ensure that the development will be accessible for people with disabilities.</p>
27	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> - 13209IB_9011_001; 13209IB_0030_001; 13209IB_0031_001; 13209IB_0032_001; 13209IB_0050_001; 13209IB_0080_001; 13209IB_0081_001; 13209IB_0100_001; 13209IB_0101_001; - Design and Access Statement [20 July 2010] [Mangera Yvars Architects]; - Planning Statement [15 July 2010] [Howard J Green FRICS]; - Level Survey RG-07-736-01 [February 2007] [R G Surveys Limited]; - PPS25 Sequential Test Evidence Base [June 2010] [Iceni Projects Limited]; - PPS25 Flood Risk Assessment [June 2010] [WSP Development and Transportation]; - Flood Evacuation Plan [June 2010] [WSP Development and Transportation]; - Sustainability & Environmental Planning Report [12 July 2010] [ZEF Sustainability Consultants]; - Tree Survey and Arboricultural Implication Assessment [June 2010] [Hayden's Arboricultural Consultants]; - Public Consultation Statement [June 2010] [PPS [Local & Regional] Limited 2009]; - Compliance with Previous Planning Refusal Version 1 [July 2010] [Mentor Milestones Limited]; - Transport Assessment Version 3 [July 2010] [Mentor Milestones Limited]; - Green Travel Plan [Pre-Construction] Version 4 [September 2010] [Mentor Milestones Limited]; - Culvert Replacement and Method Statement [18 June 2010] [Quensh

	<p>Consultancy Limited];</p> <ul style="list-style-type: none"> - Noise Impact Assessment [July 2010] [Equus Partnership Limited]; - Ground Investigation Report [September 2007] [Soiltechnics Limited]; - Classification of Waste Soils for Off Site Disposal [October 2007] [Soiltechnics Limited]; - Extended Phase 1 Habitat Survey [July 2008] [Middlemarch Environmental Limited]; and - Culvert Inspection / Maintenance Manual [September 2007] [Up and Under Limited]. <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
28	<p>Notwithstanding the information shown on the submitted plans, details of obscure glazing or measures to prevent direct overlooking towards properties in Canterbury Road and Gloucester Road from the upper floors of both buildings shall be submitted to and approved in writing by the local planning authority prior to commencement of development. Such details as approved shall be implemented prior to first use of any part of the development and thereafter permanently retained:</p> <p>REASON: To protect the living conditions of occupiers of nearby residential properties.</p>
29	<p>Notwithstanding the provisions set out in Part 25 the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the development hereby permitted shall provide an integrated cable system for satellite TV and / or broadband facilities without the requirement for any satellite dishes or antennae.</p> <p>REASON: To prevent visual intrusion and in the interest of residential amenity in accordance with Policy D4 of LB Harrow's UDP 2004.</p>
30	<p>Any external plant or machinery shall not be erected or used on the site without the prior written permission of the local planning authority. Such details [including noise mitigation measures] as approved shall thereafter be permanently retained unless otherwise agreed in writing by the local planning authority.</p> <p>REASON: To ensure that adequate precautions are taken to avoid noise</p>

	nuisance and to safeguard the amenity of neighbouring residents.
31	The development hereby permitted shall only be open or occupied: Mon-Thu inclusive [08:00hrs-23:00hrs]; Fri-Sat inclusive [08:00hrs-00:00hrs] and Sun [08:00hrs-22:00hrs] with the exception of the gym facilities, which shall only be open or occupied Mon-Sat inclusive [06:00hrs-23:00hrs]. Except on Event Days where should an extension of hours in excess of the permitted hours is required, this would be subject to the approval in writing by the Director of Planning at least 28 days prior to that event taking place. REASON: To safeguard the amenity of neighbouring residents in accordance with Policy EP25 of Harrow's UDP [2004].
32	The development hereby permitted shall not be occupied by more than 250 persons at any time except for Event Days. On Event Days, the development shall not be occupied by no more than 500 persons. REASON: In the interest of health and safety of users of the site and the amenity of neighbouring residents in accordance with Policy EP25 of Harrow's UDP [2004].
33	There shall be no more than six Event Days per calendar year [Jan-Dec inclusive] unless otherwise agreed in writing by the Director of Planning, not less than 35 days prior to such additional events occurring. REASON: To safeguard the amenity of neighbouring residents in accordance with Policy EP25 of Harrow's UDP [2004].
34	The Green Wall and Brown Roof shown on Drawing Nos. 13209IB_0100 and 13209IB_0050 shall be maintained for the life of the development and would include the submission of a Method Statement for the maintenance of the Green Wall prior to first use of any part of the development. REASON: To ensure a sustainable form of development in accordance with Policy 4A.3 of the London Plan [2008].

ReasonsForRefusal_table

1	<p>INFORMATIVE:</p> <p>SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:</p> <p>The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and-or the Harrow Unitary Development</p>
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	<p>Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report: The London Plan [2008]: 2A.9 The Suburbs: supporting sustainable communities 3A.3 Maximising the potential of sites 3A.17 Addressing the needs of London's diverse population 3A.18 Protection and enhancement of social infrastructure and community facilities 3A.19 The voluntary and the community sector 3A.26 Community strategies 3C.23 Parking strategy 4A.1 Tackling climate change 4A.2 Mitigating climate change 4A.3 Sustainable design and construction 4A.4 Energy assessment 4A.7 Renewable energy 4A.11 Living roofs and walls 4A.12 Flooding 4A.13 Flood risk management 4A.14 Sustainable drainage 4A.16 Water supplies and resources 4A.21 Waste strategic policy and targets 4B.1 Design principles of a compact city 4B.2 Promoting world class architecture and design 4B.5 Creating an inclusive environment 6A.4 Priorities in planning obligations 6A.5 Planning obligations</p>
2	<p>London Borough of Harrow Unitary Development Plan [2004]: S1 The Form of Development and Pattern of Land Use SEM2 Hierarchy of Town Centres EM5 New Large Scale Retail and Leisure and other Development EP11 Development within Floodplains EP15 Water Conservation EP16 Waste management, disposal and recycling facilities EP20 Use of previously-developed land EP25 Noise EP26 Habitat Creation and Enhancement EP28 Conserving and Enhancing Biodiversity D4 The standard of design and layout D10 Trees and New Development H11 Presumption Against the Loss of Residential Land and Buildings T6 The Transport Impact of Development Proposals T13 Parking Standards C2 Provision of Social and Community Facilities</p>

	<p>C10 Community buildings and places of worship C11 Ethnic Communities C16 Access to Buildings and Public Spaces C17 Access to Leisure, Recreation, Community and Retail Facilities R13 Leisure Facilities</p>
3	<p>INFORMATIVE: A wheel-wash facility shall be provided for the duration of the works to ensure levels of soil on roadways near the site are minimised.</p>
4	<p>INFORMATIVE: The applicant should contact Thames Water Utilities Limited 0845 850 2777 and Harrow Drainage Section at the earliest opportunity on 020 8424 1586.</p>
5	<p>INFORMATIVE: The applicant should contact Harrow Drainage Section at the earliest opportunity on 020 8424 1586 for allowable discharge rates and to ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in PPS25 & PPS25 Practice Guide.</p>
6	<p>INFORMATIVE: The applicant's attention is drawn to the requirements in the 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.</p>
7	<p>INFORMATIVE: The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:</p> <ol style="list-style-type: none"> 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, <p>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</p>

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| 8 | <p>INFORMATIVE:
IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences</p> <ul style="list-style-type: none">- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.- Beginning development in breach of a planning condition will invalidate your planning permission.- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness. |
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Date of decision: 12 January 2011

B.C. Kuchar

Beverley Kuchar
Head of Development Management

THIS IS NOT A BUILDING REGULATION APPROVAL. YOUR ATTENTION IS PARTICULARLY DRAWN TO THE ENCLOSED NOTES WHICH SET OUT THE RIGHTS OF APPLICANTS WHO ARE AGGRIEVED BY THE DECISION BY THE LOCAL AUTHORITY.

DECISION NOTICE

P/1953/10