

Drawing and Planning Ltd  
25-27 Mercham House  
The Borroughs  
Hendon  
London  
NW4 4AR

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TOWN & COUNTRY PLANNING ACT 1990  
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT) ORDER 2015**

**GRANT PRIOR APPROVAL**

**Ref: P/0935/15**

**Application Type:** Prior Approval Office to Residential

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With reference to the application received on 25 February 2015 accompanied by Drawing(s)

RXTHS-L000; RXTHS-L001, RXTHS-L201, RXTHS-E001,  
RXTHS-E002, RXTHS-E003, RXTHS-E201, RXTHS-E202,  
RXTHS-E203, RXTHS-P001, RXTHS-P002, RXTHS-P003,  
RXTHS-S202, RXTHS-E002-P004, RXTHS-P201, RXTHS-  
P202, RXTHS-P201, RXTHS-P202, RXTHS-P203, RXTHS-  
P204, RXTHS-S001, RXTHS-S002, RXTHS-S201 ;  
Notification of a Proposed Change of Use to Dwellings  
application form

**Conversion of First & Second Floor Offices (Class B1a) to 3 Self-  
Contained Flats (Class C3) (PRIOR APPROVAL OF TRANSPORT &  
HIGHWAYS IMPACTS OF THE DEVELOPMENT AND OF  
CONTAMINATION RISKS AND FLOODING RISKS ON THE SITE)**

**Roxeth House, Shaftesbury Avenue, South Harrow, Harrow, HA2 0PZ**

1. **PRIOR APPROVAL IS REQUIRED**
2. HARROW COUNCIL, the Local Planning Authority,  
**GRANTS** prior approval subject to the following condition(s):

- 1 The cycle parking shown on drawing RXTHS-L201 shall be provided and made available for use in advance of the occupation of any of the proposed flats and shall be permanently retained thereafter, unless otherwise agreed beforehand in writing by the Local Planning Authority.

REASON: To ensure that opportunities for more sustainable transport modes are exploited in accordance with paragraphs 32 and 35 of the National Planning Policy Framework, and to ensure that the cycle parking provision is made in accordance with Policies 6.9 and 6.13 of the London Plan, and Policy DM42 of Harrow's Development Management Policies Local Plan document (2013).

1. INFORMATIVE: The applicant is reminded that, under the prior approval procedure (a condition of development permitted under Class O of Part 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 the development shall be carried out in accordance with the details approved by the local planning authority, unless the local planning authority and the developer agree otherwise in writing. The approved details states that it is not intended to provide any car parking spaces to serve the development. Any alternative proposal for development to include car parking provision will require a new application and should make provision for Electric Charging Points and 'blue badge' spaces for disabled motorists and passengers, in accordance with the London Plan.

2. INFORMATIVE: The applicant is reminded that, to comply with the provisions of paragraph W to Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the development must be carried out in accordance with the details approved by the local planning authority.

3. INFORMATIVE: To benefit from the permitted change from office to residential under Part 3 (Class O) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the use falling within Class C3 (dwellinghouses) must begin on or before 30th May 2016.

4. INFORMATIVE: Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on appeal following a refusal by Harrow Council) will attract a liability payment of £34,170.00 in Community Infrastructure Levy (CIL). This charge has been levied under s.206 of the Planning Act 2008 and includes both the Mayor of London's CIL and Harrow Council's CIL.

Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL, in addition to Harrow's CIL, on commencement of the

development.

Your proposal is subject to a CIL Liability Notice indicating a levy of £34,170.00 for the application, based on the Mayoral CIL levy rate for Harrow of £35/sqm plus Harrow's charging rate for residential of £110/sqm and the floorspace of 236 square metres.

It is the applicant's responsibility to provide evidence to the effect that the building was in a use that is "lawful", and that the building, or parts of the building, have been in use for a continuous period of at least six months within the period of three years ending on the day that the approval is granted. The Council will require further evidence of proof of the continuous use if this is not evident. Clarification as to what constitutes a lawful use is given in the Town and Country Planning Act, s191(2).

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>

5. **INFORMATIVE:** The change of use from office to residential under Part 3 (Class O) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, does not provide a general consent for any operational development requiring planning permission. Any operational development to the building or within the site, other than any such development for which there is a separate general consent under the Order or any works to be agreed in writing as a condition of this prior approval, will require planning permission from the local planning authority.

6. **INFORMATIVE:** Contaminated land may be an issue when converting offices to residential accommodation, because:

- a) Many offices will have been built on brownfield sites, therefore with a potential risk that the site was historically affected by contaminative uses.
- b) Offices may have been built before the contaminated land regime under the provisions of Part 2A of the Environmental Protection Act 1990 came into force. Therefore potential risks from contaminated land may not have been considered at the time.
- c) Even where contaminative risks may have been considered, remediation may have been inadequate to meet current standards.
- d) If a site is subsequently determined to be "contaminated land" under the contaminated land regime, developers may be liable for clean-up costs, even if the site is no longer in their ownership.

Contaminated land may represent a threat to public health. The main risks are

potential exposure during any demolition/construction works, and potential exposure of future residential occupiers. The most likely potential threat to residential occupiers would arise if they are exposed to contact with contaminated ground, though use of communal or private soft landscaping or gardens. However, some types of ground contamination can cause release of soil gases which can percolate into buildings.

Therefore the Council advises developers to consider such potential risks. In cases where such risks are identified developers are advised to carry out a desktop study for potential land contamination followed up by further investigations and, if necessary, remediation.

**Date of decision: 21 April 2015**



**Beverley Kuchar**  
**Head of Development Management and Building Control**

**Decision Notice Notes are available at**  
**[www.Harrow.gov.uk](http://www.Harrow.gov.uk) in the Planning section, Planning Documents**  
**Decision Notice Notes**

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

Enquiries about the need for Building Regulations approval should be made to:

**Building Control**  
**PO Box 37, Civic Centre,**  
**Harrow HA1 2UY**

**You may find the answer to your query at:**  
**<http://www.harrow.gov.uk/buildingcontrol>**  
**Telephone 020 8901 2650 (general enquiries)**

**DECISION NOTICE**

**P/0935/15**

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