

Planning Committee Agenda

Date: Wednesday 24 May 2023

Time: 6.30 pm

Venue: The Auditorium - Harrow Council Hub, Kenmore Avenue, Harrow, HA3 8LU

The date and time for the site visit for Planning Committee Members will be communicated in due course.

The date and time for the briefing for Planning Committee Members will be communicated in due course.

Membership (Quorum 3)

Chair: Councillor Marilyn Ashton

Conservative Councillors: Christopher Baxter (VC)
Salim Chowdhury
Zak Wagman

Labour Councillors: Ghazanfar Ali
Peymana Assad
Nitin Parekh

Conservative Reserve Members:

1. Anjana Patel
2. Norman Stevenson
3. Ameet Jogia
4. Nicola Blackman

Labour Reserve Members:

1. Simon Brown
2. Kandy Dolor
3. Rashmi Kalu

Contact: Mwim Chellah, Senior Democratic & Electoral Services Officer
Tel: 07761 405966 E-mail: mwimanji.chellah@harrow.gov.uk

Scan this code for the electronic agenda:



Useful Information

Joining the Meeting virtually

The meeting is open to the public and can be viewed online at [London Borough of Harrow webcasts](#)

Attending the Meeting in person

Directions by car:

Go along Kenmore Avenue and head towards the Kenton Recreation Ground. When approaching the end of the Kenmore Avenue turn right before reaching the Kadwa Patidar Centre.

The venue is accessible to people with special needs. If you have specific requirements, please contact the officer listed on the front page of this agenda.

You will be admitted on a first-come-first basis and directed to seats.

Please:

- (1) Stay seated.
- (2) Access the meeting agenda online at [Browse meetings - Planning Committee](#)
- (3) Put mobile devices on silent.
- (4) Follow instructions of the Security Officers.
- (5) Advise Security on your arrival if you are a registered speaker.

Filming / recording

This meeting may be recorded or filmed, and if you choose to attend, you will be deemed to have consented to this. Any recording may be published on the Council website.

Agenda publication date: Tuesday, 16 May 2023

Agenda - Part I

Guidance Note for Members of the Public attending the Planning Committee (Pages 5 - 8)

1. **Appointment of Vice-Chair**
To consider the appointment of a Vice-Chairman to the Planning Committee for the Municipal Year 2023-2024.
2. **Attendance by Reserve Members**
To note the attendance at this meeting of any duly appointed Reserve Members.
3. **Right of Members to Speak**
To agree requests to speak from Councillors who are not Members of the Committee.
4. **Declarations of Interest**
To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from all Members present.
5. **Minutes** (Pages 9 - 14)
That the minutes of the meeting held on 19 April 2023 be taken as read and signed as a correct record.
6. **Public Questions**
To note any public questions received.

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

[The deadline for receipt of public questions is 3.00 pm, 19 May 2023. Questions should be sent to publicquestions@harrow.gov.uk No person may submit more than one question].
7. **Petitions**
To receive petitions (if any) submitted by members of the public/Councillors.
8. **Deputations**
To receive deputations (if any).
9. **References from Council and other Committees/Panels**
To receive references from Council and any other Committees or Panels (if any).
10. **Addendum** (To Follow)
11. **Representations on Planning Applications**
To confirm whether representations are to be received, under Committee Procedure Rule 29 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.
12. **Stanmore Article 4 Directions** (Pages 15 - 42)
13. **Tree Protection Order 969 East End Way No.2 Pinner** (Pages 43 - 58)

Planning Applications Received

Report of the Chief Planning Officer - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Chief Planning Officer, it will be the Members' responsibility to clearly set out the reasons for refusal where the Officer recommendation is for grant. The planning reasons for rejecting the Officer's advice must be clearly stated, whatever the recommendation and recorded in the minutes. The Officer must be given the opportunity to explain the implications of the contrary decision.

14. Section 1 - Major Applications

(a)	1/01, 2-4 Hindes Road, HA1 1SG, P/3833/22	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 59 - 146)
(b)	1-02, 143-145 Eastcote Lane & 172 Alexandra Avenue, P/2844/22	ROXETH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 147 - 232)
(c)	1/03, Harrow Council Civic Car Park, P/0345/23	MARLBOROUGH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 233 - 296)

15. Section 2 - Other Applications recommended for Grant

(a)	2/01, Grimsdyke School, Sylvia Avenue, Pinner, Harrow, HA5 4QE, P/0814/23	HATCH END	GRANT	(Pages 297 - 332)
(b)	2/02, 2 Snaresbrook Drive, Stanmore, HA7 4QW, P/0805/ 23	CANONS	GRANT	(Pages 333 - 354)
(c)	2/03, Baldwin House, 2 Gayton Road, Harrow, HA1 2XU, P/3644/22	GREENHILL	GRANT	(Pages 355 - 386)

16. **Any Other Urgent Business**
Which cannot otherwise be dealt with.

Agenda - Part II - NIL

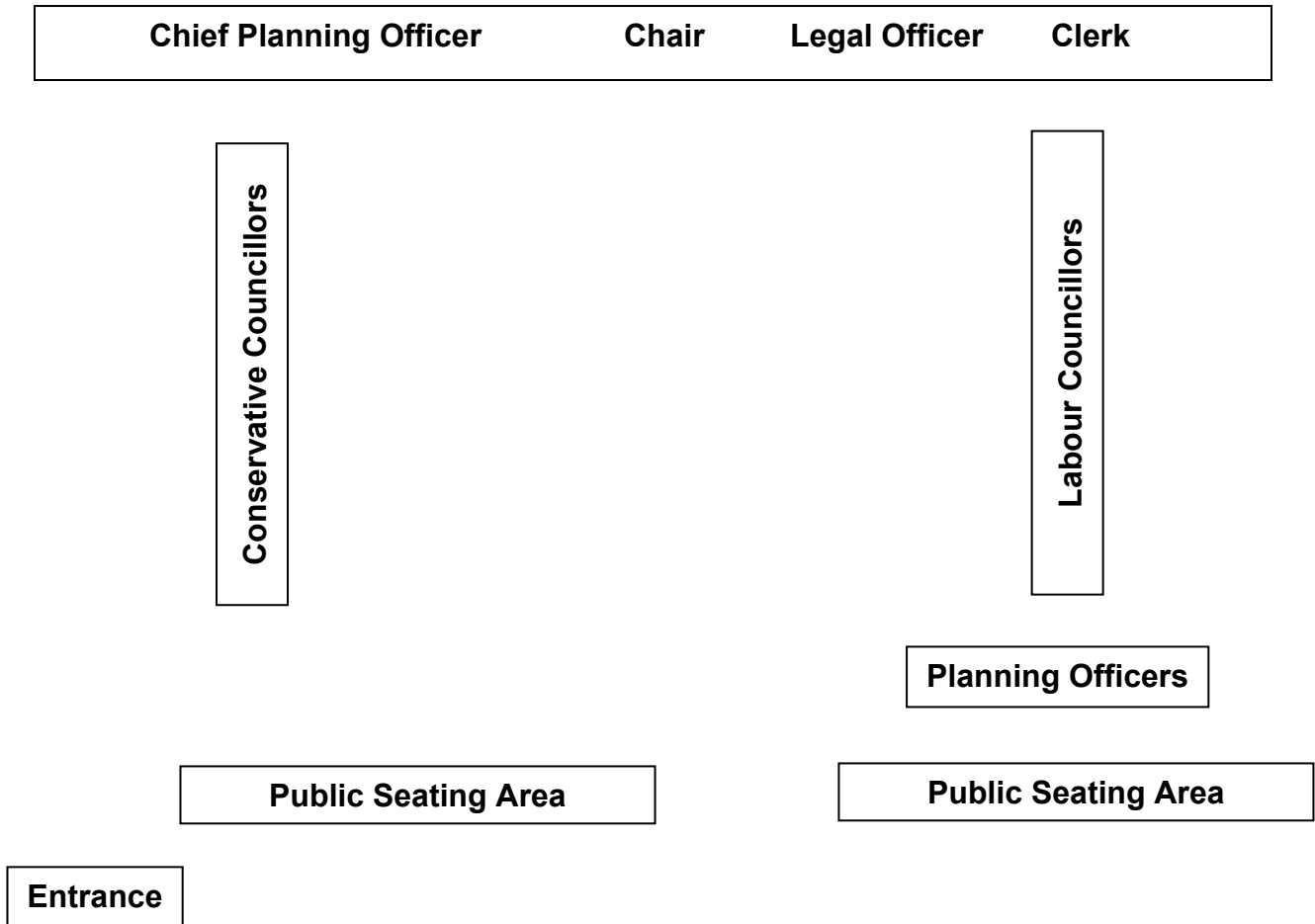
Data Protection Act Notice

The Council will record the meeting and will place the recording on the Council's website.

[**Note:** The questions and answers will not be reproduced in the minutes.]

Guidance Note for Members of the Public attending the Planning Committee

Typical Planning Committee layout for the Auditorium



Order of Committee Business

It is the usual practice for the Committee to bring forward to the early part of the meeting, those planning applications where notice has been given that objectors wish to speak, or where members of the public have come to hear the debate. However, often the agendas are quite long and the Committee may want to raise questions with officers and enter into detailed discussion over particular applications. This means that members of the public may have to wait some time before the application they are interested in is discussed. Additionally, the Committee may take a short break around 8.30 pm.

Rights of Objectors & Applicants to speak at Planning Committees

[Please note that objectors may only speak if they requested to do so by 5.00 pm on the working day before the meeting]

In summary, where a planning application is recommended for grant by the Divisional Director of Planning, a representative of the objectors may address the Committee for up to 3 minutes. Where an objector speaks, the applicant has a right of reply. The Planning Service advises neighbouring residents and applicants of this procedure.

The Planning Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of public to speak. Full details of this procedure are set out in the Council's Constitution, which also provides useful information for Members of the public wishing to present petitions, deputations or ask public questions at Planning Committee, and the rules governing these. The relevant pages of the Constitution can be accessed via this link:

[Harrow Council Constitution - Part 4B Committee Procedure Rules](#)

Addendum

In addition to the agenda, an Addendum is produced on the day before the meeting, with any final updates included in a second Addendum on the day of the meeting. These documents update the Committee on any additional information received since the formal agenda was published and also identifies any applications which have been withdrawn by applicants or which officers are recommending for deferral.

A limited number of hard copy agendas and addendums are available for the public in the Auditorium from approximately 6.00 pm onwards on the day of the meeting.

Decisions taken by the Planning Committee

The types of decisions commonly taken by the Planning Committee are set out below:

Refuse permission:

Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where the Committee refuse permission contrary to the officer recommendation, clear reasons will be specified by the Committee at the meeting.

Grant permission as recommended:

Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant permission. Conditions are normally imposed.

Minded to grant permission contrary to officer's recommendation:

On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Renotification will be carried out to advise that the Committee is minded to grant the application.

Defer for a site visit:

If the Committee decides that it can better consider an application after visiting the site and seeing the likely impact of a proposal for themselves, then the application may be deferred until the next meeting, for an organised Member site visit to take place.

Defer for further information/to seek amendments:

If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting.

Grant permission subject to a legal agreement:

Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the Applicant/Land owner to ensure these additional requirements are met.

(Important Note: *This is intended to be a general guide to help members of the public understand the Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).*

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Planning Committee

Minutes

19 April 2023

Present:

Chair: Councillor Marilyn Ashton

Councillors: Christopher Baxter Nitin Parekh
Simon Brown Zak Wagman
Salim Chowdhury

In attendance (Councillors): Anjana Patel For Minutes - All

Apologies received: Ghazanfar Ali
Peymana Assad

Absent: Councillor Kandy Dolor

170. Attendance by Reserve Members

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Simon Brown

Councillor Peymana Assad

Councillor Kandy Dolor (absent)

171. Right of Members to Speak

RESOLVED: That no Members, who were not members of the Committee, had indicated that they wished to speak at the meeting.

172. Declarations of Interest

RESOLVED: To note that there were none.

173. Minutes

RESOLVED: That the minutes of the meeting held on 15 March 2023 be taken as read and signed as a correct record.

174. Public Questions

RESOLVED: To note that no public questions were received.

175. Petitions

RESOLVED: To note that there were none.

176. Deputations

RESOLVED: To note that there were none.

177. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

178. Addendum

RESOLVED: To accept the Addendum.

179. Representations on Planning Applications

RESOLVED: That there were none.

Resolved Items

180. Quarterly (Calendar Year) Appeals Report

Members received Appeal Decisions between 30 December 2022 and 31 March 2023.

RESOLVED: To note the Appeal Decisions

181. 1/01, Kilby's Industrial Estate and Numbers 1- 5 Bacon Lane, P/0037/23

PROPOSAL: variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 10 of the houses approved.

Councillor Nitin Parekh proposed refusal for the following reason:

- 1) The additional dormer windows, by reason of their siting, will give rise to undue overlooking and loss of privacy, over and above the approved proposal, to the dwelling and their rear gardens abutting the site and will result in a loss of residential amenity with the locality, contrary to policies CS1 Harrow Core Strategy (2012), DMI Harrow Development Plan (2013).

The proposal was seconded by Councillor Simon Brown, put to the vote and not agreed.

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of a Deed of Variation to the Section 106 legal agreement (dated 22nd February 2021) and, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required.

HEADS OF TERMS

- 1) Provision of offsite affordable housing contribution of £110,000 with a viability review mechanism
- 2) Harrow Employment and Training Initiatives: financial contribution towards local training and employment initiatives prior to commencement
- 3) Child Play Space provision contribution
- 4) Parking permit restriction
- 5) Carbon offsetting contribution
- 6) External materials strategy
- 7) Planning Permission monitoring fee
- 8) Legal fees

RECOMMENDATION B

That if, by 1st July 2023 or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to REFUSE planning permission for the following reason:

- 1) the proposal, in the absence of a Deed of Variation to the Section 106 (dated 22nd February 2021) to provide the appropriate improvements,

benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D3, D4, H4, S4, SI2, T4 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM50, of the Harrow Development Management Policies Local Plan (2013).

DECISION: GRANT

The Committee wished it to be recorded that the decision to grant the application was by majority of votes.

Councillors Ashton, Baxter, Chowdhury and Wagman voted to grant the application.

Councillors Brown and Parekh voted to refuse application.

182. 2/01, Unit 10, Waverley Industrial Estate, Hailsham Drive P/0216/23

PROPOSAL: change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of the report.

DECISION: GRANT

The Committee wished it to be recorded that the decision to grant the application was unanimous.

183. 2/02, Unit 11, Waverley Industrial Estate, Hailsham Drive P/0240/23

PROPOSAL: change of use from B2 to flexible use of classes E(g)(ii) and/or E(g)(iii) and/or or B2 and/or B8.

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

- 1) agree the reasons for approval as set out in this report; and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of the report.

DECISION: GRANT

The Committee wished it to be recorded that the decision to grant the application was unanimous.

184. 2/03, Rooks Heath College, Eastcote Lane, P/1907/22

PROPOSAL: redevelopment to provide two storey teaching block (Use class F1a) (demolition of existing teaching block), associated alterations to staff car parking, provision of cycle parking.

The Committee voted and resolved to accept officer recommendations.

The committee voted to add a condition for one disabled parking space.

RECOMMENDATION

The Committee is asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of the report.

DECISION: GRANT

The Committee wished it to be recorded that the decision to grant the application was unanimous, subject to the condition on the addition of one disabled parking space being added.

185. 2/04, Vaughan Library, High Street, P/0613/23

PROPOSAL: Listed Building Consent - access control to entrance door including shootbolt in the main entrance threshold and CCTV and keypad within the entrance porch and green button door release inside the building with drilling for cable route.

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

- 1) to agree the reasons for approval as set out in the report; and

- 2) Grant Listed Building Consent subject to subject to the Conditions listed in Appendix 1 of this report.

DECISION: GRANT

The Committee wished it to be recorded that the decision to grant the application was unanimous.

186. Any Other Urgent Business

The Vice-Chairman, Councillor Christopher Baxter, led Members in paying tribute to the Chairman, Councillor Marilyn Ashton, for her leadership of the Planning Committee in the 2022-2023 Municipal Year.

This would be the last meeting of the 2022-2023 Municipal Year.

Members also thanked Officers for their professionalism and assistance during meetings.

The video/audio recording of this meeting can be found at the following link:

<https://www.harrow.gov.uk/virtualmeeting>

(Note: The meeting, having commenced at 6.30 pm, closed at 7.45 pm).

(Signed) Councillor Marilyn Ashton
Chair



Report for: PLANNING COMMITTEE

Date of Meeting:	24 May 2023
Subject:	Proposed Article 4 Directions – Stanmore Hill, Kerry Avenue, Old Church Lane and Little Common Conservation Areas
Responsible Officer:	Viv Evans, Chief Planning Officer
Exempt:	No
Wards affected:	Stanmore
Enclosures:	Appendix 1 – Tudor Well Close objections Appendix 2 – correspondence from the Department of Levelling Up Housing and Communities Appendix 3 response to Department of Levelling Up Housing and Communities

Section 1 – Summary and Recommendations

- 1.1 This report feeds back to the Planning Committee representations received on all the non-immediate Article 4 Directions agreed by the Committee at its meeting on 11 March 2020 and introduced thereafter on 19 May 2022 for public consultation. The directions covered properties within the following Stanmore conservation areas: Stanmore Hill, Little Common, Old Church Lane and Kerry Avenue. The report then accordingly recommends confirmation of all but one of these Directions 12 months after their introduction, the exception being that originally proposed for 1 Tudor Well Close and 7 Cherry Tree Way, Friars Mead on Old Church Lane in the Old Church Lane Conservation Area.
- 1.2 An Article 4 Direction is a direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”) which enables the Council to withdraw specified permitted development rights across a defined area; the effect of this is to require planning permission for the specified works where normally such works would not require planning permission. In Harrow, the Council has proactively made Article 4 Directions for most of its Conservation Areas in order to protect the

special architectural or historic interest and character / amenity of the areas.

- 1.3 The Directions are proposed to require planning permission for all residential properties within the Conservation area where it faces a highway, waterway or open space for:

Kerry Avenue Conservation Area

All properties within Kerry Avenue Conservation Area for: The formation, laying out and construction of a means of access to a highway (Schedule 2, Part 2, Class B of the GPDO).

Stanmore Hill Conservation Area:

Applegarth, The Glade and The Orchard, Green Lane for:

- 1) Works for the *enlargement, improvement or other alteration of a dwellinghouse, (including the replacement of windows and doors)*. (Schedule 2, Part 1, Class A of the GPDO).
- 2) Other alterations to the roof of the dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 3) *The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse* (Schedule 2, Part 1, Class G of the GPDO).
- 4) The erection or construction of a porch (Schedule 2, Part 1, Class D of the GPDO).
- 5) Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).

Churchfelle Mews, Greystones and Willow Lodge, Green Lane for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Green Lane: Rylands, Olde Cottage, Tremar, Green Lane Cottage, Fordyce, Littlecote, Martinsell, Wallon Cottage, Nos 1-4 (inc) Franklin Cottages, The Cott, Nos 1-4 (inc) Chart Cottages, Nos 1-3 (inc) Hillcrest Cottages, 5 Pinnacle Place, 1-7 (inc) and 11-12 (inc) Green Lane Cottages, 1-4 (inc) Park Cottages

Stanmore Hill: Nos 75-81 (odd), 129, 131, 80, 58

For:

- 1) *The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse* (Schedule 2, Part 1, Class G of the GPDO).

Old Church Lane Conservation Area:

1 and 2 Gate House, Old Church Lane for:

The provision and the replacement within the curtilage of a dwelling house of a hard surface (Schedule 2, Part 1, Class F of the GPDO).

1-4 Rectory Close for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Little Common Conservation Area

147 Stanmore Hill for:

- 1) Works for the *enlargement, improvement or other alteration of a dwellinghouse, (including the alteration or replacement of windows or doors)* (Schedule 2, Part 1, Class A of the GPDO).
- 2) The erection or construction of a porch outside any external door (Schedule 2, Part 1, Class D of the GPDO).
- 3) Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).
- 4) Other alteration to the roof of a dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 5) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 6) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Stanmore Hill: 116, 156, 158, 193

Wood Lane: By the Pond, Woodleigh, The Lodge, Wood Farm Cottage, Moor House, 1 & 2 Garage Cottages

Aylmer Close: 3

Little Common: 1, 2, 3, 12, 18, 19, 20, 21, 22

For:

- 1) *The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse* (Schedule 2, Part 1, Class G of the GPDO).

Recommendations:

2.1 Planning Committee is requested to:

- a) Consider the representations received during the statutory consultation period and subsequent letters sent to each property affected by the Directions in April 2023.
- b) Having considered the representations agree to the Interim Chief Planning Officer's recommendation to confirm the Article 4 Direction of the Town and Country Planning (General Permitted Development) (England) Order 2015 to require planning permission for the works listed above under Schedule 2 of the GPDO. The proposed Article 4 Directions are to apply only to residential properties within the Conservation Area ("CA") where facing a highway, waterway or open space
- c) Delegate authority to the Interim Chief Planning Officer to undertake the necessary statutory processes to confirm the proposed Article 4 Directions.

- d) Agree to the Interim Chief Planning Officers' recommendation not to introduce an Article 4 direction for 1 Tudor Well Close and 7 Cherry Tree Way, Friars Mead on Old Church Lane.

Reason: (For recommendations)

- 2.2 To ensure that the special character of the conservation areas affected is preserved or enhanced. Since 1967 local authorities have been required to protect areas which are valued for their special architectural or historic interest – the character or appearance of which it is desirable to preserve or enhance - through the designation of Conservation Areas under the provisions of Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990. They are required to carry out reviews 'from time to time' to ensure areas are adequately covered. This proposal stems from the 2013 Stanmore and Edgware Conservation Areas SPD including its individual appendices of Conservation Area Appraisals and Management Strategy ("CAAMS") which identified these Article 4 Directions as important for the protection for the conservation areas. Recent surveys have re-enforced the desirability of implementing Article 4 Directions to preserve and enhance the special architectural features identified in the SPD. No objections were received during the consultation period to the proposals for those Article 4 directions it is proposed to confirm. This includes the additional consultation undertaken over April / May 2023. An objection was received for an Article 4 Direction that it is not proposed to confirm.

Section 2 – Report

1. Introduction

- 1.1 The report reflects the Council vision of 'Restoring Pride in Harrow', including the priority of a Council that puts residents first.:
- 1.2 The improved protection of areas of special architectural or historic interest will help maintain the unique historical local character of areas or neighbourhoods within Harrow which residents cherish and value, reflecting pride in the borough and putting residents first.

2. Options considered

- 2.1 The option of not confirming the new non-immediate Article 4 Directions was considered but this would be contrary to the Council's statutory obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990, under which local planning authorities are required to carry out reviews 'from time to time' to ensure areas are adequately protected to ensure the areas preservation or enhancement. The option of doing

nothing to address the issue would risk harm being done to the character of Conservation Areas within the borough.

- 2.2 The option of confirming the Article 4 direction for 1 Tudor Well Close on Old Church Lane was considered. But a search of the planning history of this site has found that a planning condition attached to this site already requires planning permission for any hardstanding in the curtilage of this site. Also, whilst a fence / wall under permitted development could cause some harm to the setting of the locally listed Tudor Well cover and the character and appearance of the conservation area, this would be modest and relatively reversible. Accordingly, it is proposed to not pursue the Direction on this site. The option of confirming this Direction in relation to 7 Cherry Tree Way, Friars Mead on Old Church Lane was considered, however, it is not possible to part confirm a direction and so the direction in relation to these properties is not recommended to be confirmed either.

3. Background

- 3.1 Article 4 Directions require planning permission to be obtained for certain works that would not usually require planning permission (even in a conservation area). This is to ensure change is sensitively managed to preserve the special character and appearance of conservation areas. Accordingly non-immediate Article 4 Directions were proposed in a report to Planning Committee in March 2020 that were tailored to relate to elements of permitted development rights under the Town and Country Planning (General Permitted Development) Order 2015 as amended (the 'GPDO') that could effect the special character and appearance of each conservation area, based on the adopted Conservation Area Appraisal and Management Strategy (CAAMS), as outlined in the report to that Committee.
- 3.2 Planning Committee agreed at it's meeting in March 2020 to introduce these non-immediate Directions such that they would only come into effect if they were subsequently confirmed by Planning Committee following public consultation results being reported back to them. Accordingly, this report reports back on the consultation responses for the non-immediate Article 4 directions for four of the five Conservation Areas i.e. Old Church Lane, Stanmore Hill, Little Common and Kerry Avenue Conservation Areas.
- 3.3 The non-immediate Article 4 Directions were proposed for all of the residential houses listed within the Little Common, Old Church Lane, Canons Park Estate and Stanmore Hill Conservation Areas as follows, as set out in the report to Planning Committee of March 2020:

Kerry Avenue Conservation Area

The formation, laying out and construction of a means of access to a highway (Schedule 2, Part 2, Class B of the GPDO).

Stanmore Hill Conservation Area:

Applegarth, The Glade and The Orchard, Green Lane for:

- 1) Works for the *enlargement, improvement or other alteration of a dwellinghouse, (including the replacement of windows and doors)* . (Schedule 2, Part 1, Class A of the GPDO).
- 2) Other alterations to the roof of the dwelling house (Schedule 2, Part 1, Class C of the GPDO).
- 3) *The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse* (Schedule 2, Part 1, Class G of the GPDO).
- 4) The erection or construction of a porch (Schedule 2, Part 1, Class D of the GPDO).
- 5) Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).

Churchefelle Mews, Greystones and Willow Lodge, Green Lane for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Green Lane: Rylands, Olde Cottage, Tremar, Green Lane Cottage, Fordyce, Littlecote, Martinsell, Wallon Cottage, Nos 1-4 (inc) Franklin Cottages, The Cott, Nos 1-4 (inc) Chart Cottages, Nos 1-3 (inc) Hillcrest Cottages, 5 Pinnacle Place, 1-7 (inc) and 11-12 (inc) Green Lane Cottages, 1-4 (inc) Park Cottages

Stanmore Hill: Nos 75-81 (odd), 129, 131, 80, 58

For:

- 1) *The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse* (Schedule 2, Part 1, Class G of the GPDO).

Old Church Lane Conservation Area:

1 and 2 Gate House, Old Church Lane for:

The provision and the replacement within the curtilage of a dwelling house of a hard surface (Schedule 2, Part 1, Class F of the GPDO).

7 Cherry Tree Way, Friars Meadon Old Church Lane, and 1 Tudor Well Close for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).
- 3) The provision within the curtilage of a dwelling house of a hardsurface (Schedule 2, Part 1, Class F of the GPDO).
- 4) The formation, laying out and construction of a means of access to a highway (Schedule 2, Part 2, Class B of the GPDO).

1-4 Rectory Close for:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Little Common Conservation Area

147 Stanmore Hill for:

1. Works for the *enlargement, improvement or other alteration of a dwellinghouse, (including the alteration or replacement of windows or doors)* (Schedule 2, Part 1, Class A of the GPDO).
2. The erection or construction of a porch outside any external door (Schedule 2, Part 1, Class D of the GPDO).
3. Painting of the exterior of any building (Schedule 2, Part 2, Class C of the GPDO).
4. Other alteration to the roof of a dwelling house (Schedule 2, Part 1, Class C of the GPDO).
5. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
6. Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).

Stanmore Hill: 116, 156, 158, 193

Wood Lane: By the Pond, Woodleigh, The Lodge, Wood Farm Cottage, Moor House, 1 & 2 Garage Cottages

Aylmer Close: 3

Little Common: 1, 2, 3, 12, 18, 19, 20, 21, 22

For:

- 1) *The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse* (Schedule 2, Part 1, Class G of the GPDO).

Consultation arrangements

- 3.4 The non-immediate directions were made on 19th May 2022 and the Notices of making were published on 26th May. The consultation process initially took place from 26th May to 17th June 2022 and during this period was extended to 29th July. The following took place:
 - (a) A notice of the direction was published in a local newspaper the Harrow Times.
 - (b) Two site notices were displayed from 26th May to 17th June and then replaced with those dated to the end of July. The notices were placed on lampposts within each area where the Article 4 directions were proposed and detailed those Article 4 directions that were proposed in that area.
 - (c) A notice of the Article 4 directions were published on the Council's website.
 - (d) The LPA sent a copy of the Article 4 direction and the notice of the direction to the Secretary of State on 30th May.

- (e) The directions were held in reception in the Council offices for members of the public to inspect.

3.5 Whilst the above meets the statutory requirements for notification of the proposed Directions, prior to making a final decision on the directions, individual properties directly affected by the proposal were contacted via letter, giving them a further 21 days to make representations ie from 11th April to 3rd May 2023. No additional representations were received following these letters, although a few enquiries were received and responded to (see below): these related to clarification of the proposals with no objections arising because of these.

4. Representations received

Old Church Lane Conservation Area

4.1 The proposed Article 4 Directions for 7 Cherry Tree Way, Friars Mead on Old Church Lane and 1 Tudor Well Close in the Old Church Lane Conservation Area covered:

- 1) The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure (Schedule 2, Part 2, Class A of the GPDO).
- 2) Demolition of the whole or any part of any gate, fence, wall or other means of enclosure (Schedule 2, Part 11, Class C of the GPDO).
- 3) The provision within the curtilage of a dwelling house of a hardsurface (Schedule 2, Part 1, Class F of the GPDO).
- 4) The formation, laying out and construction of a means of access to a highway (Schedule 2, Part 2, Class B of the GPDO).

4.2 The owner of 1 Tudor Well Close responded during and after the consultation period with the following objections / comments as included in appendix 1 and summarised as follows:

- 1) The proposed restriction on a 1980s town house is disproportionate and irrational given the house/site has no architectural merit.
- 2) If the proposal is not withdrawn we shall be obliged to instruct Planning Consultants to represent us. This could have costs implications for the Council.
- 3) It will reduce the value of our property.
- 4) Querying the evidence for the description and provenance of the Tudor Well head in the Old Church Lane Conservation Area Appraisal and Management Strategy.
- 5) Queries relating to the consultation period and meaning of “non-immediate Article 4 Direction”
- 6) Queries about what the hardstanding or boundary treatment restrictions would cover exactly in terms of the extent of works.
- 7) We are content to allow a direction under Part 2 Class B because plainly it is irrelevant as the access is already in existence.
- 8) The justification presented in the report to committee is not relevant for this site.

4.3 A subsequent search of the planning history of this site has found that a planning condition attached to this site already requires planning

permission for any hardstanding in the curtilage of this site. Accordingly, the proposal for this Article 4 direction is withdrawn since there is not permitted development rights in any case for any hardstanding.

- 4.4 The present owner's strong objections to any controls on the boundary treatment alterations are noted. It is considered that whilst a fence / wall under permitted development could cause some harm to the setting of the locally listed Tudor Well cover and the character and appearance of the conservation area, this would be modest and relatively reversible. This is particularly so given the boundary could not exceed 1m in height where facing either Tudor Well Close or Old Church Lane already. Accordingly, it is proposed to not pursue the Direction on this site.
- 4.5 Similarly, it is not proposed to part confirm the direction relating to 7 Cherry Tree Way, Friars Mead on Old Church Lane since it is not possible to part confirm Article 4 directions.

Department for Levelling Up Housing and Communities

19 July 2022

- 4.6 **The Department for Levelling Up Housing and Communities responded** (see appendix 2) and informed the Council that their policy team will consider whether the Direction fulfils national policy set out in Paragraph 53 of the National Planning Policy Framework on the use of Article 4 directions, and whether there is cause for the Secretary of State to use his powers of intervention under Schedule 3, Paragraph 1(13) of the 2015 Order to prevent the Article 4 directions being introduced. They requested the council provides a map showing the extent of the Article 4 direction under consideration in a digital format and send us a link to your evidence setting out the justification for the Article 4 direction.

1 August 2022

- 4.7 **The Local Planning Authority** addressed this response (see appendix 3) by referring the department to the evidence in the March 2020 planning committee report and addressing the updated NPPF paragraph 53 introduced after the March 2020 Planning Committee report by noting that:
- (a) 'this provides a slight change in the policy specifying also that Article 4 directions should be limited to the 'smallest geographical area possible'. It stated the report adheres fully with the 2021 NPPF wording of paragraph 53 by proposing directions limited to the 'smallest geographical area possible' as demonstrated by the thorough survey assessment provided, down to an individual house assessment, to provide the smallest geographical area possible....The assessment demonstrates that the proposed Article 4 directions only relate to those items that contribute to the special character and appearance of the conservation area and are vulnerable to change as identified by the Council's relevant adopted CAAMS (2013), and the more recent through survey (2019) of all relevant houses and features that the Article 4 directions would pertain to.

- (b) In addition, it should be noted that the proposed Article directions are limited to 5 of Harrow's 6 Stanmore and Edgware Conservation Areas, only carefully selected houses, and only then for certain selected works in each instance where evidence suggests sensitivity to harmful works. There are no Article 4 directions otherwise elsewhere within Harrow either existing or proposed, with the exception of those in conservation areas where character is of the utmost importance/sensitivity in the conservation area to particular works.
- (c) Indeed, a Conservation Area is defined under Section 69 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Under Section 72 (1) of the same Act, the Local Planning Authority have a duty to ensure 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'. This imposes a statutory duty on Local Planning Authorities when exercising any of its functions in a conservation area. These Article 4 directions would allow the Local Planning Authority to achieve this. Indeed, guidance from Historic England website ([Restricting Permitted Development: Article 4 Directions and Heritage – Planning Law Overview | Historic England](#)) states that Article 4 directions may help in the protection of heritage assets'.

4.8 As no response to the above had been received from the Government, a follow-up email was sent on 27 January 2023.

2 February 2023

4.9 **The Department for Levelling Up Housing and Communities responded** to state:

'We suggest to local authorities that they should continue with their normal Article 4 Direction processes, including confirmation of Article 4 directions, because the Secretary of State has the power to intervene before or after a Direction is confirmed, should he consider it appropriate to do so'.

April 2023

4.10 Two emails were received further to the consultation letters sent in April 2023. One was in regards to the proposed Article 4 direction for the Little Common Conservation Area. This stated: 'the changes are clearly beneficial to the protection of this lovely area'. Otherwise the email provided highways and street lighting matters which could be improved in the conservation area. The relevant Council teams were advised and they noted they will attend to the matters and a telephone call was made to the consultee explaining this and then confirmed by email. He responded that he was grateful for this and was happy to work with council officers on these points. No further correspondence has been received.

4.11 The second consultation response was in regards to the proposed Article 4 direction for Stanmore Hill Conservation Area. This requested clarification on what the proposal meant. The consultee was telephoned and the matter explained i.e. that the proposal is to introduce the Article 4 to require planning permission to alter or knock down the front

boundary wall to hers, and the properties either side, as this marks the historic boundary of a larger house once here and is characteristic of tall boundary treatments elsewhere in the conservation area. She commented that she was grateful we explained, she understood and would explain this to her neighbours. No further correspondence has been received.

- 4.12 Clarification was also given by telephone call to another resident who verbally indicated their support although this does not appear to have been followed-up with a formal response.

Other consultation responses

- 4.13 No other responses were received. Accordingly there were no objections to the other proposed article 4 directions and all those that it is now recommended are confirmed by the Local Planning Authority.

5. Implications of the Introduction of the Article 4 Direction for Four Conservation Areas.

- 5.1 This would enable the Local Planning Authority to better manage change affecting the special character and appearance of these conservation areas. As noted in paragraph 3.1 above, Article 4 Directions require planning permission to be obtained for certain works that would not usually require planning permission (even in a conservation area). This allows change to be sensitively managed to preserve the special character and appearance of conservation areas.

6. Procedure

- 6.1 The Article 4 Directions were made on 19 May 2022. Notice of Making is dated 26 May 2022 and it was published on 26 May 2022. Directions if confirmed will come into force on the 20 June 2023 (follow para 1(9) and (10) of Schedule 3 of GDPO 2015). If not confirmed then will lapse on 19 June 2023. The Article 4 direction cannot be confirmed until 28 days following the latest date the notice was served or published, or such longer period as specified by the Secretary of State (paragraph 1(10), Schedule 3, GPDO 2015). The Local Planning Authority would confirm the Directions if agreed by Planning Committee after 12 months in order to avoid compensation claims.
- 6.2 If Planning Committee agree not to confirm the Direction for 7 Cherry Tree Way, Friars Mead on Old Church Lane and 1 Tudor Well Close in the Old Church Lane Conservation Area the Direction will be allowed to lapse on the 19 June 2023 i.e. no action will be taken to confirm it and accordingly it will lapse.

7. Legal Implications

- 7.1 The Council has a statutory duty and is required under section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to carry out reviews 'from time to time' to determine whether any parts or further parts of their area should be designated as conservation areas; and if it so determines, that part(s) shall be so designated.
- 7.2 The statutory procedure for making Article 4(1) Directions is set out in Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 7.3 A non-immediate Article 4 Direction withdraws the permitted development rights where the local planning authority consider the exercise of permitted development rights would harm the local amenity or the well being of the area.

8. Financial Implications

- 8.1 The costs of making the proposed Article 4 Direction would be met from within the existing revenue budgets of the Council's Planning Policy team.

9. Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

There are no significant risks arising from the recommendations. The risk of potential compensation claims has been mitigated by serving non-immediate Directions.

10. Equalities implications / Public Sector Equality Duty

- 10.1 Was an Equality Impact Assessment carried out? No
- 10.2 EqIA is not considered necessary in respect of the making of an Article 4 Direction. Such a proposal is based on the architectural and historic merit of an area and in this particular instance, seeking to correct a legal anomaly. Furthermore, the higher order Local Plan policy that contains the criteria against which development within Conservation Areas is assessed was subject to an equalities impact assessment prior to its adoption. Any potential equality implications of a specific proposal would be addressed during the assessment of the planning action necessitated by the marking of the proposed Article 4 Direction.

11. Council Priorities

- 11.1 The decision sought will help the Council meet the corporate priorities of putting residents first and restoring pride in Harrow, and the Council values of 'Making It Happen' and 'Do it Together' by helping ensure the

attractiveness of the borough as a place to live and demonstrating that the Council seeks and listens to the views of its residents.

Ward Councillors' comments

Ward members will be advised of the report once the report is published on the Committee's agenda.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jessie Man

Signed on behalf of the Chief Financial Officer (by email)

Date: 24 March 2023

Statutory Officer: Jimmy Walsh

Signed on by the Monitoring Officer (by email)

Date: 4 April 2023

Planning Policy Manager: David Hughes

Signed by the Planning Policy Manager



Date: 10 May 2023

Chief Officer:

Signed by the Chief Officer



Date: 12 May 2023

Mandatory Checks

Ward Councillors notified: YES – when agenda is published.

Section 4 - Contact Details and Background Papers

Contact: Lucy Haile, Principal Conservation Officer,
lucy.haile@harrow.gov.uk, 0208 736 6101

Background Papers:

Planning Committee report – 11 March 2020 (item 329):
<https://moderngov.harrow.gov.uk/ieListDocuments.aspx?CId=1001&MId=64668&Ver=4>

Formal documentation: <https://www.harrow.gov.uk/planning-developments/biodiversity-conservation/9>

Appendix 1 – Tudor Well Close objections

7th June 2022: Objection received

Subject: FW: Article 4(1) Order - 1 Tudor Well Close HA7 2SD

Dear Mr Walsh,

I refer to the Notice pinned to a lamppost outside this property. Having considered the Conservation Area Proposals of 2013, the provisions of the 2015 Order and the Minutes of the Planning Committee of 11 March, my wife and I remain totally bemused as to why the Council should wish to make an Order in such broad terms. As we understand the position and by way of example, should we need to replace part of the existing fence, which is old and largely held together by the ivy, we will need to apply for Planning Consent involving both a financial and time cost.

Further, should we wish to repoint or otherwise repair the front garden wall, a similar application will be required with the like cost implication. Furthermore, should we need to replace any part of the railway sleeper retaining walls in the garden, we would be faced with a similar situation.

We understand the Council's concern to preserve the "Tudor Well" , which – if inspected – is likely to be designated not as a well head, but a different architectural feature and there is, nor has there ever been any intention by us to interfere with it. It remains an important feature of this property and indeed the Close.

I would add that from my understanding of the Order and the Regulations made thereunder, the Planning Authority must write directly to every property owner affected by the proposed Order, giving notice of the Authority's intention. The distribution of copies of the Order by tying them to lampposts near subject properties does not appear to comply.

I should be grateful to receive your comments as soon as possible, as depending thereon, will determine whether we make formal objections.

Yours sincerely,

Howard Stone FRSA

14th June 2022 - Council response:

Good afternoon,

Thanks for the consultation response.

This concerns the public consultation for proposed Article 4 directions, with your comments relating to those for 1 Tudor Well Close.

The effect of an Article 4 Direction is to require planning permission where normally planning permission would not be needed, by restricting certain permitted development rights under Town and Country Planning (General Permitted Development) (England) Order 2015 ("GPDO"). In Harrow, the

Council has proactively made Article 4 Directions for most of its Conservation Areas to protect their special character and appearance.

Currently the Council seeks to introduce some non-immediate Article 4 Directions within the Stanmore and Edgware Conservation Areas. This follows the recommendations of the 2013 Stanmore and Edgware Conservation Areas Supplementary Planning Document's review and a further survey in August 2019.

The proposals for 1 Tudor Well Close are to withdraw the following permitted development rights relating to Schedule 2 of the Order, where such development would front a highway, waterway or open space:

1. Part 2, Class A - The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
2. Part 11, Class C - Demolition of the whole or any part of any gate, fence, wall or other means of enclosure.
3. Part 1, Class F - The provision and the replacement within the curtilage of a dwelling house of a hard surface.
4. Part 2, Class B - The formation, laying out and construction of a means of access to a highway

The report recommending these directions is at page 19 of this link ([Public Pack\)Agenda Document for Planning Committee, 11/03/2020 18:30 \(harrow.gov.uk\)](#)) and provides some justification (note particularly paragraphs 4.13 and 4.17). I note that you state you have reviewed this.

In summary, it is proposed that these works require planning permission since alterations to the boundary treatment could impact on the characteristic and special openness and soft, suburban character of the conservation area. It could obscure the important locally listed Tudor Well Cover from view. Similarly, hardstanding, and means of access to a highway, which would encourage hardstanding, could undermine the soft, suburban character of the area.

In terms of references to repair the wall made below e.g. repointing or replacing the odd brick, it is likely that if this was like for like it would not be considered material works requiring planning permission notwithstanding the wording of the Order.

Please note that there is not a requirement to write to every owner under the Act if this is impractical (see paragraph 1(1)(c), Schedule 3, GPDO 2015). Once an Article 4 direction has been made, the Local Planning Authority must:

1. Publish a notice of the direction in a local newspaper (paragraph 1(1)(a), Schedule 3, GPDO 2015).
2. Display at least two site notices for a period of not less than six weeks (paragraph 1(1)(b), Schedule 3, GPDO 2015).
3. Although not a statutory obligation, it is considered good practice to publish a notice of the Article 4 direction on the LPA's website.
4. On the date the notice is first published or displayed, the LPA must send a

copy of the Article 4 direction and the notice of the direction to the Secretary of State (paragraph 1(6), Schedule 3, GPDO 2015).

Points 1-4 have been undertaken.

My manager David Hughes has briefed Cllr Marilyn Ashton (Portfolio Holder for Planning and Regeneration) on the above; both are copied into this email.

I hope the above helps. Please contact me if you wish to discuss.

Lucy Haile

23rd June 2022: Objection received

Thank you for your email of last Tuesday.

I understand the purpose of an Article 4 Direction but we challenge the need for one where it relates to a town house built in the early 1980s with no architectural or other merit whatsoever.

I would appreciate an explanation as to the meaning of a “non-immediate Article 4 Direction” Is this to be measured in weeks, months or years? – it will cause a diminution of the value of our property.

You say that you propose to withdraw development rights where such development would front a highway. 1 Tudor Well Close fronts Tudor Well Close (which is not within the conservation area) not Old Church Lane.

If in fact, you refer not to 1 Tudor Well Close in its entirety but to the front garden thereof then we can see that you might take the view that it needs special protection. If you refer to the fence as it abuts Old Church Lane then we respectfully suggest that a 1990s standard ivy covered feather board fence does not require planning consent to be replaced when that becomes necessary. Moreover, to require planning consent would result in considerable and unnecessary expense for us for no good planning purpose.

The remainder of this email is predicated on the basis that you are seeking to protect our front garden (which also abuts Tudor Well Close) and nothing further.

With reference to your numbered paragraphs:

1. There is a low wall which surrounds the front garden. We note that you state that “In terms of references to repair the wall made below e.g. repointing or replacing the odd brick, it is likely that if this was like for like it would not be considered material works requiring planning permission notwithstanding the wording of the Order” How would we determine, without incurring expense or delay to any work we wished to undertake, whether it falls within or without your comments. How would we know if your view of “small works” changes with a change in Council personnel – this is simply not satisfactory.

2. The like comments apply to this paragraph.

3. With respect to the proposed application of Part 1 Class F we are content to agree that if we wished to remove the entire planted area and replace it with hardstanding Part 1 class F will apply. It should not apply if we wish to alter or change in any way the existing hard standing – such a restriction would be wholly excessive and improper.

4. We are content to allow a direction under Part 2 Class B because plainly it is irrelevant as the access is already in existence.

I note your reference to the Report providing “some justification” for your proposals. With respect it does not. Paragraph 4.13 to which you draw attention refers to “ Open spaces, trees, hedges and soft landscaping are key to the architecture, landscape and setting within the Old Church Lane Conservation Area. As noted under CAAMS Section 3.67 ‘boundary treatments are predominantly comprised of soft landscaping either as hedges, trees or soft planting which draws the area together and adds to the soft suburban character of the CA’ and seems irrelevant in the context of the existing frontage.

Paragraph 4.17 directly refers to 1 Tudor Well Close. It states “within the Curtilage of its front garden is the Locally Listed ‘Tudor well cover’, now used is a large, ornate plant pot, is easier to miss but an interesting relic of the past which has elaborately detailed stonework. It is a stone ionic well cover, with intricate carved details and coat of arms and once stood in the gardens of the early late 16th or 17th century timber framed Manor House which was demolished in 1930’ (CAAMS Section 3.55). Also it is listed as an Important Item of historic street furniture under Section 3.69”. We should be grateful if you would provide us with the evidence which demonstrates that it was part of the Manor House. Our own research – carried out when we purchased the property is different. Be that as it may the ornate plant pot as you describe it, is an important local feature.

For the record, we point out that the garden in the form in which it is now, which surrounds the Tudor Well Cover (if that is what it is) was planted by us.

Whilst writing may I draw your attention to the disgraceful condition of the open land adjacent to the “Gate House”. Is it the intention of the council to require remediation of that wall and proper planning of the open area? That would do much to improve the view of the “important item of street furniture”

No doubt you will take the representations made in this letter into careful consideration before this matter return to Committee and produce a copy thereof to the Committee to aid its deliberations. As we may well wish to be represented at the Meeting please let us know when it will take place.

We reserve our position as to costs.

15th July: Objection received

Dear Ms Haile,

As you will know, the Article 4 Notices have been amended to allow for an extension of time for representations. An explanation therefor would be appreciated. This letter is to be considered as further representations.

Furthermore, kindly provide the evidence upon which the Council relied and/or relies for the description and provenance of the Tudor Well head.

Lastly, these totally unmeritorious Article 4 proposals are causing us and doubtless other affected property owners great concern. The placing of planning restrictions on a 1980s town house is utterly disproportionate and irrational. If not withdrawn on or before 29th July, we shall be obliged to instruct Planning Consultants to represent us. This could have costs implications for the Council.

Regards,

Howard Stone FRSA

22nd July 2022: Council response to the above email

Good afternoon,

Thanks for the email which we shall count as another consultation response. I was away on leave last week and am catching up. We extended consultation following a request by residents in the Canons Park Estate Conservation Area.

In terms of the Tudor Well Cover – the references to its origins in the planning committee are quoted there as being from the Old Church Lane Conservation Area Appraisal and Management Strategy adopted in December 2013.

The new direction is only out for consultation at the moment and so has no power currently. We will take account of all responses received. We will make recommendations forward to councillors at planning committee based on a consideration of all responses. We would let you know when this would be due to go to planning committee.

I hope this helps. Thanks,
Lucy

22nd July 2022: Objection received

Dear Ms Haile,

Following my email of 15th July, to which I have not received a response, I now raise a further yet related issue.

Bearing in mind the Council's objective to maintain the standards of this and other Conservation Areas, what is the Council's attitude towards the permanent (daily/over-night) parking of commercial vehicles in Tudor Well Close and other similar residential streets?

I ask because for over six months, a commercial vehicle belonging to Volker-Fitzpatrick has been continually parked in TWC at the junction with Old Church Lane. Until 16th July, when having been awakened at 05:35, I spoke with the workmen loading and unloading tools and materials from one vehicle to another. Following my remonstrations, the van has been moved to the far end of TWC. Investigations have confirmed that none of the operatives live in TWC, although one leaves his car outside this house at around 05:45 in the morning and often this includes Saturdays and Sundays. Further, resulting from the almost continual noise nuisance on any and most days (including weekends) often before 06:00, I am now preparing a diary for submission to the Environmental Health Department.

This situation, must offend against the principles underlying the creation of and maintenance of Conservation Areas and I would be grateful to have the details of what steps L B Harrow will take to rapidly address this situation.

Regards,

Howard Stone FRSA

25th July 2022: Council Response to the above email

Good afternoon,
Thanks for your email. The conservation area designation is a town planning one and unfortunately does not confer controls with regards to parking of vehicles. I do recommend that you contact the Environmental Health Department about this apparent noise nuisance.

Thank you.
Lucy Haile

22nd July 2022: Correspondence received

Dear Lucy,

Thank you for your response, which is helpful. I shall read the Appraisal and may well send you my comments. Meanwhile, could you kindly send me the contact details of the Canons Park Residents.

Regards,
Howard Stone FRSA

25th July 2022: Council response to the above email

Thanks. Their contact details and information about the group is available here: [index \(capra.org.uk\)](http://index.capra.org.uk)

The Old Church Lane Conservation Area Appraisal and Management Strategy is here: <https://www.harrow.gov.uk/downloads/file/24016/old-church-lane-conservation-area-appraisal-management-strategy.pdf>

Thanks,
Lucy

25th July 2022: Correspondence received

Dear Lucy,

Following my reading of the Management Strategy, could you please either send me or provide the link to the Old Church Lane Conservation Area Appraisal and Management Strategy Criteria.

Kind regards,

Howard Stone FRSA

25th July 2022: Council response

Thanks. I am unsure what you mean? That is the adopted document.

25th July: Correspondence received

Hi Lucy,

In section 3.55, uncertainty is expressed as to both the date and provenance of the alleged Well Cover. It would be of considerable assistance if the evidence relating thereto could be provided.

I hope this clarifies my earlier email.

Kind regards,

Howard Stone FRSA

25th July: Correspondence received

Thanks. For more research pertaining to the Tudor Well Cover's history I would suggest contacting the local history library: [Harrow Local History Collection](#) | [The National Archives](#) This is where the information would have been sourced, along with contacting local history groups and consulting locally.

Thank you.

8th August: Correspondence received (copied into an email to the planning applications email address)

Planning Applications <Planning.Applications@harrow.gov.uk>

CC Lucy.haile@harrow.gov.uk

Dear Sirs,

I am researching the history and provenance of the Tudor Well Cover (as it is described) located in the front garden of this house. The Borough Archivist has suggested I contact your office to enquire if you have any records of the artifact and of it being moved to its present location in around 1978 to 1981. If so, please let me know how I can inspect such records and/or obtain copies.

Yours truly,

22nd August 2022: Correspondence received

Dear David,

Could you please update me following our phone discussions and my email of 12 August. Could you also let me know when the Planning Committee will be convened to consider this matter?

2nd September: Reply from Council

Dear Mr Stone,

I hope you are well and please accept my apologies for the delay in responding to your email and updating you on our consideration of your concerns regarding the proposed Article 4 Direction covering 1 Tudor Well Close.

Thank you for the information you have provided. We have also undertaken a further review of relevant documentation. In this regard, it is considered that Condition 3 on the permission for the houses in Tudor Well Close already restricts hard standing by virtue of being development within the curtilage of a

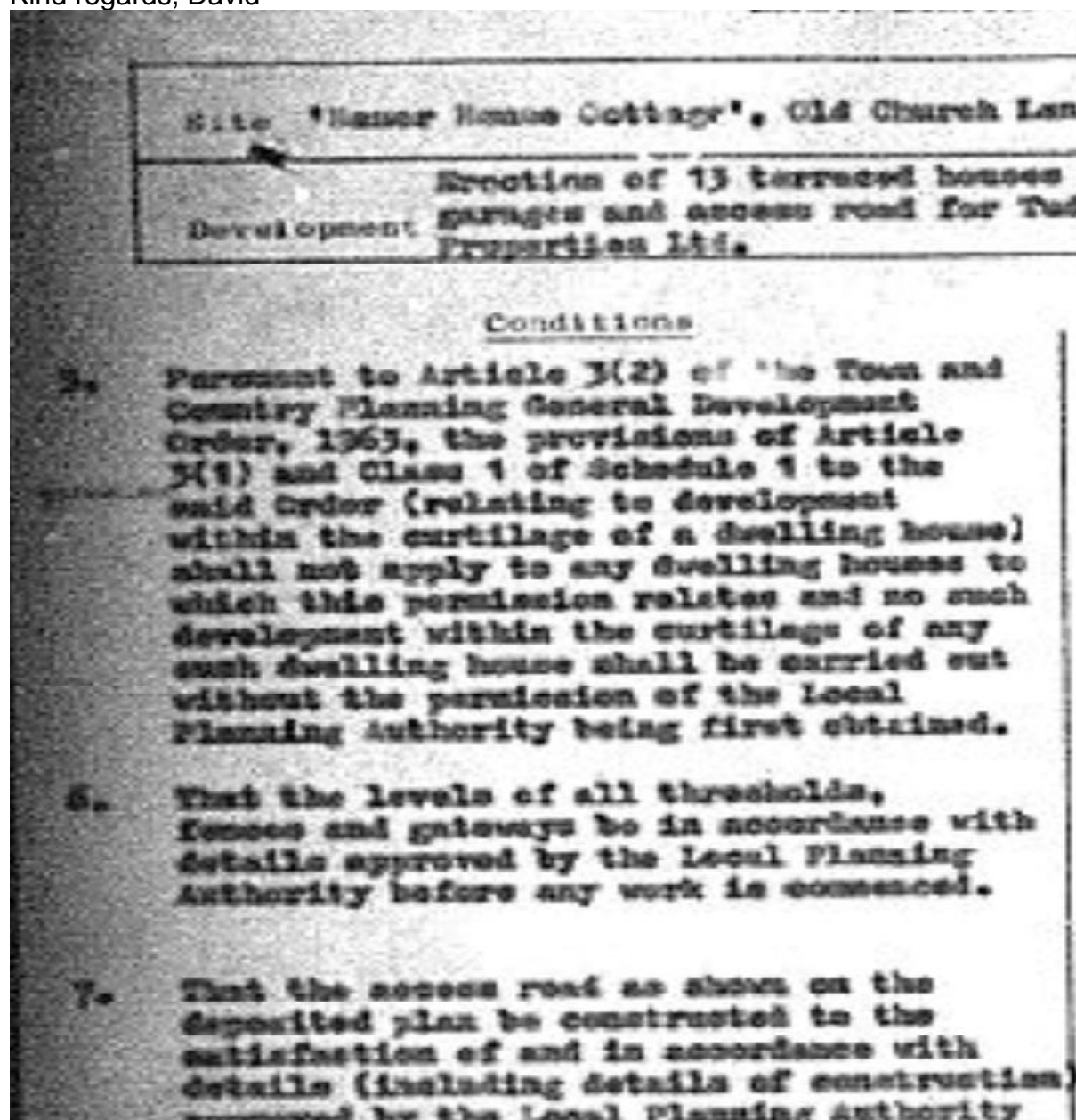
dwelling house (see below). This means that there is no need for the element of the proposed Article 4 Direction that seeks to withdraw permitted development rights relating to hardstanding as these have already been withdrawn.

In terms of boundary treatments, whilst a fence / wall constructed under permitted development would cause some harm to the setting of the Well Cover (which is why the Direction was proposed), on balance, it is proposed that that element of the proposed Direction is also not taken forward (i.e. not confirmed).

Consequently it is intended that when the outcomes of the consultation is reported to the Planning Committee (we are aiming for the 28 September 2022 meeting), the officer report will recommend that 1 Tudor Well Close is removed from the Article 4 Direction.

Please let either Lucy or I know any queries.

Kind regards, David



12th September 2022: Council response

Dear David,

Thank you for the email of 2nd September, received whilst on holiday. Needless to say, my wife and I are delighted that the Art. 4(1) will not apply to this property. We have been aware of the condition imposed on the Tudor Well Close planning consent, which imposes nothing we consider burdensome.

Kind regards,

Howard Stone FRSA

Appendix 2: Correspondence from the Department of Levelling Up Housing and Communities

19 July 2022: 11 responses from the Department of Levelling Up Housing and Communities

Each response is the same but refers each time to the different Article 4 directions being proposed:

I refer to your council's email of 30th May 2022, with attachments, notifying the Secretary of State about an Article 4 Direction made on 19th May 2022.

The Article 4 Direction has been passed to the policy team for further assessment.

They will consider whether the Direction fulfils national policy set out in Paragraph 53 of the National Planning Policy Framework on the use of Article 4 directions, and whether there is cause for the Secretary of State to use his powers of intervention under Schedule 3, Paragraph 1(13) of the 2015 Order.

We are grateful to the council for the material already provided to support its decision to make this Direction. We or the policy team will be in contact if we require any additional evidence to assist with our assessment of the Article 4 direction and will inform you in writing of the Secretary of State's decision in due course. **Please do not assume that the Article 4 direction has met the policy tests until you are notified by the Department.**

In order to aid the assessment of this Article 4 direction, we request that the council provides a map showing the extent of the Article 4 direction under consideration in a digital format: preferably as a Shapefile (.shp). It would also be helpful, if you have not already done so, if you could send us a link to your evidence setting out the justification for the Article 4 direction. We would request that this mapping data and link be submitted within 14 days to pcu@levellingup.gov.uk.

2nd February 2023: Responses from the Department of Levelling Up Housing and Communities

Dear Lucy,

Please accept my apologies for the delay in replying to your message.

We suggest to local authorities that they should continue with their normal Article 4 Direction processes, including confirmation of Article 4 directions, because the Secretary of State has the power to intervene before or after a Direction is confirmed, should he consider it appropriate to do so.

I hope that answers your query but please don't hesitate to get in touch with any further queries.

Kind Regards Fionnuala

Appendix 3: Council response to Department of Levelling Up Housing and Communities

1st August 2022: Council reply

Good afternoon,

Re: The Town and Country Planning (General Permitted Development) (England) Order 2015 - Harrow Council. Article 4 Direction (without immediate effect) - permitted development rights to be withdrawn for the attached
Your ref: PCU/A4D/M5450/3300810,
PCU/A4D/M5450/3300809, PCU/A4D/M5450/3300782,
PCU/A4D/M5450/3300786, PCU/A4D/M5450/3300690,
PCU/A4D/M5450/3302955, PCU/A4D/M5450/3300780,
PCU/A4D/M5450/3300843, PCU/A4D/M5450/3300680,
PCU/A4D/M5450/330064 and PCU/A4D/M5450/3300791

Thank you for your letters dated 19th July 2022 concerning the 11 proposed Article 4 directions in five Stanmore and Edgware Conservation Areas. I am the case officer dealing with this matter. We understand that your policy team will consider whether the proposed Directions fulfil national policy set out in Paragraph 53 of the National Planning Policy Framework and whether there is cause for the Secretary of State to use his powers of intervention under Schedule 3, Paragraph 1(13) of the 2015 Order.

Maps

I enclose digital maps showing the extent of the Article 4 directions under consideration as requested.

Evidence / justification

The following is a link to the evidence setting out the justification for the Article 4 directions: https://moderngov.harrow.gov.uk/documents/g64668/Public_reports_pack_Wednesday_11-Mar-2020_18.30_Planning_Committee.pdf?T=10
The link is to the Planning Committee report of March 2020 at agenda item 19 on pages 19-76. The minutes for this meeting are available at this link: [Agenda for Planning Committee on Wednesday 11 March 2020, 6.30 pm – Harrow Council](#)

The first stage of justification in the report is under the heading ‘background’ (section 3 – pages 24-26). This summarises the special character and appearance of each relevant Conservation Area with particular reference to the Council’s adopted Conservation Area Appraisals and Management Strategies (CAAMS – part of the Stanmore and Edgware Conservation Areas SPD, 2013). This special character and appearance goes to the heart of each proposed Article 4 direction.

The report then directly names the each proposed Article 4 direction in turn, under relevant side headings (section 4 – pages 26-33). Under each side

heading, the report references the CAAMS noting that a problem/pressure in preserving the special character and appearance of each conservation area as being the lack of protection relating to the particular feature that the Article 4 direction would require planning permission to change. For example, the Canons Park CAAMS notes that windows and roof tiles are not protected currently and the proposal is for an Article 4 direction relating to these features.

Reinforcing the need for the Article 4 direction, it refers in each instance to the detailed, robust survey results for each conservation area. The survey covered each property concerned individually and pertained specifically to those features that contribute to the special character and appearance of the relevant conservation area and are the subject of the Article 4 direction in each case. This shows how the very recent situation on site (survey undertaken in August 2019) supports the case for the Article 4 directions in each case e.g. by indicating either a very high proportion of original features without protection, or indicating that these features are beginning to be lost, and thus are vulnerable, harming the character and appearance of the conservation area. Indeed, the survey results are provided in full on pages 37-76.

Updated NPPF

The assessment in the report was made against the NPPF (2019) paragraph 53 which stated: 'The use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area' (see section 4, page 26).

The 2021 NPPF has since been published. This provides a slight change in the policy specifying also that Article 4 directions should be limited to the 'smallest geographical area possible'. The report adheres fully with the 2021 NPPF wording of paragraph 53 by proposing directions limited to the 'smallest geographical area possible' as demonstrated by the thorough survey assessment provided, down to an individual house assessment, to provide the smallest geographical area possible. Justification is provided for each proposed instance of removal of permitted development rights. The assessment demonstrates that the proposed Article 4 directions only relate to those items that contribute to the special character and appearance of the conservation area and are vulnerable to change as identified by the Council's relevant adopted CAAMS (2013), and the more recent through survey (2019) of all relevant houses and features that the Article 4 directions would pertain to.

In addition, it should be noted that the proposed Article directions are limited to 5 of Harrow's 6 Stanmore and Edgware Conservation Areas, only carefully selected houses, and only then for certain selected works in each instance where evidence suggests sensitivity to harmful works. There are no Article 4 directions otherwise elsewhere within Harrow either existing or proposed, with the exception of those in conservation areas where character is of the utmost importance/ sensitivity in the conservation area to particular works.

Indeed, a Conservation Area is defined under Section 69 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Under Section 72 (1) of the same Act, the Local Planning Authority have a duty to ensure 'special attention shall be paid to the desirability

of preserving or enhancing the character or appearance of that area'. This imposes a statutory duty on Local Planning Authorities when exercising any of its functions in a conservation area. These Article 4 directions would allow the Local Planning Authority to achieve this. Indeed, guidance from Historic England website ([Restricting Permitted Development: Article 4 Directions and Heritage – Planning Law Overview | Historic England](#)) states that Article 4 directions may help in the protection of heritage assets.

Thank you. Should you have any questions please do not hesitate to contact us.

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Report for: Planning Committee

Date of Meeting:	24 May 2023
Subject:	TPO No.969 East End Way (No.2) Pinner
Responsible Officer:	Rebecca Farrar, Arboricultural Officer
Exempt:	No
Wards affected:	Pinner
Enclosures:	Appendix A - TPO 969 map and schedule Appendix B – Site photographs Appendix C – Letters of Objection & support

Section 1 – Summary and Recommendations

The Council made provisional Tree Preservation Order (TPO) No. 969 on 12 December 2022. The TPO protects an Oak tree ('T1') as indicated on the attached plan (Appendix A) and covers the property at Maribar, East End Way, Pinner. Before confirming the order (i.e. making it permanent), the Council must consider any objections and representations duly made in respect of the provisional order. An objection has been received against this TPO in respect to the tree T1 Oak. This report considers the objection and concludes the grounds of objection do not warrant allowing the TPO to lapse without confirmation. It therefore recommends that the Committee confirms the order. The matter is being reported to the Committee as where there is an objection to a provisional TPO, the TPO cannot be confirmed under delegated authority and must be reported to the Planning Committee.

Recommendations:

The Committee is requested to:

1. Confirm TPO No.969 East End Lane (No.2) Pinner
2. Delegated authority to the Chief Officer to undertake the necessary processes required to confirm the TPO

Reason: (for recommendations)

The subject tree is considered to have significant public and visual amenity value, is notable for its historical importance, provides significant wildlife and habitat benefits and as such should be properly safeguarded. If this TPO is not confirmed within 6 months of it being served (i.e. by 12 June 2023 the protection will be lost.

Section 2 – Report

1. Background

- 1.1 Local planning authorities can make a Tree Preservation Order (TPO) if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. Key criteria relate to visibility (by the public) and individual, collective and wider impact of the trees.
- 1.2 On 12th December 2022 TPO No. 969 was made in respect of 1 x English Oak (*Quercus robur*) in the rear garden of Maribar, East End Lane, Pinner HA5.
- 1.3 The Oak is clearly visible from East End Lane and can be seen between the two properties when viewed from the road. The slightly elevated position of the tree and rear garden allows for clear views of the tree from Paines Lane Cemetery to the west, along with glimpsed views from the north / north-east, viewed from Moss Lane and the footpath which links Moss Lane with Paines Lane.
- 1.4 The Oak appears to be one of the few surviving boundary Oaks dating from the area's farming past, prior to development of East End Lane. The Oak is shown on historic maps dated circa 1890.
- 1.5 The Oak is approximately 18m height with a crown spread of approximately 10m.
- 1.6 Attention was brought to T1 Oak by the tree owner (owner of Maribar) following a request for the tree's removal, as it was asserted that the Oak was the material cause of subsidence-related movement to the neighbouring property The Steps. Given the tree's non-protected status, this places the tree at risk of removal and an assessment using the TEMPO evaluation method¹ was carried out to assess the tree's suitability for TPO protection.
- 1.7 Taking into account the tree's condition, size and form, prominence, location and contribution to the local amenity and streetscene, a provisional TPO was considered expedient. TPO No. 969 was duly served on the property owner and the neighbouring property, The Steps.

¹ Tree Evaluation Method for Preservation Orders, a method used widely by Local Planning Authorities

2. Objections

- 2.1 An objection was received from the owner of the adjoining property ('The Steps'). Reasons for the objection are outlined as follows:

The Oak (T1) is causing subsidence-related damage to the neighbouring property (The Steps). The tree is considered to be the material cause of cracking to the property, which developed last Summer (2021).

Site investigations have been carried out and which demonstrate that the Oak is the material cause of this damage.

Based on information collected the subsidence specialist company Crawford and Company working on behalf of our insurers have validated the subsidence claim so are progressing with the insurers.

I am aware that under this TPO application the tree in question has a provisional TPO in force until 06/07/2023 so no works on the tree can proceed without authorisation from the council. As we are entering a period of monitoring any proposed management of the tree should also be put on hold as this risks adversely affecting any tests carried out and could be determined as interfering with the results.

3. Consideration of Objection

The Oak is causing subsidence damage to the property (The Steps)

- 3.1 This has not been conclusively proved.
- 3.2 The site investigations referred to in the objection were organised by the objector rather than appropriately qualified persons following recognised methodologies. These investigations comprise a drains survey, a trial-hole dug to 1m depth at the affected corner of the property, analysis of moisture content of the subsoil sample (to 1m depth) and analysis of roots recovered from the underside of foundations.
- 3.3 The drains survey confirmed that drains were in good repair and watertight, therefore leaking drains have been discounted as a possible cause.
- 3.4 The objector states that the trial-hole confirms that the soil is desiccated. However, the trial-hole was dug to only 1m depth therefore it has not been demonstrated that there is desiccation (drying out) at depth. Soil drying under normal seasonal changes can occur to 1m, irrespective of the influence of trees. Therefore, this does not conclusively implicate the Oak or demonstrate that the soil is desiccated at depth.
- 3.5 Oak roots were recovered from beneath the foundations and sent for analysis. These have been identified as emanating from Quercus (Oak) or Castanea (Chestnut) spp, and contain starch (meaning they were recently alive). However, the mere presence of roots beneath a building alone is only part of the whole picture - and proves 'root trespass' but not causation.

- 3.6 Based on information collected the subsidence specialist company Crawford and Company working on behalf of our insurers have validated the subsidence claim so are progressing with the insurers.
- 3.7 It is understood that Crawfords (the loss adjusters for the property) have now accepted a claim and level monitoring commenced in March 2023. In order to show that movement is 'cyclical' (seasonal) at least 6 months level monitoring should be provided. Level monitoring has only just commenced and only some of the evidential requirements have been met – therefore the evidence is inconclusive until the full suite of site investigations has been provided.
- 3.8 In line with London Tree Officers Association's (LTOA's) Risk Limitation Strategy guidelines, the evidential requirements for a tree of this value should include:
- (a) Engineer's report on assessment of damage
 - (b) Plan and profile of foundations
 - (c) Site plan
 - (d) Arboricultural report
 - (e) Trial pit and borehole to 3-5m. Control borehole (away from the area of damage)
 - (f) Root ID from beneath foundations
 - (g) Soil analysis tests including: soil moisture content / plasticity tests / modified soil plasticity tests
 - (i) Heave assessment (heave being the reverse of subsidence and can occur when the causes of subsidence are mitigated; if heave occurs it can cause further damage to a property)
 - (j) Crack and level monitoring (minimum 6 months)
- 3.9 So whilst it is acknowledged that formal investigations are now being undertaken, these are yet to be completed and therefore are not considered sufficient reason to allow the provisional TPO to lapse (i.e. not be confirmed)

As we are entering a period of monitoring any proposed management of the tree should also be put on hold as this risks adversely affecting any tests carried out and could be determined as interfering with the results.

- 3.10 This comment refers to application reference P/0537/23 which has been submitted by the tree owner following the TPO being served.
- 3.11 The Council does not have powers to 'pause' or put TPO applications on hold once they have been submitted, validated and registered. Each application will be considered on its own merits and the Council cannot refuse any reasonable requests for pruning.

4.0 Representations of Support

- 4.1 Representations of support were received from the son of the owner of the property. These are outlined below:
- (a) The tree is one of high value and which makes an important contribution to the area. The tree has amenity and historical value. Such trees are becoming increasingly valuable in urban areas.

- (b) Research demonstrates that climate change is increasingly significant. Buildings will continue to move irrespective of the presence of trees.
- (c) Other factors should be considered, such as the inadequacy of the current foundations, historic alterations, impermeable surrounding surfaces and climate change. The movement took place following the direst and hottest summer on record.
- (d) The single test carried out is inadequate. The test methodology used is inconclusive and has been used in isolation. There is insufficient evidence to determine that the tree is the cause of the problem.
- (e) Reasonable steps have been taken by the tree owner to mitigate. An application has been made to crown reduce the tree.
- (f) Removal of the TPO would be contrary to local authority guidance, where removal should be considered the last resort.

4.2 These points are addressed in previously sections relating to the background / justification for the provisional TPO and response to the objection received.

5. Conclusion

5.1 The Oak merits protection and fulfils the necessary criteria. The Council has a statutory duty to make Preservation Orders where considered expedient.

5.2 To date there is insufficient evidence to clearly implicate the tree as the material cause of damage. A full suite of site investigations and monitoring is required to show, on the balance of probabilities, that T1 is the material cause. Confirming the TPO will allow the council to request this evidence as part of a formal TPO application.

5.3 In the event that the tree is clearly implicated in the damage, complete removal may not be necessary nor proportionate. It should be possible to alleviate water uptake via cyclical pruning. This has been shown to be an effective solution. If the TPO is confirmed, such matters can be fully considered through any applications to undertake works to the tree (with such applications being required by virtue of the tree being covered by a TPO).

5.4 The Committee is requested to give due consideration to the objection and the Arboricultural Officer's response to the objection outlined above.

5.5 It is recommended that the TPO is confirmed as set out in Appendix A.

Equalities impact

In considering this matter the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this report and recommendation there are no adverse equalities issues.

Legal Implications

A TPO is required to be confirmed within 6 months period (i.e. 12 June 2023) otherwise it will no longer be protected. Any other legal implications of this report / recommendations are addressed in the body of the report.

Financial Implications

The cost of the assessment of any applications for works to trees protected by the TPO would be from the revenue budget of the Planning Service.

Issues of compensation can arise when the Council refuses an application for works to a tree where the tree has been implicated in subsidence. The risk and value of any potential compensation claim would be considered at the time an application for works to the tree is determined.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jimmy Walsh

Signed on behalf of the Monitoring Officer (by email)

Date: 10 May 2022

Planning Policy Manager: David Hughes

Signed by the Planning Policy Manager



Date: 10 May 2022

Chief Officer:

Signed by the Chief Officer



Date: 12 May 2023

Mandatory Checks

Ward Councillors notified: YES – upon publication of the agenda

Section 4 - Contact Details and Background Papers

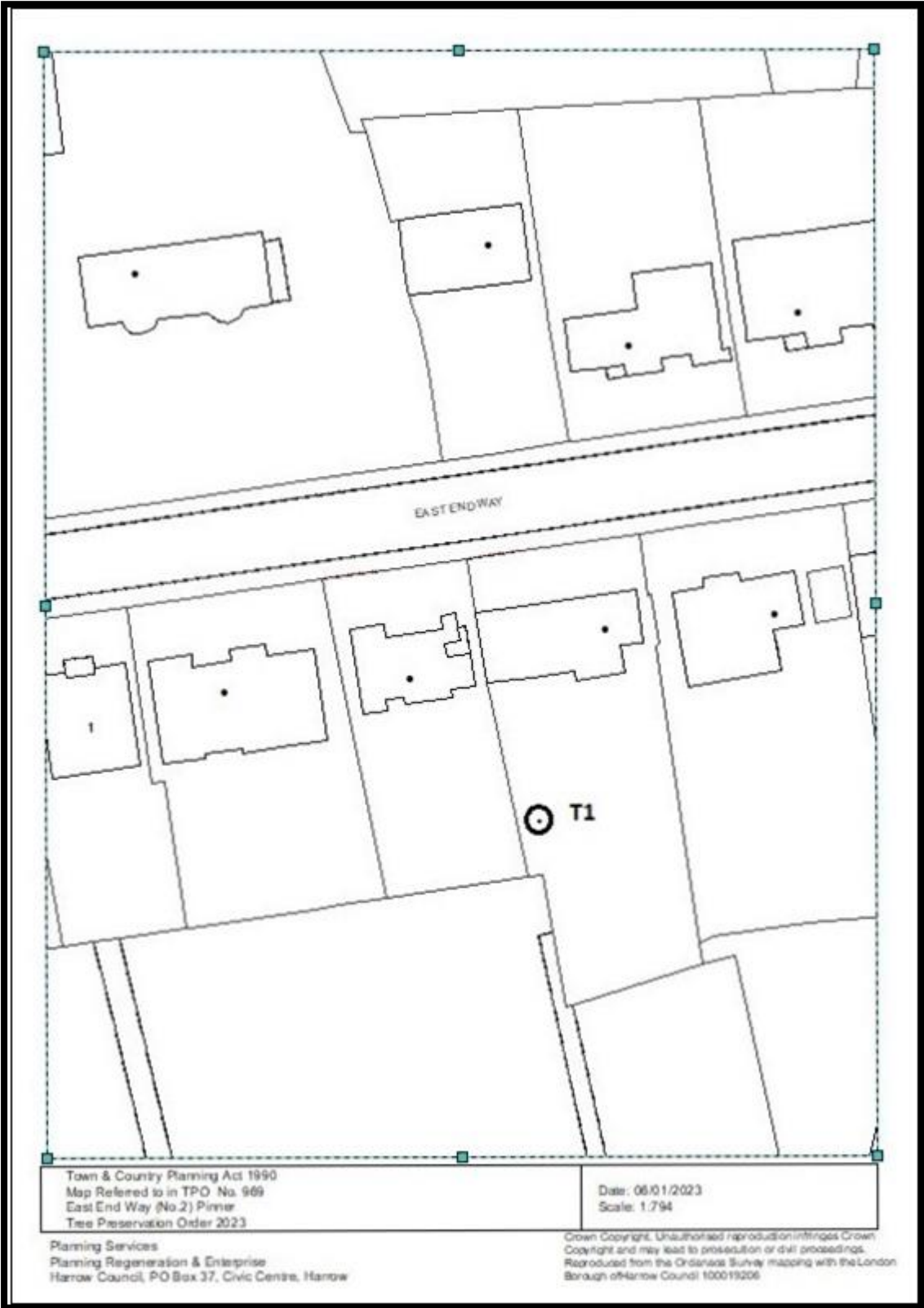
Contact: Rebecca Farrar, Tree Officer, direct line 020 8736 6092.
rebecca.farrar@harrow.gov.uk

Appendix A - TPO 969 map and schedule

Appendix B – site photographs

Appendix C – letters of objection & support

Appendix A - TPO 969 map and schedule



SCHEDULE 1

SPECIFICATION OF TREES

TREES SPECIFIED INDIVIDUALLY

(encircled in black on the map attached hereto ["the map"])

Reference on Map	Description	Situation
T1	Oak	Rear garden of Marbar

TREES SPECIFIED BY REFERENCE TO AN AREA

(within a dotted black line on the map)

Reference on map	Description	Situation

GROUPS OF TREES

(within a broken line on the map)

Reference on Map	Description	Situation

WOODLANDS

(within a continuous black line on the map)

Reference on Map	Description	Situation

Appendix B - Site photographs



Top: T1 Oak viewed from East End Way
Bottom: T1 Oak viewed from rear garden of Maribar



Appendix C – Letters of objection / support

Letter of objection

Please take this e-mail as my formal objection to the TPO application, reference **TPO 969**

The reason for the objection is that late last summer our house – ‘The Steps’ East End Way, Pinner developed a series of cracks on the South and East Elevations, these consisted of:

- A diagonal crack on the Southeast corner of the property towards the top of the playroom patio door which then spreads horizontally above the patio door. This crack is evident both inside and outside the property.
- A diagonal crack on the Southeast corner of the property towards the bottom of the playroom patio door. This crack is evident on the outside of the property.
- There is also evidence of ‘creasing’ in the interior plaster to the side of the playroom patio door
- A series of vertical, diagonal and horizontal cracks on the south and east wall elevations of the property, some of these are evident on both the inside and outside of the property on both ground and first floors (replastered master bedroom and ensuite).
- A large crack across the tiled floor running from the back (South) to the front (North) of the property, with some additional cracks in tiles running East to West with a lowering of the floor in that direction
- Cracks in the load bearing brick arch between the kitchen and playroom
- The door to the master bedroom ensuite no longer able to lock and the sliding wardrobe doors no longer stay in position due a change in level.

It is worth stating that the affected area of the house has been constructed since 1950, so this is not a new build or recent works and will have been subjected to prolonged wet and dry periods many times over this period without issue.

Following the above we carried out some investigations consisting of:

1. Checking the condition of a drain running under the affected area of the house
 - A drain camera was inserted through the drain and this was found to be in good condition, free running with no signs of obstructions or blockages.
2. Digging a trial pit at the Southeast corner of the property to expose the foundations and check for signs of any roots.
 - The foundations at this location were approx. 850-900mm in depth
 - Several roots were found at and below the depth of the foundations.
 - Samples of the roots were sent away for identification and were identified to be from an oak tree species (see attached report). The oak tree for which the TPO 969 application is being made is the only oak tree or associated species close to our property, located in our neighbour’s garden at ‘Maribar’ East End Way Pinner.
3. Taking a soil sample from just below foundation level and sending for analysis
 - The results from the soil sample (attached) came back showing the ground below the foundations was desiccated –this is based on applying the Driscoll relationship of $0.4 \times \text{Liquid Limit}$ give a value of 27.6%, which is 1.6% above the actual soil moisture content of 26% indicating the clay soil is desiccated at the location.

Based on information collected the subsidence specialist company Crawford and Company working on behalf of our insurers have validated the subsidence claim so are progressing with the insurers.

With the ongoing investigation and insurance claim we object to TPO 969 until this matter is resolved. I will further state that this TPO application has only been made by our neighbour at 'Maribar' once we had shared the above information relating to the damage to our property and subsequent investigations and findings.

I am aware that under this TPO application the tree in question has a provisional TPO in force until 06/07/2023 so no works on the tree can proceed without authorisation from the council. As we are entering a period of monitoring any proposed management of the tree should also be put on hold as this risks adversely affecting any tests carried out and could be determined as interfering with the results.

Attached with this e-mail are copies of the soil sample reports, root analysis and a selection of images showing the damage to our property.

Regards

Mr Kieran Bass

'The Steps' East End Way
Pinner
HA5 3BS

Letter of Support - Maribar

Maribar
East End Way
Pinner
HA5 3BS

8 March 2023

Rebecca Farrar
Harrow Council

Email: Rebecca.farrar@harrow.gov.uk

Dear Ms Farrar,

RE- ADDITIONAL LETTER OF SUPPORT FOR TREE PRESERVATION ORDER 969

I write on behalf of owner of Maribar, East End Way, Pinner HA5 3BS to further support the ratification of interim TPO 969 which was made following application dated 23 December 2023 for a Tree Preservation Order to be placed on the tree which is located in the rear garden of my mother's home.

I refer to my letter of 9 February 2023 in which I set out my view that, at this stage it is not appropriate to consider whether the adjoining owners claim, that the tree is causing damage to this property, has merit, it is simply to establish whether the tree is worthy of preservation, whilst a full investigation is carried out. In your response you suggested that a refusal to allow removal of the tree may result in potential losses to the Authority thus you are considering whether the claim has merit.

The current position is that an Interim Order has been made, an appeal lodged but no application for the tree's removal has been made. As a matter of law, I appreciate the Authority can be liable for compensation in the event that a) it is demonstrated that the tree is causing the problem and b) consent is then refused to remove the tree. I am not aware that an application to the Authority has been made to remove the tree just an appeal to the Order.

The buildings insurers for the tree owner have been informed and have communicated with the owner of the affected property. I am led to believe that the affected properties insurers are aware of the position but not whether a claim has been made on that policy.

In the knowledge that the Authority does have a potential liability, and should it be conclusively demonstrated the tree is the sole cause of the problem then the Authority has the ability release itself from the liability by agreeing to the tree's removal. For this reason alone, I reiterate my view that at this stage it would be premature to remove the Order. Removing the Order would leave the tree vulnerable to irreversible damage.

Page | 1

Summary.

The circumstances of this case, evidence presented and recommendations to Local Authorities on strategy and policies from the London Tree Officers Association and Building Research Establishment guidance is summarised as follows.

- The LTOA's guidance is that the tree should be considered one of High Value that makes an extremely important contribution to the area. It has significant amenity value which research and guidance states is increasingly valuable in urban areas. Furthermore, it is of some historical significance.
- Research demonstrates that climate change is becoming an increasingly significant factor. I quote the LTOA guidance "*Climate change is already happening; buildings will continue to move irrespective of the presence of trees*"
- There are other factors that must be considered such as the inadequacy of the current foundations, historic alterations to the affected property, the impermeable surfaces surrounding the affected area and climate change in particular that the settlement took place after the hottest and driest summer on record.
- The single test carried out is inadequate. Furthermore, test methodology used is inconclusive and particularly so in this instance as it has been used in isolation. Guidance recommends a number of investigations which have not been carried out. The limited evidence obtained is insufficient to determine that the tree is the cause of the problem and further tests and longer-term seasonal monitoring are necessary.
- The legal position is accepted, save to say that there are a number of significant issues to be established before any liability to the Authority might arise. In this eventuality and upon receipt of an application to remove the tree, the Authority would then have the opportunity to step away from this liability by granting consent to its removal should the evidence be sufficiently robust.
- Steps have been taken by the tree owner to mitigate the position. In particular application has been made to severely reduce the tree and these works will take place as soon as consent is given. This is in accordance with the guidance to Authorities to diminish claims. "*Reasonable steps are being taken to avert the loss or damage and mitigate its extent*" which will mitigate a possible liability to the authority. It is not known whether the owner of the affected property owner is taking any similar actions such as removal of the impermeable surfaces surrounding the property.

In light of the above I respectfully suggest that it would be premature to remove the protection currently afforded to the tree and at all reasonable steps are being taken by the tree owner to mitigate damage to the adjoining building and the authority's liability.

Removal of the statutory protection would be contrary to local authority guidance, where removal of tree, particularly one of this stature, should be considered the last resort rather than an ill-considered "knee-jerk" reaction of blaming the tree without a full and thorough investigation.

Furthermore, removal of the protection would leave this valuable and significant tree vulnerable to irrevocable damage.

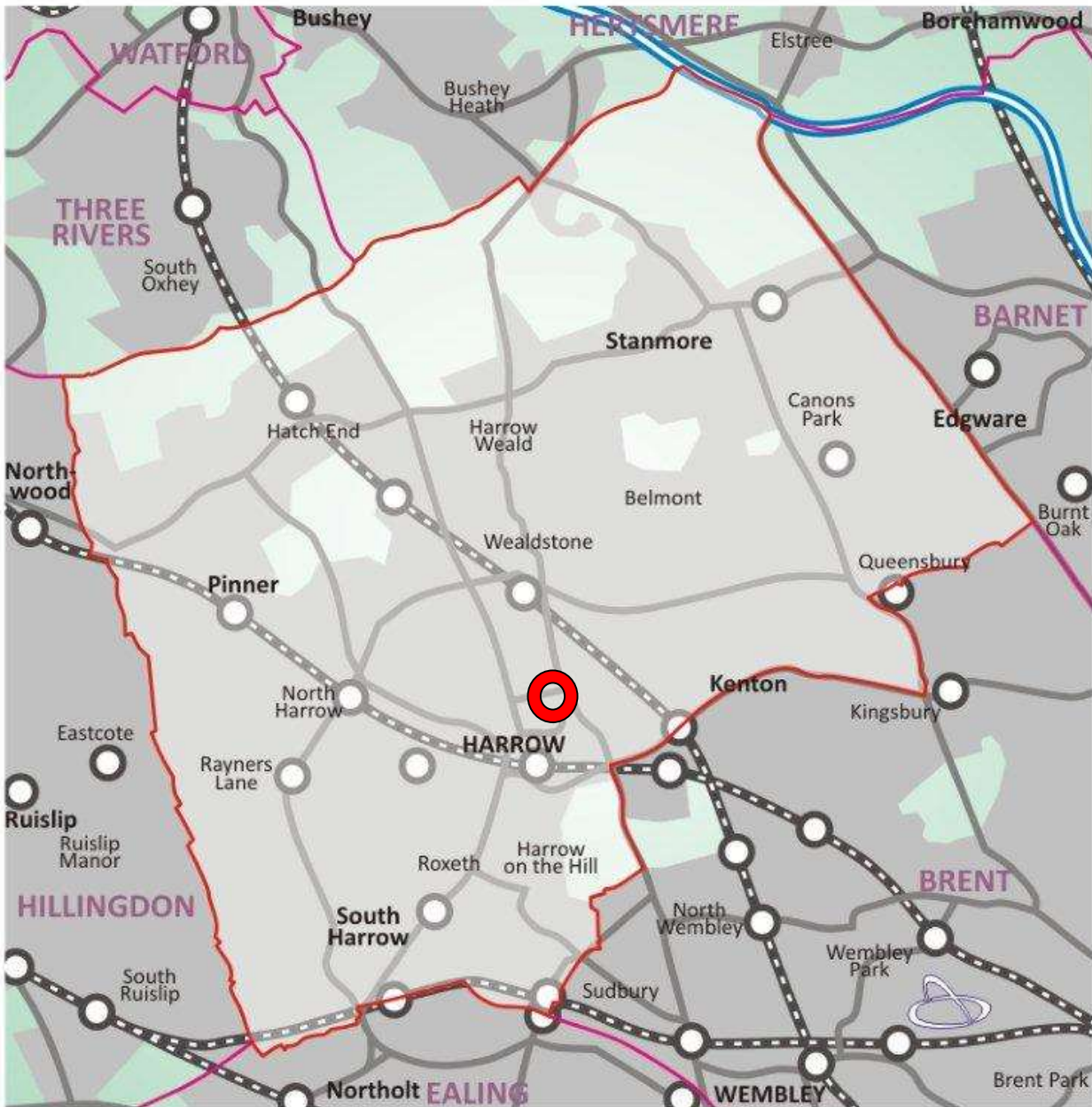
I implore the Authority to maintain the protection in place.

Yours sincerely

Peter Amstell

Peter Amstell

Agenda Item: 1/01



 = application site

2-4 Hindes Road, Harrow, HA1 1SJ	P/3833/22
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/3833/22
VALIDATION DATE: 16/11/2022
LOCATION: 2-4 HINDES ROAD, HARROW
WARD: MARLBOROUGH
POSTCODE: HA1 1SJ
APPLICANT: MR RAJ RAITHATHA
AGENT: MJP PLANNING
CASE OFFICER: FERGUS FREENEY
EXTENDED EXPIRY DATE: 29/06/2023

PROPOSAL

Demolition and redevelopment to provide a three, four and five storey building comprising a commercial unit at ground floor (Class E); eighteen flats; Four x three storey terraced houses; Landscaping; Play area and courtyard; Plant room in basement; Refuse and cycle storage. (Details: Eighteen flats comprising 13 x 1 Bed and 5 x 2 Bed flats; 4 x 3 Bed terraced houses).

The Planning Committee is asked to:

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the following:
 - a. Full resolution of all outstanding drainage matters relating to this site; and,
 - b. Completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i. Affordable Housing – early and late-stage review of the development as per the Mayor’s SPG.
 - ii. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for a residents parking permit or a visitor permit.

- iii. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order.
- iv. Employment and Training –
 - 1. The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan. The training and Employment plan will include:
 - a) employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
 - b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
 - c) the timings and arrangements for implementation of such initiatives; and,
 - d) suitable mechanisms for the monitoring of the effectiveness of such initiatives
 - 2. A financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is usually calculated using the formula: £2500 per £1m build cost.
 - 3. The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- v. A provision of carbon reduction on-site and payment of any offset if zero carbon reduction is not achieved on-site, as determined by the final carbon reduction achieved on site as per Condition 24 of this permission. Based on the submitted Energy and Sustainability Statement – this is currently estimated at a financial contribution of £15,390.00 towards carbon offsetting measures.
- vi. Legal Agreement Monitoring fee (£2000)
- vii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if the outstanding drainage matters are not addressed to the satisfaction of the Local Planning Authority and the Section 106 Agreement is not completed by 24th September 2023, or as such extended period as may be agreed by the Chief Planning Officer, then it is recommended to delegate the decision to REFUSE planning permission to the Chief Planning Officer on the grounds that:

- 1. In the absence of an adequate flood risk assessment and associated details fails to appropriately address the potential flood risk of the development, contrary to the National Planning Policy Framework (2021), policies SI12 and SI13 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM9 and DM10 of the Harrow Development Management Polices Local Plan; and/or,

2. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, Harrow & Wealdstone Area Action Plan Policies AAP2, AAP4, AAP10, AAP13, AAP19 and AAP20, and policies DM1, DM43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

REASON FOR THE RECOMMENDATIONS

The proposed development would result in a modern, contemporary building within an area benefiting from excellent transport links, that responds positively to the local context, and would provide appropriate living conditions for future occupiers. The site would provide a new commercial unit and therefore an active retail function within the Town Centre, as well as providing for residential accommodation which would increase the vibrancy of town centre and housing choice within the borough.

INFORMATION

This application is reported to Planning Committee as the development would result in the construction of more than three new residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Major Development
Council Interest:	None
Net additional Floorspace:	975sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional) (£60p/sqm):	£62,931.82
Local CIL requirement (£110p/sqm):	£169,972.10

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The site is located on the southern side of Hindes Road and comprises a two-storey, with attic accommodation, terraced group of buildings which has over time been converted to a hotel use (in No.2) and 5x flats (In No.4). The hotel is vacant and the CIL form submitted with the application indicates that the flats also have not been in use within the past 3 years. The site has been substantially extended to the rear over time with a large pitched roof rear annex, extended rear wing and various other infill extensions and additions.
- 1.2 The rear of the hotel can be accessed via a covered driveway on the eastern boundary to a hardstand carpark. Similarly, the rear of the flatted building also has rear access at the western boundary.
- 1.3 Opposite the site is the large Tesco superstore and car-park. To the immediate west of the site is a two-storey with attic accommodation building in use as a hotel (The Hindes Hotel). To the immediate east of the site is the multi-level, mixed-use building known as Blue Point Court (fronting Hindes Road) and the two-storey Yogeshwar House which is accessed from Fairholme Road to the rear of the site, and appears to be a church/community building.
- 1.4 To the rear of the site the development backs onto 2-4 Fairholme Road which is currently an undeveloped site, but which has planning permission for the construction of a mixed use residential and commercial building (P/0152/18). It is understood that this permission may have commenced, and therefore could be fully implemented.
- 1.5 The site also backs onto the rear boundaries of No.18 and part of No.20 Fairholme Road. These are two-storey terraced dwelling houses.
- 1.6 The site is not within a conservation area and is not a listed building, nor is it within the vicinity of any listed buildings.
- 1.7 The site is within the Harrow Town Centre and Harrow and Wealdstone Opportunity Area. However, it is not a primary, secondary or designated shopping frontage, neighbourhood parade or similar.
- 1.8 The site is within a critical drainage area but is not subject to any other flood constraints.
- 1.9 The site has a Public Transport Accessibility Level (PTAL) of 3 (average) but is immediately adjacent to Station Road which is a PTAL 6A rating (Excellent) and the site is within walking distance of Harrow & Wealdstone Station, Harrow on the Hill Station and numerous bus routes.

2.0 PROPOSAL

- 2.1 The proposal seeks demolition of the existing building and all structures on site, and redevelopment to provide residential development comprising:
- A part three, four and five-storey (with small basement plant room) apartment block at the front of the site containing 18x flats (13x 1bed, 5x2bed).
 - A mews type terrace at the rear of the site comprising 4x3bed family sized dwellings.
 - A commercial unit at ground floor level of approximately 50sqm.
 - Landscaping, children's play space and disabled car-parking.
 - Internal cycle store and waste storage area to serve the apartment block. Individual cycle and waste stores to serve each mews dwelling.

Revisions

- 2.2 The following amendments have been submitted during the course of the assessment period:
- The commercial unit to replace an unacceptable ground floor residential studio unit.
 - Reduction in the number of residential units from 23 to 22.
 - Design alterations to provide inset balconies and additional windows/window alterations.
 - Internal alterations to revise the layout of some units to improve amenity.
 - Installation of a gate within the undercroft area at the request of the Met Police Secure by Design Officer.
 - Changes to the landscaping and children's play area.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
Number 2 Hindes Road		
LBH/18343	ERE.OF 2 ST SIDE EXTENSION WITH DORMER WINDOWS AT 2ND FLOOR INCORP SINGLE STOREY REAR ADDITION & CHANGE OF USE FROM D/H TO HOTEL & ERE OF 2 ST EXT TO REAR TO PROVIDE LIVING UNITS FOR STAFF.	Refused 26/02/1981
LBH/19395/W	CHANGE OF USE TO HOTEL, AND TWO STOREY EXTNS TO SIDE AND REAR.	Granted 21/05/1981
LBH/31358	TWO STOREY AND SINGLE STOREY SIDE EXTENSION, FIRST FLOOR REAR EXTENSION.	Granted 21/05/1981

LBH/31358:	TWO STOREY AND SINGLE STOREY SIDE EXTENSION, FIRST FLOOR REAR EXTENSION.	<i>Granted</i> 26/02/1987
LBH/42479:	PART 2/PART 3 STOREY LINK EXTENSION TO EXISTING HOTEL, SINGLE AND 2 STOREY SIDE TO REAR EXTENSIONS TO PROVIDE A TOTAL OF 47 LETTABLE ROOMS WITH PARKING.	<i>Withdrawn</i> 13/06/1991
WEST/46115/93/ FUL:	SINGLE STOREY FRONT EXTENSION.	<i>Refused</i> 12/05/1993
WEST/481/93/FU L:	SINGLE STOREY FRONT EXTENSION.	<i>Granted</i> 15/11/1993
P/3133/05/DCE:	CERTIFICATE OF LAWFUL EXISTING DEVELOPMENT: USE AS HOTEL WITH 24 BEDROOMS.	<i>Refused</i> 14/02/2006
EAST/909/02/OU T:	OUTLINE: LINKED TWO STOREY/FIRST FLOOR EXTENSION WITH CAR PARKING ON GROUND FLOOR TO PROVIDE ADDITIONAL BEDROOMS.	<i>Refused</i> 11/11/2002 (<i>Appeal dismissed</i> 20/08/2003)
P/420/06/DCO:	CONTINUED USE AS 24 BEDROOM HOTEL.	<i>Granted</i> 21/04/2006
P/2129/06UN:	CHANGE OF USE OF PART (13M ²) OF HOTEL PREMISES AS A MIN-CAB OFFICE.	<i>Granted</i> 04/01/2007
Number 4 Hindes Road		
LBH/40706:	TWO STOREY REAR EXTENSION TO PROVIDE TWO FLATS WITH PARKING.	<i>Granted</i> 11/05/1990
EAST/612/02/FU L:	ROOF EXTENSION AT REAR AND TWO STOREY REAR EXTENSION AND CONVERSION TO PROVIDE 6 FLATS.	<i>Refused</i> 30/05/2003
P/2830/07:	CONVERSION OF DWELLING HOUSE INTO 7 FLATS: TWO	<i>Refused</i> 22/11/2007

	STOREY SIDE/REAR EXTENSION: EXTERNAL STAIRCASE AT REAR.	
P/1105/08DFU:	CONVERSION OF PROPERTY INTO SIX SELF-CONTAINED FLATS; TWO-STOREY REAR EXTENSION; EXTERNAL ALTERATIONS.	<i>Refused</i> 15/05/2008
P/2708/08:	CONVERSION OF PROPERTY INTO FIVE SELF-CONTAINED FLATS; TWO-STOREY REAR EXTENSION; EXTERNAL ALTERATIONS.	<i>Granted</i> 24/02/2009
P/2715/09:	REAR DORMER.	<i>Granted</i> 17/02/2010
P/1865/10:	SIDE DORMER ON EXISTING TWO-STOREY REAR EXTENSION.	<i>Refused</i> 13/09/2010
P/1493/10:	VARIATION OF CONDITIONS 3 (BOUNDARY TREATMENT) AND 5 (LANDSCAPING) ATTACHED TO PLANNING PERMISSION P/2708/08 DATED 24/02/2009 TO ALLOW THE CONDITIONS TO BE DISCHARGED AFTER COMMENCEMENT OF WORKS.	<i>Granted</i> 13/08/2010
P/3148/10:	DETAILS PURSUANT TO CONDITIONS 3 (BOUNDARY TREATMENT) AND 5 (LANDSCAPING) ATTACHED TO PLANNING PERMISSION P/2708/08 DATED 24/02/2009 AS VARIED BY PERMISSION P/1493/10 FOR 'CONVERSION OF PROPERTY INTO FIVE SELF-CONTAINED FLATS; TWO-STOREY REAR EXTENSION; EXTERNAL ALTERATIONS'.	<i>Approved</i> 08/12/2010

4 **CONSULTATION**

- 4.1 A total of 171 consultation letters were sent to neighbouring properties regarding this application. A second consultation period was carried out after the receipt of amended plans. The overall public consultation period expired on 18th April 2023. A total of 2 responses to the consultation was directly received by the LPA. One being a neighbour on Fairholme Road to the rear of the site and other comments from the adjoining Hotel to the west. An additional objection was submitted via a Cllr on behalf of a resident.

4.2 A summary of the responses received along with the Officer comments are set out below:

- Overdevelopment of the area with no development of infrastructure and impact on traffic/parking

Officer comment: The development is considered to be suitable for a town centre location where the London Plan and Harrow Policy generally directs larger scale developments to be located. The development will also be required to make appropriate Community Infrastructure Levy contributions which will go towards providing social, economic and environmental infrastructure to support and meet the demands arising from development.

- Construction damage to properties on Fairholme Road – what liability insurance will be in place

Officer comment: A construction logistics plan is to be provided by way of condition which will mitigate the construction impacts. An informative is also added to remind the developer of the requirements of the considerate contractor code of practice which limits hours of working to between 8am-6pm weekdays (excluding bank holidays) and 8am-1pm on Saturdays. However, construction damage and insurance requirements are not a planning consideration. This would be a civil matter between interested parties.

- Height is not appropriate as area is mostly low rise

Officer comment: The development is the same height as the adjoining block to the east at Blue Point Court and is set approximately 20m from the nearest corner of existing properties on Fairholme Road. As noted above, the development is within a town centre which is a designated opportunity area in the London Plan and therefore considered appropriate in terms of height.

- Litter is an issue in the area

Officer comment: The Council's waste officer has raised no objection to the proposed waste stores which are within the building. Litter within the area is not a planning consideration and should be raised with the relevant street cleaning team.

- Overlooking into adjoining hotel

Officer comment: Windows to the adjoining hotel have been minimised and are generally high level or obscure glazed. Larger side facing windows at upper level are set well back from the boundary such that any views to the neighbouring site are severely restricted by the lower levels of the building itself. Notwithstanding, the adjoining development is a hotel which is not considered to have the same sensitivities as a standard residential dwelling.

- Could impact upon redevelopment potential of the adjoining hotel.

Officer comment: As noted the development has been designed with minimal openings to the shared boundary. It is not considered to hinder the development potential or place unnecessary burdens on the adjoining site.

Objection Submitted via Councillor:

- Air quality issues caused by more cars
- Increase in crime

Officer comment: The development has been reviewed by the Council's Environmental Health Team and the Air Quality Assessment has been reviewed. No objection has been raised subject to standard conditions.

A potential future increase in crime cannot be attributed to any single development. The development has been reviewed by the Met Police Secure by Design officer and the scheme has been revised to take his comments into account. A condition of consent will also require that it achieves Secure by Design Accreditation.

4.3 Statutory and Non Statutory Consultation

4.4 The following consultations have been undertaken, together with the responses received and officer comments:

INTERNAL CONSULTEES

LBH Highways: (Comments provided by WestTrans on behalf of the Harrow Highways Authority)

Comments 18/01/2023 (Prior to revisions)

The cycle parking for the flats is well located and should provide spaces for 23 cycles. It is unclear how 23 cycles will fit in the space provided, can more detail be provided please?

The cycle parking for the two end houses is acceptable.

The cycle parking for the two middle houses has access issues. It is unclear how cycles can be moved from the storage area to the front of the property. May I suggest the cycle parking for the two middle houses is relocated to the front of these properties with appropriate secure and covered solutions?

The disabled parking is satisfactory, can it be confirmed that these spaces will have ev charging?

Can it be shown that a fire engine can access the rear of the property?

The development will also need to be parking permit restricted

Comments 09/02/2023 (Following submission of further details)

I do not have an issue with LFB reversing out of the development given their extensive training and that they will always have a trained banks person in their crew, unlike other vehicles. I do not know if there is sufficient operation space for the fire appliance once on site, hopefully BC can answer that.

Comments 14/02/2023 (with regards to waste refuse truck stopping on the road in front of site)

No objection; I think that traffic can pass around a waiting vehicle here.

Comments 14/04/2023 (Following submission of revisions)

The cycle parking is very good at this development.

All looks good though I still have reservations about delivery vehicles being able to turn within the site.

PLANNING OFFICER COMMENT:

EV charging was confirmed by the agent.

A CLP is required by way of condition of consent.

Building control have reviewed the submitted Fire Statement and advised that in order to address the matter of the fire tender access a dry riser and sprinkler system for the mews houses could be provided. This has been referred to in an updated Fire Statement.

LBH Highways (Travel Plan)

This development is under the threshold for requiring a travel plan.

LBH Highways (Vehicle Crossing Officer)

No objection

LBH Policy

With regard to principle:

Whilst the quality of information is limited, the Council are of the opinion that given the recent delivery of the Travelodge and planning permission on St Johns Road for a new hotel, and the minimal amount of poor quality rooms lost, its loss would not be keenly felt. Should the remainder of the scheme be considered acceptable in all other aspects, DM would need to determine if the planning benefits would outweigh the limited harm of the loss of the tourism infrastructure.

No objection to commercial space due to Town Centre Location

With regard Financial Viability Assessment:

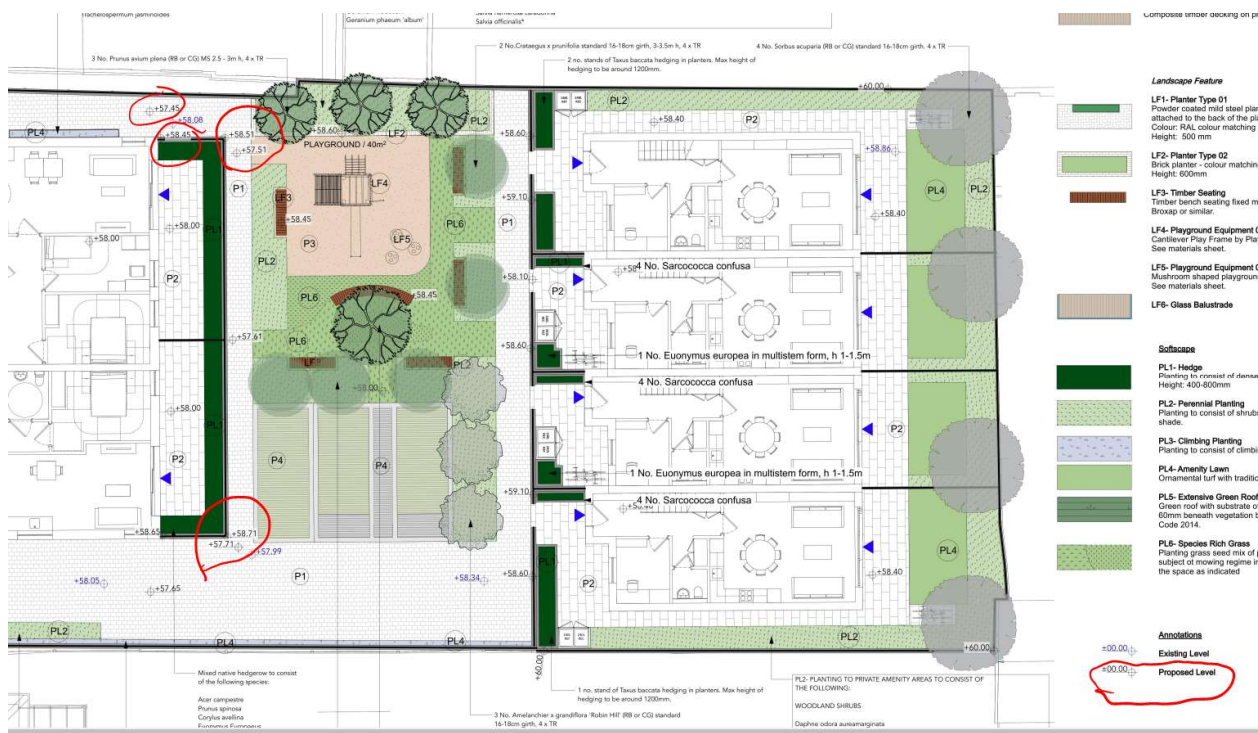
- Recommendations noted. No specific comments.

LBH Landscape Architect

My comments on the revised landscape proposals are:

- The landscape proposals would be subject to landscape details conditions to enable further refinement to the design proposals. This would ensure the proposals are realistic. The revised landscape design in the central courtyard increases the soft green landscape, however some areas would be subject to too much pressure from the residents.
- Soft green access to the play area, car parking spaces and seating would need to be realistic. The courtyard space will be intensively used and the access points create pressure on the short grass and longer, species rich grass (PL6 on the drawing). It is unrealistic to manage and maintain small grass areas and longer grass and unlikely that the grass would withstand the wear and tear, or to look good or survive. The aim appears to be to satisfy a requirement for a biodiverse landscape, however, this has to be practical and realistic. Hard surfacing should replace the access routes and car parking spaces.
- The play area will be intensively used and the bark mulch will be kicked out, lost from the space and require regular maintenance, the bark will need to be topped up. A play safety surfacing, such as Tiger Mulch or other safety surfacing would be more appropriate. The surface would be bound together and provide a permeable surface, requiring much less essential ongoing maintenance. The colour could be muted to provide an appropriate and aesthetically pleasing.
- Removal of planters is welcomed. To deter and discourage people from walking directly across and trampling the ground level beds, an upstand edge (rather than flush) should help.
- The Car parking spaces - P4 paving type – linear grasscrete with grass in between the gaps would be subject to wear and tear from permanent car parking. The grass would deteriorate and with the intensity of use become a muddy area in between the concrete strips. Reinforced grass areas are suitable for occasional use or emergency access only. The use of grasscrete would be unacceptable. The car parking areas should be a high quality hard surfaced area.
- The planters proposed on the frontage outside the commercial building are small in surface area and it is questionable how meaningful or sensible it would be to retain these. The planters could become a dumping area for rubbish rather than the plants. This could be reviewed at a detailed design stage.

- PL3 - Plant beds for climbing plants – to the east side of the building – incorrect annotation (PL4).
- There is an extensive and diverse list of plants specified in a small space. The list would require review to determine if so many different species would work to ultimately create an attractive area. It is difficult to understand the overall aim for the planting – which plants are to dominate and provide an attractive, well designed landscape.
- Details of the gated access to undercroft and all boundary treatments would be required.
- PL5 Extensive Green Roof – on the landscape drawing. A detailed management and maintenance plan would be required to explain how the biodiverse roofs would be maintained and be successful spaces.
- UGF – Urban Greening Factor – with changes to the landscape details, would require recalculation of the UGF.
- Proposed levels do not appear to make sense (the proposed levels are in black). See drawing extract, proposed levels circled in red, where levels close to each other appear to be significantly different.



- Is there a proposal for any external lighting, and if so information would be required.
- The landscape proposals would require a detailed review. If you are minded to approve the application then:

- hard and soft landscape conditions would be required, together with conditions for the hard materials, boundary treatment, levels and management and maintenance of the landscape.
- Landscaping Scheme – Implementation and implementation programme, including a period of 5 year period for replacements of soft landscape

LBH Biodiversity Officer

The development site lies within what is an area of significant deficiency in access to nature. This reflects the scarcity of and distance to Sites of Importance for Nature Conservation, even of local importance – Bonnersfield Lane, c. 650 m away, is the closest - within the area between the Harrow and Wealdstone and Harrow-on-the-Hill train stations. Whilst this means that the development proposals will have no direct impacts on areas of recognised wildlife value, development should seek to mitigate the existing lack.

The developer has identified the potential for occupancy of the existing buildings by bats. Consultancy surveys have confirmed this but indicated that there presently isn't such use.

Apart from a few shrubs, areas of modified grassland (to the rear of No 4) the majority of the site appears to be covered by existing buildings and other impermeable or hard surface, parts of which have been invaded by ruderal species.

There are no specific constraints on development with regard to biodiversity/green infrastructure and the main question will be in relation to the landscaping and specific biodiversity measures.

Given the above, the intention expressed in the Landscape Design Report to 'significantly enhance the ecological biodiversity of the site is to be welcomed.

The developer has failed to provide a copy of their Biodiversity Metric – and this needs to be remedied. Additionally, the BNG report appears to have overlooked the presence of the shrubs referred to above. The result is that the baseline habitat will have been undervalued. If the plants were removed prior to survey the LPA would normally base the existing baseline valuation on a best estimate from available evidence. Further, it is not clear from the report that there was any formal examination of the area during a site visit or at what time of this year this might have occurred. The August and September site visits appear to refer to the night time bat roost visits. This will need to be clarified. Parts of what have been stated are inconsistent with site photos.

It is accepted however that starting from the very low existing value (even taking account of the shrubs) that that the development would provide a high percentage increase in terms of biodiversity units and the addition of linear habitat in the form of a hedge. This would (a) exceed the minimum 20% gain in unit value for development in Harrow and (b) satisfy the requirement that development provide at least 0.2 biodiversity units per hectare (> 0.03 units for a development site of this size).

Overall, although its potential value will be limited by the hard surfacing of adjoining land and the suggested percentage gain is incorrect, the proposed hedge will provide

welcome benefit. Whilst it's not clear that there was a close examination of the on-site vegetation, the presence and removal of any 'unwelcome' species will need to be addressed via ongoing monitoring and management to ensure that it achieve and maintain its expected condition.

With regard to the green roof proposals, the total of eight species indicated will not represent 'diverse planting' and we would generally expect a minimum of 20 species. Whilst the consultant's appraisal is not accepted it is noted that e.g. the Landscape Design Report indicates that up to 36 species of native wildflower will be 'supported'. At the same time, what is suggested here does not satisfy biodiverse roof requirements in relation to the BNG user guide nor LPA expectations. Similarly, the plan drawing showing the roofs only indicates 'Sedum Roof' areas. Appropriate measures and the required certainty may be secured via condition, however. This is a matter of providing appropriate habitat rather than of meeting percentage gain requirements. The only issue here in relation to whether the scheme should be approved or not is in relation to the roof loading and this will need to be clarified prior to determination.

One question with regard to the upper roof areas, is why the applicant is not pursuing a bio-solar option. Properly designed, this would provide both biodiversity and energy benefits, which would contribute to the scheme's sustainability, whilst retrofitting solar panels might be precluded by the nature of an existing biodiverse roof.

It appears that residents will have access to the lower green roof areas. If so, these are unlikely to achieve and maintain their expected value.

Part of the surface water drainage strategy for the site depends on the green roof provision. The contribution which this is able to make will depend partly on the roof build up – with particular regard to the substrate, water reservoirs, drainage and the supported vegetation and it will be important to ensure that the provision will be adequate and resilient. The Surface Water Drainage Strategy includes generalised CIRIA guidance with regard to green roof management but a bespoke monitoring, maintenance and management plan for this development would be required. It will also be important that the rainwater goods are specified so as to be able to cope with projected changes in precipitation patterns, particularly winter storms.

With regard to the Urban Greening Factor, the scheme slightly exceeds the minimum requirement for London

The strips of hard and soft surface within the courtyard area are likely to result in considerable wear on the softer areas and I would question whether this would be the best approach. The Landscape Officer will may well have informed views on this.

The biodiversity proposals appear to have originated with the landscape architect rather than the developer's ecological consultant, although the plantings include a reasonable mix of native species within what's shown at ground level. This is evidenced partly by the absence of any specific proposals to provide shelter or breeding accommodation for wildlife. Whilst this can often be addressed via condition it may impact on design. Similarly, the BNG evaluation appears to have been conducted largely as an afterthought rather than biodiversity considerations having helped steer

the design. Whilst that will not be a critical factor here, it is something of which the applicant needs to be aware.

Overall, despite the points noted above there are no reasons to object to the proposals on biodiversity grounds, subject to

(a) the engineering tolerances of the design being such that they would support a waterlogged biodiverse roof with a substrate depth ranging between 80 and 200 mm with a least 50% of each roof area having a minimum substrate depth of 150mm, together with the weight of the vegetation and water reservoir - this will need to be clarified prior to determination, - and

(b) the following

Conditions

Prior to commencement

1. No works on site are to occur until full details of biodiverse/bio-solar roof provision within the development have been submitted to and approved in writing by the Local Planning Authority. The submitted information shall include but not be limited to:
 - a) identification of the roof areas to be used for the provision of biodiverse/bio-solar roofs;
 - b) details of the roof build up, including water reservoirs, substrate, planting schedules/seed mix(es) - to include at least 20 native flower species making up a minimum of 60% of the plant cover, shelter and breeding locations for a range of invertebrate species, plans, details and sections as appropriate; and
 - c) details of the maintenance to be undertaken during establishment including irrigation and remedial interventions in response to likely risks.

The details will need be specific to the submitted proposals and development shall be carried out in accordance with the details so agreed

2. No works on site are to occur until an integrated Ecological Landscape Enhancement Plan or complementary standalone Landscape and Ecology Enhancement Plans have been submitted to and approved in writing by the Local Planning Authority. The submitted information shall include but not be limited to:
 - a) details of trees, shrubs and other plantings and/or seed mixes to be used and their introduction, protection and other aftercare during their establishment
 - b) details of the provision of artificial shelters for birds, bats and invertebrates in suitable locations on the basis of one single or multiple occupancy shelter per residential unit (additional to the provision associated with the biodiverse/bio-solar roofs), taking account of aspect, window positions and external lighting provision, to be incorporated within the fabric of the building, or as otherwise agreed to be appropriate.

The development shall be carried out in accordance with the details so agreed.

3. No works on site are to occur until a detailed External Lighting Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted information shall include but not be limited to:

- a) details of the type, placement, operation and characteristics of the lighting units, baffles, and filters to be employed, taking account of 2b.

The development shall be carried out and maintained in accordance with the details so agreed.

Prior to first occupancy

4. The building may not be put to use until an integrated Landscape & Ecology Management Plan or complementary standalone Landscape and Ecology Management Plans have been submitted to and approved in writing by the Local Planning Authority. The submitted plan/plans shall include but not be limited to:

- a) details of the maintenance and management of the semi-natural habitats and landscape features at ground and other levels – giving particular attention to the green wall, green roofs, hedges, trees and soft-planting areas, as well as the provided wildlife shelters.
- b) provision of a clear programme of monitoring, maintenance and management work to guide those responsible for undertaking or overseeing these operations, with particular regard to safeguarding their function and ensuring that habitat areas achieve and maintain their expected condition

The first plan/plans will be required to be updated at five-year intervals, each successor plan being provide to the Local Planning Authority for Approval, no more than 3 months prior to the end of the then current plan. Each plan(s) should provide an ‘at a glance’ summary of the works to be performed and adequate detail to guide their undertaking. The development shall be retained and maintained in accordance with the approved plans.

Reasons

To ensure that the development makes appropriate provision for the protection, enhancement, and effective management of biodiversity and green infrastructure within the site and surrounding area in accordance with Policy DM 21 of the Harrow Development Management Polices Local Plan (2013), the London Plan (2021) and the National Planning Policy Framework (2021).

PLANNING OFFICER COMMENTS: *Based on the above comments it is considered that conditions to similar or the same effect as those suggested by the Biodiversity Officer can be imposed*

LBH Urban Design

Comments dated 6/01/2023 (Prior to revisions)

Context

1. The existing properties on site (Nos. 2 and 4 Hinder Road) are of a former hotel use and in a relatively poor state of disrepair. Buildings of a similar architectural style are located directly west of site along Hinder Road. Demolition and replacement with a high-quality high-density development is appropriate given the condition and use of the buildings and the site's location within an Opportunity Area and the potential redevelopment of the Tesco site on the north side of Hinder Road.
2. The neighbouring Blue Point Court development to the east of site is of poor architectural quality and any proposed development of Nos. 2-4 Hinder Road should seek to distance itself from any architectural reference to this building.
3. The property to the west of site, Nos. 6-8 Hinder Road (Hinder Hotel) comprise a hotel use with a large amount of parking hardstanding to rear. Suite windows the east flank elevation will be impacted by the development in terms of outlook.
4. The consented development at 4 Fairholme Road features habitable room windows which face directly north. Proposed mews dwellings address this through massing setbacks and limited upper floor roof terraces.

Site Strategy

5. The approach to development of locating an apartment building to the front of the site facing Hinder Road, to continue the building line of Blue Point Court and provide street presence is supported. The use of the rear of the site to provide a lower density of development in the form of four mews dwellings is equally supported. Overlooking and overbearing issues to neighbouring sites (notably to Blue Point Court, Hinder Hotel, No.18 Fairholme Road and the consented 4 Fairholme Road) have been well-considered and mitigated against through the design of the built form, massing location and layout, aspect and outlook.
6. The central courtyard shared amenity space is a positive use for the centre of the site but is overly dominated by hard landscaping features and does not appear to provide high quality usable recreation space, see Public Realm and Landscaping comments.
7. The provision of an internal cycle and refuse stores to the proposed apartment block is welcomed.
8. The arrangement for light delivery vehicles which enter and exit site in forward gear through use of the central turning head and lack of undercroft gate line is supported. The Applicant states that refuse collection is intended to be on-street, however confirmation with the Highways Authority regarding this arrangement is required. This is typically not supported for new development, which must be serviced entirely from within the site.

Massing, Scale & Built Form

9. The proposed part three-, four- and five- storey apartment block fronting Hinder Road is considered acceptable and has been evaluated with regard for the findings of the Daylight and Sunlight Assessment. There is precedent for a five storey element of height to this part of Hinder Road, with Blue Point Court being five storeys in height. Additionally, the stepped approach to the apartment block's massing, which locates four and five storey elements away from the adjacent two-storey Edwardian building to the west of site is appropriate and responds sensitively to immediate contextual conditions.
10. The stepped built form is generally well-rationalised, with projections being reduced over previous iterations. There remain concerns with projecting balconies

to the north elevation however, which add to the conspicuousness of the built form from the street scene. These should be inset.

11. The proposed 4 no. rear mews terraced houses are of an appropriate scale at three storeys with progressively inset upper storeys. These units are located centrally to the rear of the site with acceptable distances to neighbouring properties and to site boundaries, reducing overbearing impacts. Flank walls are largely inactive, reducing overlooking to east and west and it is welcome to see inaccessible flat roofs to upper storeys to further reduce actual and perceived overlooking to neighbouring properties.

Layout, Aspect & Orientation

12. The provision of projecting balconies to the Hindes Road front (north) elevation is not supported. This is a heavily trafficked road, with noise and particulate pollution and projecting private amenity space to this frontage is not acceptable and would result in a lack of privacy and a poor quality external space. All balconies to this front elevation must be fully inset to provide usable and suitably private space, as has been previously requested. While it is noted that projecting balconies would provide better light levels for these spaces, the relationship to Hindes Road is felt to be of more significant concern.
13. The east elevation of the apartment block features angled oriel windows which limit direct overlooking to the west elevation of Bluepoint Court. Ground, first and second floor windows predominantly face north and south, with limited direct overlooking concerns and appropriate distances between habitable room windows of the apartment block and mews houses. Third and fourth floors do feature large window openings to the west elevation, however these are progressively set back, mitigating impacts to the west of site and not prejudicing any future development to the adjoining site.
14. The apartment block features two single aspect north-facing units at first and second floors. These are not supported and can readily incorporate a secondary aspect to the west elevation. Otherwise, all other units in the apartment block are dual aspect.
15. The ground floor unit (Apartment 1) facing Hindes Road has sufficient defensible space but its secondary aspect directly faces the communal eastern side access, which would compromise the privacy of residents of this unit and would not be acceptable. This should be removed or revised to a high level window.
16. The four mews dwellings to the rear of site feature adequate defensible space to frontages. However, hard landscaping to rear gardens should be reduced in favour of additional lawn and soft landscaping. Rear south-facing window openings are progressively stepped back as storeys increase, successfully reducing overlooking impacts.
17. A lack of first floor terrace space to mews houses is supported and the second-floor terrace to bedrooms is acceptable due to these being inset and benefiting from adjoining wall returns providing screening of these space.
18. Cycle stores for the central two units should be relocated to the front garden, as provision to the rear garden is inconvenient given there is no rear access to these gardens.
19. The internal spatial configuration of apartment block and mews house units is supported.

Public Realm & Landscaping

20. The proposed central shared amenity space is not supported. There is a significant amount of hardstanding to the central shared amenity space. This must be revised in favour of a more natural soft-landscaped space, with all trees removed from brick planters. Formalised planting boxes should be removed generally.
21. The play and shared amenity space generally feels disjointed and underdeveloped and must be revised with a clear concept strategy for how such space is intended to be used.
22. For play space, Paving Type 03 (P4) should be revised to be a bark mulch or similar loose natural material.
23. Resin bound surfaces should be avoided throughout the hard landscaping strategy and P4 should be revised.
24. The Applicant must clarify if the development meets London Plan play space standards.

External Appearance, Composition & Materiality

25. The proposed external appearance of both apartment block and mews houses is supported with buff and grey brick expressed frame elements creating a hierarchy of materials and visual interest, with entrances well delineated. Brick types are tonally complimentary.
26. For mews homes, north-facing slot windows at first floor level should be extended in height to align with the larger window at first floor level.

Sustainability & Environmental Considerations

27. The Applicant's energy statement mentions the use of roof-mounted air source heat pumps for heat and hot water generation as well as PV panels. These have not been marked on the roof plan and must be, including any updates to elevations so that the LPA can review if such paraphernalia will be visible and/or impact the street scene or outlook from neighbouring properties.
28. The provision of sedum tops to flat roof elements is supported.

Comments dated 04/04/2023 (Following Submission of Revisions)

Site Strategy

1. Support for gated access to undercroft and cycle store arrangement.

Massing, Scale & Built Form

2. Support for recessed balconies to units 04, 05, 06, 09, 10 and 11.

Layout, Aspect & Orientation

3. Support for revised ground floor layout to include the removal of AP 01 1B1P unit and replacement with a Use Class E commercial unit
4. Support for revised ground floor layout to change unit mix of units AP 02 and AP 03, to relocate bedrooms to have external outlook and to include high level windows adjacent to site pedestrian and vehicular access routes.
5. Support for the inclusion of high level west-facing windows to units AP 05, AP 07, AP 10 and AP 12.
6. Support for revising AP 08 to a 2B3P unit to provide better outlook to bedrooms.

Public Realm & Landscaping

7. Support for revised landscaping design to central courtyard, which increases greenery.

LBH Drainage

Comments Dated: 14/04/2023

Drainage Requirements:

In line with our Development Management Policy 10, to make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures used, **the applicant should submit a surface water drainage strategy.**

- The applicant should submit drainage details **in line with our standard requirements attached.**
- The applicant should consult Thames Water developer services **by email:** developer.services@thameswater.co.uk or **by phone: 0800 009 3921** or on Thames Water website www.developerservices.co.uk regarding capacity of their public sewers for receiving additional discharge from the proposed development. **The Thames Water confirmation letter should be submitted.**

Also, the road is in a flood zone, hence emergency planning information and basement waterproofing details are required.

- **Emergency Planning:**
The applicant should refer to LB Harrow SFRA, Emergency Flood Plan, NPPF and EA flood warning procedures for evacuation. Details of safe dry access/egress arrangements and a plan indicating a safe route for the occupants and users away from the source of flooding should be submitted.
- **Basement Protection:**
Please request the applicant to submit basement protection details which includes waterproofing and water tanking details.

Hence, we object to the proposed development on failure of submission of a drainage strategy and emergency planning information which includes safe access to the proposed development.

Should any further clarification be required, please advise the applicant to contact infrastructure@harrow.gov.uk

Comments Dated: 26/04/2023

- Surface Water discharge level should be restricted to **max 2 l/s** (not 4 l/s).
- **Storage calculations** (not modelling of the system) are required, as below.
"The development is subject to a limitation on a discharge to no more than 5 l/s/ha from all impermeable areas, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period"

of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio “r” should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be used for winter and summer. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 40% allowance for climate change.”

- Whole volume of storage calculated should be provided **below the lowest point in the system (57.500m** in this case). Please provide the revised drawings.

PLANNING OFFICER COMMENTS: *The approval is recommended on the requirement for these matters to be adequately addressed within an appropriate timeframe.*

LBH Environmental Health

Having reviewed the Air Quality and Noise implications of the above application I have the following observations:

Re: Air Quality Assessments:

The conclusions in the PES air quality assessment are accepted in relation to the Impact of Construction Activities (table 5) the applicant must implement and monitor the mitigation measures outlines in table 13 as recommended.

Re: Noise Assessments:

Looking at the location of the redevelopment site, it will always experience the impact of some significant noises, from the Hindes Road, Station Road (A409) as well as Tesco superstore including car parking that fronts onto Hindes Road. However, if the redevelopment built to a high standards and it at least meets the specification outlined by the noise consultants those impacts will be minimised.

If the planning consent maybe granted, I agreed with the recommendation of the noise consultant: 6.5. (Page 43) Recommendation to the Decision Maker:

“Since the internal & external noise criteria & the ProPG guidance framework can be achieved & a reasonable level of acoustic design has been demonstrated, it is recommended to the decision makers that planning consent maybe granted, subject to the inclusion of suitable noise conditions, to ensure suitable internal & external noise levels”

Or maybe this is expecting to verify during the provision of a completion certificate to show that they have met the recommendations of the noise report?

Therefore, to ensure that the proposed redevelopment does not give rise to noise nuisance to the neighbouring residents as well as to the future residents of the built premises, I recommended to Granted with suitable noise Conditions.

LBH Waste Management Policy Officer

No comments received

LBH Corporate Estates

No comments received

LBH Economic Development

Employment Training Plan contribution.

Based on the 2 build costs below, the contribution based on the formula (£2500 per £1m build cost) for construction training would be as follow:

Applicants build costs: 5,955,500/1,000,000 X 2500 = **£14,888**

Independent assessors build costs: 5,421,173/1,000,000 X 2500 = **£13,552**

Contribution would therefore be £13,550.

EXTERNAL CONSULTEES**NHS Harrow**

No comments received

Transport for London

Thank you for consulting Transport for London (TfL) regarding the above application. The site is located approximately 70m west of Station Road which forms part of the Strategic Road Network (SRN). While the Local Authority is also the Highway Authority for these roads, TfL is the Traffic Authority and has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.

The site is located approximately 900m northeast of Harrow on the Hill London Underground and train station which serves South-western trains and the Metropolitan LU line. The site is also served by approximately 9 bus routes which operate within 530m of the site. Consequently, the site has a PTAL of 3, on a scale of 0 to 6b, where 6b is highest, and so overall the site is regarded as being fairly well connected by public transport.

After reviewing the case documents, TfL wishes to make the following comments;

- Based on the Transport Assessment (TA), the development proposes 30 long stay cycle parking spaces for the flats and 8 long stay cycle parking spaces for the houses which is in line with Policy T5. Cycle parking should be designed and laid out in accordance with the London Cycle Design Standards (LCDS) and cycle spaces should cater for larger and adapted cycles. At present it is unclear which cycle stands will be used, however in line with the LCDS, Sheffield stands are preferred. Cycle parking should be secured via condition.

- Opposite the site, along Hindes Road is a proposed Tesco development which is important to note given the proximity. Hindes Road currently forms a key part of London Cycle Network (LCN) route 45. This is an important east-west cycle route but does not meet present cycleway standards. London borough of Harrow and TfL are currently working with Tesco and their consultants to look at upgrading this cycle route to cycleway standards. Please ensure the TA acknowledges this development and potential redevelopment of the cycleway.
- The TA provides an isochrone cycling map demonstrating cycling networks in London, however the map does not show LCN routes. In relation the above point, please ensure these routes are clearly shown in relation to this development.
- In regard to the proposed redevelopment of the LCN along Hindes Way, please outline whether Harrow Council are seeking contributions to ensure good cycle access is provided in and out of the site.
- It is noted that the site is located in the Harrow Town Centre Controlled Parking Zone (CPZ). Please ensure the development enters into a permit-free agreement.
- TfL welcome the car-free nature of the site and note the provision of the 2 disabled car parking bays are in line with Policy T6. However, in line with Policy T6, please demonstrate how the development could provide an additional 7% of disabled bays upon future demands. Car parking spaces should provide infrastructure for electric or Ultra-Low Emission vehicles. This should be secured by condition.
- TfL welcome the provision for on-site delivery and servicing, in accordance with Policy T7. It is noted that for larger deliveries, this will need to occur on Hindes Road. All vehicles associated with the development must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions. Hindes Road forms part of the SRN and should therefore vehicles are not permitted to stop/park here.
- In line with Policy T7, deliveries and servicing should be coordinated outside of peak hours and, where possible, sustainable delivery modes are used such as cargo bikes.
- Based on the submitted plans it looks as though vehicle access and cycle parking access uses the same road. In line with the Healthy Street approach, please ensure measures are in place to ensure the safety of cyclists entering and leaving the cycle store and that they are prioritised in accordance with the LCDS.
- The TA outlines that delivery and servicing vehicles can access and exit the site in a forward gear, however, in line with Policy T7, ensure a swept-path analysis is provided demonstrating these movements.

- In line with Policy T7, a full Construction Logistics Plan (CLP) should be provided.

TfL doesn't object to the application, subject to the Council taking account of our comments.

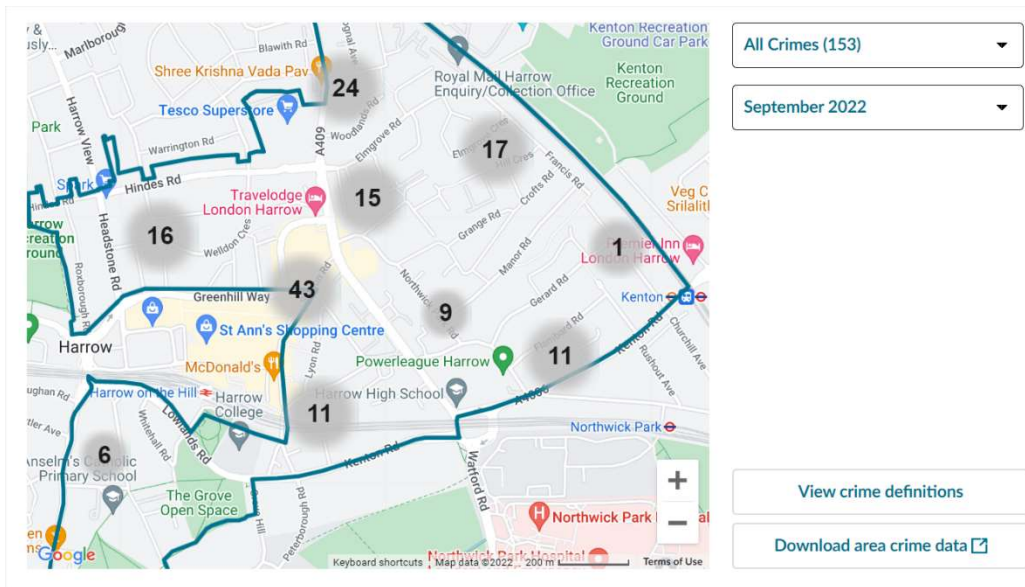
Thames Water

No comments received

Metropolitan Police Design Out Crime Officer

The risk of crime within both the public and non-public areas of the proposed development, and the interaction between the two, should be considered at the outset and preventative measures made.

I have reviewed the crime rate in the local area of the proposed development on [Police.uk](https://www.police.uk) as per the illustration below: the Greenhill Ward the London borough of Harrow, reported figures for September 2022.



The crime map has highlighted that the following crimes were reported in the area and that the area is experiencing a high volume of anti-social behaviour, burglary, violent crime and motor vehicle crime.

Greenhill Ward Harrow

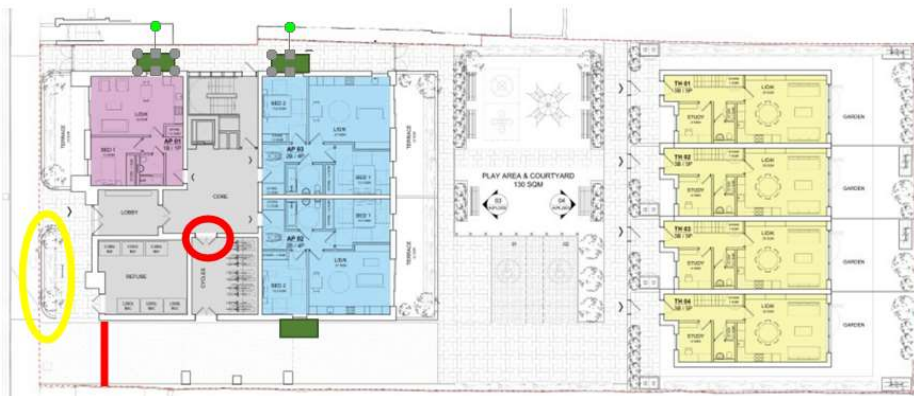


Specifically my research on Police.uk has highlighted that crime is occurring directly in the immediate vicinity of the proposed development, including serious crimes such as violent crime, burglary and motor vehicle crime, and a high proportion of Anti-Social behaviour, drugs, theft, Violent crime, and Vehicle crime.

As such, serious consideration must be given to crime and anti-social behaviour at the proposed development site.

I have not had the opportunity to meet with the developer or architect, for this planned development. However, I have viewed the online plans.

This development cannot obtain a secured by design accreditation, with the submitted plans, therefore this is an objection to these plans.



The ground floor private room windows must have a 1 meter wide by 1 meter high, mature, dense defensible planting. To protect this windows from prying and people standing close t, as marked green on above plans.

The planned development creates an undercroft area, which must be gated where the red line is shown above plan, this gate will need to be a tested and certified LPS1175 SR2 (B3) vehicle gate.

The cycle store shows two doors, the door marked red circle should be removed as that door could compromise the safety and security of the future residents.

The area marked with the yellow oval at the front of the building needs more explanation, it could create an area which attracts ASB and facilitates crime.

There is also a lot of double door sets shown in the plans, single leaf doors are more reliable with deterring crime.

If planning is not approved or approved I advise the architects contact myself or another design out crime officer to ensure that a Secured By Design accreditation can be achieved.

A Secured By Design planning condition would be supported by the following legislation.

The National Planning Policy Framework (NPPF)

Section 8 states

"Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion..."

Section 12 states

"Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Harrow Core Strategy

The Harrow Core Strategy Plan states:

3.13

- **Crime and, more often, a disproportionate fear of crime can be a barrier for some residents to visit particular places, services and facilities. Reducing the opportunity for crime and residents' perceptions of crime will be an important part of maintaining and improving the quality of life in the Borough.**

3.18

- **Securing high quality and accessible residential development**

Section 17 of the Crime and Disorder Act 1988

“It shall be the duty of each Authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on and the need to do all it reasonably can to prevent Crime and Disorder in it’s area”, as clarified by PINS953.

I would therefore seek to have a planning condition submitted where this development must achieve Secured by Design accreditation.

Should the applicants or the Planning Authority have any queries, please do not hesitate to contact this office either by email - DOCOMailbox.NW@met.pnn.police.uk or telephone quoting the reference number shown above.

I would ask that my interest in this planning application be noted and that I am kept apprised of developments.

PLANNING OFFICER COMMENTS: *The scheme has been revised to include a gate at the undercroft and a condition requiring Secure By Design Accreditation will be imposed.*

Natural England

No comments received

Environment Agency

No comments received

5.0 **POLICIES**

5.1 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.’

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [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].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity for Future Occupiers
- Neighbouring Residential Amenity
- Traffic, Parking and Servicing
- Sustainability, Drainage and Biodiversity and other matters

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H8, H9, SD6, SD7, E10, D10
- Harrow Development Management Policies (2013): DM1, DM2, DM24; DM31; DM34, DM35, DM38, DM40
- Harrow's Core Strategy (2012): CS1
- Harrow and Wealdstone Area Action Plan (2013): AAP2, AAP4, AAP6, AAP9, AAP12, AAP13, AAP15, AAP16, AAP18

Loss of Hotel

6.2.2 Policy SD6(G) of the London Plan (2021) states "Tourist infrastructure, attractions and hotels in town centre locations, especially in outer London, should be enhanced and promoted (see Policy E10 Visitor infrastructure)".

6.2.3 Policy E10 of The London Plan (2021) recognises that there is a need to build an additional 58,000 bedrooms of serviced accommodation within Greater London by 2041 and should be well connected by public transport. Policy E.10C of The London Plan (2021) requires a sufficient supply and a range of serviced accommodation to be maintained.

6.2.4 Part G of Policy D10 requires new serviced accommodation in outer London to be promoted in town centres and within Opportunity Areas, in accordance with the sequential test as set out in Policy SD7 Town centres, where they are well-connected by public transport, particularly to central London.

6.2.5 The supporting text of Policy E10 notes that improving the availability of accessible serviced accommodation is vital to ensuring that as many visitors as possible can stay in London and experience its visitor attractions and business offer. To help achieve this, serviced accommodation developments should achieve the highest standards of accessible and inclusive design (see also Policy D5 Inclusive design). The policy requirement provides two options and developers can choose the option which best fits the scale of development proposed. These requirements aim to recognise the need not only for standard wheelchair accessible rooms, but also rooms suitable for people with ambulant mobility impairments or older people who

could benefit from additional access features, as well as rooms suitable for people who require assistance or need to be near to a carer.

- 6.2.6 The Boroughs spatial strategy directs major new hotel development to the Harrow & Wealdstone Intensification Area. Policy DM34.C also states that the Council will encourage the development and improvement of tourist related attractions and facilities, provided there is no unacceptable impact on the environment or residential amenity. Preference will be given to proposals for tourist facilities that also meet local cultural and recreational needs.
- 6.2.7 There are no specific policies contained within the AAP that directly relate to the loss of hotels, although it is noted that Policy AAP16 does refer to the provision of major hotel developments within the Harrow Town Centre.
- 6.2.8 It is noted that although there is a preference for the retention and improvement of hotel uses in town centres, there is no explicit policy which protects hotel uses.
- 6.2.9 The applicant has provided some information in relation to justify the loss of the existing vacant hotel use, namely:
- Previous underinvestment and the opening of higher quality visitor accommodation opening within the Harrow Town Centre, including the nearby Travelodge (opened in 2018) made the hotel use on the site unviable without substantial investment.
 - Being vacant the site therefore provides little contribution to the vitality of the area which is more residential in character.
- 6.2.10 Although limited information has been provided, the LPA note that there are new hotels in the Harrow Town Centre either in operation or with consent, namely:
- Travelodge, Greenhill Way: 101 room hotel (P/2224/11 – Granted 07/11/2011)
 - Garden House, 5 St John’s Road: 140 room hotel (P/3066/20 – Granted 20/07/2022)
- 6.2.11 There are also a number of other established hotels in the area including the neighbouring Hindes Hotel and the Crescent Hotel on Welldon Crescent (outside of the Harrow Town Centre).
- 6.2.12 Planning history indicates that the former hotel contained 24 guest rooms. It is clear from photo evidence submitted and historic plans on Council file, that the building is in a poor condition and due to its various ad-hoc extensions over the years has a convoluted and poorly resolved layout, which results in unattractively sized and located rooms with poor outlook to the adjoining sites and would likely offer a substandard visitor experience when compared to the more modern, standardised hotels in the area (or likely to be constructed in the town centre).

- 6.2.13 It is noted that limited evidence has been provided as to the costs of refurbishment and no marketing evidence or economic data has been submitted to show that options to refurbish or market the hotel to specific operators has occurred. Notwithstanding, planning officers consider that exercise would be unlikely to indicate that the use is viable for on-going hotel use following refurbishment, given that substantial layout and internal alterations would be required. It is also likely that even if the hotel was to be refurbished, given its historic building fabric and ad-hoc method of extension over the years, it is unlikely that it could be retrofit to successfully offer a high standard of accessible rooms for wheelchair users and less ambulant visitors.
- 6.2.14 Furthermore, it is considered that the location, although within the designated town centre and next to an existing hotel, is not a prime location that would be likely to sustain regular and high volumes of tourist activity, given it is set approximately 1km from each of the nearest train stations, and not within the immediate vicinity of the primary shopping area where tourists and visitors are likely to wish to locate.
- 6.2.15 The newer Travelodge hotel, opened around 2018 provides 101 additional high quality, standardised and reasonably priced hotel rooms. Should the Garden House scheme be delivered, then an additional 140 rooms, again of a high quality, standardised nature would be delivered. This gives up to an additional 241 rooms likely to be delivered within the Harrow Town Centre within the coming years (101 of which are in operation).
- 6.2.16 As such, even with the loss of 24 substandard, poor quality hotel rooms, Harrow Town Centre will still have a net increase in hotel rooms based on recent current and potential future development.
- 6.2.17 It is therefore not considered that a reason for refusal relating to the loss of the hotel use could be sustained at appeal, and the redevelopment of the site, to remove the hotel use is therefore considered acceptable on balance.

Loss of existing flats and reprovision of additional dwellings

- 6.2.18 Having regard to the London Plan (2021) policies H1 and H2 and the Council's policies and guidelines, it is considered that the proposal would provide an increase in housing stock within the Borough thereby complying with housing growth objectives.
- 6.2.19 In accordance with Policy H8 of the London Plan the loss of the existing homes is acceptable as they are being replaced by new housing at a higher density.
- 6.2.20 Whilst a hotel use is considered to be a suitable Main Town Centre use (as defined by the NPPF), as noted above, when the overall quantum of recently delivered, and approved hotel rooms is taken in account, there remains a net increase in visitor accommodation in the town centre. Moreover, the site is at the edge of the centre, and in a setting which is more residential in appearance (given the nature of development to the west of the site, and the residential flats in the upper floors of Blue Point Court to the east). As such, residential use would not be out of character in this particular part of the town centre.

- 6.2.21 Furthermore, the provision of 22 additional dwellings within walking distance of the primary shopping area will likely contribute to the ongoing function, vitality, vibrancy and viability of the Harrow Town Centre by ensuring residents live in and use facilities of the town centre at all hours of the day.

Provision of commercial unit at ground floor level

- 6.2.22 The development was revised to include an approximate 50sqm commercial/retail space at ground floor level.

- 6.2.23 Policy DM40 of Harrow's Development Management Policies states that

Proposals for mixed use development in town centres will be supported. The appropriate mix of uses will be considered having regard to: a. the role and function of the centre; b. the need to make efficient and effective use of previously-developed land; c. the need to re-provide certain uses on the site in accordance with other policies; d. the compatibility of the uses proposed; and e. any other planning objectives considered to be a priority for the area.

- 6.2.24 The provision of a small commercial unit within the town centre is considered acceptable and will help to enhance the function, vitality, and viability of the town centre by introducing a modern facility suitable for smaller businesses or outlets.

- 6.2.25 Given the size of the unit and its location within a town centre it is considered that any use within Class E (Commercial, Business and Service) or B8 (Storage and Distribution) of the Use Class Order (1987) would likely be acceptable (noting that these uses are generally considered suitable within a residential area). This will be secured by condition.

- 6.2.26 It is noted that some permitted development rights within Part 3, Schedule 2 of the GDPO permit changes of use from certain uses within Class E to residential. As it has been established that the area for the commercial unit would be an inappropriate location for a dwelling (and the scheme revised as such), these permitted development rights will be removed by condition of consent.

Affordable Housing

- 6.2.27 Policy H4 of the London Plan sets a target of 50% of all new homes to be affordable housing. Policy H5 of London Plan allows for a threshold approach with a minimum provision of affordable housing being 35%.

- 6.2.28 Core Strategy policy CS1J states that 'the Council will aim for a Borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough'. Policy CS1.J goes on to say that the Council will seek the maximum reasonable amount of affordable housing on all development sites having regard to a number of criteria, including development viability.

- 6.2.29 Having regard to Harrow's local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:
- the availability of public subsidy;
 - the housing mix;
 - the provision of family housing;
 - the size and type of affordable housing required;
 - site circumstances/scheme requirements;
 - development viability; and
 - the need to meet the 40% Borough-wide target.
- 6.2.30 The applicants have submitted a revised Financial Viability Assessment (FVA) prepared by Turner Moram. The report has been prepared using industry standard methodology which compares residual land value against the site value benchmark. The FVA suggests a deficit of around £868.619 (excluding the provision of any affordable housing)
- 6.2.31 The submitted FVA was independently assessed by BPS on behalf of Harrow Council. The independent assessment identified a deficit of £33,157. They therefore conclude that pre-implementation and late stage reviews should be undertaken to monitor the viability over the life of the project noting that very marginal changes would bring this scheme into a surplus position.
- 6.2.32 It is noted that there is a large difference between the estimated deficits. This appears to have arisen due to differences in estimated build costs, with BPS (and their cost consultant) estimating a cost of £5,540,283 and the applicant's estimating £5,804,000. Notwithstanding this variance in build costs estimated by each professional, the LPA notes that each assessment calculates there will be a deficit, and that an early and late stage review of costs will enable further detailed assessment of any profit or deficit which may occur.
- 6.2.33 BPS conclude that no affordable housing on site can viably be provided. Planning Officers concur and consider the scale of the development would limit the possibility for appropriate affordable housing to be delivered on site, and it is unlikely any registered social landlords would take on modest, ad-hoc housing in private blocks.
- 6.2.34 As such, a legal agreement will be included to secure an early and late stage review of viability of the development.

Unit Mix

- 6.2.35 Policy H10 of the London Plan states that schemes should generally consist of a range of unit sizes. The development proposes a range of unit sizes including:
- 3x 1bed1person
 - 10x 1bed2person
 - Total 1 bed = 13
 - 4x 2bed4person
 - 1x 2bed3person
 - Total 2 bed = 5
 - 4x 3bed5person
 - Total 3bed = 4
 - TOTAL: 22 units
- 6.2.36 There is no local policy requirement for a specific unit mix for private dwellings. Notwithstanding, the proposed unit mix is considered to deliver a good mix of small, medium and family sized units which will provide an appropriate social mix suitable for the town centre location.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D1, D3, D5, D6, D11
- Harrow Development Management Policies (2013): DM1, DM2, DM22, DM23, DM27
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016)

Massing and Layout

- 6.3.2 The approach to development of locating an apartment building to the front of the site facing Hindes Road, to continue the building line and general height/scale of Blue Point Court and provide street presence is supported. The use of the rear of the site to provide a lower density development in the form of four mews dwellings is equally supported. Whilst it is noted that there is no pattern of development of rear mews type development in this location, the site size and location within a town centre is considered to lend itself to this type of development to ensure the site is developed in an effective manner.
- 6.3.3 The larger apartment block at the front takes massing and height cues from the large Blue Point Court building, which although a poor-quality building in architectural terms, nonetheless provides a prominent 'book end' to Hindes Road and therefore is a material consideration for the proposed development. The mews housing at the rear, better relates in scale, design and layout to the Victorian terraced properties at the rear fronting Fairholme Road, and that of the approved

(and commenced) development to the rear at 2-4 Fairholme Road (approved under P/0152/18).

- 6.3.4 The distance between the apartment block and the mews dwellings is approximately 19m which meets the Mayor of London Housing Design Standard Guidance, that states “in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density”.

Height, Scale and built form

- 6.3.5 As noted, the height of the development takes its cue from Blue Point Court to the east, and although the maximum height is above the closest ridge height of Blue Point Court it is not considered that this would be noticeable to the casual observer given that the building has an overall stepped form. It should also be noted that Blue Point Court has a taller element where it fronts Station Road and the proposed development has a lower overall height than this. As such, the height variation adds visual interest to the streetscape and avoids the appearance of an overly uniform, flat-topped group of buildings.
- 6.3.6 This stepped form ensures a good transition down to the smaller scale Edwardian hotel and residential development further to the west of the site.
- 6.3.7 The proposed undercroft would be set back from the main building line and to rear of the front building line of 2-6 Hindes Road. As such, it would not appear prominent on the streetscape, it is therefore considered acceptable on balance.
- 6.3.8 During the course of assessment Met Police Secure By Design Officer requested that a gate be installed at the undercroft and the design was revised accordingly. The introduction of the gate, given its set back location, is not so harmful to the character and appearance of the development as to warrant refusal.
- 6.3.9 The proposed 4 no. rear mews terraced houses are of an appropriate scale at three storeys with progressively inset upper storeys. These units are located centrally to the rear of the site with acceptable distances to neighbouring properties and to site boundaries, reducing overbearing impacts. Flank walls are largely inactive, reducing overlooking to east and west and it is welcome to see inaccessible flat roofs to upper storeys to further reduce actual and perceived overlooking to neighbouring properties.

- 6.3.10 The proposal has been revised to include inset balconies to the front and inset balconies to the rear of the flatted block. The proposed revision to inset the balconies is considered to have enhanced the original design (which sought projecting balconies) by creating a more refined and less fussy front façade and will also enhance the amenity value of the front facing apartments by reducing overlooking from the street (and neighbouring projecting balconies).
- 6.3.11 Inset balconies at the rear are considered appropriate to enable suitable shading and avoid the perception of overlooking between the apartment block and mews houses.
- 6.3.12 The proposed materials are buff and grey brick, expressed frame elements which creates a hierarchy of materials and visual interest, with entrances well delineated. Details of all facing materials, paving materials and other such materials will be conditioned to ensure a high-quality finish is provided in the completed development.
- 6.3.13 In summary, the proposed design and appearance is generally considered to be acceptable subject to suitable conditions relating to materials, boundary treatment, gating and the like being imposed.

Landscaping

- 6.3.14 Minimal landscaping is proposed at the front forecourt. However, this is considered acceptable given the town centre location and the provision of a commercial unit will require a level of openness to enable access.
- 6.3.15 The central courtyard area generally contains adequate space for appropriate and high quality planting and landscaping. It is noted that the information provided at this stage is concept landscaping and it would not be expected that a final landscape scheme be submitted at planning stage.
- 6.3.16 The mews houses are served by planters in the front gardens and a part paved, part landscaped rear garden. This is considered to be an acceptable and conventional approach to terraced housing visible across the borough.
- 6.3.17 The Council's Landscape Officer has reviewed the scheme and although some minor comments and concerns have been noted, it is considered that these could be dealt with by way of conditions of consent hard and soft landscaping details together with conditions for the hard materials, boundary treatment, levels and management and maintenance of the landscape. Additionally, a landscaping scheme to include an implementation programme, including a period of 5year period for replacements of soft landscape will also be conditioned.

6.3.18 Extensive Green/Biodiverse roofing is proposed. Although welcome, a detailed management and maintenance plan would be required to explain how the biodiverse roofs would be maintained and be successful spaces. Additionally, it is noted that the Council's Biodiversity Officer has requested details of the structural engineering tolerances of the design being such that they could support a waterlogged biodiverse roof, together with the weight of the vegetation and water reservoir. Whilst this was requested by the Biodiversity Officer to be clarified prior to determination, planning officers consider it would be reasonable and realistic to require these details as a prior to commencement condition.

Accessibility

6.3.19 The development would have level access from the front and via a side passage (separate to the vehicular access). The proposal would be subject to Building regulation M4 (2), to ensure the dwellings would be adaptable for the needs/ future needs of occupiers. Two accessible units are provided at ground floor level and the other units are all compliant with minimum GIA requirements and are adaptable to future occupiers needs. A lift also provides level access to all units within the apartment block.

Summary

6.3.20 In summary, the proposal is considered to be of an appropriate mass and design for its context and would provide a suitable internal layout for future occupiers. Subject to the above detailed conditions, the development would accord with the relevant policies of the development plan as set out above.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan: D3, D6, S4
- Harrow Development Management Policies (2013): DM1
- Harrow's Core Strategy (2012): CS1

Amenity of Future Occupants

6.4.2 The London Plan requires that double bedrooms have a minimum area of 11.5sqm and a minimum width of 2.75m for the first bedroom, and 2.55m wide for all additional double room. A single bedroom must have a minimum area of 7.5sqm and minimum width of 2.15m. Each unit contains bedrooms which meet or exceed the minimum requirements of the London Plan.

6.4.3 The London Plan also defines minimum space standards as follows:

No. Bedroom	No. Occupants		Minimum London Floor Area Required (m ²)	Proposed Floor Area (m ²) and storage
1 bedroom	Studio	Gross Internal Area (GIA)	39sqm (37sqm with shower room only)	47.1sqm-47.4sqm
		Storage	1sqm	Complies
	2 Person	Gross Internal Area (GIA)	50sqm	50.7sqm-62.4sqm
		Storage	1.5sqm	Complies
2 bedroom	3 Person	Gross Internal Area (GIA)	61sqm	73.5sqm
		Storage	2sqm	Complies
	4 Person	Gross Internal Area (GIA)	70sqm	73.5sqm-83.3sqm
		Storage	1sqm	Complies
3 Bedroom	5 Person (3 Storey)	Gross Internal Area (GIA)	99sqm	100sqm
		Storage	2.5sqm	Complies

6.4.4 As such, the development complies with the minimum requirements of the London Plan in terms of GIA and storage.

6.4.5 The London Plan also stipulates that a minimum of 75% of the GIA has a floor to ceiling height of 2.5m. Section drawings have been provided which indicate that floor to ceiling heights are a minimum of 2.5m on all levels.

6.4.6 The London Plan requires that a minimum private open space of 5sqm per 1bed-2person dwelling is provided, with an extra 1sqm provided for each additional occupant. As such, the studio apartments and 1 bed2person apartments have a requirement of 5sqm, the two bedroom 3 person dwellings have a requirement of 6sqm, 2bed 4 person units require 7sqm and 3bed 5person dwellings require 8sqm of private open spaces.

6.4.7 All units meet or exceed the minimum open space requirements.

Dual Aspect, Outlook and Sunlight Daylight

6.4.8 The Mayoral SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy DM1 *Achieving a High Standard of Development* undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers.

6.4.9 Each unit is dual aspect and is considered to benefit from a good level of outlook considering the Town Centre Location.

6.4.10 The submitted Sunlight Daylight Report states that internally, the new proposed units perform very well in terms of access to daylight and sunlight. In terms of Daylight access 97% of the rooms assessed would meet the BRE Guidelines. However, this assessment relates to the original scheme and the revised scheme now likely addresses these such that all room receive good levels of daylight. The 2 rooms which did not meet the guidelines were bedrooms at ground level, which faced the side boundaries. The ground floor has subsequently been revised to locate bedroom to face the rear courtyard (south facing) and has removed the north facing studio.

6.4.11 In terms of Sunlight access, 75% of the units would meet the BRE Guidelines. However, due to the orientation of the site, with the north facing frontage, there is not considered to be a reasonable way for all units to meet the BRE Guidelines without severely compromising the design and viability of the project.

6.4.12 The BRE Guidance suggests in its introduction that the numerical targets given need to be interpreted flexibly and in consideration of other site constraints.

6.4.13 Given the aforementioned site orientation, and its town centre location the sunlight/daylight amenity value of the units is nonetheless considered to be good and is acceptable in this instance.

Vertical Stacking

6.4.14 It is noted that the proposed floor plans provide acceptable vertical stacking with no conflict of room type resulting. In addition, the proposed new build would be required to meet Building Regulation standards relating to noise transmission, which would ensure adequate sound protection not only between the residential units, but also between the proposed flats and the proposed office units.

Children's Play Space

- 6.4.15 Policy S4 of the London Plan requires that development proposals for schemes that are likely to be used by children and young people should incorporate good-quality, accessible play provision for all ages. At least 10sqm of playspace per child should be provided and the GLA website provides a calculator to establish how many children are likely to live in any given development.
- 6.4.16 The calculator gives a yield of 5.4 children across the whole development and a play space requirement of 54.4sqm.
- 6.4.17 The development proposes a children's play area within the central courtyard which contains a mix of play equipment and hard and soft areas for children to play, with a total area of approximately 100sqm and therefore exceeds the minimum requirement.

Residential Amenity of Neighbouring Occupiers

- 6.4.18 London Plan Policy D3.D(7) states that development should deliver appropriate outlook, privacy and amenity.
- 6.4.19 Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 *Achieving a High Standard of Development* sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.

Hindes Hotel

- 6.4.20 The Hindes Hotel is located to the immediate west of the subject site and comprises an Edwardian building with parking at the rear and extensions to the rear to a similar depth as those on the subject site.
- 6.4.21 As the site comprises a hotel there is limited weight given to amenity impacts. Notwithstanding, the proposed development is considered to have an acceptable impact on the hotel.
- 6.4.22 Side facing windows have been minimised and are generally high level or located such that there would be overlooking possible as views would be blocked by the roof of the building itself.
- 6.4.23 Any windows affected within the hotel would be side facing windows which are reliant on outlook over the subject site. It would therefore be unreasonable to place a severe burden on the subject site to maintain the existing outlook from hotel room windows over a shared side boundaries. In any case, given the reorientation of bulk and massing on the site to the front and rear, with a central landscaped courtyard, outlook from the side facing hotel room windows are likely to be improved given that the existing messy, convoluted and discordant deep rear extensions (which currently appear in views from the side facing hotel room windows) would be removed.

6.4.24 In terms of overshadowing, there is not considered to be any adverse additional overshadowing resulting given that the bulk and massing will be brought further forward on the subject site, any additional overshadowing caused by the additional height will not substantially different to the existing shadowing caused by the two-storey building over the side elevation of the Hindes Hotel. The removal of the deep rear extensions likely opens up access to sunlight/daylight to the Hindes Hotel Site and the proposed mews houses are set a sufficient distance so as to have no significant adverse overshadowing impact.

Blue Point Court

6.4.25 Blue Point Court is located to the east of the subject site and comprises a 5-storey mixed use building with commercial at ground floor and residential units above. Facing the subject site are a number of accessible terraces, overhangs and a side facing bay window at second floor level.

6.4.26 With the exception of the flat area above the car park entry, these terraces appear to have some form of access to serve as private open space.

6.4.27 The bay window serves a dwelling and there are a number of other windows at the side and rear which serve the residential accommodation in Blue Point Court.

6.4.28 Harrow's Residential Design Guide SBD contains a '45 degree code' which states that buildings should not interrupt a 45 degree line drawn on plan from the nearest first floor corner of the neighbouring building.

6.4.29 Due to the unusual form of Blue Point Court, a 45degree line drawn from the bay window would be intersected by the proposed development to a depth of 6.5m. Above the bay window a 45degree line from the corner of the building would be intersected to a depth of 3m.

6.4.30 Plans held on file by the Council (EAST/103/97/FUL) appear to be the approved plans for Blue Point Court. However, it appears that the building was not built in accordance with these plans. Notwithstanding, they give some indication of the likely internal uses within Blue Point Court.

6.4.31 It would appear that the bay window provides a secondary side facing window to a living/dining area which benefits from multiple rear facing windows. Other side facing windows appear to serve the communal corridor and/or kitchens, and secondary windows to front facing living/dining rooms.

6.4.32 As such, the breach of the 45 degree code is not considered to be so harmful to the outlook from these windows as to warrant refusal. The site is in a town centre location and the rooms are generally served by primary front or rear facing windows, or they serve rooms such as kitchens or corridors where there should not be an expectation of unbroken side facing outlook.

- 6.4.33 Regarding the potential impact on terraces in terms of outlook, whilst it is noted that the proximity of a taller building, built close to the boundary will undoubtedly impact on outlook and views from the terraces, and increase overshadowing, it must be acknowledged that these terraces rely on a substantial part of their outlook over a neighbouring site and over a side boundary.
- 6.4.34 It would be unreasonable to place a significant burden on the subject site to wholly maintain outlook/amenity of poorly located terraces and side facing windows. Were substantial weight to be given to disproportionately preserving the amenity of the terraces and side facing windows it would likely render the subject site undevelopable, and it would be considered unreasonable given the circumstances.
- 6.4.35 Additionally, the site is located within a Town Centre which is also a designated Opportunity Area where it is expected and anticipated that higher density development will be located and other benefits will arise by being well located within that town centre. This will be a trade-off given the reduced potential for outlook/amenity of properties when compared to more suburban locations.
- 6.4.36 An addendum to the sunlight/daylight report states

The revised results show that 32 (91%) of the 35 habitable windows considered in Bluepoint Court will meet BRE targets (i.e. above 27% VSC or 0.8 times the former value). The 3 windows that fall below BRE targets serve two living rooms (R3 at first floor and R3 at second floor).

Room R3 at first floor has 3 other mitigating windows, all of which meet BRE targets and receive high levels of VSC well above the 27% recommended. The BRE guide suggests that, where a room is served by multiple windows, an average VSC for the room can be used. When considering a mean VSC for room R3 at first floor, the existing VSC of 30% is reduced to 22.8%, 0.75 times the former value only marginally below the BRE target of 0.8. Additionally, the retained VSC of 22.8% is above the 20% value which the Mayor of London and Planning Inspectorate considered to be reasonably good for a residential property in London (in their decisions at Monmouth House, Islington and The Whitechapel Estate).

Room R3 at second floor is served by two windows (W4 and W5) window W4 has its VSC reduced from 39.4% to 17.8% (0.45 times the former value). The average VSC for these two windows is reduced from 38.9% to 26.5%, which is only marginally below the BRE target of 27% and considered a very minor infringement.

When considering daylight distribution (NSL), the BRE guidance advises that only rooms where layouts are known should be assessed. All rooms where layouts are known meet BRE targets.

For sunlight, only main living rooms oriented within 90 degrees of due south are relevant for assessment. The results of the sunlight (APSH) assessment have shown that all but one main living room will achieve BRE targets (i.e. 25% APSH/5% WPSH or 0.8 times the former value). Annual sunlight retained here is 17% (reduced from 22%) and this isolated deviation should be considered acceptable given that the BRE guidance advises flexibility.

- 6.4.37 Given that any impact on sunlight/daylight is minimal and the affected rooms generally appear to be served by primary windows in other locations, the development is considered to have an acceptable impact on Blue Point Court in terms of sunlight/daylight.
- 6.4.38 Regarding privacy, the proposed development has been designed with angled oriel windows, inset/setback terraces and balconies and any windows serving the stairwell will be conditioned to be obscure glazed. As such, there will be no adverse overlooking of properties within Blue Point Court resulting from the proposed development.

Properties on Fairholme Road

- 6.4.39 No.18 Fairholme Road is a two-storey end of terrace Victorian dwellinghouse located at the western part of the rear site boundary. The rearmost part of the outrigger extension at No.18 would be located approximately 46m from the rear of the apartment block, and would be to the south. As such, the apartment block will have no adverse amenity impact in terms of overshadowing, overlooking or sense of enclosure.
- 6.4.40 The rearmost part of the outrigger at No.18 would be located approximately 20m from the rear first floor at the nearest mews house. As noted above, this meets the Mayor of London Housing Design Standard Guidance, that states “in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 – 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces).
- 6.4.41 Given that mews houses are of a similar form and height as the Victorian properties on Fairholme Road, it is not considered unreasonable for them to be located 20m from away, in a town centre location. There is not considered to be any adverse overlooking or sense of enclosure given the generous distance between the properties.
- 6.4.42 It is noted that the top storey of the mews properties contains a modest sun terrace, as noted, this would be in excess of 20m from No.18 and is not considered to introduce any adverse overlooking beyond what would be possible from the rear facing windows.
- 6.4.43 As the development is set to the north east of No.18 there would be no adverse overshadowing impacting on that neighbouring property. As other properties in the Victorian terrace are set further to the west there would be even less of an amenity impact on those properties in terms of overlooking and sense of enclosure, as such the development is considered acceptable in this respect.

- 6.4.44 To the immediate rear of the site is No.4 Fairholme Road, which is currently a vacant plot but is subject to an approved permission to construct a 3-storey building providing ground floor office space and 8 flats above. It is understood that the development may have commenced, although minimal above ground works have been carried out. Notwithstanding, it is a material consideration as it could be completed and would likely set an acceptable building envelope for future development on the site if a different scheme was to come forward.
- 6.4.45 The approved development at No.4 Fairholme Road contains rear facing flats at first and second floor level. At first floor some contain inset winter gardens, at second floor level (which is set back from the rear building in) flats contain terraces.
- 6.4.46 At first floor level the separation distances between the mews buildings and the approved development is 17.8m, at second floor level (due to the set backs on both developments) the separation distances are 20.7m. As noted above, this meets the Mayor of London Housing Design Standard Guidance for building separation distances. It is therefore not considered that there would be any adverse amenity impacts in terms of overlooking or sense of enclosure. As No.4 is due south of the subject site the proposed development would not cause any overshadowing.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM45
- Harrow's Core Strategy (2012): CS1

6.5.2 This proposal is within a PTAL 3 location, however, it is immediately adjacent to a PTAL 6a location, and realistically functions as a high PTAL location given its town centre siting and access to excellent bus and train links. There are various bus routes servicing Station Road and the site is within easy walking distance of Harrow on the Hill and Harrow & Wealdstone Stations. The site is immediately opposite the large Tesco Superstore and there is also excellent access to local amenities; shops, restaurants, leisure facilities, schools, open space in Harrow Town Centre and the surrounding areas.

6.5.3 The London Plan requires the development to make provision for 36 covered and secure cycle parking spaces. The mews houses require 2 per dwelling and these are provided on at each property. The remainder of the cycle parking is located within a dedicated internal cycle store within the main apartment building. The area has been reviewed by the highways officer and no concerns have been raised. The long stay room includes sufficient space to comply with the London Plan requirement of 5% accessible stands which can be used by non-standard cycles. No details of cycle parking for the commercial unit have been provided, however, given its modest scale there is considered to be sufficient space internally or to the front of the unit to provide cycle parking and this can be secured by condition.

- 6.5.4 Notwithstanding that cycle parking provision has been shown, in order to ensure the detailed requirements can be met a condition of consent will be imposed requiring full details of cycle parking for all residential units and the commercial unit are submitted and approved prior to occupation.
- 6.5.5 In line with Policy R16 of the Harrow Transport Local Implementation Plan developments in this location are usually subject to restriction on the issue of parking permits for the surrounding controlled parking zones in order to minimise the potential impact on parking in the locality and to encourage sustainable travel. This requires an amendment to the relevant traffic management order to specifically restrict the issue of permits in perpetuity to residents of this development which will be secured by legal agreement.
- 6.5.6 As such, only two bays for disabled parking have been provided on-site. This meets the London Plan requirement of up to 7% of dwellings requiring disabled parking on site.
- 6.5.7 A transport statement has been submitted and no substantial concerns have been raised by the Highways officer. Where necessary, service and delivery vehicles could access the rear of the site. However, it is considered more likely that they will stop in front of the site on Hindes Road on the current drop kerb, or park within the area in front of the undercroft gate. Refuse trucks will stop on Hindes Road and remove bins from the internal bin store. The Council's Highways Officer has raised no concerns with this approach for the refuse trucks as there is sufficient space for other traffic to easily move around the truck without harm to the highways network. Planning officers consider that this approach can be readily applied to service and delivery vehicles too (given that they will generally be much smaller and more manoeuvrable than a refuse truck). Were vehicles to park in the space in front of the undercroft gate there is sufficient space for them to not block pedestrian or traffic flow, and there is adequate gaps in traffic to enable safe reversing out into the street if necessary.
- 6.5.8 As the proposal is for demolition and reconstruction, it will be necessary to provide a detailed construction logistics plan (CLP) prior to commencement. This must follow the TfL format and guidance which is available online on the TfL website and will be secured by way of condition.
- 6.5.9 Based on the above, the Council's highways officer considers that this proposal is unlikely to result in a severe or harmful impact for the surrounding highway network; Subject to full details of cycle parking, CLP condition and legal agreement to secure a car-free development the scheme is considered acceptable.

Waste

- 6.5.10 As noted above, it is proposed to store the waste for the apartment block within a designated internal store. The mews houses will have dedicated waste stores within their front garden areas. Council's Code of Practice for the Storage of Waste in Domestic Purposes requires a 2-bin (2x 1100L waste/recycling bins) for each of 8 flats. There is considered to be sufficient room within the waste store for an adequate number of bins to serve the apartment block.

- 6.5.11 The mews houses are located such that residents will need to bring their bins to a kerbside collection point on collection day. No details of a collection point have been provided, however, there is considered to be adequate space at the front of the site, likely on the side of the service road or in front of the waste room for a designated kerbside collection point. In order to ensure a designated area is provided a condition of consent will be applied requiring details be submitted prior to commencement of the development. Additionally, a condition will be imposed requiring that the bins associated with the mews houses are only moved on collection day and are relocated to their own private bin stores after collection.
- 6.5.12 Details of waste storage for the commercial unit have not been provided. However, given its very small scale it is considered likely that waste could be stored internally. Notwithstanding, a condition will be imposed requiring full details of the commercial waste storage and handling arrangements.

6.6 Drainage

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 The site is identified as a critical drainage area of Harrow and Hindes Road at the front of the site is within Surface Water Drainage Zone 3a, although no part of the site itself is within the flood zone. Notwithstanding, the Council's Drainage officers have requested surface water discharge restriction details, calculation details and associated drawings. They have also requested details of emergency planning in the event of a flood on the highway and details of a safe means of escape for the future occupants. This can be secured by a condition which is recommended.

6.6.3 These are considered to be minor details which can be readily addressed and it would be unreasonable to refuse on these grounds without allowing an opportunity for the applicant to provide these details in full. The applicant is engaging with the requests by the Infrastructure Team and it is considered reasonable to recommend approval, subject to these matters being addressed within 3 months of the date of the committee meeting, or an otherwise agreed extension of time.

6.7 Sustainability, Biodiversity and other matters.

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021): G1, G5, G6, SI 1, SI 2, SI 3, SI 4, SI 5, SI 6, SI 7, SI 12, SI 13
- Harrow & Wealdstone Area Action Plan (2013): AAP10
- Harrow Core Strategy (2012): CS1, CS2
- Harrow Development Management Policies Local Plan (2013): DM1, DM10, DM13, DM14, DM22, DM23

Relevant Supplementary Documents

- Supplementary Planning Document: Residential Design Guide (2010)

Biodiversity

- 6.7.2 The development site lies within what is an area of significant deficiency in access to nature. This reflects the scarcity of and distance to Sites of Importance for Nature Conservation, even of local importance – Bonnersfield Lane, c. 650 m away, is the closest - within the area between the Harrow and Wealdstone and Harrow-on-the-Hill train stations. Whilst this means that the development proposals will have no direct impacts on areas of recognised wildlife value, development should seek to mitigate the existing lack.
- 6.7.3 The developer has identified the potential for occupancy of the existing buildings by bats. Consultancy surveys have confirmed this but indicated that there presently isn't such use.
- 6.7.4 Apart from a few shrubs, areas of modified grassland (to the rear of No 4) the majority of the site appears to be covered by existing buildings and other impermeable or hard surface, parts of which have been invaded by ruderal species.
- 6.7.5 Given the above, the intention expressed in the Landscape Design Report to 'significantly enhance the ecological biodiversity of the site is to be welcomed.
- 6.7.6 Whilst the biodiversity officer has raised some concerns regarding undervaluing of the baseline habitat value, it is not considered that this adversely affects the clear biodiversity net gain that will occur by replacing the existing poor quality environment with higher quality landscaping across the site. Additionally, the biodiversity officer accepts that the site starts from the very low existing value (even taking account of the existing shrubs) that that the development would provide a high percentage increase in terms of biodiversity units and the addition of linear habitat in the form of a hedge. This would (a) exceed the minimum 20% gain in unit value for development in Harrow and (b) satisfy the requirement that development provide at least 0.2 biodiversity units per hectare (> 0.03 units for a development site of this size).

- 6.7.7 With regard to the green roof proposals, the total of eight species indicated will not represent 'diverse planting' and we would generally expect a minimum of 20 species. Whilst the consultant's appraisal is not accepted it is noted that e.g. the Landscape Design Report indicates that up to 36 species of native wildflower will be 'supported'. At the same time, what is suggested here does not satisfy biodiverse roof requirements in relation to the BNG user guide nor LPA expectations. Similarly, the plan drawing showing the roofs only indicates 'Sedum Roof' areas. However, such measures and the required certainty may be secured via condition.
- 6.7.8 The biodiversity officer considers that the details of the roof loading should ensure it can handle sufficient weight of planting/waterlogged soil etc should be clarified prior to determination. However, planning officers consider that as this is a structural matter, which would need to be complied with at building control stage regardless, it would be unreasonable to either delay determination to request this information, or to refuse it due to a lack of details. It is considered that a condition of consent requiring confirmation from a suitably qualified professional be submitted and approved in writing prior to commencement would provide the necessary clarity in this respect.
- 6.7.9 Regarding Urban Greening Factor the London Plan has a target score of 0.4 for developments which are predominantly residential. Revised Urban Greening Factor report following the revisions was submitted which identifies that the scheme will have an Urban Greening Factor of 0.42. This has been reviewed by the Biodiversity Officer and no concern is raised.

Air Quality and Ground Contamination

- 6.7.10 The application has been accompanied by an Air Quality Assessment, which states that the road traffic air quality impacts will be within acceptable limits and low short term pollutant levels will enable windows to be openable for ventilation. The report also assesses the development as being Air Quality Neutral
- 6.7.11 Therefore, the modelling indicates that both the long term and short term air quality standards are within targets set by the Air Quality Standards Regulations 2010 and no mitigation would be required, other than dust management measures as part of a Construction and Logistics Plan. The report has been reviewed by the Council's Environmental Health Team and no concerns are raised subject to suitable conditions of consent.
- 6.7.12 The site has been assessed as having a low to moderate potential for contamination, as per the supporting preliminary ground investigation report. However, the report also states that a more intrusive investigation is necessary to quantify potential risks and remaining uncertainties that have been identified. Therefore, a pre-commencement condition is recommended for the submission of an investigation and risk assessment.

Energy and Sustainability

- 6.7.13 All major applications are required to achieve a 35% reduction (on site) in carbon dioxide emissions over the Building Regulations. Development should follow the hierarchy and policy guidance within Policy S12 (Minimising Greenhouse Gas Emissions) of the London Plan (2021).
- 6.7.14 The application has been accompanied by an Energy and Sustainability Statement. The proposed sustainability measures include photovoltaic panels as a renewable energy source, combined with high energy efficiency standards in the built fabric and air source heat pumps, with a projected reduction of 49.91% in CO2 emission and reduction in unregulated energy use of 55.98% over and above the baseline model. The final reduction equates to approximately 78.84%. The remainder of the balance would normally be sought as a carbon off-set payment which the report identifies as being £15,390.00. This will be secured by a S106 legal agreement.
- 6.7.15 The site is outside of the Heat Network Priority Area, however, there may be potential for the project to connect to a future Decentralised Energy Network (DEN). The report highlights provision will be made on site for future connection to any such network via the basement plant room and an identified route from the plant room to the site boundary.
- 6.7.16 Proposed Roof Plan proposes a flat roof with 35 no. PV panels. The PV's could be easily combined with a green/biodiverse roof in between the PV panels, to enhance the biodiversity of the local area and assist with climate change mitigation, temperature regulation. As per above, the combination of PV panels with biodiverse roofs are an appropriate enhancement for schemes such as this, and the full details can be conditioned.

Noise

- 6.7.17 A noise report has been submitted to identify whether the site is suitable for residential accommodation given its location and if any mitigation may be required. The report also considers the noise profile of proposed external plant on neighbouring residential properties.
- 6.7.18 The report identified that the primary source of noise is road traffic from Hindes Road itself and Station Road to the east. Noise attributed to the Tesco car park was audible but not dominant and associated plant was not audible from the site.
- 6.7.19 The report makes a number of recommendations in relation to standard of double glazing and ventilation systems. The specific type of external plant is not yet known and the report therefore recommends suggested maximum noise levels.
- 6.7.20 The environmental health team have reviewed the report and raise no concerns subject to suitable conditions of consent to ensure appropriate mitigation is installed in accordance with that suggested within the report.

6.7.21 As such, conditions of consent will be imposed requiring that necessary mitigation measures to comply with the noise report are installed and maintained. Additionally, the condition of consent will require that a verification report is submitted to confirm appropriate mitigation has been installed and that internal noise levels (and impact from installed acoustic plant on neighbouring noise sensitive facades) are acceptable prior to occupation.

Restriction of Permitted Development

6.7.22 As the mews houses are located at the rear of the site, adjacent to properties at the rear fronting Fairholme Road, and they have been designed to be a lower density type of development they are considered to have been built to their maximum possible building envelope.

6.7.23 As such, it is considered appropriate to restrict permitted development rights on each new mews dwelling in terms of future enlargements at the front, side and rear along with upward extensions and rear outbuildings.

6.7.24 Additionally, permission is only granted for single dwellings across the entire development (within the mews houses and the apartment block) and it not considered appropriate for future changes of use to HMOs to be possible given the differing impact these may have in terms of parking, site intensity and character of the wider area. As such, permitted development rights for the change of use from dwellings to small scale HMOs (Use Class C4) are recommended to be removed.

6.7.25 These restrictions on permitted development rights will be restricted by way of conditions of consent.

6.8 Fire Safety

6.8.1 Policy D12 of The London Plan requires all development to meet standards of fire safety. An updated Fire Statement was submitted which identifies a dry riser and sprinklers will be used at the Mews Houses given that a fire tender will not be able to access the rear of the site. This is in accordance with relevant building regulations. This matter was the only concern raised by the building control team and it has now been addressed, no concern has been received by the building control team in relation to the updated fire statement. However, to ensure it can be robustly reviewed a condition of consent will be imposed requiring that a fully updated Fire Statement reflecting the final build scheme is submitted to and approved in writing prior to completion of damp proof course.

6.9 Environmental Impact Assessment

- 6.9.1 The requirement of the Environmental Impact Assessment (EIA) Regulations 2017 is based on the likelihood of significant environmental effects arising from a new development and are divided into Schedule 1 and Schedule 2 applications under the EIA Regulations. Schedule 1 would normally constitute developments that would have significant effects on the environment such as major chemical projects or ground and air transport infrastructure. Schedule 2 consists of other forms of developments that are dealt with under a threshold approach. The proposed development does not fall within the thresholds for EIA development under Schedule 2. Therefore, an Environmental Impact Assessment is not required.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed redevelopment of the site would provide a high quality mixed residential and commercial development, which would be a positive contribution to the town centre environment. The redevelopment of the site would enhance the urban environment and so would make a positive contribution to the local area in terms of quality and character.
- 7.2 The layout and orientation of the building and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers or would have a reasonable and acceptable impact on some dwellings in Blue Point Court; whilst the amenities of future occupiers would be satisfactory. The proposal has also been considered with regard to parking and highway safety and has been found to be reasonably acceptable, on balance, subject to conditions.
- 7.3 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, it is considered that the current proposal is acceptable and approval is recommended.

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit 3 years - Full Permission

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

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

2. Approved Drawing and Documents

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained and completed in accordance with the following approved drawings and documents:

A_PL_001 Rev 00; A_PL_010 Rev 00; A_PL_011 Rev 00; A_PL_012 Rev 00; A_PL_013 Rev 00; A_PL_015 Rev 00; A_PL_030 Rev 00; A_PL_031 Rev 00; A_PL_032 Rev 00; A_PL_033 Rev 00;

A_PL_099 Rev D; A_PL_100 Rev G; A_PL_101 Rev E; A_PL_0102 Rev E; A_PL_103 Rev E; A_PL_104 Rev D; A_PL_105 Rev D; A_PL_150 Rev D; A_PL_151 Rev B; A_PL_200 Rev D; A_PL_201 Rev C; A_PL_202 Rev C; A_PL_300 Rev E; A_PL_301 Rev D; A_PL_302 Rev D; A_PL_303 Rev D; A_PL_304 Rev D; A_PL_305 Rev D; A_PL_500 Rev A;

100L Rev A; 101L Rev A; 102L Rev A; 103L Rev A; 104L Rev A; 105L Rev A; 501M Rev A;

Surface Water Drainage Strategy (October 2022); Air Quality Assessment (5th October 2022); Daylight & Sunlight Report (25th October 2022); Sunlight Daylight Addendum Letter (17th February 2023); Biodiversity Net Gain Calculation (October 2022); Design & Access Statement (31st October 2022); Design & Access Statement Addendum (March 2023); Bat Emergence Survey Report (October 2022); Preliminary Roost Assessment (July 2022); Energy and Sustainability Statement (15th September 2022); Landscape Design Statement Report (9th March 2023); Urban Greening Factor (10th March 2023); Noise Assessment (6th July 2022); Planning Statement (October 2022); Statement of Community Involvement (October 2022); Phase 1 Desk Study (October 2022); Transport Statement (October 2022); Proposed Area Schedule; Fire Statement (24th February 2023); Viability Report (October 2022); Addendum Viability Study (March 2023);

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

3. Demolition and Construction Logistics Plan (Pre-commencement)

No development shall take place, including any works of demolition, until a detailed demolition and construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities;
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- g) measures for the control and reduction of dust;
- h) measures for the control and reduction of noise and vibration; and
- i) How traffic would be managed to minimise disruption.

The demolition and construction of the development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed. To ensure that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

4. Ground Contamination (Pre-commencement)

Notwithstanding the approved details, no works shall take place until a scheme ('the first scheme') for identifying, managing and disposing of any potential contamination hazards found during demolition of the existing buildings and structures on the site has first been submitted to, and agreed in writing by, the local planning authority. No development other than demolition shall take place until a scheme ('the second scheme') for the management of contamination risk at the site has first been submitted to, and agreed in writing by, the local planning authority. The second scheme shall include the following:

- (a) details of a site investigation to provide information for a detailed assessment of the risks to all receptors that may be affected, including those off site;
- (b) the results of the site investigation and an options appraisal and remediation strategy giving full details of remediation measures and how they are to be undertaken; and
- (c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

The demolition shall be carried out in accordance with the first scheme so agreed. The development other than demolition shall be carried out in accordance with the second scheme so agreed.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses.

5. Foul Water Disposal

The development (other than demolition works) hereby permitted shall not be commenced 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 development shall be carried out in accordance with the details as so agreed and retained thereafter.

REASON: To ensure that there is adequate waste water infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with Policy SI 12 of the London Plan (2021) and Policy DM 10 of the Development Management Policies Local Plan (2013).

6. Disposal of Surface Water

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

REASON: To ensure that adequate drainage facilities are provided

7. Levels to be Approved

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

8. Biodiverse Roof Details

The development (other than demolition works) hereby permitted shall not commence until full details of biodiverse/bio-solar roof provision within the development have been submitted to and approved in writing by the Local Planning Authority. The submitted information shall include but not be limited to:

- a. identification of the roof areas to be used for the provision of biodiverse/bio-solar roofs;
- b. details of the roof build up, including water reservoirs, substrate, planting schedules/seed mix(es) - to include at least 20 native flower species making up a minimum of 60% of the plant cover, shelter and breeding locations for a range of invertebrate species, plans, details and sections as appropriate;
- c. details of the maintenance to be undertaken during establishment including irrigation and remedial interventions in response to likely risks; and,
- d. the engineering tolerances of the design being such that they would support a waterlogged biodiverse roof with a substrate depth ranging between 80 and 200 mm with a least 50% of each roof area having a minimum substrate depth of 150mm, together with the weight of the vegetation and water reservoir.

The details will need be specific to the submitted proposals and development shall be carried out in accordance with the details so agreed and shall be maintained thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, and effective management of biodiversity and green infrastructure within the site and surrounding area in accordance with Policy DM 21 of the Harrow Development Management Policies Local Plan (2013), the London Plan (2021) and the National Planning Policy Framework (2021).

9. Fire Safety

The development herein approved shall not progress above damp proof course until a Fire Safety Statement has been submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point;
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures;
- 3) is constructed in an appropriate way to minimise the risk of fire spread;
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users;
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in; and
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021).

10. Materials

Notwithstanding the details shown on the approved drawings, the development shall not progress beyond damp proof course level until samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:

- a) all facing materials for the buildings;
- b) windows/ doors/glazing and shopfront; and
- c) balconies/balustrades and balcony soffits.

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

11. Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not progress beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

12. Lighting

The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all external areas (including the undercroft area) within the site, including:

- a. locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels
- b. details of baffles, and filters to be employed, taking account of the provision of artificial shelters for birds, bats and invertebrates in suitable locations so as to avoid adverse impact on the habitat provided for these species.

The details shall be submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of residential quality and does not have an adverse impact on ecology and species habitat.

13. Refuse Storage

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not progress beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority details of the following:

- a) Details of all residential and commercial waste storage. Commercial waste storage is to be separate from the residential waste storage area.
- b) A Refuse Management Plan for the whole site, including details of how the waste and recycling bins for the mews houses will be brought to the front of the site on collection day.

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.

14. Landscaping and Ecological Enhancements

The development hereby approved shall not progress beyond damp proof course level until there has been submitted to, and approved by in writing, the local planning authority, a scheme of hard and soft landscape works and ecological enhancement plan for the site. The hard and soft landscape and ecological enhancement plan details are to include the following:

- a. details of trees, shrubs and other plantings and/or seed mixes to be used and their introduction, protection and other aftercare during their establishment.
- b. details of the maintenance and management of the semi-natural habitats and landscape features at ground and other levels – giving particular attention to the green wall, green roofs, hedges, trees and soft-planting areas, as well as the provided wildlife shelters.
- c. provision of a clear programme of monitoring, maintenance and management work to guide those responsible for undertaking or overseeing these operations, with particular regard to safeguarding their function and ensuring that habitat areas achieve and maintain their expected condition.
- d. details of the provision of artificial shelters for birds, bats and invertebrates in suitable locations on the basis of one single or multiple occupancy shelter per residential unit (additional to the provision associated with the biodiverse/bio-solar roofs), taking account of aspect, window positions and external lighting provision, to be incorporated within the fabric of the building, or as otherwise agreed to be appropriate.
- e. Full scale metric cross sections and elevations for the communal open amenity space and play area (at a scale of not less than 1:100)

- f. Specifications of all play equipment to be installed including proposed manufacturer, material and source and specification of the surface treatment within the play areas.

The development shall be carried out in accordance with the details as so agreed.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance and ecology of the development, in compliance with policies DM1, DM21, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

15. Landscaping Implementation

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 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, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

16. Boundary Treatment

The development hereby permitted shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected for the front and rear gardens of the mews houses, the vehicular access gate and all other boundary treatments has been submitted to, and approved in writing by, the local planning authority. The boundary treatment shall be completed before the development is occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan.

17. Communal Television Equipment

Prior to the occupation of the development, 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.

18. Noise

The development hereby permitted shall not be occupied until a verification noise assessment demonstrating compliance with relevant noise criteria and confirming necessary mitigation (at both the dwellings and in relation to installed external mechanical plant) in accordance with the approved Noise Assessment by Hawkins Environment (Dated 6th July 2022) shall be submitted and approved in writing by the local planning authority. The sound insulation measures shall thereafter be retained.

REASON: To safeguard the amenities of the future occupiers of the flats from undue noise and vibration transmission.

19. Noise

The noise emitted from any external mechanical plant or ventilation hereby permitted, shall at all times be at least 10dB(A) below the background noise levels within the curtilages of the nearest noise sensitive premises, and not perceptible at any point within those curtilages (to include gardens, building facades and windows).

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents.

20. Secure by Design

Evidence of certification of Secure by Design Accreditation for the development (silver or gold) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

21. Cycle Parking

Prior to occupation of the development full details of cycle parking in relation to all dwelling and the commercial unit shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be fully implemented, made available prior to first occupation and maintained thereafter in perpetuity.

REASON: To ensure sufficient on-site cycle parking facilities are provided and to encourage sustainable travel in accordance with Policy T5 of the London Plan 2021.

22. Emergency Planning

The flats hereby approved shall not be first occupied until a document outlining Emergency Planning (in the event of any flooding) for future occupiers of the site has been submitted to, and agreed in writing by, the local planning authority. The development hereby approved shall be operated in accordance with the Plan so agreed, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure the safety of future occupiers on site in the event of flooding as the main highway is in a flood risk area.

23. Energy and Sustainability

The development shall be undertaken in accordance with the Energy & Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy and Sustainability Statement (15th September 2022) which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2021 and local policies.

24. Part M Dwellings

The development hereby permitted shall be constructed to include 90 per cent of the new homes to meet Building Regulations requirement Part M M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulations requirement Part M M4(3) 'wheelchair user dwellings' and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

25. Use of flat roof

The flat roof areas of the building beyond any balconies or terraces, hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

26. Flues and pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

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

27. Obscure Glazing

Any window(s) located in the stairwell facing the side boundary of the approved development shall:

- a) be of purpose-made obscure glass,
 - b) be permanently fixed closed below a height of 1.7 metres above finished floor level,
- and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

28. Restriction To Telecommunication Items

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with 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 Schedule 2, Part 16, Class A of that order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.

REASON: In order to prevent the proliferation of individual telecommunication items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

29. Permitted Development Restriction 1

The whole development (with the exception of the commercial unit at ground level) hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity

30. Permitted Development Restrictions 2

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development in relation to the proposed 4x3bedroom mews dwellinghouses (located at the rear of the site) which would otherwise fall within Classes A, B, D, E, F and G in Part 1 of Schedule 2, and Class AA of Part 20 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by managing the amount of site coverage and size of dwelling in relation to the size of the plot and availability of amenity space, biodiversity and to safeguard the amenity of neighbouring residents.

31. Use Class Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no change of use falling under Classes M, MA, N, O or P in Part 3 of Schedule 2 of that Order shall take place within the commercial unit and it shall only operate under Class E or Class B8 of the Use Class Order 1987 (as amended) unless prior written permission of the local planning authority is sought.

REASON: To ensure a suitable use operates within the space given over to the commercial unit and that space shall not be converted to a poor quality residential unit.

Informatives

1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2021)

The London Plan (2021):

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG4 Delivering the homes Londoners need

G1 Green Infrastructure

G5 Urban Greening

G6 Biodiversity and access to nature

SD6 Town centres and high streets

SD7 Town centre: development principles and Development Plan Documents

H1 Increasing housing supply

H2 Small Sites

H8 Loss of Existing housing and estate redevelopment

H9 Ensuring the best use of stock

H10 Housing Size mix

D1 London's form, character and capacity for growth

D3 Optimising site capacity through the design-led approach

D5 Inclusive design

D6 Housing quality and standards

D7 Accessible housing

D10 Basement Development

D11 Safety, security and resilience to emergency

D12 Fire Safety

E9 Retail, markets and hot food takeaways

E10 Visitor infrastructure

T4 Assessing and Mitigating transport impacts

T5 Cycling

T6 Car Parking

T6.1 Residential Parking

T7 Deliveries, servicing and construction

SI 1 Improving air quality

SI 2 Minimising greenhouse gas emissions

SI 3 Energy infrastructure

SI 4 Managing heat risk

SI 5 Water infrastructure

SI 12 Flood Risk Management

SI 13 Sustainable drainage

S4 Play and informal recreation

Harrow Core Strategy (2012):

CS1, CS2

Harrow and Wealdstone Area Action Plan (2013)

AAP2, AAP4, AAP6, APP9, AAP12, AAP13, AAP15, AAP16, AAP18

Development Management Policies Local Plan (2013):

DM1, DM2, DM9, DM10, DM13, DM14, DM22, DM23, DM24, DM27, DM31, DM34, DM35, DM38, DM40, DM42, DM43, DM44, DM45, DM50

Adopted Supplementary Planning Documents:

London Plan Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 2016)

Technical housing standards - nationally described space standard (2016)

2. Pre-application engagement

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 39-42 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. 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.

4. 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

5. 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

6. Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

7. Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

8. Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

9. Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

10 Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £62,931.82

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

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

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

11 Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £169,972.10

This amount includes indexation which is 326/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the [planningportal](http://planningportal.co.uk) website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

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The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges


12 **INFORM67 - Fire Safety Statement.** The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

13 The application site is located close to a military airfield. Future occupants should be made aware that military aircraft may be seen and heard operating in the area and that aircraft may overfly the site. Aircraft types, flight paths and ground based activity can vary over time and this may cause disturbance.

14 Design out crime

The applicant is advised to engage with the Designing Out Crime Officer at an early stage of the detailed design stage in respect of meeting the requirement of Secured by Design condition. The officer (Danny McPhail) can be contacted on Danny.J.M.McPhail@met.police.uk

CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS

Front elevation:



Rear of the subject site (as viewed from vacant site at 2 Fairholme Road)



Blue point court to the east:



Lindal Hotel to the West:



Tesco superstore opposite site:



Site as viewed from South Hill Ave to southwest (No.190-194 on the right, No.198 on the left).

No.18 Fairholme Road



Vacant site at No.2 Fairholme Road (to the rear of subject site)

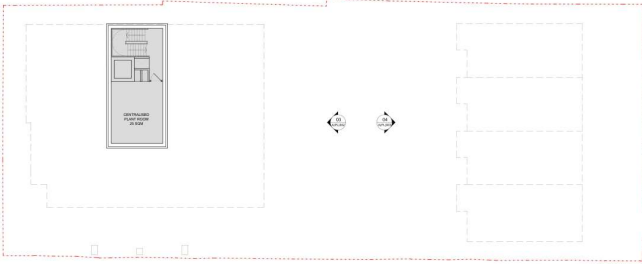


Two-storey Yogeshwar House which is accessed from Fairholme Road to the rear of the site, and appears to be a church/community building. Rear extension on subject site is also visible on the left.



APPENDIX 4: PLANS AND ELEVATIONS

Proposed Basement Plan



Existing Ground Floor Plan



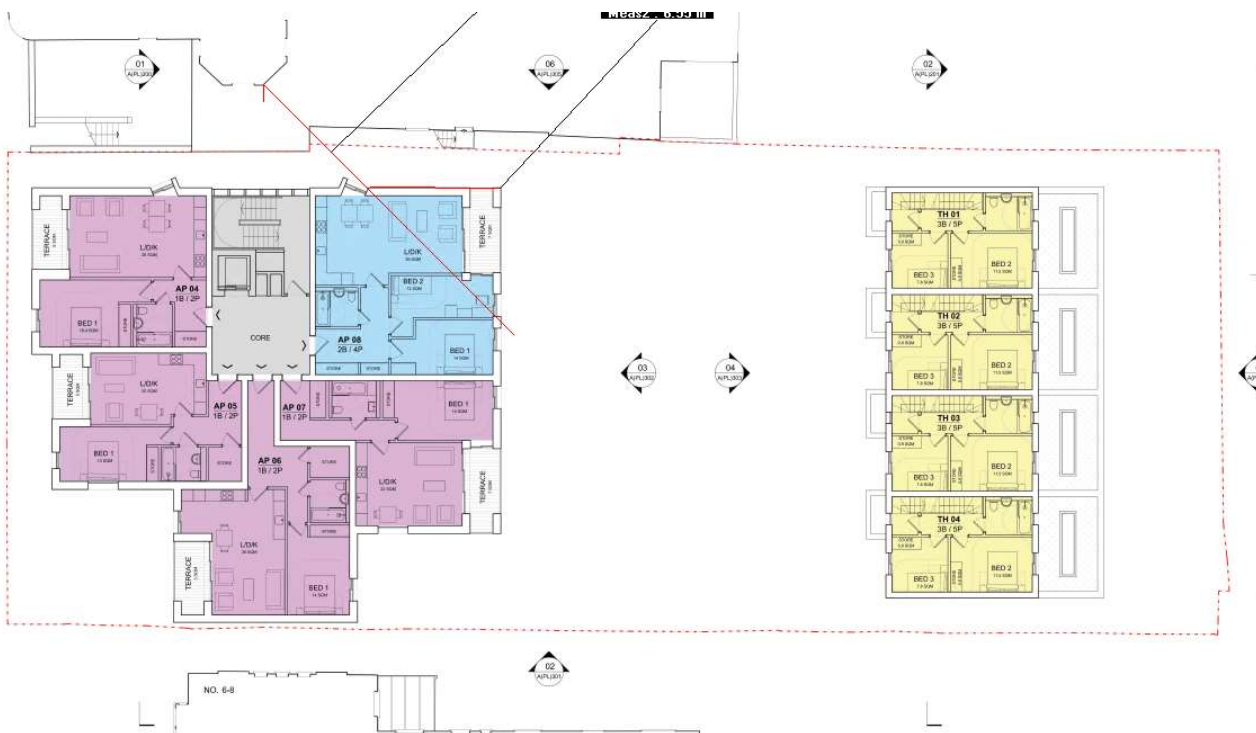
Proposed Ground Floor Plan



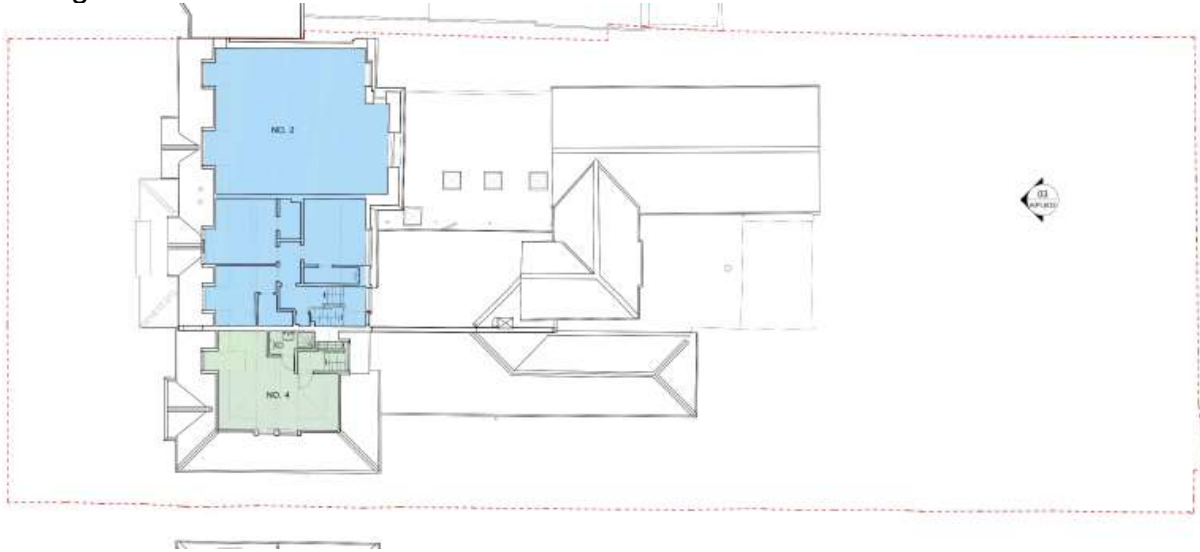
Existing First Floor



Proposed First Floor Plan



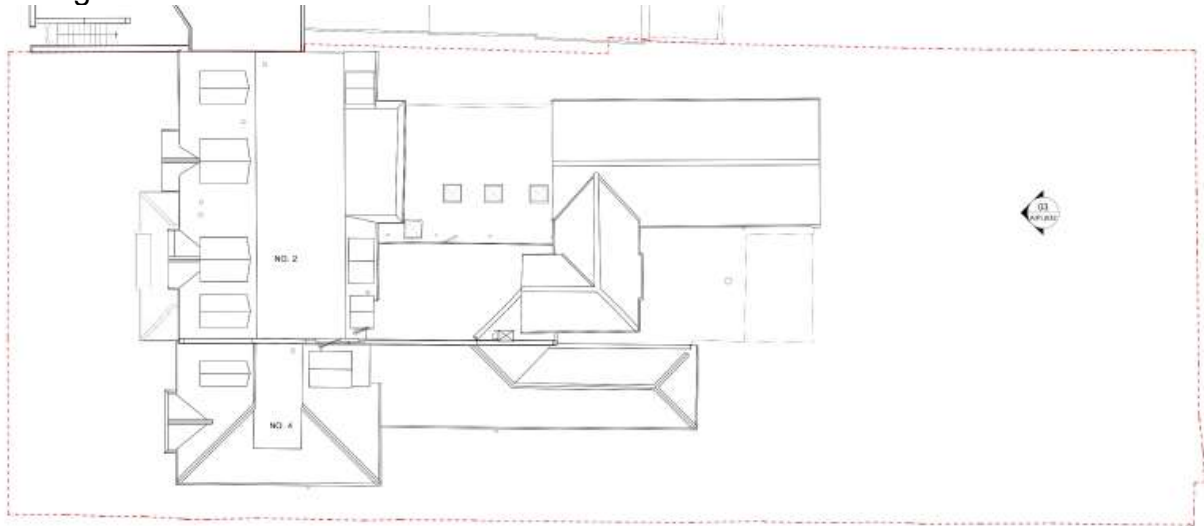
Existing First Floor Plan



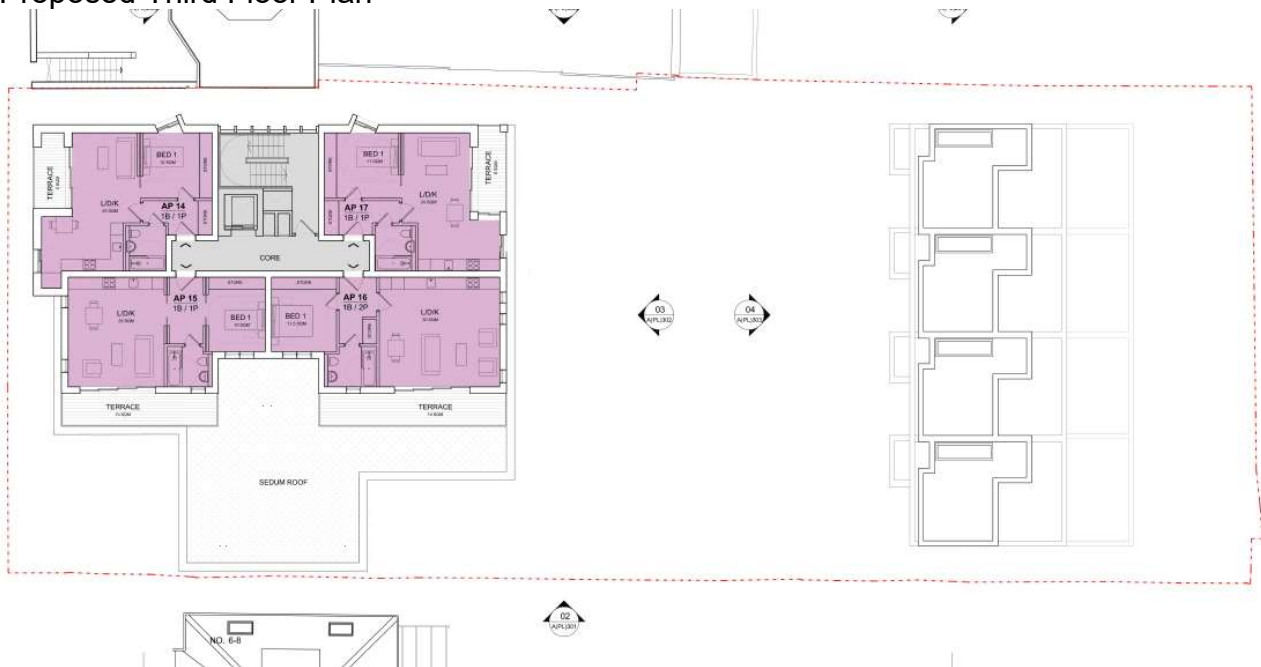
Proposed Second Floor Plan



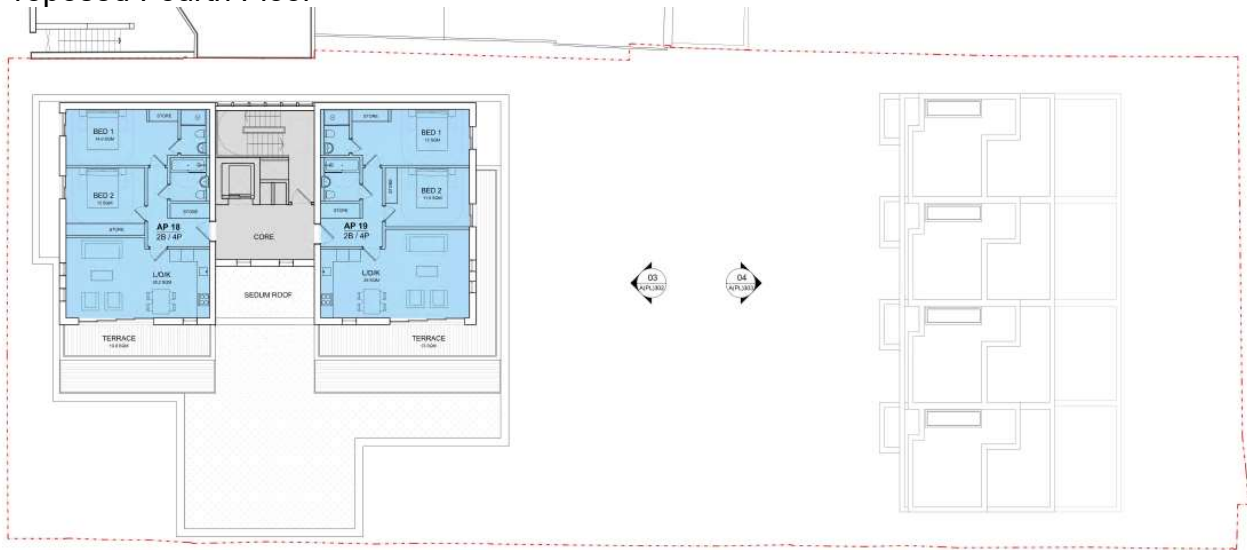
Existing Roof Plan



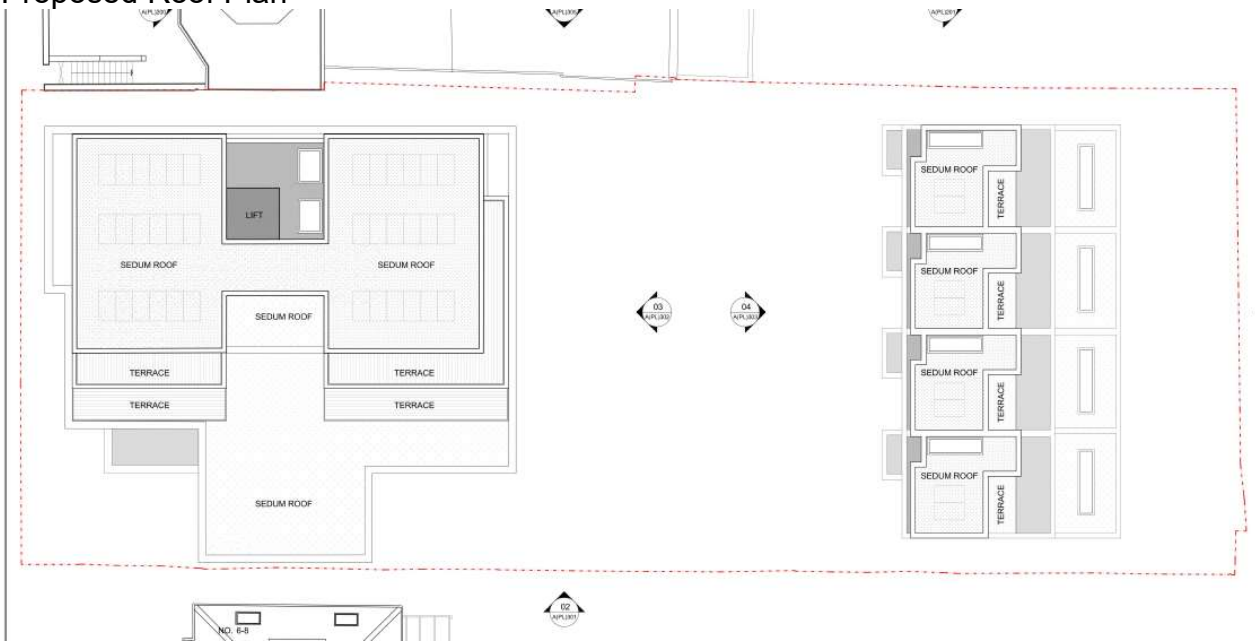
Proposed Third Floor Plan



Proposed Fourth Floor



Proposed Roof Plan



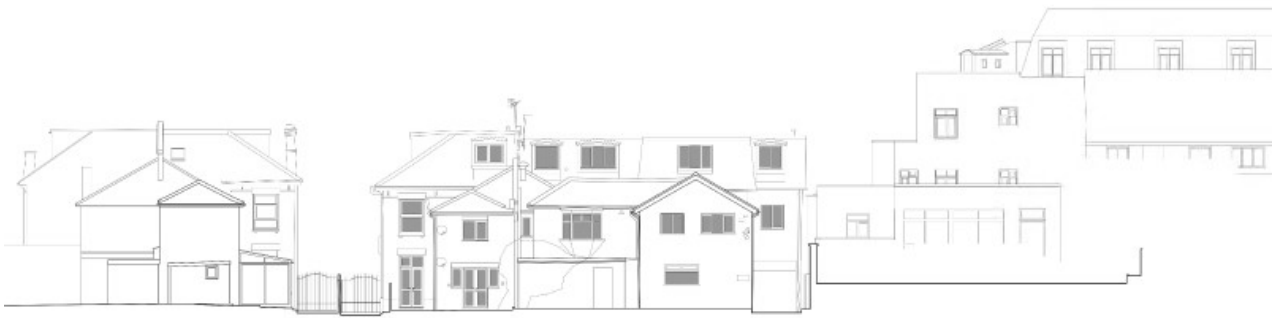
Existing Front Elevation



Proposed front elevation



Existing Rear Elevation



Proposed Rear Elevation



Existing West Side Elevation



Proposed West Side Elevation



Existing East Side Elevation



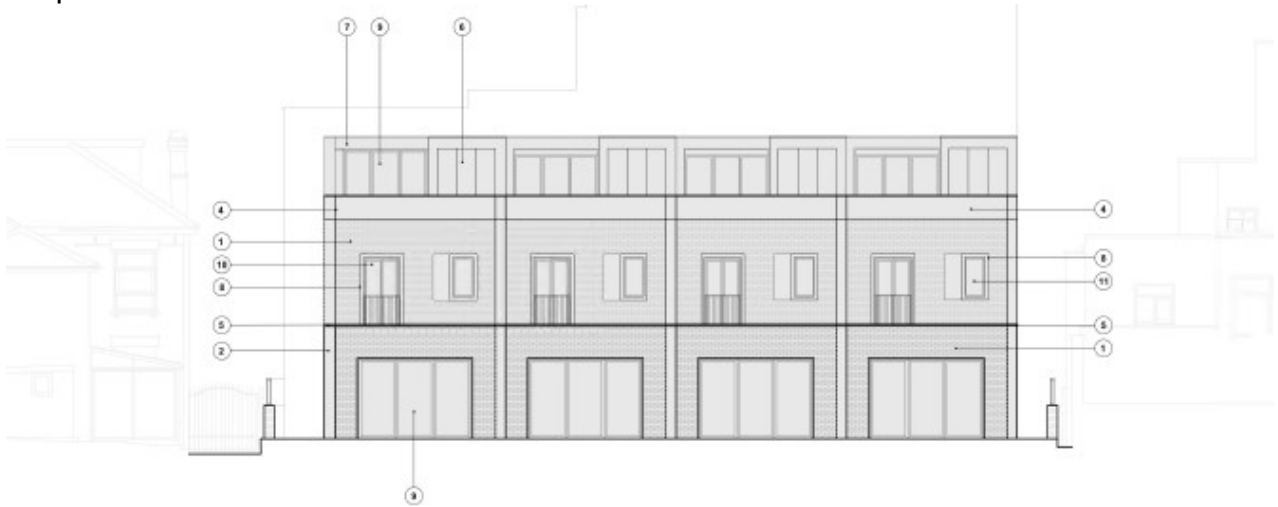
Proposed East Side Elevation



Proposed Mews House Front Elevation



Proposed Mews House Rear Elevation

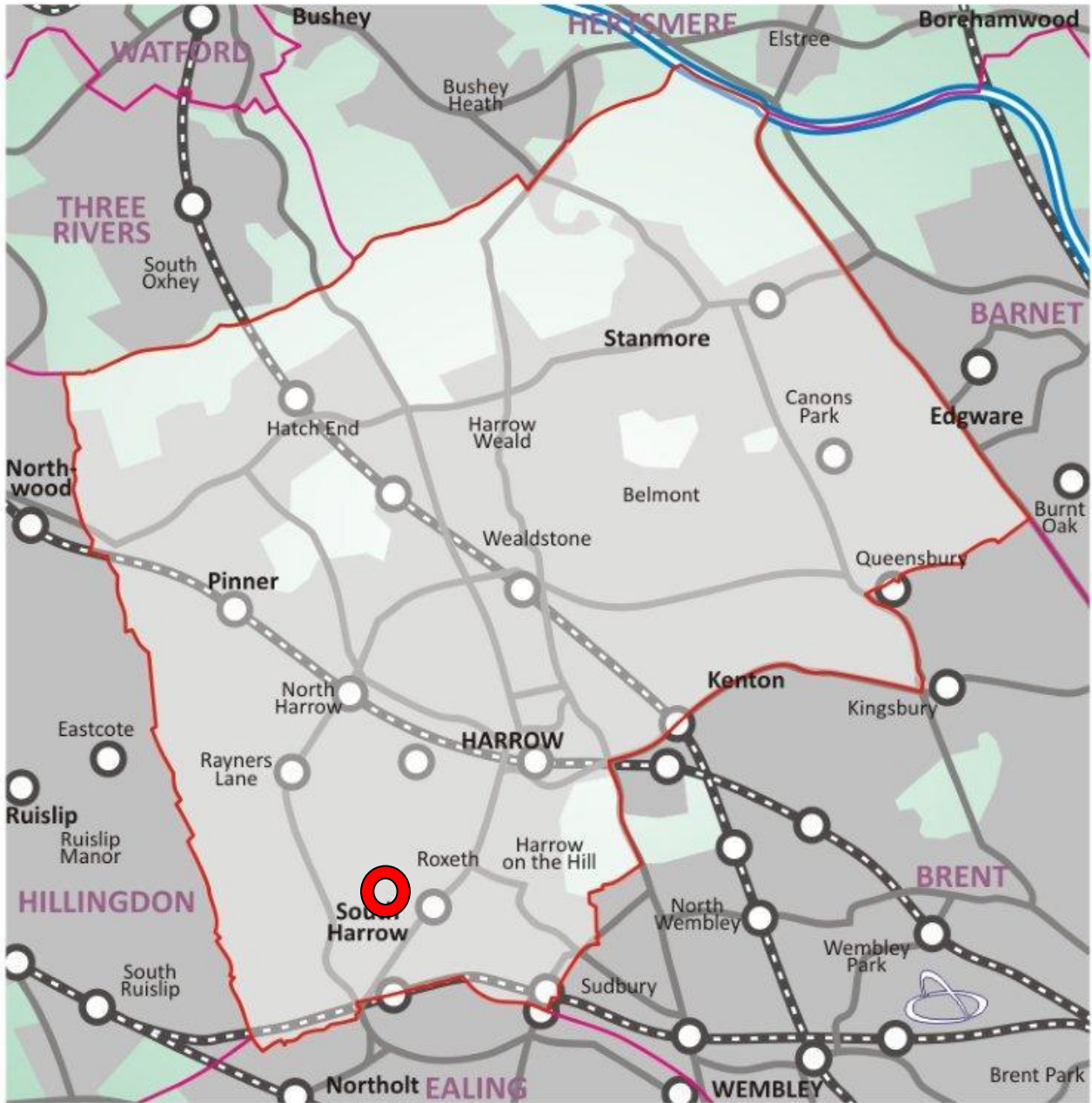


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Agenda Item: 1/02

 = application site



143/145 Eastcote Lane & 172A Alexandra Ave	P/2844/22
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Location Plan

143/145 Eastcote Lane & 172A Alexandra Ave



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LONDON BOROUGH OF HARROW

Planning Committee
Wednesday 24th May 2023

143/145 Eastcote Lane & 172A Alexandra Ave

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/2844/22
VALIDATION DATE: 16 AUGUST 2022
LOCATION: 143/145 EASTCOTE LANE & 172 ALEXANDRA AVENUE
WARD: ROXETH
POSTCODE: HA2 8RW
APPLICANT: C/O AGENT
AGENT: MADDOX AND ASSOCIATES LTD
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 31/05/2023

PROPOSAL

Demolition of existing buildings and redevelopment to provide 1 detached building comprising self-contained flats (use class C3), parking; landscaping; bin and cycle stores (amended plans)

Details: Height 3 storeys, with eighteen self-contained flats (2 x 3 bed; 10 X 2 bed and 6 X 1 bed)

The Planning Committee is asked to consider the following recommendation:

RECOMMENDATION A

- 1) To agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - a) Early and Late Stage Review Mechanism.
 - b) Construction Employment Opportunities through (a) a training and employment plan that will be agreed between the Council and the developer prior to start on site; and (b) (ii) a financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is usually calculated using the formula: £2,500 per £1,000,000 build cost.

- c) Highways agreement for the undertaking of alterations to the existing vehicle crossings, with details of the proposals to be submitted prior to commencement of work on-site
- d) A carbon-offset contribution of (TBC) shall be paid to the relevant department of the Council within one month of approval of the Revised Energy Strategy to offset 5.55 tonnes of carbon at a rate of £2,850 tonnes (£95 / tonne / year over 30 years).
- e) Requirement for final “as-built” Part L calculations of the Building Regulations through energy efficiency measures to ensure at least a 10% reduction is achieved. This is to be submitted within one month of practical completion of the development, confirming the actual carbon emissions to be offset, with any shortfall to be paid through a further offset.
- f) Financial Contribution (TBC) towards off-site tree planting (and maintenance for 30 years) along the existing grass verges on Alexandra Avenue and directly opposite the site frontage on Eastcote Lane (as shown in Drawing: PL06).
- g) Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement; and
- h) Planning Administration Fee: Payment of [TBC] for the agreement administration fee for the monitoring of and compliance with this agreement.

RECOMMENDATION B

That if, by **29th November 2023** or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D7, H5, G6, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM13, DM20, DM21, DM24, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

REASON FOR THE RECOMMENDATIONS

The redevelopment of existing dwellings on the site for the provision of 18 residential homes is appropriate in this location and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the application is worthy of support.

INFORMATION

This application is reported to Planning Committee it proposes construction of more than three dwellings on the site, which is outside Part 1(b) of the Scheme of Delegation.

Statutory Return Type:	Major Development
Council Interest:	None
Net additional Floorspace:	1,410.6sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional)(£60p/sqm) (Excluding Indexation):	£84, 636
Local CIL requirement (Provisional) (£110p/sqm) (Excluding Indexation):	£245,909.90

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The application site is a corner site on a busy highway intersection of Eastcote Lane and Alexandra Avenue and currently contains bungalows on three separate plots. Numbers 143 and 145 Eastcote Lane was severed in the mid-1970s and contains another bungalow (172A Alexandra Avenue), accessed via a service road off Alexandra Avenue.
- 1.2 At present, three of the four corners of the junction and surrounding area is predominantly residential in nature with metroland one and two storey properties located on Eastcote Lane and Alexandra Avenue. The adjacent crossroads consist of a local neighbourhood parade (opposite the bungalows fronting Eastcote Lane), and a two storey dwellinghouse on the south west corner of the crossroads. The remaining, north-west corner of the junction comprises a four storey residential development, formerly the Matrix Public House.
- 1.3 The site is located within a PTAL 2 location considered to be poor in terms of public transport accessibility. The site is not within a conservation area and is not a listed building. It is within a critical drainage area but is not subject to any other flood constraints.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the existing three bungalows and redevelop the site to erect a three storey building comprising a total of 18 flats to create 2 x 3 bed; 10 x 2 bed; and 6 x 1 bed units.
- 2.2 Communal amenity area to the rear of the site, with children's playground, in addition to private amenity space.
- 2.3 11 car parking spaces are proposed (including 2 blue badge spaces and 2 electrical charging points). This would utilise the existing vehicular entrances from Eastcote Lane, while the central front entrance would be dedicated for pedestrians. The vehicular access would be retained.
- 2.4 Separate refuse and cycle stores would be provided externally at the rear of the site, and two short stay cycle spaces would be accommodated to the front. A refuse holding areas for servicing is also proposed within the rear car park adjacent to the vehicular access point.

Revisions

- 2.5 Based on the initial consultation responses the following revisions were made to the proposal:
- Removal of fourth floor to reduce height and scale of the building, with amended detailed design for the 3rd floor terminus.

- Reduced number of cycle parking spaces, from 38 to 32, to reflect the reduced number of units.
- The boundary at the junction between Eastcote Lane and Alexandra Avenue has been curved in order to improve pedestrian flow.
- Reduction of eastern elevation windows, also including a reduction in their size to stop perceived overlooking.
- Screening included for south-facing balconies.
- Removal of external seating and boundary treatment (in line with secure by design comments) and inclusion of additional soft landscaping to the rear.
- Inclusion of planted buffer strips to amenity spaces for courtyard-facing units – resulting in additional privacy screening.
- Inclusion of porous hardstanding material for the car park.
- Inclusion of Bio-solar Green Roof.
- Enlargement of rear amenity area (through reduction of hardstanding area).
- Additional on-site tree planting – including 3 x additional trees at the frontage (as a result of removing one of the access paths and amalgamation of two of the planting beds into one larger); and 5 x no. London Plane trees along the Alexandra Avenue façade, for a total of 14 new trees across the site. Existing T16 oak tree also retained in far corner of the site.
- A financial contribution will also be secured in the Section 106 agreement for additional off-site tree planting (8 trees) in the immediate vicinity of the site.

3.0 **RELEVANT PLANNING HISTORY**

Ref no.	Description	Status and date of decision
Application Site (143/145 Eastcote Lane & 172 Alexandra Avenue)		
P/1180/18	Redevelopment To Provide Four Storey Building To Create 31 Flats; Landscaping And Amenity Space; Parking; Refuse And Cycle Storage	Refused 14/09/2018 Appeal Dismissed (APP/M5450/W/19/3224655) – 21 December 2020
Reasons:		
1.	In the absence of robust justification to demonstrate overriding wider public benefit, the proposed redevelopment of the site, by reason of the excessive footprint of the proposed building and encroachment on private rear garden area, would constitute Garden Land Development and represent overdevelopment of the site, and would be at odds with the Councils spatial strategy for growth to the detriment of the	

character and appearance of the locality, contrary to the National Planning Policy Framework (2018), Policy 3.5A of The London Plan (2016), Core policies CS1.A and CS1.B of the Harrow Core Strategy (2012) and the adopted Supplementary Planning Document: Garden Land Development (2013).

2. The proposal fails to provide the maximum reasonable level of affordable housing to the Boroughs housing stock. The proposal therefore fails to address the key aims of Policies 3.11 and 3.13 of the London Plan (2016), Policy CS1. J of the Harrow Core Strategy (2012), The Housing Supplementary Planning Guidance (2016) and adopted Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).
3. The proposal, by virtue of its excessive scale, width and positioning, would add an unacceptable amount of bulk and mass across the site's width and would result in the detrimental loss of the site's open character, representing an over-intensification of residential development on the site. The development would, therefore, not represent an appropriate high quality of design, would not maintain or enhance the character of the surrounding street scene and the visual interests of its surroundings and fails to appropriately respect and relate to its spacious context. Accordingly, the proposal is contrary to Policies 7.4 of the London Plan 2016, DM1 of the Harrow Development Management Policies 2013, the adopted Supplementary Planning Document Residential Design Guide 2010 and section 12 of the National Planning Policy Framework 2018.
4. The proposal, by reason of the failure to provide sufficient tracking of large, modern vehicles fails to alleviate concerns relating to on-street parking stress, should the provision of car parking not cater for such car types. This would give rise to an unsustainable development which would fail to contribute towards climate change mitigation, contrary to the National Planning Policy Framework (2018), policy 6.13 of The London Plan (2016) and Policy DM12 of the Harrow Development Management Policies Local Plan (2013) policies DM42 and DM43.

P/2156/19	Redevelopment to provide four storey building to create 26 Flats (7 X 1 bed, 17 X 2 bed and 2 x 3 bed); Landscaping and amenity space; Parking; Refuse and cycle storage	Refused 22/10/2019 Appeal Dismissed (APP/M5450/W/19 /3224655) – 21 December 2020
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Reason:

1. The proposal, by virtue of its excessive scale, height, width and positioning, would add an unacceptable amount of bulk and mass across the site's width and would result in the detrimental loss of the site's open character, representing an over-intensification of residential development on the site. The development would, therefore, not represent an appropriate high quality of design, would not maintain or enhance the character of the surrounding street scene and the visual interests of its surroundings and fails to appropriately respect and relate to its spacious context. Accordingly, the proposal is contrary to Policies 7.4 of the London Plan 2016, DM1 of the Harrow Development Management Policies 2013, the adopted Supplementary Planning Document: Residential Design Guide 2010 and Section 12 of the National Planning Policy Framework 2019.
2. The proposal would fail to provide a sufficient level of car parking, contrary to the National Planning Policy Framework (2019), Policy 6.13 of The London Plan (2016) and Policies DM12, DM42 and DM43 of the Harrow Development Management Policies Local Plan (2013).

143 Eastcote Lane		
P/4608/15	Notification of householder extension- Single storey rear extension; 8.0m deep; 3m max height and 3.0m to the eaves.	Prior Approval Not Required 04/11/2015
P/2727/09	Demolition of existing dwelling & garage and erection of two semi-detached three storey dwellings and associated garages.	Grant 17/02/2010
145 Eastcote Lane		
P/4610/15	Notification of Householder extension; 6.5m deep; 3.0m max height and 3.0m to the eaves:	Prior Approval Not Required 04/11/2015
P/2541/11	Vehicular access from Alexandra Avenue with Insertion of Gates' in side boundary:	Grant 15/12/2011
172 Alexandra Avenue		
P/4611/15	Notification of householder extension: Single storey rear extension; 6.5m deep; 3.5m max height and 2.7m to the eaves;	Prior Approval Not Required 11/11/2015
LBH/6537	Erection of detached bungalow with integral garage to the rear of 145 Eastcote Lane:	Refused 25/08/1971

4.0 CONSULTATION

- 4.1 A total of 148 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 14 October 2022.
- 4.2 A total of 43 responses were received.
- 4.3 After the receipt of amended details, a 14-day re-consultation was carried out, expiring on 28 April 2023. A total of 29 additional comments were sent (some of these being add-on comments to previous responses.)
- 4.4 A summary of the responses received along with the Officer comments are set out below:

Large block of flats opposite are mostly unsold, little justification for more flats. The corner plot has poached Council land which needs to be given back to the community.
Changes to the development do not alter above comments.

Officer comment: *There are no planning policies which preclude residential development of this nature at this site / within the site boundary. The provision of additional homes within the Borough would contribute to the national and local housing stock and housing targets set by The London Plan 2021. The LPA are unable to comment about market conditions and factors pertaining to the uptake in occupation of units within the Matrix development.*

Insufficient parking in the immediate with existing properties without this development adding more pressure. It will generate noise and traffic.

Officer Comment: *13 parking spaces were provided for the previous 26 unit refused scheme (P/2156/19). This was deemed acceptable by the Council's Highways Officer as well as by the Planning Inspector when reviewed at appeal, following refusal on this basis. The current scheme provides 11 car parking spaces for a reduced 18 unit scheme. The Council's Highways Officer has reviewed this quantum and considers this proposal to be unlikely to result in a severe or harmful impact for the surrounding highway network, subject to a pre-commencement conditions for a detailed construction logistics plan and cycle parking details.*

Further stress to local infrastructure and community. The reported impact on community infrastructure fails to take into account the cumulative impact of other development in the area /cumulative overpopulation.
More facilities (school, hospital, sewers drainage, etc.) are needed by the community.

Officer Comment: *Should the development be granted it would be liable for a contribution towards the Community Infrastructure Levy (CIL) which would go towards improvements to existing local infrastructure as well as new provision to mitigate against the impact of the development. The impact of other development and community facilities outside the site are outside the control of the developer are not a material consideration.*

Location of the slip road to the rear for vehicular cars is unsafe for children. It is on a small unadopted road which is already constrained for parking.

Officer Comment: *There is an existing vehicular crossover which allows for 2-3 cars. Whilst there would be an additional 4-5 cars using this entrance it is unlikely that the modest interest in vehicles would be a cause for concern in terms of safety over and above the existing situation. There will also be an access gate which would ensure that cars slow down to a stop before entering the site which would provide an improvement to the current situation and aid in providing safe access.*

The development should not destroy flora and fauna present at the site as well as refuge for animals such as bats.

Officer Comment: *The tree, landscape and biodiversity officers have reviewed the application and consider that the proposal would appropriately provide for high quality landscaping and replacement trees which would be lost as a result of the development. The biodiversity officer has stated that the information on bats appropriately summarises their status in relation to roost potential. The LPA have however suggested a number of detailed conditions to ensure that tree replacement, landscaping and biodiversity enhancement provided is of high quality.*

The development is far too big for the area – it should have some tweaks in comparison to the previous application. All other properties on that side of the road do not exceed 2 floors. Imposing development, will be out of character and scale to adjacent housing. Overdevelopment of site. Unsightly and out of place in suburban area.

Officer Comment: *The scheme has been reduced in size overall since the previous scheme. The design has also changed since the previous iterations to provide a scale which is more akin its surrounding context.*

Junction/surrounding area is already congested further development will exacerbate this, especially with schools nearby, which increases danger for cars and pedestrians. Parking is constrained in the area, including Alexandra Close, and number of parking spaces proposed will be inadequate, thus parking issues will be exacerbated. Not convenient for train stations.

Accidents are common with cars pulling out of Sandringham Crescent, this will worsen the situation. Accidents caused by heavy traffic elsewhere near the junction / near the school, which would be exacerbated. Bad behaviour by drivers (e.g. jumping red lights) is dangerous.

Traffic issues exacerbated by construction at other nearby sites. Would cause disruptions to bus service as it is on a bus route.

Tweaks to the development do not take away from the impacts on the junction.

Officer Comment: *The proposed level of car parking is compliant with relevant policies, and consistent with local census data on car ownership for flats. External issues affecting traffic safety such as individual driver behaviour and accidents/activity at other locations are outside the scope of the application and outside the control of the developers.*

There is a problem with not enough waste bins on the existing site.
There are problem with waste at a different site.

Officer Comment: *Should the proposal be granted, the existing site and waste storage would be replaced with a more suitable waste storage system which meets the Council's waste/recycling code. Issue related to waste at a separate site are not a material planning consideration.*

Proposal would block light and overshadow neighbouring properties, and would deny them privacy.

Officer Comment: *A Daylight/sunlight report has been provided which demonstrates that the proposal would not result in impacts that would exceed accepted standards. Measures to protect neighbouring privacy have been implemented which include obscure glazing of windows and recessed balconies.*

Not clear if it provides maximum reasonable level of affordable housing, as per London Plan policies. No family units. More social housing and/or affordable flats needed, not private/rented/overly expensive properties.

Officer Comment: *The applicant's submitted viability information has been independently assessed on behalf of Harrow Council, which has confirmed the proposal could not viably provide affordable housing units. The proposal has therefore complied with the relevant policies relating to provision of affordable housing.*

The proposal includes 2 and 3-bed flats, thus does provide for family sized units. Social housing provision is outside the scope of this application.

Ground floor flats would be vulnerable to burglary.

Officer Comment: *The development will be subject to a condition for Secure by Design Accreditation, and will therefore be able to provide a better level of security than the existing houses on site.*

Flats facing the road will lead to residents inhaling pollution and putting greater strain on NHS, which is not addressed by the applicants.

Officer Comment: *An Air Quality Assessment has been submitted with this application, which demonstrates that the proposed development would be air quality neutral with respect to traffic generated by the site. Pollution from sources outside the site /development is outside the scope of the application and outside the control of the developers.*

Previous application was refused due to garden land issues, which also applied here.

Officer Comment: *The Garden Land issues have been addressed within this application (see section 6.2.4)*

Applicant should not be allowed to keep applying.

Officer Comment: *The national legislation governing the submission of planning applications allows developers to re-apply without restriction provided that new applications are materially different. The Local Planning Authority has a legal duty to consider the application.*

4.5 Statutory and Non-Statutory Consultation

4.6 The following consultations have been undertaken, together with the responses received and officer comments:

LBH Highways

Alterations are required to the existing vehicle crossings which can be undertaken by the applicant via a highway agreement. Details of the proposals should be submitted prior to commencement of work on-site.

This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, subject to a pre-commencement conditions for a detailed construction logistics plan and cycle parking details, Highways have no objection.

Comments to amended plans: No additional comment on this amendment

Officer Comment: *The suggested conditions / obligations would be attached to any grant for permission.*

Drainage

No objection subject to conditions

In line with our Development Management Policy DM10, to make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures used, the applicant should submit a surface water drainage strategy.

- The applicant should submit drainage details in line with our standard requirements attached.
- The applicant should consult Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk regarding capacity of their public sewers for receiving additional discharge from the proposed development. The Thames Water confirmation letter should be submitted.

Proposed Parking/Hardstanding:

The use of non-permeable surfacing impacts upon the ability of the environment to absorb surface water, and hard surfacing of the front gardens and forecourts lead to localised surface water flooding. Hence the requirement for surface water to be contained within site and discharged to ground via the use of permeable paving or other suitable options.

Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval

Please be informed that the requested details can be conditioned with our standard pre commencement drainage conditions/informative mentioned below.

Officer Comment: *This will be secured by condition following consent.*

Waste Management Policy Officer

No comments received

Urban Design Officer

The reduced massing of this design iteration over previous proposals for the site is welcome. Pulling development away from the boundary with the rear garden of No. 141 Eastcote Lane is supported and locating servicing, parking, cycle and refuse stores away from the junction to the southern edge of the site is logical and appropriate.

The inclusion of dwarf walls, doors and garden space to east and south shoulder massing is highly positive, offering passive surveillance and frontage activation

and providing more suburban dwelling-like forms to flank the central corner massing element.

While the servicing strategy is noted, clarification as to how a typical delivery vehicle would serve proposed units is required in plan form. It would be preferable for the proposed cycle storage to be located within the footprint of the building. Additionally, the location of the store conflicts with the use of the amenity space. If the store was rotated through 90-degrees to be located on the site of the tree adjacent to parking space four, this would reduce unnecessary travel distance and remove this conflict.

Similarly with refuse storage, this should be located within the building footprint as opposed to a standalone store in the landscape, being highly visible from the main external access to the development.

Comments to amended plans: There is no concern with the removal of 1 no. storey, provided detailed design avoids an abrupt termination of the massing element. The amended design details as presented appear satisfactory.

There are minimal visible changes to floors below other than this removal.

Officer Comment: *Appropriate landscape and materials details will be secured by way of condition to ensure that the development achieves a high quality.*

Tree Officer

No objection subject to conditions.

The proposed development would necessitate the removal of 19 trees, 1 tree group, 8 hedges and 5 shrubs groups. In addition, all existing internal hedging would be lost, including mature private and hawthorn hedge groups on the frontage, and which currently provide decent natural screening on what is a constantly busy main road and junction.

The London Plan, Policy G7 (Trees and Woodland) states that existing trees of value should be retained ... if planning permission necessitates the removal of trees there should be adequate replacement planting ... and planting of additional trees particularly large-canopied species..”

There should be a presumption in favour of retaining and integrating existing mature trees on development sites. Although not highly visible from outside the site, the existing trees do have value and provide greenery in an otherwise urban and car-dominated landscape. The level of tree loss is unfortunate and it is a pity that none of the existing mature hedging could be retained / utilised. Proposed new planting is to include diverse species mix, and trees of varying size and form – all of which is welcome. New hedging should match that of the existing, mixed native species would be in keeping with the area.

The number of new trees proposed is 18 vs a total of 19 trees removed (not including tree group, hedges and shrub groups). This seems inadequate and new planting should be like-for-like numbers, as a minimum. If space onsite doesn't allow then is there scope for offsite planting, or within the nearby grassed verge, as this would allow for large canopied species trees.

The parking bays appear to be shown in green, as if part of the outdoor space; grasscrete is more concrete than it is grass, so this is somewhat misleading. A suitable cellular system / gravel should be used instead

Since all internal trees are to be removed under the scheme, it may not be necessary to condition a tree protection plan / method statement – details of new trees, hedging, species, size etc can be included as part of the landscape proposals. A contribution to the ongoing Green Grid work in this area would be an appropriate solution. This should be secured by way of S106.

Officer Comment: *Detailed landscape and tree plans would be secured by way of condition. Revised landscaping details include an increase in the number of trees and the retention of 1 no. oak on site. Therefore a condition for a tree protection plan is attached, as well as the S106 obligation for the off-site tree contribution.*

Landscape Officer

No objection subject to conditions.

This submission has been subject to previous submissions and preapplication advice. The LPA's recommendations for landscape have been incorporated within the current scheme and the layout appears to be well thought out and achievable, being both functional and attractive for future residents. Subject to conditions and appropriate detail, the landscape should complement this development.

The proposed native hedges, mixed native and single species, native yew planting would be acceptable. The hedges would require regular maintenance to ensure the height and spread were controlled sufficiently, rather than allowing the plants to spread too far and become wild and overgrown. The native planting is a welcome addition which would help to enhance the biodiversity.

The intention to retain T16 Oak is welcomed and the proposal for 6 additional trees on the site and 5 offsite trees, to be planted in the verge. The revised masterplan with the additional trees will show if there is sufficient space and how realistic the additional on site trees are, particularly trees close to the building. There may be insufficient space adjacent to the façade for 5 plane trees; there appears to be space for 4 trees in this verge, but there is space in the verges to the south.

The proposed offsite planting of 8 plane trees along Alexandra Avenue is welcomed, with the detail of the final locations to be agreed and would be subject to underground services, ensuring the locations are appropriate.

Off site species rich grass is noted on the John Davies Landscape GA drawing number PL01 revision date 12/12/2022, attached.

Green roofs are noted, but further detailed information required on the biodiverse roofs including how the flat roofs would be accessed for management and maintenance is required.

The bin store collection point will require careful detailed design to prevent car parking in this area.

A Landscape Management Plan outline has been provided with the aims, phasing, irrigation and general management and maintenance. This provides sufficient information at this stage and the further detail required can be covered by conditions.

Officer Comment: *Appropriate landscape and landscape management conditions will be secured by way of condition to ensure that the development provides high quality replacement greening.*

Biodiversity Officer:

No objection – subject to conditions

The applicant has submitted an updated Preliminary Ecological Appraisal and (belatedly) a report in relation to the findings of a recent bat roost emergence survey, together with an Urban Greening Factor evaluation and arboricultural report.

With regard to the submitted evidence, there are a number of concerns re: details of the submitted reports.

Comments to revisions:

The expectation in Harrow will be for a minimum of 20% appropriate gain over baseline in order to satisfy the requirements of DM21. There shouldn't be an issue with satisfying this by adding further trees (of appropriate species) and covering the cost of their maintenance by the Council for a minimum 30 year period subject to appropriate S106 arrangements.

The applicant has responded to officer comments with regard to trees, landscaping and biodiversity matters.

In general, the scheme now proposed would make good use of the site whilst providing appropriate greening and gain for biodiversity.

However, information about the green/bio-solar roofs is somewhat confusing at present. There are very definite expectations with regard to the composition of a bio-solar roof yet the applicant is referring to the use of Sedum, which will generally only be acceptable for small installations where roof-loading is a constraint. We can't be certain about the acceptability of the proposals or the BNG contribution until we have this. (BNG uplift should now be over what's required but there is also a requirement for the replacement of trees with the same or more distinct habitat – requiring offsetting) It should be possible to address this via condition, however.

Offsite: The proposed off-site trees form part of the mitigation/BNG provision required to meet DM20/DM21 contributions and any offsite provision will need to be fully funded for a 30+-year period. The Council would otherwise be creating burdens for itself to facilitate what is otherwise unacceptable development.

There are no in principle grounds for objection but any grant of planning permission should be subject to recommended conditions.

Officer Comment: *Suitable conditions to address the issues above have been attached.*

Fire Consultant:

As the development will have an evacuation lift hard wired communications should also be provided in the refuge, there is no mention of hard wired communication anywhere in the fire statement.

The operation of the evacuation lift is proposed to be automatic operation or remote assisted. As we know the guidance for the operation of an evacuation lift via an automatic interface is only contained in draft guidance and draft guidance should not be considered as the final document might not include this detail. The second operation, that of remote assisted evacuation is completely unacceptable.

Officer Comment: *An updated Fire Strategy was submitted, but does not fully address the above comments. A condition requiring a detailed Fire Strategy to be reviewed and agreed in writing by the Council's Fire Consultant and in line with London Plan Policy D12 is recommended.*

Energy Comments

No objection subject to conditions and obligations

The Energy & Sustainability Statement is considered acceptable. Any permission should be conditioned to require the development is undertaken generally in accordance with the statement. S106 planning obligations should be secured to require payment of the carbon offset contribution prior to the

commencement of development, with the final carbon emissions verified through the submission of the Building Regulations 'As Built' Part L calculations upon completion of the development and any required 'top-up' offset contribution paid at the rate of £2,850 / tonne of carbon (£95/tonne/year x 30 years). Obligations securing compliance with the Mayor's 'Be Seen' guidance and safeguarding for future connection to a district heat network should also be included in any S106 agreement.

Comments to revisions: Whilst the Energy Strategy remain acceptable, it is noted that it is unclear if the number of solar panels has been reduced. The applicant has not updated the information (including emissions to be offset / contribution to reflect the reduced height). Harrow's standard approach is to base the carbon offset contribution on the figure identified during the application and for this to be paid prior to commencement, followed by verification of actual emissions via As Built calculations, with an additional payment required. However, contributions cannot be refunded if greater emissions have been achieved as we will have already committed the contributions to offset measures. In this case, emissions required to be offset are likely to be lower than that stated in the energy strategy due to the loss of units but this won't be picked-up in the standard S106 agreement / process.

Officer Comment: *The carbon offset contribution will be secured by way Section 106 obligation and a condition requiring conformity with an amended Energy Statement will be added.*

Planning Policy:

- No additional comments to amendments on the principle of the development.
- Any s106 agreement will require early and late stage reviews

5 POLICIES

5.1 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.'

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government's planning policies for England and how these should be applied and is a material consideration in the determination of this application.

- 5.3 In this instance, the Development Plan comprises The London Plan 2021 [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].
- 5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Affordable Housing, Mix and Tenure
- Character of the Area and Design, Landscaping and Trees
- Residential Amenity
- Traffic, Parking and Servicing
- Flood Risk and Drainage
- Ecology and Biodiversity
- Energy and Sustainability
- Fire Safety
- Air Quality
- Planning Obligations and EIA Screening

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.A of Harrow's Core Strategy (2012)
- London Plan Policies H1, and H2
- Garden Land SPD

Principle of Redevelopment for Residential Use

- 6.2.2 Having regard to The London Plan (2021) policies H1 and H2 and the Council's policies and guidelines, it is considered that the proposal would not result in the loss of housing and is therefore not contrary to housing growth objectives.
- 6.2.3 In accordance with Policy H8 of The London Plan the loss of the existing homes is acceptable as it is being replaced by new housing at the same or a higher density.

Garden Land

- 6.2.4 There is a general presumption against 'Garden Land Development' within Harrow. The development would take place on garden land as defined by the Garden Land SPD (GLDSPD) by virtue of being, in part, on the 'garden of a house'.
- 6.2.5 Notwithstanding that the redevelopment takes place on garden land, the proposal is not considered to comprise 'garden land development' as the SPD permits 'the redevelopment of an existing dwelling to provide a replacement dwelling on the same building footprint, plus any appropriate enlargement'.
- 6.2.6 Appropriate enlargements are defined as
- i. the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or
 - ii. the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.
- 6.2.7 The recent appeal decisions (APP/M5450/W/19/3224655 & APP/M5450/W/19/3243513) at the site notes that both previous schemes provided an appropriate enlargement calculation which was "*somewhat flawed*" as firstly, the existing footprint had included an outbuilding which is specifically excluded under paragraph 3.7(i) of the GLDSPD and secondly the total footprints had been derived from adding together the footprint of what could be approved under both permitted development and Residential Design Guide SPD. However, paragraph 3.7(i)(ii) makes it clear that an appropriate enlargement would be the larger of either of these, not a combined total.
- 6.2.8 Following the appeal decisions, the current application seeks to rectify this and the footprint proposed has now been limited to what would be allowed only under permitted development i.e. under criteria (i). This is because all three bungalows benefit from prior approval for larger home extensions and therefore what could be achieved under permitted development would amount to the larger area. On this basis the maximum footprint which is considered an appropriate enlargement would be 556sqm. The proposed development does not exceed this footprint and as such the proposed development would not constitute Garden Land development and would be considered acceptable. The table below compares the footprint of all three schemes.

Table 1: Comparison of previous schemes

	Footprint	No. of units / dwellings	Decision
Existing Bungalows	252 sqm	3	N/A
Planning Ref:			
P/1180/18	660 sqm (850 sqm including FF overhang) ¹	31	Refused under delegated authority & Dismissed Appeal
P/2156/19	625 sqm	26	Refused at Planning Committee & Dismissed Appeal
P/2844/22	556 sqm	20	Under consideration

6.2.9 As the proposed development complies with the requirements of the SPD inasmuch as they relate to establishing a building envelope, the footprint of the development is considered acceptable, and is therefore considered to comply with the 'appropriate enlargement' requirements of the Garden Land SPD.

6.3 Affordable Housing, Mix and Tenure

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.J of Harrow's Core Strategy (2012)
- London Plan Policies H4, H5, H6
- Harrow Development Management Policies (2013): DM24, DM50
- Supplementary Planning Document: Planning Obligations and Affordable Housing

6.3.2 Affordable Housing is detailed in the National Planning Policy Framework (2021) as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the definitions within the following: affordable housing for rent, starter homes, discounted market sales housing or other affordable routes to home ownership (including shared ownership).

¹ Whether the overhang constituted footprint was a point of contention at the Planning Appeal. Although The Planning Inspectorate did not provide a view on this specific matter, the original scheme was deemed Garden Land.

- 6.3.3 The proposed development triggers an affordable housing requirement as it constitutes a major residential development. Policy H4 of The London Plan sets out a strategic target for 50% of all new homes delivered across London to be genuinely affordable. The policy also specifically requires that 50% of the quantum of housing is delivered as an affordable product on public sector land.
- 6.3.4 Having regard to Harrow's local circumstances, Policy CS1(J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites. In terms of dwelling mix, London Plan Policies makes reference to the priority that should be accorded to the provision of affordable housing. Policy DM24 of the Development Management Policies requires development proposals to secure appropriate mix of housing on site and to contribute to the creation of inclusive and mixed communities, having regard to the target mix for affordable housing set out in the Councils Planning Obligations SPD. Considerations include the priority to be afforded to the delivery of affordable family housing, the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.
- 6.3.5 In terms of tenure split, Policy H6 of the London Plan requires a minimum of 30% of homes to be affordable rent or social rent, 30% to be intermediate products which meet the definition of genuinely affordable housing, and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products. At a local level, Harrow's planning obligations require that the Affordable units are split by tenure: 60% London Affordable Rent (LAR) to 40% London Shared Ownership / Intermediate (LSO).
- 6.3.6 The applicant submitted a Financial Viability Assessment (FVA) prepared by Turner Morum which concludes that proposed development would be unable to viably provide any affordable housing. Upon the revision of the proposal to remove the top floor and reduce the number of units to 18, an Addendum report was provided. The LPA procured JLL to independently review both the original and addendum Turner Morum reports. Based on their review of both reports, JLL concurred with the view that the scheme would be unlikely to deliver any affordable housing, on the basis that a scheme providing 35% affordable housing would result in a deficit. Furthermore, even when testing a 100% private rented scheme the results show there would still be a deficit, which would mean that no affordable housing could viably be delivered. JLL have stated that there are some differences in opinion in relation to individual inputs including the Benchmark Land Value, Affordable GDV, Construction Costs and Profit on GDV (private). However, JLL have confirmed that notwithstanding the difference in some values, the conclusion is the same that the proposal cannot viably deliver affordable housing at this site.

- 6.3.7 The Council's policy officer has reviewed the viability reports and reviews, and also concurs with the approach, assumptions / inputs and conclusions within the JLL report. The conclusion that the 18 unit scheme has a deficit at 100% market reflects the loss of eight units from the previous 26 unit scheme, which was marginal / modest surplus at 100% market housing. There is still however a positive residual land value and the sensitivity testing indicates the scheme becomes 'fully' viable with modest decrease in construction cost (5%) and increase in GDV (5%), so despite the scheme being in deficit, it is deliverable.
- 6.3.8 On the basis of the above, it is recommended that a review mechanism be sought to enable capture of deferred obligations if values and costs change during the delivery and completion of the development and as such an early and late stage review mechanism would be secured by way of Section 106 obligation. This has been included within the heads of terms for the scheme, which would ensure full compliance with the Council's Affordable Housing policy. Whilst the proposed development would not deliver affordable housing, the review mechanism as part of the heads of terms would safeguard any future provision should the scheme become viable if development and cost conditions change. The scheme would on balance meet the strategic housing aim for the borough and accord with policy H4 of The London Plan (2021), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Housing Mix

- 6.3.9 The London Plan policy H10 encourages new development to offer a range of housing choices in terms of mix and housing sizes and types. This is reinforced by Core Strategy Policy CS1 which requires new residential development to promote housing choice to meet local needs and to maintain mixed and sustainable communities. Development Management Policy DM24 states that "the appropriate mix of housing will be determined having regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land."
- 6.3.10 It is noted that the proposed development seeks to deliver 2 x 3 bed, 10 x 2 bed and 6 x 1 bed units. Whilst the Local Planning Authority is unable to prescribe a housing mix for market sale dwellings, it does seek to ensure there is an appropriate housing choice delivered within a scheme, which is in part informed by local evidence base. It is noted that the proposed housing mix is provides a suitable mix of 2 and 3 bed units suitable for families and as such the application would provide housing choice and a meaningful addition towards the Borough's housing stock.

6.4 Character of the Area and Design, Landscaping and Trees

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D11
- Harrow Development Management Policies (2013): DM1, DM22, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

Planning Policy Context

6.4.2 Harrow Council is in the process of progressing a Building Heights Supplementary Planning Document (SPD), which will provide further guidance to Policy DM1 (Achieving a High Standard of Development) of the Harrow Development Management Policies Local Plan (2013). The Building Height SPD is intended to assist applicants in determining what would constitute a contextually tall building across Harrow. The Building Heights SPD would not conflict with the requirements as set out in Policy D9 (Tall buildings) of the London Plan (2021). The Building Heights SPD has not been through formal consultation, and is therefore still at a very early stage in the preparation of the document. By reason of this, no weight is able to be given to the SPD. The proposed development would not constitute a tall building as defined by the London Plan (2021) and no policy analysis has been undertaken by the Council to deem the proposed development contextually tall. Notwithstanding this, an assessment of scale and mass (including building heights) has been conducted against all adopted and relevant guidance.

Context

6.4.3 Three bungalows currently occupy the combined site and it is considered that there is scope to add increased density at this location whilst ensuring provisions set in the Garden Land SPD are met, and that any development is not to the detriment of the wider suburban character of the area. Within the appeal decision the Planning Inspectorate acknowledges the differing scale of development between the northern and southern sides of Eastcote Lane, stating that *“it can also be said that development on the north side of the junction, where The Matrix and a parade of shops with residential accommodation above are located, is of a broadly higher density than the residential development located on the southern side of the junction”* (Where the application site is situated).

Scale and Massing

- 6.4.4 In terms of scale and massing, paragraph 8 of the appeal decision goes onto to state: *“Both appeals are for a four-storey residential development. Development of this scale would be out of character with the overriding context of the site which is predominantly two storeys or lower. Added to this is that the side of the junction on which the site is located (the south) is arguably less dense and more suburban in character than the north side, which would further add to the incongruity of a four-storey development here. In design terms there is nothing before me in either proposal that would overcome my concerns in this respect.”*
- 6.4.5 The proposed development comprises a three storey building comprising 18 units. The reduced massing and height are welcomed compared to previous iterations, and the reduction in height is considered to be consistent with the Inspector’s comments cited above. The three storey development height is considered in keeping with the surrounding suburban context. There is also a set back of the sections of the third storey on the southern and eastern wings, closest to the existing adjacent residential properties, to reduce the massing further.
- 6.4.6 This massing on the shoulder of the development to the eastern and southern wings, at three storeys with a set-back, ensures that the development would relate well to the suburban character of Eastcote Lane and Alexandra Avenue. These benefit from a partially hipped roof design to further lessen the prominence of this third storey. The transition between the three storeys of the east shoulder massing and No. 141 Eastcote Lane is considered to be particularly successful. The images below show how the proposed scheme has evolved to the current proposal which is considered to be more compatible with the surrounding context.

Figure 1: Design-led comparison between the current and previous schemes





P/1180/18



P/2156/19

P/2844/22

- 6.4.7 The above demonstrates a notable change in building footprint, larger separation distances with the adjacent property and a development more akin to its surroundings and the footprint is efficient and well-rationalised as a single block with minimal projections and the use of inset elements serving primarily to disguise massing. The chamfering of the built form to the north-east corner of the site is successful in creating a softer termination to this corner and referencing Matrix House and the existing parade to the north. The language of chamfering is continued for the third-floor roof form, creating cohesive built form. In referencing The Matrix the Planning Inspector stated *“it is the only four-storey building in the immediate vicinity of the junction. That being said, it occupies a bigger site than the appeal site. The Matrix is also chamfered on the junction with a wide pedestrianised area to the front which creates space between the building and the highway. The proposals before me, however, both propose four storeys in far closer proximity to the highway.”* The current scheme sought to address the issues raised by the Inspector, by reducing the height and mirroring the chamfering along the junction. Furthermore, the chamfering of the north east corner offers a far more inviting and less intrusive development, and would offer greater opportunity for greening making a positive contribution to the streetscene.

Design and Layout

- 6.4.8 Most of the ground floor units are dual aspect (five of six) and feature sufficient and well-defined defensible space to their frontage, with adequate planting buffers to street-facing units. Amended plans show buffer planting to the courtyard facing units as well. Details of the buffer plantings will be secured by way of planning condition. The first-floor layout is generally acceptable with the majority (five of six) being dual aspect units and the second floor units would be dual aspect. Revisions were submitted to reduce the number of east facing windows to Units 11 and 17 and provision of screening to south facing balconies to units 11 and 12 to reduce perceived and general overlooking issues to rear gardens of Nos. 141 and 139. The stair well features a good amount of natural light and the lobby arrangement with plant and meter rooms either side is logical and supported.
- 6.4.9 Entrances have been provided along Alexandra Avenue offering street frontages to west facing ground floor units which would provide active frontages and offer passive surveillance of the street. The remaining units would be accessed by a single core at the junction of Alexandra Avenue and Eastcote Lane. Secure by Design Officers requested the removal of outdoor seating and provision of brick walls and railings boundary treatments to the front to align with the wider street scene. Revised plans reflect these changes, however, it was not possible to attain confirmation from the Metropolitan Police as to acceptability of the revised drawings. In addition, the proposed wall and railings are 2.2m high, which is considered excessive in height, in terms of design and the relationship between the street and the property. While the removal of internal seating is not considered strictly necessary for a private garden area, the removal of the benches has allowed for extra tree planting which is a net benefit. Revised details for the boundary treatment which strikes a good balance between security and an appropriate relationship between private and public realms has been included as part of the landscaping condition. Furthermore, a condition to ensure that the development achieves a Secured by Design accreditation to ensure measures are in place to reduce opportunities for crime and disorder is recommended.

External Appearance, Composition and Materiality

6.4.10 It is considered that the principal elevations are generally highly successful with a high degree of visual interest and logical and gridded fenestration. Architectural features like arched openings to the chamfered elevation and the use of stack-bonded brick work are particularly positive and contribute to a rich sense of architectural detail. Furthermore, it is considered that the materials used are positive and complementary with one another. The tonal relationship between standing seam, balustrading and gates is positive and the use of red brick, pigmented concrete and red zinc as principal external materials is supported. The north and west street elevations are successful and revisions to the eastern elevation to reduce window openings is now considered acceptable. Details of the external materials are required by way of an appropriately worded conditions.

Access

6.4.11 New designated entrances would be provided for vehicles, pedestrians and cyclists to serve the development. Access to the development can be gained from both Alexandra Avenue and Eastcote Lane. The main pedestrian entrance is at the northwest corner of the site along the frontage, although there is a secondary access via Alexandra Avenue to the cycle store, refuse area, car park, play space and communal garden.

6.4.12 The main car park is located at the rear off Alexandra Avenue utilising the existing access which currently serves 172 Alexandra Avenue. This would be gated and would also provide for one blue badge space. The second blue badge space is located at the front of the site and accessed via Eastcote Lane. Short stay cycle parking is provided for at the front of the site whilst cycle parking serving the residents would be located adjacent to the car park to the rear. It is noted that the urban design officer has raised concern with the location of the cycle store as it would conflict with the use of the private amenity space; however, given the layout of the rear garden area, it is considered that alternative locations would likely be more unsuitable. Details of the materials for the cycle storage are required as part of the landscaping condition.

Bin Store

6.4.13 The bin store is proposed at the rear of the property. It is noted that internal refuse stores are preferable however it is also noted that servicing can take place easily on Alexandra Road via a single access, with the exception of Unit 1 which is serviced separately from Eastcote Lane. This arrangement on balance is considered acceptable. The number of bins is also sufficient for the development.

Landscaping and Trees

- 6.4.14 The existing forecourts of all the properties are comprised of predominantly hard surfacing, albeit they contain large hedging to the front with soft landscaped gardens to the rear. The provision of soft landscaping to the front forecourt of the proposal is broadly acceptable and would offer additional defensible planting which would mitigate the impact of three car parking spaces to the front. The design of the entrance area has been revised to create a more rationalised pathway and allow for more planting to the front, which is welcome.
- 6.4.15 Policy G7 (Trees and Woodland) of the London Plan states that existing trees of value should be retained ... *“if planning permission necessitates the removal of trees there should be adequate replacement planting ... and planting of additional trees particularly large-canopied species..”* To the rear the tree and landscape officer notes that the removal of 19 existing trees as a result of the development would be regrettable, including one good quality category ‘B’ rated tree (walnut) although the remainder of the trees to be removed are lower quality C and U category. Notwithstanding this, it is noted that the newly designed landscape scheme would provide 14 trees within the site boundaries, plus retain the existing B category oak tree (T16), together with new hedging and a varied planting scheme. In addition, 8 trees will be provided off-site, along Alexandra Avenue, for a total of 1 retained tree and 22 new trees. It is also considered that the sinuous curves on the linear communal amenity space have created a good and interesting use of space, with gentle landforms, and play elements together with tree, shrub and herbaceous planting and a rain garden swale. Some of the proposed planting is native together with wildlife friendly ornamental plants, which would help to enhance the biodiversity. Additionally, there is green softening along the frontages which would enhance the streetscene and defensible space, with hedge planting and walls around the building.
- 6.4.16 The use of grasscrete in the car park was considered unacceptable. This has been amended in revised plans, to hardstanding. Details of the hardstanding, which must be permeable, will be dealt with by way of a condition. It is noted that green roofs are proposed with photovoltaic panels. Details of these would also be secured by way of condition.
- 6.4.17 The proposed landscape masterplans and proposals are considered to be broadly acceptable at this stage given that they would comprise a generous landscaped forecourt on the principle elevation fronting Eastcote Lane and a large expanse of amenity space to the rear and also to the boundary facing onto Alexandra Avenue (comprised of private gardens for some of the ground floor flats which would also provide for defensible space). Subject to the recommended landscape detail conditions and proposed boundary treatments for the entire site this element is considered acceptable.

6.4.18 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the wider area and is of an appropriate design. Additionally, the proposed landscaping and impact on trees is acceptable subject to appropriate conditions.

6.5 Residential Amenity

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D5, D6 D7, D14, S4
- Harrow Development Management Policies (2013): DM1, DM2, DM27
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016)
- Mayor of London Play and Informal Recreation Supplemental Planning Guidance (2012)

Impact of Development on Neighbouring Amenity

6.5.2 The most likely affected neighbouring residents of the development would be at Nos. 141 and 139 Eastcote Lane and Nos. 170 & 172 Alexandra Avenue. The proposed development would introduce a 3 storey building to the application site. The applicants have provided a Daylight / Sunlight assessment which was based around the originally submitted design including a 4-storey element at the junction. This report reviewed the potential impact of the proposed development on neighbouring occupiers. In terms of daylight, the report identified habitable rooms of the nearest sensitive receptors along Eastcote Lane, Alexandra Avenue and Alexandra Close. The results show that impact on the daylight to all habitable rooms of the 17 properties tested would be negligible albeit there would be a small reduction which is unlikely to be noticeable. Although the proposal has been modified by the removal of this 4th floor element, this has reduced the height and mass of the development, and new mass has not been added elsewhere. The potential for overshadowing and impacts on light to neighbouring properties has thus been further reduced. Therefore, the conclusions of the Daylight and Sunlight report hold with respect to the amended development design.

6.5.3 With respect to the impact of the proposed development on the sunlight to neighbouring properties, whilst there would be some reductions in the number of probable sunlight hours enjoyed by these windows/rooms, these would be within the prescribed limits of the BRE Guidelines. The report also indicates that the amenity areas of neighbouring properties would not experience any change to the sunlight levels they currently enjoy.

141 Eastcote Lane

- 6.5.4 The proposed development would maintain a distance of approximately 3.9m to the flank of no. 141 at its closest point, which has increased by just under 1m since the previous scheme (P/2156/19). The existing bungalow at 143 Eastcote Lane already projects forward of No. 141 Eastcote Lane, whilst the proposed development would reflect the existing building line it would not impinge the 45 degree code from the front edge of No. 141. Furthermore, the third storey would be set back from the main front elevation by 1.8m. This would essentially align with the front building line of neighbouring properties further east along Eastcote Lane and would therefore not be highly visible from that side. To the rear, the proposed development would project approximately 3.4m beyond the rear building line of No. 141. Whilst this is 0.4m deeper than the previous scheme, this has been mitigated by the increase in separation distances, reduction in height and mansard roof form which would offer further visual relief on that side. Furthermore, the depth to the rear would comply with the Council's horizontal 45-degree code.
- 6.5.5 With regards to privacy, all the side facing windows at first and second floor levels located in the front wing of the development would be secondary windows which can be conditioned to remain obscurely glazed. The balconies for the units closest to no. 141 would be entirely screened due to their being recessed within the building envelope. In this regard, it is not considered that there would be any loss of privacy on that side. Moving south along the building, the side facing windows within the recessed / central part of the development are non-habitable and would serve the stair core. The remaining windows on the eastern elevations have been reduced in size and number as a result of urban design comments. Whilst these would serve habitable rooms the separation distances at this point would be over 10.5m which would ensure there would be limited loss of privacy and perceived overlooking. It is also considered that the relationship with neighbouring gardens in these situations given the suburban character is not uncommon, particularly as these windows would not face any habitable rooms of the neighbouring properties. In light of this, it is considered that the living conditions of those neighbouring occupiers would not be unacceptably harmed.

Impact to Nos. 170 & 172 Alexandra Avenue

- 6.5.6 The closest property to the south-east of the application site is a semi-detached property containing maisonettes (Nos. 170 & 172 Alexandra Avenue). Due to the orientation of this property (to the north of nos. 170/172), it is considered that the proposed development would not result in undue impacts in terms of outlook, daylight sunlight or overbearing. This is reinforced within the submitted daylight/sunlight report. Since the previously refused scheme, projecting balconies have been introduced, however the separation distance to the boundary has been increased to 20m, which is consistent with suburban areas. Given this, and given that the south-east elevation of the proposed development would face the flank elevations of these properties, the relationship is considered acceptable in terms of privacy and overlooking. For

these reasons, it is considered that the proposed development would not result in a harmful impact to the amenities of nos. 170 & 172 Alexandra Avenue.

Surrounding Developments

- 6.5.7 The separation distances of between 30-50m from the other adjacent properties, including the residential units above the shopping parade opposite, the recent Matrix Development, and No. 147 Eastcote Lane on the opposite side of Alexandra Avenue are considered to sufficiently mitigate any significant detrimental harm caused in terms of amenity.

Noise & Disturbance

- 6.5.8 The greatest generation of noise and disturbance from the proposed development to neighbouring properties would be from the additional level of car parking proposed. Whilst there would be three parking spaces to the front of the site, this is not considered to generate additional noise and disturbance over and above the existing situation given its location to the busy junction and existing vehicular movement pertaining to No. 143 Eastcote Lane which benefits from off-site parking for up to 2 cars. Similarly, to the rear of the site, the existing crossover would be utilised to provide access to the private car park for the development, which would accommodate up to 8 car parking spaces, which is approximately 5-6 cars more than the existing situation. In previous comments made by the Council's Environmental Health Officer it was stated that whilst there would be an increase in vehicular movement throughout the day, this is unlikely to be detrimentally harmful given the existing noise and disturbance from the busy highway network directly adjacent. However, a condition requiring acoustic fencing on the rear boundary of the site would ensure any additional noise caused by the car park and deliveries to the rear would adequately safeguard the amenity in particular to Nos. 170 and 172 Alexandra Avenue.

- 6.5.9 Based on the above, it is not considered that the proposal would cause significant undue harm to the neighbouring residential amenity in accordance with policy D6 of The London Plan (2021) and policy DM1 of the Harrow DMPD (2013).

Future Occupiers – Internal Configuration and Quality of Accommodation

- 6.5.10 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, 'housing development should be of high-quality design and provide adequately-sized rooms with comfortable and functional layouts'. It also sets out the minimum internal space standards for new dwellings. 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. The National Technical Housing Standards provide additional detail.

Room Size & Layout

- 6.5.11 The internal floor areas would meet and exceed the minimum space standards as set out within the Mayors Technical Housing Standards – Nationally described (2016) and The London Plan (2021). The table below sets out the area schedule for the proposed development. The floor plans provided indicate that the stacking arrangements would generally place habitable rooms above similar rooms and the same would apply for non-habitable rooms. The London Plan also seeks 2.5m floor to ceiling heights for 75% of the Gross Internal Area (GIA), the development provides a minimum of 2.5m floor to ceiling heights on all levels.

Dual Aspect

- 6.5.12 The Mayor's Housing SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy DM1 Achieving a High Standard of Development undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers. The majority of units would be dual aspect amounting to 16 of the 18 units, approximately 89%, which would be acceptable. An acceptable level of daylight and outlook would also be experienced by all habitable rooms thereby ensuring that the quality of internal accommodation would be acceptable.

Table 2: Area Schedule

AREA SCHEDULE						
FLOOR	FLAT	Type	PROPOSED NIA		PROPOSED GIA	
			NIA m2	NIA ft2	GIA m2	GIA ft2
GROUND	1	2B4P*	87.6	943	501.8	5,401.3
	2	2B3P*	70.9	763		
	3	2B4P	70.1	755		
	4	1B2P	50.2	540		
	5	1B2P	50.8	547		
	6	2B3P	68.4	736		
FIRST	7	2B4P	74.4	800	469.1	5,049.3
	8	1B2P	53.9	580		
	9	2B3P	60.4	650		
	10	1B2P	50.0	538		
	11	3B4P	80.1	862		
	12	3B5P	88.8	956		
SECOND	13	2B3P	69.4	747	439.7	4,732.9
	14	1B2P	53.7	578		
	15	2B3P	62.4	672		
	16	2B4P	73.8	794		
	17	2B3P	64.8	698		
	18	1B2P	54.7	589		

Play Space

6.5.13 Policy S4 of the Mayor’s London Plan seeks to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sqm. per child. The proposed development will make provision for play space for children, in particular for those falling within the age group of 0-5 years in the communal amenity space to the rear of the building. This would include, indicatively, natural play features. The play space would be approximately 80sqm. The GLA’s child yield place space calculator generates a yield of 7.5 children for all age groups (including a yield of 4 children for ages between 0-5) for this development and would therefore require a place space provision of 75.2sqm based on a provision of 10sqm per child.

Private and Communal Amenity Space

6.5.14 The Mayor’s Housing SPG requires a minimum of 5sqm per 1-2 person dwelling and an extra 1sqm for each additional occupant. All ground floor units would have their own private garden space (in excess of the minimum required size) and the upper floor units would have balconies which would meet or

exceed the required standard recommended in the SPG. In addition, there is a large communal garden to the rear which would provide external amenity space and play space (circa 260 sqm). It is therefore considered that there are ample high-quality amenity spaces within the development.

Accessibility

- 6.5.15 Policy D7 of The London Plan relating to Accessible Housing, requires at least 10% of new housing to meeting building regulations M4 (3) – ‘wheelchair user dwellings. Furthermore, it requires all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings. The proposals would provide 10% of residential units (i.e. 2 units) as wheelchair adaptable units at ground floor level and as such the proposals would be compliant with the required building regulations. Furthermore, the Design and Access Statement confirms that all dwellings are designed to be fully compliant with Part M4(2) compliant. A condition is attached to ensure compliance with the regulations.

6.6 Traffic, Parking and Servicing

- 6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM43, DM44, DM45
- Harrow's Core Strategy (2012): CS1

- 6.6.2 Policies DM1 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.

- 6.6.2 This proposal is within a PTAL 2 location. The nearest bus stops are within a 1 minute walk and are served by 3 routes which connect with other towns and transport interchanges. South Harrow Underground station is within a 12 minute walk or 3 minute cycle whilst Northolt Park rail station is a similar distance. The shopping area of South Harrow is within an 11 minute walk.

Car Parking and Access

- 6.6.3 Application P/2156/19 was refused on the grounds of insufficient parking. This proposal provided 13 parking spaces for 26 units (a ratio of 0.5). The Transport Assessment submitted at the time indicated that the development would amount to a need of 15 parking spaces which would result in an undersupply of two parking spaces which was anticipated to overspill onto on-street parking. The Planning Inspector referred to parking surveys carried out in 2017, and more recently in October 2020 when The Matrix was partially

occupied which, “*indicate a parking stress of between 77% and 73% respectively. This indicates, therefore, that there is capacity for some further on-street parking and given the very modest amount of on-street parking the development could generate, this would not give rise to any significant highway safety concerns.*” On this basis the Inspector concluded that the proposed parking arrangements for the 26-unit scheme would not result in any harmful impacts on highway safety.

- 6.6.4 The current scheme seeks to provide 11 car parking spaces for 18 units (a ratio of 0.6). The Highways Officer notes that proposals must not exceed the London Plan maximum parking standards which in this PTAL 2 area would allow for up to 0.75 spaces per 1-2 bed dwelling and 1 space per 3 bed+ dwelling, a total of 15.5 spaces. The proposal includes 11 parking spaces of which 2 are disabled parking bays. 2 of the spaces would have active electric vehicle charge points whilst the rest will have passive provision. Overnight parking surveys were carried out in the local area in May 2022; these show that there is good capacity on-street with over 60% of potential spaces available. Census 2011 data (Isa 030A) shows that car ownership in this location is at 50% for flats. This would indicate that the proposed level of parking should be sufficient for the needs of the development.

Delivery and Servicing

- 6.6.5 This site is at a signalled junction meaning that stopping in the vicinity can cause short term problems due to overtaking, queuing and obstruction of traffic flow. As the current arrangement already allows for waste collection on Eastcote Lane, this proposal would not introduce any new activity and positively, the access closest to the corner is to be removed, thus resulting in an improved situation.
- 6.6.6 A delivery and servicing plan has been provided which is generally acceptable by the Council’s Highway Officer. Deliveries are anticipated to generate a maximum of 5 light vans/transit and 1 box van per day which is considered to have a negligible impact on the highway network. The plan refers to a site manager however, for this scale of development, it is not common for there to be an on-site person available at all times therefore, it will be necessary to ensure that signs directing deliveries to the rear are displayed on site and that residents are aware of the need to guide deliveries to this location. This can be secured by way of condition.

Cycle parking

- 6.6.7 The development is required to provide a minimum of 33 sheltered, secure and accessible long stay cycle parking spaces and 2 short stay spaces for visitors, for the 18 units proposed. The long stay store would need to accommodate at least 5% accessible stands. The submitted details are broadly acceptable, however the number of long-stay spaces would need to

increased from 32 to 33. Further details of the design of the store are required but can be secured by pre-commencement condition.

Trip Generation

- 6.6.8 The selected sites are generally acceptable although the data is slightly out dated. Notwithstanding this, the analysis indicates a very low level of vehicle trips likely to be generated in the peak hours, with 3 in the morning and 4 in the afternoon – this being based on the original 20-unit scheme, so the reduction to 18 units would not result in a greater number of trips. Public transport trips are also likely to be low and could easily be accommodated on the existing network. It is unlikely that this level of activity will result in a noticeable impact for the surrounding highway network.

Construction Logistics

- 6.6.9 An outline construction logistics plan has been provided; a full detailed document will be required prior to commencement on-site by condition. This should only be submitted when the final contractor has been appointed and is in agreement with the planned measures.

Summary

- 6.6.10 Alterations are required to the existing vehicle crossings which can be undertaken by the applicant via a highway agreement. Details of the proposals should be submitted prior to commencement of work on-site.
- 6.6.11 This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, subject to pre-commencement conditions for a detailed construction logistics plan and cycle parking details, the Highways Authority have no objection.

6.7 Flood Risk and Drainage

- 6.7.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, S1 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

- 6.7.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, "proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused."

6.7.3 The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall.

6.7.4 The Drainage Authority have raised no objection to the proposal subject to conditions requiring a surface water drainage including a requirement for drainage details (surface water and foul), and permeable paving where applicable. These conditions will be imposed.

6.8 Ecology and Biodiversity

6.8.1 The relevant policies are:

- National Planning Policy Framework: Chapter 15
- London Plan: G5, G6, G7, and H8
- Harrow Development Management Local Policies: DM20, DM21, DM22

6.8.2 The development site is located in a relatively urban residential area, circa 0.7 km distant from the nearest Sites of Importance for Nature Conservation at Newton Ecology Park and Newton Park West along the Roxbourne. Whilst this means that the proposed development would not be affecting areas accorded high value this also reflects local deficiency in access to nature. As well as mitigating negative impacts, the overall enhancement for biodiversity which development is required to provide is a key consideration. The applicant has submitted an updated Preliminary Ecological Appraisal (PEA) and a report in relation to the findings of a recent bat roost emergence survey, together with an Urban Greening Factor evaluation and arboricultural report.

6.8.3 The Biodiversity Officer notes that the arboricultural report makes no direct reference to the wildlife value of the trees, although this is a major component of the CAVAT approach which it does cite. Given the proposed loss of trees, it would be important to apply a CAVAT valuation so that an equivalent value of the natural capital value of these trees may be provided rather than there be an acceptance of a reduction in value generally inherent in replacement of established trees with young replacements on a 1 for 1 basis. Revised information has been provided to address this point, and the number of trees provided (on and off site) has been increased.

6.8.4 The information provided in relation to bats is considered to offer an appropriate summary in relation to the roost potential and status but it would be expected that any new development would re-provide at least some of the identified roost potential. This will be secured via condition. Although some issues were raised with the initially submitted reports, additional and revised information was submitted to address the concerns raised, which is now considered largely satisfactory. However, further clarity is required regarding the details of the proposed green roof, and it is noted that sedum would not

be considered to be acceptable for this type of use. The details to the green roof do feed into the BNG (Biodiversity Net Gain) contribution required by policy DM21, and normally certainly with regard to the BNG uplift would be required prior to approval. However, the overall BNG uplift appears to be over the minimum requirements, and so in this case, these details can be secured via condition as well. Further conditions recommended by the biodiversity officer include a Construction Environment Management Plan (CEMP), a landscape and ecology implementation plan and a detailed lighting strategy to minimise energy use and, in particular avoid impacts on nocturnal species.

Urban Greening Factor

6.8.5 Policy G5 of The London Plan sets out that development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Elements that can contribute to this include tree planting, green roofs and walls, and soft landscaping. A target of 0.4 for residential development should be achieved in line with this policy.

6.8.6 The Urban Greening Factor was originally calculated incorrectly, as it misinterpreted the scoring of 'grasscrete', which is otherwise unacceptable, in parking areas. Revised details were provided, in conjunction with the revisions to the landscaping and biodiversity information, which shows the UGF to be scored at 0.41. The proposal would be considered acceptable in this respect.

6.9 Energy & Sustainability

6.9.1 The relevant policies are:

- National Planning Policy Framework: Chapters 2 and 14
- The London Plan (2021): GG6, S1 2, SI 3, S1 4, SI 5 and SI 7
- Harrow Core Strategy: CS1 T
- Harrow Development Management Local Policies: DM1, DM12, DM13 and DM14

6.9.2 The application is accompanied by an Energy & Sustainability Statement prepared by eb7 dated 13 June 2022. The statement generally follows the energy hierarchy and GLA guidance relating to such statements. The statement indicates the development would have achieved an 80.91% on-site reduction in carbon emissions relative to Part L Building Regulations 2013. This is comprised of a 21.46% reduction through energy efficiency measures (achieved through adopting the new standards required under the 2021 Building Regulations), which exceeds the 10% target in the London Plan 2021. The balance in reductions is achieved through provision of air source heat pumps and solar PV panels (17.82kWp). The 80.91% on-site reduction is well above the 35% target in the London Plan. Zero carbon development will be achieved through a carbon offset payment to offset the remaining emissions

from the development (5.55 tonnes per year x £95/tonne/year x 30 years). The proposal would therefore have meet the key targets within the London Plan. Air source heat pumps (ASHPs) with a good co-efficient of performance (COP) of 3.2 will provide communal heating / hot water for the development, consistent with the London Plan preferences for communal networks and heat pumps. The ASHP system will reduce emissions by appropriately 60% relative to the notional (baseline) 90% efficient gas boiler. However, with the amendment to remove the top storey and reduce the number of units to 18, the figures in the report will need to be adjusted to re-calculate the required off-set contribution. This can be dealt with by way of condition and through the S106 agreement.

6.9.3 The statement also acknowledges the site's location within a heat network priority area under the London Plan and the need for the development to be designed to enable future connection to any future district heat network. The provision of solar PV panels complements the electricity demand of the ASHPs and appears to represent the maximum achievable onsite given broader planning considerations relating to visual amenity, shading and outlook (although scope to incorporate further panels on the green roof could be considered). The applicant also acknowledges the London Plan's 'Be Seen' requirements. Finally, the broader sustainable design and construction proposals are considered reasonable for a development of this size.

6.9.4 In conclusion, the Energy & Sustainability Statement is considered acceptable, although updated calculations are required. Any permission should be conditioned to require the development is undertaken generally in accordance with an amended statement. S106 planning obligations should secured to require payment of the carbon offset contribution prior to the commencement of development, with the final carbon emissions verified through the submission of the Building Regulations 'As Built' Part L calculations upon completion of the development and any required 'top-up' offset contribution paid at the rate of £2,850 / tonne of carbon (£95/tonne/year x 30 years). Obligations securing compliance with the Mayor's 'Be Seen' guidance and safeguarding for future connection to a district heat network should also be included in any S106 agreement.

6.10 Fire Safety

6.10.1 The relevant policies are:

- The London Plan (2021): D5, D12

6.10.2 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that development ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. Policy D5 encourages development proposals to achieve the highest

standards of accessible and inclusive design. A Fire Statement has been prepared by K&R Estates in support of the application.

6.10.3 The Council's Fire Consultant has reviewed the Fire Statement and considers the document at this stage to be broadly acceptable. However, the consultant has highlighted that as the development would have an evacuation lift, hard wired communications should also be provided in the refuge, however this is not mentioned in the fire statement. The operation of the evacuation lift is proposed to be automatic operation or remote assisted. As we know the guidance for the operation of an evacuation lift via an automatic interface is only contained in draft guidance this should not be considered as the final document may not include this detail. The second operation, that of remote assisted evacuation is completely unacceptable. An updated Fire Statement was provided to address these issues however, it has not been possible for the fire consultant to review within the timeframes available, and it is noted that the points above are not fully addressed. As such, a condition requiring an updated Fire Strategy would be necessary.

6.11 Air Quality

6.11.1 The relevant policies are:

- National Planning Policy Framework: Chapter 15
- The London Plan: SI 1
- Harrow Development Management Local Policies: DM1

6.11.2 The whole of the borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀). An Air Quality Assessment (AQA) was submitted with the application prepared by eb7. Policy SI1 states that this should take an Air Quality Neutral approach. The modelling indicated that the site is air quality neutral with respect to building-related emissions by default. Furthermore, transport related emissions from the site were also assessed as air quality neutral in line with the London Plan guidance.

6.11.3 An assessment was undertaken to examine the potential impacts on air quality during construction and operation of the proposed development. This showed that the release of dust and PM₁₀ (inhalable particles, with diameters that are generally 10 micrometers and smaller) are likely to occur during site activities. The risk of dust soiling impacts on neighbouring properties was assessed as medium, with the risk to human health assessed as potentially low. However, it is considered that suitable mitigation measures would ensure these impacts are mitigated against. A Construction Environmental Management Plan is therefore recommended.

6.12 Statement of Community Involvement

- 6.12.1 The NPPF, Localism Act and the Council's Statement of Community Involvement encourage developers, in the case of major applications such as this, to undertake public consultation exercise prior to submission of a formal application.
- 6.12.2 A Statement of Community Engagement Report was submitted which states that a public and stakeholder consultation and engagement process ran during July 2022 which included distribution of newsletters to 652 nearby residents and business which outlined the proposals and through the launch of a project website allowing residents to return feedback via a portal. Furthermore, a dedicated freephone consultation telephone line and freepost address were available for direct contact with the development team. As a result, 6 feedback slips were received by post and 5 online and email correspondence was received. The Council also sent out letters of consultation to local residents in the surrounding area inviting them to make representations on the proposed development and a total of 72 comments were received as outlined above.

6.13 Planning Obligations and EIA Screening

- 6.13.1 The application has not been formally screened by the Local Planning Authority (LPA) . However, the development does not fall under the the category of developments under Schedule 2 of the EIA Regulation 2017 and therefore the development is not an EIA development.
- 6.13.2 The Council has agreed heads of terms for a Section 106 agreement to be completed prior to determination of this application with the applicant. These have been set out above under Recommendation A of this report. Subject to this agreement, the proposal is considered to accord with the policy requirements of policy DM50 of the Development Management Policies Document, which seeks planning obligations to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

- 7.1 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 and on the basis that the proposed development provides an acceptable and policy compliant residential scheme for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with the National Planning Policy Framework (NPPF, 2021) Policies GG6, D3, D5, D6, D7, D11, D12, D14,, S4, G5, G6, G7, T4, T5, T6; H1, H2, H4, H5, H6, H8; SI 1, S1 2, SI 3, S1 4, SI 5, SI 7, SI12; SI 13 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and policies DM1, DM2, DM9, DM10, DM12, DM13, DM14, DM20, DM21, DM22, DM23, DM24, DM27, DM42, DM43, DM44, DM45, DM50 of the Harrow Development Management Policies Local Plan (2013), along with the relevant supplementary guidance.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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. Approved Drawing and Documents

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents:

Bat Emergence / Re-entry Survey [prepared by Green shoots ecology, October 2022]; Design & Access Statement, prepared by GPAD [April 2023]; Planning Statement prepared by Maddox Planning [August 2022]; Planning Statement Addendum [April 2023]; Statement of Community Engagement, prepared by Consult Communications, July 2022; Energy & Sustainability Statement, prepared by eb7 [V2, 13th June 2022]; Air Quality Assessment, prepared by eb7 [16th June 2022]; Air Quality & Energy and Sustainability Reliance letter prepared by PES; Arboricultural Report prepared by tma [220555-PD-11a, July 2022]; Fire Statement, Prepared by K&R Estates Ltd, [ref: 14164BC 4th April 2023]; Daylight and Sunlight Assessment, prepared by Herrington consulting limited [Rev 3, June 2022]; [Delivery and Servicing Plan, prepared by YES, November 2022]; Viability Study, Turner Morum LLP including appendices, July 2022; Addendum Viability Study Turner Morum LLP [March 2023] Preliminary Ecological Assessment prepared by green shoots ecology [November 2022]; Ecological Reliance letter, prepared by green shoots ecology [17th March 2023]; Foul sewage and utilities assessment prepared by Pitman Associates [ref 0355 Rev B, June 2022]; Noise Impact Assessment, prepared by ALN Acoustic Design [J0368_R02A, 27th June 2022]; Outline Construction Logistics Plan prepared by YES [July 2022]; Surface Water Drainage Strategy, prepared by Ptiman Associates, [0282/0355 Rev C, June 2022]; Transport Assessment, prepared by YES [July 2022]; Transport Reliance letter prepared by YES Engineering [22nd March, 2023]; Urban Greening Factor Calculation Report, prepared by green shoots ecology [December 2022]; Biodiversity Net Gain Calculation and Details of Bird, Bat, and Invertebrate Enhancements [December 2022]; Maddox

Eastcote Lane BNG Calculation Spreadsheet; Management Plan Outline prepared by John Davis Landscape [15 December 2022];

750-90-401-P2; 750-90-400-P1; IF 17-04/401; IF 17-04/400; 750-10-010-P1; 750-10-011-P1; 750-10-100-P3; 750-10-101-P2; 750-10-102-P2; 750-10-103-P3; 750-10-200-P2; 750-10-300-P4; 750-10-301-P5; 750-10-302-P4; 750-10-303-P5; 750-10-304-P2; 750-00-301-P1; 750-00-300-P1; 750-00-100-P1; ; (JD-143EL-) PL01 Rev A GA Plan; (JD-143EL-) PL02 Rev A Planting Plan; (JD-143EL-) PL05 Rev A Material Moodboard; Off-site Planting PL06; 750-SK-05-P1; (JD-143EL-) PL03 Rev A; (JDL-143EL-) PL04 Rev A

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

3. Demolition and Construction Logistics Plan

No development shall take place, including any works of demolition, until a Construction Method Statement & Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a. detailed timeline for the phases and implementation of the development
- b. demolition method statement
- c. the parking of vehicles of site operatives and visitors;
- d. loading and unloading of plant and materials;
- e. storage of plant and materials used in constructing the development;
- f. measures to control the emission of dust and dirt during construction; and
- g. scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement and Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed.

4. Construction Environment Management Plan

No development shall take place, including any works of demolition until a proportionate Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP as well as covering other relevant environmental considerations, will set out how contractors will be made aware and have regard to protected species and the practical and legal situation with regard to development. The CEMP should at least ensure that the procedures set out in the approved Preliminary Roost Assessment report (PEAR) will be implemented in full and give appropriate consideration to breeding birds.

The CEMP shall be adhered to throughout the demolition and construction phases of the development.

REASON: To provide appropriate safeguards and mitigation for biodiversity in accordance with the requirements of the National Planning Policy Framework, the London Plan and local plan policies DM20 and DM21.

5. Tree Protection Measures

No development shall take place, including any works of demolition, until a tree protection plan / method statement has been submitted to, and approved in writing by, the local planning authority. The proposed development shall be completed in full adherence to the arboricultural details approved, unless first otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the trees to be retained on the site are not adversely affected by any proposed works.

6. Site Levels

No demolition or site works 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 level of the site, have been submitted to, and approved in writing by the Local planning Authority. The development shall be carried out in accordance with the details so agreed.

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.

7. Disposal of Foul Water

The development (other than demolition works) hereby permitted shall not be commenced 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 development shall be carried out in accordance with the details as so agreed and retained thereafter.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy SI 5 of The London Plan (2021)

8. Disposal of Sewage

The development (other than demolition works) 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 the details as so agreed and retained thereafter.

REASON: To ensure that adequate drainage facilities are provided.

9. Surface Water Attenuation

The development (other than demolition works) 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 the details as so agreed and retained thereafter.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

10. Permeable Paving

Notwithstanding the approved details and prior to the commencement of development (other than demolition works), full details of the permeable paving and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as so agreed and retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development.

11. Green Roof Details

The development (other than demolition works) hereby permitted shall not commence until details of the green/biodiverse roof with solar PV panels shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a. Its location, extent, specification (plant species and soil depth), landscape integration, integration with other roof plant or renewable energy infrastructure, structural integrity, construction, operation and access. To include incorporation of an extensive green/ brown roof combined with PV panels on the 3rd storey roof.
- b. Planting scheme (time of planting, plant species, plant schedule and numbers, watering), to include native plant species to be planted or seeded.
- c. Habitat features to be incorporated.
- d. Section/profile drawings showing the green roof detail, soil/ growing medium depth, different build up layers of material and membranes.
- e. Plans to show clearly its location, extent, drainage catchment areas (if relevant), inlets and outflows.
- f. Management and Maintenance plan to show how it will be maintained regularly, maintenance considerations due to other roof infrastructure and any changes in maintenance throughout the seasons.

The development shall not be completed otherwise than in accordance with the green roof details so approved and shall thereafter be so maintained.

REASON: To reduce flood risk, enhance the biodiversity and to contribute to sustainability in accordance policies G6 and SI 12 of The London Plan (2021) and policies DM12, DM20, and DM21 of the Harrow Development Management Policies Local Plan (2013)

12. Energy Statement

No development, other than demolition, shall commence until a revised Energy Strategy has been submitted to, and approved by, the Local Planning Authority. The proposed development shall be implemented in accordance with the revised Energy Strategy, and in accordance with the S106 agreement, and shall be maintained as such thereafter.

REASON: To ensure the development achieves the required level of carbon offset and provides a satisfactory level of sustainable infrastructure.

13. Fire Safety

No development, other than demolition, shall commence until a revised Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire, including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development is occupied.

14. Lighting Strategy

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all external communal areas and other external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, location, height type, direction of light sources, specification, elevations, light spillage and lighting levels. The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of quality, minimises energy use and, in particular avoid impacts on nocturnal species using the provide shelters or foraging in/over the communal garden areas and bio-solar roofs.

15. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to view on site, and approved in writing by, the local planning authority:

- a. Facing materials for the building, including down pipes and flues;
- b. windows / doors;
- c. Balconies including privacy screens and balcony underside finish;
- d. boundary treatment;
- e. Bin stores
- f. ground treatment; and
- g. hard landscape materials.

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

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

16. Landscaping

The development hereby approved shall not progress beyond damp proof course level until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site. The hard and soft landscape details are to include the following:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, irrigation method and details and including walls, retaining walls and external seating, and any landscape structures such as, trellis, and tree pits, growing medium, tree planting and support, any climber supports and so on.
- b) Details of all furniture including information about the manufacturer, material and source.
- c) Boundary Treatment (revised to be a maximum height of 1m for elevations facing a public highway)
- d) Full scale metric cross sections and elevations for the communal open amenity space and play area (at a scale of not less than 1:100)
- e) A specification of all natural type play equipment to be installed including proposed manufacturer, material and source and specification of the surface treatment within the play areas;
- f) Details of the bin stores materials

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).

17. Cycle Parking

The development hereby approved shall not progress beyond damp proof course level until there has been submitted to, and approved in writing by, the local planning authority, full revised details of the cycle storage, including elevations and materials. This shall include a minimum of 33 sheltered, secure and accessible long stay cycle parking spaces, and 2 short stay spaces for visitors. The long stay store would need to accommodate at least 5% accessible stands.

REASON: To ensure adequate and high-quality cycle parking provision on site, to support sustainable transportation modes.

18. Acoustic Fence

The development hereby approved shall not progress beyond damp proof course level until a scheme which specifies the provisions to be made for the control of vehicle noise emanating from the residential car park accessed via the service road from Alexandra Avenue, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits and other appropriate measures. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures thereafter prior to the first occupation of the development.

All other measures outlined within the approved Noise Report, shall be carried out in accordance with this document unless otherwise approved by local planning authority.

REASON: To safeguard the amenity of neighbouring residents and in particular nos. 170 and 172 Alexandra Avenue.

19. Bird, Bat and Invertebrate Shelters

The development hereby approved shall not progress beyond damp proof course level until details of the artificial shelters for birds, bats and invertebrates, on the basis of one individual/multiple occupancy shelter per residential unit (and including the provision that should be incorporated as part of the biodiverse roofs).

The shelters shall be installed in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance with policy G6 of The London Plan (20216) and policies DM1, DM20 and DM21 of the Harrow Development Management Policies Local Plan (2015).

20. Landscape and BNG Management and Maintenance

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all landscaped areas and any landscape structure for plant growth, other than privately owned domestic balconies/terraces. The Landscape Management and Maintenance Plan shall include:

- a) Landscape Management: long term design objectives incorporating the overall functional aesthetic objectives of the landscape scheme; management responsibilities; programme of works and monitoring procedures; and

- b) Landscape Maintenance: including routine physical tasks required to satisfy appropriate standards of aftercare and enable the design and implementation objectives to be achieved, for the first year of maintenance, years 2-5 and 6 years onwards: maintenance responsibilities; a schedule of maintenance operations (calendar of tasks) set out graphically and in writing.
- c) how BNG features will be managed and monitored to maintain and enhance their value, including any replacements during the establishment phase (to run for three years from the commencement of construction);
- d) year by year schedule of the timing of operations and who has responsibility for these and for ensuring they are undertaken;
- e) how the plan will be updated at 5 year intervals; and
- f) how these operations will be funded over the lifetime of the new development (a period of no less than 30 years), during and following construction.

The Landscape and BNG Management and Maintenance Plan shall be carried out in accordance with the approved details.

REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies, G5, G6 and G7 of the London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

21. Car Park Management Plan

Notwithstanding the approved documents, prior to the occupation of the development, an amended car parking management plan shall be submitted to, and agreed in writing by the local planning authority, which shall include the following details:

- a. Car parking allocation and management.
- b. Signage to be displayed on site directing deliveries to the rear, and ensuring that residents are aware of the need to guide deliveries to this location

The development shall be carried out in accordance with the details so agreed and in place prior to first occupation of the development and shall be retained as such thereafter.

REASON: To ensure that the development parking and servicing on site are appropriately managed, to avoid impacts on the free flow of the highway.

22. Secure by Design Accreditation

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed. Secure by design measures shall be implemented and the development shall be retained in accordance with the approved details.

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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

23. Communal Facilities

Prior to the first occupation of the residential units hereby permitted, 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 residential units and shall be retained thereafter. No other television reception equipment shall be installed on the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with policy D3 of the London Plan (2021), and DM49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with policy DM 1 of the Development Management Policies Local Plan (2013).

24. Noise

The proposed development shall be implemented in accordance with the approved Noise Impact Assessment, prepared by ALN Acoustic Design, June 2022, and shall be maintained as such thereafter.

REASON: To ensure the development achieves a satisfactory standard of living conditions for future occupiers.

25. Landscaping Implementation

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 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, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

26. Refuse Storage

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 safeguard the character and appearance of the area.

27. Glazing

No window(s) / door(s), other than those shown on the south or east flank elevations shall be installed in the without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

28. Obscure Glazing

The secondary window(s) in the eastern flank elevations above ground floor level of the approved development shall:

- a) be of purpose-made obscure glass,
- b) be permanently fixed closed below a height of 1.7 metres above finished floor level and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

29. Permitted Development Restriction 1

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity.

Accessibility

30. The development hereby permitted shall be constructed to include 90 per cent of the new homes to meet Building Regulations requirement Part M M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulations requirement Part M M4(3) 'wheelchair user dwellings' and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

Informatives

1. Policies

The following policies are relevant to this decision:

- **National Planning Policy Framework (2021)**
- **The London Plan (2021):** GG6, D3, D5, D6, D7, D11, D12, D14,, S4, G5, G6, G7, T4, T5, T6; H1, H2, H4, H5, H6, H8; SI 1, S1 2, SI 3, S1 4, SI 5, SI 7, SI12; SI 13
- **Harrow Core Strategy (2012):** CS1
- **Harrow Development Management Policies Local Plan (2013):** DM1, DM1, DM2, DM9, DM10, DM12, DM13, DM14, DM20, DM21, DM22, DM23, DM24, DM27, DM42, DM43, DM44, DM45, DM50

Supplementary Planning Documents:

- Supplementary Planning Document Residential Design Guide (2010)
- Supplementary Planning Document Garden Land (2013)
- Technical housing standards - nationally described space standard (2015).
- Major of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document: Planning Obligations and Affordable Housing
- Mayor of London Play and Informal Recreation Supplemental Planning Guidance (2012)

2. Pre-application engagement

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 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. 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.

4. 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

5. Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

6. Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

7. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: DOCOMailbox.NW@met.police.uk

8. Fire Safety

INFORM67 - Fire Safety Statement. The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

9. Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

10. Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

11. Compliance with Planning Conditions

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.

12. Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £84, 636

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

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

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date, please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk. Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

13. Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £245,909.90

This amount includes indexation which is 326/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development. You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf


https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date, please also complete CIL Form 6:

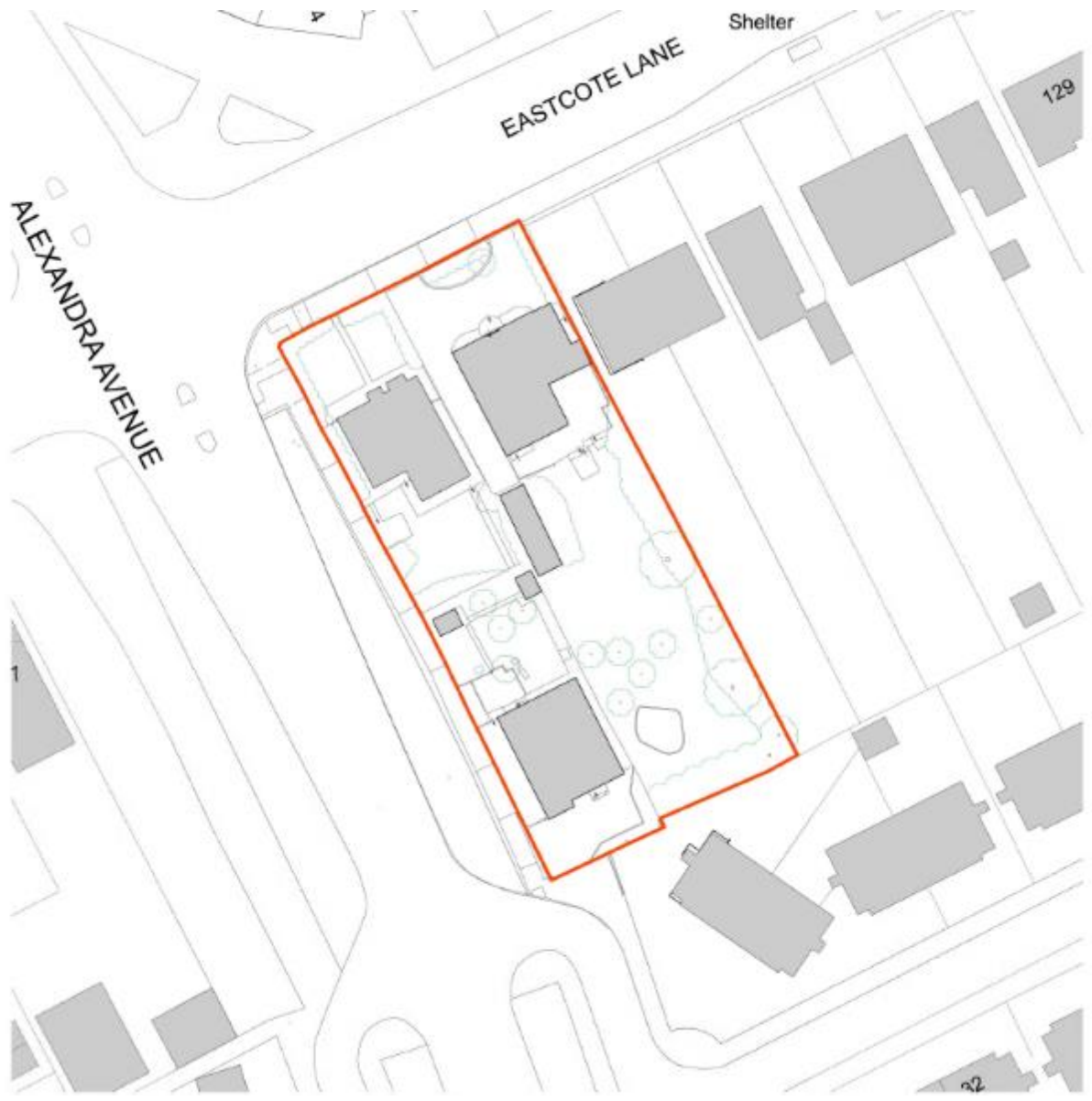
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk. Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges

Checked

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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APPENDIX 2: SITE PLAN



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APPENDIX 3: SITE PHOTOGRAPHS



View looking towards Nos. 145 & 143 Eastcote Lane



View from access to 172a Alexandra Ave



Side view looking towards the site along Alexandra Ave



Recent photos of the Matrix development, opposite application site

APPENDIX 4: PLANS AND ELEVATIONS



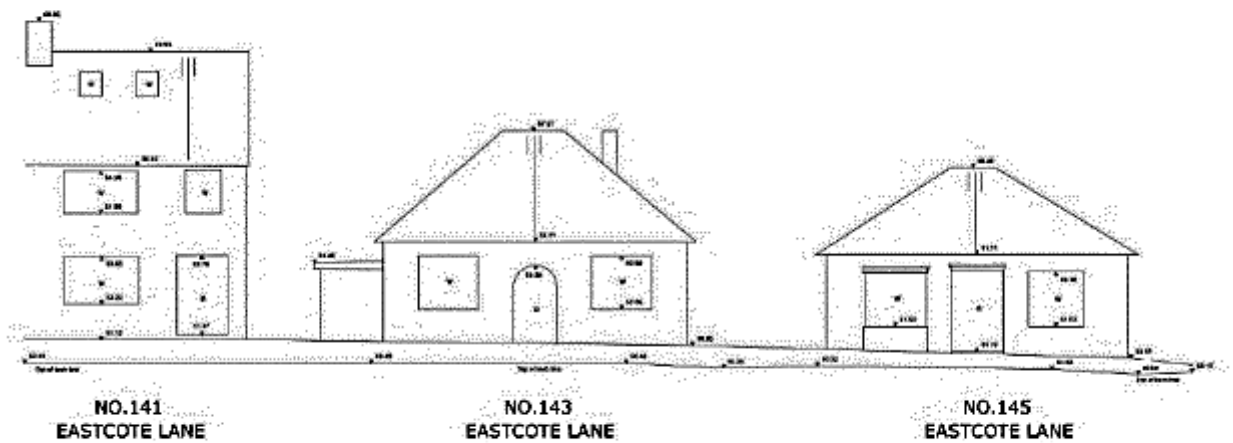
site plan

Existing

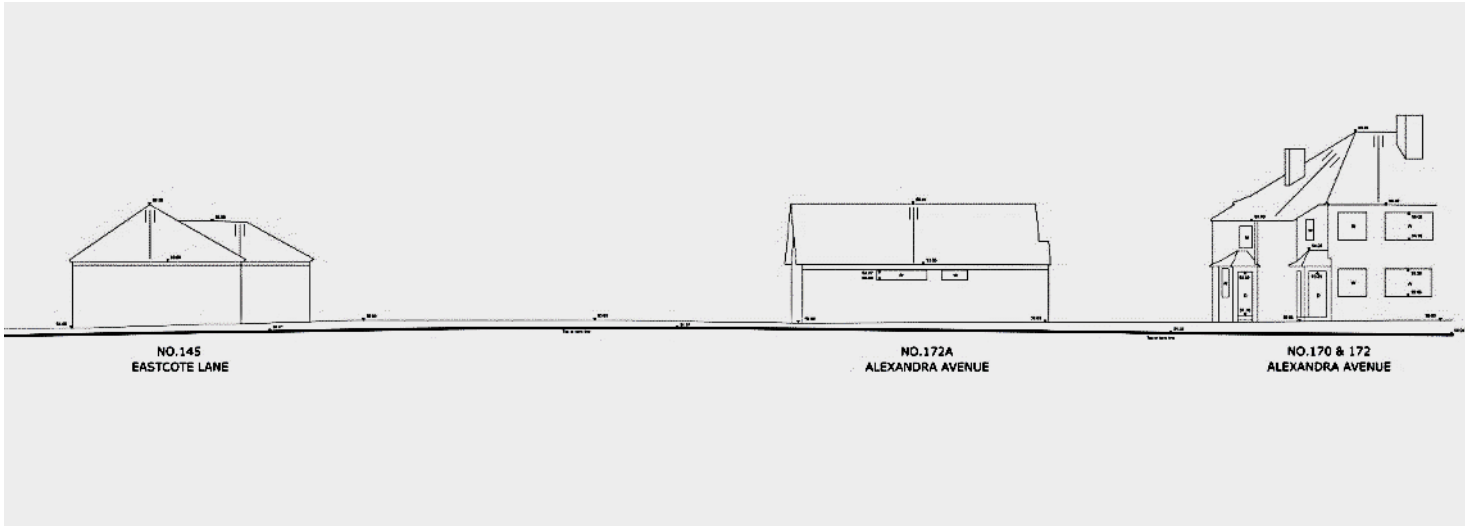


Proposed site plan

Existing Elevations:



Along Eastcote Lane



Along Alexandra Avenue

Proposed Elevations:



Northern Elevation (Eastcote Lane)



Western Elevation (Alexandra Avenue)



Eastern Elevation (facing no. 141 Eastcote Lane)



Southern Elevation (facing flank of nos. 170-172 Alexandra Avenue)

Proposed floor plans:



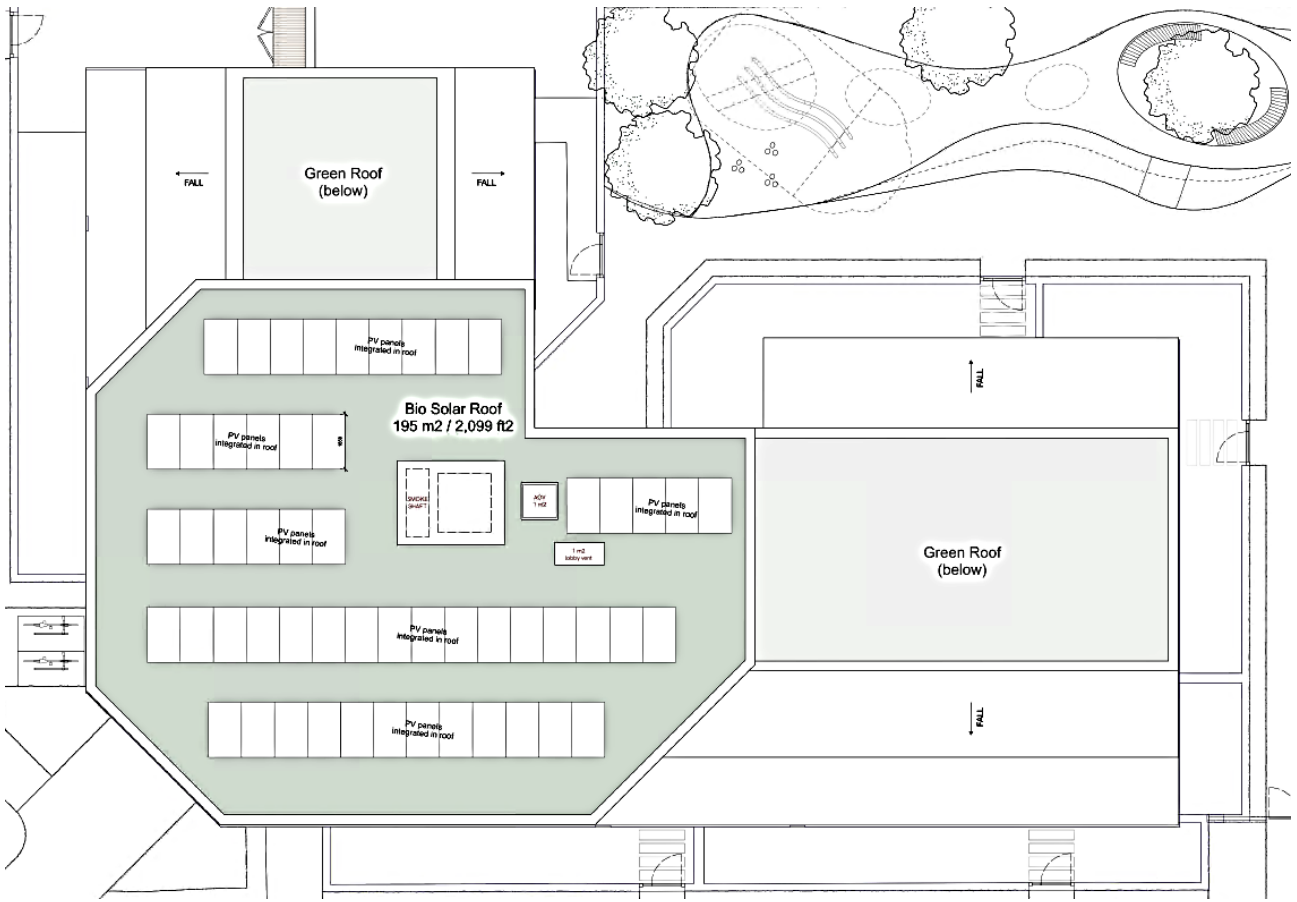
Ground floor plan



First floor plan



Second floor plan



Roof plan



3D rendering – bird-eye view



3D rendering – View from Eastcote Lane (straight on)



3D rendering – Looking east along Eastcote Lane



3D rendering – looking west along Eastcote Lane



3D rendering – view from opposite side of junction (looking south along Alexandra Avenue)



3D rendering – looking north along Alexandra Avenue

APPENDIX 5 – APPEAL DECISIONS APP/M5450/W/19/3243513 & APP/M5450/W/19/3224655



The Planning Inspectorate

Appeal Decisions

Hearing Held on 2 December 2020

Site visit made on 3 December 2020

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal A: APP/M5450/W/19/3224655

143-145 Eastcote Lane & 172a Alexandra Avenue, Harrow, London HA2 8RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rakesh Raithatha of K & R Estates Limited against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1180/18, dated 21 March 2018, was refused by notice dated 14 September 2018.
 - The development proposed is redevelopment of the site to provide 31 residential flats comprising 1 x studio, 8 x 1 bed, 18 x 2 bed and 4 x 3 bed units with associated vehicular parking, landscaping and amenity space.
-

Appeal B: APP/M5450/W/19/3243513

143-145 Eastcote Lane & 172a Alexandra Avenue, Harrow, London HA2 8RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rakesh Raithatha of K & R Estates Limited against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2156/19, dated 10 May 2019, was refused by notice dated 22 October 2019.
 - The development proposed is redevelopment of the site to provide 26 residential flats comprising 7 x 1 bed, 17 x 2 bed and 2 x 3 bed units with associated vehicular parking, landscaping and amenity space.
-

Decisions

1. The appeals are dismissed.

Preliminary Matter

2. As set out above there are two appeals. They differ mainly in respect of the scale of development proposed. Although I have considered each appeal on its individual merits, to avoid duplication, I have dealt with the two schemes together, except where otherwise indicated.

Main Issues

3. A main issue in both appeals is:
 - The effect of the development on the character and appearance of the surrounding area.
-

<https://www.gov.uk/planning-inspectorate>

4. In Appeal A there are also the main issues of:

- Whether the proposed development constitutes 'garden land development', and;
- Whether the proposal makes adequate provision for affordable housing.

Finally, in Appeal B there is a further issue of:

- The effect of the proposed parking arrangements on highway safety.

5. A fourth reason for refusal relating to car parking in respect of Appeal A is no longer being pursued by the Council following the submission of further information. There is no need, therefore, for me to take this matter further.

Reasons

Appeals A and B: Character and appearance

6. The appeal site is located on the junction of Alexandra Avenue and Eastcote Lane and is formed by the amalgamation of three plots, each containing a bungalow. The overriding characteristic of development surrounding the junction is of one or two storey properties, be that solely residential or mixed-use development. This type of development occupies three of the four corners of the junction. The exception to this is the remaining corner of the junction where there is a four-storey residential development; namely The Matrix.
7. In addition to my observations above, it can also be said that development on the north side of the junction, where The Matrix and a parade of shops with residential accommodation above are located, is of a broadly higher density than the residential development located on the southern side of the junction.
8. Both appeals are for a four-storey residential development. Development of this scale would be out of character with the overriding context of the site which is predominantly two storeys or lower. Added to this is that the side of the junction on which the site is located (the south) is arguably less dense and more suburban in character than the north side, which would further add to the incongruity of a four-storey development here. In design terms there is nothing before me in either proposal that would overcome my concerns in this respect.
9. The Matrix is a similar development to that proposed in terms of it being four storeys and of a similar design aesthetic. The Matrix is, however, a prominent development given it is the only four-storey building in the immediate vicinity of the junction. That being said, it occupies a bigger site than the appeal site. The Matrix is also chamfered on the junction with a wide pedestrianised area to the front which creates space between the building and the highway. The proposals before me, however, both propose four storeys in far closer proximity to the highway.
10. Overall, therefore, I consider that a four storey development on the appeal site would be overly dominant given its context; more dominant than The Matrix, and, as a result, sufficiently dominant so as to amount to harm to the character and appearance of the area. For these reasons the proposal would conflict with Policies 7.4 of the London Plan 2016 and DM1 of the Harrow Development Management Policies 2013, both of which require consideration of the scale of surrounding buildings and pattern of development.

11. Whilst I accept local character evolves over time, the presence of The Matrix does not, for the reasons set out above, justify the development. Furthermore, the appearance of the bungalows currently and street scene in general provides little justification for the proposals given the harm I have found. Furthermore, the limited opportunities for landscaping in both schemes would not mitigate the visual dominance I have identified.

Appeal A: Garden land

12. Policy CS1 B of the Harrow Core Strategy (CS) sets out that garden development will be resisted. This is consistent with the National Planning Policy Framework (the Framework) which at para 70 sets out that plans should consider the case for setting out policies to resist inappropriate development of residential gardens. Appeal A proposes the development of the gardens of three residential properties therefore it would logically follow that it was garden development and in conflict with Policy CS1 B.
13. My finding in this respect is supported by The Garden Land Development Supplementary Planning Document (GLDSPD) which provides more detail on this policy and defines garden land as including *'the gardens of houses'* plural (para 3.1 a). There is nothing further in this GLDSPD to lead me to conclude that garden development in this context applies only to the garden of a house, singular. I am therefore satisfied that Appeal A comprises garden development for the purposes of Policy CS1 B.
14. There are, however, exceptions to the blanket restriction of garden development set out in Policy CS1 B provided by the GLDSPD which include: *'the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint plus any appropriate enlargements.'* The GLDSPD then goes on to explain what constitutes appropriate enlargements.
15. The appellant's statement sets out a calculation to demonstrate that the proposal would result in only a marginal increase above the GLDSPD definition of an appropriate enlargement. However, this calculation is somewhat flawed. Firstly, it includes an outbuilding which is specifically excluded under para 3.7 i of the GLDSPD. Secondly, both the footprint of *'any permitted extensions that could be exercised for the dwelling(s)'* and *'the footprint of an extension that would be consistent with Harrow's Residential Design Guide Supplementary Planning Document'* have been added together, but para 3.7 i/ii is clear that an appropriate enlargement would be the larger of either of these, not a combined total.
16. All of this means that the increase above the GLDSPD definition of appropriate enlargements in Appeal A would be greater than that calculated by the appellant. It is clear, therefore, that Appeal A would not constitute an 'appropriate enlargement' as per the GLDSPD. Consequently, there remains a conflict with Policy CS1 B of the CS.
17. At the hearing the latest version of Policy H2 of the emerging London Plan, was tabled. This supports additional housing on small sites (below 0.25 hectares in size) which the appeal site would fall within. I give this policy moderate weight given the advanced stage of adoption of the new London Plan. However, it does not diminish the weight I give to the GLDSPD, which similarly encourages the redevelopment of groups of dwellings to provide multiple dwellings or flats

whilst attempting to also provide guidance on what might constitute an acceptable increase in footprint. Whilst it may be some 7 years old this does not, of itself, reduce the weight I afford to the GLDSPD as a material consideration.

18. It is true that to fully interpret the intention of Policy CS1 B requires consultation of the GLDSPD. Perhaps, as put to me by the appellant, the detail of the GDLSPD could be in the policy itself. That is not, however, a matter for me to determine in the context of a S78 appeal. Notwithstanding this, the GDLSPD sets out to explain what may or may not constitute inappropriate development of residential gardens, and this is broadly consistent with the Framework at para 70. Therefore, this matter does not sufficiently reduce the weight to be afforded to the GDLSPD so as to alter my findings above.
19. My attention is drawn to two appeal decisions at 2 Boxtree Road, Harrow¹, which found that material considerations outweighed the conflict with the development plan in respect of Policy CS1 B. I do not have full details of these cases, but it is clear that the site in question was occupied by outbuildings and a large area of hardstanding, therefore the extent of quality existing garden land was limited. In those cases, the proposals represented an enhancement of green space.
20. That is not so in Appeal A where three, good sized and well-proportioned gardens forming the appeal site would be lost, to be replaced with terraces, a modest playground, a green roof and some very limited planting. This would not be an enhancement in terms of green space. I therefore afford these appeals limited weight in my consideration of garden land policy. In any event, each appeal must be determined on its own merits.

Appeal A: Affordable Housing

21. Policy CS1 J of the CS states that the Council will aim for a borough wide affordable housing target of 40% of the housing numbers delivered from all sources of supply. However, it also states that the maximum reasonable amount of affordable housing on all development sites, with a capacity to provide ten or more homes, will have regard to, amongst other things, development viability.
22. The appellant submitted a viability assessment concluding no affordable housing could be provided with Appeal A. This was independently reviewed on behalf of the Council which found that 5% on-site affordable housing along with a payment in lieu of the remaining surplus of £10,590 would be fairly and reasonably related in scale and kind to the development in light of the viability evidence.
23. The appellant has, however, produced a counteroffer of four shared ownership tenure units which amounts to 13% affordable housing provision. The appellant is able to do this, he says, by lowering his profits, and is essentially seeking to provide an additional benefit, above and beyond what is deemed fair and reasonable, to add merit to the scheme. An obligation to this effect is before me for Appeal A.
24. Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting

¹ APP/M5450/W/18/3205143 & APP/M5450/W/18/3213211

planning permission for a development if it is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. The evidence before me which has been tested and shown to meet these tests is that of the 5% provision of affordable housing. The offer of 13% has not been shown to meet the tests in the same way.

25. Accordingly, I find that 5% affordable housing provision should be provided for Appeal A in order to comply with Policy CS1 J and meet the relevant tests. The obligation before me in respect of Appeal A does not, however, provide for this, but given that I am dismissing for other reasons, it is not necessary for me to consider this matter in any further detail.

Appeal B: Highway safety

26. In Appeal B 13 parking spaces are to be provided for the 26 residential units. Having regard to the submitted Transport Assessment the Council consider the development in Appeal B would amount to a need for 15 car parking spaces. Therefore, there would be an undersupply of two car parking spaces, which it is anticipated would overspill onto on-street parking.
27. At the time of my site visit, in the middle of a weekday, I had no trouble parking, but this was only a snapshot of local parking conditions. Based on representations received from local residents I have no doubt there is pressure for on-street parking in the area surrounding the appeal site. However, parking surveys carried out in 2017, and more recently in October 2020 when The Matrix was partially occupied, indicate a parking stress of between 77% and 73% respectively. This indicates, therefore, that there is capacity for some further on-street parking and given the very modest amount of on-street parking the development could generate, this would not give rise to any significant highway safety concerns. I also note that Highway Officers raised no objection to the level of parking proposed.
28. Taking the above points together I therefore find that the proposed parking arrangements would not result in any harmful impacts on highway safety. It follows, therefore, that I find no conflict with Policies 6.13 of The London Plan, and DM42 of the Development Management Policies Local Plan which seek to balance appropriate parking provision with promoting the use of alternative modes of transport, whilst resisting harm to highway safety as a result of inappropriate on-site parking provision.

Other matters

29. Obligations have been submitted for both appeals which deal with various matters other than affordable housing which has been dealt with above. However, as the appeal is to be dismissed on other substantive issues it is not necessary for me to look at these in detail given that the proposals are unacceptable for other reasons.
30. Whilst officer's recommended approval in respect of Appeal B this does not diminish my findings above in respect of this appeal.

Conclusion

31. I have found harm to the character and appearance of the surrounding area in both Appeal A and Appeal B and as a result, conflict with the development plan.

In Appeal A I have also found harm in terms of conflict with the development plan in respect of garden land policy. Individually I give these harms significant weight.

32. I have had regard to all other matters raised including the benefits arising from the creation of housing, which are modest due to the scale of development proposed. I have also taken into account the appellant's willingness to provide some affordable housing in Appeal A, albeit the amount I have found to meet the relevant tests is not secured by an obligation which significantly reduces the weight I can afford it. Any improvements in biodiversity I find to be modest in light of the overall loss of garden space. Consequently, even taken together, these benefits do not outweigh the harm I have found in either Appeal A or Appeal B.

33. The appeals are dismissed.

Hayley Butcher

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Rakesh Raithatha	Appellant
Constanza Bell	Kings Chambers
Max Plotnek	Maddox Planning
Georgia Barrett	Maddox Planning
Ian Stuart	HEDC
Kathryn Backhouse	Yes Engineering
Paul Willis	Yes Engineering
Claire Browne	HCUK Group

FOR THE LOCAL PLANNING AUTHORITY:

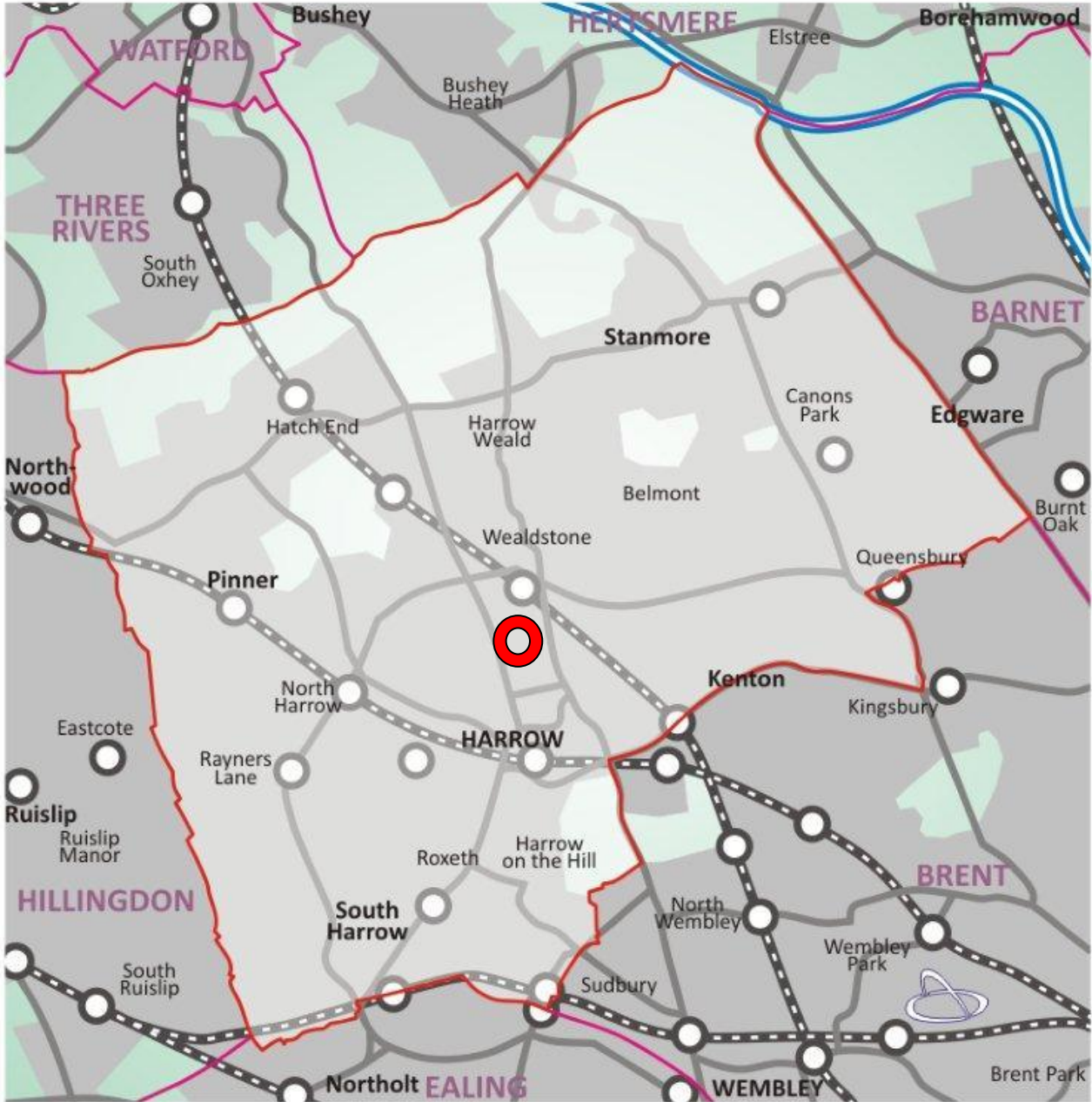
Orla Murphy	Harrow Council
Sushila Bhandari	Harrow Council
Selina Hotwani	Harrow Council
Kimry Schlacter	Harrow Council
David Hughes	Harrow Council
Krishan Nathaniel	Harrow Council
Baljit Bhandal	Harrow Council
Victoria Simms	BNP

INTERESTED PERSONS:

Cllr Jerry Miles	Roxeth Ward
Myrtle Martin	Neighbour
Bob and Debbie Fletcher	Neighbour
Harpreet Castleton	
Nasreen Visram	

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 = application site



Harrow Council Civic Car Park A Milton Road and 9 Station Road, Station Road, Milton Road	P/0345/23
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/0345/23
VALID DATE: 07/02/2023
LOCATION: HARROW COUNCIL CIVIC CENTRE CAR PARK A
MILTON ROAD AND 9 STATION ROAD.
WARD: MARLBOROUGH
POSTCODE: HA1 2XH
APPLICANT: HARROW COUNCIL
AGENT: CBRE
CASE OFFICER: MUHAMMAD SALEEM
EXPIRY DATE: 29/03/2023

PROPOSAL

Variation of Condition 2 (Approved Plans) and Condition 7 (Fire Safety) attached to planning permission P/4477/21 dated 30/03/2022 to allow reduction of building height by one storey (resulting in loss of 3 residential units; revised fire strategy to reflect height reduction)

Details: Apartment building with height ranging from 4 - 6 storeys comprising 26 residential units (19 X 1 bed, 7 X 2 bed) and 10x 3 storey townhouses (6 X 3 bed and 4 X 4 bed).

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required.

AFFORDABLE HOUSING

- (a) To be provided as per the submitted details and retained in perpetuity.
- (b) In securing the Shared Ownership tenure of the affordable housing offer, a cascade mechanism is required to offer these units to Harrow residents at Harrow income levels. Following this, it can be released to the West London Alliance boroughs, and then out to London wide (in line with The Mayor of London's income cap).

REPLACEMENT TREES

- (a) 26 x replacement trees & maintenance – TBC

PLAY SPACE CONTRIBUTION

- (a) Children's Play Space – £6,365.

HIGHWAYS

- (a) Parking Permit Restrictions - £1,780
- (b) Alteration to the existing loading restriction - £3,000
- (c) 2 x cycle racks on the public highway - £2,000

CARBON OFFSET

- (a) £93,912 carbon offset payment prior to the commencement of development (circa 27 tonnes offset per annum)
- (b) Provisions safeguarding the potential for connection to any future heat network capable of serving the development
- (c) Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon)
- (d) Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance

DEED OF VARIATION

- (a) Deed of Variation would be required to ensure the obligations relating to the approved scheme and introduce a clause to ensure the s.73 scheme is built instead of the approval under planning ref: P/4477/21.

RECOMMENDATION B

That if, by 30th July 2023 or such extended period as may be agreed in writing by the Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies H4, H5, H6, G5, G7, D2, SI2, S4, T3, T4 and T6 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP4, AAP5, AAP11 and AAP13 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM7, DM12, DM13, DM14, DM27, DM28, DM42, DM43, DM44 and DM45 and DM50 of the Harrow Development Management Polices Local

Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

INFORMATION

This application is reported to Planning Committee as it is a Major Development and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	All other Largescale Major Development
Council Interest:	Landowner and Applicant
Net Floorspace:	3,652 sqm (100sqm commercial floorspace)
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£6,000
Local CIL requirement:	£16,034

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The site relates to the previous Citizen's Advice Bureau (9 Station Road) and the Civic Centre Car Park A, which extends along Milton Road. The existing building was two storeys in height and abutted a terrace of ground floor commercial premises fronting Station Road with residential accommodation above. That building has been demolished, as part of the redevelopment of the site. Works have now commenced on site in relation to the approved scheme.
- 1.2 The site is located at the junction of Station Road (A409) and Milton Road. The site is bounded by Milton Road to the north and Station Road to the east. There are residential properties located to the south of the site on Blawith Road and Poets Way bounds the western boundary of the site, adjacent to an overgrown area of scrub and trees. In addition, there are a number of London Plane trees adjacent to the northern boundary of the site.
- 1.3 The application site is within the Opportunity Area and forms part of an allocated site for the wider redevelopment of the Harrow Civic Centre. The site is located between the Harrow Metropolitan Centre and Wealdstone District Centre. Part of the site is within a protected view setting corner – Roxborough Road Footbridge which provides a view of St Mary's spire. In addition, the site is within a protected view setting corridor for the proposed country park at Wood Farm.
- 1.4 Vehicular access to the site is via Milton Road. The site has a PTAL rating of 4 to 5. The roads surrounding the site are included within a Controlled Parking Zone (CPZ).
- 1.5 The site is within a critical drainage area.
- 1.6 The site is approximately 0.2ha and is therefore a 'small site'.

2.0 PROPOSAL

- 2.1 The proposed development is a row of 3-storey townhouses and a 4-storey apartment building, rising to 6-storeys on the corner of Milton Road and Station Road. The variation seeks a reduction in height from 7 storeys on the corner of Milton Road and this would result in the reduction of 3 units (2x1bed and 1x2bed). The total number of units would be reduced to 26 flats from 29 flats.
- 2.2 100% of the proposed residential units would be affordable. A total of 10 townhouses would be provided and would be available as London Affordable Rent. The apartment building would have all units available as shared ownership.
- 2.3 The Harrow Core Strategy defines tall buildings with the Opportunity Area as 30m and above. The proposed development is reduced in height from the approved scheme where it is 25.4m at its maximum height and this is reduced to 21.9m therefore does not fall within the definition of a tall building.

- 2.4 The proposed development would be car-free, except for the provision of three accessible parking spaces, which would be accessed via Milton Road and located to the west of the site. Given the change in the quantum of the development the cycle parking provision has also been reduced by 5 cycle spaces. The cycle parking for the proposed townhouses would remain as approved.
- 2.5 A communal garden 'Pocket Garden' for future residents is proposed to be located between the townhouses and the apartment building. In addition, a communal amenity space including children's play space is proposed for the wider community and is located to the west of the site.
- 2.6 In regard to the variation of condition 7 (Fire Safety) a Fire Strategy has been submitted in support of the application to change this to a compliance condition from a pre-commencement condition. The report seeks to achieve compliance with Schedule 1, Part B of the Building Regulations (2010, as amended), and any supporting guidance.

3.0 **RELEVANT PLANNING HISTORY**

P/4477/21	Development of apartment building comprising residential units (use class C3) and flexible non residential use to ground floor (Use Class E and/or F1 and/or F2); townhouses (use class C3); landscaping; boundary treatment; parking; bin and cycle stores	Granted 30/03/2022.
P/3290/22	Details pursuant to condition 3 (levels) attached to planning permission P/4477/21 dated 30/03/22 for development of apartment building comprising residential units (Use Class C3) and flexible non residential use to ground floor (Use Class E and/or F1 and/or F2).	Granted 08/11/2022
P/3291/22	Details pursuant to condition 4 (ground investigation) attached to planning permission P/4477/21 dated 30/03/22 for development of apartment building comprising residential units (Use Class C3) and flexible non residential use to ground floor (Use Class E and/or F1 and/or F2).	Granted 09/12/2022
P/3292/22	Details pursuant to condition 8 (bird hazard management plan) attached to planning permission P/4477/21 dated 30/03/22 for development of apartment building comprising residential units (Use Class C3) and flexible non residential use to ground floor (Use Class E and/or F1 and/or F2).	Granted 10/11/2022

P/3293/22	Details pursuant to conditions 5 (disposal of sewage) 6 (disposal of surface water) and 9 (drainage) attached to planning permission P/4477/21 dated 30/03/22 for development of apartment building comprising residential units (Use Class C3) and flexible non residential use to ground floor (Use Class E and/or F1 and/or F2).	Granted 16/12/2022
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4.0 CONSULTATION

- 4.1 A total of 395 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 A site notice was posted on the 13th February 2023. The overall public consultation period expired on the 28th February 2023.
- 4.3 No comments have been received.
- 4.4 Statutory and Non Statutory Consultation
- 4.5 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultation Responses
<p>LBH Principal Urban Design Officer</p> <p>Previous comments:</p> <p>The general height and massing distribution of the scheme is considered appropriate for the immediate settings of the site. Three storey flat roof townhouse units in a terraced row are of an appropriate scale to relate well with two and three storey semi-detached properties on Blawith Road, provided a suburban back-to-back typology. The apartment block, while significant in height at seven storeys, is of an urban scale fitting for an Opportunity Area, whilst relating to the Central Mosque on the eastern side of Station Road. The block steps down to four storeys for its western portion fronting Milton Road, offering a better relationship with Nos 1, 3, 5 and 7 Blawith Road with much reduced potential for overlooking between rear elevations. The scheme presents limited daylight and sunlight concerns to surrounding dwellings and buildings, given it lies to the north of Blawith Road properties, with extensive rear gardens creating sufficient separation. No objection.</p> <p><i>Officer response: Noted.</i></p> <p>LBH Highways Officer</p> <p>The site has a public transport accessibility level (PTAL) of 4 to 5 (good to very good). The application will be considered in line with the higher PTAL rating in accordance with section 10.6.4 of the London Plan. The commercial unit is not</p>

expected to generate any significant demand – the location is part of a parade of existing shops and businesses mainly used by people local to the area or passing by (already on the network). The residential element of the proposal includes a total of 73 cycle parking spaces – 69 long stay and 4 short stay. This amount is in line with The London Plan 2021 minimum cycle parking standards. 5% of stands will be accessible meaning that they are capable of facilitating non-standard cycles. Details of cycle storage would be required. We expect a detailed document to reference TfL and WestTrans guidance on delivery and servicing plans including measures to reduce the impact on the highway. This comment is carried on from the previous application.

Officer response: Noted, conditions included.

LBH Travel Planner

Due to the size of the development, the TPS will not be subject to a S106 agreement however there should be sufficient measures to deter parking on street as permitted by local parking regulations. A Residential Travel Plan outline has been submitted for approval for 39 residential units comprising of 29 flats and 10 townhouses. The total number of units do not meet Transport for London's guidance for Travel Plan Statement, however in view of plans to redevelopment of the adjoining site, I am requesting a Travel Plan Statement (TPS) to be submitted by the 6th month following occupation with further details on mitigating measures. This comment has been carried over from the previous application.

Officer response: Noted, conditions included.

LBH Drainage Engineer

No objection subject to conditions relating to surface/foul water drainage and permeable paving.

Officer response: Noted, conditions included.

LBH Principal Landscape Architect

The 'pocket garden' located between the townhouses and residential building provides secure access to cycle storage and a welcome incidental and attractive planted seating area. This space has the potential to become a sociable communal garden space for the local residents. The UGF score is lower than required, however it is also noted that as much of the available external space as possible is proposed to be planted. Replacement trees are required at a ratio of 2 for 1. Conditions required in relation to soft and hard landscaping, external lighting, landscape management and maintenance plan.

Officer response: Noted, conditions included.

LBH Tree Officer

Mitigation planting options within the site are likely to be limited owing to space constraints. The subsoil in this area is (as with much of Harrow) generally highly shrinkable clay – so foundations will need to be designed accordingly. A draft tree protection plan and method statement has been provided: this should be implemented exactly as per the recommendations therein, including the

arrangements for arboricultural supervision in relation to activities within RPA (installation of geotextile / ground protection, turf removal / soil re-grading etc)

Officer response: Noted, conditions included.

LBH Biodiversity Officer

The development site is of relatively low biodiversity value and is adequately distant from any sites of importance for nature conservation that the proposals would have no effect on these. Conditions recommended in relation to the submission of an Ecology Mitigation and Enhance Plan and an Ecology Management Plan.

Officer response: Noted, conditions included.

LBH Environmental Health Officer

Contamination - risk is low and their subsequent suggestion to recommend soil testing as a precautionary measure in line with their proposed site investigation scheme. The Noise levels at the façade line have been categorised predominantly in the Medium Category with variation across the site from Low at the measurement position furthest from the main road to High for night time noise closest to Station Road. The proposal includes internal air handling plant and equipment, RBA acoustics have not seen detailed design specs for the building materials or plant to be installed therefore I suggest a condition requiring a further assessment of the noise and vibration impact of any plant and equipment associated with the air handling and ventilation systems. No objection subject to conditions.

Officer response: Noted, conditions included.

LBH Waste Management Officer

No objection. My only advice would be to allow room at each if a resident wants a garden waste collection (assuming they have a garden each). This would increase bin space required to accommodate at least 3 x 240 bins.

Officer response: Noted, please refer to section 6.4 below.

LBH Planning Policy Officer

Submitted Energy Assessment is acceptable subject to conditions and planning obligations relating to carbon off-set provision, provisions safeguarding the potential for connection to any future heat network capable of serving the development, submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon) and compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance

The proposed development would provide a comprehensive re-development of the site, which is acceptable in principle and welcomed. Furthermore, the proposal would offer 36 units, all of which would be offered as affordable housing, and would be of an appropriate split between London Affordable Rent and Shared Ownership. Lastly, the proposed Shared Ownership, subject to an appropriate S.106 planning obligation, would be genuinely affordable to Harrow residents.

Travel Plan Officer

A Residential Travel Plan outline has been submitted for approval for 36 residential units comprising of 26 flats and 10 townhouses. The total number of units do not meet Transport for London's guidance for Travel Plan Statement, however in view of plans to redevelopment the adjoining site, I am requesting a Travel Plan Statement (TPS) to be submitted by the 6th month following occupation with further details on mitigating measures. Any targets should be agreed in writing.

The Travel Plan should use TfL's guidance to provide further information on:

- Surveys - Please complete a survey of residents within 6th months of occupation or at 75% full, whichever occurs first. TRICS compliant, as detailed in the RTP outline is sufficient. The schedule as provided in the outline is sufficient. I would like to request that this remains as part of the schedule for the TPS.
- Further detail on mitigating measures – please provide additional detail on measure to be incorporated. For example, will there be any incentives such as cycle training for residents who would like to learn/improve on this skill
- Targets - Where possible targets should be provided that link to the action plan.
- Action Plan – An action plan that focuses on mitigating measures and providing incentives to residents to encourage sustainable travel. Please use the result of the survey to inform the mitigating measures and action plan
- A schedule for the delivery of the TPS, including a schedule for reporting to the council.

Please refer to TfL's guidance for support in drafting the TPS and submit a draft to the Harrow Council Travel Planning Officers.

Due to the size of the development, the TPS will not be subject to a S106 agreement however there should be sufficient measures to deter parking on street as permitted by local parking regulations. I note my colleague has requested a parking review, of which the findings should be considered in drafting the TPS.

Legal Team

A Deed of Variation would be required to tie the s.73 permission to the obligations of the s.106 relating to the approved scheme and we would introduce a clause to ensure the s.73 scheme is built out and not the current approval.

Transport for London

Cycle parking complies with policy T5 of LP. Proposed development is car-free with 3 disabled parking spaces, which is compliant with policy T6 of LP. The Residential Travel Plan meets TfL's guidance and is compliant with T4 of LP. An Outline Delivery and Servicing Plan has been submitted, the full document should be secured by condition. The Delivery and Servicing Plan and all construction

logistics should be agreed with Harrow Council. Therefore, no objection subject to conditions.

Officer response: Noted, condition included.

Natural England

No comment to be made.

Network Rail

No response received.

National Grid

No response received.

NHS

CCG would like to seek a capital contribution of £62,650.

Officer response: Whilst the NHS seeks a capital contribution no justification has been provided as to why a development of this scale and nature would be required to make a capital contribution towards the NHS. It is therefore considered to be unreasonable and disproportionate. Furthermore, Harrow Council is committed to using CIL revenues and other funding sources to help deliver social, economic and environmental infrastructure to support and meet the demands arising from development. Therefore, if such a capital contribution were to be paid, this would derive from the Community Infrastructure Levy and not a planning obligation to be secured via a Section 106 Agreement.

Designing Out Crime Officer

No objection subject to a condition to ensure the development achieves SBD accreditation.

Officer response: Noted, condition included.

EDF Energy

No response received.

Environment Agency

No response received.

Thames Water

No response received.

Ministry of Defence (RAF Northolt)

No objection subject to a condition relating to a Bird Hazard Management Plan.

Officer response: Noted, condition included.

Campaign for a Better Harrow Council

No response received.

5.0 POLICIES

5.1 “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.’

5.2 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Housing Provision and Affordable Housing
- Character and Appearance of the Area/ Impact to Protected Views
- Impact to Residential Amenity
- Standard of Residential Accommodation
- Air Quality and Contamination
- Traffic, Parking, Access, Servicing and Sustainable Transport
- Development and Flood Risk
- Biodiversity
- Energy & Sustainability
- Accessibility
- Secured by Design
- Statement of Community Involvement
- Aviation
- Environmental Impact Assessment
- Fire Safety
- Section 106 Obligations

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021):
- The London Plan (2021): SD1, H1, H2
- Harrow Core Strategy (2012): CS2
- Area Action Plan (2013): AAP2, AAP5, AAP13
- Harrow Development Management Policies Local Plan (2013):DM1

- 6.2.2 The site is located within the Harrow & Wealdstone Area, an area identified as a priority area for regeneration. The AAP recognises the scope to accommodate a substantial portion of the Boroughs future housing need within this area, through the delivery of higher density residential and mixed-use development on key strategic opportunity sites. The site falls within the definition of a 'small site' and as per policy H2 of The London Plan (2021), boroughs should pro-actively support well-designed new homes on small sites to (amongst other things) significantly increase the contribution of small sites in meeting London's housing needs.
- 6.2.3 The application site forms part of Site 9: Civic Centre, as set out within the Harrow and Wealdstone Area Action Plan (2013). The remainder of Site 9: Civic Centre is located on the northern side of Milton Road. The principle of development of the entire site to provide use classes as set out in the allocation (D1, A1 – A3, B1, and C1) is acceptable. However, it must be noted that this includes the entire site, which includes land to the north of Milton Road and to the south (the subject Plot S). The current application seeks to bring forward only Plot S to the south of Milton Road. In the first instance, any planning application must demonstrate that bringing forward Plot S only, would not prejudice the delivery of the remaining site to the north of Milton Road and must be acceptable on its own merits without relying on the substantive remainder of the site allocation. The planning statement submitted in support of the application confirms that this is the case, and it is considered that should this site be developed, it would not prejudice the remainder of the site allocation being delivered. Site allocation S9 sets out that the south side of Milton Road would not have a non-residential element to it, as this would be provided for, on the larger land parcel to the north. However, as this site is coming forward on its own, it now proposes to retain an element of non-residential at the eastern end of the site, fronting onto Station Road. The proposed flexible use of this floorspace for E use class or F1/F2, complies with Core Policy CS2.I which seeks the provision of active commercial frontages along Station Road at ground floor level.
- 6.2.4 It is inevitable that the character of the area will significantly change. However, the increase in density in this location, is vital to support the wider regeneration of the Heart of Harrow Opportunity Area and its surrounding area through sustained economic growth and job creation.
- 6.2.5 The proposed development complies with the National Planning Policy Framework (2021), policies SD1, H1 and H2 of The London Plan (2021), core policy CS2 of the Core Strategy (2012), policies AA2 and AA5 of the Area Action Plan (2013) and policy DM1 of the Harrow Development Management Policies Local Plan (2013)

6.3 Housing Provision and Affordable Housing

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): GG4, H1, H4, H5, H6, H10
- Harrow Core Strategy (2012): CS1I, CS1J, CS8I
- Area Action Plan (2013): AAP2, AAP13
- Harrow Development Management Policies (2013): DM24
- Mayor of London Affordable Housing and Viability Supplementary Planning Guidance (2017)
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

Affordable Housing, Mix and Tenure

6.3.2 Policy H5 of the London Plan (2021) sets out the thresholds for major residential applications where a contribution of affordable housing is required. Policy H5D states that *'Developments which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor where relevant'*. In measuring the percentage of affordable housing on a scheme, this is measured by habitable rooms. This ensures that a range of homes can be delivered, including family homes.

6.3.3 Policy H6 (Affordable Housing Tenure) of the London Plan (2021), sets out how affordable housing should be split when a residential application is required to provide it. Under Policy H6A:

- a) A minimum of 30 per cent low cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
- b) A minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership.
- c) The remaining 40 per cent to be determined by the borough as low cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need.

6.3.4 Paragraph 4.6.2 of the London Plan (2021) recognises that most need is for social rent & LAR. The Local evidence base for housing type is detailed most recently within the West London SMAA (2018). The London Borough of Harrow Core Strategy (2012) sets out that the housing proposals that breach the threshold to provide affordable housing, should provide the maximum reasonable, with a borough wide target of 40%. The proposed development triggers an affordable housing requirement as it constitutes a major residential development.

- 6.3.5 The application proposes 36 residential units, and is located on a public sector land, and therefore is required to make a contribution and also at a minimum threshold of 50% (by reason of being public land). It is noted that the development proposes to offer 100% of the residential units as an affordable product, which significantly exceeds the 50% required on public lands. Furthermore, within the 50% requirement, it is proposed to develop 89% London Affordable Rent, which is the overriding need within Harrow in terms of affordable housing need. This exceeds the 70% requirement for this tenure as set out by London Plan policy H6.
- 6.3.6 Notwithstanding the commentary above in terms of achieving the appropriate balance between the two affordable products, it is also critical that these typologies are genuinely affordable. The London Plan (2021) across each of its Affordable Housing Policies, state that the Mayor will seek *genuinely affordable housing* to be delivered. The proposed Shared Ownership units would fall within the maximum thresholds as set out in the Mayor of London's AMR figure of £90,000. The Shared Ownership units would also only be 1 and 2 bed units, and the applicant contends that they would be affordable to persons on an income of £44,000 and £56,600 per annum based on an initial 25% share. In securing the Shared Ownership tenure of the affordable housing offer, it is recommended that a planning obligation be attached to implement a cascade mechanism to offer these units to Harrow residents at Harrow income levels. Following this, it can be released to the West London Alliance boroughs, and then out to London wide (in line with The Mayor of London's income cap).
- 6.3.7 The supporting information indicates that 10% of the units would be built out to meet the relevant standards (M4(3) of Wheelchair Use Dwellings. This is considered appropriate.
- 6.3.8 Housing Supply and Density
- 6.3.9 Policy H1 of The London Plan (2021) requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites with particular focus on sites with existing access levels (PTALs) 3-6 that are located within 800m distance of a station, and redevelopment of car parks and low-density retail parks and supermarkets as a source of capacity.
- 6.3.10 A design-led approach has been taken to the number of homes proposed as part of the development, having careful regard to the character of the surrounding area, whilst also seeking to optimise the site for affordable housing delivery. The proposals have been derived from an entirely design-led approach that directly responds to its setting and emerging context.
- 6.3.11 Furthermore, the density of the proposed development is considered appropriate due to the highly accessible location within an Opportunity Area, surrounding local context and the high provision of amenities in the area. The current quantum optimises the use of the site to deliver much needed affordable homes, contributing towards LBH housing targets. In view of this, it is considered that the density of development would achieve the aspirations of the NPPF and the London Plan in optimising the development potential on this brownfield site within the Harrow and Wealdstone Opportunity Area.

Summary

6.3.12 The proposed development would provide a comprehensive re-development of the site, which is acceptable in principle and welcomed. Furthermore, the proposal would offer 36 residential units, all of which would be offered as affordable housing, and would be of an appropriate split between London Affordable Rent and Shared Ownership. Lastly, the proposed Shared Ownership, subject to an appropriate S.106 planning obligation, would be genuinely affordable to Harrow residents. The proposed development therefore complies with the above mentioned policies and guidance.

6.4 **Character and Appearance of the Area/ Impact to Protected Views**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D1, D2, D3, D4, D9, D12, HC1, HC4, G5, G7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP1, AAP4, AAP6, AAP7, AAP11
- Harrow Development Management Policies Local Plan (2013): DM1, DM3, DM7, DM22, DM23, DM45
- Supplementary Planning Document: Residential Design Guide (2010)
- Technical Housing Standard (2015)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016).
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

Design, Scale, Materiality

6.4.2 The application site is in an urban area within the Harrow and Wealdstone Opportunity Area (AAP) boundary. The site is located between the Harrow Metropolitan Centre and Wealdstone District Centre. Station Road is a principal thoroughfare in the borough and the potential to animate this frontage and to create an active frontage is essential to address the high street nature of this immediate area. This part of Harrow has seen significant development and redevelopment over the past 150 years, always with a trend towards densification. This trend continues and is contributing to a varied character ranging from the historic early Victorian dwellings and inter-war parade buildings to the modern apartment blocks, which line Sheepcote Road and make up much of the town centre.

6.4.3 The proposed development consists of a row of 3-storey town houses providing ten affordable, family homes. The town houses are located to the west of the application site and are of an appropriate scale to relate with the two-storey properties located on Blawith Road to the rear of the site. The subtle angling of townhouse front elevations is successful in providing visual interest to the street scene and delineating units. The entrances to the homes are paired, featuring an inset front door for rain protection and refuse stores.

- 6.4.4 The apartment building is predominantly 4-storeys, stepping up to 6-storeys on the north east corner. As part of the proposed variation, the building would now step up to 6 storeys instead of the approved 7 storeys on the north eastern corner. It is of an urban scale fitting for an Opportunity Area, whilst relating to the Central Mosque on the eastern side of Station Road. At ground floor level, the commercial unit features window openings on both Milton and Station roads, which will assist in animating this corner and creating an active frontage which wraps around the junction due to its chamfered building line. Access to the flats would be via an open deck located on the southern elevation, which would be suitably screened. Projecting balconies to the western section of the apartment block are considered successful as they align with the stepping of the footprint of the corner element.
- 6.4.5 The footprint of the town houses and apartment buildings enables the creation of a communal amenity space to the west of the site, along with the provision of three accessible parking spaces for future occupiers. Cycle storage and a private amenity space (the 'pocket garden') would be provided between the apartment building and townhouses which would provide separation between the two typologies, assists to reduce the overall mass of the scheme, and provides an attractive, landscaped area for future residents.
- 6.4.6 The Principal Urban Design Officer advised that the proposed material palette is well resolved, with the tone and material type of principal materials (dark brick, precast concrete, metalwork) being complimentary, robust and high quality. A condition is appropriate to ensure details of external materials are submitted to the LPA for approval. The Principal Urban Design Officer raised no objection to the proposed development.
- 6.4.7 Following previous application comments on the approved scheme under planning ref: P/4477/21 raised by the DRP Review Panel and by Officers, the applicant amended the scheme to reduce the scale of the development. The amended scheme was subsequently presented to the DRP Chair Review, who summarised that there have been positive changes to the scheme's massing and confirmed that the design of the play area was considered to be successful.

Impact on Protected Views

- 6.4.8 The applicant submitted a Townscape and Visual Impact Assessment as part of the Design & Access Part of the site (western side) is within a protected view setting corner (yellow)– Roxborough Road Footbridge which provides a view of St Mary's spire. The part of the development which would be within this viewing corridor would not exceed 4 storeys in height and therefore would not exceed the maximum height allowed above ordinance datum within the protected view setting corridor.
- 6.4.9 In addition, the site is within a protected view setting corridor (yellow) for the country park at wood farm. The height of the proposed building would not exceed the maximum height allowed above ordinance datum within the protected view setting corridor. Therefore, given the height of the proposed development, it would not result in a detrimental impact to the views.

Landscaping & Trees

- 6.4.10 The proposed development would result in the loss of 13 'category B/U' trees. Throughout the design process the applicant endeavoured to retain the trees, however if they were retained their long-term health and longevity would have been compromised from construction works and post-development pressures. The Councils Arboricultural Officer and Principal Landscape Architect raised no objection to their loss, subject to replacement tree planting at a ratio of 2 to 1. Therefore, a financial contribution is sought for 26 replacement trees. The Chestnut in particular, is a prominent tree and a focal point, being situated on the corner of Poets Way and Milton Road – so its retention is welcome (subject to inspection following ivy removal). A draft tree protection plan and method statement has been provided: this should be implemented exactly as per the recommendations therein, including the arrangements for arboricultural supervision in relation to activities within RPA (installation of geotextile / ground protection, turf removal / soil re-grading etc)
- 6.4.11 The proposed development includes a new communal amenity space towards the west of the site, called the 'Western Garden'. This space is currently occupied by dense scrub, mature trees, debris and litter. Undergrowth is to be cleared and underlying soil gently levelled and improved with biochar. Some lower branch removal is also proposed to provide clearance above ground -level and out of climbing range for children using the play area. This area would be transformed into an accessible and attractive landscaped area (257sqm) for the wider community to enjoy. New features would be introduced to provide an area for doorstep play space, including play equipment and steppingstones. In addition to the Western Garden, a 'Pocket Garden' would be provided between the apartment building and terraced buildings. This would provide a shared amenity space for future residents of the proposed development. This courtyard area would provide seating, lush planting, and access to the cycle store. In addition to the provision of the Western Garden and Pocket Garden, private gardens would be provided for the future occupiers of the town houses and to the ground floor flats located to the rear of the apartment building along with a biodiverse brown roof.
- 6.4.12 Policy G5 of The London Plan (2021) confirms the target score for the Urban Greening Factor (UGF) for a residential development is 0.4. The Public Realm & Landscape document clarifies that the Urban Greening Factor would be 0.63, which exceeds the requirements of policy G5. Furthermore, the Council's Landscape Architect is satisfied that the applicant has explored all opportunities to maximise the urban greening of the site. The Landscape Architect raised no objection to the proposed development, subject to conditions. On balance therefore, it is considered that the proposed development is acceptable in this regard.

Refuse and Servicing

- 6.4.13 A refuse store is proposed at ground floor level of the apartment building, with direct access to the adjacent pavement.

6.4.14 As noted above, the Council's Waste Management department was consulted, and objection was not raised to the refuse provision for the apartment building. It is noted that the town houses would be provided with a refuse store to accommodate two bins to the front of each townhouse. It is considered there is insufficient space to provide a further bin to the front of the townhouse as this would result in a cluttered appearance. The agent has confirmed that if a future occupier requires a third bin, such bin can be stored in their rear garden and brought to the front on collection day, which is not uncommon for terraced houses. The proposal is therefore acceptable in this regard.

Summary

6.4.15 In conclusion, the proposed development, subject to the imposition of appropriate conditions, would achieve a high standard of design and layout, which would add positively to the built form, providing a high quality development which would substantially contribute to the character and appearance of the area. Sufficient refuse storage would be provided within the curtilage of the site and the proposed development would meet the high quality design and landscape aspirations of above mentioned planning policies.

6.5 Impact to Residential Amenity

6.5.1 The relevant policies are:

- The London Plan (2021): D3, D14
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)

Outlook/Visual Amenities

6.5.2 There are two storey residential properties located to the rear of the site, along Blawith. They would have a back-to back-distance of a minimum of 24m from the rear elevation of the proposed town houses, increasing to 33m. The rear elevation of the apartment building would be approximately 33m from the rear elevation of the properties to the rear along Blawith Road. Whilst the proposed development would introduce a new form of built development to the rear of these properties, it is considered that given the proposed footprint, form and mass of the proposed development and the distance between the rear elevation of the proposed development and the properties to the rear of the site, the development would not result in a detrimental impact to the residential and visual amenities of residential properties along Blawith Road due to a loss of outlook.

Overlooking & Privacy

- 6.5.3 As noted above, the proposed development would maintain a minimum distance of 24m, increasing to the west of the site to 33m, from the rear elevation of the properties located to the rear of the site along Blawith Road. Whilst it is noted that the proposed rear elevation of the town houses would contain openings, given the window-to-window distances with the properties to the rear, the proposal would not result in a detrimental impact to their privacy. Such a relationship is common within an urban setting. Furthermore, 6 out of 10 houses would have windows at first floor level which would not serve habitable rooms and no roof terraces are proposed, thereby reducing the impact of the proposed town houses further, ensuring that the proposed town houses would not result in a detrimental to their residential amenities due to overlooking and privacy.
- 6.5.4 The rear elevation of the proposed outbuilding contains openings. It is noted that first floor level and above, a bedroom window would be provided towards the SW corner, and all other openings serve either a hallway or an open plan living/room kitchen area (dual aspect). Furthermore, an external deck area is proposed to the rear elevation at all levels to provide access to the flats. It is noted that this deck would be screened in a manner to avoid actual/perceived overlooking to the rear of the site from the deck itself, and from the windows sited behind it within the rear elevation. Details of this screen would be secured by a condition to ensure it is appropriate in terms of functionality and materiality. Therefore, given the proposed design of the rear elevation and the distance between the rear elevation of the properties located to the rear of the site, the proposal would not result in a detrimental to their residential amenities due to overlooking and privacy.

Daylight, Sunlight & Overshadowing

- 6.5.5 The applicant submitted a Daylight & Sunlight Report as part of the previous approved development under planning ref: P/4477/21 for a maximum height of 7 storeys stepping down to 4 storeys. It confirmed that the analysis was undertaken in accordance with the advice and recommendation set out in the BRE Guidelines 'Site Layout for Daylight and Sunlight: A Guide to Good Practice' (2011). There are three detailed methods for calculating daylight recommended in the BRE Guidelines: Vertical Sky Component (VSC), No-Sky Line Contour (NSL) and Average Daylight Factor (ADF). The VSC and NSL are primarily used for the assessment of existing buildings, while the ADF test is generally recommended for proposed rather than existing dwellings. For sunlight, the Annual Probable Sunlight Hours (APSH) method is also provided.
- 6.5.6 It is recognised that the site is predominantly characterised by a car park and the neighbouring buildings enjoy very high levels of daylight and sunlight amenity which is somewhat uncharacteristic of an urban setting such as this and in such situations it is not uncommon for a development on open sites to cause relative alterations both the VSC (vertical sky component – measure of skylight reaching the mid-point of a window from an overcast sky) and NSL (no-sky line – a measure of the distribution of diffuse daylight within a room).

- 6.5.7 The NPPF requires LPAs to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, so long as the resulting scheme would provide acceptable living standards.
- 6.5.8 Whilst it was noted that the approved development would result in some windows and rooms having a change to their daylight and sunlight, due to the existing site circumstances including the large expanse of the existing car park, existing party walls/outriggers. As part of the approved scheme the Local Planning Authority was satisfied that overall the proposed development would not result in a detrimental impact to the residential amenities of neighbouring properties due to a loss of sunlight, daylight and overshadowing. As part of the revised scheme with a reduction in height (omission of the 7th storey) the proposal continues to be acceptable in this regard.
- 6.5.9 It was previously discussed that, 7 Station Road is located adjacent to the application site, in the adjoining parade. The ground floor is in commercial use and the two upper floors are in residential use. 1 out of the 3 windows would satisfy the BRE guidelines in relation to VSC. The 2 remaining windows would have approximately 22-24% loss of VSC, due to the existing site circumstances, in particular the lack of obstructions. However, all 3 windows would satisfy the BRE guidelines in relation to NSL. All windows satisfy the BRE guidelines in relation to ASPH (sunlight).
- 6.5.10 The daylight and sunlight analysis confirmed that the vast majority of windows (96% for VSC; 99% for ASPH, 100% for ASPH in winter) and rooms (99 for NSL) will satisfy the BRE guidelines in the proposed condition. There will be some isolated daylight transgressions which are below the recommendations set out in the BRE Guidelines, some of which may be noticeable (namely 7, 9 and 13 Station Road and 1 Blawith Road). However, these are heavily influenced by the absence of any buildings in the existing condition directly opposite, and in some cases the blinkering effect of adjacent existing projections. These are key contextual factors that the BRE recognises can make greater effects inevitable, especially if seeking to implement any meaningful increase in levels of development. That said, the vast majority of the effects recorded were considered either minor, will retain reasonable light levels and/or meet at least one of the two daylight tests, or otherwise likely relate to less important bedroom space.
- 6.5.11 In consideration of the light for future residents of the Proposed Development, the report outlines that this clearly performs very well against the recommended daylight guidance with pass rates as high as 99% for ADF and 90% NSL. In terms of sunlight, 91% of the of windows analysed relate to rooms with at least one window that meets or exceeds the winter targets; while 68% relate to rooms with at least one window that meets or exceeds the annual targets.
- 6.5.12 Where sunlight to neighbouring amenity spaces may be affected by new development, the BRE Guidelines recommend that an overshadowing assessment is conducted. Its key quantitative '2hrs sun contour' test recommends that at least half of an amenity space should receive at least two hours of sunlight on the ground on March 21st.

- 6.5.13 The Proposed Development is almost if not entirely north of the rear gardens of 1-35 Blawith Road and rear yards 7-21 Station Road to the south. Therefore, due to the orientation and distance relationship between the Proposed Development and the nearest neighbouring amenity space, it is clear that there will no material effect in relation to the 2hrs sun contour test.
- 6.5.14 In summary, the proposed development with a reduction in height would continue to be acceptable in terms of the daylight and sunlight received by the existing neighbouring properties and future development in the area.

Noise and Disturbance

- 6.5.15 The application was accompanied by a Noise Impact Assessment. The Environmental Health Manager was consulted who raised no objection to the proposed development subject to conditions in relation to the submission of further details in relation to noise attenuation measures for the windows facing Station Road, details of any air handling and ventilation systems to be submitted and conditions to control noise levels of the ground floor commercial unit. It is also considered appropriate to include a condition to restrict the opening hours of the ground floor commercial unit. Therefore, subject to the above conditions, the proposed development would not result in a detrimental impact to the residential amenities of neighbouring properties due to noise and disturbance.

Summary

- 6.5.16 The proposed development, due to its size, scale, form, massing, and relationship with neighbouring properties, would not result in an unacceptable impact to the visual or residential amenities of neighbouring properties. The proposed development therefore complies with the above mentioned policies and guidance.

6.6 Standard of Residential Accommodation

- 6.6.1 The relevant policies are:

- The London Plan (2021): D6, D14
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)

Entrances and Shared Circulation

- 6.6.2 The Mayor's Housing SPG calls for entrances to be visible from the public realm and clearly defined. The SPG sets out a number of guidelines for shared circulation space, which includes the numbers of units that are accessed from each core (eight units); the provision of entry phone, or audio-visual verification to the access control system where applicable; natural light and adequate ventilation where possible; in schemes with more than eight storeys the provision of two lifts; and in the case of those buildings with wheelchair units the provision of more than one lift.
- 6.6.3 The residential entrances to the buildings would face Station Road. They would be visible from and would help to activate the new public realm within the proposed development.

- 6.6.4 The entrance lobbies to the proposed residential flats would be generously proportioned. The apartment building would be served by two lifts and there would be no more than 6 residential units per floor serving the core in accordance with the Housing SPG. Whilst the Cores would not have access to natural source of lighting, given the arrangement of the flats, the limited number of units accessed per floor and the a high proportion of dual aspect units, the lack of naturally light to the communal core lobbies is considered to be acceptable and is not uncommon.
- 6.6.5 Therefore, the proposed development is considered to provide an acceptable standard of shared circulation. A condition in relation to the provision of audio-visual verification to the access control system is considered to be appropriate

Internal Space Standards

- 6.6.6 The proposals comply with the internal space standards provided in policy D6 of The London Plan (2021) with regards to gross internal area and the provision of storage space. The individual rooms within the flats are of good layout and size and suitable internal circulation space is provided in all units. Furthermore, floor to ceiling heights would be approximately 2.5m. All units would be dual aspect to provide adequate daylight, a greater opportunity for direct sunlight for longer periods, natural cross-ventilation and a greater capacity to address overheating. The proposed development has been designed to ensure all units would have suitable levels of internal daylight and privacy. The proposal therefore complies with policy D6.

Private & Communal Amenity Space

- 6.6.7 Policy D6 of The London Plan (2021) requires private outdoor space to be practical in terms of its shape and utility and to ensure the space offers good amenity. It requires a minimum of a minimum of 5m² per 1-2 person dwelling and an extra 1m² for each additional occupant and it must have a minimum depth and width of 1.5m.
- 6.6.8 The proposed town houses would be provided with a private, rear garden between 20-32sqm. The town houses would provide accommodation for either 5 or 7 persons, thereby requiring private amenity space of 8 and 10sqm respectively. The proposed ground floor, wheelchair flats in the apartment building would be provided with private rear gardens, ranging in size from 24 – 32sqm. The flats would provide accommodation for either 2 or 3 persons, thereby requiring private amenity space of 5 and 6sqm respectively. Therefore, the proposed rear gardens for both the town houses and ground floor flats are of sufficient size and exceed the guidance provided in policy D6. Furthermore, the gardens are south facing and are practical in terms of their shape and utility.

- 6.6.9 All other flats would be provided with a balcony providing approximately 7sqm of amenity space, in accordance with policy D6. It is noted that all balconies apart from 1 are north facing. The flat on the SE corner would have a south facing balcony however, its outlook would be predominantly over the roof of the neighbouring terrace and Station Road. Any views to properties located to the rear of the site on Blawith Road would be restricted and at an oblique angle as it would not project beyond the rear elevation of the building. Furthermore, it is acknowledged that if the balconies were on the southern elevation it would have resulted in overlooking to the properties located to the rear of the site. Therefore, given the site circumstances, north facing balconies are acceptable in this case.
- 6.6.10 In addition to the private amenity space, a communal amenity space would be provided between the apartment building and town houses, called the 'pocket garden'. This would provide 63sqm of amenity space for the future residents of the proposed development.
- 6.6.11 The proposal complies with policy D6 of The London Plan (2021) with regards to the provision of private amenity space, quantitatively and qualitatively.

Children's Play Space

- 6.6.12 Policy S4 of The London Plan (2021) requires a minimum of 10sqm of play space per child that is well designed, safe, integral, overlooked and tenure blind. Large-scale public realm developments must also create incidental play space where practicable. Notwithstanding this, LB Harrow carried out a PPG17 study and has used an evidenced 4sqm play space per child.
- 6.6.13 Based on the Mayor's population calculator, the total number of children anticipated to reside in the proposed development would be 30. Therefore, the proposed development would require 300sqm of play space.
- 6.6.14 As noted above, the proposed development includes a new communal amenity space towards the west of the site, called the 'Western Garden'. This space is currently occupied by dense scrub, mature trees, debris and litter. This area would be transformed into an accessible and attractive landscaped area (257sqm) for the wider community to enjoy. 233 sqm of play space would be introduced to provide an area for doorstep play space, including play equipment and steppingstones. Whilst it is noted that there would be a shortfall of 67sqm of play space, it is recognised that the application site falls under the definition of a small site and the application has endeavoured to provide a viable scheme which would deliver 100% affordable housing, a communal amenity space for the wider community to enjoy and on-site accessible parking bays. Therefore, on balance, the play space provision is considered to be acceptable subject to a financial contribution to secure off-site provision in accordance with the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Summary

6.6.15 The proposed development would provide an acceptable standard of residential accommodation for future residents, in accordance with the above mentioned policies and guidance.

6.7 **Air Quality and Contamination**

6.7.1 The relevant policies are:

- The London Plan (2021): SI1
- Harrow Core Strategy (2012): CS1.T
- Harrow Development Management Policies Local Plan (2013):DM1, DM15

6.7.2 Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

6.7.3 The application was accompanied by an Air Quality Assessment to assess the air quality impacts associated with the proposed development. Modelling was carried out to assess the likely exposure of future residents and the suitability of the site for its proposed end use with regards to local air quality. The report identifies that the construction works have the potential to create dust and a package of mitigation measures to minimise dust emissions would be required. It concluded that there are no air quality constraints to the proposed development.

6.7.4 The application was accompanied by a Contamination Report. The Environmental Health Department raised no objection to the proposed development in this regard, subject to conditions. The proposal is therefore acceptable in accordance with the above mentioned conditions.

6.8 **Traffic, Parking, Access, Servicing and Sustainable Transport**

6.8.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

6.8.2 The site has a public transport accessibility level (PTAL) of 4 to 5 (good to very good). The application is therefore considered in line with the higher PTAL rating in accordance with section 10.6.4 of the London Plan.

6.8.3 This location is in close proximity to bus stops served by five regular frequent services. Harrow and Wealdstone Station is within a five minute walk and is served by national rail and London Overground and Underground routes. The site is located between Harrow and Wealdstone town centres, both of which are in walking distance.

Access and Car Parking

- 6.8.4 The proposed development would be car-free in accordance with policy T6 of The London Plan (2021). In accordance with policy T6.1 of The London Plan (2021), the development is required to ensure that for 3% of dwellings, at least one disabled parking space is provided for each dwelling from the outset. Therefore, the proposal is required to provide 2 disabled parking spaces within the curtilage of the site. The proposed site plan indicated the provision of 3 parking spaces, which therefore exceeds the standard provided in policy T6.1 of The London Plan (2021).
- 6.8.5 The applicant carried out a parking survey of the surrounding road network. The Highways Officer confirmed that the information provided demonstrates that there is sufficient on-street overnight capacity to accommodate potential overspill parking generated by this proposal. The study indicates that the location, proximity to good public transport, majority smaller units, affordable housing, existing restrictions all will contribute towards a fairly low car parking demand; even if the development followed the Census rate of 59% car ownership, there is still plenty of space within the surveyed area to accommodate the possible 23 cars. The applicant has explored the possibility of providing a car club, however a car club operator would not consider this site viable for provision. The Highways Officer is satisfied that the proposal is unlikely to result in a severe or harmful impact for the surrounding Highway network and therefore raised no objection to the proposed development.
- 6.8.6 A Residential Travel Plan (outline) was submitted for approval for 36 residential units comprising of 26 flats and 10 townhouses. The total number of units do not meet Transport for London's guidance for Travel Plan Statement, however in view of plans to redevelop the adjoining site, the Travel Planner requested a Travel Plan Statement (TPS) to be submitted by the 6th month following occupation with further details on mitigating measures.
- 6.8.7 Therefore, it is considered that sufficient car parking is provided within the curtilage of the site. If this development was acceptable in all other respects it would be subject to conditions which would require such car parking spaces to be provided as per the approved plan prior to the first occupation of the development and retained as such thereafter. Furthermore, the Highways Officer and TFL raised no objection to the proposed development in terms of access and car parking.

Outline Car Park Design and Management Plan

- 6.8.8 The applicant submitted an Outline Car Park Design and Management Plan. The Highways Officer confirmed that the submitted information is acceptable. As the end operator is known, it is expected that the detailed document will confirm intention for allocation and enforcement. The document should also include details of how the passive electric vehicle charge point can be made active should demand increase.

6.8.9 This document will also demonstrate how a further disabled parking space could be provided for an additional 7% of dwellings as soon as demand exceeds supply. This would equate to an additional one disabled parking space. It is understood that due to a lack of space within the site, this will not be possible. It is considered that this site is accessible to disabled people and public transport options are nearby which are also accessible. Residents will still be able to apply for on-street disabled parking spaces as existing residents living on adopted highway roads are able to, furthermore, blue badge holders will also be able to park within the surrounding CPZs if they choose. The Highways Officer and TFL raise no objection to the Outline Car Park Design and Management Plan and therefore the proposal is considered acceptable in this regard.

Trip Generation

- 6.8.10 The existing site is a car park that was previously used by Council employees. This facility accommodated 66 vehicles. Arrivals would have been spread across the morning with most activity between 8-9am with subsequent arrivals and departures throughout the day. It is anticipated that the proposed use would result in minimal vehicular trips assuming that most residents will not keep cars due to there being no car parking provision made beyond the three disabled bays.
- 6.8.11 The applicant has provided TRICS trip rate data which calculates the likely number of journeys the site would generate; Census 2011 mode share data has then been used to determine how people living in this location would be likely to travel. The mode share data has been adjusted to take into account the lack of parking provision and the subsequent expected reduced level of car journeys this site is likely to generate. Trips for car use have been redistributed across other modes such as rail, Underground, bus and walking. Whilst this is generally acceptable, through correspondence with people living in existing car free developments, some do still keep cars (but park them off-site) meaning that there would be an amount car journeys generated by the development in excess of those generated by the disabled parking.
- 6.8.12 The development is expected to produce mainly public transport trips with 43% of journeys being attributed to Underground use. There is good capacity on the Underground at Harrow and Wealdstone Station, particularly as this is the terminus for the Bakerloo line. There is an existing high demand for rail travel, particularly in the AM peak which is most likely to be due to the short journey times into central London however, the anticipated number of people expected to use this mode is low at 10 journeys in the AM peak and 6 in the PM peak.
- 6.8.13 This site has good access to buses with 5 regular, frequent daytime routes serving the nearest bus stops. With 25-30 buses available per hour, it would seem that there should be sufficient capacity for the 11 people expected in the AM peak and 7 in the PM peak.
- 6.8.14 The commercial unit is not expected to generate any significant demand – the location is part of a parade of existing shops and businesses mainly used by people local to the area or passing by (already on the network).

- 6.8.15 As this is not the only new development to the area which is expected to generate a new demand for public transport services, TfL would ideally need to confirm that there is capacity for the combined additional journeys forecast for the year of occupation of this development. It should also be considered that this development does include family housing and the Census “Method of Travel to Work” data would not include school journeys but these will also generate a demand during the AM peak in particular.

Cycle Parking

- 6.8.16 In accordance with policy T6.1 of The London Plan (2021), the proposed residential development is required to provide 68 long stay spaces and 2 short stay spaces. The proposed development indicates the provision of 69 long-stay spaces and 4 short stay spaces, which exceeds the requirements as per policy T6.1.
- 6.8.17 The proposed ground floor, flexible use would require 1 long stay and 2 short stay spaces. The applicant has confirmed that the long stay space would be provided internally, and the 2 short stay spaces could be provided on the public highway. The Highways Officer has confirmed that this would require a financial contribution of £2,000 for the supply and installation of two cycle stands. This would be secured via as S106 Agreement.
- 6.8.18 Sufficient cycle parking would be provided, in accordance with policy T6.1 of The London Plan (2021). A condition would be appropriate to ensure details of cycle racks are submitted to the LPA for approval. Furthermore, the Highways Officer and TFL raised no objection to the proposed development in terms of access and cycle parking.

Deliveries and Servicing

- 6.8.19 It is proposed for delivery and servicing vehicles to use the existing loading bay provided to the north-west of the site, along Milton Road. This was provided to facilitate specific delivery and servicing activities from the Civic Centre which means that when the building closes in the future, the bay will no longer be required. It may be necessary as a result of this proposal and future plans for the Civic Centre site to review existing waiting and loading restrictions in Milton Road. Should the proposal be approved, Highways will work with the applicant to agree appropriate on-street arrangements as it is clear that this site cannot be serviced from within as it is too narrow. The submission of a Detailed Deliveries and Servicing Plan will be secured via condition, to be reviewed and approved by the LPA. Such a plan should reference TfL and WestTrans guidance on delivery and servicing plans including measures to reduce the impact on the highway.
- 6.8.20 It is therefore considered that the proposed development is acceptable in Highway terms and would accord with policies T5, T6, T6.1 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013), on the basis that if planning permission was granted it would be subject to the abovementioned conditions. Furthermore, the Highways Officer and TFL raised no objection to the proposed development.

6.9 **Development and Flood Risk**

6.9.1 The relevant policies are:

- The London Plan (2021): S113
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM9, DM10

6.9.2 The application site is within a critical drainage area. The Drainage Department was consulted who confirmed that the Drainage Strategy is acceptable, however further details are required including further details on foul drainage, surface water drainage and permeable paving.

6.9.3 These matters can be secured via condition. On that basis, the proposal therefore complies with the above mentioned policies. Following the approval of the main application the applicant submitted details and the Council have discharged the drainage conditions under planning reference: P/3293/22.

6.10 **Biodiversity**

6.10.1 The relevant policies are:

- The London Plan (2021): G5, G
- Harrow Core Strategy (2012):CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM20, DM21

6.10.2 The application was accompanied by a Preliminary Ecological Report.

6.10.3 The Biodiversity Officer was consulted on the proposal and advised that the application site is of relatively low biodiversity value and is adequately distant from any sites of importance for nature conservation that the proposals would have no effect on these.

6.10.4 The applicant has confirmed that the UGF for on-site planting would be 0.63, which significantly exceeds the London Plan policy requirement of 0.4. The proposed urban greening measures are an integral element to the layout and design of the development and will make a significant contribution to the character and appearance of the development and the wider area.

6.10.5 The Biodiversity Officer raised no objection to the proposed redevelopment subject to conditions relating to the submission of an Ecology Mitigation and Enhancement Plan and Management Plan. As these matters could be secured via condition, Officers are satisfied that the proposals meet the development plan objectives in terms of biodiversity enhancement. On that basis, the proposal therefore complies with the above mentioned policies.

6.11 Energy and Sustainability

6.11.1 The relevant policies are:

- The London Plan (2021): SI1, SI2, SI5
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM14

6.11.2 The design of the proposed development is based on a 'clean, lean, green' approach through energy efficient new construction. All units in the proposed building use natural ventilation and are provided with energy efficient electricity and heating systems using PV panels and air source heat pumps. The application was accompanied by a Domestic Energy Assessment. It is noted that the document has been prepared using the Building Regulations 2013 Part L (including SAP 2012 assessment software). The Energy Assessment has been prepared in accordance with the GLA's Energy Assessment Guidance (2020, draft), including completing the GLA bespoke calculator. The assessment indicates that the proposal is intended to achieve a 7.6% reduction in carbon emissions through energy efficiency measures ('Be Lean') relative to Part L 2013. This is below the 10% target in Policy SI2, whilst using the GLA bespoke calculator shows a reduction greater than 10% (11.4%) the 10% requirement in the London Plan is relative to Part L 2013. However, given the scale of the development and overall carbon reductions achieved, the minor non-compliance with that element of the London Plan is acceptable in this instance.

6.11.3 The Energy Assessment correctly notes that there are no existing heat networks ('Be Clean') within the vicinity but makes provision to enable future connection to a future network (should one be progressed) and recognises that the larger Civic Centre site across the road is likely to contain one. Future proofing for potential future connection is considered sufficient. A communal heating system powered by air source heat pumps is proposed, along with solar PV panels. These measures ('Be Green') reduce carbon emissions by a further 27.5%, bringing the total carbon reductions to 35.1%, which just exceeds the 35% on-site reductions required under the London Plan. Using the GLA bespoke calculator, the 'Be Green' reductions are 55.9% and the total reductions are 67.3%.

6.11.4 The Energy Assessment includes the calculations for the carbon offset contribution required to achieve zero carbon development (consistent with the London Plan) in an appendix. At 33.0 tonnes to offset (based on current Building Regulations Part L 2013, as per London Plan) and at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan), the offset contribution is circa £93,912, which should be paid prior to the commencement of development, to be secured via a Section 106 Agreement. The Planning Policy Manager confirmed that the Submitted Energy Assessment is acceptable subject to:

- Any approval being conditioned to secure Implementation of and ongoing compliance with the submitted Energy Assessment
- Shadow S106 / unilateral undertaking with the following heads of terms:
- Payment of carbon offset contribution prior to commencement of development

- Provisions safeguarding the potential for connection to any future heat network capable of serving the development
- Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon)
- Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance

6.11.5 Subject to the above obligations and condition, the proposal therefore complies with the above mentioned policies.

6.12 **Accessibility**

6.12.1 The relevant policies are:

- The London Plan (2021): D5, D7
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2

6.12.2 The proposed development would provide 10% accessible M4(3) units, located in the apartment building and all M4(3) units would be dual aspect, which is welcomed. All other homes would be M4(2) compliant. All residential entrances would have level access and the apartment building lifts are all fully accessible. With regards to accessible housing, the proposal complies with policy D7 of The London Plan (2021).

6.12.3 With regards to the proposed flexible use unit at ground floor level, the agent has confirmed that all door widths are Part M2 compliant with a 1m clear opening for all external doors which are to be used by the general public and it would have level access with the adjacent pavement.

6.12.4 Officers are satisfied that the proposals meet the development plan objectives in terms of accessibility and inclusive design. On that basis, the proposal therefore complies with the above mentioned policies.

6.13 **Secured by Design**

6.13.1 The relevant policies are:

- The London Plan (2021) : D5, D11, E10
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2

6.13.2 The Designing Out Crime Officer has not raised any objections to the proposed development. A condition is appropriate if this development was considered to be acceptable in all other respects, to ensure that the development would achieve Secured by Design (SBD) certification prior to occupation. On that basis, the proposal therefore complies with the above mentioned policies.

6.14 **Statement of Community Involvement**

6.14.1 The NPPF, Localism Act and the Council's Statement of Community Involvement encourage developers, in the cause of major applications such as this, to undertake public consultation exercise prior to submission of a formal application.

6.14.2 Prior to the submission of this application, the applicant conducted a public consultation exercise consisting of:

- Public Consultation Exhibition (with opportunity to comment direct to the design team and developer).
- Virtual Public Consultation Exhibition (via the Commonplace platform).
- Meetings and Presentations with Blawith and Station Road Residents.
- Meetings and Presentations with Station Road Commercial Premises.
- Meetings and Presentations with the Harrow Central Mosque.

6.14.3 The applicant has sought to encourage public consultation in respect the proposal in line with the guidance set out in the NPPF and the Localism Act.

6.14.4 Following the validation of the planning application, the Council sent letters of consultation to the local residents in the surrounding area inviting them to make representations on the proposed development. In addition, site notices were displayed, and the application was advertised in the local newspaper.

6.15 **Aviation**

6.15.1 The relevant policies are

- National Planning Policy Framework (2021)
- Harrow Development Management Local Policies: DM1
- The London Plan (2021): T8

6.15.2 The Ministry of Defence (MOD) was consulted on the proposed development and confirmed that there are no aerodrome height safeguarding concerns, subject to a condition requesting a Bird Hazard Management Plan to be submitted. On that basis, the proposal therefore complies with the above mentioned policies. Following the approval of the original application the applicant has since discharged this condition imposed for a Bird Hazard Management Plan under planning reference: P/3292/22.

6.16 Environmental Impact Assessment

6.16.1 The requirement of the Environmental Impact Assessment (EIA) Regulations 2017 is based on the likelihood of significant environmental effects arising from a new development and are divided into Schedule 1 and Schedule 2 applications under the EIA Regulations. Schedule 1 would normally constitute developments that would have significant effects on the environment such as major chemical projects or ground and air transport infrastructure. Schedule 2 consists of other forms of developments that are dealt with under a threshold approach. The proposed development does not fall within the thresholds for EIA development under Schedule 2. Therefore, an Environmental Impact Assessment is not required.

6.17 Fire Safety

6.17.1 *The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan (2021): D12 (Part B)

6.17.2 Part B of Policy D12 of The London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

6.17.3 A condition had been attached to ensure the development meets the requirement prior to completion of damp proof course. The applicant has submitted a Fire Strategy as part of this application outlining the approach and provisions relating to fire safety for development in accordance with Policy D12 of the London Plan 2021. The application seeks to vary the condition in order to comply with the strategy submitted. The Council's Building Control Officers have reviewed the report and has not raised any objection to this amendment. Therefore, the variation of the wording of this condition to form a compliance condition in accordance with the Fire Strategy is considered acceptable.

6.18 Section 106 Obligations

6.18.1 The relevant policies are:

- The London Plan (2021):
- Harrow Core Strategy (2012): CS1.Z/AA, CS2.Q
- Harrow Development Management Policies Local Plan (2013): DM50

6.18.2 In addition to conditions, the planning obligations identified under Recommendation A it is considered that a Deed of Variation in relation to the Unilateral Undertaking associated with the approved scheme would be required. The Deed of Variation would tie this current proposal to the legal agreement.

Legal costs, Administration and Monitoring

- 6.18.3 A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

- 7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.
- 7.2 The proposed development would make efficient use of brownfield land in a sustainable location within the Opportunity Area. The proposal would therefore accord with the spatial strategy for growth as set out in the development plan.
- 7.3 The delivery of 36 new affordable tenure homes, a new public amenity space/children's play space and a new flexible commercial use ground floor unit with an active frontage is considered to constitute a public benefit which contributes to the achievement of local policies, the strategic level need for new (affordable) homes for London and the Government's policy objective of significantly boosting the supply of homes. This is decisive given the acute and widely recognised need for more affordable tenure homes in London.
- 7.4 Subject to appropriate conditions and planning obligations, the proposal would enhance biodiversity, provide landscaping and public realm improvements, appropriately address surface water flood risk, improve drainage measures, and contribute towards sustainable patterns of travel and healthy streets.
- 7.5 The proposed development has been conceived through an extensive design-led approach and has undergone robust design scrutiny. The proposal would be of a high-quality design and appearance.
- 7.6 For all these reasons, the material considerations and benefits in favour of the proposal, would outweigh any harm. In accordance with the NPPF, including its presumption in favour of sustainable development, officers recommend that the planning application should be approved, and planning permission granted, subject to the deed of variation of the section 106 Planning Obligations and conditions.

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit

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. Plan List

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Approved Plan:

00001 Rev: P01; 02101 Rev: P02; 02102 Rev: P02; 02103 Rev: P02; 02105 Rev: P02; 02106 Rev: P02; 02107 Rev: P02; 02108 Rev: P02; 02109 Rev: P02; 02120 Rev: P02; 02121 Rev: P01; 02122 Rev: P01; 02123 Rev: P02; 02124 Rev: P02; 02210 Rev: P01; 02211 Rev: P01; 02212 Rev: P01; 02213 Rev: P01; 02214 Rev: P01; 02215 Rev: P01; 02216 Rev: P02; 02220 Rev: P01; 02221 Rev: P01; 02222 Rev: P01; 02223 Rev: P01; 02240 Rev: P01; 02241 Rev: P02; 02242 Rev: P02; 02250 Rev: P02; 02900 Rev: P03; 02323 Rev: P01, 02324 Rev: P01.

Approved Documents:

Site Location Plan (Flanagan Lawrence), 1st December 2022, Revision P01; Cover letter dated 23rd December 2023 by Newsteer, Fire Strategy by OFR dated 11th November 2022, Transport Technical Note by Stantec dated 21st October 2022, Design document by Flanagan Lawrence dated 16th December 2022, Planning Statement (CBRE), October 2021; Affordable Housing Statement (CBRE), October 2021; Design and Access Statement including Views Assessment (Sheppard Robson), 19th October 2021, Version 01; Landscape Design and Access Statement (BDP), October 2021, Revision 03; Transport Assessment inc. Travel Plan and Parking and Access Arrangements (Stantec), August 2021, Version 01; Waste Management Strategy (Stantec), September 2021, Revision 01; Noise Impact Assessment (RBA), 1st October 2021, Revision 01; Air Quality Assessment (Ramboll), 24th September 2021, Revision 04; Statement of Community Involvement (Wates), October 2021; Energy Assessment (Aecom), 14th October 2021, Revision 02; Sustainability Assessment (Aecom), 16th September 2021, Revision 03; Daylight and Sunlight Assessment (Avison Young), 4th October 2021; Drainage Strategy (Ramboll), 8th October 2021, Version 01; Biodiversity Survey and Report (Urban Edge), 26th August 2021, Revision 01; Arboricultural Survey and Report (Sharon Hosegood Associates), August 2021; Preliminary Ecological

Appraisal and Biodiversity Net Gain Assessment, 26th August 2021, Revision 01; Contaminated Land Survey and Report (Ramboll); Overheating Assessment – 24th November 2021, Revision 04; Accommodation Schedule – Flanagan Lawrence; Surface Water and Foul Water Drainage Strategy Report – 8th October 2021, Version 01; Updated UGF Breakdown; Construction and Logistics Plan Rev:B; Offsite Parking Impact Assessment,

3. Levels

Prior to the first occupation of the development hereby permitted, the details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and road/highway(s), and other changes proposed in the level of the site, shall be implemented in accordance with the details approved in application reference: P/3290/22 dated 8th November 2022 and shall thereafter be retained.

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 policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

4. Contamination

Prior to the first occupation of the development hereby permitted, the ground investigation and scheme of management for identified contaminants of concern shall be implemented in accordance with the approved details in application reference: P/3291/22 dated 9th December 2022 and shall thereafter be retained.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses. To ensure that measures are agreed and in place to identify and manage potential sources of contamination during the demolition and construction phases of the development.

5. Foul Drainage

Prior to the first occupation of the development hereby permitted, the details of the works for the disposal of sewage to be provided on site shall be implemented in accordance with the approved details in application reference: P/3293/22 dated 16th December 2022 and the works shall thereafter be retained.

REASON: To ensure that there is adequate wastewater infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Development Management Policies Local Plan (2013).

6. Surface Water Drainage

Prior to the first occupation of the development hereby permitted, the details of attenuation, storage and disposal of surface water to be provided on site shall be implemented in accordance with the approved details in application reference: P/3293/22 dated 16th December 2022 and shall thereafter be retained.

REASON: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

7. Fire Statement

The development shall be carried out in accordance with the submitted Fire Strategy and any supporting guidance, and shall be retained as such thereafter unless otherwise agreed by the local planning authority or Fire Authority.

REASON: To ensure that the development proposals achieve the highest standard of fire safety in accordance with policy D12 of The London Plan (2021).

8. RAF Northolt

Prior to the first occupation of the proposed development, the Bird Hazard Management Plan shall be carried out strictly in accordance with the details set out in the approved Bird Management Plan in application reference: P/3292/22 dated 10th November 2022 in perpetuity or until RAF Northolt is no longer operational.

REASON: To minimise the potential of the works approved to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the proximity of RAF Northolt.

9. Permeable Paving

Prior to the first occupation of the proposed development, the details of the permeable paving and details relating to the long-term maintenance and management of the on-site drainage shall be implemented in accordance with the approved details in application reference: P/3293/22 dated 16th December 2022 and shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with policies D3 and SI13 of The London Plan (2021) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

10. External Noise

Notwithstanding the approved details, the development hereby permitted shall not progress beyond first floor level until details of glazing for the Station Road elevation are submitted to and approved in writing by the Local Planning Authority. This includes a detailed specification, strategy, and details of the required noise attenuation measures to ensure that the specifications in the RBA report would be achieved.

REASON: To safeguard the amenities of future occupiers of the development in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

11. Air Handling & Ventilation Systems

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until full details and specifications of any plant and equipment associated with the air handling and ventilation system, including details for the control of noise and vibration emanating from such systems has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the air handling and ventilation system shall be implemented and maintained in full compliance with the approved details and shall be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring resident in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12. Materials

Notwithstanding the details shown on the approved drawings, the development shall not progress beyond damp proof course level until samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below have been submitted to the Local Planning Authority to be agreed in writing:

- a) Facing materials for the buildings, including roof and brickwork bond
- b) Windows
- c) Doors
- d) Balconies and terraces including privacy screens and balustrade
- e) Ground surfacing.
- f) Rainwater disposal systems (including downpipes) and soil stacks

The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

13. Mains Water

The development hereby approved shall not progress beyond first floor level until a strategy for the efficient use of mains water within the residential parts of the development, pursuant to a water consumption limit of 105 litres per person per day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes efficient use of mains water in accordance with policy SI5 of The London Plan (2021) and policy DM12 of the Harrow Development Management Policies Local Plan (2013).

14. Landscaping & Ecology Mitigation and Enhancement Plans – First Floor Level

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level , until a scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, external furniture and structures, tree planting and tree pits and so on has been submitted to, and approved in writing by the Local Planning Authority which shall include:

- a) Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.
- b) The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.
- c) Brown roofs, biodiverse and extensive roofs to include the planting and brown roof detail, build-up layers of the material, including the substrate, growing medium, drainage and written specification of planting, schedules of plants, noting species, plant sizes, types of vegetation (all at time of planting) proposed numbers / densities. The layout should incorporate biosolar roof with PV panels and planting combined.
- d) Full scale metric cross sections and elevations for all communal open amenity spaces (at a scale of not less than 1:100).
- e) Details of all furniture, specification for supports and fixings for plants, landscape structures and any climbing plant frames, including proposed material and source / manufacturer, for all communal areas, raised beds, furniture and bespoke furniture.
- f) Details of all boundary treatments/structures including a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected.
- g) A specification of all play equipment to be installed and information about sourcing / manufacturer including provision for children with disabilities; design details (at a scale not less than 1:100), layout and a specification of the surface treatment within the play area and arrangements for ensuring the safety and security of children using the play areas.

- h) An Ecology Mitigation and Enhancement Plan (EMEP), to clearly set out, with adequate detail for the purpose of planning, implementation, monitoring, and initial assessment of the measures to be undertaken to integrate and maximise features of biodiversity value within the development's component parts that take account of their intended use and the impacts that these will have on such value, with particular regard, but not limited to:
- i) the buildings, including roofs and surface coverings
 - ii) ground level spaces, and the incorporation of 3d structures
 - iii) the mix and provision of artificial shelters at different levels on the basis of one shelter unit per dwelling (dual occupancy bird boxes counting as one shelter unit);
 - iv) lighting provision
 - v) the relationship between i-iv
 - vi) how a Biodiversity Net Gain uplift of 20% or more will be achieved and subsequently maintained, providing a timescale for these against which to set future monitoring of progress or state.

The development shall be implemented in accordance with the scheme so agreed and shall be retained as such thereafter. 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.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation: of habitats and valuable areas for biodiversity; a high quality, accessible, safe, and attractive public realm and to ensure a high standard of design, layout and amenity, in accordance with policies D3, G5 G6 and G7 of The London Plan (2021) and policies DM1, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

15. External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, specification, elevations, light spillage and lighting levels. The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of quality in accordance with policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

16. Landscape Management and Maintenance Plan – Prior to Occupation

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all hard and soft landscapes areas, other than privately owned domestic balconies/terraces/gardens. The Landscape Management and Maintenance Plan shall include:

- a) Landscape Management: long term design objectives incorporating the overall functional aesthetic objectives of the landscape scheme; management responsibilities; programme of works and monitoring procedures; and
- b) Landscape Maintenance: including routine physical tasks required to satisfy appropriate standards of aftercare and enable the design and implementation objectives to be achieved, for the first year of maintenance, years 2-5 and 6 years onwards: maintenance responsibilities; a schedule of maintenance operations (calendar of tasks) set out graphically and in writing.

The Landscape Management and Maintenance Plan shall be carried out in accordance with the approved details.

REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

17. Ecology Management Plan (EMP)

Prior to the first occupation of the residential development hereby permitted, an Ecology Management Plan (EMP) shall be submitted to and approved in writing by the LPA. The EMP shall set out, clearly and in adequate detail, the management and monitoring works to be taken either:

- a) at regular periods in each month and/or year of the plan
- b) or when trigger conditions, identified by such monitoring are met

This is to ensure that the agreed extent and condition of habitats and other features will be achieved and subsequently maintained, covering a period of 5 years from the end of the period covered by the approved EMP.

The plan should include details of the measures, to be taken and why and a summary 'at a glance' project plan indicating when works should be undertaken and any interdependencies or constraints, so that it can be readily understood by those responsible for carrying out the works or their oversight. The EMP may be provided as a standalone document or incorporated within a landscape and ecology management plan, ensuring that the two are closely integrated.

REASON: To ensure that the development contributes to the creation of habitats and valuable areas for biodiversity including the monitoring and maintenance of such habitats and other features in accordance with policies D3, G5 G6 and G7 of The London Plan (2021) and policies DM1, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

18. TV Reception

Prior to the first occupation of the residential units hereby permitted, 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 residential units and shall be retained thereafter. No other television reception equipment shall be installed on the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with policy D3 of the London Plan (2021), and DM49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with policy DM1 of the Development Management Policies Local Plan (2013).

19. Secured by Design

Evidence of certification of Secured by Design Accreditation for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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 D11 of the London Plan (2021) and policy DM1 of the Development Management Policies Local Plan (2013).

20. Parking Spaces

The residential units hereby permitted shall not be occupied until three accessible parking spaces of a standard size have been clearly marked out on site, in accordance with the approved ground floor plan (02105 Rev:P02). Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure car parking provision is available for use by the occupants of the site and in accordance with policy T6 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

21. Cycle Storage – Prior to Occupation

The development hereby permitted shall not be occupied until details of shelters, racks, dimensions and location of a minimum of 69 long stay and 4 short stay residential cycle parking spaces and 2 long stay and 2 short stay commercial cycle parking spaces shall be submitted to and approved in writing by the local planning authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the occupation of the residential units, and shall thereafter be retained.

REASON: To ensure that cycle storage is available for use by the occupants of the site in accordance with policy T5 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

22. Delivery and Servicing Plan

The residential premises hereby approved shall not be first occupied until a detailed Delivery and Servicing Plan has first been submitted to the Local Planning Authority in writing to be agreed. The delivery and service plan shall be carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy T7 of the London Plan (2021) and policy DM 44 of the Harrow Development Management Policies Local Plan (2013).

23. Car Park Design and Management Plan

Prior to the first occupation of the residential development hereby permitted, a Car Parking Design and Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall set out the following:

- a) Details of spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces. The plan should outline the provision of one active Electric Vehicle Charging Point for at least 20% of spaces from the outset with the remaining 80% passive and the mechanism for converting passive provision to active should demand increase.
- b) Mechanism for increasing the number of spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
- c) Details of the allocation and management of the disabled car parking spaces.
- d) Details of monitoring, management and enforcement procedures for parking within the site.
- e) Details of future provision of disabled person's parking spaces should demand increase.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 and Policy T6.5 of the London Plan (2021).

24. Delivery and Servicing Plan

Prior to the first occupation of the development hereby approved, a Full Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. All deliveries and servicing associated with the development shall be carried out only in accordance with the approved details.

REASON: To ensure the provision of adequate facilities for servicing and deliveries, in accordance with Local Plan DM44 and Policy T7 of the London Plan (2021).

25. Travel Plan Statement

Within six months following the first occupation of the development hereby permitted, the application shall submit a Travel Plan Statement (TPS) for the approval of the Local Planning Authority. The TPS shall be completed using TFL guidance and shall include

- a) A survey of residents (TRICS compliant) within 6th months of occupation or at 75% full, whichever occurs first.
- b) Further detail on mitigating measures.
- c) Targets that link to the action plan.
- d) An action plan that focuses on mitigating measures and providing incentives to residents to encourage sustainable travel. Please use the result of the survey to inform the mitigating measures and action plan
- e) A schedule for the delivery of the TPS, including a schedule for reporting to the council.

REASON: To ensure that the proposed development promoted sustainable transportation in accordance with Local Plan DM42 and Policy T6 and Policy T6.5 of the London Plan (2021).

26. Mail Strategy

Prior to the first occupation of the residential units, details of the arrangements for the distribution of mail (including any mail boxes) and other deliveries to residents within the development shall be first submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development contributes to the achievement of a lifetime neighbourhood and a high standard of design and layout.

27. Refuse Stores

The residential refuse stores as shown on drawing numbers 02210 Rev:P02 and 02220 Rev:P02 and shall be provided prior to the first occupation of the flats/townhouses and shall be thereafter retained. The refuse stores shall have direct access from the public highway and shall have keypad code access installed on the external door (a keyless door), unless the prior written approval of the Local Planning Authority is first obtained. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing plans.

REASON: To ensure satisfactory refuse stores are provided, which are accessible to refuse collectors, in accordance with policies DM1 and DM45 of the Harrow Development Management Policies Local Plan (2013).

28. Highway Works**

No residential occupation of the development hereby permitted shall occur until the works to the highway have been carried out and completed in accordance with the approved details. These works to include:

- Existing site access closed and new access created for the parking spaces;
- The provision of access/ramp to the communal bin store
- Any kerbside realignments and making good of the highway

REASON: To provide the necessary access for the approved parking spaces and bin store in accordance with policy T7 of The London Plan (2021) and policies DM1 and DM44 of the Development Management Policies Local Plan (2013).

29. Access Control System

The flats hereby approved shall not be occupied until: (i) an audio-visual access control system has been installed; or (ii) such alternative security measures have been installed that shall first have been submitted to, and agreed in writing by, the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development in accordance with policy D11 of the London Plan (2021) and policy DM1 of the Development Management Policies Local Plan (2013).

30. Wheelchair User Dwellings

A minimum of 10% of the units shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

REASON: To ensure provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policy D7 of The London Plan (2021) and policy DM 2 of the Harrow Development Management Policies Local Plan (2013)

31. No Balcony

The roof area of the town houses hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring resident in accordance with policy DM1 of the Harrow Development Management Polices Local Plan (2013).

32. PD Restrictions

The ground floor flexible commercial unit (Use Class E1 and/or F1 or F1) shall only be used for the purposes as set out in the application and for no other purposes.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Polices Local Plan (2013).

33. PD Restrictions

The flats hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Polices Local Plan (2013).

34. PD Restrictions

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 development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in regard to the dwellinghouses 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 and the character of the area in accordance with policy D3 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies (2013).

35. PD Restrictions

Notwithstanding the provisions of Part 16 (Communications) to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and replacing that Order with or without modification, no development that would otherwise be permitted by that part of the Order (or the equivalent provisions of any replacement Order) shall be carried out without planning permission having first been obtained by the Local Planning Authority.

REASON: To ensure that the architectural integrity of the building is not compromised, in accordance with policy D3 of the London Plan (2021) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

36. Opening Hours

The opening hours of the flexible ground floor non-residential unit (Class E and/or F1 and/or F1) shall be as follows:

- 08:00 hours to 23:00 hours on Mondays to Saturdays (inclusive)
- 08:00 hours to 22:00 hours on Sundays and Bank Holidays

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

37. Noise Rating

The rating level of the noise emitted from the flexible ground floor non-residential unit (Class E and/or F1 and/or F1) shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance with the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

38. Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 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 Planning 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 policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

39. Biodiversity & Trees

The development hereby approved shall be carried out and completed in accordance with the approved Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (August 2021) and the Arboricultural Impact Assessment Report (August 2021).

REASON: To ensure the existing trees which are to be retained are suitably protected during construction works and to ensure any existing biodiversity features are protected and enhanced in accordance with the National Planning Policy Framework (2021), policies G5, G6 and G7 of The London Plan (2021) and policies DM1, DM20, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

40. Energy Strategy

The development shall be undertaken in accordance with the approved Domestic Energy Assessment (October 2021). Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Domestic Energy Assessment (October 2021) which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2021), policies S2 of The London Plan (2021) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

41. Legal Agreement Required*

In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement, no works (or no further works if development has commenced) shall be commenced on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with ** in the planning permission granted on *insert date* (Harrow Reference P/4477/21) and those obligations shall apply to all conditions above marked with ** which supersede those of permission P/4477/21.

REASON: In order to define the permission and to secure development in accordance with policy DM50 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Relevant Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

D1, D2, D3, D4, D5, D6, D7, D8, D9, D11, D12, D14, H1, H2, H4, H5, H6, G5, G6, G7, SI1, SI2, SI3, SI5, SI8, SI12, SI13, T2, T3, T4, T5, T6, T7

Harrow Core Strategy (2012):

CS1

Harrow and Wealdstone Area Action Plan (2013)

AAP2, AAP4, AAP5, AAP6, AAP7, AAP9, AAP11, AAP12, AAP13, AAP18, AAP19

Harrow Development Management Policies Local Plan (2013):

DM1, DM2, DM3, DM9, DM10, DM12, DM14, DM15, DM20, DM21, DM22, DM23, DM24, DM27, DM28, DM38, DM41, DM42, DM43, DM44, DM45, DM49, DM50

Supplementary Planning Documents:

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

Technical Housing Standard (2015) Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

Mayors Housing Supplementary Planning Guidance (2016)

Mayors Affordable Housing and Viability Supplementary Planning Guidance (2017)

2. Pre-application engagement

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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL. The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £141,293.48

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

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

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

4. Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space. 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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £596,080.56

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

5. 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.

6. 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

7. 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.

8. Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants' expense. Failure to report any damage could result in a charge being levied against the property.

9. Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, subdivision of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

10. Sustainable Drainage Systems

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 (2016) 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.

11. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: DOCOMailbox.NW@met.police.uk

12. Network Management

The developer is urged to make early contact with Network Management in order to agree any temporary traffic management measures required; these should then be included in the detailed CLP for submission.

13. Landscape Management and Maintenance

A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.

Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks.

A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.

CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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APPENDIX 2: SITE PLAN



Existing Site Plan



Proposed Site Plan

APPENDIX 3: SITE PHOTOS



Station Rd



Junction of Station Rd & Milton Rd



Side/Rear Elevation of Civic 9



Looking Towards the Rear of the Application Site



Rear of Application Site

APPENDIX 4: PLANS AND ELEVATIONS

Existing Elevation – Station Road and Milton Road ↑

EXISTING ELEVATIONS ALONG MILTON ROAD AND STATION ROAD



Station Road Elevation (Section A-A)



Milton Road Elevation (Section B-B)

Proposed Elevation – Station Road and Milton Road



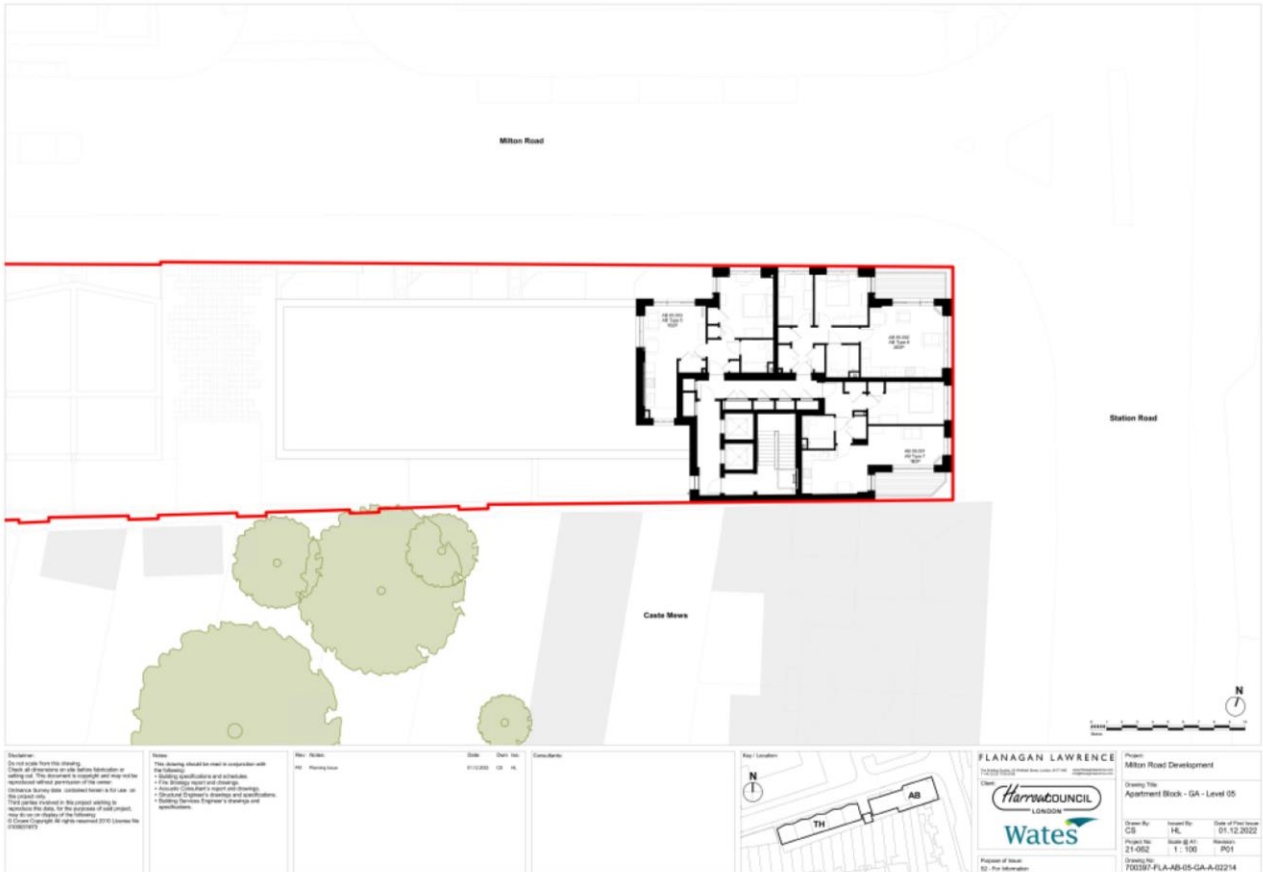
Proposed Floor Plans



Town House – Proposed Ground Floor Plan ↑

Apartment Building – Proposed Ground Floor Plan





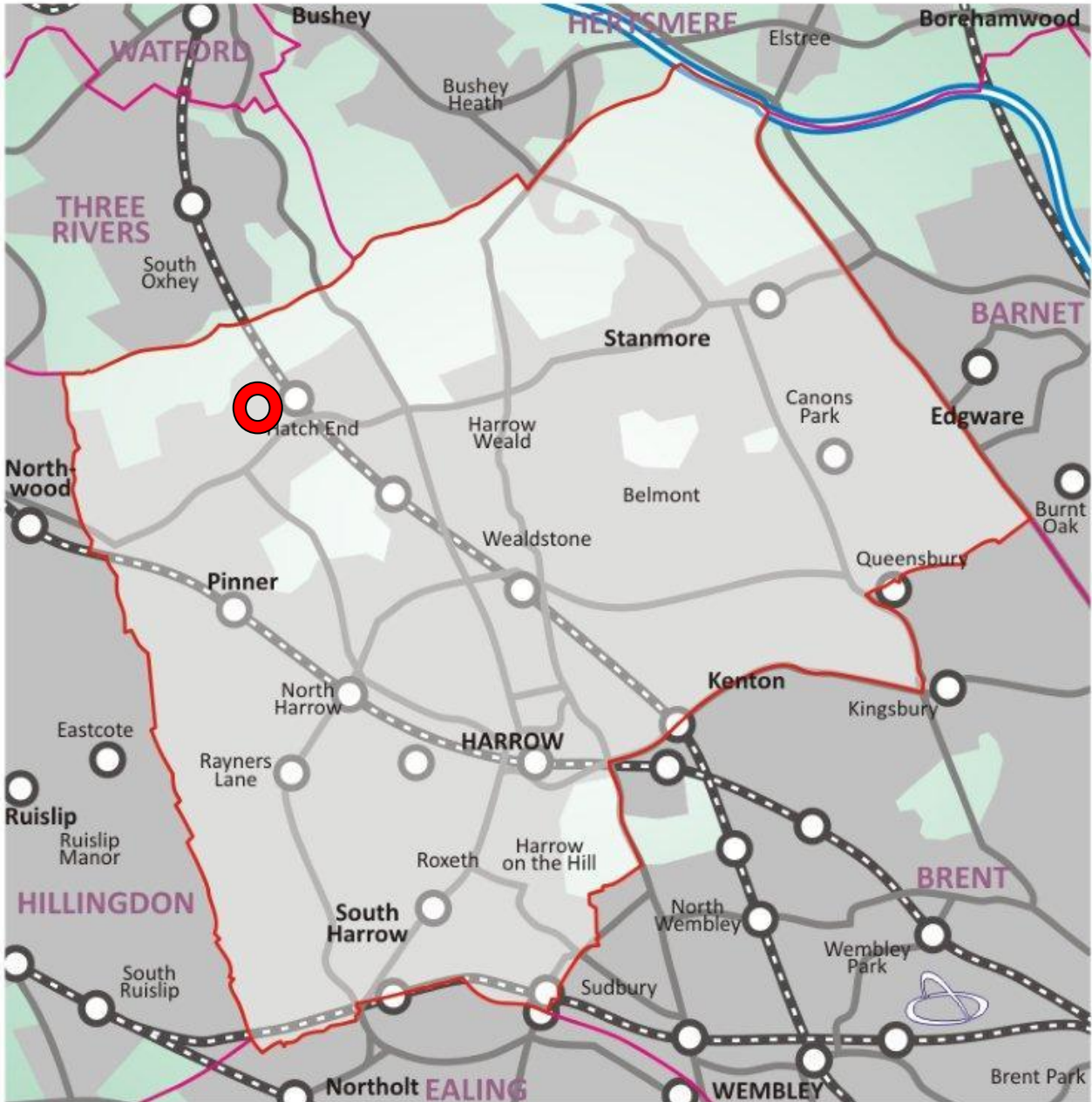
Apartment Building - Proposed Fifth Floor Level Floor Plan



Apartment Building - Proposed Roof Plan

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 = application site



Grimsdyke School, Sylvia Avenue, Pinner, Harrow, HA5 4QE	P/0814/23
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/0814/23
VALID DATE: 17TH APRIL 2023
LOCATION: GRIMDYKE SCHOOL, SYLVIA AVENUE, PINNER,
HARROW
WARD: HATCH END
POSTCODE: HA5 4QE
APPLICANT: MR IAN SUTHERLAND
AGENT: N/A
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 12/06/2023

PROPOSAL

Two storey infill extension.

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATION

The proposal would result in an improvement in the school's educational facilities whilst ensuring that the proposed extension would not detract from the character and appearance of the application site and area in a wider context and would not result in undue harm upon the openness and open character of the Designated Open Space sited within the confines of the site. The proposal would have an acceptable impact upon the residential amenity of neighbouring properties, and would not result in a significant intensification in terms of parking and highways impacts. The development is not considered to be susceptible to harmful flooding and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. In light of the above the proposed development would be in accordance with the National Planning Policy Framework (2021), Policies D3, D4, D11, D12, S1, S3, S12, SI 13, T4, T5 and T6 of the London Plan (2021) Policies CS1.B, CS1.F, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W and CS1.Z of the Harrow Core Strategy (2012), and Policies DM1, DM2, DM9, DM10, DM18, DM42 and DM46 of the Harrow Development Management Policies Local Plan (2013).

INFORMATION

This application is reported to Planning Committee as it relates to development of more than 100 m2 of floorspace on land owned by the Council and therefore falls within proviso C (i) of the Scheme of Delegation.

Statutory Return Type: (E)18.Minor Development, all other
Council Interest: Council is freeholder
Net additional Floorspace: Approximately 140.72m²
GLA Community
Infrastructure Levy (CIL)
Contribution (provisional): N/A
Local CIL requirement: N/A

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application relates to Grimsdyke School, located along Sylvia Avenue. The school is a public mixed-gender primary school.
- 1.2 The site is comprised of a teaching complex of linked buildings (ranging from 1 to 2 storeys in height – predominantly 2-storeys) with all buildings incorporating flat roof forms.
- 1.3 There is a hardsurfaced car parking and play area to the north of the complex with a large playing field sited to the north of this. There are more play areas to the south and south west of the complex. Areas to the western side and north of the complex form Designated Open Space.
- 1.4 There is an open square shaped courtyard area within the centre of the complex (where the proposed extension is to be located) which is partly hardsurfaced, partly soft landscaped and incorporates a large amount of decking. This area serves as an attractive connection between different components of the complex but does not serve as a play area for students. An existing single storey outbuilding has been erected within the courtyard, this is used as an ad hoc classroom and meeting space. In addition, part of main school complex protrudes into the courtyard area, this protruding element is set at two storeys.
- 1.5 There are numerous sets of two storey dwellinghouses sited to the north, south, east and west of the site.
- 1.6 There are no statutory or locally listed buildings within the confines of the site, and the site is not located within a Conservation Area.
- 1.7 The application site located within a Critical Drainage Area and sits partly within Flood Zones 3a however this only applies to a small area to the western side of the school complex, and not where the proposed infill extension is to be sited.

2.0 PROPOSAL

- 2.1 The erection of two storey infill extension within the central courtyard of the school complex. The proposed extension would project to the same depth as the protruding element of the main school complex (see 1.4), with the proposed extension essentially infilling all of the space remaining to the side of this projection infill element. The proposed extension is to incorporate a flat roof form which is to be set level in height with the existing protruding element. The development would involve fenestration changes to the existing protruding element with the installation of a ground floor west facing window, two west facing first floor windows in place of the one window that currently exists, and the removal of the south facing windows currently incorporated to this projection.

- 2.2 The proposed extension would serve as an expanded library at ground floor level and an IT classroom at first floor level, this IT classroom would replace an existing IT classroom within the school which is not up to the school's required standards. The proposed development would serve the school's existing student base, it would not result in an increase in the number of pupils at the school. The timber outbuilding within the courtyard (see 1.4) is to be retained.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the planning application history is set out below:

Ref no.	Description	Status & date of decision
LBH/670	TWO ADDITIONAL ROOMS STAFF ROOM STORES	Granted 28/10/1965
LBH/670/1	ERECTION OF 2 ADDITIONAL CLASSROOMS WITH PRACTICAL AREA AND LIBRARY	Granted 30/10/1969
LBH/670/2	ERECTION OF 2 TEMPORARY MOBILE CLASSROOM UNITS	Granted 16/07/1973
LBH/670/3	CONTINUED USE OF TWO MOBILE CLASSROOM UNITS	Granted 20/01/1978
LBH/22552	GARAGE FOR STORAGE PURPOSES	Granted 05/01/1983
LBH/23564	APPLICATION UNDER REG. 4 OF T. & C.P. REGULATIONS 1976: 2 MOBILE CLASSROOMS	Granted 27/06/1983
LBH/41875	APPLICATION UNDER REG.4 OF T & CP GEN. REGS. 1976: REPLACEMENT OF FOUR SINGLE MOBILE CLASSROOMS WITH TWO DOUBLE MOBILE CLASSROOMS	Granted 21/12/1990
WEST/204/95/FUL	ENCLOSED LINK EXTENSION BETWEEN MAIN BUILDING AND TOILET BLOCK	Granted 18/07/1995
WEST/721/95/LA3	SINGLE STOREY EXTENSION TO PROVIDE TWO CLASSROOMS AND W.C. FACILITIES PLUS ACCESS RAMPS AND RAILINGS	Granted 15/01/1996
WEST/376/97/FUL	PROVISION OF PLAYGROUND "TRAIL" FEATURING A VARIETY OF PLAYGROUND EQUIPMENT	Granted 10/09/1997
P/589/04/DFU	CANOPY AT SIDE/REAR	Granted 16/04/2004
P/0260/07	INSTALLATION OF TWO OPEN SIDED CANOPIES ON THE	Granted 19/07/2007

	PLAYGROUNDS (8M X 16M AND 8M X 8M)	
P/0322/08	SOLAR PANELS ON ROOF OF TWO STOREY CLASSROOM BUILDING	Granted 07/03/2008
P/2335/08DFU	INSTALLATION OF WATERPROOF FIXED UMBRELLA TENSION STRUCTURE IN FIRST SCHOOL PLAYGROUND	Granted 02/09/2008
P/5736/15	Two storey rear extension with provision of new hard play areas, canopy over seating area, Internal fencing, landscaping and additional parking to increase the two form entry school to a three form entry school (Demolition of existing temporary buildings)	Granted 23/02/2016
P/0860/17	Installation of electricity substation (Retrospective)	Granted 22/05/2017

4.0 CONSULTATION

- 4.1 A total of 71 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expires on 11th May 2023. No representations have currently been received, however if representations are received following the publication of this report and in advance of the Planning Committee meeting, these shall be reported in an addendum to this Committee Report.
- 4.3 Statutory and non-statutory consultation
- 4.4 N/A

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The Government has issued the National Planning Policy Framework [NPPF 2021] which sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.4 In this instance, the Development Plan comprises The London Plan 2021 [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]. The relevant policies are referenced within the report below and a summary within Informative 1

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity
- Traffic and Parking
- Development and Flood Risk
- Fire Safety

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): S1, S3
- Harrow Core Strategy 2012: CS1.Z
- Harrow Development Management Policies Local Plan (2013): DM46

6.2.2 Policy S1 C of the London Plan notes that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

6.2.3 Policy S3 of the London Plan relates to 'Education and childcare facilities'. Part B of the policy notes that development proposals for education and child care facilities should:

- 1) Locate facilities in areas of identified need.
- 2) locate facilities in accessible locations, with good public transport accessibility and access by walking and cycling
- 3) locate entrances and playgrounds away from busy roads, with traffic calming at entrances
- 4) link to existing footpath and cycle networks to create healthy routes to schools, and other education and childcare facilities, to enable all children to travel actively to school (walk, cycle or travel by public transport)
- 5) maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures
- 6) encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers
- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach
- 8) ensure that facilities incorporate suitable, accessible outdoor space

9) locate facilities next to parks or green spaces, where possible

- 6.2.4 Part C of Policy S3 of the London Plan notes that development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need.
- 6.2.5 Policy CS1.Z of Harrow's Core Strategy relates to 'Required Infrastructure'. It notes that proposals for new development will be required to demonstrate adequate capacity exists or can be secured both on and off site to serve the development. The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing or proposed development, or required to meet projected future requirements. The loss of community facilities will be resisted unless adequate arrangements are in place for their replacement or the enhancement of other existing facilities.
- 6.2.6 Policy DM46 of the Council's Development Management Policies Local Plan relates to 'New Community, Sport and Education Facilities' Part B of the Policy notes that proposals for the provision of new community, sport, and educational facilities will be supported where:
- a) they are located within the community that they are intended to serve;
 - b) subject to (a) they are safe and located in an area of good public transport accessibility or in town centres; and
 - c) there would be no adverse impact on residential amenity (see Policy DM1) or highway safety.
- 6.2.7 The proposed development is not considered to conflict with the interests of the above planning policy. The development involves the erection of a single storey infill extension which would enhance educational facilities provided at the school through the provision of an enlarged library and replacement IT classroom. Whilst officers note that the proposed development would result in the loss of some of the open space provided within the courtyard area, as set out within the Site Description section of this Committee Report, this courtyard does not serve as a play area for students, but instead serves as an external space connecting various components of the school complex. Consequently, there would be no net loss in terms of children's play space. The proposed development would serve the existing student base, and as indicated within the submitted application form there would not be an increase in staff as a result of the proposed development. The proposed extension is located within the confines of an existing school, as such the site's very poor Public Transport Accessibility Level (PTAL) of 0 is not of significant importance. Finally, the proposed development would not result in undue harm upon the residential amenity of neighbouring occupants and would not compromise highways safety, further assessment will be provided on this within the pertinent sections of this Committee Report.
- 6.2.8 In light of all of the above, officers raise no objection to the principle of development.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3, D4
- Harrow Core Strategy 2012: CS1.B
- Harrow Development Management Policies Local Plan (2013):DM1, DM18,

6.3.2 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Policy D3.D(11) goes on to state that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

6.3.3 Policy D4 of the London Plan outlines how Local Planning Authorities should scrutinise development proposals to ensure that they deliver a good design, and outlines what information should be provided in achieving this.

6.3.4 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. 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.

6.3.5 Policy DM1 of the Development Management Policies Local Plan 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.

6.3.6 Policy DM18 of the Development Management Policies Local Plan relates to the 'Protection of Open Space'. Within this Policy it is set out that Designated Open Space will not be released for development although some proposals for the reconfiguration of public open space and proposals for ancillary development on open land may be supported subject to various requirements set out within the Policy. Part E of the Policy notes that proposals that would be harmful to open space, having regard to the criteria set out within the Policy will be refused.

6.3.7 The proposed infill extension and alterations to the existing two storey protruding element within the courtyard are considered acceptable on character and design grounds. The proposed development would be enclosed by built form to all sides and would not be visible from the site's surroundings, only within the school grounds itself. The overall increase in development footprint would be relatively modest, officers are satisfied that the proposed development would not result in an overconcentration in built form on site, with an abundance of open space being provided around the complex. Whilst Officers recognise that the existing courtyard is an attractive space and is of design value, this is not considered to outweigh the educational benefits resulting from the proposal. It should be noted that the courtyard would be retained, albeit with a reduced area. The design of the proposed development is considered to be acceptable, the proposed extension would incorporate a flat roof form as per the wider complex, it would match the height of the existing two storey protruding element that it would adjoin, and development's proposed fenestration is not considered to appear unduly at odds with other fenestration on site. Whilst officers note that the white render finish to be applied to the proposed development would not reflect the red brickwork finish applied on the rest of the school complex, given the proposed development's lack of visibility from the surroundings the proposed variation in external materials is considered to be acceptable.

6.3.8 The proposed development would not result in a net loss of Designated Open Space on site and would not be visible from this Designated Open Space, as such no harm would be caused to this.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies Local Plan (2013): DM1

6.4.2 Policy DM1 of the Development Management Policies Local Plan 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".

6.4.3 The proposed development is not considered to unduly impact upon the residential amenity of neighbouring occupants. The proposed development would be located a significant distance away from surrounding neighbouring properties and is enclosed by built form on all sides and as such would not be visible from any surrounding residential properties.

6.5 Traffic and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow Core Strategy 2012: CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42

6.5.2 London Plan Policy T4 sets out that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Within the Policy it is noted that development proposals should not increase road danger. maximum car parking standards are outlined within Policy T6 of the London Plan. Policy T5 outlines minimum cycle parking standards.

6.5.3 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.

6.5.4 The proposed development relates only to a modest infill extension to the existing school complex and minor external alterations to the protruding two storey element that sits beside this, the development would not result in an increase in the number of students at the school. The proposed development is not considered to result in a significant increase in terms of trip generation, traffic to surrounding roads, and would not be of a great enough scale to require the provision of additional car and cycle parking.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.U, CS1.W
- Harrow Development Management Policies Local Plan (2013): DM9, DM10

6.6.2 The proposal would result in an increase in development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. The applicant is not proposing to build on areas of the site that are located within Floods 3a, and the proposed development is located sufficiently well away from these areas. The proposed development is however located within a Critical Drainage Area, as such Sustainable urban drainage [SUDs] is encouraged. An informative is therefore attached to this effect. An informative has also been included with regard to surface and foul water connections and has advised the applicant to contact Council's Drainage Engineers to provide a drainage plan.

6.7 Fire Safety

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan (2021): D12

6.7.2 Policy D12 of the London Plan notes that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety.

6.7.3 The applicant has completed a Reasonable Exemption Statement to confirm that the proposed development will not adversely affect the appropriate fire safety measures of the site.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

7.1 The proposal would result in an improvement in the school's educational facilities whilst ensuring that the proposed extension would not detract from the character and appearance of the application site and area in a wider context and would not result in undue harm upon the openness and open character of the Designated Open Space sited within the confines of the site. The proposal would have an acceptable impact upon the residential amenity of neighbouring properties, and would not result in a significant intensification in terms of parking and highways impacts. The development is not considered to be susceptible to harmful flooding and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.2 The proposed development would be in accordance with the National Planning Policy Framework (2021), Policies D3, D4, D11, D12, S1, S3, S12, SI 13, T4, T5 and T6 of the London Plan (2021) Policies CS1.B, CS1.F, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W and CS1.Z of the Harrow Core Strategy (2012), and Policies DM1, DM2, DM9, DM10, DM18, DM42 and DM46 of the Harrow Development Management Policies Local Plan (2013).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans:

Location Plan (1:2500), WHIPP/2206/001 A (Site Plan), WHIPP/2206/002 B (Existing & Proposed Ground Floor Plan), WHIPP/2206/003 B (Proposed Ground Floor Detail Plan), WHIPP/2206/004 B (Proposed Ground Floor ISO VIEWS), WHIPP/2206/005 B (Proposed Ground Floor Furniture Plan), WHIPP/2206/007 B (Existing & Proposed First Floor Plans), WHIPP/2206/08 B (Proposed First Floor Detail Plan), WHIPP/2206/010 B (Existing & Proposed First Floor Furniture Plan), WHIPP/2206/012 B (Existing & Proposed Roof Plan), WHIPP/2206/013 B (Existing & Proposed Quadrant North & East Elevations/Sections), WHIPP/2206/014 B (Existing & Proposed Quadrant South & West Elevations / Sections), WHIPP/2206/0017 B (Existing & Proposed Drainage Plan), Design and Access Statement, Reasonable Exception Statement.

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

3. Materials

The external surfaces of the new building hereby approved shall be constructed in accordance with the details provided within the submitted application form.

Any variation to the approved materials within this document shall be submitted to the Local Planning Authority for approval in writing prior to the commencement of the development. The development shall be completed in accordance with the approved details and thereafter be retained.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4. Flat Roof No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D4, D11, D12, S1, S3, S12, SI 13, T4, T5, T6

The Harrow Core Strategy 2012: CS1.B, CS1.F, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W, CS1.Z

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM9, DM10, DM18, DM42, DM46

2. Considerate Contractor Code of Practice

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, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

4. Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

5. Grant without Pre-App Advice

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 39-42 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. Surface and Foul Water Connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

7. Sustainable Drainage Systems

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 (2019) 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 (2016) 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

8. Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

Checked

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

View of Courtyard and Existing Timber Outbuilding



View of Timber Outbuilding:



View of Courtyard:



View to Rear of Outbuilding:



View of Courtyard:



View of Courtyard:

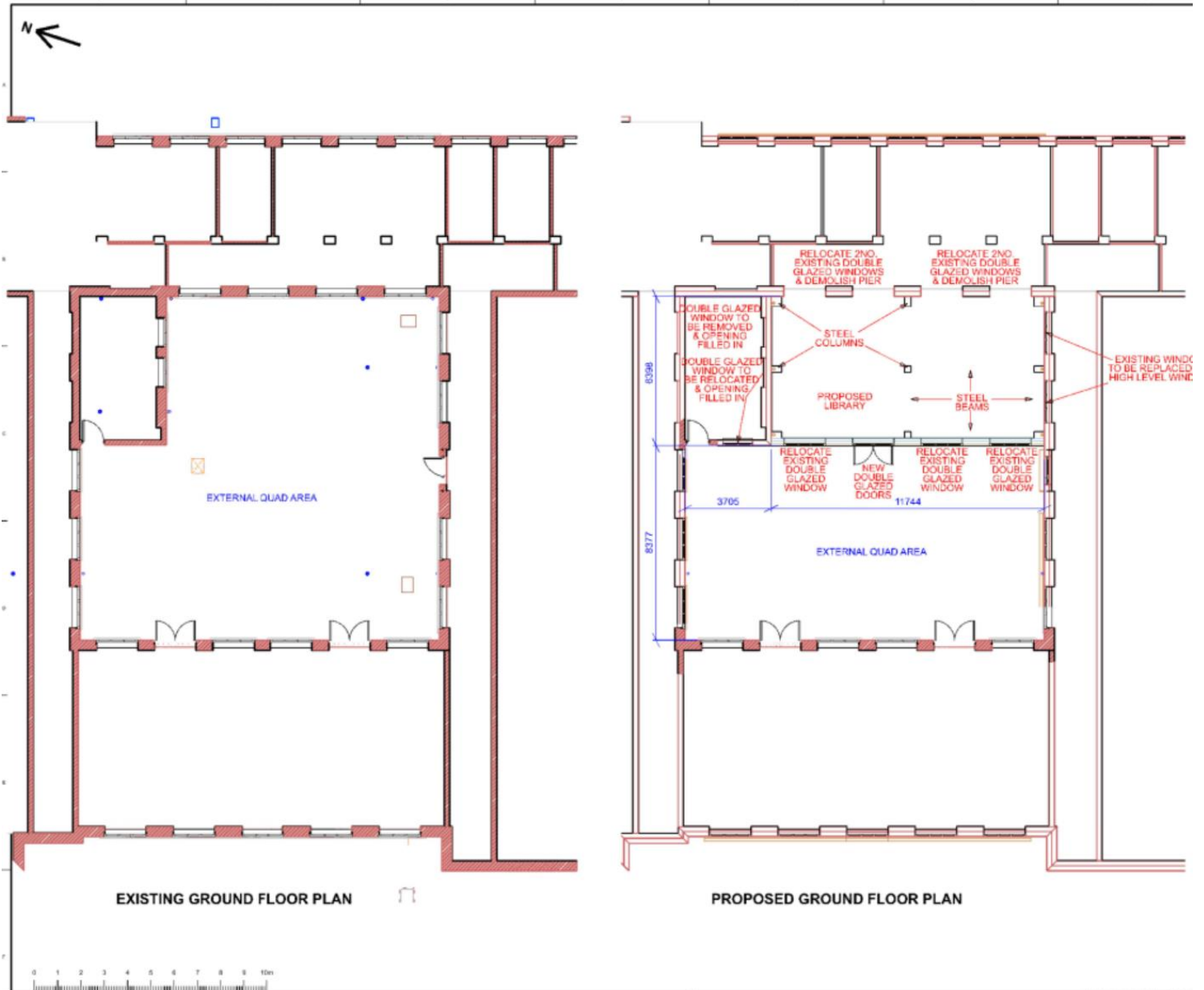


View of Courtyard and Protruding Element:

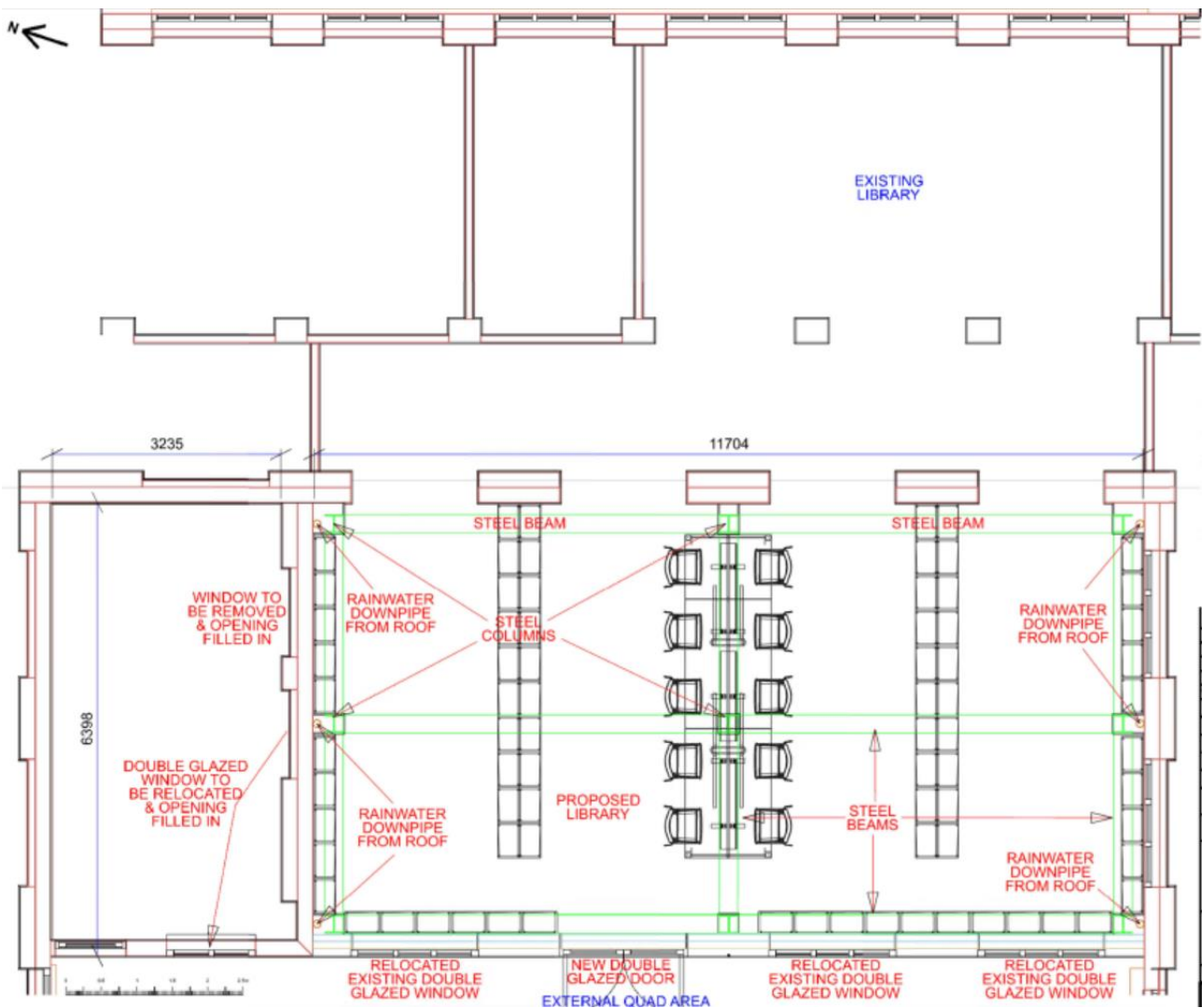


APPENDIX 4: PLANS AND ELEVATIONS

Existing and Proposed Ground Floor Plans:



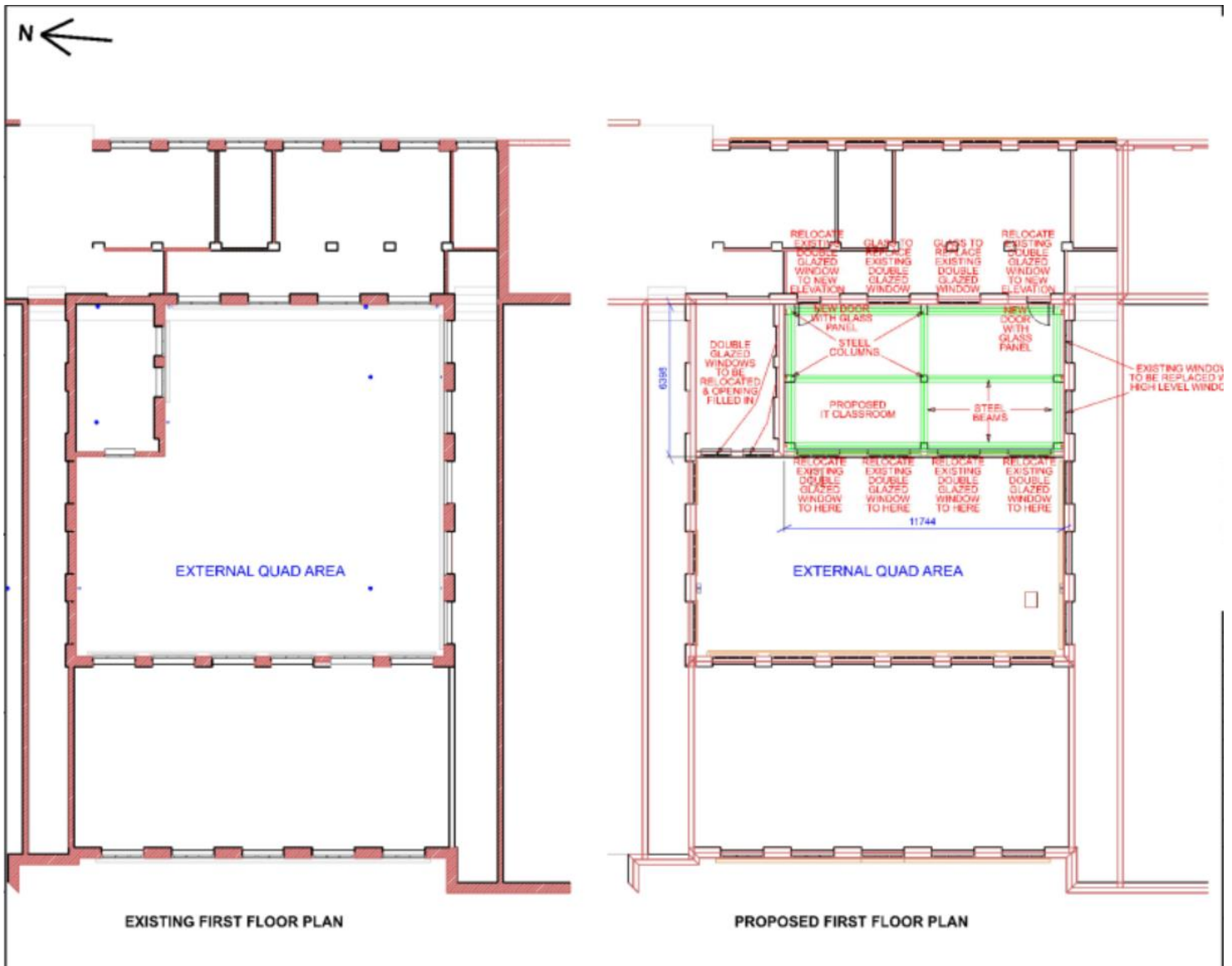
Proposed Ground Floor Plan (Detailed):



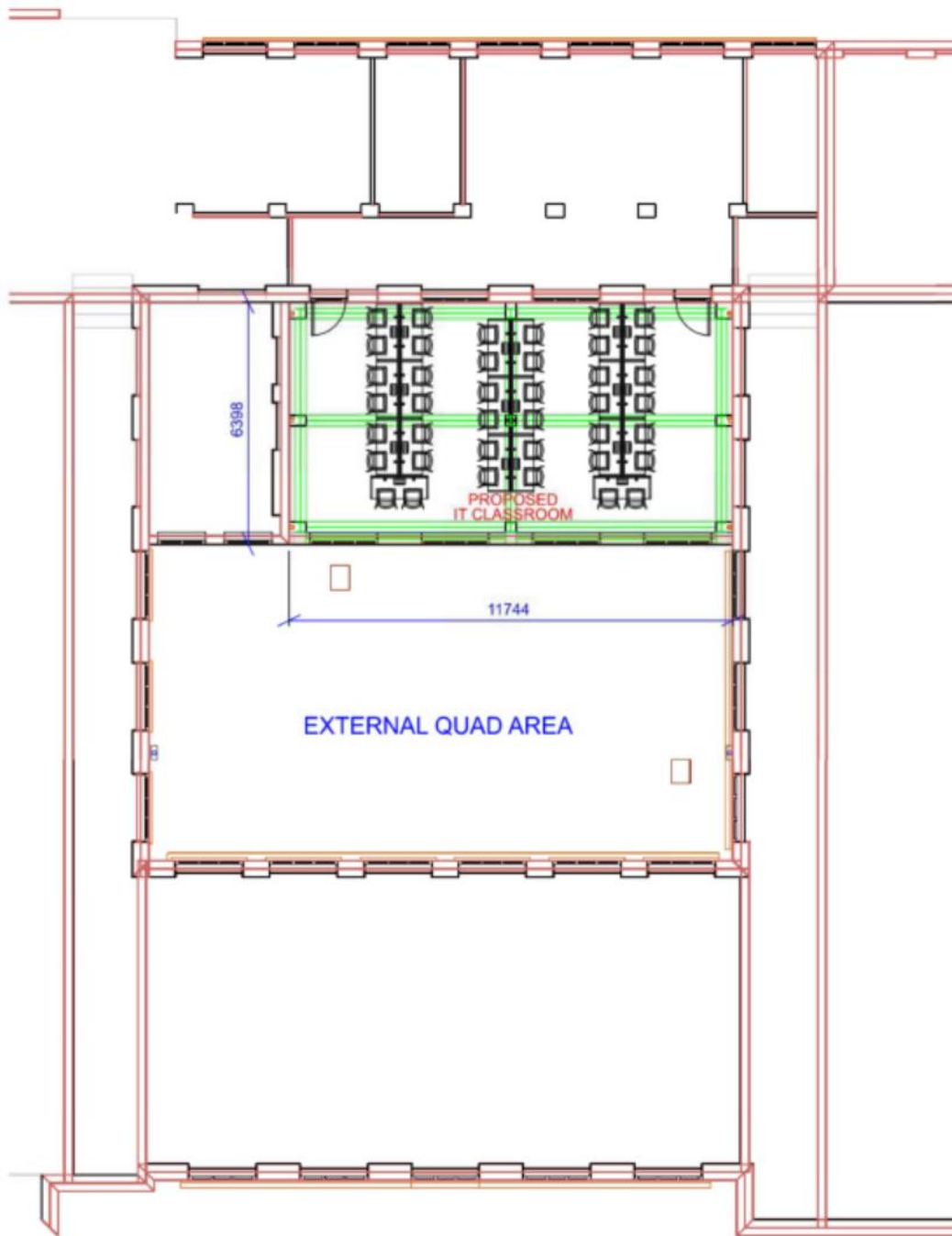
Proposed Ground Floor Isometric Views:



Existing and Proposed First Floor Plans:

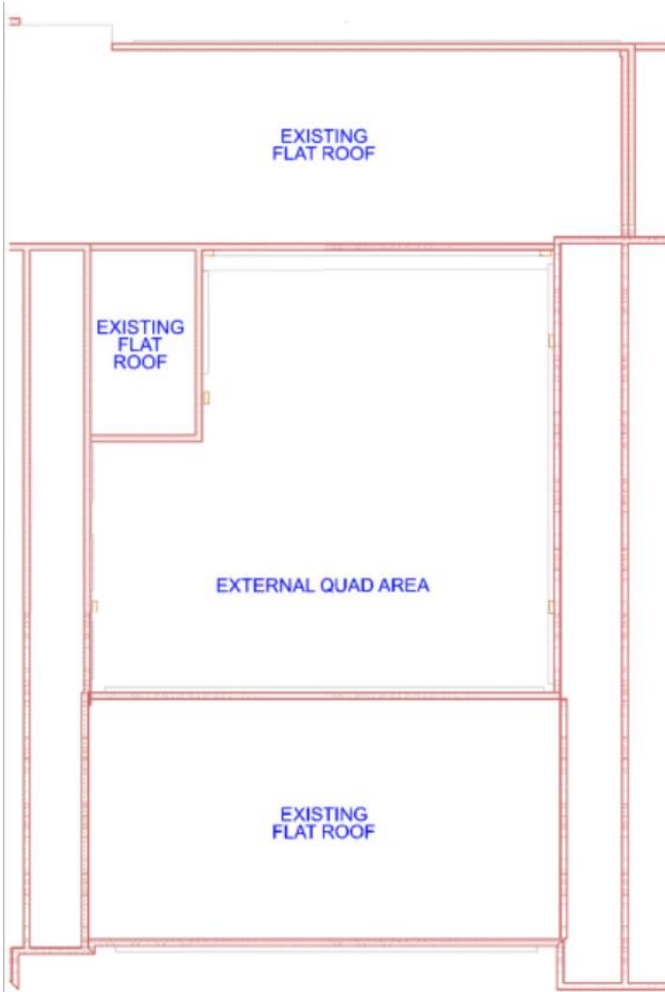


Proposed First Floor Plan (Detailed):

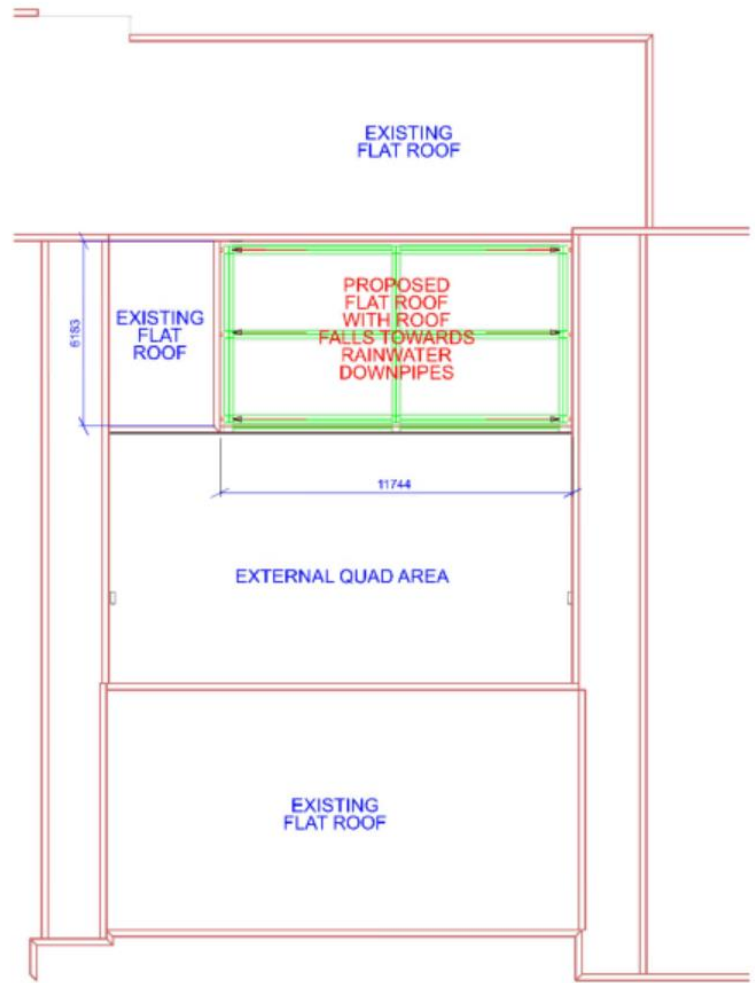


PROPOSED FIRST FLOOR PLAN

Existing and Proposed Roof Plan:

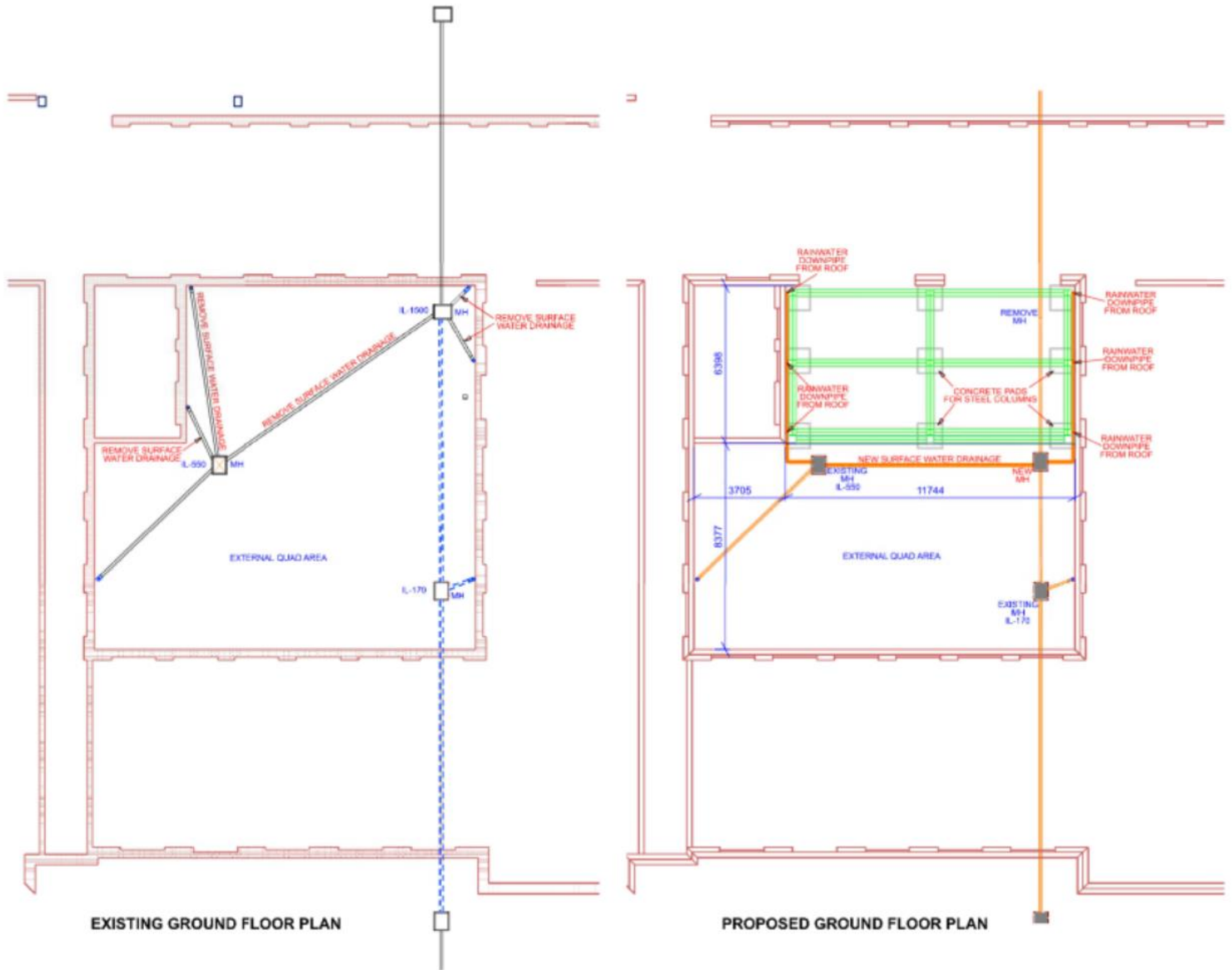


EXISTING ROOF PLAN

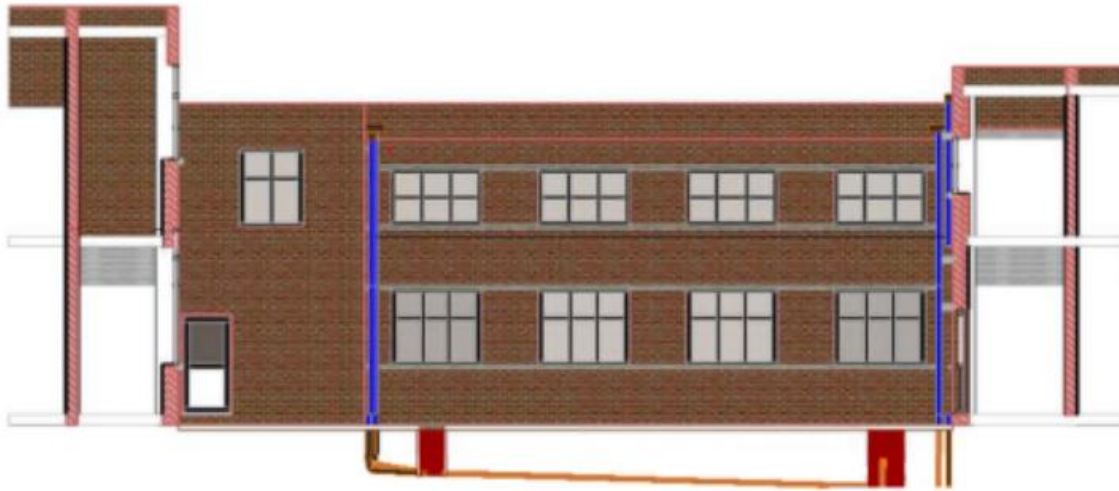


PROPOSED ROOF PLAN

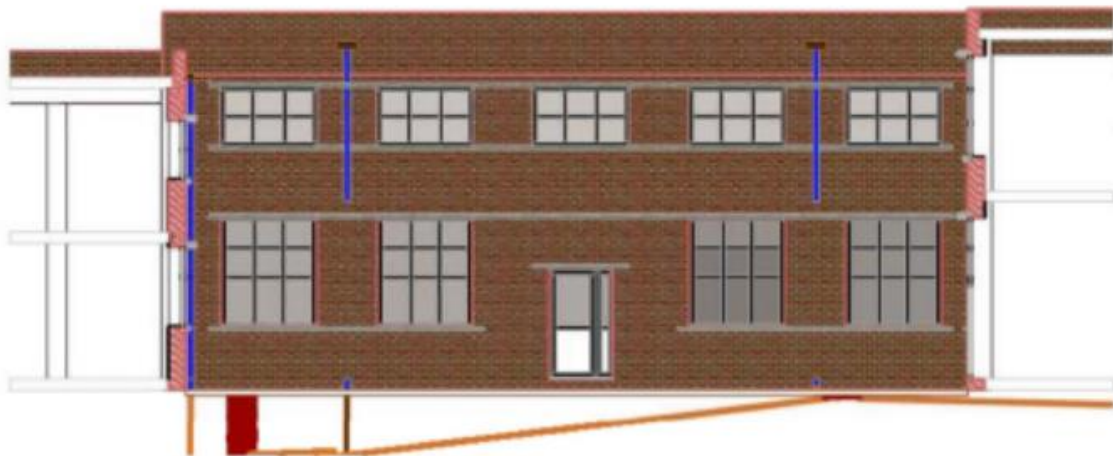
Existing and Proposed Drainage Plan:



Existing Elevations and Sections:



EXISTING QUADRANT NORTH ELEVATION / SECTION



EXISTING QUADRANT EAST ELEVATION / SECTION

Proposed Elevations and Sections:



PROPOSED QUADRANT NORTH ELEVATION / SECTION

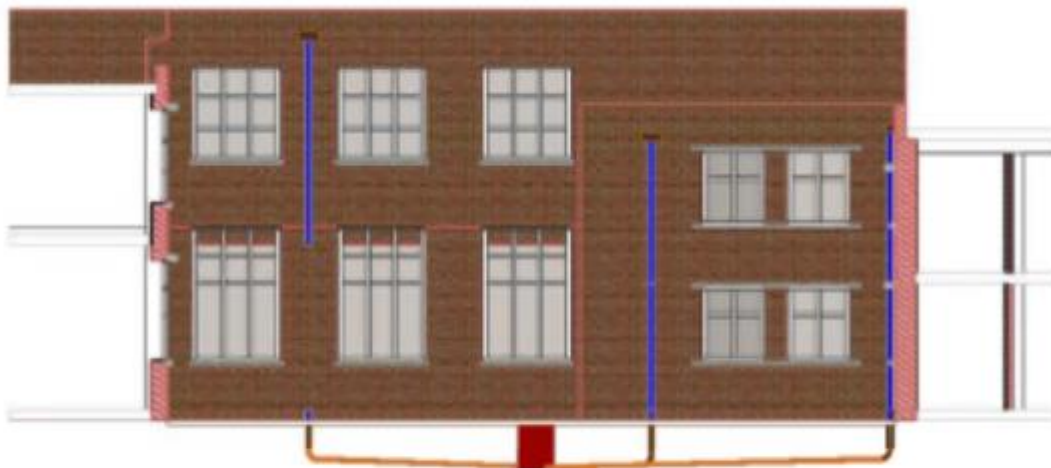


PROPOSED QUADRANT EAST ELEVATION / SECTION

Existing Elevations and Sections:



EXISTING QUADRANT SOUTH ELEVATION / SECTION

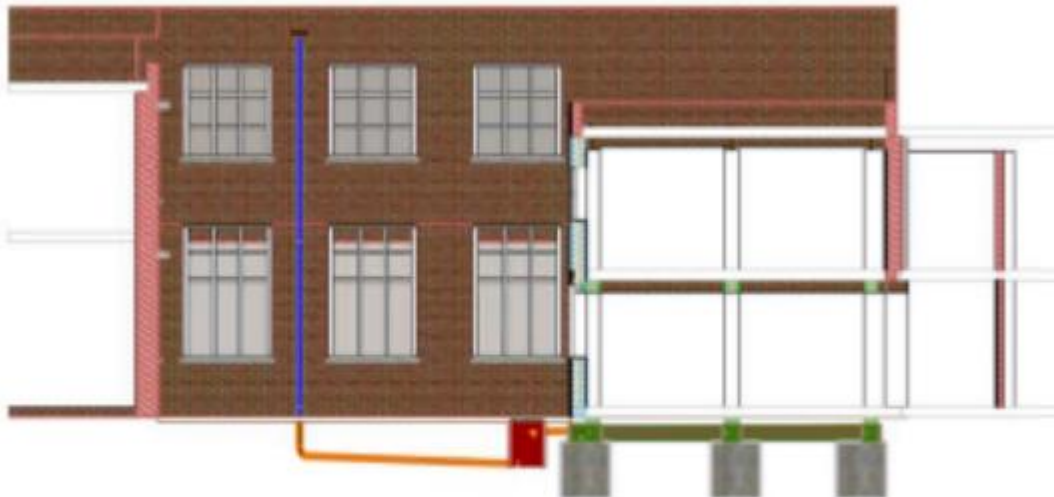


EXISTING QUADRANT WEST ELEVATION / SECTION

Proposed Elevations and Sections:



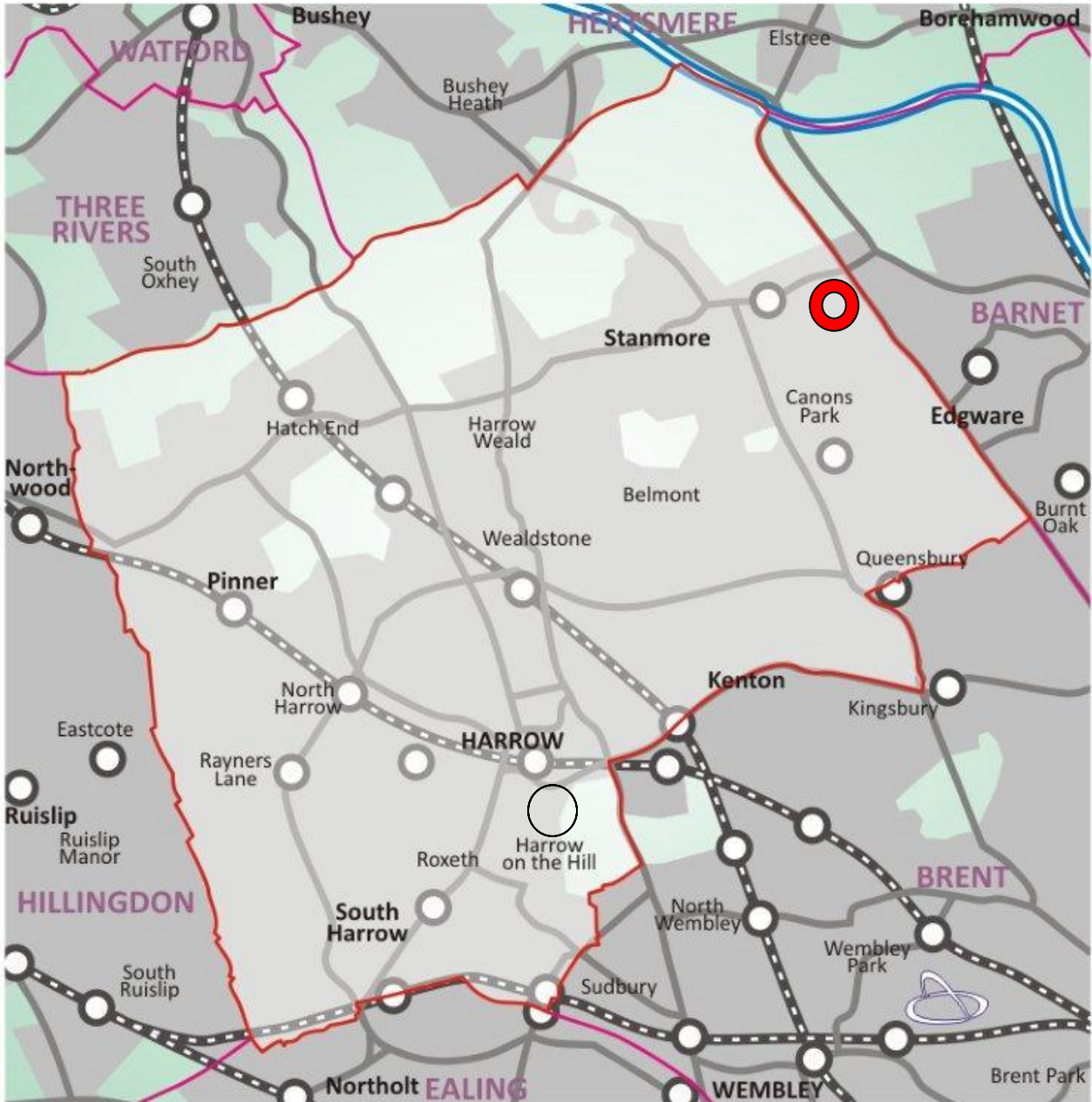
PROPOSED QUADRANT SOUTH ELEVATION / SECTION



PROPOSED QUADRANT WEST ELEVATION / SECTION

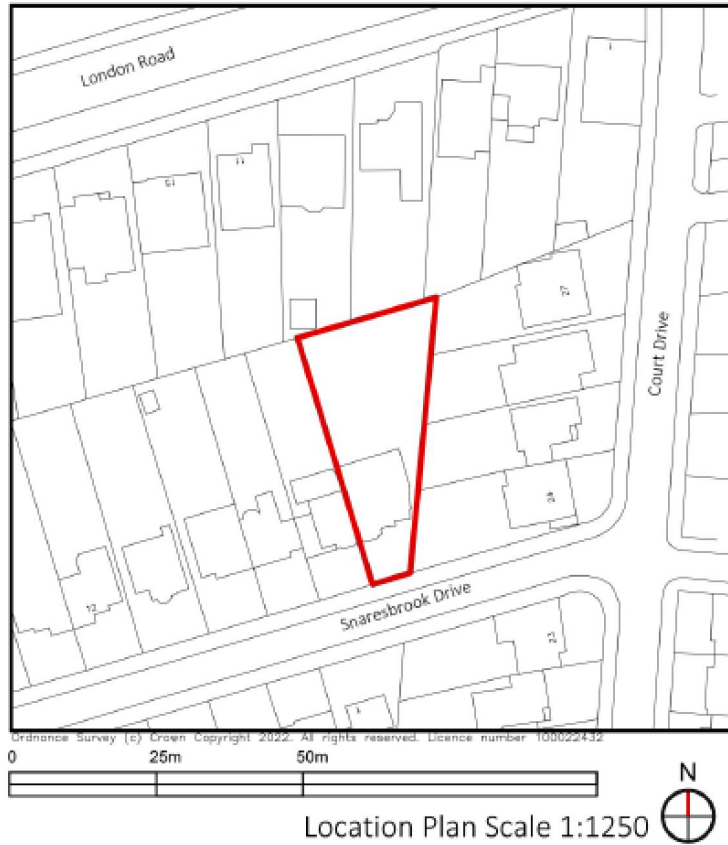
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 = application site



2 Snaresbrook Drive, Stanmore, HA7 4QW	P/0805/23
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/0805/23
VALID DATE: 24/03/2023
LOCATION: 2 SNARESBROOK DRIVE, STANMORE
WARD: CANONS
POSTCODE: HA7 4QW
APPLICANT: MR PRAKASH SOHAN
AGENT: CONSTRUCT 360 T/A DONTMOVEEXTEND.COM
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 10/05/2023
EXTENSION OF TIME: N/A

PROPOSAL

Single storey front extension; single and two storey side extension; single and two storey rear extension; alterations to roof; rear dormer; rooflights in front, side and rear roofslopes; external alterations (demolition of side extension)

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATION

The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exception Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B of the Harrow Core Strategy, Policies DM1 & DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest and therefore falls within provision A of the Scheme of Delegation.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	64.9 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application site contains a two storey semi-detached dwellinghouse located to the northern side of Snaresbrook Drive. The dwelling is characterised with a centrally pitched hipped roof with a two storey hipped roof projection to the front elevation, comprising of face brickwork at lower level, rendered elevations and UPVCU windows. There is parking available within the front driveway and associated garage to the side, of which, is single width. The site contains a garden in the rear which increases in width to the north.
- 1.2 The adjoining dwelling to the west at No. 4 Snaresbrook Drive is the pair to this semi-detached property and is of similar architectural appearance to the front elevation. This property has been extended by way of a single storey rear extension.
- 1.3 The rear gardens of the adjacent dwellings to the east along Court Drive adjoin the eastern boundary of the application site.
- 1.4 The host dwelling is not listed, is not within a Conservation Area, is not located within a Flood Zone, but does sit within a Critical Drainage Area.

2.0 PROPOSAL

- 2.1 The application proposes a single storey front extension; single and two storey side extension; single and two storey rear extension; alterations to roof; rear dormer; rooflights in front, side and rear roofslopes together with external alterations. The existing side extension would be demolished.
- 2.2 The proposed single storey front extension would have a depth of 0.8 metres and a width of 2.77 metres. It would align with the main front wall of the dwellinghouse. It would have a mono pitched roof to a height of 3.35 metres.
- 2.3 The proposed two storey side to rear extension would have a width of 3 metres, 10.4m in depth and would have a hipped roof which would be set down below the ridge of the main roof. This extension would be set in by 0.8m from the eastern side boundary at the closest point and this gap increases to the rear. The first floor side element would be set back by 1m from the front elevation. The proposed single storey side extension would project an additional 1.2 metres in width beyond the flank wall of the two storey side element.
- 2.4 The single storey rear extension would have a maximum depth of 6m, a width of 10.9 metres and a height of 3m.
- 2.5 The proposed rear dormer would measure 3.6m in width, 3.1m in depth and 2.2m in height. The dormer would be set in by 0.5m from the party wall, set in 1m from the roof of the two storey rear extension, 1m above the eaves and 0.7m below the ridge. Materials chosen are to match the existing conditions on site.

2.6 One rooflight would be added to the main existing roof and one to the side and front roofslope of the proposed two storey side extension.

3.0 **RELEVANT PLANNING HISTORY**

P/4320/22	Certificate of lawful development (proposed): three detached outbuildings at rear for use as games room, gym and store.	Granted 16/02/2023.
P/4319/22	Single storey front extension; single and two storey side extension; single and two storey rear extension; alterations to roof; rear dormer; rooflights in front, side and rear roofslopes; outbuilding at side for boiler; external alterations (demolition of side extension)	Withdrawn

3.1 Site History

No other relevant planning history.

4.0 **CONSULTATION**

4.1 A total of 8.no consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 25 April 2023.

4.2 12 responses were received. Matters raised within these objections can be summarised as follows:

- Proposed works are overbearing and out of keeping with Snaresbrook Drive and neighbouring roads
- The addition of a bar and gym at the rear of the garden implies the use of this property will be more akin to a social hub than a family home.
- The outbuilding will cause severe and constant noise disturbances late into the night.
- There is insufficient parking capacity in the road to cope with the 10 residents of the property.
- The proposal will set the wrong precedent for any future planning applications in Snaresbrook Drive.
- The application form is incorrect in stating there are no trees within falling distance of adjoining properties
- The outbuilding and its use as a bar is not incidental to the house
- There is no design statement to give an indication of how many cars will park on site
- No consideration given to the ecological damage that will result from the loss of the landscape garden.
- The ongoing construction will cause unacceptable disturbance to surrounding neighbouring residents. Hours of working should be strictly enforced.
- There is no OS plan, garden plan showing existing structures or street scene showing neighbouring ridge heights for comparison.

- The proposal will result in overlooking to No. 4 Snaresbrook Drive and nearby properties via the new top floor window
- The outbuilding would result in a detrimental impact to neighbouring occupiers
- The loss of the garage parking space will result in more on street parking. The proposed extension of the property is excessive and would be out of keeping with the neighbouring properties.
- The extension would present a dominant and overbearing presence adversely affecting the outlook from my property.
- The massing, bulk and scale of the development almost dwarfs the adjacent semi-detached house.
- There will be noise and disturbance to neighbouring residents during building work.

4.3 Officer Response

- The level of parking provided to the front driveway would comply with the London Plan parking standards.
- The scale and design of the extensions comply with the Harrow Residential Design Guide Supplementary Planning Document (2010) (SPD).
- Noise and disturbance during buildings works is not a material planning consideration.
- The outbuilding does not form part of this application. Three outbuildings were granted under a lawful proposed development application ref: P/4320/23 and were considered to be incidental to the existing dwellinghouse.
- There would be no loss of privacy to any of the properties in Court Drive and Snaresbrook Drive as the proposed first floor rear windows would face towards the rear garden. Moreover, the impacts of these windows are not considered to be materially different to the impact of the existing first floor rear windows.
- Every planning application is considered on its own merits.
- There are no Tree Preservation Orders within the site or other trees of merit which are considered to be unduly affected by the proposals.

5.0 POLICIES

5.1 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.’

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] which sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [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]. The relevant policies are referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Character and Appearance of the Area
- Residential Amenity
- Drainage and Flood Risk
- Fire Safety

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1, DM23

Relevant Supplementary Planning Documents (SPD):

- Residential Design Guide (2010)

6.2.2 Single Storey Front Extension & Part Single Part Two Storey Side Extension.

6.2.3 The proposed single storey front extension would be a modest addition to the property and is considered to reflect and complement the scale, design, quality and pattern of development in the street scene in accordance with paragraph 6.35 of the Residential Design Guide SPD (2010).

6.2.4 The SPD outlines guidance relating to first floor side extensions. It states that these extensions should be set back from the first-floor front wall by at least 1m and that these extensions should have a pitched roof to respect the form of the original roof. (Paragraph 6.46).

6.2.5 Further guidance is also outlined under paragraph 6.52 and 6.53 in relation to end of house sites which is applicable to this case. It outlines that two-storey side extensions should be sited a minimum of 1 metre from the boundary at first floor level and that rearward projections at first floor level beyond the main rear wall should be set in a further 500mm. It also emphasizes that site considerations need to be taken into account in determining the acceptable scale of development.

6.2.6 The proposed first floor side extension would be set back from the first-floor front wall by 1m, and it is noted that a hipped roof is proposed to match the existing roof. Moreover, the break in the roofing will create an outcome that is in keeping with the street scene and character of the existing dwellinghouse through the creation of a subordinate form. For corner plot properties, it is important to ensure that there is adequate space around the building to avoid any terracing affect. Although the extension would be sited 0.8m from the side boundary at the closest point, the site is not immediately adjoined by a dwelling to the east and therefore the proposal would not appear unduly cramped within the plot. Moreover, the distance of the proposed two storey side extension, gradually widens toward the rear of the site.

The rear element of the proposed two storey side extension would be set in a further 0.5 metres from the flank boundary in accordance with paragraph 6.53.

6.2.7 The first-floor side element would not be more than half the width of the host dwelling. These considerations mean that the two-storey side extension would respond appropriately to the character and appearance of the host dwelling and the locality.

6.2.8 Officers consider the proposed part single, part two storey side extension to be a proportionate, and sympathetic addition to the host dwelling, street scene and area in a wider context. The proposal would accord with paragraph 6.46 of the SPD (2010). Although it would not strictly comply with the guidelines in paragraph 6.52 in relation to the distance of the two-side extension to the boundary by 200mm, this is considered to be very minor, the resultant extension at the side would not be considered to be harmful to the locality as there would still remain a good sense of openness to the side boundary of the property.

6.2.9 Single Storey Rear/Side Extension

6.2.10 In relation to the acceptable depth of single storey rear extensions, the SPD requires consideration be given to consistency with permitted development, site considerations, the scale of development, the impact on the amenity of neighbouring residents and the established character and pattern of development in the area (Paragraph 6.59)

6.2.11 Paragraph 6.63 requires that the height of single storey rear extensions to be minimised to avoid impacts to neighbours and for a flat roof to be a maximum of 3 metres high on the boundary.

6.2.12 The existing single storey rear extension has a depth of 4m and the adjoining dwelling to the west at No. 4 Snaresbrook Drive also benefits from a 4m deep single storey rear extension. The extension would have a flat roof with a height of 3 metres. Having regard of the siting of the extension to the rear, and the modest additional 2 metre depth proposed, as well as the generous rear garden space, this is considered to have minimal impact on the character and appearance of the area and the proposal is also considered to be acceptable in this regard.

6.2.13 Two storey rear extension

6.2.14 With regard to two storey rear extensions, the SPD requires that roof design should reflect the character of the dwellinghouse and those adjoining to provide a satisfactory appearance (paragraph 6.64). Two storey rear extensions must also be assessed in relation to the 45-degree code to ensure an acceptable impact on neighbouring occupiers and to ensure a reasonable relationship between existing buildings and extensions. (paragraph 6.28).

6.2.15 The proposed first floor rear extension would not exceed more than half the width of the resultant rear elevation and would appear subservient and proportionate to the remainder of the rear elevation. The roof would be pitched, and it would reflect the character of the existing property. As outlined above, the first floor rear element would be set in by 0.5m from the flank elevation of the two storey side extension and would comply with the Harrow Residential Deign Guide SPD in this regard.

6.2.16 In summary the proposed two storey rear extension is considered to comply with the Residential Design Guide SPD (2010) and would have an acceptable impact on the character and appearance of the host dwelling and the surrounding area.

6.2.17 Rear Dormer

6.2.18 The SPD requires that dormers are subordinate features in the roof and should retain clearly visible sections of roof around the sides (paragraph 6.68). In order to achieve visual containment the SPD provides the following guidance:

- set-in at least 500mm from a shared (party) boundary with an attached house; and
- set-in at least 1000mm from the gable end; and
- set-back at least 1000mm from the roof eaves measured externally along the roof slope. (Paragraph 6.7)

6.2.19 The rear dormer would measure 3.6m in width, 3.1m in depth and 2.2m in height. The dormer would be set in by 0.5m from the party wall, set in 1m from the roof of the two storey rear extension, 1m above the eaves and 0.7m below the ridge. The rear dormer would be visually contained within the rear roof slope and would comply with the Harrow Residential Design Guide SPD.

6.3 Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents:

- Residential Design Guide (2010)

6.3.2 Impacts on No. 4 Snaresbrook Drive

6.3.3 The proposed two storey rear extension would not breach the 45 degree code in relation to No. 4 Snaresbrook Drive and would therefore accord with paragraphs 6.28 and 6.31 of the SPD (2010). The extension would also be sited to the east of this property. Taking account of these factors, the proposed two storey rear extension is not considered to result in any undue impacts in terms of loss of light, overshadowing or loss of outlook in relation to the occupiers of No. 4.

6.3.4 The existing single storey rear extension has a depth of 4m and the adjoining dwelling to the west at No. 4 Snaresbrook Drive also benefits from a 4m deep single storey rear extension. The proposed 6m deep extension would project by 2m beyond the rear of this property and would therefore not result in any detrimental impacts on neighbouring occupiers at No. 4 in respect of loss of light, overshadowing or loss of outlook. The flat roof height of 3m would also comply with paragraph 6.63 of the SPD (2010).

- 6.3.5 The proposed first floor and rear dormer windows would face towards the rear garden and no first floor flank windows have been proposed. As such, the proposal would not result in a material loss of privacy for the occupiers of No.4 beyond that already experienced in this suburban location where a degree of mutual overlooking at oblique angles across gardens already exists.
- 6.3.6 Impacts on properties to the east along Court Drive
- 6.3.7 No's 24 to 27 Court Drive adjoin the eastern side boundary of the subject site. The proposed two storey side extension would be located approximately 15.8 metres from the rear wall of No. 24 Court Drive.
- 6.3.8 The closest neighbouring occupier to the proposed two storey rear element is No. 26 Court Drive and the rear wall of this property would be sited some 21 metres from the flank wall of the proposed two storey rear extension. Having regard to this distance, the proposal is not considered to result in an undue amenity impacts on the occupiers of this site.
- 6.3.9 Overall, the proposed extensions are considered to be situated a satisfactory distance from the rear elevations of the dwellings to the east along Court Drive and would not appear intrusive or overbearing on their amenities.
- 6.3.10 In respect of privacy and overlooking the SPD (2010) outlines that extensions should not result in any significant loss of privacy to neighbouring houses and windows should be omitted from flank walls (paragraph 6.20)
- 6.3.11 No first floor flank windows have been proposed. There is a small rooflight window on the eastern roofsope which would serve a storage/loft space within the eaves of the roof. It is located approx. 18m from the rear elevation of no 24 and 23 m from no 25 and at an angle to the rear of these houses. It considered that these site circumstances would ensure that the proposal would not result in a material loss of privacy. A condition is recommended to ensure no windows were added to the flank walls.
- 6.3.12 In summary, the proposed development is considered to have an acceptable residential amenity impact in respect to all neighbouring occupants and would accord with the relevant paragraphs of the SPD Residential Design Guide (2010).
- 6.3.13 Parking
- 6.3.14 With regards to parking, the London Plan stipulates 2 car parking spaces should be provided for houses with 4 bedrooms and above. 2 car parking spaces will be provided to the existing front driveway and therefore, no objections are raised in this regard.

6.4 Drainage

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM10

6.4.2 The development would result in an increase in the development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. As the site is located within a Critical Drainage Area, sustainable urban drainage [SUDs] is encouraged. An informative is therefore attached to this effect. An informative has also been included with regard to surface and foul water connections and has advised the applicant to contact Council's Drainage Engineers to provide a drainage plan.

6.5 Fire Safety

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: D12

6.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. The applicant has provided a Reasonable Exception Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.0 **CONCLUSION AND REASONS FOR APPROVAL**

7.1 The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Fire Strategy Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13, T6.1 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1 & DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: Reasonable Exemption Statement, SD2-03-1001 Rev 1st, SD2-03-1002 Rev 1st

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

3. Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4. Glazing 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 elevation(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).

5. No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D11, D12, SI 12, SI 13

The Harrow Core Strategy 2012: CS1.B, CS1.W

Harrow Development Management Policies Local Plan 2013:

DM1, DM10

Supplementary Planning Documents: Residential Design Guide (2010).

2. Considerate Contractor Code of Practice

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, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

4. Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

5. Grant without Pre-App Advice

No Pre-Application advice was sought through the planning process.

6. Surface and Foul Water Connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

7. Sustainable Drainage Systems

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.

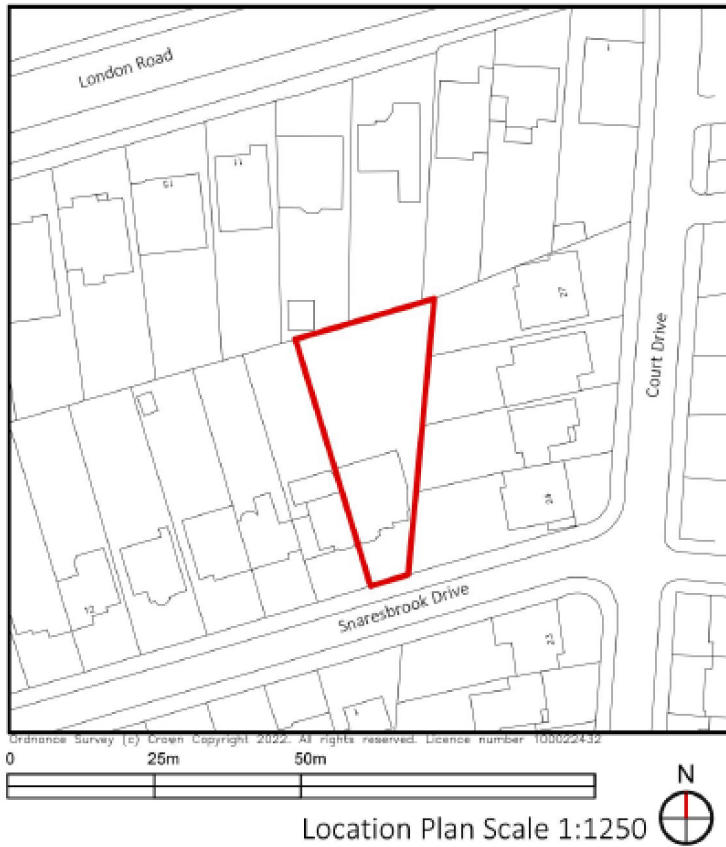
Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of 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 (2016) 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.

CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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APPENDIX 2: LOCATION PLAN

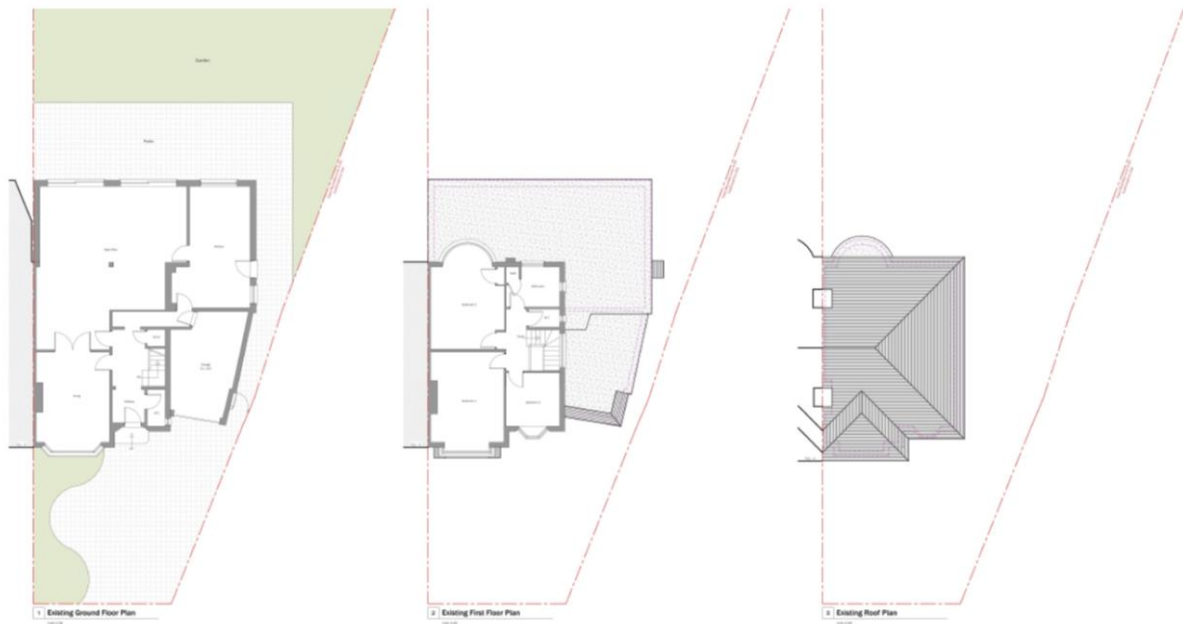


APPENDIX 3: SITE PHOTOGRAPHS



APPENDIX 4: PLANS AND ELEVATIONS

Existing & Proposed Plans and Elevations

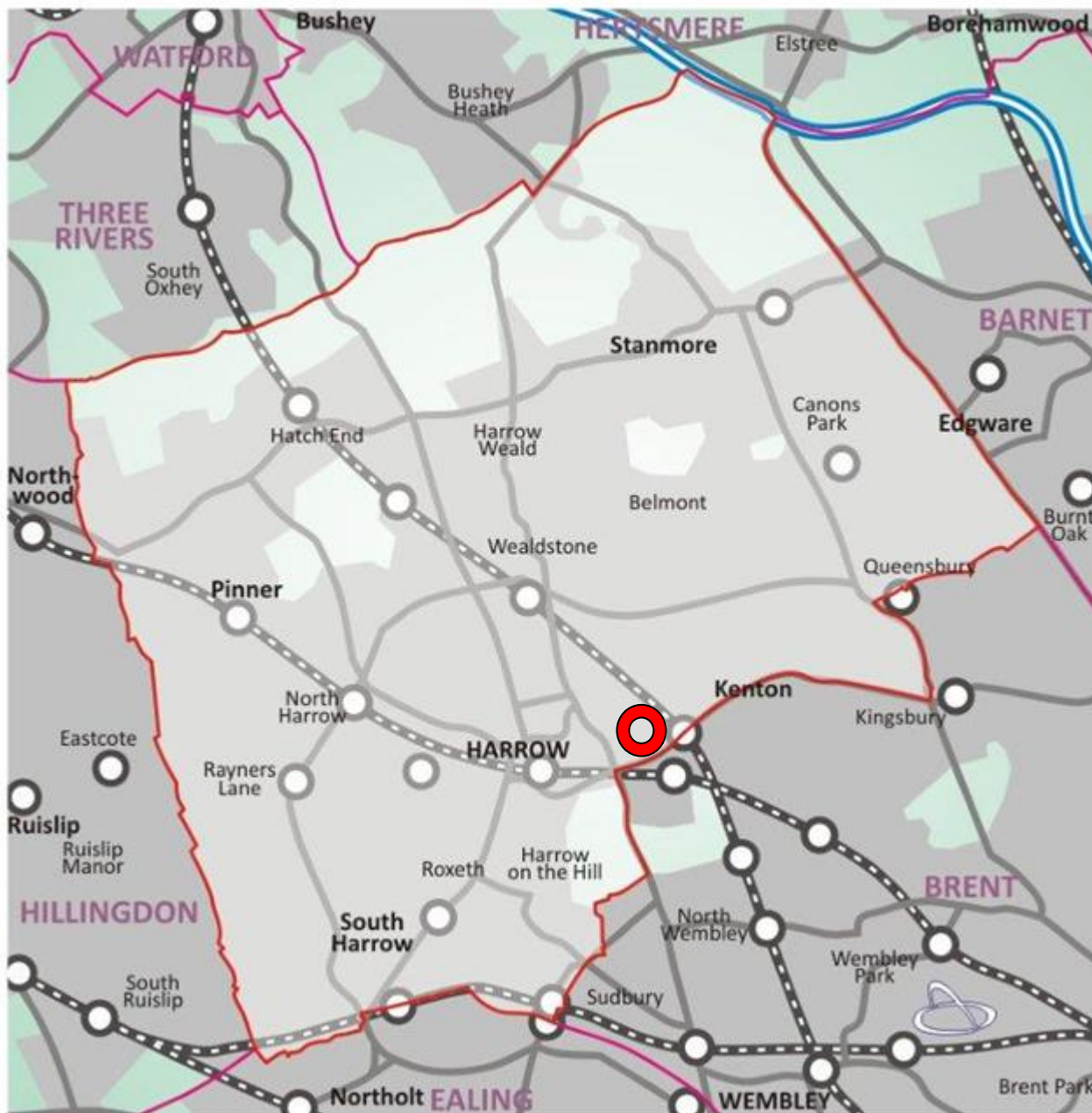




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 = application site



Baldwin House, 2 Gayton Road, Harrow, HA1 2XU	P/3644/22
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

24th May 2023

APPLICATION NUMBER: P/3644/22
VALID DATE: 02/03/2023
LOCATION: BALDWIN HOUSE, 2 GAYTON ROAD, HARROW
WARD: GREENHILL
POSTCODE: HA1 2XU
APPLICANT: WOOLBRO MORRIS LTD
AGENT: BOYER PLANNING
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 26/04/2023

PROPOSAL

Creation of fifth floor comprising of four flats (2 x 1 bed and 2 x 2 bed); bin and cycle stores

RECOMMENDATION A

- 1) agree the reasons for approval as set out in this report, and
 - 1) grant planning permission subject to authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of a legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Legal Agreement Heads of Terms would cover the following matters:
 - i. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order
 - ii. Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement.
 - iii. Legal Agreement Monitoring fee of £500

RECOMMENDATION B

That if the Legal Agreement is not completed by 30th June 2023, or as such extended period as may be agreed by the Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits would fail to comply with the requirements of policy T6 of The London Plan (2021), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow & Wealdstone Area Action Plan (2013), and Policies DM42, DM43 and DM50 of the Harrow Development Management Policies Local Plan 2013 and would therefore be unacceptable.

REASON FOR THE RECOMMENDATION

The form, scale and siting of the proposed additional floor on the site is appropriate in this location and does not appear at odds with the existing character of development in the immediate area and would not have an adverse impact on the amenity of the occupiers of adjoining properties in accordance with Policy AAP1; AA2 and AAP 4 Area Action Plan (2019), Policy D3 of The London Plan (2021) and Policy DM1 of the DMP (2013).

INFORMATION

This application is reported to Planning Committee as it would provide in excess of 3 new residential units. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	E13: Minor Dwellings
Council Interest:	None
Additional Floor Area	312sq m
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£18,720 (based on a £60 contribution per square metre of additional floorspace)
Local CIL requirement:	£502,171.84 (based on a £110 contribution per square metre of additional floorspace including indexation)

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The site is located on the southern side of Gayton Road, near its junction with Station Road to the north west. To the north east is the junction of Gayton Road and Lyon Road.
- 1.2 To the east of the site is a residential development comprising 355 flats in 5 blocks ranging between 5 and 11 storeys in height. The block nearest the subject site is 8 storeys in height.
- 1.3 To the south of the application property is the London Underground and National Rail Line.
- 1.4 To the north of the site are properties that front onto Station Road, with Trinity Public House being located directly on the opposite corner.
- 1.5 The property is located within the Harrow Opportunity Area.
- 1.6 The existing building consists of five stories fronting onto Gayton Road, with a three storey rear outrigger projecting towards the rear of the site. The existing property has been converted into 36 flats.
- 1.7 The property has a hard surfaced parking area at the front.
- 1.8 The property is within the Harrow Metropolitan Centre, but does not form part of a designated frontage.
- 1.9 The property is not a listed building nor is it in a Conservation Area.
- 1.10 The site is partially within a Landmark Viewing Corridor.

2.0 PROPOSED DETAILS

- 2.1 It is proposed to construct an additional storey to the front section of Baldwin House fronting Gayton Road. The proposed additional floor would be constructed in contrasting materials to the design of the host building.
- 2.2 Creation of 4 flats: two x one bedroom flats and two x two bedroom flats.
- 2.3 The internal design of the proposed additional floor has been amended during the assessment of this application. However, this does not alter the fundamental layout of the proposed flats or the external appearance of the proposed extension.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/0286/14	Conversion of offices (class b1a) to thirty six self-contained flats (class C3) (Prior approval of transport & highways impacts of the development and of contamination risks and flooding on the site).	Granted: 17/03/2014
P/2579/14	Installation of replacement windows and doors; replacement entrance canopy; external alterations; relocation of cycle store	Granted: 12/09/2014
P/2625/14	Addition of third and fourth floors to rear wing of building to provide four x 1 bedroom and two x 2 bedroom flats; re-configuration of two flats to create access for additional dwellings	Refused: 15/10/2014
<p>Reasons for refusal:</p> <p>1) <i>The proposed scheme, in addition to the existing prior approval permission (P/0286/14) on the site would result in an incremental increase in the provision of dwellings on this site and the proposal fails to meet the local needs for affordable housing. In the absence of a robust viability assessment to demonstrate the scheme would be unviable to provide such a provision, the scheme fails to address the key aims of policies 3.5 and 3.13 of the London Plan (2011), Policy CS1.J of the Harrow Core Strategy (2012), Policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).</i></p> <p>2) <i>The proposed development would, by reason of its height, bulk and depth and it's relationship with the future residential flats within the existing building given prior approval under permission P/0286/14, would result in unreasonable, levels of overlooking, perceived overlooking, and loss of privacy and outlook. The proposal would therefore be detrimental to the 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.</i></p> <p>Appeal: APP/M5450/A/2228631, Appeal Dismissed: 16 February 2015</p>		
P/4427/14	Two storey rear extension above existing three storey rear projection to provide for gym and storage area: reconfiguration of two residential units	Refused: 20/02/2015

	permitted under prior approval ref: p/0286/14	
Reason for refusal: The proposed development would, by reason of its height, bulk and depth and it's relationship with the future residential flats within the existing building given prior approval under permission P/0286/14, would result in unreasonable perceived overlooking, loss of privacy and outlook. The proposal would therefore be detrimental to the 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.		
P/0634/21	Creation of fifth floor comprising of four flats (2 x 1 bed and 2 x 2 bed); bin and cycle stores	Refused: 05/10/2021
Reason for refusal: The proposal, by reason of inappropriate design would result in an incongruous and obtrusive form of development which would appear at odds with the subject building. As such the proposal would fail to meet with the high quality design aspirations of the National Planning Policy Framework (2021), and would conflict with Policies D3 D (11) of the London Plan (2021), Policy CS1.B of the Core Strategy (2012) and Policy DM1 of the Development Management Policies Local Plan (2013). Appeal App/M5450/W/21/3286319 Dismissed: 23 rd September 2022		

4.0 **CONSULTATION**

- 4.1 A total of 107 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The public consultation period expired on 23rd March 2023 3 objections were received from adjoining residents.
- 4.3 A list is set out below of the comments submitted:

<p>Neighbouring Amenity</p> <ul style="list-style-type: none"> • Bins are overflowing <p><i>Officer response: See 6.8.3 below</i></p> <p>Other matters raised:</p> <ul style="list-style-type: none"> • Current building vibrates when a train passes. Adding extra load on the building is dangerous • Premium was paid for top floor flats • The Lift will be disrupted • Inconvenience during building works <p><i>Officer response: These are not material planning considerations</i></p>

4.4 Statutory and Non Statutory Consultation

A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p>MOD No Comments received</p> <p>London Underground No objection subject to condition.</p> <p>Officer Comment: Condition recommended.</p> <p>Secure by Design No objection subject to Condition.</p> <p>Officer Comment: Condition recommended.</p>

4.5 Internal Consultation

4.6 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p>LBH Highways</p> <p>This is a small addition to an existing conversion of 36 flats. Being in Harrow town centre, the site has the benefit of excellent public transport links (PTAL 6) and easy access to all of the amenities that would normally be associated with a busy metropolitan area.</p> <p>The principle of four additional flats is acceptable in highways terms as the residual impact of the proposal is expected to be minimal.</p> <p>Cycle parking is to be included in line with London Plan minimum standards but also includes a further three spaces for the existing units. This is welcomed however, the site seems to already fall short of the 36 spaces approved under P/0286/14 and P/2579/14 and is indicated to be in the same place as this existing cycle parking. Plans are required detailing the 36 approved spaces plus the new spaces. Short stay cycle parking should also be provided for visitors – ideally two spaces close to the entrance/exit.</p> <p>The car free approach is also accepted however, the location of the four</p>

disabled parking spaces approved under P/0286/14 is not apparent. Car free developments should still include disabled parking and as these flats are in addition to existing, it is expected that the new residents would also be entitled to use them should there be a need.

5.0 POLICIES

5.1 “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.’

5.2 In this instance, the Development Plan comprises The London Plan 2021, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development/ Background
- Impact on Wider Viewing Corridor
- Character and Appearance of the Area
- Residential Amenity
- Fire Safety
- Impact on RAF Safeguarding Zone
- Traffic and Parking
- Accessibility
- Development and Flood Risk

6.2 Principle of development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: H1, H2, H9
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM24

Principle of Development/ Background

6.2.2 As noted above a previous application P/0634/21 was refused for the following reason:

“The proposal, by reason of inappropriate design would result in an incongruous and obtrusive form of development which would appear at odds with the subject building. As such the proposal would fail to meet with the high quality design aspirations of the National Planning Policy Framework (2021), and would conflict with Policies D3 D (11) of the London Plan (2021), Policy CS1.B of the Core Strategy (2012) and Policy DM1 of the Development Management Policies Local Plan (2013).”

6.2.3 A subsequent appeal was dismissed (Appeal Decision at Appendix 5) solely on the grounds that a legal agreement had not been completed to ensure future occupiers were not eligible for parking permits. But found that the proposal with regards to character and appearance to be acceptable.

6.2.4 The proposal would add an additional storey to the front section of Baldwin House fronting Gayton Road to provide an additional four flats, two one bedroom and two, two bedroom flats. This is an acceptable mix. As the proposal comprises fewer than 10 new units, there is no requirement for affordable housing provision.

6.2.5 Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed extensions would constitute an increase in housing stock within the Borough and the development would therefore be acceptable in principle.

6.3 Impact on Wider Viewing Corridor

6.3.1 The relevant policies are:

- The London Plan 2021: HC4
- Harrow Development Management Policies Local Plan (2013):D3
- Area Action Plan (2013): AAP6

6.3.2 The site lies within the Gayton Road settings corridor as show on the proposals map. The proposed additional storey would be acceptable in terms of character and appearance and would not harm the composition of the view and would not exceed the threshold height of 73m.

6.4 Character and Appearance of the Area

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1
- Harrow and Wealdstone Area Action Plan Policies: AAP1, AAP2, AAP4

Mass, Siting and Design

- 6.4.2 The site comprises a 3 storey converted office block that fronts Gayton Road at the junction with Station Road. The existing building is brick built.
- 6.4.3 In assessing the impact of the proposed development on the character and appearance of the building and the area, the Appeal Inspector acknowledged that the grey arches and off-white render utilised a design that would not replicate the flat roofed and brick construction of the upper floor. However, the Inspector goes on to state that the materials did reflect the materials of the ground floor front elevation and that such materials and the contrasting design of the proposal would add to, and improve the visual interest of the otherwise utilitarian design of the former office building. The Inspector further noted that the design and appearance of the proposal would sit comfortably with the varying design and scale of the surrounding buildings and that the design of the proposal is an appropriate response to the existing character of the building and the place its within and would contribute in a positive way towards the local character
- 6.4.4 Based on the appeal decision and given the scale of residential development within the locality it is considered that this relatively modest increase in height would not be considered in itself to be at odds with the overall local pattern of development.
- 6.4.5 In summary, it is considered that the proposed design would improve the overall appearance of the host property due to the quality of detailing and finish.

6.5 Residential Amenity

6.5.1 *The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM27
- The London Plan (2021): D3, D6

Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

Neighbouring Occupiers

- 6.5.2 The neighbouring flats to the east of the site are sited 10m from the subject site. A daylight/sunlight report has been submitted with the application which confirms that there would be an acceptable impact on this adjoining property. Furthermore, there are no windows proposed in the flank elevation. There is a terrace proposed on the front of the development. However, given the distance from the neighbouring residential development it is considered that there would be an acceptable impact in relation to overlooking.

Existing Occupiers

- 6.5.3 Concerns have been raised by existing residents regarding noise and disturbance during construction. A condition is recommended to ensure that a construction logistics plan is submitted prior to commencement of work.
- 6.5.4 The existing flats were approved under prior approval. The layout of the existing flats is not known. However, given that the proposal would be constructed above the existing roof it is considered that there would be an acceptable impact on the properties below. Furthermore, noise insulation would be a requirement of Building Control.
- 6.5.5 The proposed flats would offer views of the public domain of Gayton Road and the car park to the rear. Therefore, it is considered that there would be no impact on the residential amenities of existing occupiers with regard to overlooking.
- 6.5.6 Further concerns have been raised regarding issues of plumbing and water services which are outside the scope of this application.

Future Occupiers

- 6.5.7 The proposed additional floor includes the following breakdown of residential units:

Flat	Type	Area (sq m)
1	2 bed, 3 person	80
2	2 bed, 3 person	72
3	1 bed, 2 person	60
4	1 bed, 2 person	55

- 6.5.8 The proposed flats in all instances exceed the required GIA for the occupancy levels proposed. Furthermore, the units demonstrate that a level of dedicated storage space for future occupiers which would accord with the minimum requirements for their respective occupancy levels. The proposed units are therefore considered to provide an adequate level of accommodation for future occupiers that would not be cramped or contrived.
- 6.5.9 The London Plan Housing Standards (March 2016) and policy D6 in the London Plan calls for a minimum floor to ceiling height of 2.5 metres across 75% of the GIA of a dwelling. The proposed plans (sections) indicate that the proposal would achieve a floor to ceiling heights of 2.3m to 2.9m. It is considered that overall the proposed floor to ceiling heights would be acceptable.

Daylight and Outlook

- 6.5.10 All units would be dual aspect and have floor to ceiling windows in the front elevations. The units would have windows to all habitable rooms, therefore it is considered that the proposed flats would have an acceptable amount of daylight and outlook with windows either facing towards the highway of Gayton Road and to the rear. As such, it is considered that the proposed accommodation would provide acceptable living conditions in this regard.

Amenity Space

- 6.5.11 Each flat would be provided with a private terrace which is considered to be acceptable.

6.6 Fire Safety

- 6.6.1 Part A of policy D12 requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly point and ensure robust strategies for evacuation are in place as well as confirmation of the fire fighting water supply. A condition is recommended to ensure that a fully comprehensive fire strategy is provided prior to the commencement of the development.

6.7 Impact on RAF Safeguarding Zone

- 6.7.1 Baldwin House is located within the RAF Northolt Safeguarding Zones: Green Zone which require Ministry of Defence consultation. The Ministry of Defence were consulted and no objections have been received.

6.8 Traffic, Parking and Servicing

- 6.8.1 Policy DM42 relates to parking standards and states that the number of car parking spaces and cycle spaces should meet London Plan (2021) standards. There are currently 15 car parking spaces in an un-delineated communal car park area to the south of the site according to the Design and Access Statement.

- 6.8.2 The site is located within PTAL 6a and therefore a car free development is considered acceptable subject to a legal agreement to restrict parking permits for future residents which is outlined in Recommendation A above.

Bin Storage

- 6.8.3 An additional three bins are proposed to the rear of the site to accommodate the additional flats. This is considered to be acceptable, a condition is recommended to ensure that a Management Plan is submitted to ensure a the safe management of the bins.

6.9 Accessibility

6.9.1 The relevant policies are:

- Harrow Development Management Policies (2013): DM2
- Harrow's Core Strategy (2012): CS1
- The London Plan (2021): D6

6.9.2 It is acknowledged that the upper floors flats may not be accessible to all. This is not always possible for altered buildings and it would not be reasonable to seek any further details in this regard.

6.9.3 Accordingly, it is considered that the proposed accommodation would be satisfactory and as such would comply with the relevant policies.

6.10 Development and Flood Risk

6.10.1 The site is located within a critical drainage area, given that there would be no change to the amount of hard surfacing on site, it is considered that the proposal would be no worse than the existing development in terms of flood risk and resiliency.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would bring forward housing provision of a satisfactory mix, layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans:

682_10-100-P5; 682_10-105-P3; 682-EX-100 P2; 682-EX-101; 682-EX-102; 682-EX-103; 682-EX-104; 685-EX-105; 682-EX-200; 682-EX-300; 682-EX-301; 682-EX-302; 682-EX-303; 682-10-105-P1; EX-10-106-P1; EX-10-200-P1; EX-10-300-P1; EX-10-301-P1; EX-10-302-P1; EX-10-303-P1; Technical Note dated 04/02/21; 682-72-100-P1 Design and Access Statement; Design Addendum June 2021; Daylight and Sunlight Report; Planning Statement; Environmental Noise and Impact Assessment.

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

3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to view on site, and approved in writing by, the local planning authority:

- a: facing materials for the building, including down pipes;
- b: windows / doors; and
- c: balustrade details.

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.

4. Construction Traffic Management Plan

No development shall take place, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the local planning authority, this must include (but is not limited to):

- a) Parking of vehicles of site operatives/visitors;
- b) HGV access to site – loading and unloading of plant and materials;
- c) Number of HGV's anticipated;
- d) Storage of plant and materials used in constructing the development;
- e) Programme of work and phasing;
- f) Site layout plan;
- g) Highway condition (before, during, after);
- h) Measures to control dust and dirt during construction;
- i) Loading/unloading arrangements;
- j) Number and types of vehicles anticipated for each phase of works;
- k) Any temporary traffic management requirements eg. parking bay suspensions; and
- l) Vehicle tracking drawings if any large HGV's will be entering/exiting the site

The development shall be carried out in accordance with the approved Construction Traffic Management Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network.

5. London Underground

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) have been submitted and approved in writing by the local planning authority which:

- Provide details of construction activities including access and logistics
- Provide details of tall plant lifting to the rear of the development
- Provide pre-post condition survey of the LUL retaining wall and Earth structures and LUL fence/boundary thereof
- Provide ground movement assessment covering, loading assessment for the proposed 5th floor and existing foundation capacity

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraph of this condition shall be completed, in their entirety before any part of the building hereby permitted is occupied

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy

T3 (2021) and Land for Industry and Transport Supplementary Planning Guidance 2012.

6. Fire Safety (Pre-Commencement)

Prior to the commencement of the development hereby approved, a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development commences on site, this condition is a PRE-COMMENCEMENT condition.

7. Communal Television Equipment

The development hereby approved shall not commence, until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) as been 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

8 Secure By Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

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.

9 Management Plan

The development hereby approved, shall not be occupied until a detailed strategy has been submitted to, and agreed in writing by, the local planning authority, outlining what measures would be put in place to ensure that the refuse bins are rotated to ensure that there is sufficient capacity within the main refuse store to meet the needs of the residents. The measures shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON: To safeguard the amenity of the future residents.

Informatives

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

D3 Inclusive Design
D5 Accessible Housing
D6 Housing and Quality Standards
D12 Fire Safety
T5 Cycling
T6 Car Parking

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

DM 1 – Achieving a High Standard of Development Policy
DM 2 – Achieving Lifetime Neighbourhoods Policy
DM 9 - Managing Flood Risk Policy
DM 10 – On Site Water Management and Surface Water Attenuation
DM22 – Trees and Landscaping
DM 24 – Housing Mix
DM 27 – Amenity Space
DM 42 – Parking Standards
DM 44 - Servicing
DM 45 – Waste Management

Area Action Plan (2013)

AAP1 – Development within Harrow Town Centre
AAP2 – Station Road
AAP4 – Achieving a High Standard of Development throughout the Heart of Harrow

Relevant Supplementary Documents

Mayor of London Housing Supplementary Planning Guidance (2016)
Residential Design Guide Supplementary Planning Document (2010)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

2. Compliance with planning conditions

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.

3. 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.

4. 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

5. London Mayor's CIL Charges

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £12,240.

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) website where you can download the appropriate document templates.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

6. Harrow Council CIL Charges

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £32,313.60

This amount includes indexation which is 323/224. The floorspace subject to CIL

may also change as a result of more detailed measuring and taking into account

any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

7. Street numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

8. Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

9. Sustainable Drainage Systems

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.

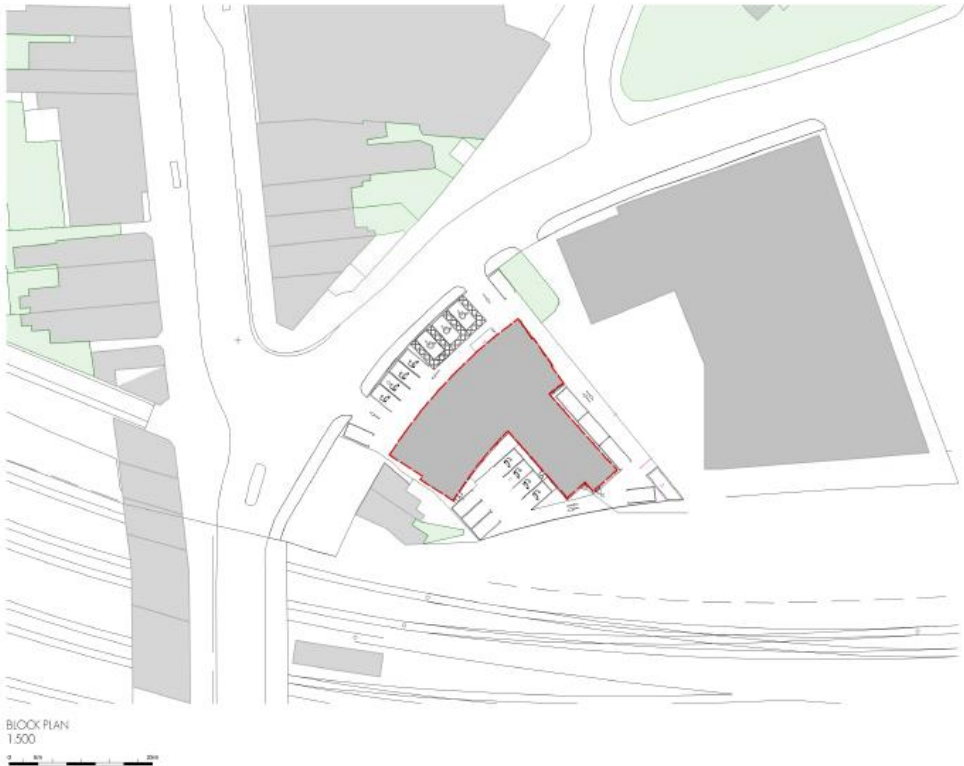
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

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 (2021) 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 (2016) 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.

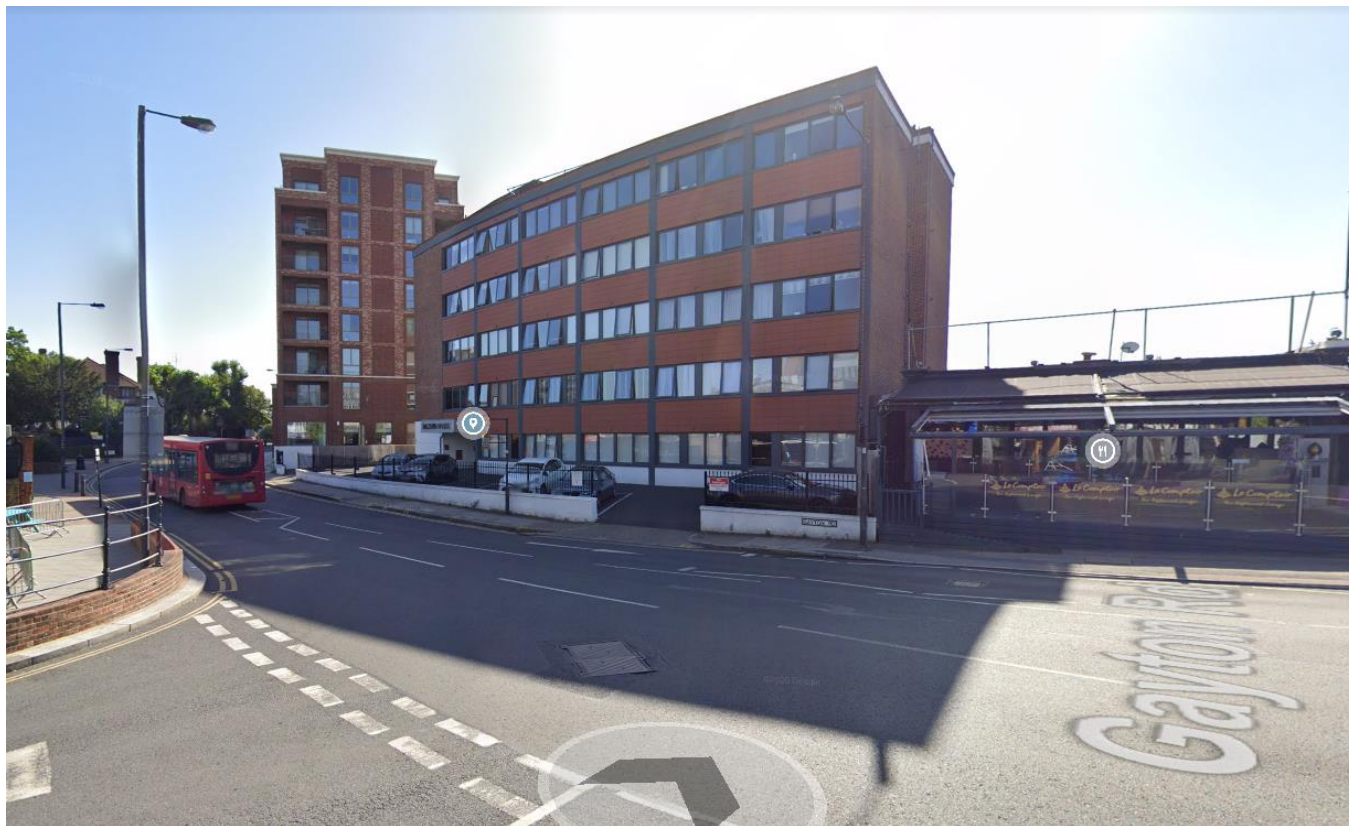
CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>11th May 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>12th May 2023</p>
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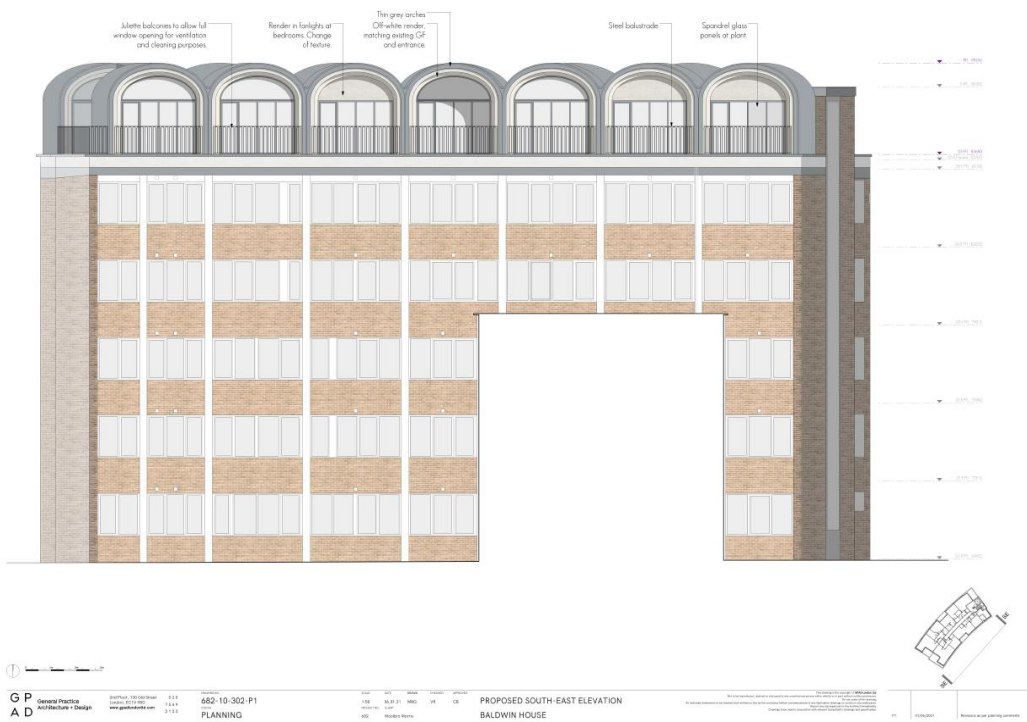
APPENDIX 2: SITE PLAN

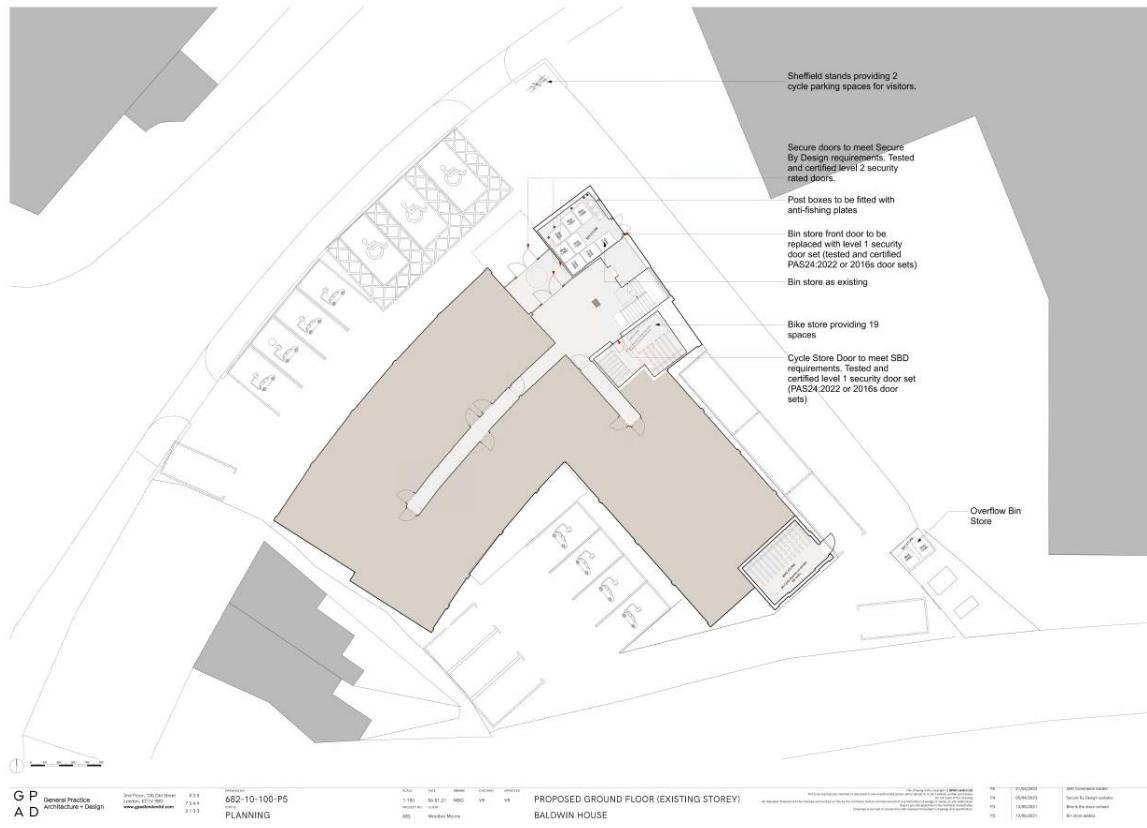


APPENDIX 3: SITE PHOTOGRAPHS



APPENDIX 4 – Plans and Elevations





APPENDIX 5 – Appeal Decision



Appeal Decision

Site visit made on 16 August 2022

by **Elaine Moulton BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 September 2022

Appeal Ref: APP/M5450/W/21/3286319

Baldwin House, 2 Gayton Road, Harrow, London HA1 2XU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Woolbro Morris Ltd against the decision of London Borough of Harrow.
 - The application Ref P/0634/21, dated 12 February 2021, was refused by notice dated 5 October 2021.
 - The development proposed is the construction of an additional storey on the existing building to provide 4no. residential units.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has stated that there were no objections to entering into a planning obligation to restrict parking permits for future residents. However, such an obligation had not been submitted within 7 weeks from the start date as set out at para N.2.1 of Annex N of the Procedural Guide: Planning appeals England. I allowed additional time for an executed copy of an obligation to be submitted. On 13 September 2022 a draft obligation was provided by the appellant, but the document was not signed or dated. The obligation therefore has no legal effect. Under the approach set out at para N.2.2 of the Guide, I am not required to delay the issuing of a decision to allow further time for a dated legally binding planning obligation to be submitted. I have therefore determined this appeal based on the information before me.

Main Issues

3. The main issues are:
 - whether car-free sustainable development would be secured; and
 - the effect of the proposal on the character and appearance of the host building.

Reasons

Car free development

4. Policy T6 of the London Plan 2021 states that car-free development should be the starting point for all development proposals that are (or are planned to be) well-connected by public transport. Additionally, the Policy T6.1 states that new residential development should not exceed the maximum parking standards.

<https://www.gov.uk/planning-inspectorate>

5. Policy DM42 of the Harrow Development Management Policies Local Plan 2013 (DMPLP) indicates, amongst other things, that proposals that make on-site provision for parking will be supported where the number of vehicle parking spaces would have regard to the maximum London Plan standards. It goes on to say that proposals for car-free development within town centres will be supported where it can be demonstrated that there would be adequate safeguards against parking on the surrounding highway network and in public car parks.
6. The relevant policies therefore require this development to be car-free given that the site lies within Harrow Town Centre and has an excellent Public Transport Accessibility Level (PTAL) of 6b according to the evidence before me. As the proposal does not include any additional car parking provision on site it is car-free development that is supported by policy provided suitable safeguards would prevent off-site parking.
7. During my site visit, I noted that the site is located within a Controlled Parking Zone (CPZ) with on-street parking reserved for permit-holders only, Monday to Saturday between 8.30am and 6.30pm. To ensure that no occupiers of the development, other than a Blue Badge holder, would be entitled to apply for such a permit and for the development to be truly car-free, it is necessary to have a suitable mechanism in place. The requirement for a planning obligation to secure a car-free development is made clear in the officer report and acknowledged and accepted by the appellant. Such an obligation has not, however, been provided as I have indicated above.
8. In the absence of an obligation, the appellant had suggested the imposition of a planning condition that requires the completion of such an obligation. Any such condition would have to be negatively worded, preventing development from taking place before arrangements have been made that secure the development as car-free. I am mindful of Planning Practice Guidance advice that a negatively worded condition requiring a planning obligation or other agreement to be entered into before development can commence may be appropriate in exceptional circumstances, where there is clear evidence that the delivery of the development would otherwise be at serious risk. No such evidence has been provided and as such it is not appropriate to impose a condition in this case.
9. In conclusion, in the absence of a suitable planning obligation, car-free sustainable development would not be secured. In that regard it would not comply with the sustainable transport requirements of Policy T6 of the London Plan 2021 and DM42 of the DMPLP.

Character and appearance

10. The appeal relates to a five-storey building converted to residential use from an office. The existing building is gently curved with a flat roof, predominantly constructed in brick with terracotta cladding beneath the upper floor windows and off-white render at ground floor.
11. Whilst the grey arches and off-white render utilised in the design of the development would not replicate the flat roofed and brick construction of the upper floor, they would reflect the materials of the ground floor front elevation. Such materials and the contrasting design of the proposal would add to, and

improve, the visual interest of the otherwise utilitarian design of this former office building.

12. The design and appearance of the proposal would sit comfortably with the varying design and scale of the surrounding buildings notwithstanding that they are also predominantly flat roofed and brick constructions.
13. Overall, the design of the proposal is an appropriate response to the existing character of the building and the place it is within and would contribute in a positive way towards the local character.
14. Therefore, the proposal would not harm the character and appearance of the building. Accordingly, it would accord with the design aims of Policy D3 of the London Plan 2021, Policy CS1 of the Harrow Core Strategy 2012 and Policy DM1 of the DMPLP.

Conclusion

15. Whilst I have found that the proposal would not harm the character and appearance of the building this does not outweigh the harm arising due to car-free sustainable development not being secured by a suitable mechanism. The proposed development therefore conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
16. For the reasons given above the appeal is dismissed.

Elaine Moulton

INSPECTOR

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