

Planning Policy Advisory Panel Agenda

Date: Monday 3 October 2022

Time: 6.30 pm

Venue: Council Chamber, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

Membership (Quorum 3)

Chair: Councillor Marilyn Ashton

Conservative Councillors: Christopher Baxter
Stephen Greek
Zak Wagman

Labour Councillors: Stephen Hickman
Asif Hussain
David Perry

Conservative Reserve Members:

1. Salim Chowdhury
2. Anjana Patel
3. Paul Osborn
4. Norman Stevenson

Labour Reserve Members:

1. Graham Henson
2. Varsha Parmar
3. Krishna Suresh

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Agenda publication date: Friday, 23 September 2022

Agenda - Part I

1. **Appointment of Vice-Chair**

To consider the appointment of a Vice-Chair to the Planning Policy Advisory Panel for the 2022 – 2023 Municipal Year.

2. **Attendance by Reserve Members**

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

3. **Declarations of Interest**

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Panel;
- (b) all other Members present.

4. **Minutes** (Pages 7 - 10)

That the minutes of the Major Developments Panel meeting held on 1 December 2021 be taken as read and signed as a correct record.

5. **Public Questions**

To receive any public questions received in accordance with Executive Procedure Rule 49 (Part 4D of the Constitution).

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, 28 September 2022. Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

6. **Petitions**

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Executive Procedure Rule 47 (Part 4D of the Constitution).

7. **Deputations**

To receive deputations (if any) under the provisions of Executive Procedure Rule 48 (Part 4D of the Constitution).

8. **Tall Buildings Supplementary Planning Document (SPD) - Scoping and Draft Principles and Objectives** (Pages 11 - 30)

9. **Proposed consideration of three areas for Conservation Area Status** (Pages 31 - 40)
10. **Community Infrastructure Levy (CIL) Processes Review - Proposed Scope** (Pages 41 - 56)
11. **Any Other Urgent Business**
Which cannot otherwise be dealt with.

Agenda - Part II - NIL

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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.]

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Major Developments Panel Special Minutes

1 December 2021

Present:

Chair: Councillor Graham Henson

Councillors: Marilyn Ashton
Stephen Greek
Paul Osborn
Varsha Parmar
David Perry

**In attendance
(Presenters):** Esterina Bartilomo - CBRE
Baheeja Betts –
WatesGroup
Peter de Souza - Stantec
Manu Dwivedi - Stantec
Martin Savage - BDP
Anna Shapiro – Sheppard
Robson
Tim Simon - WatesGroup
Sarah Stevens - CBRE

91. Attendance by Reserve Members

RESOLVED: To note that there were none.

92. Declarations of Interest

RESOLVED: To note that there were none.

Resolved Items

93. Presentation on the Byron Quarter

Members received a presentation on Byron Quarter from the developer's main architects, Sheppard Robson. The proposed development is by WatesGroup.

In making the presentation, it was reported that:

- the development was a revised scheme, and would comprise of 360 new homes. These would be 50% affordable homes based on habitable rooms, and would allow the scheme to deliver additional larger family sized units;
- the design would be for different types of family housing, with over 70% dual aspect apartment units on a typical floor;
- around 65% family units would be 2-bedrooms and above;
- the apartment sizes would be Nationally Described Space Standards sizes and above;
- there would be 100 car parking spaces for residents, on a ratio of 0.3 and cycle parking spaces, plus a car club;
- play space would be provided for children up to 15 years of age, as well as a space for 16- to 17-year-olds;
- there would be a new public square, as well as new flexible commercial space;
- the architecture of the development would reflect the local area; and
- there would a public consultation at the Leisure Centre on Wednesday 8 December 2021, followed by an online consultation, as well as consultations with Ward Councillors.

Following the presentation, Members made comments and asked questions.

Clarification was sought as to the level of engagement with local residents. The Panel was advised that there had been initial liaison with residents, and public consultation were planned to begin on 8 December 2021. This would be followed with the creation of an online portal. Thereafter, Ward Councillors would be consulted, with feedback taken, leading to a further round of public consultations. The Member asked whether there was flexibility in receiving feedback to be included in future revisions of the development. It was advised that there would be.

In response to a Member's question on the public transport accessibility level (PTAL) rating for the scheme, it was advised that it was between 3 and 4. The Member further queried on how many electric charging points would be provided. It was advised that there would be 20% electric charging points, which was policy compliant.

In response to a Member's question, the developer clarified that 2 bedroomed units were considered to be family housing, in addition to units of 3 bedrooms and above.

The Member was concerned that having tall buildings on the edge of the park would impact on the park's heritage. The developer advised that tall buildings would enhance the relationship between the development and the park, and

that consultations with the Council would be undertaken to work out an appropriate siting if deemed necessary.

A Member went on to express the view that the height was excessive. The Member also expressed concerns on the limited number of car parking spaces, and requested if more could be considered. Furthermore, it was not a car free development and that there might be an issue with the number of resident car parking spaces. In addition, there was need to ensure that entry and exit points to the park were secured as the development was located in a crime-prone area.

The developer acknowledged the issue of security, and the Interim Chief Planning Officer explained that the Police would be engaged to ensure that security was enhanced for the development.

However, a Member stated that it was imperative to plan for security measures at development stage in order to reduce anti-social behaviour and other vices that were prevalent in the area.

In terms of parking, a Member questioned what sustainable travel provision would be put in place to complement the reduction in parking spaces. The developer advised that there would be an on-site car club for residents and in nearby locations. Trends at existing similar developments had been considered when drawing up the proposals.

The Chair thanked the developer and attendees for the presentation and responses.

RESOLVED: That the presentation be noted.

(Note: The meeting, having commenced at 6.30 pm, closed at 7.43 pm).

(Signed) Councillor Graham Henson
Chair

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**Report for: Planning Policy
Advisory Panel**

Date of Meeting:	3 rd October 2022
Subject:	Tall Buildings Supplementary Planning Document (SPD) – scoping and draft principles and objectives
Key Decision:	No
Responsible Officer:	Dipti Patel, Corporate Director Place Viv Evans, Chief Planning Officer
Portfolio Holder:	Cllr Marilyn Ashton Portfolio Holder for Planning & Regeneration
Exempt:	No
Decision subject to Call-in:	No
Wards affected:	All Wards
Enclosures:	Appendix 1 – Draft objectives / principles table

Section 1 – Summary and Recommendations

This report sets out the proposed approach to be taken to prepare specific tall building guidance by way of a Tall Building Supplementary Planning Document (SPD) and invites the Panel's comments on this. Draft objectives and principles to inform the drafting of the document are also included. The draft document will be presented to the Panel at a meeting later in 2022.

Recommendations:

The Panel is requested to:

- A. Note the contents of the report and the recommended approach to bringing forward a Tall Building Supplementary Planning Document
- B. Note the draft Objectives & Principles contained in Appendix 1

- C. Note the proposed timetable headlines contained paragraphs 3.5 – 3.6
- D. Provide comments / feedback in relation to the information set out in this report and associated appendices.
- E. Agree to progress the preparation of a draft Tall Building Supplementary Planning Document.

Reason: (for recommendation)

To outline the approach to preparing a Tall Building Supplementary Planning Document.

Section 2 – Report

1.0 Introduction

- 1.1 The Council has committed to prepare a Tall Buildings Supplementary Planning Document (SPD)¹. This report sets out an approach to progressing a Tall Building SPD, which will directly respond to meeting a stated priority of the Council in regard to tall buildings in suburbia.
- 1.2 This report reviews the relevant legislation / policy framework relating to tall buildings, and local evidence base. It then sets out how a tall building SPD will be brought forward in that context. Specifically, it provides a context-based approach (linked to existing Local Plan policies), supported by a formula to assist in determining height (within each context), which will allow for a tall building definition to be determined across the differing character areas of the Borough.

2.0 Options considered

- 2.1 To do nothing and rely on the existing local policy framework (Core Strategy and Development Management Policies adopted in 2012 and 2013 respectively). The London Plan 2021 has been subsequently published and the update to the Local Plan will not be completed and adopted for at least three years meaning to do nothing would leave a significant period without contemporary local guidance relating to tall buildings. It would also not reflect the stated priority of the Council to bring forward a Tall Buildings SPD.

3.0 Why a change is needed

- 3.1 The Local Plan process can span several years as it involves evidence gathering, policy development, at least two statutory periods of consultation and independent examination of the draft Local Plan by the Planning Inspectorate (which may also trigger further consultation).

¹ See Cabinet meeting 24 May 2022, item 5
<https://modern.gov.harrow.gov.uk/documents/s176909/Cabinet%20Report%20-%20May%202022%20-%20Tall%20Buildings%20and%20Conversions%20-%20FINAL%20V2%20-%2020220517.pdf>

- 3.2 Proposals for tall buildings are coming forward in the meantime, with limited guidance (especially outside the Harrow and Wealdstone Opportunity Area) in the current Local Plan.
- 3.3 It is considered that to introduce specific design guidance through a Tall Building Supplementary Planning Document would provide greater clarity across the borough for any applications that would involve a building that would be substantially taller than the context within which it is located (whether or not defined as a ‘tall building’ in the context of either the Harrow Local Plan or the London Plan).
- 3.4 Specifically, a Tall Building SPD will provide contemporary advice and guidance that would cover the entire borough and set out an approach to providing a context-based analysis for any location that a building that is substantially taller than its surroundings, and would articulate what would be considered a tall building subject to its context. Whilst assisting in determining what would be a tall building for a development in relation to its context, the SPD would also provide design guidance to ensure a high-quality development.
- 3.5 In bringing forward a Tall Building Supplementary Planning Document, the following sets out the key timetable actions required to be undertaken (Dates may be subject to change);
- i. Scoping Report for Planning Policy Advisory Panel (this report): 3rd October 2022
 - ii. Draft SPD for Planning Policy Advisory Panel: November 2022
 - iii. Cabinet Approval to Consult on SPD: December 2022
 - iv. Consultation Period: January – February 2023
 - v. Report back to Planning Policy Advisory Panel: February 2023
 - vi. Cabinet Approval to Adopt the SPD: March 2023
- 3.6 In the preparation of the Tall Building SPD, officers will also engage internally with relevant departments (Development Management for example), and the Harrow Design Review Panel. This will assist in ensuring a more robust and defensible SPD is achieved.

4.0 Policy Context and Evidence Base

National Planning Policy Framework 2021

- 4.1 There is no specific national guidance on development of tall buildings. However, paragraphs 119 and 124 of the NPPF states that “planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”.
- 4.2 A central theme to the NPPF 2021 is that good design is a key aspect of sustainable development, which creates better places in which to live and

work and help make development acceptable to communities. In this context, Paragraph 124 of the NPPF states:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.”

Historic England tall buildings note / advice

- 4.3 Historic England’s guidance on tall building’s is set out in ‘Advice Note 4’. This is a key document and reflects the importance of preserving the historic environment when planning for tall buildings. Historic England recommend that local planning authorities adopt a plan led approach to managing tall buildings. Part 3 of the advice note relates to Local Plans and states: “In a successful plan-led system, the location and design of tall buildings will reflect the local vision for an area, and a positive, managed approach to development, rather than a reaction to speculative development applications. It is therefore important that the appropriate scale and form of development is assessed as part of the formulation of the local plan. Techniques such as characterisation and building height studies provide evidence to support a local height definition for tall buildings and the identification of appropriate locations in local plans.”

London Plan (2021)

- 4.4 The London Plan was published in March 2021 and introduced Policy D9 (Tall buildings) which provides a prescriptive policy on the approach to tall buildings across London. Specifically, it states verbatim;

Definition

- A Based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.

Locations

- B
- 1) Boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations.
 - 2) Any such locations and appropriate tall building heights should be identified on maps in Development Plans.
 - 3) Tall buildings should only be developed in locations that are identified as suitable in Development Plans.
- 4.5 The policy then sets out what the impacts of tall buildings may be and provides boroughs with a range of matters which should be assessed as part of development proposals. In practice, this means that boroughs are unable to have a local tall building definition that is less than 6 storeys or 18m when measured from ground floor to the floor level of the uppermost storey. Buildings that are below this threshold will not (cannot) be considered as a tall building in terms of being required to be assessed against London Plan Policy D9C, which sets out impacts that should be addressed as part of any tall building proposal. Such buildings (below the definition of tall building) would have to still to be assessed against other planning policies to ensure that they are appropriate for their location and do not lead to unacceptable impacts on the local area due to their height) Whilst Harrow Council is unable to have a tall building definition that would be lower than these thresholds (6 storeys / 18m), this purely relates to a definition of a tall building, not the suitability of a tall building in a particular location.
- 4.6 Supporting Policy D9 (Tall buildings), paragraph 3.9.3 states *'Boroughs should define what is a 'tall building' for specific localities, however this definition should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. This does not mean that all buildings up to this height are automatically acceptable, such proposals will still need to be assessed in the context of other planning policies, by the boroughs in the usual way, to ensure that they are appropriate for their location and do not lead to unacceptable impacts on the local area'*. It is clear within the London Plan (2021) that there is acknowledgement that what constitutes a tall building will vary from place to place, and that buildings that do not meet the London Plan (2021) definition of tall buildings are not necessarily acceptable and may harm the character of the area in terms of the context in which they are located (i.e they maybe unacceptably 'taller' than their context, even if lower than the minimum definition of a tall building i.e. not less than 6 storeys or 18 metres).

Harrow Local Plan

- 4.7 Within Harrow, the development plan is made up of the London Plan (2021) and the following;
- a. Harrow Core Strategy (2012)
 - b. Harrow Development Management Policies Local Plan (HDMPLP) (2013)

- c. Harrow & Wealdstone Area Action Plan (2013)
 - d. Site allocations DPD (2013)
 - e. Policies Maps
- 4.8 The Harrow Core Strategy (2012) identifies the Harrow & Wealdstone Opportunity Area as being the focus for development within the borough and potential for tall buildings. Tall buildings in the Opportunity Area are defined as buildings 30m and above². This is consistent with the requirements for a building outside of the City of London to require Stage 1 referral to the Mayor of London. The subsequent Harrow & Wealdstone Area Action Plan (2013) provides detailed implementation policies, including tall buildings / building heights / site allocations. However, outside of the Opportunity Area (and outside of the remit of the Area Action Plan), there is no tall building definition, no identified areas suitable for tall buildings, and no tall building policies. In this context, paragraph 3.9.3 of the London Plan indicates: ‘Where there is no local definition, the policy applies to buildings over 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey’.
- 4.9 Within the Harrow & Wealdstone Area Action Plan (2013) (AAP) Policy AAP6 (Development Height) sets out design criteria for tall and taller buildings within the Opportunity Area only but does not set out detailed guidance on what would constitute a tall or taller building (see below). In any case, Policy AAP6 is limited to the Opportunity Area, and therefore does not provide guidance as to the locations of where tall buildings may be / not be appropriate across the remainder of the borough. It is also noted that AAP does not provide specific heights for the entire Opportunity Area, rather relying on the indicative heights and density for each of the ‘allocated’ development sites. Furthermore, whilst AAP6 provides guidance on design considerations when assessing tall building applications, some elements of the policy are dated and may now no longer be considered best practice. Furthermore, the policy wording of AAP6 is limited in terms of providing clarity in relation to acceptable locations and heights of tall buildings (outside of the allocated sites).
- 4.10 There are a number of policies within the HDMPLP (2013) where height is a consideration for proposals for tall or taller buildings under the current Local Plan;
- a. DM1 Achieving a High Standard of Development
 - b. DM3: Protected Views and Vistas
 - c. DM7: Heritage Assets
- 4.11 Each of the policies listed above are discussed in more detail below in the context of how the proposed Tall Buildings SPD supplements the current Local Plan.

² Harrow Core Strategy (2012) Footnote 23

Harrow Evidence Base

Harrow Characterisation and Tall Building Study (August 2021)

- 4.12 In response to Policy D9 (Tall buildings) of the London Plan (2021) requirements for a context-based definition (or definitions) of what is a tall building, the Harrow Characterisation & Tall Building Study (2021) was commissioned and was completed in August 2021. This study was prepared on behalf of Harrow Council by Allies and Morrison.
- 4.13 The study was split into two main workstreams, with a complete character assessment of the entire borough, and secondly a specific tall building guidance element.

Characterisation Study

- 4.14 The Characterisation Study in assessing the borough wide context makes it clear that within suburban Harrow (outside of town centres, neighbourhood parades, growth areas), the prevailing character is largely between 2 to 3 storeys. Building heights are greater in town centres, namely in Harrow & Wealdstone town centre that has seen recent mixed use and residential schemes over 10 storeys. Non-residential buildings such as institutions, big box retails, and industrial only make a small proportion of the building typologies across the borough.

Tall Buildings

- 4.15 Specific to tall buildings, the study identifies a methodology which enabled a context-based definition of tall buildings, consistent with Historic England Advice Note 4 and London Plan Policy D9: Tall Buildings. As noted above, Policy D9 of the London Plan (2021) sets out that in defining tall buildings *'the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey'*. Notwithstanding this, the prevailing character of Harrow in terms of building heights is largely between 2 – 3 storeys, with building heights greater in town centres, namely in Harrow & Wealdstone town centres that has seen recent mixed use and residential schemes over 10 storeys. The Station Road corridor linking Harrow and Wealdstone town centres also represents generally taller prevailing heights.
- 4.16 By reason of the prevailing character of Harrow, and notwithstanding the London Plan (2021) 'minimum' tall building definition (Policy D9), it is unlikely that a 6 storey building would be considered acceptable across most of Harrow by reason of the predominant suburban context. However, there may be locations within the borough (outside the Opportunity Area) where taller buildings may be acceptable, but nonetheless will still require design scrutiny to ensure the highest design quality is achieved. Conversely, by increasing design aspirations and standards, schemes that fail to deliver against these will be refused. What is clear is that tall buildings and taller buildings and any corresponding height is based on the local context, and that a nuanced approach is required regardless of the London Plan (2021) definition.

- 4.17 Building on from the setting the prevailing pattern of development in any one location, the following formulae are applicable in determining what constitutes mid-rise or tall buildings (based on context, not the default London Plan definition of 6 storeys / 18 metres);

$mr > 1.5p$

mr = mid-rise
p = prevailing height

$t > 2p$
or
 $t \geq 6s \text{ or } 18m$

t = tall
p = prevailing height
s = storeys
m = metres

Formula to define tall dependent on context or 6 storeys / 18m, whatever is taller

Formula to define mid-rise dependent on context

- 4.18 The above approach is considered to be consistent with the supporting text (to Policy D9 London Plan (2021)) within paragraph 3.9.3, which notes that *'tall buildings are generally those that are substantially taller than their surroundings and cause a significant change to the skyline'*. Buildings across much of Harrow are 2 to 3 storeys in height, and within that context a building twice the height would be substantially taller and make a significant change to the skyline.

Understanding where tall buildings may be an appropriate form of development

- 4.19 The prevailing height across suburban Harrow is 2 and 3 storeys, and as such it is considered that a 6 storey building (18m above ground level), would be unacceptable and would not be supported by the LPA within such a location. Elsewhere, subject to the matters raised below and a contextual analysis carried out (and agreed by the LPA), taller buildings may be appropriate. Specifically, the assessment of proposals for tall buildings in the local context, will need to consider nearby sensitive receiving environments³ which a tall building may harm.
- 4.20 Following on from undertaking a sieving process for the sensitive receptors (i.e. those local character and context features most likely to be impacted upon by tall/taller buildings), such buildings would need to be located within a sustainable location⁴. Sustainable locations are in principle more appropriate locations, which may potentially include buildings of height provided that they are responsive to their surroundings and demonstrate high quality design. Proposals must consider their immediate and local character, townscape and

³Harrow Characterisation & Tall Building Study (2021): Conservation Areas/Statutory listed buildings/Locally listed buildings/Heritage at Risk/Local views and landmarks/Safeguarded airspace (RAF Northolt)

⁴ Harrow Characterisation & Tall Building Study (2021): Proximity to a town or local centre/proximity to a public open space/Accessibility by bicycle/Accessibility to public transport/Train Station Locations/Opportunity Areas/Movement Corridors.

socioeconomic context. The locational characteristics identified above are considered to contribute to Good Growth / Sustainable Development, as reflected in the London Plan and Harrow Local Plan and any proposals would need to demonstrate how they would contribute to Good Growth and represent sustainable development in every aspect.

- 4.21 In determining sustainable locations for tall buildings or those that are taller than the surrounding buildings, local plan policy and relevant evidence would suggest that such locations are likely to be town centres, neighbourhood parades, and corridors. There are generally locations which are highly accessible from a public transport perspective, and with close access to amenities (good & services / shopping / leisure / employment). Each proposal would be considered in the context of each of these respective locations, as it is noted each would be set within different contexts and different constraints (which are set out within policies in the Local Plan) would apply. For example, Pinner Town Centre is noted as having a high quantity of heritage assets which may be a development constraint, resulting in a direct impact reducing the ability for buildings with height being supported due to potential harm to such assets.

Tall Building Supplementary Planning Document

- 4.22 Supplementary Planning Documents (SPDs) build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making.
- 4.23 It is proposed to prepare a Supplementary Planning Document (SPD) in the context of the publication of the London Plan (2021) and with specific reference to Policy D9 (Tall buildings) and the Harrow Local Plan, to assist in determining applications where tall buildings are to be proposed. As mentioned previously, there is no specific tall building policy (i.e. following the approach set out in the London Plan 2021) within the current local plan, and therefore any SPD on this matter would have to support existing Harrow Local Plan policy(ies) seeking to protect against the potential harmful impacts of tall buildings (i.e.; Character and context / Heritage Policies) and those that promote sustainable forms of development (i.e. location within town centres / areas of good public transport accessibility). However, such an approach would require a nuanced approach, as a SPD that seeks to address matters that ought to be addressed by a policy, may be considered unlawful.
- 4.24 Design guidance will be provided for larger sites (either by individual site or through site assembly) to ensure that new development where height is proposed, would satisfactorily stitch into the surrounding fabric / context. Guidance of this nature will assist where a development site proposes buildings with height which are in close proximity / adjacent to a notably different character / context.

Conclusion

- 4.25 The predominate built character across the majority of Harrow is 2 to 3 storeys, specifically in relation to the large amount of suburban character that makes up Harrow. By reason of this, buildings that would exceed the definition in terms of height (6 storeys or 18 metres measured from ground to the floor level of the uppermost storey) as set out within Policy D9A of The London Plan (2021), would not be appropriate within suburban Harrow. Accordingly, buildings that exceed 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey will not be supported other than when circumstances and design indicate otherwise to the satisfaction of the Council.
- 4.26 Whilst the prevailing character of suburban Harrow is strong in terms of height being 2 to 3 storeys, and the Council would not look to support buildings of 6 storeys or 18m from ground level in these locations, buildings of height may be appropriate in sustainable locations and subject to the context in which they are proposed. Specifically, it is acknowledged that the Harrow & Wealdstone Opportunity Area has over the Local Plan period undergone transformation, with multiple tall buildings (as defined in the current London Plan (2021 Policy D9A)). Furthermore, and subject to consideration against the above, taller buildings may be appropriate in other town centres, and corridors. Furthermore, larger sites are often able to set their own character and as such may provide suitable locations for tall buildings, appropriate guidance will be provided in this context, specifically to ensure that they would stitch into the surrounding context satisfactorily.

5.0 Harrow Local Plan policies the SPD will expand upon

- 5.1 In the context of the above, the following provides an overview of the policies within the Harrow Local Plan that it is proposed that any SPD providing further guidance in relation to tall buildings will expand upon;

Policy DM1: Achieving a High Standard of Development

- 5.2 Policy DM1 of the HDMPLP is a policy within the Local Plan that relates (in part) to ensuring development would achieve a high standard of design in and of itself, and also within the context of the locality within which it would be situated. Whilst it does not specify where a tall (or indeed taller) building should be located and what an appropriate height would be in such a location, it represents a policy that a SPD would be able to provide more guidance for tall buildings developments, which would ensure that there would be a satisfactory relationship with neighbouring buildings, the local character and pattern of development. Whilst other potential policies are listed below, the general catch-all nature of DM1B is considered to be the most appropriate. Notwithstanding this, it is noted that any development would need to demonstrate compliance with all relevant policies within the Development Plan. DM1B specifically states;

Design and Layout Considerations

A. All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.

B. The assessment of the design and layout of proposals will have regard to:

- a. the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;*
- b. the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;*
- c. the context provided by neighbouring buildings and the local character and pattern of development;*
- d. the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;*
- e. the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;*
- f. the functionality of the development including but not limited to the convenience and safety of internal circulation, parking and servicing (without dominating the appearance of the development) and the appearance, capacity, convenience, logistics and potential nuisance of arrangements for waste, recycling and composting; and*
- g. the arrangements for safe, sustainable and inclusive access and movement to and within the site.*

- 5.3 As mentioned above, a SPD is only able to provide guidance to an existing policy, and is unable to create new policy. In the event that it seeks to create new policy, it would fall foul of the regulations (Outside of Regulation 5(1)(a)(iii) or 5(1)(b) of The Town Country Planning (Local Planning) (England) Regulations 2012) and would most likely be unlawful if challenged at appeal or in the Courts.
- 5.4 With regard to any spatial (locational) element Policy DM1 provides criteria at DM1B(a) and (c).
- 5.5 What is clear is that the policy requires a consideration of massing, bulk, scale and height in relation to the location in which a development would be proposed. With specific regard to height, whilst it is not prescriptive in where specific height would be appropriate / inappropriate, it directs such an assessment to be undertaken to demonstrate that any new proposal would not be at odds with the prevailing pattern of development; the proposed SPD would provide guidance as to how to undertake that assessment based on the principles outlined in the Characterisation and Tall Buildings Study (2021) and summarised in section 4 above.
- 5.6 Following on from the policy requirements as set out above in terms of character and local context, DM1 then provides criteria in relation to design. Policy DM1B(b) provides specific criteria (also addressed generically elsewhere in Policy DM1) to be considered as part of ensuring a high quality design is achieved in any development.

- 5.7 On reviewing Policy DM1 of the HDMPLP (2013), it is considered that the policy would provide a sufficient policy basis to provide further tall building guidance and design on. It seeks to ensure that any development is brought forward without detriment to the surrounding context, and that it would be of a satisfactory design.
- 5.8 Policy DM1 sets out the criteria that shall be considered as part of any planning application, there is little further guidance to assist applicants to understand where appropriate locations would be for taller buildings, and how appropriate heights would be determined in each location.
- 5.9 The proposed Tall Building SPD will provide further detailed guidance in relation to the design and layout of developments (Policy DM1B). Specifically, greater clarity of the context in which a development would be located within, would be provided.
- 5.10 Following on from guidance in relation to what would constitute local character and pattern of development, the Tall Buildings SPD will provide guidance to ensure that new development would be brought forward in accordance with what Policy DM1B is seeking to achieve. Specifically, the SPD will provide methodology to where tall buildings are likely to be considered as more appropriate in terms of impacts on the prevailing pattern of development / constraints. It will then go on to assist in determining what would be an appropriate height to ensure that any new development would be appropriate within the local character and pattern of development.
- 5.11 Spatially, the SPD would be able to provide guidance for different areas across the borough, specifically in relation to the Harrow & Wealdstone Opportunity Area, Town centres, and corridors. Guidance for suburban character areas would not provide for buildings over 6 storeys (18m above ground level), as such height of buildings would be harmful and not supported. Each of these locations will respond differently to buildings of height, with some able to achieve a greater height much more comfortably than others. By reason of this, a nuanced approach would need to be taken, as a one size fits all approach across the borough would not be appropriate (such a nuanced approach would reflect the 'context' approach within the London Plan).
- 5.12 Whilst height is one of the primary material considerations that must be taken into consideration when assessing any development, achieving a high-quality design is essential for any development, particularly for those that may be taller than the prevailing pattern of development. The Tall Building SPD will provide further guidance on ensuring a high-quality design is achieved in any forthcoming planning application, with a greater emphasis on any developments that result in higher built form than the surrounding pattern of development. Where height is proposed, harm from poorly designed schemes is exacerbated by height / prominence. By reason of this, much more detailed design scrutiny is required on development where height is proposed. The

Tall Building SPD will focus on the importance of considering and responding to;

- a) context of the built and natural environment;
- b) public realm design;
- c) the crown, middle and
- d) base of a tall building;
- e) key characteristics of London tall buildings;
- f) sustainability considerations;
- g) and the impact of proposals on microclimate.

- 5.13 The Tall Building SPD will carry these headings through, with each broken down further to provide detailed guidance to assist schemes being developed in a manner that will ensure a successful design. Proposed developments where height above the prevailing pattern of development is proposed, regardless of whether it meets the D9 definition of being a tall building (i.e. minimum 6 storeys / 18 metres), it will be required to follow the detailed guidance as set out within the SPD.

Other relevant policies for the SPD

- 5.14 There are a number of other policies (in addition to Policy DM1) that a Tall Buildings SPD would be able to provide further guidance to.

DM3: Protected Views and Vistas

- 5.15 As part of the Harrow Local Plan 2013 evidence base, a Views Assessment was undertaken (2012) which developed viewing corridors across the borough to protect significant components of local identity and sense of place. Specifically, such corridors sought to protect the landscape backdrop provided by the Green Belt to the north of the Borough, and also the profile of the Harrow Hill – with particular reference to St. Mary’s Church. Schedule 3 of the HDMPLP (2013) sets out the protected viewing corridors, which are also shown on the Harrow Policy Maps for a landmark viewing corridor (red layer) and a wider setting consultation area (yellow layer).
- 5.16 Development within the landmark viewing corridor (shown in red on the policy maps) sets a height restriction for new development that should not be exceeded. However, height above the restriction may be acceptable subject to achieving a high standard of design quality. Similarly, a high-quality design should be achieved within the wider setting corridor (shown as yellow on the policy maps), albeit not as strict as within the red. Whilst Policy DM3 provides guidance insofar as what the policy expectation for new design must achieve, it does not provide specific/detailed guidance to assist applicants on how to achieve such a high quality of design for new developments; the proposed SPD will seek to provide this guidance as part of the overall design guidance.

Policy DM7: Heritage Assets

- 5.17 Collectively and individually heritage assets are a unique, irreplaceable resource to be sustained for the present and future generations to understand

and enjoy. Issues of design, appearance and character are the main issues to consider in proposals for additions and alterations to heritage assets, and new development affecting heritage assets, as they have the potential to impact their significance.

- 5.18 Policy DM7B(b) sets out the relevant issues of design, which need to be considered when proposed development located within the setting of a heritage asset; such as a conservation area, listed building, scheduled ancient monuments, and archaeology areas of interest is brought forward.

Conclusion

- 5.19 The above sets out the current Harrow local plan policies that are considered to lawfully provide a policy basis for the proposed Tall Building SPD to provide further guidance in relation to buildings, which would be taller than the prevailing pattern of development within which they would be located. Each of the policies indirectly provide detail in relation to the consideration of height (among other material planning considerations) that will be assessed as part of a planning application. However, whilst it is clear that the issue of height is a policy consideration, none of the listed policies provide detailed guidance on how height should be approached by an applicant as part of a planning application nor are any specific heights identified. Furthermore, there is limited guidance on how a high quality of design is able to be achieved, specifically in relation to developments that may be of height that is not consistent with the prevailing pattern of development.
- 5.20 The Tall Building SPD will provide further guidance to existing local plan policy, as set out above, in relation to guiding appropriate locations for buildings of height and achieve high quality design. It is considered that policy DM1 would be the most appropriate local plan policy to provide further guidance on height and design, as this policy requires and assessment against the prevailing pattern of development for any forthcoming planning application. The SPD will also be required to provide guidance to any new policy (either character or a tall building specific policy) as part of any local plan review.
- 5.21 Once adopted, the Tall Buildings SPD will provide greater clarity and certainty to applicants who are seeking to bring forward developments that may be noticeably taller than the surrounding context within which they are located within. Equally, it will ensure that a robust approach to addressing height and design quality is undertaken, and therefore schemes that fail to address these satisfactorily, will be refused.

6.0 Broad Outputs for the Tall Building SPD:

- 6.1 The following outputs and outcomes are envisaged from the preparation of the Tall Building SPD:
- a. Borough wide character assessment to provide a benchmark of local context (character/prevaling heights etc)

- b. Objectives and Principles that provide a clear understanding of the approach taken by the Council when considering proposals for buildings taller than their surrounding context
 - c. A clear statement and position that (based on the evidence base noted above) that 6 storey / 18m high developments in a suburban context (prevailing heights of 2 – 3 storeys) would be inappropriate as evidenced in the Characterisation Study and Tall Building Study (2021).
 - d. Formula to provide guidance in determining what constitutes a tall building height for new development in relation to its context within the Opportunity Area / a Town Centre / Corridor
 - e. Specific design guidance for tall building development
 - f. Consideration of local views in the context of DM3: Protected Views and Vistas and the interaction with DM1.
 - g. Clarity for developers seeking to bring forward development that may be taller than their surrounding context.
 - h. Clarity for LPA decision takers when considering planning applications where tall / taller buildings are proposed.
 - i. The SPD could also set out the process for the consideration of tall building application – DRP etc.
 - j. Follow on piece of work with regard to tall buildings may be the progression of area/site specific design codes. This piece of work will be useful when dealing with areas/sites that have been designated as appropriate for tall/taller buildings through the local plan review. Following on from a local plan tall building policy, design codes are able to be much more prescriptive when dealing with height on such sites
- 6.2 Draft Objectives and Principles have been developed and these are included at Appendix 1 for consideration and comment by the Advisory Panel. These will inform the drafting of the full SPD.

7.0 Implications of the Recommendation

Considerations

8.0 Resourcing

- 8.1 The project will be resourced internally by the Planning Policy Team, from the existing revenue budget. Significant input will be required from the Council's Principal Urban Design Officer (located within Development Management).

9.0 Ward Councillors' comments

- 9.1 Ward Councillor input will be sought during the preparation of guidance and any formal consultation which is a statutory requirement.

10.0 Performance Issues

10.1 None: Report is for information purposes only. Performance issues will be considered as part of any future Cabinet Report.

11.0 Environmental Implications

11.1 None: Report is for information purposes only. Environmental implications will be considered as part of any future Cabinet Report.

12.0 Data Protection Implications

12.1 None: The report is prepared for information purposes only for the Planning Policy Advisory Panel, which is noted as being a publicly accessible forum

13.0 Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below. **N/A**

The following key risks should be taken into account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Non-compliance with regulatory requirements for the preparation of any guidance (i.e. scope of guidance, process.)	<ul style="list-style-type: none">▪ Scope of guidance will have regard to previous Counsel advice regarding this▪ Process (including formal consultation) managed to ensure it complies with regulatory requirements	Green
Non-(general) conformity / consistency with Harrow development plan (i.e. London Plan, Harrow Local Plan)	<ul style="list-style-type: none">▪ Drafting to be undertaken in context of existing development plan.▪ Opportunities to expedite ('twin-track') the development of relevant policy as part of Local Plan review to be considered in an effort to reduce any potential conflict with future Local Plan policy.	Green
Broader Planning Policy / Urban Design work programs impacted upon should additional resources to undertake the work outlined in this report not be forthcoming	<ul style="list-style-type: none">▪ Broader work programmes adjusted to reflect the priority given to the preparation of the SPD within existing resources	Green

14.0 Legal Implications

- 14.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states 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.
- 14.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of supplementary planning documents.
- 14.3 Although the proposed SPD is not a development plan document it will, on adoption, be a material consideration in the determination of tall building development proposals within Harrow.
- 14.4 The Council is required by law to consult on the SPD and to take into account all consultation responses received before adopting the SPD. As soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

15.0 Financial Implications

- 15.1 The cost of preparing and implementing the guidance on tall buildings will be met from Planning Policy Team and Development Management (Urban Design) resources.

16.0 Equalities implications / Public Sector Equality Duty

- 16.1 By definition, supplementary planning documents cannot introduce new policies nor modify adopted policies and do not form a part of the development plan. Rather, their role is to supplement a 'parent' policy in a development plan document. The proposed SPD the subject of this report will supplement adopted policies within the Harrow Core Strategy and subsequent Development Management Policies Local Plan. A full equalities impact assessment was carried out at each formal stage in the preparation of the Core Strategy. Similarly, the London Plan (including Policy D9: Tall Buildings) was subject to an Equalities Impact Assessment as part of the broader Integrated Impact Assessment of the Plan. This will be reviewed to determine whether there is a need to prepare a SPD specific EqIA.

17.0 Council Priorities

17.1 Putting residents first.

- 17.2 The progression of a Tall Building Supplementary Planning Document was a manifesto commitment by the new administration. This report and the proposed approach sets out the approach by the Council to deliver the Tall

Building SPD, which would reflect the priorities of the Council to put residents first. It reflects the commitment made by Cabinet at its May 2022 meeting.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jessie Mann
Signed on behalf of the Chief Financial Officer

Date: 22 September 2022 – by email

Statutory Officer: Mrinalini Rajaratnam
Signed by the Monitoring Officer

Date: 22 September 2022 – by email

Chief Planning Officer:



Date: 22 September 2022

Mandatory Checks

Ward Councillors notified: No, as it impacts on all Wards / Information only
EqIA carried out: No: refer to paragraph 16 above
EqIA cleared by: N/A

Section 4 - Contact Details and Background Papers

Contact: Callum Sayers, Principal Planning Policy Officer, 077 3159 1724, callum.sayers@harrow.gov.uk

Background Papers:

- [National Planning Policy Framework \(2021\)](#)
- [London Plan \(2021\)](#)
- [Harrow Local Plan](#)

Appendix 1: Draft Objectives and Principles

Objectives	Principles
Addressing Place	
A: Respect the character of suburban Metroland	<p>1.1 Contextually appropriate development in relation to the existing suburban pattern of development</p> <p>1.2 Increased height is proportional to surrounding and prevailing heights</p>
B: Protecting built and landscape heritage	<p>2.1 Respond sensitively to heritage assets</p> <p>2.2 Respond sensitively to protected views</p> <p>2.3 Tall buildings assist in preserving and strengthening Harrow's townscapes and landscapes</p>
C: Locating height appropriately	<p>3.1 Tall buildings should be located in sustainable locations</p> <p>3.2 Wayfinding and legibility</p> <p>3.3 Townscape and prominence</p> <p>3.4 Orientation and neighbouring plots</p> <p>3.5 Tall building proposals shall respond appropriately to existing / proposed tall buildings</p>
Adding Quality	
D: Liveable places	<p>4.1 Human scale at ground floor</p> <p>4.2 Overbearing and overlooking</p> <p>4.3 Public realm</p> <p>4.4 Residential amenity</p> <p>4.5 Transport and parking</p> <p>4.6 Servicing and waste collection</p> <p>4.7 Designing out crime</p> <p>4.8 Solar gain</p> <p>4.9 Daylight and overshadowing</p> <p>4.10 Wind, noise and microclimate</p> <p>4.11 Greening</p>
E: High quality architecture	<p>5.1 Tall buildings form and composition</p> <p>5.2 Elevational design</p> <p>5.3 Active ground floor frontage</p> <p>5.4 Materiality and detailing</p> <p>5.5 Roofscape</p>
F: Sustainable and climate friendly design	<p>6.1 Sustainable construction</p> <p>6.2 Passive towers and efficient envelopes</p> <p>6.3 Sustainable energy</p> <p>6.4 Sustainable heating</p> <p>6.5 Low carbon materials</p> <p>6.6 Biodiversity</p>
Delivering Good Growth	
G: Efficient use of land	<p>7.1 Tall buildings make effective but sensitive use of sites</p>
H: Providing new homes	<p>8.1 Tall buildings contribute to Harrow's delivery of high quality new homes</p> <p>8.2 Tall buildings effectively assist in Harrow's provision of affordable housing.</p>
I: Delivering economic growth	<p>9.1 Mixed use development</p> <p>9.2 Opportunity for ground floor employment uses</p> <p>9.3 Contribute to social and cultural life of the borough</p>

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**Report for: Planning Policy
Advisory Panel**

Date of Meeting:	3 October 2022
Subject:	Proposal to consider three areas for Conservation Area Status
Key Decision:	No (information report only)
Responsible Officer:	Viv Evans, Interim Chief Planning Officer.
Portfolio Holder:	Councillor Marilyn Ashton, Deputy Leader of the Council, Planning & Regeneration Portfolio Holder
Exempt:	No
Decision subject to Call-in:	No
Wards affected:	West Harrow, Harrow Weald, North Harrow
Enclosures:	Appendix 1 - maps of areas to be considered for conservation area status.

Section 1 – Summary and Recommendations

This report sets out the intent of the Local Planning Authority to consider as possible conservation areas three areas as shown in appendix 1 i.e.

- (i) Butler Avenue and surrounding roads in West Harrow (map 1),
- (ii) West Drive Gardens, Bellfield Avenue and West Drive numbers 1- 41 (odd) and 2-36 (even) in Harrow Weald (map 2), and
- (iii) Suffolk Road in North Harrow (map 3).

These areas have been identified based on requests from residents within the areas.

The criteria that will be used in the assessment are identified, as well as the proposed timeframes for its completion.

Recommendations:

The Planning Policy Advisory Panel is requested to: note the areas to be considered for conservation area status and provide any comments.

Reason:

Conservation Areas are designated under the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act') which states in section 69 that 'every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas'. Consideration of the three areas as possible conservation areas therefore fulfils Section 69 of the Act.

Section 2 – Report

1.0 Introduction

- 1.1 The report incorporates the corporate priority concerning:
 - Making a difference for communities
- 1.2 Should the areas meet the criteria for conservation area status, the improved protection of identified 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.

2.0 Options considered

- 2.1 The option of not reviewing these areas 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.
- 2.2 Paragraph 3.7 below identifies an alternative option to designation as a conservation area, should the assessments determine an area does not meet the requirements to be designated a conservation area.

3.0 Background

What is a conservation area?

- 3.1 Conservation Areas are designated under the Planning (Listed Buildings and Conservation Areas) Act 1990 which states in section 69 that 'every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas'. The request therefore represents an opportunity to consider whether the three areas identified represent areas of special architectural or historic interest (the nationally statutory tests for the designation of a conservation area).
- 3.2 Harrow has adopted four Supplementary Planning Documents (SPDs) that cover the borough's existing conservation areas. Those documents include local guidance as to what is considered to represent 'special architectural or historic interest' in the Harrow context. In order for an area to be appropriate designation as a conservation area, it must fulfil two of the following criteria (as outlined in the SPDs):
- (a) Areas with a high concentration of Listed Buildings, whether statutorily or locally listed;
 - (b) Areas of historical, social, economic and/or architectural merit;
 - (c) Areas with a high proportion of buildings built prior to 1920, which remain largely unaltered;
 - (d) Areas built post 1920 that are innovative in planning or architectural detail, and where a large proportion remain unaltered;
 - (e) A significant group of buildings with distinct physical identity and cohesiveness;
 - (f) Areas which have a special quality, where the site layout and landscaping are of exceptionally high quality and/or contain historic open space, natural landmarks, topographical features or features of local distinctiveness¹

When not to designate?

- 3.3 The National Planning Policy Framework (NPPF) (2021) states in paragraph 191 that:

'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest'.

¹ These criteria were originally agreed by the Development Control Committee on 31 August 1998 as the criteria to be adopted in Harrow.

- 3.4 Historic England are the Government's advisers on matters of heritage. They have published guidance entitled: 'Conservation Area Appraisal, Designation and Management Historic England Advice Note 1' [HEAN 1] (Second Edition) – February 2019. They highlight the above requirement of the NPPF twice in their guidance since it was also contained in earlier iterations of the NPPF.
- 3.5 In addition, HEAN1 mirrors the requirements of s.69 of the Act that there shall be both 'special interest' and 'desirability to preserve or enhance' for CA designation as it states in paragraph 11 that there is: 'likely to be a stage when a decision would need to be taken as to the significance of an area and the likelihood of conservation area designation addressing relevant problems within the area. This is unlikely to be a lengthy process, the purpose being to consider whether an area has:
- a) sufficient architectural or historic interest for the area to be considered 'special'?
 - b) whether this is experienced through its character or appearance? and
 - c) whether it is desirable for that character or appearance to be preserved or enhanced, and what problems designation could help to solve'.
- 3.6 Thus, it indicates that where an area meets the criteria for designation, on occasion designation may not be desirable and prompts consideration as to what problems designation could help solve in order to determine the desirability of designation.
- 3.7 Conservation Areas are a heritage designation governed by national legislation and the principle of what makes an area 'special' needs to be considered in the national context; it is therefore a high threshold. Conservation area designation also reduces permitted development rights (i.e. what can be done without planning permission). At a local level, unlike many Local Planning Authorities, Harrow currently does not have a local form of area designation based on the architectural and / or historic interest of an area (a similar concept to Harrow's 'Local List' of buildings compared to statutory listed buildings, which are designated at a national level).
- 3.8 Depending on the outcomes of the assessments proposed in this report, an option for any area/s considered not to meet the requirements to be designated a conservation area could be for those to be formally identified as having local architectural and / or historic interest. This would not change permitted development rights but would be a material consideration for any planning applications that are received within the area. Such a potential local approach would be developed further and reported in any subsequent report to the Panel as appropriate. Such an approach could also be potentially applied to other areas in the borough.

4.0 Areas to be considered

4.1 The three areas to be considered for designation as conservation areas are shown in Appendix 1 and are as follows:

- (a) Butler Avenue and surrounding roads in West Harrow (map 1)
- (b) West Drive Gardens, Bellfield Avenue and West Drive numbers 1- 41 (odd) and 2-36 (even) in Harrow Weald (map 2), and
- (c) Suffolk Road (map 3).

4.2 These areas have been identified by the Planning & Regeneration Portfolio Holder based on requests from residents within the areas.

5.0 Process and timeframes

5.1 The assessments will be undertaken by the Planning Service. It is anticipated the assessments and recommendations will be reported to this Panel at its next meeting (anticipated to be late November 2022).

5.2 Any subsequent report to the Panel will outline next steps based on the outcomes of the assessment.

Ward Councillors' comments – to be sought as part of the assessment

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 – information report only.

Legal Implications

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.

Financial Implications

The costs of making undertaking the assessment of the three areas would be met from within the existing revenue budgets of the Council's Planning Policy team.

Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

EqlA 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.

Council Priorities

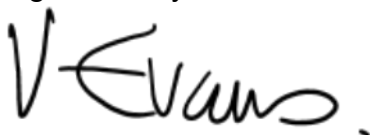
The decision sought will help the Council meet the priority of improving the environment by helping ensure the attractiveness of the borough as a place to live and demonstrating that the Council seeks and listens to the views of its residents.

Section 3 - Statutory Officer Clearance

Statutory Officer: Rikita Panesar / Jimmy Walsh
Signed on behalf of the Monitoring Officer

Date: 22 September 2022 – by email

Chief Officer:
Signed off by the Chief Planning Officer

A handwritten signature in black ink, appearing to read 'V. Evans', with a small flourish at the end.

Date: 22 September 2022

Mandatory Checks

Ward Councillors notified: NO – to be sought as part of assessment process

EqlA carried out: NO - information report only
If 'NO' state why an EqlA is not required for Cabinet to take a decision

EqlA cleared by: N/A

Section 4 - Contact Details and Background Papers

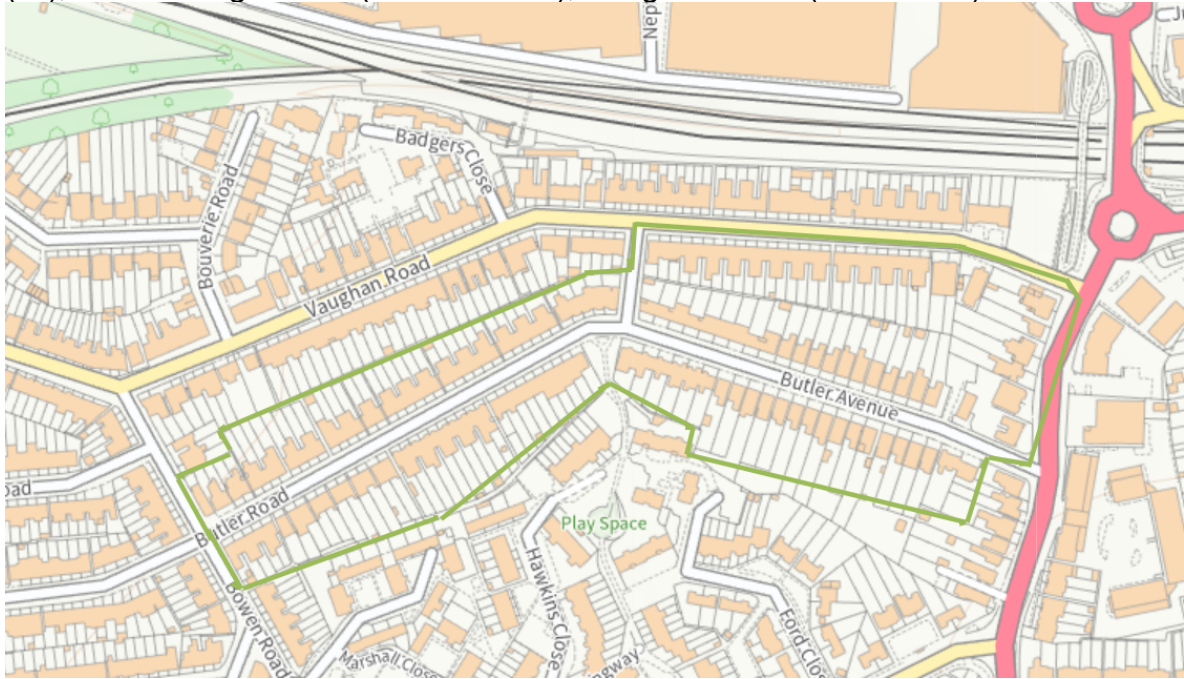
Contact: Lucy Haile, Principal Conservation Officer, 0208 736 6101,
lucy.haile@harrow.gov.uk

Background Papers:

Harrow Conservation Areas and Supplementary Planning Documents (SPDs) - <https://www.harrow.gov.uk/planning-developments/biodiversity-conservation>

Appendix 1 – maps of areas to be considered for Conservation Area Status

Map 1 - Butler Avenue and Surrounding Roads ie Butler Avenue (all), Butler Road (all), Bessborough Road (24-42 – even), Vaughan Road (1-55 – odd). West Harrow



Map 2 - West Drive Gardens, Bellfield Avenue and numbers West Drive 1- 41 (odd) and 2-36 (even), Harrow Weald



Map 3 - Suffolk Road, North Harrow



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**Report for: Planning Policy
Advisory Panel**

Date of Meeting:	3 October 2022
Subject:	Community Infrastructure Levy (CIL) Processes Review – proposed scope
Key Decision:	No –but note the Report is for information only
Responsible Officer:	David Hughes – Planning Policy Manager
Portfolio Holder:	Councillor Marilyn Ashton, Deputy Leader of the Council, Planning & Regeneration Portfolio Holder
Exempt:	No
Decision subject to Call-in:	No
Wards affected:	All Wards
Enclosures:	Appendix A - CIL Balance Overview Appendix B – Previous Years NCIL & BCIL Actual Spend Appendix C – Committed BCIL Allocations for FY23/24 (excluding any carry forwards from previous financial years) Appendix D - Example of Best Practice: Lewisham London Borough

Section 1 – Summary and Recommendations

This report sets out the context, tasks and options associated with a proposed review of Community Infrastructure Levy (CIL) processes in the borough. It provides the Panel with an opportunity to make comment on the proposed review to inform its scope and approach, consistent with the Panel’s Terms of Reference.

Recommendations:

The Planning Policy Advisory Panel is requested to:

- A. Note the report and the proposed review of CIL processes
- B. Provide comment and feedback on the report to help inform the review.

Reason:

It is considered prudent to review the CIL process as it has been in place for almost five years.

Section 2 – Report

1.0 Introduction

- 1.1 This report provides an overview of the current Harrow Council CIL (Community Infrastructure Levy) allocations process and outlines the intention to review this, including broad matters to be considered. The report intends to provide a template for discussion of the review with stakeholders, including the Planning Policy Advisory Panel, corporate leadership and council Members. This report is to notify Planning Policy Advisory Panel of the review. Under the Panel's Terms of Reference, the Panel is to (3) give detailed consideration to and make recommendations to Cabinet in respect of ... (a) The use of the Community Infrastructure Levies (CIL) funds.

2.0 Options Considered

Option 1: Business as Usual Approach – No Change

- 2.1 The first option involves retaining the current CIL allocation processes. The ward boundaries will need to be adapted to the new wards regardless, so this aspect of the review will need to be undertaken. There would be no change made to the current way that Neighbourhood CIL (NCIL) allocations are consulted on. Currently ward councillors nominate projects for NCIL allocations (having had regard to the priorities of residents although this may not always be the case as there is no formal mechanism to do this).

Option 2: Undertake the CIL Review (as outlined in this report).

- 2.2 Undertake the full CIL and S106 process review, including a review of all CIL and s106 balances and commitments, reallocation of CIL ward boundaries, drafting of new CIL allocation processes and NCIL community consultation methods.

3.0 Background

- 3.1 The Community Infrastructure Levy (CIL) is essentially a tax on new development that is used to fund the infrastructure required to support development in the borough, and ensure that there is no detriment to infrastructure standards caused by intensified use of an area. It is typically collected as a payment from the site developer (when the

development commences), pooled with other CIL receipts and allocated to infrastructure projects by the Council. The levy rates are charged in accordance with the Council's adopted CIL Charging Schedule (Sept 2013) with rates required to be set at levels that don't result in development becoming unviable. CIL charging rates are subject to indexation annually in accordance with the CIL Regulations.

3.2 In December 2017, Harrow Council adopted a cabinet report outlining the process for CIL allocations in line with recommendations from the (former) Major Developments Panel. Harrow has now had the benefit of five years of implementation with the current processes.

3.3 In the five years since the adoption of this process the borough has gone through a number of changes, namely a change in administration and changes to ward boundaries. For this reason, officers have proposed a review of the current process to ensure that they are achieving the council's objectives and providing the best possible outcomes for the community.

3.4 Appendix A provides an indication of recent levels of CIL income and expenditure, and current balances, for context (see section 4 below for explanation of BCIL / NCIL). Appendix B shows recent expenditure / commitments (i.e. allocated and / or partially spent funds). Appendix C shows BCIL allocations for 2023/24 (as per the current capital programme).

3.5 Initial discussions have been held with relevant Portfolio Holders in the new administration. Additional internal consultation will be required with departments that have interests in CIL allocation, process administration, project delivery and prioritisation of projects. The interested parties fall into three categories including:

- (a) 'Governance' (Planning, Finance, Legal, Portfolio Holders),
- (b) 'Administration' (Planning, Community Engagement, Economic Development, Finance) and
- (c) 'Delivery' (Service Areas delivering infrastructure capable of being funded under the CIL Regulations).

3.6 Most importantly the review will need to solidify a clear set of roles and responsibilities for Members (Portfolio Holders, ward Councillors), corporate leadership, departments and officers, and articulate the allocations process.

4.0 Scope and Mechanism Relationships

4.1 The proposed review will examine the role of the Neighbourhood Community Infrastructure Levy (NCIL), Borough Community Infrastructure Levy (BCIL) and S106 'Planning Obligation' Agreements. The current definitions of these aspects are derived from the Community Infrastructure Levy Regulations 2010 (as amended).

- 4.2 A minimum of 15% of CIL funds received through the levy (subject to a cap of £100 per dwelling in the local area) must be spent on projects that take account of the views of the communities in which development has taken place ('Neighbourhood CIL') (NCIL) and 'supports the development of the area' in which the CIL is generated. (Note, is 25% in areas covered by neighbourhood plans, but there are none of these in Harrow). NCIL spending should be allocated in consultation with the local community. Many boroughs do this through direct community consultation, while Harrow utilises ward members as the means of consultation with the community by requiring support of any project from the majority of relevant ward members (and also often as a means of project identification).
- 4.3 The remaining CIL balance (excluding administration costs) is referred to as 'Borough CIL' (BCIL) and may be spent anywhere in the borough, provided it supports infrastructure development within the borough.
- 4.4 Contributions from S106 agreements are tied to planning permissions and typically have legal constraints stipulating what the funds can be spent on. They essentially secure obligations from developments that are required to make the development acceptable in planning terms (i.e. highways works, securing affordable housing). A review of current S106 balances will be undertaken to determine what balances are ringfenced for specific projects. Spending of S106 balances should be prioritised as the agreements typically include obligations on the Council to spend any contributions within a certain period (generally between five and ten years) or the Council may need to return the contribution.
- 4.5 A CIL forecast will be produced to predict levels of income from developments over the next five years providing a rough indication of what the council can expect to see as income. This will allow the council to start prioritising which infrastructure projects will be funded. Any forecast will be indicative only as the level of CIL received is dependent on the rate and type of development that comes forward and can be subject to mandatory relief from paying CIL (i.e. affordable housing).
- 4.6 It is important to note that no changes are currently being proposed to the CIL charging schedule, only the methods of funding allocation and processes.

5.0 Current Processes

Borough CIL (BCIL)

- 5.1 The allocation of the Borough Community Infrastructure Levy (BCIL) forms part of the Annual Budget Setting process and is included in the Capital Programme report which is presented to Cabinet every year in December (draft budget) and February (final budget). The allocation of

the Borough CIL is informed by the Harrow Local Plan, Infrastructure Delivery Plan, Corporate Priorities and external funding opportunities and has regard to the criteria outlined in the report considered by the Major Developments Panel and Cabinet (these largely reflect the CIL Regulations and National Planning Practice Guidance as to the purpose of CIL and how it should be spent).

- 5.2 The Council have already identified a number of CIL allocations for future financial years as part of the Capital Programme. These allocations are dependent on the Council having sufficient CIL receipts to cover planned expenditure (see Appendix C).

Neighbourhood CIL

- 5.3 NCIL represents the allocation of 15% of CIL receipts raised in each Ward back to the respective Ward in which it was generated (except where received from within the geographical definition of the Harrow and Wealdstone Opportunity Area) (note, this area is that covered by the Harrow and Wealdstone AAP and is not a neighbourhood area). For CIL received within the geographical definition of the Harrow and Wealdstone Opportunity Area, NCIL involves the allocation of 15% of CIL receipts into a combined fund to be spent on projects across the entire area. This reflects that the area contains a greater proportion of the strategic development sites within the borough.

- 5.4 The broad allocation of Neighbourhood CIL is agreed as part of the Capital Programme (based on available funds at the time and allocated as noted above) and included in the Capital Programme report which is presented to Cabinet every year in December (draft budget) and February (final budget). Once the broad allocation of NCIL is agreed as part of the Capital Programme, individual projects put forward by the relevant Directorates / Ward Members are assessed against the criteria outlined in the report to the Major Development Panel / Cabinet (including the extent of consultation and level of community support). The final decision regarding which projects are funded from the agreed NCIL allocations is delegated to the Chief Planning Officer following consultation with the Portfolio Holders for Regeneration and Planning, and Finance and Commercialisation.

6.0 Ward Boundaries

- 6.1 New ward boundaries were introduced at the May 2022 Council elections by the Boundary Commission, which require calibration with NCIL ward balances (based on the former wards / boundaries). The process for allocation of funds must align with ward boundaries. Initial steps have been made to aligning the allocations to ward boundaries through **land area**, as it was previously done. Consideration is required to ascertain whether this method is the most appropriate way to re-allocate receipts to the new wards (for example, other boroughs use population).

7.0 Best Practice

- 7.1 The CIL allocation review should take account of current best practice, particularly concerning the scope of projects which can utilise NCIL and engagement methods for NCIL allocation. A thorough review of best practice CIL allocation processes will be undertaken to inform the review and subsequent recommendations to the Panel and Cabinet.
- 7.2 Many best practice boroughs utilise online engagement platforms like Engagement HQ or Commonplace to consult the community directly about what they would like to spend NCIL on. This requires little officer time to set up and can be an excellent way to empower citizens to put forward projects that they are passionate about. Typically, best practice creates new NCIL areas which are larger than wards to allocate funds. An example of Best Practice is attached at Appendix D.

8.0 Current CIL Charging Schedule

- 8.1 Harrow's current Charging Schedule came into effect on 1 October 2013. By way of comparison, most West London boroughs adopted their first / current schedules at around the same time (Brent – July 2013, Barnet – May 2013, Hammersmith and Fulham – September 2015, Hillingdon – September 2014 and Hounslow – July 2014). Ealing has not adopted a CIL charging schedule but is progressing one. Barnet is the only West London borough to have adopted a new (second) charging schedule, doing so in March 2022.
- 8.2 Whilst the Harrow schedule was adopted in 2013, the rates are subject to indexation (based on RICS construction costs) which currently adds circa 50% to the original charges. In setting charging schedules, rates cannot be set at levels that make development unviable. This is tested through detailed development viability appraisals and subject to independent examination. The viability appraisals need to reflect any Local Plan requirements and therefore preparation of a new charging schedule typically occurs in parallel with the Local Plans process so as to reflect any new policy requirements in the emerging Local Plan.

9.0 Programme

- 9.1 The review has commenced and is in its first phase which seeks guidance from Members and council departments to set the scope of the review. The review will require a draft to be completed in November 2022 to align with the release of the latest iteration of the Infrastructure Funding Statement.
- (a) Phase 1: Consultation with Members and Council departments (Sept-October 2022)
 - (b) Phase 2: Review S106 balances and expiration dates, undertake a CIL income forecast (September-October 2022)

- (c) Phase 3: Develop proposals to realign NCIL balances to new ward boundaries (October 2022)
- (d) Phase 4: Draft new CIL allocation processes (November 2022)
- (e) Phase 5: Adopt new CIL allocation processes. (November-December 2022)

9.2 In the interim, whilst the review is being undertaken (including agreeing a process of re-allocating NCIL balances from former wards to new wards), there is a moratorium on the consideration of new applications for NCIL funding.

Ward Councillors' comments – none sought as report is for information purposes at this stage and impacts upon all wards

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 – information report only.

Legal Implications

CIL is a planning charge that was introduced by the Planning Act 2008 Part II to help deliver infrastructure to support the development in an area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 as amended (“the Regulations”). Section 216(2) of the Planning Act 2008 lists some examples of infrastructure which CIL can fund. i.e. roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreation facilities and open spaces.

On 1 September 2019, the Regulations were amended under The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 (“2019 Regulation”). Part 10A of the 2019 Regulation requires the Council to publish “annual CIL rate summary” and “annual infrastructure funding statements”. These statements replaced previous Regulation 123 lists. The “annual infrastructure funding statement” must include a number of matters listed in the new Schedule 2 including details of how much money has been raised through developer contributions and how it has been spent. Both the “annual rate CIL summary” and the “annual infrastructure funding statement” must be published on the Council’s websites at least once a year.

The Community Infrastructure Levy Regulations and the National Planning Practice Guidance set a framework in which CIL receipts need to be spent. Establishing a robust mechanism for the allocation of CIL seeks to ensure requirements are complied with, and links expenditure to supporting new development in the borough. A transparent mechanism also provides opportunity for input from stakeholders.

The Localism Act 2011 introduced requirements that a ‘meaningful proportion’ of CIL income is allocated to parish councils to support their neighbourhood infrastructure requirements. Regulation 59F enables a similar application of CIL receipts in cases where, as in Harrow, a charging authority does not have a local council structure.

Under Regulation 59A(5) at least 15% of CIL funds received through the levy (subject to a cap of £100 per dwelling in the local area) must be spent on projects that take account of the views of the communities in which development has taken place (‘Neighbourhood CIL’) (NCIL) and supports the development of the area in which the CIL is generated. The percentage is more (25%) if there is a neighbourhood plan or a neighbourhood development order. The balance (excluding administration top slice) is commonly referred to as ‘Borough CIL’ (BCIL) and can be spent anywhere in the borough, provided it supports development within the borough.

Under the Regulations, regulation 59F(3) prescribes how the neighbourhood CIL may be used in these circumstances and provides that it may use the CIL to support the development of the relevant area by funding:

- (1) The provision, improvement, replacement, operation or maintenance of infrastructure: or
- (2) Anything else that is concerned with addressing the demands that development places on an area.

The CIL Regulations are legally binding and set out the framework and processes through which CIL collection and expenditure should take place. The CIL Guidelines accompany the CIL Regulations and provide further guidance on the processes of allocating CIL. There is statutory requirement that the Council as charging authorities must have regard to the government ‘CIL Guidance’.

The National Planning Practice Guidance states that ‘The law does not prescribe a specific process for agreeing how the neighbourhood portion (NCIL) should be spent. Charging authorities should use existing community consultation and engagement processes. This should include working with any designated neighbourhood forums preparing neighbourhood plans that exist in the area, theme specific neighbourhood groups, local businesses (particularly those working on business led neighbourhood plans) and using networks that ward councillors use. Crucially this consultation should be at the neighbourhood level. It should be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates’.

The CIL Guidance provides additional guidance on how neighbourhood CIL funds should be used where there is no local council in place. Paragraph 146 of the CIL Guidance states that the “charging authority...should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding”. Charging authorities should set out clearly and transparently their approach to engaging with neighbourhoods, using their regular communication tools for example, website, newsletters, etc. The CIL Guidance goes on to explain that the use of neighbourhood CIL funds

should match priorities expressed by local communities, which should be obtained through consultation undertaken “at the neighbourhood level”. This does not necessarily prevent the Council from allocating neighbourhood CIL funds to borough wide (or larger) projects or initiatives, providing that they meet the requirement in regulation 59F. If the Council decides to depart from the CIL Guidance (i.e. by not allocating funds in accordance with priorities expressed by local communities), it should have and give clear and proper reasons for doing so.

To note that at the Cabinet meeting on 23 June 2022, the Cabinet resolved to make amendments to the Council's Constitution to remove The Major Development Panel and that the Planning Policy Advisory Panel be appointed with the membership and the Terms of Reference be approved and the Constitution be amended accordingly. This enables the Planning Policy Advisory Panel:

3. To give detailed consideration to and make recommendations to Cabinet in respect of:
 - (a) The use of the Community Infrastructure Levies (CIL) funds;
 - (b) Reviewing and commenting upon changes to the CIL Charging Schedule and S106 Supplementary Planning Documents (SPG)."

Financial Implications

The cost of undertaking the review will be met from within the existing revenue budget of the Planning Policy Team. The financial implications of any recommendations arising from the review will be reported in any subsequent report to the Panel / Cabinet.

In general terms however, notwithstanding the review, the process of levying and collecting CIL from development will remain the same. The scope of the review is focused on the allocation of CIL receipts (including the need for existing NCIL balances to be realigned to new ward boundaries).

Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment (EqIA) carried out? Not at this stage as report is for information only. Depending on the outcomes of the review, an EqIA may need to be undertaken.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jessie Mann

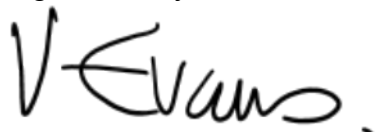
Signed on behalf of the Chief Financial Officer

Date: 22 September 2022 – by email

Statutory Officer: Jimmy Walsh
Signed on behalf of the Monitoring Officer

Date: 22 September 2022 – by email

Chief Officer:
Signed off by the Chief Planning Officer



Date: 21 September 2022

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqlA carried out: NO - Not at this stage as report is for information only. Depending on the outcomes of the review, an EqlA may need to be undertaken

EqlA cleared by: N/A

Section 4 - Contact Details and Background Papers

Contact: David Hughes, Policy Planning Manager, 0208 736 6082, David.Hughes@harrow.gov.uk.

Background Papers:

[Harrow Council Community Infrastructure Levy \(CIL\) Annual CIL Rate Summary – 2022](#)

Cabinet Report - Community Infrastructure Levy (CIL) – proposed allocations process – 2017 - [Agenda for Cabinet on Thursday 7 December 2017, 6.30 pm – Harrow Council](#) (see item 635).

APPENDIX A – CIL BALANCE OVERVIEW

	19/20 Income	19/20 Expend.	Balance as at 31.03.20	20/21 Income	20/21 Expend.	Balance as at 31.03.21	21/22 Income	21/22 Expend.	Balance as at 31.03.22	Outstanding Commitment (Future years)	Available Balance
	£	£	£	£	£	£	£	£	£	£	£
BCIL	-2,062,942	2,967,559	-5,626,706	-1,741,108	2,788,690	-4,579,123	-1,948,063	1,756,361	-4,770,826	10,662,958	5,892,132
NCIL	-386,802	661,603	-1,869,598	-326,458	321,542	-1,874,514	-365,262	171,351	-2,068,425	762,635	-1,305,790

Note: negative figures equate to income or 'available' balance, positive figures relate to expenditure / commitments or 'balance deficit' (i.e. reliant on future income to fund commitments).

APPENDIX B – PREVIOUS YEARS NCIL & BCIL SPEND (2019/20-2021/22)

Financial year (approved)	Description	BCIL	NCIL	19/20 Actual Exp	20/21 Actual Exp	21/22 Actual Exp	Outstanding commitment
2019/20	Parks Infrastructure (Playground replacement)	350,000		227,458	122,542		0
2019/20	Harrow Arts Centre - refurbishment & new build	1,150,000		71,737	841,490	26,978	209,795
2019/20	Weald Village playground equipment		17,871				17,871
2019/20	Sudbury Hill step-free access	50,000					50,000
2019/20	Flood Defence	300,000		300,000			0
2019/20	Highway Drainage	200,000		199,999			1
2019/20	Green Grid	75,000		39,761	35,239		0
2019/20	New Town Centre Library	2,090,000		1,569,662	520,338		0
2019/20	Canons Ward - Various infrastructure improvements		£211,424	211,423			1
2019/20	Stanmore Ward - Various infrastructure improvements		£134,642	108,316	6,615		19,711
2019/20	Wealdstone - Infrastructure, and streetscene improvements in the in the vicinity of Wealdstone Town Centre		£16,610	176	12,000		4,434

Financial year (approved)	Description	BCIL	NCIL	19/20 Actual Exp	20/21 Actual Exp	21/22 Actual Exp	Outstanding commitment
2019/20	Roxbourne - Infrastructure and streetscene improvements around the Kings Road / Eastcote Lane junction		158,360	140,072	16,364		1,924
2019/20	Roxeth - Festive Lighting		25,966	13,305			12,661
2019/20	Greenhill OA - Changing Places toilet		35,000		35,000		0
2019/20	Wealdstone - Murals		60,000		48,511	2,085	9,404
2019/20	Stanmore Ward - Safety and infrastructure improvement		32,431	8,627		475	23,329
2020/21	Parks Infrastructure (Playground replacement)	250,000			204,329		45,671
2020/21	Flood Defence	300,000			300,000		0
2020/21	Highway Drainage	200,000			149,607	38,067	12,326
2020/21	Green Grid	150,000			150,000		0
2020/21	Headstone Manor (Flood alleviation scheme)	500,000			30,574	469,426	0
2020/21	Harrow Arts Centre Capital Infrastructure	300,000			266,212	11,201	22,587
2020/21	Harrow Arts Centre - refurbishment & new build	599,000					599,000
2020/21	Harrow Town War Memorial		31,900		23,559		8,341
2020/21	Creation and establishment of a Longhorn cattle herd in Bentley Priory		32,860		15,000	10,000	7,860
2020/21	High Street Fund	250,000			152,733	97,267	0
2020/21	Stanmore Ward - Dennis Lane Traffic Calming		20,000			237	19,763
2020/21	Stanmore Marsh and Brockley Hill Open Space		23,000				23,000
2021/22	Green Grid	150,000				130,270	19,730
2021/22	Flood Defence & Highway Drainage	500,000				414,953	85,047
2021/22	Wealdstone Major Transport Infrastructure projects - Bus Improvement	900,000					900,000
2021/22	Harrow Arts Centre - refurbishment & new build	1,177,000					1,177,000

Financial year (approved)	Description	BCIL	NCIL	19/20 Actual Exp	20/21 Actual Exp	21/22 Actual Exp	Outstanding commitment
2021/22	High Street Fund	1,300,000				568,199	731,801
2021/22	Stanmore - Improvement of infrastructure in support of biodiversity and public amenity at Harrow's only wildlife Site of Special Scientific Interest (SSSI) – Bentley Priory.		10,400			2,945	7,455
2021/22	Lowlands - Installation Toddlers play area, Seniors play area and 2 table tennis		134,229			134,229	0
2021/22	Wealdstone NCIL – mobile CCTV camera		9,738				9,738
2021/22	Headstone South - North Harrow Community Library lighting		2,000				2,000
2021/22	15 x Mobile CCTVs (11 wards)		105,030				105,030
2021/22	Wealdstone - Infrastructure, and streetscene improvements in the in the vicinity of Wealdstone Town Centre		£25,310				25,310
2021/22	Refurbishment of Chandos Recreation Ground		18,707				18,707
2021/22	Bins in Church Fields		1,872				1,872
2021/22	Bins in The Grove		3,120				3,120
2021/22	Harrow Arts Centre – Green Belt footpath and biodiversity enhancements		87,000				87,000
2021/22	Opportunity Area NCIL (Harrow Town Centre) - Harrow Town Centre Murals (4 murals) project		70,000				70,000
2021/22	Kenton Lane Bridge (1 mural) project		20,000				20,000
2021/22	Pinner Hill Estate – restoration of Children's Play Area project		25,000				25,000
2021/22	Roxbourne Park – Yeading Brook Path (seats / handrails) project		3,580				3,580
2021/22	Harrow on the Hill - Churchfields bins		1,248				1,248

Financial year (approved)	Description	BCIL	NCIL	19/20 Actual Exp	20/21 Actual Exp	21/22 Actual Exp	Outstanding commitment
2021/22	Wealdstone – murals, features, festive lighting and artistic bridge improvements		103,000			18,725	84,275

APPENDIX C – COMMITTED BCIL ALLOCATIONS FOR FY23/24 (excluding any carry forwards from previous financial years)

Financial year	Description	BCIL	Actual or Committed	Ward	Outstanding commitment
2023/24	Wealdstone Major Transport Infrastructure projects -Liveable Neighbourhood	0	N/A	In 20/21 Capital Programme	0
2023/24	Green Grid	150,000	Committed	In 2021/22 Capital Programme	150,000
2023/24	Flood Defence & Highway Drainage	500,000	Committed	In 2021/22 Capital Programme	500,000
2023/24	High Street Fund	1,000,000	Committed	In 2021/22 Capital Programme	1,000,000
2023/24	Wealdstone Future High Street Fund	1,760,000	Committed	In 2021/22 Final Capital Programme	1,760,000

APPENDIX D - EXAMPLE OF BEST PRACTICE: LEWISHAM LONDON BOROUGH

What is NCIL?

The Neighbourhood Community Infrastructure Levy (NCIL) is a community funding programme that uses money collected from developers.

The Community Infrastructure Levy (CIL) is a non-negotiable charge that developers pay to councils on most new developments. It is used to deliver the infrastructure needed to support development.

NCIL projects are submitted by the community on the Commonplace Engagement Platform which actively empowers the community to get involved in the processes and submit projects that are meaningful to them. The community often come up with projects that people in the council may not have local scale knowledge of.

Investment can include:

- community facilities
- parks and open spaces
- transport improvements.

A portion of CIL can be set aside to be spent on neighbourhood priorities, known as NCIL. NCIL money has to be spent to support the development of the area. It can be spent on infrastructure, or anything else that supports the demands that development places on an area.

In Lewisham there are two NCIL funds:

- Ward NCIL funds projects that are intended to benefit one of Lewisham's 18 individual wards
- Borough-wide NCIL funds projects that will benefit two or more wards in the borough or the borough as a whole

Borough-Wide NCIL projects supported: Report November 2021

122 applications were received with requested funding of over £4.7 million for the NCIL funding pot of £877.094.

On 3 November 2021, Mayor and Cabinet agreed 25 community projects focused on four main priorities;

- Supporting local community groups to tackle crime and anti-social behaviour;
- Providing high quality mentoring services to keep Lewisham's children and young people safe from exploitation, violence and serious youth crime;
- Supporting people with learning disabilities and/or mental health problems to find employment opportunities;
- Assisting Lewisham's COVID-19 recovery by demonstrating a benefit to Lewisham's communities at a borough wide level.

Successful projects

Funding category up to 10k

1. Volunteer Manager - Refugee Café
2. Project-Based Family Learning Sessions - Oaks and Acorns in Harmony
3. Budding Buddies - Catbytes C.I.C
4. Specialist counselling support and advice for survivors of abuse in the home - One in Four (London)
5. Music together - Give a Song
6. Get Creative Young Lewisham - Inspiring Your Imagination Ltd
7. Facework conversations - Facework C.I.C
8. Fix and ride - Lewisham Cyclists, London Cycling Campaign
9. Buddying Scheme for disabled people - Buddies for All

Funding category from 10k to 35k

1. Telephone and Digital Employability Service - Afghanistan and Central Asian Association
2. Step Up Progression Training Programme - Lewisham Youth Theatre
3. Monday project - Lewisham Pensioner Forum

Funding category from 35k to 50k

1. Risk and Resilience - Metro Centre Ltd
2. Covid Recovery Project - Contact
3. Building People, Changing Minds (Learning Disabilities & Mental Health)- Lewisham Local (RGTB)
4. Building People, Changing Minds (Refugees & Migrants) - Lewisham Refugee and Migrant Network
5. Young Lewisham Leaders - Rio Ferdinand Foundation and Grove Park Youth Club BPT
6. Return to Meet me - Entelechy Arts
7. Resilient Youth - Second Wave Centre for Youth Arts
8. Watergate Sensory Garden – Watergate School and Lewisham Council
9. Inclusive Enterprise Generator - Ignition Brewery Ltd

Funding category from 50k to 100k

1. Lewisham Line Befriending - Voluntary Services Lewisham
2. Pathways to Employment - Sydenham Garden
3. Lewisham Community Mentoring, Outreach and Detached Service - Spark2life and Greenleaf trust
4. Power the Fight: Therapeutic Intervention for Peace, Lewisham (TIP)