

Planning Committee

PLANNING APPLICATIONS RECEIVED

DATE:

Wednesday 13 March 2013

PLANNING COMMITTEE

APPLICATIONS

WEDNESDAY 13TH MARCH 2013

PLANNING APPLICATIONS RECEIVED

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PLANNING COMMITTEE

WEDNESDAY 13TH MARCH 2013

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SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: Morrisons Supermarket PLC, 299 Uxbridge Road, Hatch End, Pinner, HA5 4QT

Reference: P/2376/12

Description: CONSTRUCTION OF A RAMPED CAR PARK DECK AND TWO STAIRCASE/LIFT ENCLOSURES ; ALTERATIONS TO EXISTING PARKING LAYOUT AND PROVISION OF NEW EXTERNAL ATM POD; LANDSCAPING

Ward: Hatch End

Applicant: Morrison Supermarkets Plc

Agent: Peacock and Smith

Case Officer: NICOLA RANKIN

Expiry Date: 11TH February 2013

RECOMMENDATION A

GRANT planning permission subject to conditions and the completion of a Section 106 agreement by 13th September 2013. Delegated Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section106 agreement and to agree any minor amendments to the conditions or the legal agreement.

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of the Legal Agreement to include the following Heads of Terms:
 - I. A contribution towards tree planting and landscape enhancement
 - II. A contribution towards cycle lane and cycle parking improvements
 - III. The submission of a Car Park Management Plan
 - IV. A contribution towards highways improvements in the area
 - V. A contribution towards public realm improvements including the provision of public art
 - VI. A Contribution towards improving the linkage between the store and nearby bus stops
 - VII. A contribution towards the implementation of Harrow Arts Centre way finding signage within the site
 - VIII. The submission of a Green Travel Plan [to include a financial remedial transport contribution towards Green Travel Plan targets in the event of non delivery]
 - IX. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the S106 Legal Agreement

- X. Planning Administration Fee: Payment of administration fee for the monitoring of and compliance with the agreement.

REASON

The proposed increase in the number of parking spaces would not be excessive in the context of the shared use arrangement with the adjacent Harrow Arts Centre. Following the expansion of the retail store, the additional spaces will ensure that the proposal would not result in a detrimental impact on the free flow of traffic on the local highway network. A full Travel Plan has been prepared for the site which can be used as a mechanism for securing and implementing more sustainable modes of transport. Significant weight is attached to the opportunity to provide a more formalised arrangement for the shared use of the car park for the patrons and staff of the Harrow Arts Centre in order to support the demand and continued use of this important social and cultural facility within the Borough. The proposal is considered not to result in any unreasonable adverse impacts on the residential amenities of the neighbouring residential properties and any associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions. Overall the development would therefore not have any significant visual, transport or other impacts that would warrant refusal of Planning permission. The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and the National Planning Policy Framework as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 13th September 2013, then it is recommended to delegate the decision to **REFUSE** Planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to provide sustainable travel improvements, a car park management plan to facilitate the patrons of the Harrow Arts Centre, public realm enhancements and appropriate infrastructure that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide necessary physical and social improvements arising directly from the development, contrary to policies 5.2, 6.9, 6.1, 6.13, 7.21 and 8.2 of the London Plan (2011), core policies CS1 B and CS 6 F of the Harrow Core Strategy (2012) and saved policies D4 and D10 of the Harrow Unitary Development Plan (2004).

INFORMATION

The application is reported to the Planning Committee because the proposed change of use would relate to an area of floorspace greater than 400m² and is a major application. It would therefore fall outside of category 1(d) of the Scheme of Delegation.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 4117 sqm

Net additional Floorspace: n/a

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Roof top parking is excluded from the measurement of CIL. With the car deck only proposing one floor from ground level, the existing space on the ground floor needs to be discounted as it is in Lawful Use for the purposes of CIL and the roof top parking has to be excluded. As such no payment of CIL is required.

Site Description

- The application relates to Morrisons supermarket site which is accessed off the southern side of the Uxbridge Road.
- The Morrison food store stands within the south eastern section of the site, whilst immediately to the north west is a substantial car park, the subject of this application.
- A Railway Mainline track runs adjacent to the south western boundary of the site and an area of Green belt land is located to the south of the site.
- Towards the north of the site is the Uxbridge Road, a main London distributor Road. The area of the Uxbridge Road to the north east is occupied by semi detached properties and the Harrow Arts Centre. The immediate western side of the Uxbridge Road forms a bridge over the railway mainline.
- To the east of the food store is the Harrow Arts Centre, a Grade II listed building as well as two associated locally listed buildings. To the west of the site along the Uxbridge Road is the Grade II listed Hatch End train station. Beyond the Hatch End train station to the west is the Hatch End local centre.
- The entrance to the car park is via a slip road leading off a roundabout from the north. The slip road also provides vehicular access to the Harrow Arts Centre and Elliot Hall Medical Centre.
- A mature hedge line forms the boundary between the car park and the railway, whilst to the north east and west mature hedging and native and non native trees screen the food store and car park from the Uxbridge Road.
- The vegetation along the railway line and along part of the western boundary of the site is covered by a Tree Preservation Order as are the trees and vegetation, adjacent to the main access roundabout on the Uxbridge Road.
- The railway bridge immediately to the west of the car park forms a screen between buildings to the east of the railway and the residential and commercial hub of hatch end to the West.
- There is a significant increase in levels from the main access roundabout on the Uxbridge Road towards the top of the bridge (approximately 4.5 metres).

Proposal Details

- The application proposes a ramped car park deck, together with two staircase /lift enclosures, alterations to the existing parking layout, provision of a new external ATM pod and associated landscaping.
- The proposal seeks to increase the existing 350 space parking provision by 45 spaces. The deck would accommodate 149 spaces with 246 at surface level totalling 395.
- The south western elevation adjacent to the railway line would have a total length of 121 metres while the north east elevation facing the car park would have a total length of 100 metres.
- It is proposed that cars would enter the ramp/deck from the western side of the site and existing on the eastern side.

- The edge of the car park ramp along the south western elevation would be sited in close proximity to the boundary with the railway line by a distance of between approximately 2.3 metres at the narrowest point and 4 metres at the widest point.
- A 1200mm wide maintenance access zone is proposed to the rear of the car park ramp.
- The north eastern elevation would be sited some 45 metres from the northern boundary of the site which runs adjacent to the Uxbridge Road.
- The south eastern elevation adjacent to the store would have a depth of 32.6 metres and would run parallel to the front north west facing elevation of the building. The eastern elevation would be sited between 10 and 12 metres from the main front façade of the adjacent building.
- The northern elevation of the structure would be angled so that it would parallel to the angled northern boundary of the site, adjacent to the Uxbridge Road.
- The northern elevation would be sited between approximately 18.3 metres and 12.3 metres from the northern boundary of the site.
- There is a gradual slope across the car park from south east to north west. The height of the deck from the ground level would therefore be 5.8 metres to the top of the timber cladding and 4.6 metres to the top of the deck on the eastern side. The height of the deck from the ground level to the top of the timber cladding would be 4.5 metres and 3.4 metres at the north western side of the site.
- The appearance of the deck would consist of a steel frame structure and columns with timber cladding around the perimeter of the upper deck on the south west, north east and northern elevation adjacent to the Uxbridge Road. The south east elevation facing the store would consist of perforated sheet metal balustrading.
- The main staircase and lift enclosure would be located at the south eastern corner of the deck. It would have a depth of 4 metres, a width of 11.9 metres and a maximum height of 9 metres. The lower part of the structure would be finished in brick, while the upper part would be finished in timber cladding. The front elevation of the structure facing the car park would have a large glazed curtain walling panel.
- An ATM is proposed adjacent to the staircase/lift enclosure. This would have a height of 3 metres and width of 4.7 metres. The external surfaces of this element would be comprised of brick.
- A fire escape stair case would be provided at the north eastern corner of the deck with a height of 4.8 metres and a width of 5.75 metres. The external surfaces of this element of the proposal would also be finished in brick.
- The layout of the surface level car park would be reconfigured and would provide a number of dedicated disabled spaces and parent and toddler spaces in close proximity to the existing store.
- 27 new trees are proposed. 11 new trees are proposed along the north western boundary of the site adjacent to the Uxbridge Road, 14 new trees would be provided within the car park and a further 2 trees are proposed adjacent to the north eastern elevation of the food store.
- 5 electric vehicle charging points are proposed in the south east corner of the car park. 14 secure cycle spaces are proposed adjacent to the main front entrance of the store.
- The site is not within a conservation area or a flood risk zone.

Amendments to the application since the initial submission:

- Timber cladding is proposed to the south west, northern and north east front elevation of the deck. The proposed cladding would have a maximum height of 2 metres and would be 1.2 metres above the upper deck level.
- Additional cycle parking spaces and electric vehicle charging point have been identified within the site.
- It is proposed to plant 27 new trees throughout the surface level car park and around the perimeter of the site. A landscape maintenance zone would be provided to the rear of the car park ramp and additional high level hedgerows planted along the south west boundary of the site.
- The materials of the main access core have been enhanced with the addition of timber cladding and glazed curtain walling on the front elevation.

Relevant History

LBH/36063 Retail superstore, coffee shop & ancillary services access rds, c/parking, service yards & landscaping h/way works on Uxbridge Rd & Milne field demol. of blds at st.theresas school

DEM 29-Nov-1989

LBH/41023 Supermarket, coffee shop, ancillary services, access roads, car parking, service yard and landscaping, highway works on Uxbridge road/ Milne field and the avenue

Granted 21-Sep-1990

WEST/395/96/FUL Alterations to access and car park

Granted 15-Aug-1996

WEST/737/01/FUL Single storey front extension to coffee shop

Refused 14-Dec-2001

Allowed on Appeal 15-Aug-2002

WEST/907/02/FUL Vehicle control barriers with equipment boxes & kiosk

Granted 07-Nov-2002

P/2319/03CFU Extension to store to provide additional 1,382 sq.m of retail floorspace with changes to layout of car park

Granted 16-Feb-2004

P/2174/04/CVA Variation of conditions 20 of planning permission lba/41023 dated 21 Sept 1990 & 7 of planning permission p/2319/03/cfu dated 16 Feb 2004 to allow continuous trading between 08.00 and 22.00 hours Monday to sat and 09.00 and 16.00 hours on Sundays

Granted 18-Oct 2004

P/4035/08 Variation of condition 3 (landscaping), 8 (disabled access) and 9 (disabled parking) attached to planning permission p/2319/03/cfu dated 16-02-04 for extension to store to provide an additional 1,382 sq. metres of retail floorspace.

Approved 6th February 2009

P/2182/12 Non-material amendment application to planning application p/2319/03/cfu dated 16/02/2004 to add an additional condition stating the approved plans on the application

Approved 06 February 2009

Pre-Application Discussion (Ref. HA\2012\ENQ\00127)

- Overall, there are some concerns regarding the siting of the deck car park and its impact on the public realm and identified heritage assets.
- The proposal would be contrary to London Plan policy (2011) in terms of promoting sustainable modes of transport and as such a full justification would need to be provided for the proposed additional spaces.
- In determining the acceptability of any future proposal, the justification for additional parking would need to be weighed against the potential public benefits of the scheme as well as the overall design response, the impact on the public realm and the impact on adjacent heritage assets.
- Opportunities could be sought in relation to both the Harrow Arts Centre and Harrow Green Grid projects.

Applicant Submission Documents

√ Design and Access Statement (Summary)

- Planning consent is currently in place (Ref: P/2319/03) for an extension to the store footprint at the south west elevation. Following a review of the car park layout and the store's operations, Morrisons have concluded that extra parking facilities are required.
- The construction of the approved extension will further reduce the car park capacity by a total of 57 spaces. The additional will ensure that future additional footprint, will be viable and adequately supported by these facilities in due course.
- As a consequence of the pre application meeting on the application, a smaller deck is now proposed with a provision of 395 No spaces in total from the existing 350 No.
- It is proposed that the vehicle access ramps to the deck, adjacent to the railway line boundary, along with the new access core that will provide stair and lift access between the two levels. This will ensure that the front eastern façade of the deck will be uncluttered and will have minimal impact on the view across the existing car park.
- The deck would sit across the rear of the car park adjacent to the railway line boundary of the site, thus ensuring that the remainder of the existing car park area is kept at the same level and as such will have minimal impact on the views to and from the Arts Centre.
- The scale of the proposal is very much in keeping with that of the existing site topography and surrounding developments. In addition, the deck will be screened by the retained mature tree belt that bounds the site to the north.
- The existing site layout already caters for various forms of access i.e. via public transport, by car, pedestrian access, cyclist access and disabled access. All of these provisions will be maintained and enhanced under these proposals.
- A number of DDA (Disability Discrimination Act) features will be included to provide and 'inclusive design' included increased dedicated disabled parking and accessible lifts.
- The new development will promote sustainable modes of transport and provision will be made for electric charging points and secure cycle parking facilities.

- The proposed investment in the store will sustain and promote investment in the area, with shoppers undertaking potential linked trips from the adjacent train station, promoting more sustainable modes of transport including walking and cycling which have important roles to play in helping to tackle climate change.
- ∇ Heritage Statement
- ∇ Travel Plan
- ∇ Transport Statement

Consultations:

Highways Authority: The uplift and redesigned layout of parking provision to a level of 395 spaces is likely to reduce potential internal site congestion with positive implications on the local highway network and hence the increased provision is considered acceptable.

English Heritage: The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Conservation Officer: The heritage assets within the setting are the grade II listed Hatch End Station and the grade II listed Hatch End Arts Centre and the locally listed ancillary buildings to the Arts Centre. It is considered the proposal, subject to the tree screening, would preserve the setting of these heritage assets.

Tree Officer: The loss of several TPO trees from the southern boundary to facilitate the upper level / ramp is regrettable, however the loss could be mitigated with sufficient new trees both within the parking area and on the West & North boundaries, wherever possible and to create natural screening.

There is little room for planting on the southern boundary however some (native) hedging could be planted and should eventually provide natural screening.

There should also be new internal trees to mitigate those removed to construct the new car parking level.

Hatch End Association: We have some reservations about this proposed development.

We understand the reason why Morrisons needs more parking spaces as a result of their planning consent to extend their retail area. We know the site is restricted from expansion due to the Uxbridge Road to the north, the busy main line railway to the west, the Green Belt to the south and the Arts Centre and Grade II Listed Elliott Hall to the east. We note that when the supermarket (Safeway) came to the site, over twenty years ago, the ratio of parking spaces per retail area was increased to allow for dual parking with Art Centre users. We hope that this arrangement would continue as a condition of any future consent.

With regard to the current plan, we would like some form of cladding to the deck structure to soften its very basic, utility image.

We would like to see more trees, particularly evergreen, but not Leylandii trees, on the boundary of the supermarket. Also, some of the well established trees on site should remain. So, a landscape plan would be welcome.

Residents, especially in Dove Park across the railway, are concerned about light pollution from the deck at night. Therefore, we hope that a modern form of lighting would be used all over the car park and display and signage lighting should be minimal. .

Harrow Arts Centre: We are keen to support an increase in parking capacity on the Morrisons site on the basis that "allowing users of the Harrow Arts Centre to have access to the car park everyday" continues as a requirement of the planning consent.

We are under considerable pressure for parking space on most days of the week, and know that a proportion of our customers do make use of the supermarket to do some shopping whilst they are here.

It would be beneficial for the Harrow Arts Centre if our patrons may use the Morrisons car park, particularly for later car park access at evening events that finish after the car park is normally closed, at 11pm.

Transport for London: With the car park being a shared use car park rather than one just for the supermarket only, TfL has reviewed the additional information and is now satisfied that the level of car parking for the store only does not exceed the London Plan and TfL does not object to the application. However TfL recommend that the following should be included in the final version of the Travel Plan:-

1. The inclusion of the number of users expected on site
2. Freight surveys will need to be included

The level of money available appears low, further information supporting this will need to be provided.

Network Rail: No comment received

Greater London Authority: As the application is just for a car park that it is not referable under category 3F, as there has to be development of a use that the car park is connected with, which isn't the case here. Therefore the application is not referable in this case.

Advertisement:

<u>Press Advert:</u>	Major Development Setting of a Listed Building	Expiry: 20.12.2012
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<u>10 x Site Notice:</u>	Major Development: Setting of a Listed Building	Expiry: 28.12.2012
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Notifications

First Consultation:

Sent: 146

Replies: 100 including 1 petition with a total of 57 signatures.

Expiry:12.02.2012

Addresses Consulted

- 106 - 168a, (even) Uxbridge Road
- 151 - 179 (odd) Uxbridge Road
- Harrow Arts Centre, Uxbridge Road
- 1, 3, 5, 7, 9, 11 (odd) Milne Feild
- 2, 4, 6, 8, 10 (even) Milne Feild
- 2, 4, (even) Gildea Close
- 1, 3 (odd) Gildea Close
- 40 Melton Street
- Hatch End Playing Field
- Lime Tree Court, The Avenue
- Ridgeway Court, 1 The Avenue
- Milne Field Roundabout, Uxbridge Road
- Hatch End Swimming Pool
- 2 - 36 (even) Beeton Close
- 19 - 37,(odd) Beeton Close
- 1, 3, 5, 7, 9, 11, 13, 25, 37 (odd) Gable Close
- 2, 4, 6, 8, 10, 12, 14, (even) Gable Close
- Garages Rear of 56 Dove Park, Pinner
- 1a The Avenue
- 2, 2c, 4a The Avenue

Summary of Responses:

One petition of objection has been received with 57 signatures. The comments within the petition are summarised as follows:

- The residents of Dove Park object to the proposal. We are the freeholders of the land which borders the railway which is the closest land to the proposed site and we would be the most affected.
- We have all lived in Dove Park for a number of years and should this application go ahead, it would mean a considerable, detrimental and permanent change in our quality of life.
- It will affect our privacy, especially in the garden which is situated next to the proposed site. This is an area of great beauty which is used by all the residents on a regular basis throughout the year for social gatherings. This will be lost should the proposed development go ahead.
- There is concern regarding the extra pollution that will be produced, the extra cars would mean that we will no longer be able to enjoy our garden due to a health hazard and loss of privacy.
- There is concern regarding the trees and hedges that will be lost and our loss of view that will be severely affected if the proposal is allowed.
- The proposal would provide a late night refuge for anti social behaviour.

- Alternative solutions should be sought including restricted parking to prevent commuters, increase the efficiency of customer turnaround, provide a staff parking area at the rear of the store and lay on a free local shuttle bus service.

The other letters of objection are summarised as follows:

1. The residents of Dove Park live directly opposite the proposed car park and our view will be hindered greatly by this multi storey car park.
2. The additional cars will result in extra noise, adding to the existing levels of noise already experienced from the car park.
3. The additional cars will result in pollution which will be a health risk.
4. The construction will result in a loss of privacy to the garden which belongs to the residents of Dove Park.
5. The proposal would be detrimental to the outlook, views, aesthetic beauty and tranquillity of the garden which belongs to the residents of Dove Park.
6. The view from our properties and our main entrances will be blighted.
7. The likelihood of increased anti social behaviour will be significant.
8. The proposal would result in a loss of light to the flats at Dove Park during the morning hours.
9. The proposal will have a negative impact on the value of our properties.
10. Morrisons should provide a number of chargeable spaces for commuters so that they do not park in The Avenue.
11. The volume of traffic leaving Morrisons at 5pm already causes problems on the Uxbridge Road.
12. Even at the busiest times, it is rare that it is not possible to find a space and trade does not appear to warrant the development.
13. Tree cover is insufficient to limit the visual impact on The Avenue, The Harrow Arts Centre and the flats at Dove Park.
14. The high traffic levels that already exist on Milne Field and on Uxbridge Road, directly opposite Morrisons as a result of commuter parking, the Council's own proposal for pay and display as well as the bus lane and existing traffic will be exacerbated by the single storey car park.
15. The increased traffic will cause a danger black spot and increased air and noise pollution.
16. Patrons of the Harrow Arts centre currently use the Morrisons Car Park as there is insufficient parking space at the Arts Centre. The majority of these people are pensioners on a limited income and the new car park will add considerable cost to the classes they attend at the Arts Centre.
17. The patrons of the Harrow Arts Centre will have great difficulty parking during the construction phase of the development.
18. The proposal is a concrete monstrosity.
19. Commuters that travel on the Hatch End overground should not be allowed to park all day and nothing has been done to tackle this issue.
20. A 2 hour parking restriction should apply like other supermarkets.
21. Morrisons could increase the efficiency of their car park space in a number of ways, such as increasing the efficiency in regard to turn around of their customers and providing a shuttle bus to customers.
22. The proposal will have a detrimental impact on the heritage of the Harrow Arts Centre and lower the tone of Hatch End.
23. Morrisons will be opening shortly a large new store along the Pinner Road and I do not feel there is a need for the proposed development in our area.

24. Other large supermarkets including Tesco, Pinner and Tesco Watford are able to manage their car parking facilities and one of the stores is larger and is one is similar in size.
25. The open skeletal design is utilitarian and hideous and has no architectural merit. Rather it should be clad with architecturally imaginative panels.
26. The closely abutting proximity of the structure to the store and in particular the proposed side extension completely obliterates this part of the front featured elevation. There should be an increased and canopied distance between the car park edge and the supermarket building.
27. There is an opportunity to provide an illuminated bridged pedestrian connection to Uxbridge Road to encourage additional pedestrian shoppers.
28. There are no details of lighting proposed at deck level and how this would be mitigated for adjacent residents.
29. There are no details on the structure will be secured when the store is closed.

Second Consultation (following revisions to the application):

Sent: 146

Replies: 0

Expiry: 05.03.2013

Addresses consulted: Same as previous

APPRAISAL

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

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

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which was held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission

Consultation.

MAIN CONSIDERATIONS

- 1) Principle of the Development
- 2) Character and Appearance of the Area and Impact on Adjacent Heritage Assets
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Trees and Development
- 6) Accessibility
- 7) S17 Crime & Disorder Act
- 8) Consultation Responses

1) Principle of the Development

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 should be taken as a whole. Economic, social and environmental considerations form the three dimensions of sustainable development. Planning in its economic and social role should contribute to building a strong, responsive and competitive economy and support strong and vibrant communities by creating a high quality built environment that supports social and cultural well being of communities.

The London Plan (2011) identifies that patterns and nodes of development that reduce the need to travel especially by car, should be encouraged (policy 6.1). It promotes more sustainable modes including walking and cycling which have important roles to play in helping to tackle climate change (Policy 6.10 and 6.9). Policy 6.13 of the London Plan outlines that development should comply with maximum parking standards. Within paragraph 6.42 of the reasoned justification to this policy, it is recognised that provision of parking can significantly influence transport choices as well as in addressing congestion issues. It also outlines that London is a diverse city that requires a flexible approach to identifying appropriate levels of car parking provision and ensuring a level of accessibility by private car consistent with the overall balance of the transport system at local level.

The current proposal seeks to increase the existing 350 parking space provision by 45 spaces which would be facilitated by the creation of a car parking deck over a substantial area of the existing surface car park. The deck would accommodate 149 spaces with 246 at surface level totaling 395. The revised car park is intended to be implemented alongside the store extension which was approved in 2003 (planning permission ref: P/239/03CFU) in order to provide the necessary parking availability for the demand generated by the extended store. It is recognised that both the existing and proposed ratio of the number of car park spaces to the overall size of the retail store in square metres would represent an over provision in terms of London Plan (2011) parking standards. Nevertheless, in line with the requirements of the London Plan (2011), the applicant has submitted a Transport Assessment. The Transport Assessment has concluded that with the proposed store extension, parking demand would increase beyond the capacity of the existing car park. However, with the proposed increase in 45 spaces, it would be able to continue to operate efficiently and will ensure that the free flow of traffic on the local highway network is not adversely affected. Conversely, the Transport Assessment indicates that if the existing number of parking spaces were capped at the existing level, there is considerable potential for the site to result in an interruption of traffic free flow on a major London Distributor Road which is clearly

undesirable.

Paragraph 69 of the NPPF (2012) highlights that the planning system has an important role to play in facilitating social interaction and in turn planning decision should aim to achieve places which promote opportunities for meetings between member of the community and plan positively for cultural buildings to enhance the sustainability of communities. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The Morrison's food store falls within the Pinner and Hatch End policy sub areas as identified within the Harrow Core Strategy (2012). As outlined above, to the east of the Hatch End local centre and Overground station, Harrow Arts Centre (HAC) occupies a grade II listed building and locally listed building, and is the principal performing arts facility for the Borough. HAC presents a programme of performances, events, exhibitions and workshops throughout the year. The programme includes regular work with community groups and schools. Within the HAC complex also lies the Hatch End library, Hatch End Swimming pool and grade II listed Elliot Hall medical centre. One of the key policy objectives as outlined under core policy CS 6 F of the Harrow Core Strategy (2012) is to secure the long term future and viability of the Arts Centre as the Borough's principal performing Arts facility.

Visitors to both the Arts Centre and Elliot's Hall medical centre, whilst on an informal arrangement, make use of the Morrison's car park throughout the week. The HAC have highlighted that there is considerable pressure for parking spaces on most days of the week. It is also known that a proportion of the patrons of the HAC undertake linked trips to the Morrison's supermarket while they are visiting. The Transport Statement submitted with the application highlights that the existing car park is regularly operating at its maximum capacity and that levels of parking availability are influenced by patrons and staff of the adjacent HAC, particularly during week day evenings and Saturday matinee and evening times which are peak period for performances. As such, in this regard it is considered that the Morrison's car park provides an important local centre function in supporting and encouraging the use of the Harrow Arts Centre as a highly valued social and cultural facility within the community. Although the level of parking provision would be greater than London Plan (2011) standards when considered solely in the context of a retail car park, this is not the case under this current proposal as the car park also provides a valuable support function for the HAC complex. It is therefore considered that the level of proposed spaces for the actual store is not excessive and would be acceptable in this case. Transport for London have viewed the proposals and also concur with this view. In addition, the proposal also provides an opportunity to rationalise the operation of the car park and provide a formalised arrangement for the use of the facility to benefit the adjacent Harrow Arts Centre complex.

In summary, on balance, it is considered that the proposed increase in the number of parking spaces would not be excessive, particularly having regard to the lower PTAL rating for the site (PTAL 2) and the shared use arrangement with the adjacent Harrow Arts Centre. Following the expansion of the store, the additional spaces will ensure that the proposal would not result in a detrimental impact on the free flow of traffic on the local highway network. A full Travel Plan has been prepared for the site which can be used as a mechanism for securing and implementing more sustainable modes of transport. It is considered that a number of improvements can be made with regard to access to the site

for non car users including the provision of additional cycle parking spaces, new cycle pathways and through improving links between the store and local bus routes. Furthermore, positive modal shifts to more sustainable modes of transport can be sought through the Travel Plan which can be closely monitored over a period of time. Significant weight is attached to the opportunity to provide a more formalised arrangement for the shared use of the car park for the patrons and staff of the Harrow Arts Centre in order to support the demand and continued use of this important social and cultural facility within the Borough. It is considered that the implementation of these improvements can be secured through a section 106 agreement and appropriate planning conditions. Overall, having regard to the above factors and subject to an appropriate section 106 agreement and planning conditions, the proposed development is considered to be acceptable in principle. However, detailed consideration of the above policy requirements and other policy considerations are undertaken in the sections below.

2) Character and Appearance of the Area and Impact on Adjacent Heritage Assets

In respect of the design issues, the NPPF makes it very clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

With regard to the development plan, policy 7.4 of the London Plan seeks to ensure that development has regard to the form, function, and structure of an area, place or street and the scale mass and orientation of surrounding buildings. Policy 7.6 of the London Plan states "Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context". The reasoned justification at paragraph 7.21 states "Architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting the city, This is often achieved by ensuring new buildings reference, but not necessarily replicate the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials." Furthermore, policy 7.8.D of The London Plan 2011 states that: "Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail".

The policies contained within the Harrow Core Strategy (policies CS.1 and CS.2) and the saved policies of the Harrow UDP (policies D4 and D5) reflect and reiterate the policy objectives of the London Plan.

It is proposed to site the car park towards the south western boundary of the site, adjacent to the railway line and predominantly away from the Uxbridge Road, with the exception of the smaller northern flank elevation. The ramp would be located towards the rear of the deck and this together with the siting of the deck towards the rear would help to reduce the visual impact on the store and the main car park and on views from the Uxbridge Road and from surrounding buildings. The front elevation of the deck would be sited some 45 metres from the Uxbridge Road and the car parking area to the front of this would remain at the existing level. As such, this location is considered to be the most appropriate in relation to the surrounding landscape and would ensure that the parked cars are not overly dominant in the streetscene.

The overall scale and height of the proposal, when viewed in the context of the existing car parking area and in relation to the existing building is considered to be acceptable. A mature tree belt surrounds the perimeter of the site which would help screen the deck. It is acknowledged that the visibility and views of the deck would be much greater during the winter months than during the summer when the structure would be very well screened. The south east elevation facing the store and main core stair access/lifts are located in relatively close proximity to the store (10 -12 metres). This distance is considered to be adequate and would provide a covered and efficient access to the store entrance. The northern elevation, due to its distance from the boundary, is considered to be the most prominent elevation facing towards the Uxbridge Road, particularly due to the increase in ground levels at this point towards the railway bridge. The applicant proposes to plant several evergreen trees along this boundary in order to enhance the screening of the structure along this boundary.

In addition to the above, the appearance of the structure with the proposed steel frame and upper balustrading has been amended since the initial submission. It is now proposed that the upper perimeter around the deck would be timber clad. The timber cladding would extend to the front, northern and railway elevation of the deck. It is considered that the timber cladding of these elevations would considerably soften and enhance the overall appearance and would further help screen against the appearance of cars located on the upper deck. The main access core and staircase would also be finished in a mixture of timber cladding and brick and overall would create a more sympathetic appearance. A condition is recommended to ensure that details of materials are submitted to the Local Planning Authority for approval prior to the commencement of development to ensure an acceptable appearance.

A number of residents to the rear of the south western boundary of the site have expressed concerns with the impact of the structure on the visual amenity and character and appearance on the surrounding area to this side. The nearest properties to the south west are separated from the site by the main railway line which spans a distance of approximately 40 metres. The south west elevation of the proposed car park deck would be sited approximately 75 metres away from the nearest residential properties in Beeton Close and Gable Close and some 140 metres from the residents of Dove Park who are located within two separate, eight storey blocks of flats. The south western side of the railway closest to these properties is occupied by a dense tree belt, which even during the winter months provides a significant level of screening. Within the Morrison's car park, on the opposite side of the railway, a number of low and high quality tree specimens would be removed as part of the proposal. However, as discussed, timber cladding is proposed to the upper perimeter of this part of the deck whilst high hedging is proposed to infill the gaps at lower level and would therefore ensure the appearance of the deck is sufficiently screened and sympathetic to the surrounding landscape. Additional tree planting is proposed throughout the rest of the car park and around the boundary edges to ensure the tree loss is mitigated. For these reasons, as well as regard to the distance from the neighbouring properties to the south west and level of screening, the proposed development is considered to have an acceptable relationship with the surrounding landscape to the south west. In order to ensure that the hedging and green edge remains, a landscape management and maintenance plan is recommended to be secured through a planning condition.

Moreover, to further enhance the surrounding landscape of the site, a financial contribution can be secured through a section 106 agreement for the provision of public realm improvements including additional public footpath lighting and pedestrian links with the HAC, way finding signage for the adjacent HAC complex, landscape maintenance and the provision of public art.

As mentioned, the proposal, is within the setting of the grade II listed Hatch End station and Hatch End Arts Centre. It is also within the setting of the locally listed Henry Jones Gymnasium and George Moore Memorial Building, 155-163 Uxbridge Road

Under Section 132 of the NPPF, the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Saved Harrow Unitary Development Plan (2004) policy D11 states: 'the Council will ensure the protection of the borough's stock of Listed Buildings by B) only permitting alterations...that preserve the character and setting of the Listed Building and any features of architectural or historic interest which it possesses, both internally and externally'. Saved policy D12 states the council 'will... seek the preservation of their local historic or architectural interest'.

The applicant has submitted a heritage statement in support of the application. In taking section 132 of the NPPF into account, the Heritage statement finds that the impact of the proposed development on surrounding heritage assets would be minor, negligible or non-existent. On the basis of the proposed height of the deck, it finds that the visual impact on the Harrow Arts Centre and the associated locally listed buildings would be negligible/non-existent. Furthermore, it notes that "the proposed development will not physically or visually impact on any designated or non-designated assets to the west as all identified sites are obscured by a hedged boundary and railway bridge that elevates the Uxbridge Road some 4-5 metres above where the Morrison foodstore stands." Officers concur with the views expressed within the statement and consider that the impact to the adjacent heritage assets would be extremely low with the exception of some limited views adjacent to the site access road off the Uxbridge Road. The application has been referred to the Conservation Officer who considers the proposal is acceptable, subject to the provision of supplementary tree screening. The applicant proposes 4 additional trees adjacent to the access road and it is considered that this will help reduce the impact of views from this part of the Arts Centre.

Saved Policy EP43 of the HUDP states that the Council will resist development proposals adjacent to Green Belt land which would have a detrimental impact on the open character of that land. The proposed car park deck would be largely obscured from view from within the Green Belt Land by the presence of the proposed store extension. Furthermore, when the proposal is viewed in the context of the surrounding urban landscape including the adjacent food store and railway line to the rear, it is considered that the proposal would not visually intrude into or result in harm to the character and appearance and openness of the Green Belt.

Overall, it is considered that the proposed car park deck, subject to additional landscape enhancements, would be sympathetic in relation to the existing store and to the character and appearance of the street scene. Furthermore, due regard is given to the surrounding site circumstances and distance from surrounding residential properties and in this regard, the proposal is considered to have an acceptable relationship with the surrounding

buildings and area. Overall the proposed external alterations are considered to be acceptable in relation to the NPPF (2012), policies 7.4 B, 7.6 B and 7.8 of the London Plan (2011), core policy CS 1 B and D of the Harrow Core Strategy (2012) and saved policies D4, D11, D12 and EP43 of the Harrow Unitary Development Plan (2004).

3) Residential Amenity

As discussed in the previous section, the proposed car deck would be located a considerable distance from the properties to the south west of the site, with the closest properties being 75 metres away. Given this, the proposal would not result in any detrimental impacts in terms of overshadowing, loss of privacy and would not result in an overbearing impact. Similarly, the closest residential properties to the north west and north east along the Uxbridge Road are sited at comparable distances and as such the proposal would not unduly impact on these surrounding neighbouring occupiers.

The main potential issues arising from the proposed development would be as a result of increased noise from vehicular activity and potential impact on air quality on the surrounding environment. Saved policy EP25 outlines that 'developers will be expected to ensure that noise arising from the proposals, including noise-generating by people and vehicles arriving and leaving the premises, does not cause excessive disturbance to adjacent land uses'. It is acknowledged that the proposal is likely to give rise to additional vehicular trips to the store compared to the existing situation. However, having regard to the proposed increase in 45 parking spaces, the presence of the existing mainline railway and the adjacent main London Distributor Road which serves the site and already carries a high volume of traffic, it is considered that detrimental impacts in terms of noise and air quality as a result of the proposal would be negligible. Nevertheless, as mentioned, it is anticipated that the development can result in improvements to sustainable travel modes through the Green Travel Plan which will be monitored by the Council and secured through a section 106 agreement.

Some residents have expressed concerns with the level of proposed lighting on the upper deck. Whilst at this stage no formal details have been provided, a planning condition is recommended to ensure that further details are submitted in respect of lighting prior to the commencement of development. It is considered that this will be sufficient to ensure that the proposal does not result in any unacceptable levels of light pollution to the surrounding residential properties.

Overall, it is considered that the proposal would not result in any adverse impacts on the residential amenities of the surrounding neighbouring occupiers.

4) Traffic and Parking

The London Plan (2011) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

The existing store currently occupies a Gross Floor Area (GFA) of 5283m² with a parking provision of 350 spaces. There is an extant permission (P/2319/03) allowing an extension of the retail floorspace to 6522m² GFA with a reduction of parking provision to 300 spaces. As outlined above, the current proposal seeks to increase the existing 350

parking space provision by 45 spaces which would be facilitated by the creation of a car parking deck over a substantive area of the existing surface car park. The deck would accommodate 149 spaces with 246 at surface level totaling 395. The revised car park is intended to be implemented alongside the store extension in order to provide the necessary parking availability for the demand generated by the extended store. The parking accumulation studies undertaken by the applicant as highlighted within the Transport Assessment indicate that the existing car park nears and exceeds capacity at certain peak operational periods.

From The London Plan 2011 perspective, the justifiable quantum of parking provisions for the retail store in both its current and extended forms is as follows:-

1. Parking calculation – Maximum parking requirement for existing store GFA (5283 m²) (Application of LP 2011 parking standards -PTAL 2 of 1 space/18m²)
Total maximum parking requirement = 5283m² /18m² =293 spaces

On this basis there is an over-provision of 57 spaces with the 350 spaces currently in place.

2. Parking calculation - Maximum parking requirement for the extended store GFA (6522m²) (Application of LP 2011 parking standards –PTAL 2 of 1 space/18m²)
Total maximum parking requirement = 6522m²/18m² = 362 spaces.

Using this methodology the proposed 395 spaces result in an over-provision of 33 spaces as compared with the 350 in existence.

In line with London Plan 2011 standards it is clear that when calculation 1 is applied the current parking provision of 350 spaces would exceed the required maximum provision calculated at 293 spaces if a brand new store of this scale were to be the subject of a new planning application submission at this time.

If calculation 2 is applied then in theory a maximum provision of 362 spaces would be considered appropriate to cater for the total store GFA with extension of 6522m². This would allow an additional 12 space provision to the existing 350 spaces rather than the additional 45 proposed (totaling a figure of 395 spaces) for the extended store.

The applicant has submitted a Transport Assessment in support of the application for the proposed higher number of spaces than would normally be permitted under London Plan (2011) standards. Parking accumulation studies have been undertaken by the applicant and suggest that, in particular, the Saturday peak period store demand currently generates significant vehicle overflow into the access road serving the superstore as the vast majority of the 350 spaces are occupied with a 'much slowed down' turn around of spaces and hence the car park provisions are significantly inadequate to cater for this peak demand.

The applicant makes the case that this 'over-capacity' would be exacerbated once the store is extended without the provision of additional parking as proposed thereby causing on-site traffic congestion which has the potential to further overflow onto the public highway which is clearly undesirable.

Weekday and Saturday parking accumulation.

It is accepted that the maximum practical occupancy of a car park facility is less than its static capacity owing to the variance of vehicle duration of stay and arriving vehicles time delay in the search for a vacated space. On this premise the Chartered Institute of Highways and Transportation (CIHT)/Institute of Structural Engineers (ISE) recommend a practical and maximum percentage occupancy figure of 85% which allows for a car park to function in an effective and relatively free flowing manner as arriving and departing vehicles are advantaged by this 15% spare capacity buffer. This provision also allows for daily and seasonal variations in parking demand during annual festive periods.

Parking surveys were undertaken by the applicant on a Friday and Saturday in March 2012. The peak late morning parking demand on Friday indicated that up to 341 vehicles were parked within the existing car park of 350 spaces resulting in a 97% level of occupation and a 3% spare capacity buffer.

Parking surveys undertaken on a Saturday indicated that peak demand occurred between 1 and 3 pm where in excess of 370 vehicles were present and attempting to park within the existing car park of 350 spaces resulting in a 106% occupancy rate. As a result, there are sporadic traffic tailbacks onto the roundabout in Uxbridge Road apparent during these periods which inhibit traffic free flow movement on the A404 Uxbridge Road which are clearly undesirable. From observations made by the Council, the survey findings are considered reasonably accurate and reflective of typical store activities. The findings of the surveys clearly indicate that during peak times the recommended 15% spare capacity buffer is not in evidence hence the current issue with capacity.

With the introduction of the store extension, matters are predicted to be exacerbated further as customer turnover is likely to increase by a figure of up to 9%, much of which would be reduced by existing custom and pass by trips and is therefore likely to result in a more realistic net increase somewhere in the region of 2%. However, for robustness a worst case scenario figure of 9% is assumed and on that basis the 'factored up' greatest demand in parking occupancy would result in approximately 407 vehicles on-site during the early peak Saturday afternoon period. This would clearly render the existing 350 provision unworkable. It is therefore noted that an additional parking provision of 57 spaces would be required to mitigate against this occurrence.

To help achieve or come close to the recommended spare capacity buffer of 15% it is accepted that an additional 45 spaces proposed (totaling 395) would assist in reducing existing peak capacity problems especially on Saturday's and reduce the likelihood of the extended store producing detrimental capacity related impacts by virtue of improving parking availability and enhanced space availability, thereby relieving traffic movements within and outside of the site.

Another important and positive implication of providing an additional parking provision in deck form is the significant increase in on-site vehicle stacking/waiting space created by the new circulatory routes which lead to the individual parking spaces. Approximately in excess of an additional 70 'circulating/waiting' vehicles can be accommodated on the decked proposal at any one time which in itself will better accommodate vehicles on-site by improving access to available spaces, thereby potentially reducing congestion in the

car park and discouraging the undesirable likelihood of further overspill onto the Uxbridge Road which occurs presently at certain peak store times.

The provision of the decked facility would also dilute some of the current and dominant 'in and out' movements via the central aperture, serving the main surface car park, which is located off the main access road which runs parallel to the store frontage. This vehicular activity at this juncture creates increased tail backs within the site with eventual overflow onto the highway by inherently delaying vehicles entering and leaving the main car park. The decked facility is therefore envisaged to encourage a more even distribution of traffic movements with a higher proportion of motorists diverting toward the decked parking element and relieving pressure off the aforementioned dominant car park access point thus smoothing general traffic circulation throughout the site.

It is also recognized that if additional parking spaces are provided this could theoretically encourage more car-borne trips to the store contrary to the rationale of the National Planning Policy Framework (NPPF) which promotes the ethos of championing sustainable travel. However, the store has existing capacity issues as mentioned earlier which in theory could encourage customers to alter their shopping times toward 'out of peak' periods or alternatively encourage migration to a comparable shopping destination where convenient parking is more readily available. This may have already occurred to some degree, however, the level of peak store period avoidance is unquantifiable and in real terms customers are still arriving at the store in the knowledge that excessive queuing and delay in finding a parking space will be inevitable at peak times resulting in the over-capacity issue present today.

It is noted that the applicant has proposed an increase in parking level of 45 spaces which is below the necessary theoretical peak accumulation requirement of 57 which in itself partly addresses the NPPF ethos of avoiding excessive parking provision and promotion of sustainable transport modal shift. In this context and when considering unimpeded highway and car park operational benefits outlined above, it is apparent that if the level of parking provision for the extended store were not to be increased and capped to the current level of 350 spaces, then, in traffic generation terms, there is the potential for the site to 'lock up' during peak demand with detrimental overspill onto the Uxbridge Road resulting in the further interruption of traffic free flow on this major London Distributor Road.

Harrow Arts Centre usage

As discussed earlier, a number of the patrons of the Harrow Arts Centre and Elliot's Hall medical centre make use of the car park throughout the week. The Arts Centre has an auditorium and studio providing in excess of 520 seats as well as conference facilities and a number of other performance and meeting spaces. The Arts Centre has a total of 94 parking spaces and they have highlighted that there are existing parking pressures within the site. The Arts Centre holds numerous evening performances during the week and at weekends in their main theatre which has 400 seats and it is estimated that these events demand for approximately 180 parking spaces with peak periods occurring during weekday evening and Saturday Matinee and evening times. Having regard to the current shared use of the car park and the identified capacity issues demonstrated in the Transport Assessment, it is considered the additional number of spaces is not excessive in this case. Transport for London has considered the proposals and are also supportive

of this view. Furthermore, it is considered that sustainable travel improvements to the area can be secured through the implementation of this permission and this is discussed in more detail below.

At present there is an informal arrangement secured by condition as part of the extant permission for store extension (P/2319/03) whereby Morrisons PLC allow use of the car park by visitors to the adjacent Arts Centre at all times. As patrons to the Arts Centre are considered potential store customers, this arrangement is to be maintained with this application. It is recommended that a car park management plan be secured through a section 106 agreement to provide a more formal arrangement for the use of the car park for HAC patrons and to allow latter car parking access for evening events that finish after the car park is normally closed to visitors of the store. Subject to this, it is considered that the proposal would be in accordance with policy CS 6 F of the Harrow Core Strategy (2012).

Traffic Generation and Impact on the Local Highway

In terms of the increase of the expected vehicular activity associated with the extended store and an increased car parking provision from 350 to 395 spaces, the transport statement outlines a number of assumptions.

The applicant has established via the nationally recognized TRAVL trip generation database that a comparable store located in a similarly sustainable location is likely to exhibit an approximate 77% private car borne patronage with the remaining mode share (23%) being predominantly attributed to customers utilizing more sustainable means of travel to and from the store. From previous experience of store activities elsewhere in this borough together with observations made by the Council for this specific site, this proportionate modal split is considered reasonably accurate and reflective of typical store activities.

As outlined above, It is estimated that increase in the size of the store as a result of the extension would result in a 9% increase in traffic movements at peak periods. In terms of additional vehicle movements in and out of the store this translates as follows:-

<u>Weekday</u>	<u>predicted vehicles (in and out)</u>	<u>Current totals (in and out)</u>
8.15 -9.15 am	42	473
4.30 -5.30pm	68	761
<u>Saturday</u>		
12.30-1.30 pm	86	951

The analysis of the additional vehicular trips as a result of the store extension shown within the Transport Assessment clearly highlights that the store would operate well above its static capacity for a good proportion of the weekday and most of Saturday.

It is accepted that some modal shift toward more sustainable travel will apply to any future demand generated by the store but this cannot be accurately quantified as modal shift is heavily dependant on numerous extraneous factors, such as the combined affects of

spatial planning and controls of development, fares pricing and public transport accessibility, road space control and parking pricing mechanisms within Harrow and London as a whole, contributing to successful modal shift outcomes.

On that basis an exaggerated percentage figure related to store patron increase has been applied to demonstrate projected impacts on the Uxbridge Road/ Store access junction. A traffic capacity model named Arcady, which is used for analyzing roundabout designs, has been applied to this junction. This model assesses traffic capacity for roundabout junctions and calculates the "degree of saturation" at a location. This model indicates whether the junction is operating with or without substantial traffic queues and delays. If a threshold of 85% is exceeded this indicates that a junction is considered 'over saturated' and excessive queuing and delays are likely to occur.

Traffic surveys by the applicant were undertaken in June 2012 and it has been demonstrated that the Uxbridge Road/ Store access junction currently operates well within the threshold of 85% at most times. The predicted additional activity that the extended store may generate with the increased parking provision is likely to fall within this threshold. As discussed within the earlier appraisal of parking quantum, it is envisaged that vehicular circulation within the site would be substantively improved hence further reducing the probability of added congestion in the vicinity of the store's junction with the Uxbridge Road. As such, on this premise there are no predicted highway concerns arising from the proposal.

As the site lies within a 'traffic sensitive' location in close proximity to the A404 Uxbridge Road and the need to preserve the unimpeded functionality of Harrow Arts Centre, a condition is attached in relation to the provision of Construction Logistics Management Plan (CLP). This will ensure that store operations, the store extension and car park deck construction are managed effectively without adversely affecting the users of the HAC or the adjacent local road network.

Travel Plan

The applicants have submitted a Travel Plan which is considered to be robust and in line with TfL guidelines. The Travel Plan aims to increase the proportion of staff and customers walking and cycling and raise awareness of alternative options of traveling to the store. Overall, it is anticipated that the Travel Plan would reduce the impact of the store on the environment and reduce travel related carbon emissions at the site in line with the requirements of the NPPF and The London Plan (2011). The Travel Plan identifies a number of mode shift targets to more sustainable modes of transport over a five year period. In order to ensure the mode shift targets are achieved, a travel plan, including a financial bond contribution can be secured through a S106 legal agreement. The remedial transport contribution can be implemented if the applicant fails to meet the modal shift targets, and if this occurs, will enable the Council to implement some of the measures identified within the Travel Plan. The Local Planning Authority is currently in discussions with the applicant to secure an acceptable arrangement for this and this will be reported to the committee through the addendum. Subject to the provision of an acceptable Green Travel Plan including remedial transport contributions, it is considered that the proposal would make a positive contribution to sustainability objectives in compliance with the National Planning Policy Framework and policies 6.9, 6.10, 6.11 and 6.13 of The London Plan (2011).

Electric Vehicle Charging, Cycle Parking and Disabled Parking Provision

The transport statement indicates that 18 secure and accessible cycle spaces are proposed for the total store Gross Floor Area which falls in line with London Plan 2011 standards. A condition is recommended to ensure further details of the design and location of the spaces are submitted to the Local Planning Authority for approval prior to the commencement of development.

With regard to disabled parking spaces, the existing quantum of 22 designated spaces is to remain unchanged but with a repositioning of 12 bays which will now be fully contained within the main car park area fronting the store. The level of provision conforms to London Plan 2011 standards.

It is proposed for 10% of retail spaces to be Electric Vehicle Charging compliant with a further 10 % passive parking provision. On that basis it is proposed to provide 9 dedicated spaces based on the additional parking provision of 45 spaces. Morrisons have indicated in their Transport Statement they support the implementation of electric charging points but also note that available technologies will advance over time. As such, it is proposed to implement 5 spaces at the outset with additional spaces being rolled out using the latest technologies. This can be monitored through the store travel plan and it is therefore considered that these provisions are acceptable and would comply with the London Plan (2011).

Delivery and Servicing

Policy 6.13 of the London Plan requires that “development provide for the needs of business for delivery and servicing”. The site has an existing servicing provision and to date there are no recorded issues arising from the current operation. Any small increase in activity as a result of the store extension would be expected to be marginal and, as is the case at present, would occur mostly during off-peak periods. It is recommended that a condition is attached for agreement post-planning permission of a full Delivery and Servicing Plan (DSP) to ensure an acceptable servicing regime is secured.

It is noted that a number of residents have raised concerns in relation to high traffic levels on the Uxbridge Road as a result of commuter parking on the site as well as surrounding bus lanes and pay and display parking facilities. Whilst, it is acknowledged that there is currently no method of managing potential commuter parking on the site at present, it is considered that this would not fully address the issues of site capacity, traffic flows and congestion at peak times (including Saturdays), for the retail store which lends itself to more car borne trips, given the location of the store within a Public Transport Accessibility Level (PTAL) zone of 2. A Car Park Management Plan is sought through a legal agreement to ensure the car park is effectively managed at all times.

Overall, having regard to all of the above factors, the uplift and redesigned layout of parking provision to a level of 395 spaces is likely to reduce potential internal site congestion with positive implications on the local highway network and for the Harrow Arts Centre Complex and hence the increased provision is considered acceptable. Improvements towards sustainable transport can be secured through an appropriate legal agreement. The proposal is therefore considered to comply with the objectives of the

National Planning Policy Framework (2012), policies 6.9, 6.10, 6.11 and 6.13 of The London Plan (2011) and saved policies T6 and T13 of the Harrow Unitary Development Plan (2004).

5) Trees and Development

Policy 7.21 of the London Plan states that “existing tree of value should be retained and any loss as a result of the development should be replaced following the principle of ‘right place, right tree’. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large canopied species”.

The applicant has provided a Tree Survey with the application. As outlined, the trees along the south west and northern boundaries of the site are the subject of a tree preservation order and make a positive contribution to the amenity value of the area as well as providing screening to the car park. A landscape condition is attached to ensure that appropriate tree species are provided for the locations. The development would result in the removal of several TPO trees from the south west boundary. However, the proposal would provide for the replacement of a total of 27 new trees within the surface parking area and around the perimeter of the site which would provide additional landscape amenity as well as providing natural screening. In order to mitigate the loss of a further 12 trees within the site, a financial contribution is sought, for further replacement street trees which could be provided within or off site.

Subject to the provision of an additional financial contribution towards the planting of further trees to off set the total loss, it is considered that the proposed development is acceptable in relation to policy 7.21 of The London Plan (2011) and saved policy D10 of the Harrow Unitary Development Plan (2004).

6) Accessibility

The London Plan (2011) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Saved policy C16 of the Harrow UDP seeks to ensure that buildings and public spaces are readily accessible to all.

The reconfiguration of the existing site layout will enable of a number of disabled spaces to be located in close proximity to the store entrance. A drop of collection is also proposed to be maintained close the store entrance. The Design and Access statement states that flush and dropped kerb access will be provided across the new development as well as the provision of accessible lifts within the new access core.

In view of the above factors, it is considered that the proposed car park deck and re-configuration of the existing surface parking layout would result in an improvement for Persons with a disability and would be acceptable in relation to London Plan (2011) policies 3.1 and 7.2 and saved policy C16 of the Harrow UDP.

7) S17 Crime & Disorder Act

Policy 7.3 of The London Plan seeks to ensure that development proposals address security issues and provide safe and secure environments. Saved policy D4 of the Harrow UDP advises that crime prevention should be integral to the design of a scheme.

The car park is located to a busy thoroughfare and also affords natural surveillance from

the surrounding buildings. It is considered that the security of the car park and the movement of people following events from the Harrow Arts Centre can be managed by an appropriate car park management strategy, secured by a Section 106 Agreement. On balance it is considered that the proposal would not pose any undue impact on community safety issues.

8) Consultation Responses

1. The residents of Dove Park live directly opposite the proposed car park and our view will be hindered greatly by this multi storey car park.
This is considered in section 2 of the above appraisal.
2. The additional cars will result in extra noise, adding to the existing levels of noise already experienced from the car park.
This is considered under section 3 of the above appraisal.
3. The additional cars will result in pollution which will be a health risk.
This is considered under section 3 of the above appraisal.
4. The construction will result in a loss of privacy to the garden which belongs to the residents of Dove Park.
This is addressed under section 3 of the above appraisal.
5. The proposal would be detrimental to the outlook, views, aesthetic beauty and tranquillity of the garden which belongs to the residents of Dove Park.
This is addressed under section 3 of the above appraisal. Protection of views from neighbouring properties is not a material planning consideration.
6. The view from our properties and our main entrances will be blighted.
Protection of views from neighbouring properties is not a material planning consideration. It is also noted that the surrounding residential properties are a considerable distance away. The distance from the rear of the car park to the blocks of flats known as Dove Park are some 140 metres away and are also located adjacent to a wide railway track.
7. The likelihood of increased anti social behaviour will be significant.
A car park management plan can be secured through a section 106 agreement to ensure the car park is secured at night.
8. The proposal would result in a loss of light to the flats at Dove Park during the morning hours.
This is addressed under section 3 of the above appraisal.
9. The proposal will have a negative impact on the value of our properties.
Property values are not a material planning consideration.
10. Morrisons should provide a number of chargeable spaces for commuters so that they do not Park in The Avenue.
This is addressed under section 4 of the above appraisal. A Car Park Management Plan will be secured via a legal agreement to ensure the car park is effectively managed.
11. The volume of traffic leaving Morrisons at 5pm already causes problems on the Uxbridge Road.
This is addressed under section 4 of the above appraisal.
12. Even at the busiest times, it is rare that it is not possible to find a space and trade does not appear to warrant the development.
This is addressed under section 4 of the above appraisal.
13. Tree cover is insufficient to limit the visual impact on The Avenue, The Harrow Arts Centre and the flats at Dove Park.
This is addressed within section 2 and 5 of the above appraisal.

14. The high traffic levels that already exist on Milne Field and on Uxbridge Road, directly opposite Morrisons as a result of commuter parking, the Council's own proposal for pay and display as well as the bus lane and existing traffic will be exacerbated by the single storey car park.
This is addressed under section 4 of the above appraisal.
15. The increased traffic will cause a danger black spot and increased air and noise pollution.
This is addressed under section 2 of the above appraisal.
16. Patrons of the Harrow Arts centre currently use the Morrisons Car Park as there is insufficient parking space at the Arts Centre. The majority of these people are Pensioners on a limited income and the new car park will add considerable cost to the classes they attend at the Arts Centre.
It is recognised that there is insufficient space at the adjacent Arts Centre and the proposal seeks to benefit the users of the centre by providing a more formal arrangement for them to use the facility during the evening and at weekends. This will not result in a cost to the patrons of the Arts Centre
17. The patrons of the Harrow Arts Centre will have great difficulty parking during the construction phase of the development.
A construction management plan will be secured via a planning condition to reduce the impact of the development during construction phase and maintain unimpeded access to the HAC.
18. The proposal is a concrete monstrosity.
Improvements have been sought to the design since the initial submission of the application, including use of materials and tree screening to soften the appearance within the public realm.
19. Commuters that travel on the Hatch End Overground should not be allowed to park all day and nothing has been done to tackle this issue.
This is addressed under section 4 of the above appraisal.
20. A 2 hour parking restriction should apply like other supermarkets.
A limited time restriction would penalise people using the Arts Centre and Elliot Hall Medical Centre and is considered this would fully address the identified parking capacity issues during peak periods. A Car Park Management Plan is sought through this permission to ensure the car park is effectively managed at all times.
21. Morrisons could increase the efficiency of their car park space in a number of ways, such as increasing the efficiency in regard to turn around of their customers and providing a shuttle bus to customers.
The management of the store is not a material planning consideration and cannot be imposed on the store as part of this application. Nevertheless, it is anticipated some of the measures within the Green Travel Plan, secured via the section 106 agreement, will help increase the efficiency of the car park through measures such as car sharing and cycling to the store.
22. The proposal will have a detrimental impact on the heritage of the Harrow Arts Centre and lower the tone of Hatch End.
This is addressed under section 2 of the above appraisal.
23. Morrisons will be opening shortly a large new store along the Pinner Road and I do not feel there is a need for the proposed development in our area.
Every application is considered on its own individual merits.
24. Other large supermarkets including Tesco, Pinner and Tesco Watford are able to manage their car parking facilities and one of the stores is larger and is one is similar in size.

This is addressed under section 4 of the above appraisal.

25. The open skeletal design is utilitarian and hideous and has no architectural merit. Rather it should be clad with architecturally imaginative panels.

Since the initial submission revised designs have been received which include the introduction of timber cladding to the upper perimeter of the deck on the most prominent elevations of the deck. Additional tree planting is also now proposed to soften the appearance of the structure on the surrounding landscape. This is addressed further under section 2 of the above appraisal.

26. The closely abutting proximity of the structure to the store and in particular the proposed side extension completely obliterates this part of the front featured elevation. There should be an increased and canopied distance between the car park edge and the supermarket building.

This is addressed under section 2 of the above appraisal.

27. There is an opportunity to provide an illuminated bridged pedestrian connection to Uxbridge Road to encourage additional pedestrian shoppers.

It is considered that the trees and screening along this boundary are maintained, rather than opening up this access point, given the prominence of this elevation in the street scene.

28. There are no details of lighting proposed at deck level and how this would be mitigated for adjacent residents.

A planning condition is attached which will be required to address details of lighting for the car park to ensure there are no adverse impacts for residents.

29. There are no details on the structure will be secured when the store is closed.

A car park management plan can be secured through the permission which can address car park security management.

CONCLUSION

The proposed increase in the number of parking spaces would not be excessive in the context of the shared use arrangement with the adjacent Harrow Arts Centre. Following the expansion of the retail store, the additional spaces will ensure that the proposal would not result in a detrimental impact on the free flow of traffic on the local highway network. A full Travel Plan has been prepared for the site which can be used as a mechanism for securing and implementing more sustainable modes of transport. Significant weight is attached to the opportunity to provide a more formalised arrangement for the shared use of the car park for the patrons and staff of the Harrow Arts Centre in order to support the demand and continued use of this important social and cultural facility within the Borough. The proposal is considered not to result in any unreasonable adverse impacts on the residential amenities of the neighbouring residential properties and any associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions. Overall the development would therefore not have any significant visual, transport or other impacts that would warrant refusal of Planning permission. The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and the National Planning Policy Framework as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation.

CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Hatch End Transport Statement – August 2012; Morrisons, Hatch End Travel Plan – August 2012; Pre-Development Tree Survey: WM. Morrison Supermarkets LTD, Hatch End, Harrow, London, dated July 2012; Heritage Statement, dated July 2012 by SLR global environmental solutions; Design and Access Statement – August 2012; 01 – Tree Constraints Plan; 12286-PA-01; 12286-PA-02; 12286-PA-52; 12286 PA 58 Rev A; 12286-PA-50 Rev C; 12286/PA/51 Rev B; 12286/PA/51 Rev B; Technical Note submitted by SKM, dated 16th January 2013

3. The development hereby permitted shall not commence until samples/details of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:
a: all external materials for the stair and lift core and car park deck
The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies of The London Plan 2011 and policy D4 of the Harrow Unitary Development Plan 2004).

4. No development shall take place, including any works of demolition, until a Construction Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
i a detailed timeline for the phases and implementation of the development
ii. the parking of vehicles of site operatives and visitors
iii. loading and unloading of plant and materials
v. storage of plant and materials used in constructing the development
vi. measures to control the emission of dust and dirt during construction
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties , in accordance with policies 7.4 and 7.6 of The London Plan 2012 and saved policies D4 and T13 of the Harrow Unitary Development Plan (2004).

5. No development shall take place, until a Delivery and Service Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the lifetime of development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties and to encourage more sustainable methods of transport in accordance with Policies 7.4, 7.6, 6.9, 6.10, 6.11, and 6.13 of the London Plan (2011) and saved policies D4 and T11, T13 of the Harrow Unitary Development Plan (2004).

6. The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site, which will include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting plant/tree species, plant/tree sizes and proposed numbers / densities.
REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with saved Policies D4 and D9 of the Harrow Unitary Development Plan (2004).
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the extensions, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.
REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with saved Policies D4 and D9 of the Harrow Unitary Development Plan (2004).
8. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).
9. No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority. The development shall be carried out in accordance with the approved details.
REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).
10. The development hereby permitted shall not be occupied until a scheme for the provision of cycle parking spaces in accordance with the London Plan (2011) has been submitted to and agreed in writing by the Local Planning Authority. The use hereby approved shall not commence until the cycle parking scheme has been

implemented in accordance with the approved details and thereafter retained.

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with policy T11 of the Harrow UDP and Policy 6.9 of the London Plan 2012.

11. Prior to the commencement hereby permitted, details of lighting to the car park deck and surface level car park shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development does not unduly impact on the residential amenities of the existing occupiers of the adjoining properties, in accordance with policies 7.6 of The London Plan 2012 and saved policies D4 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The proposed increase in the number of parking spaces would not be excessive in the context of the shared use arrangement with the adjacent Harrow Arts Centre. Following the expansion of the retail store, the additional spaces will ensure that the proposal would not result in a detrimental impact on the free flow of traffic on the local highway network. A full Travel Plan has been prepared for the site which can be used as a mechanism for securing and implementing more sustainable modes of transport. Significant weight is attached to the opportunity to provide a more formalised arrangement for the shared use of the car park for the patrons and staff of the Harrow Arts Centre in order to support the demand and continued use of this important social and cultural facility within the Borough. The proposal is considered not to result in any unreasonable adverse impacts on the residential amenities of the neighbouring residential properties and any associated impacts that would arise from the development would be adequately ameliorated through the use of appropriate planning conditions. Overall the development would therefore not have any significant visual, transport or other impacts that would warrant refusal of Planning permission. The decision to GRANT planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012, the saved policies of the Harrow Unitary Development Plan 2004 and the National Planning Policy Framework as well as to all relevant material considerations, including site circumstances and comments received in response to publicity and consultation.

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2011):

- 3.16 – Protection and Enhancement of Social Infrastructure
- 4.6 - Support for and enhancement of Arts, Culture, Sport and Entertainment Provision
- 4.8 – Supporting a successful and diverse retail sector
- 5.2 – Minimising carbon dioxide emissions
- 5.3 – Sustainable design and construction
- 5.7 – Renewable Energy
- 5.10 – Urban Greening
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling

- 6.10 – Walking
- 6.12 – Road network capacity
- 6.11 – Smoothing Traffic Flow and Tackling Congestion
- 6.13 – Parking
- 6.14 - Freight
- 7.1 – Building London’s neighborhoods’ and communities
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.5 - Public Realm
- 7.6 – Architecture
- 7.8 – Heritage Assets
- 7.13 – Safety, security and resilience to emergency
- 7.14 – Improving air quality
- 7.15 – Reducing noise and enhancing soundscapes
- 7.21 – Trees and Woodlands
- 8.1 -Implementation
- 8.2 – Planning Obligations

Harrow Core Strategy (2012)

- CS1: Overarching Principles
- CS 6: Pinner and Hatch End

Harrow Unitary Development Plan (2004)

- D4 -The Standard of Design and Layout
- D11 – Listed Buildings
- D12 – Locally Listed Buildings
- D10 - Trees and Development
- EP25 – Noise
- EP43 – Green Belt and Metropolitan Open Land Fringes
- C2- Provision of Social and Community Facilities
- C16- Access to Buildings and Public Spaces
- T6 – The Transport Impact of Development Proposals
- T9 – Walking
- T10 – Cycling
- T11 – Cycle and Motor Cycle Parking in public places
- T13 – Parking Standards
- EP12 – Control of Surface Water Run-off

Draft Development Management Policies DPD (2012)

- Policy 1 – Achieving a High Standard of Development
- Policy 2 – Achieving Lifetime Neighbourhoods
- Policy 10 – Listed Buildings
- Policy 11 – locally Listed Buildings
- Policy 19 – Sustainable Design and Layout
- Policy 21 – Renewable Energy Technology
- Policy 24 – Beneficial Use of the Green belt and Metropolitan Open land
- Policy 26 – Provision of New Open Space
- Policy 30 – Trees and Landscaping
- Policy 31 – Streetside Greenness and Forecourt Greenery

Policy 35 – Amenity Space
Policy 53 – Parking Standards
Policy 56 – Waste Management

Other Relevant Guidance:

Supplementary Planning Document Sustainable Building Design (2009)
Supplementary Planning Document: Access for All (2006)

2. CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3. THE PARTY WALL ETC. ACT 1996

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4. COMPLIANCE WITH PLANNING CONDITIONS

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

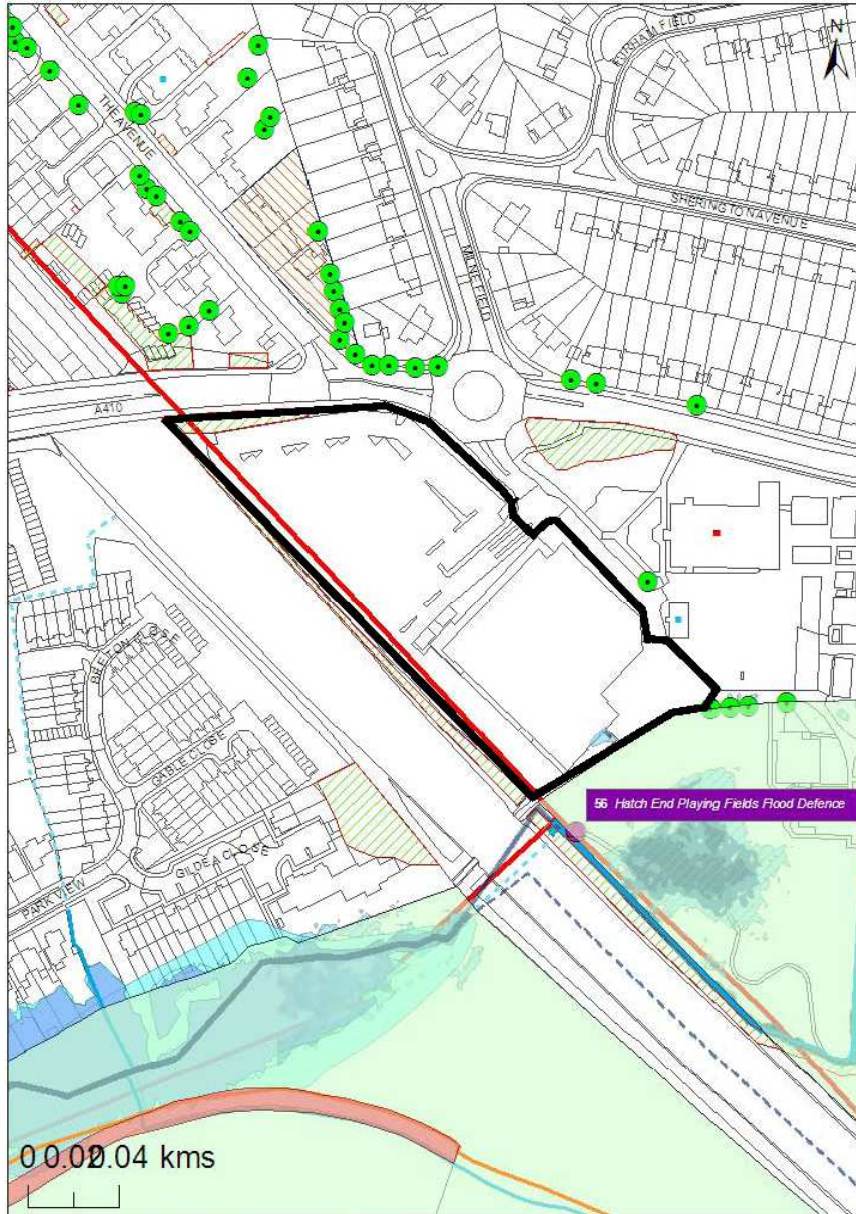
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of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

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

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

Plan Nos: Hatch End Transport Statement – August 2012; Morrisons, Hatch End Travel Plan – August 2012; Pre-Development Tree Survey: WM. Morrison Supermarkets LTD, Hatch End, Harrow, London, dated July 2012; Heritage Statement, dated July 2012 by SLR global environmental solutions; Design and Access Statement – August 2012; 01 – Tree Constraints Plan; 12286-PA-01; 12286-PA-02; 12286-PA-52; 12286 PA 58 Rev A; 12286-PA-50 Rev C; 12286/PA/51 Rev B; 12286/PA/51 Rev B; Technical Note submitted by SKM, dated 16th January 2013

MORRISONS, UXBRIDGE ROAD, HATCH END, PINNER



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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01
Address: 324 RAYNERS LANE, HARROW, HA5 5ED
Reference: P/2922/12
Description: CHANGE OF USE OF RETAIL (USE CLASS A1) TO ESTATE AGENT (USE CLASS A2)
Ward: RAYNERS
Applicant: MR CHASE PROPERTIES UK LTD
Agent: MR YUSSUF MWANZA
Case Officer: VICTOR UNUIGBE
Expiry Date: 31 January 2013

RECOMMENDATION

GRANT planning permission subject to conditions.

REASON

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The proposed change of use would not adversely impact on the economic viability, vitality, vibrancy and the employment offer of the area given the particular circumstances of the application site. Furthermore the site is located within the Rayners Lane District Centre, and the proposed use would be an appropriate Town Centre use. Subject to conditions, the development would not adversely impact upon neighbouring amenities or highway safety and convenience.

INFORMATION

This application is reported to the Planning Committee because the proposal represents a departure from the Development Plan and therefore falls outside proviso D of the scheme of delegation.

Statutory Return Type: E(20) Change of Use

Council Interest: None

Gross Floorspace: 156.48 sq.m

Net additional Floorspace: 0 sq.m

GLA Community Infrastructure Levy (CIL) Contribution (provisional): The CIL administrator has advised that the proposed change of use will not attract a CIL charge, as the proposal does not incorporate the creation of any new dwellings or 100 sq.m or more of new floorspace.

Site Description

- The application site is located within the southern elevation of two linked flat-roofed terraced shopping parades on the eastern side of Rayners Lane and western side of Imperial Drive. The site is however addressed on Rayners Lane (No.324).
- The site's frontage directly faces the 'V' intersection formed between Rayners Lane and Imperial Drive to the south, and is within the Rayners Lane district centre and is a designated primary shopping frontage.
- The site's frontage abuts the setting of the Rayners Lane Conservation Area, and located a bit farther to the south-west is the setting of Rayners Lane Underground Station, a Grade II listed building.
- The site property specifically comprises the ground floor, lower ground floor and basement of a three storey building within the terraced parade. The building appears as three-storey from the street level, but appears as five-storey at the rear, given the lower ground and basement floor levels.
- The basement of the property opens out to an enclosed courtyard at the rear, which is primarily used for the servicing of neighbouring commercial properties within the parades on those sections of Rayners Lane and Imperial Drive.
- The property is currently vacant, and was last used as a use Class A1 retail unit. The first floor is in existing use as a restaurant (Use Class A3) with adjoining separate ground floor access from the front elevation. The property has a blue-framed glazed shopfront and a ramp directly in front of the entrance door for level access.
- The adjoining commercial properties at Nos.320-322, 328, 328A and 330-332 are in use as a Class A2 Estate Agent, Class A2 Money Shop, Class A3 restaurant and Class A1/A3 dessert/ice-cream parlour (with on-site cold food consumption element) respectively.
- Rayners Lane is a Borough distributor road while Imperial Drive is a London distributor road.

Proposal Details

- The proposal is for the change of use of the property from retail (Use Class A1) to an Estate Agent (Use Class A2).
- No changes are proposed to the internal layout and external appearance of the property.
- The proposed hours of use are 08:00 – 21:00 Mondays to Saturdays and 09:00 to 20:00 Sundays and Bank Holidays. It is proposed that the change of use would incorporate ten employees.
- The applicant has provided email confirmation that the existing refuse and servicing arrangements for the retail unit in the enclosed rear courtyard will remain the same for the proposed change of use.

Revisions to Previous Application

- N/A

Relevant History

LBH/2352 – Illuminated projecting sign
Granted – 09/06/1967.

LBH/2352/1 – Installation of new shop front
Granted – 17/02/1971.

LBH/41840 – Retention of sign between first and second floors levels
Granted – 14/11/1990.

Applicant's Design and Access Statement

- The proposal would reduce the vacancy rate in the district centre and bring the application unit into active use thereby having a positive impact on the overall appearance of the district centre.
- The proposal would also generate an increase in local employment and would contribute towards diversity and more choice for visitors in the district centre, and this would result in attracting a broader range of visitors to the area.
- The proposed surgery would be well located in respect of public transport and there would be no change to existing servicing requirements, with no adverse impact on highway safety and convenience.
- The existing shopfront display window would be retained and there would be no changes to the internal layout and external appearance of the property. The proposal would not increase the amount of Floorspace of the property.

Consultations

Highways Authority: Response will be reported via the addendum.

Conservation Area Advisory Committee: No response received

CIL Administrator: Proposal does not attract a CIL charge, as it does not incorporate the creation of any new dwellings or 100 sq.m or more of new floorspace.

Advertisement

Character of a Conservation Area: Expiry: 10/01/2013

Site Notice Expiry: 11/01/2013

Departure from the Development Plan: Expiry: 28/02/2013

Site Notice Expiry: 21/02/2013

Notifications

Sent: 18

Replies: 0

Expiry: 03/01/2013.

Addresses Consulted

Rayners Lane: 320, 320A, 320B, 322, 326, 328, 328A, 328B, 330.

Summary of Responses

- None.

APPRAISAL

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

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

The Government has issued the National Planning Policy Framework (NPPF) (2012) which consolidates national planning policy and is a material consideration in the determination of this application.

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan (HUDP) (2004) [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

While this application has been principally considered against the saved policies in the HUDP, some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft), which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the HUDP (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD was sent to the Secretary of State for Examination in Public, which was held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

MAIN CONSIDERATIONS

- 9) Principle of the Development
- 10) Character and Appearance of the Area
- 11) Refuse Storage
- 12) Residential Amenity
- 13) Traffic and Parking, Accessibility
- 14) S17 Crime & Disorder Act
- 15) Consultation Responses

1) Principle of the Development

The National Planning Policy Framework [NPPF] has a presumption in favour of sustainable development and for applications to be determined in accordance with the development plan, unless the development plan is silent, absent or the relevant policies are out-of-date.

The National Planning Policy Framework [NPPF] sets out a strategy to provide for sustainable development and considers that ensuring the vitality of town centres is a key tenet in securing sustainable development. Town centres should be recognised as the heart of communities and policies should be pursued which ensure their viability and vitality, thereby ensuring competitiveness and customer choice.

Policy CS5 of the Harrow Core Strategy recognises that Rayners Lane District Centre is one of the most vibrant district centres in terms of low levels of vacancy within the Borough, and that it fulfils an important local function in terms of retail, transport and service provision. The policy therefore advocates that the centre should be promoted as a focus for community life, providing residents in the surrounding residential areas with increased and convenient public transport network access to a range of shops, services and cultural and leisure facilities.

Saved policy EM16 of the HUDP seeks to ensure that District Centres like Rayners Lane provide good shopping facilities whilst maintaining the balanced range of other uses essential to the vitality of centres. This policy sets out a criteria based approach for changes of use from shops to other uses in the primary shopping frontage, which reflect these objectives and states that the change of use to non-retail uses will normally be permitted provided that: a) the proposed use provides a service that is directly related to a shopping trip and supports the retail function of the centre; b) the length of primary frontage in non-retail use in the district centre does not exceed 25%; c) a harmful concentration of non-retail uses is not created or added to; d) the premises can be adequately serviced without harm to highway safety or convenience; and e) a window display or appropriate frontage is maintained.

EM16 – Criteria (a)

The application property is presently vacant, and the applicant has provided letters from a number of Estate Agents specifying that the property has been continuously marketed as a vacant retail unit since May 2010 to date, a period of over thirty-two months. It is considered that thirty-two months represents a relatively long term period of economic inactivity for a property that occupies a prominent location in the retail core of the District Centre. It is instructive to note that the adjoining property at No.320-322 is already in use as a Class A2 Estate Agent, and the proposal would result in the loss of a Class A1 retail unit in a core area where retailing is expected to be the overwhelming use.

According to the advice contained in the objective texts for Policy EM16, some Class A2 uses provide services that are commonly used in association with shopping trips. It is considered that an Estate Agent use (as proposed) complements an A1 use, and would provide a service that is directly related to a shopping trip, as it tends to be frequently used by shoppers, attracting high levels of custom and in most cases maintain a similar appearance to shops. Given that the application property frontage opens out to two major thoroughfares (Rayners Lane and Imperial Drive), it is considered that the proposed Estate Agent would result in the property having a resumed active and attractive shopping frontage. Policy EM16 recognises that some uses within Class A2, despite being for visiting members of the public, are not normally associated with shopping trips, and may even be closed during normal shopping hours. An example of such a use is betting shops. Given that the proposed Estate Agent falls within Class A2, and that Policy EM16 does not permit some Class A2 uses that do not contribute significantly to the main shopping function of the District centre, it is recommended that the grant of planning permission for this application should only be restricted to a Class A2 Estate agent, and not to any other uses in Class A2. This would ensure that planning permission should be sought for any future proposed Class A2 other than an Estate Agent in the property, and the impact of such uses could be determined on their merits.

EM16 Criteria (b)

The percentage of total primary shopping frontage in non-retail use in the Rayners Lane District Centre as of June 2012 was 30.77, which already exceeds the specified maximum of 25% for primary frontage in non-retail use in the district centre as required by Policy EM16. It is instructive that permission P/2708/12 was granted on 19/12/2012 for a change of use from Class A1 Travel Agent to Class A1/A3 Coffee Shop and Sandwich Bar at 297 Rayners Lane, and the combined part loss of the frontage of that property (as wholly Class A1) and this application property would further increase the non-retail frontage percentage from 30.77 to a total of 32.21%. As such the proposal is contrary to the related criteria (b) specified by policy EM16.

However, the quantitative measure outlined in policy EM16 needs to be considered in the light of the National Planning Policy Framework, which requires, at paragraphs 18-22, local authorities to plan for building a strong, competitive economy and, at paragraphs 23-27, to seek to ensure the vitality of town centres. Even though there is a relatively low vacancy rate in the Rayners Lane District Centre – the rate for the combined frontage (primary and secondary) in the centre is 8.9% - and it is considered that this proposal accords with the other criteria (a, c, d and e) specified by policy EM16.

EM16 – Criteria (c)

It is considered that while the proposed change of use would result in an over-concentration of non-Class A1 uses in that section (southern elevation) of the host parade, it is considered that the over-concentration would not be harmful to the primary frontage, given the long term vacancy of the application property. Within the southern elevation section of the parade, it is only the use at No.330-332 out of four operational uses that has an element of Class A1 retail. Even though the HUDP gives policy context that though primary frontages will be restricted to mainly Class A1 uses, there is a consideration that it is important to ensure that non-retail uses are dispersed throughout

the shopping core and do not form clusters. The proposed Estate Agent would result in the operation of three Class A2 uses out of five uses in the southern elevation section of the parade, but it is considered that its contribution towards maintaining the vitality and vibrancy of the primary frontage of the District Centre outweighs the loss of the property as a Class A1 retail unit. It is instructive to note that the Council has not received any responses or objections as a result of consultation for this application.

EM16 – Criteria (d and e)

The proposal would result in the retention of the existing display window and shopfront, which is appropriate to the District Centre. The surrounding area and the application site are well provided for in terms of servicing and public transport provision, and as will be discussed below, the proposal would not adversely affect highway safety or convenience. It is therefore considered that the proposed change of use would accord with criteria a, c, d and e of saved policy EM16 of the HUDP. The proposal would contribute to providing an appropriate mix of uses in the Rayners Lane District Centre, resulting in the provision of a healthy, dynamic, vibrant and competitive town centre that caters for local communities. A departure from the development plan, in light of these material considerations, can therefore be justified on this basis.

2) Character and Appearance of the Area

Saved policy D4 of the HUDP (2004) requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. The saved policies of the UDP broadly reflect policies 7.4.B and 7.6.B of The London Plan 2011 and policy CS1.B of the Harrow Core Strategy 2012, which seek to ensure that development respects local character and enhances the public realm. The NPPF and policy 7.8.C/D/E of The London Plan 2011 set out similar aims.

The change of use of the property would not involve any significant external alterations, and the applicant has proposed to retain the existing display window and shopfront, which is considered appropriate to the District Centre. It is also considered that the use profile of the proposed Estate Agent in terms of generating custom would not differ significantly from that generated and linked to the Class A1 retail use, so there would be no adverse impact on the character of the area. It is therefore considered that the proposed change of use would not result in any adverse effect on the character and appearance of the surrounding area, and would therefore accord with the NPPF, policy 7.4.B, of The London Plan 2011, policies CS1 and CS5 of The Harrow Core Strategy 2012, saved policy D4 of the Harrow Unitary Development Plan 2004 and Policy 1 of the DM Policies: DPD (Pre-submission Draft).

3) Refuse Storage

The applicant has submitted that the use profile of the proposed Estate Agent would not result in any changes to the existing refuse storage and servicing arrangements in the enclosed courtyard at the rear. It is considered that the area of the rear courtyard is adequate to accommodate a refuse storage enclosure, and help ensure that no refuse or waste bins are stored at the frontage of the property or parade, or on the public footpaths adjoining Rayners Lane and Imperial Drive.

Given the existing rear location of the servicing area, it is therefore considered that there would be no clutter of related furniture at the frontage of the property, and no resulting adverse impact on the character and appearance of the surrounding area, thereby according with the National Planning Policy Framework, policy 7.4.B of The London Plan 2011, policies CS1 and CS5 of The Harrow Core Strategy 2012, saved policy D4 of the Harrow Unitary Development Plan 2004 and policy 1 of the DM Policies: DPD (Pre-submission Draft).

4) Residential Amenity

Policy EP25 of the Harrow Unitary Development Plan (2004) commits the Council to minimise noise and disturbance, through amongst other factors, controlling times of operation. This is particularly imperative given the impact the proposal may have on the living conditions of the residential occupiers of the upper floor flats in the host and adjacent shopping parade. As the application site is located within the Rayners Lane District Centre, a relatively high level of economic and shopping activity is expected when compared to the likely levels of activity generated in a primarily residential area.

The proposed hours of use of the Estate Agent are considered acceptable. It is considered that the hours of closing (2000 and 2100 hours) are evening hours close to the time when neighbouring residents would want to normally have their rest periods. However it is considered that the hour of closing is a reasonable social hour for visitors and employees alike to disperse. Also, the NPPF gives advice that the hours people would normally have their periods of rest and sleep is between 2300 and 0700 hours, so it is considered that the proposed hours are adequate to mitigate any impact of disturbance to a reasonable degree.

As noted during visits to the application site, neighbouring commercial units in the host and adjacent parades are also serviced from the enclosed courtyard to the rear, and the existing access to the second floor flat in the host building is from the rear, so the proposal would not result in the loss of any access or amenities for the occupiers of the second floor flat to the upper floor residential flat in the host building.

Subject to the inclusion of a condition restricting the hours of operation to what the applicant has proposed, the proposed change of use would therefore accord with Policy 7.15.B of The London Plan 2011 and saved Policy EP25 of the HUDP (2004).

5) Traffic and Parking, Accessibility

It is considered that the proposed change of use is not likely to raise any specific traffic concerns. As discussed above, the proposed change of use would complement the existing shopping/commercial facilities in the District Centre, and provide a service directly associated with footfall from shopping trips.

It is considered that the proposal would maintain little variance in current demands and activities in the District Centre, thereby naturally discouraging any potential additional patronage to the area by private motor car. This factor coupled with the scale of the proposal and, as previously mentioned, the high public transport sustainability of the location with its proximity to Rayners Lane Underground Station and bus lanes/corridors on Rayners Lane and Imperial Drive, which is a London Distributor Road, would ensure

that the proposed change of use would not result in any adverse effects on either the traffic or parking provisions within the area. There is controlled public car parking on and adjacent to Rayners Lane, so the application site is therefore able to be well serviced by foot and vehicular traffic from the District Centre's core shopping area. It is considered that the access to the rear of the site is adequate for servicing requirements, and as the proposal would be contained within the site, it would not result in any obstruction of the services access or adjoining public footpaths, and as such, not have any undue impact on highway/pedestrian safety and convenience.

With regards to inclusive accessibility, there is a ramped level access directly in front of the ground floor entrance, and the entrance door complies with standards specified in the Council's adopted SPD: Access for All 2006.

Given the above, the development would accord with policies 6.13 and 7.2C of The London Plan 2011 and saved policies C16 and T13 of the Harrow Unitary Development Plan 2004 and the Council's adopted SPD: Access for All 2006.

6) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

7) Consultation Responses

None.

CONCLUSION

The proposed change of use would not adversely impact on the economic viability, vitality, vibrancy and the employment offer of the area given the particular circumstances of the application site. Furthermore the site is located within the Rayners Lane District Centre where such a use is considered to be appropriate. The restriction of the proposed change of use to no other uses within Use Class A2 other than an Estate Agent would outweigh the harm caused by the loss of a Use Class A1 retail unit, and subject to conditions, the development would not adversely impact upon neighbouring amenities or highway safety and convenience.

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, this application is recommended for **grant**.

CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

6618 P 101; 6618 P 102; 6618 P 103 A; Design and Access Statement; Applicant emails dated 17/01/2013 and 19/02/2013.

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

3 The application premises shall be used for the purpose specified in the application (Use Class A2 Estate Agents) and for no other purpose, including any other purpose in Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: This application has been determined on the merits of the proposed Use Class A2 Estate Agents hereby permitted, which is an appropriate Town centre use. Any other proposed use within Use class A2 in the property will have to be determined on its own merits.

4 The use hereby permitted shall not be open to customers outside the following times:-

a: 0800 hours to 2100 hours, Monday to Saturday inclusive,

b: 0900 hours to 2000 hours on Sundays and Bank Holidays,

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality, to safeguard the character and viability of the shopping parade and in the interests of highway safety, as required by saved policies EM16, D4 and EP25 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The proposed change of use would not adversely impact on the economic viability, vitality, vibrancy and the employment offer of the area given the particular circumstances of the application site. Furthermore the site is located within the Rayners Lane District Centre where such a use is considered to be appropriate. The restriction of the proposed change of use to no other uses within Use Class A2 other than an Estate Agent would outweigh the harm caused by the loss of a Use Class A1 retail unit, and subject to conditions, the development would not adversely impact upon neighbouring amenities or highway safety and convenience.

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The following National Planning Policy, policies in the London Plan, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan (2004) are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2011):

2.7 – Outer London: economy

2.15C – Town Centres

4.1 – Developing London's Economy

4.7B – Retail and Town Centre Development

4.8B – Supporting a Successful and Diverse Retail Sector

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.5B – Public Realm

7.6B – Architecture

7.15 – Reducing Noise and Enhancing Soundscapes

Harrow Core Strategy (2012):

Core Policy CS1 (B, E)

Core Policy CS5 (A, B, F)

Harrow Unitary Development Plan (2004):

D4 – The Standard of Design and Layout

D7 – Design in Retail Areas and Town Centres

EP25 – Noise

T6 – The Transport Impacts of Development Proposals

T15 – Servicing of New Developments

EM16 – Change of Use of Shops – Primary Shopping Frontages

EM24 – Town Centre Environment

C17 – Access to Leisure, Recreation, Community and Retail Facilities

Development Management Policies: Development Plan Document (Pre-submission Draft): Policy 1.

Supplementary Planning Document: Access for All (2006)

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

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

3 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

4 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

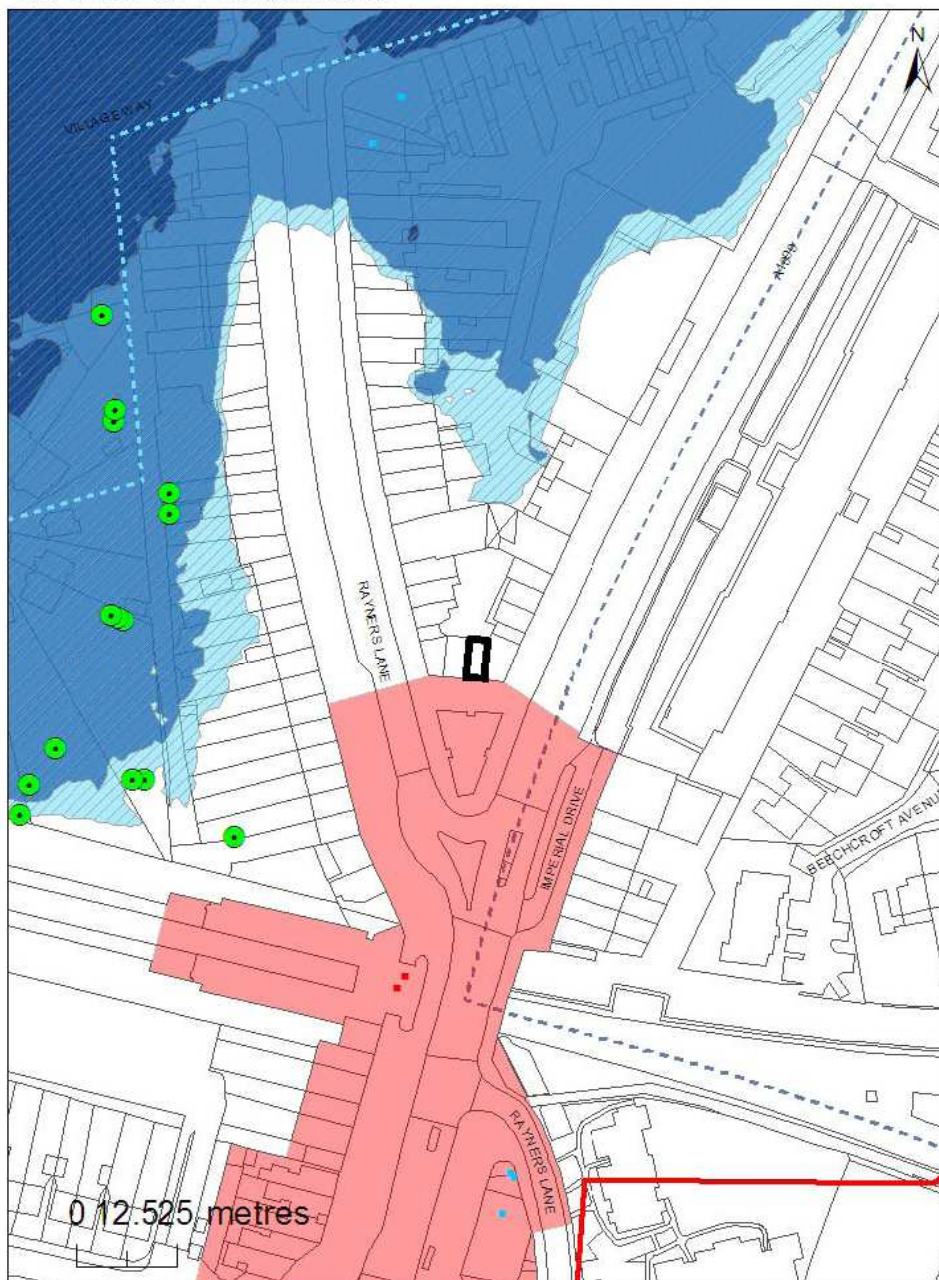
Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

Plan Nos: 6618 P 101; 6618 P 102; 6618 P 103 A; Design and Access Statement; Applicant emails dated 17/01/2013 and 19/02/2013.

324 RAYNERS LANE, HARROW



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Item No. 2/02

Address: PINNER PARK INFANT AND NURSERY SCHOOL & PINNER PARK JUNIOR SCHOOL MELBOURNE AVENUE, PINNER, HA5 5SJ

Reference: P/3109/12

Description: CONSTRUCTION OF TWO STOREY EXTENSION TO PROVIDE A NEW TEACHING BLOCK AND A SINGLE STOREY HALL EXTENSION TO THE JUNIOR SCHOOL INVOLVING CONSTRUCTION OF A COVERED WALKWAY LINKING THE EXTENSIONS WITH THE MAIN SCHOOL BUILDING; CONSTRUCTION OF A TWO STOREY EXTENSION TO THE INFANT SCHOOL TOGETHER WITH SINGLE STOREY ENTRANCE LOBBY AND PROVISION OF EXTERNAL CANOPIES; PROVISION OF A NEW ENTRANCE FOR THE JUNIOR AND INFANT SCHOOL; PROVISION OF NEW HARD PLAY AREAS AND SOFT LANDSCAPING; NEW BOUNDARY TREATMENT INCLUDING NEW PEDESTRIAN GATES; PROVISION OF NEW SHARED CAR PARK FOR BOTH SCHOOLS; PROVISION OF BIN STORE; DEMOLITION OF EXISTING CARETAKERS DWELLINGHOUSE (TO INCREASE BOTH THE JUNIOR AND INFANT SCHOOLS FROM A 3 FORM ENTRY TO A 4 FORM ENTRY PRIMARY SCHOOL).

Ward: HEADSTONE NORTH

Applicant: Harrow Council

Agent: LOM

Case Officer: NICOLA RANKIN

Expiry Date: 1ST MARCH 2013

RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, **GRANT** planning permission for the development described in the application and submitted plans subject to conditions:

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow and the land at pinner park infant and nursery school & pinner park junior school Melbourne Avenue, Pinner, HA5 5SJ.

REASON

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), The London Plan (2011), the Harrow Core Strategy (2012), the saved policies of the Harrow Unitary Development Plan (2012), as well as all relevant material considerations including any responses to consultation. The proposed extensions will provide much needed space for the expansions of the existing schools, to help meet the growing population and high level of demand for primary school places which is projected to increase over the next 6 years within the London Borough of Harrow. The overall scale and design of the building would have an acceptable impact on the character and appearance of the surrounding area; and when viewed in the context of the surrounding school buildings. The proposed re-siting of the car park towards the front of the site on part of the adjacent school field would not unduly compromise and character and openness of the Green Belt. It is considered that the proposed extensions and increased capacity of the school would not to have a significantly harmful impact on the amenities of any neighbouring occupiers. The proposal is considered not to result in unacceptable pressure on local roads and will not be to the detriment of highway safety. The proposed school is accessible to all and will provide a safe and secure environment for users. In light of the above it is recommended that the application is approved subject to conditions.

INFORMATION

The application is reported to the Planning Committee because the Council is the Landowner and the proposal is more than 100 square metres.

Legal Comments

Regulation 3 of the Town and Country Planning General Regulations 1992 [Statutory Instrument 1992/1492] provides [in relevant part] that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under Section 77 of the Town and Country Planning Act 1990 for determination by him.

The application is made by LB Harrow who intends to carry out the development on the land at Pinner Park Infant and Nursery School & Pinner Park Junior School Melbourne Avenue, Pinner, HA5 5SJ.

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

Statutory Return Type: Minor Development

Council Interest: The Council is the landowner.

Gross Floorspace: 3481sqm

Net additional Floorspace: 575sqm

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

The Harrow School Expansion Programme

The local authority has a statutory responsibility to provide sufficient school places for its area. In recent years, Harrow has been experiencing increased demand for school places in the primary school sector, and this is projected to continue for the next six years. This increased demand will progress through to the secondary sector in due course and will also impact on provision for special educational needs.

Harrow’s primary school population (Reception to Year 6) was 17,859 in 2012 (January 2012 pupil census) and is projected to increase to 18,604 in January 2013 and to 21,472 in 2016-17. Overall this represents a 20.2% growth in primary pupil numbers. This growth is not consistent across all year groups, and the pressure is particularly acute for Reception places because the increased demand is primarily birth rate driven. The latest school roll projections prepared by the Greater London Authority for Harrow predicts that Reception numbers will continue to increase until 2018/19, following which the high level of demand will continue with a slight and gradual reduction.

Harrow has been opening bulge or temporary additional classes since September 2009 to manage the increase in pupil numbers. Although this approach has managed pupil growth thus far, it is not sustainable in the context of the pupil projections. In July 2011, Cabinet agreed a school expansion programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient and sustainable primary school places through the creation of additional permanent places, supplemented by planned temporary classes and contingency temporary classes, opened if required

A representative group of primary school headteachers assisted officers to develop a set of guiding principles to identify schools for potential expansion. The principles covered a range of factors including school site and building capacity, quality of education, popularity and location. These were then applied to schools to indicate which schools would be most suitable to consider for expansion.

Consultations about the proposal to expand primary schools in Harrow have been held since October 2011 and culminated in Cabinet deciding in June 2012 that nine schools on seven sites in Harrow will be expanded. Because the increased demand for school places is spread across Harrow, and in order to ensure that children can attend schools local to where they live, the schools are located around the borough. The nine schools will be expanded by one form of entry (30 pupils), which will fill incrementally from the point of admission into the school, and are:

Camrose Primary School with Nursery from September 2013
Cedars Manor School from September 2013
Glebe Primary School from September 2013
Marlborough Primary School from September 2013
Pinner Park Infant and Nursery School from September 2013
Pinner Park Junior School from September 2014
Stanburn First School from September 2013
Stanburn Junior School from September 2014
Vaughan Primary School from September 2013

Site Description

- The school site is an irregular shape and is ringed by Melbourne Avenue to the west, Headstone Lane to the south, the flank boundary of 140 Headstone Lane to the south east and the remainder of the of the site boarded by Headstone Sports Ground and playing fields
- The site has main access points of Melbourne Avenue. Headstone Lane is designated as a Borough Distributor Road.
- The school playing fields, adjacent allotments and sports pitches on the north western side of the site are designated is designated as Green Belt within the Harrow Unitary Development Plan (2004) and the Harrow Core Strategy (2012).
- Part of this site is located within flood zone 3B and part is located within flood zone 1 as identified by the Harrow Strategic Flood Risk Assessment.
- Pinner Park Infant and Nursery School is separated from the junior school by a vehicle access through to the car park at the rear of the site.
- The application site is comprised of two distinct building blocks and is comprised of a mixture of single and two storey buildings.
- The remainder of the site consists of hard surfaced areas, playing courts and parking.

Proposal Details

- Planning permission is sought for construction of two storey extension to provide a new teaching block and a single storey hall extension to the Junior School involving construction of a covered walkway linking the extensions with the main school building and construction of a two storey extension to the Infant School together with single storey entrance lobby and provision of external canopies.
- It is proposed to expand the infant and nursery school from a 3 form entry primary school (270 pupils) plus nursery (26 morning and 26 afternoon) to a 4 form entry primary school (360 pupils) with no proposed increase in the nursery size. Likewise, it is proposed to increase the junior school from a 3 form entry (360 pupils) to a 4 form entry primary school (480 pupils).
- The proposed two storey extension to the infant school would provide a reception classroom at ground floor level and a further classroom and a meeting room at first floor level.
- The proposed two storey extension to the infant school would link into the south western side of the existing infant building. It would have a width of 10 metres and a maximum depth of 9 metres. The extension would be finished with a flat roof with a height of 6.45 metres and would be linked to the main building with a subservient light coloured element.

- A further single storey extension and canopy is proposed to the nursery to provide a new entrance lobby to the front north western elevation of the existing building. The extension element would have a depth of 2.3 metres, a width of 8 metres and a height of 2.67 metres. The proposed canopy would project beyond this by a further 4.24 metres.
- A further canopy is proposed on the northern side of the existing infant school building, adjacent to the infant hard play area which would have a height of 2.6 metres and would cover a small area of 5.61sqm.
- New hard and soft landscaping is also proposed including new timber decking to the nursery play area, resurfacing of the existing infant school car park area to provide an early years play area as well as a modest extension of the existing infant hard play on towards the rear north eastern boundary of the site.
- The proposed two storey extensions to the junior school would be located towards the rear of the junior school adjacent to the south eastern boundary of the site and would be linked with a covered external stair and walkway to the hall and main school building. It would provide four additional classrooms and a group room. It would have a width of 24.5 metres and a depth of 10 metres. It would have a flat roof to a height of 8.5 metres.
- A single storey extension is proposed to the existing junior school hall on the northern side of the junior school. The extension to the hall would have a depth of 8 metres, a width of 10.6 metres and would have a flat roof to a height of 5.8 metres.
- The existing road to the rear of the main vehicle access would be resurfaced to provide more hard play space for the juniors and would be decommissioned as a vehicle access.
- New separate entrance points for pedestrians would be provided for both the infant and the junior school. The new infant school entrance and gates would be located adjacent to the proposed car park and Junior hard play area and would be accessed from Melbourne Avenue. The new Junior school entrance area would also be accessed from Melbourne Avenue and would be located to the south west of the junior school.
- The existing car park to the rear of the junior school site would be relocated towards the front south western boundary of the site adjacent to Melbourne Avenue and would partially encroach on the playing fields. The car park would provide for 39 spaces as well as 2 disabled spaces and would utilise the existing vehicle access from Melbourne Avenue.
- A refuse bin enclosure would be provided close to the entrance of the car park.
- Additional soft landscaping is proposed to the perimeter of the site and around the re-located car park.
- It is also proposed to demolish the caretakers house at the front of the school. A separate application for demolition of this was lodged under ref: P/3136/12. However, the determination period for this application has now lapsed. Nevertheless, given that the proposal seeks re-development of the area at the front of the site, the removal of the dwellinghouse is not objectionable and is considered to be acceptable in principle. Consequently, demolition of the dwellinghouse is included within the description of development for the application.

Relevant History

LBH/2058/1 Ten classrooms in two phases
Granted 14-Dec-1967

LBH/21516 Single storey store building for school purposes
Granted 21-Jun-1982

LBH/2058/2 Erection of first floor extension to provide additional classroom accommodation
Granted 06-Oct-1971

LBH/2058/3 Erection of first floor extension to provide additional classroom accommodation
Granted 09-Dec-1971

LBH/2058/6 Erection of single storey extension to assembly hall with provision of servery and chair store and 2 storied extension to provide additional teaching accommodation
Granted 29-Jan-1974

P/3008/03/DLA single storey extension to provide library room
Granted 13-Feb- 2004

P/777/05/CFU Removal of prefabricated classroom, development of single-storey extension
Granted 19-May-2005

P/1973/07 Single storey extension to provide new entrance and reception area.
Granted 14-Aug-2007

P/0596/09 Construction of 2 storey building to house ICT and music departments and erection of link building to existing structure; new external staircase; new fence
Granted 30-Jun-2009

P/1615/10 submission of details pursuant to conditions 3 and 4 (surface water/attenuation) attached to planning permission p/0596/09 dated 30/06/2009 for 'construction of 2 storey building to house ict and music departments and erection of link building to existing structure; new external staircase; new fence
Approved 20-Aug-2010

Pre-Application Discussion (Summary)

- Part of this site is located within zone 3B but beyond this is zone 1. Development should be directed to the parts of the site in lowest flood risk. It will be important to demonstrate through a robust FRA, that the proposed development will not increase the risk of flooding on and off site and will need to be focussed in the areas of lowest risk. Measures will need to be incorporated for flood resilience.
- Part of the school playing fields at the rear part of the site is covered by a Green belt designation. Referring to NPPF paragraph 89, schools are not excepted and therefore school buildings are inappropriate development. Nevertheless, very special circumstances may be applied, and in this regard paragraph 72 of The NPPF (2012)

will be relevant. As such, you will need to demonstrate that accommodating the development on the parts of the site not in the Green Belt is not possible, and that every effort has been made to minimise/mitigate the impact on the openness of the Green Belt.

- The application should be supported by the submission of a travel plan to decrease the use of private vehicles in support of sustainable transport modes.

Applicant Submission Documents

∇ Design and Access Statement (Summary)

- Various feasibility studies for the school were assessed in order to improve school security, surveillance and pupil safeguarding as well as facilitating the continued operation of the school during construction without decant into temporary accommodation. Separating the vehicle and pedestrian movement was key to the overall design solution.
- The proposed solution offers maximum external play space for the junior school as well as improved security.
- The proposal would provide a much improved school which addresses all security and education needs and would bring the overall school up to the minimum standards in BB99 guidance area provision from a 4 form entry primary school.
- The number of pupils and staff would increase gradually over the next 5 years
- The general aim has been to limit the impact on the neighbours as much as possible
- The playing fields on the site are located within the Green Belt and as such we have accommodated all new buildings within the bounds of the existing school.
- In order to facilitate the expansion, part of the car park would be located on the playing field and so would not conflict with the openness of the Green Belt.
- The visual amenity of the area will be supplemented by the planting of additional trees within this area to help preserve and enhance the Green Belt land.

∇ Travel Plan

∇ Arboricultural report

∇ Acoustic Report

∇ BB99 Assessment

Consultations:

Highways Authority: There are some concerns with the expansion of the school as there are existing issues related to parking generated by the school itself. There are few parking controls in the vicinity of the school and the area will at some point in the future be subject to a parking review which will hopefully address such current issues. However, it is considered that any adverse impacts caused by the year on expansion of the school that are not captured or redressed by the School Travel Plan (STP) will be addressed at a future Controlled Parking Zone parking review for this location.

Environment Agency: Awaiting additional comments, to be reported.

Drainage Authority: The submitted FRA is satisfactory.

Sports England: Responded and stated that they did not wish to comment on this particular application.

Arboricultural Officer: The development works should go ahead in accordance with all the recommendations made in the arboricultural report.

Advertisement

Press Advert: Departure from Development Plan Expiry: 7th March 2013

Site Notice: Departure from Development Plan: Expiry: 8th March 2013

5 x General site notifications Expiry: 13.02.2013

Notifications

First Consultation:

Sent: 168

Replies: 1

Expiry:06.02.2013

Second Consultation:

Sent: 168

Replies: 1 (received in response to initial consultation).

Expiry: 05.03.2013

Addresses Consulted

- 103 to 161 (odd) Headstone Lane
- 28 to 202 (even) Headstone Lane
- 25 to 33 (odd) Melbourne Avenue
- 26 (even) Melbourne Avenue
- 2 to 14 (even) Greystoke Avenue
- 1 to 15, (odd) Greystoke Avenue
- 1 to 30, (odd) Manor Park Drive
- 2 to 46 (even) Manor Park Drive
- 59, Holmdene Avenue
- 1 to 6 Parkfield Gardens, Harrow
- Melbourne Avenue Allotments
- Open Space fronting 128 to 132 Headstone Lane
- Headstone Lane Sports Ground
- Halls Farm, George V Avenue, Pinner
- Pinner Park Farm Open Space
- Pinner Park Farm Cottages, George V Avenue, Pinner
- Melbourne Avenue Open Space

Summary of Responses

- The work will be extensive and will result in a lot of disruption to the road.
- The increase in pupils will make car parking worse than it is already.
- Heavy lorries coming and going will cause disruption in the road and cause excessive noise.
- Concern has been raised that excessive building will result in a loss of outlook of the farm, allotments and school playing fields.

APPRAISAL

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

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

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which was held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

MAIN CONSIDERATIONS

- 16) Principle of the Development
- 17) Impact on Character and Appearance of the Area and Green Belt
- 18) Residential Amenity
- 19) Traffic and Parking
- 20) Development and Flood Risk
- 21) Accessibility
- 22) Sustainability
- 23) Trees and Development
- 24) S17 Crime & Disorder Act
- 25) Consultation Responses

1) Principle of the Development

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

development, economic, social and environmental gains should be sought jointly.

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

The educational use of this site is established, and under saved UDP policy C7, there is no objection in principle to the expansion of existing educational facilities, subject to consideration of the need for the new facilities, the accessibility of the site and safe setting down and picking-up points within the site.

Proposed Extensions

The Harrow Strategic Flood Risk Assessment shows that the site lies partially within flood zone 3b which forms part of the functional flood plain, defined as having a high probability of flooding, while part of the site towards the north eastern boundary of the site lies in flood zone 1 which has a low probability of flooding. Harrow’s Core Strategy (2012) includes a commitment to maintain the capacity of the functional floodplain within greenfield sites and seeks opportunities to re-instate the functional floodplain on previously developed sites. However, it recognised that a distinction should be made between greenfield and developed areas of the functional floodplain. As such, for the purposes of applying the National Planning Policy Framework (2012), a distinction will be made between greenfield 3b and developed 3b. The Environment Agency has confirmed that they are satisfied with this approach in principle. The final comments of the Environment Agency are awaited. The two storey extension to the junior school would be located outside of the flood zone 3b and would therefore be acceptable in principle as the flood risk to the new building is considered to be low. Part of the junior school hall extension would be located within the flood zone 3b as would the two and single storey extensions to the infant school. Nonetheless, the proposed increase in building footprint would not be located on greenfield areas and are sited on previously developed land. As such, the principle of the development is considered to be acceptable in this regard, subject to provision of a robust flood risk assessment which identifies flood mitigation and resilience measures to be implemented on the site. A Flood Risk Assessment (FRA) has been submitted with the application and this is viewed to be acceptable by the drainage authority. As outlined, further comments are currently awaited from the Environment Agency and this will be reported. However, on the basis of the comments received from the drainage authority, it is considered that this aspect of the proposal would not conflict with the aims of the NPPF (2012) and would be acceptable in principle. The acceptability of the FRA is considered in more detail under section 5 of this report.

Car Park Expansion

The school playing fields located to the north west of the site are designated Green Belt land. The NPPF (2012) regards the construction of new buildings as inappropriate development. While there are certain exceptions for some forms of development within the Green Belt development within school sites, including car parks are not exempted by the policies. Inappropriate development is by definition harmful to the Green Belt and

should not be approved except in very special circumstances (paragraph 87). 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The expansion of the existing car park would be provided towards the front boundary of the site, adjacent to the existing car park. As highlighted above, due to the siting of the site partially within the functional flood plain, it is necessary to locate the buildings to the areas of the site with the lowest flood risk. As a consequence of this, the existing parking area to the rear of the site would be lost. The overall size of the proposed car park would be approximately 945 m² and would provide a like for like replacement in terms of the existing number of spaces. The area of the car park to be provided on Green Belt land would be approximately 520m² of the total overall area. Having regard to the overall footprint of the increased car park area in relation to the remainder of the playing field, and the fact that no new additional buildings are proposed in this area, it is considered the openness of the Green belt would not be significantly unduly compromised. However, it is considered that significant weight should be given to the necessary expansion of the school, the growing demand for primary school places and the required educational facilities for pupils as well as the existing site constraints. It is considered that the proposed car park expansion can't be reasonably located elsewhere on the site and as such, it is considered that 'very special circumstances' in the sense intended by the NPPF would apply in this case in order to provide a development that meets the needs of the surrounding community. In addition, in terms of flood risk, although no new additional buildings are proposed within the greenfield area, the proposed car park expansion must also be subject to consideration of a robust Flood Risk Assessment to ensure that the additional hard surfacing would not increase the risk of flooding within the site or on the adjacent surrounding land. As discussed above, on the basis of the comments received from the drainage authority, it is considered that this aspect of the proposal would not conflict with the aims of the NPPF (2012) and would be acceptable in principle.

In summary, the extension and expansion of existing educational facilities is considered to be acceptable in principle as there is an identified need to provide additional primary school places due to a growing population and high level of demand experienced over recent years. As such, in line with the National Planning Policy Framework (2012) 'great weight' is attached to expand these existing educational facilities. Furthermore, the proposal would also comply with policy CS1 of the Harrow Core Strategy (2012) which states that: "The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements." In addition, policy 3.18 of The London Plan (2011) seeks to ensure inter alia that development proposals which enhance education and skills provision are supported. However, detailed consideration of the above policy requirements and other policy considerations are undertaken in the sections below.

2) Impact on Character and Appearance of the Area and Green Belt

The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed

by the historic environment. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.

Saved policy D4 of the Harrow UDP reinforces the principles set out under The London Plan (2011) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surrounding, and should have a satisfactory relationship with adjoining buildings and spaces.

It is considered that the proposed extensions to both the schools would make a positive contribution to the character and appearance of the school. The height, design and scale of the buildings would be reflective of the height of the surrounding school buildings. The building blocks are proposed to be finished in brick slip system with subservient linking elements finished in white render. The material finishes would be reflective of the existing palette of materials used around both schools. A condition is recommended to ensure that samples of materials are submitted and approved by the Local Planning Authority prior to the commencement of works.

Saved Policy EP43 of the HUDP states that the Council will resist development proposals adjacent to Green Belt land which would have a detrimental impact on the open character of that land. The proposed extensions and alterations to the junior school would be largely obscured from view from within the Green Belt Land by the presence of the existing infant school building. The extensions and alterations to the infant school would be modest and would be sited on existing hardsurfaced areas in close proximity to the existing school buildings. For these reasons, it is considered that the proposed extensions and alterations to the infant and junior schools would therefore not visually intrude into or result in harm to the character and appearance and openness of the Green Belt.

As outlined above, the proposed development would result in removal of a portion of the school playing field at the front of the site which is designated as Green Belt land. The expansion of the existing car park is required as the proposed two storey junior extension would result in the removal of the existing car park at the rear of the site. The car park expansion when viewed in the context of the overall playing field area would be modest and could not be reasonably accommodated elsewhere on the site. The car park would be set back from the road frontage and an area of planting of approximately 1.6 metres deep would be provided at the front, adjacent to the public footpath which would soften the impact. Further mature trees would be planted to the rear of the car park which would help screen it when viewed from the northern side of the site. Whilst it is recognised that parked vehicles would have some impact on the openness of the land, having regard to the proposed mitigation factors and the need for the expansion of the educational facilities, it is considered that the siting the car park in this location would not unduly compromise the openness of the Green Belt and would not be so significantly harmful as to warrant refusal of the application. It is considered the need for school expansion and additional educational facilities, is the predominate factor in this case and the proposal would not conflict with the aims of the National Planning Policy Framework. A substantial amount of playing fields would be retained and the proposal would therefore not unduly

compromise facilities for outdoor sports and games. Notably, Sport England has not objected to this application.

A refuse storage area would be provided close to the front entrance of the car park which is considered to be the most suitable location for access and collection without compromising the safety of pedestrians. A condition will be attached to ensure that further details are submitted to the council with regard to the refuse enclosure to ensure that it is sufficiently screened from the road.

Overall, it is considered that the proposed extensions and alterations are acceptable and would not appear overly dominant and would not detract from the character and appearance of the surrounding buildings. On balance, it is considered that the quality and function of the Green Belt would be preserved and the scale, massing and design of the buildings would have an acceptable impact on the character and appearance of the area. As such, the proposal is considered to comply with policies 7.4B and 7.6B of The London Plan (2011) core policy CS1 B of the Harrow Core Strategy (2012) and saved policies EP43 and D4 of the Harrow Unitary Development Plan (2004).

3) Residential Amenity

Policy 7.6 of The London Plan (2011) states that “Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”. Saved policy C7 of the Harrow Unitary Development Plan and in particular paragraph 9.29 suggests that new development must not be detrimental to the environmental quality of the locality or the amenities of the residents.

The proposed extensions to both the junior and infant school would not be highly visible or located close to any neighbouring residential properties as the school is largely surrounded by fields and green space which provides a buffer zone between the closest residential properties to the north east along Headstone Lane and to the south west along Melbourne Avenue. In this regard, it is considered that the proposed development would not result in a loss of light, overshadowing or result in an overbearing impact.

Policy C7 of the HUDP seeks to ensure that the Council, as a Local Education Authority, discharges its statutory responsibilities in relation to student population growth. With regard to noise and disturbance, as outlined above the nearest residential properties are buffered to some extent by surrounding fields and green space and the play areas would remain largely unchanged from the existing situation. In this regard, the closest residential properties already experience higher levels of noise. While it is acknowledged that the proposed increase in school capacity will result in a more intensive use of the existing hard and soft play areas as compared to the existing situation, this is not considered to be sufficiently harmful to warrant refusal of the application and would not outweigh the need for school places.

It is inevitable that noise and disturbance would increase during the construction process; however the impacts would be temporary and can be mitigated to some extent. However, given the site and locality constraints and the requirement for the school to maintain operations, a condition is attached to ensure a detailed construction management strategy, to include a detailed timetable for implementation, is provided for approval by the Local Planning Authority prior to the commencement of the development. Subject to

further details be provided, it is considered that the construction of the proposed development could be managed efficiently, thereby reducing the impact of the proposed development on the neighbouring occupiers during the construction phase.

Overall, it is considered that the proposal would be acceptable in terms of policy 7.6 (B) of The London Plan (2011) and saved policy EP25 of the Harrow Unitary Development Plan (2004).

4) Traffic and Parking

The London Plan (2011) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Policy T6 of the Harrow Unitary Development Plan (2004) requires new development to address the related travel demand arising from the scheme and policy T13 requires new development to comply with the Council's maximum car parking standards.

There are some concerns with the expansion of the school as there are existing issues related to parking generated by the school itself. There are few parking controls in the vicinity of the school and the area will at some point in the future be subject to a parking review which will hopefully address such current issues.

The expansion of the school with a 50% increase in pupilage over 5 years may potentially exacerbate such issues by generating additional long term parking issues on-street. The current parking quantum is to remain at a reconfigured level of 39 car parking spaces (including 2 disabled spaces) as physical constraints prevent further on-site provision. On this basis it is considered that any adverse impacts caused by the year on expansion of the school that are not captured or redressed by the School Travel Plan (STP) will be addressed at a future Controlled Parking Zone parking review for this location.

The school has made a strong commitment to further developing the school travel plan. However, it is also recognised that in order to meet the aim of increasing sustainable travel, a culture change is required to influence attitudes and change behavior. As the travel plan is required to be reviewed annually, a condition is recommended to ensure that a further more detailed travel plan is submitted for approval, prior to the initial expansion of pupils to the school. The revised travel plan should take into account the increase numbers of pupils and staff as the school expands incrementally. It should also include more stringent measures including further encouragement of cycling, variation of school start times together with initiatives such as breakfast clubs. The revised travel plan can be monitored closely by the Council which will ensure conformity with the established travel plan aims. In this regard, it is likely travel behaviour can be positively influenced and traffic congestion at peak school drop off and pick up times can be effectively managed.

The reconfigured parking layout is considered acceptable and conforms to relevant parking layout standards. Cycle parking provision falls under the remit of the schools on-going STP which also indicates that a reasonable proportion of people walk, cycle or use public transport. In sustainable travel terms this is welcomed. The STP is monitored closely by the Council and as mentioned has achieved a measured level of success in modal shift toward sustainable travel. The expansion of the school will be encompassed within this regime and yearly monitoring will continue to ensure conformity with the established and enhanced travel plan aims.

A full construction management strategy is required by way of a condition given the site and locality constraints with the requirement for the school to maintain operations during the build.

The application has been referred to the Highways Authority who has raised no objection to the proposal. For the reasons outlined above, the proposal is considered to be acceptable and would comply with the aims and objectives of policy 6.3 of The London Plan and saved Harrow Unitary Development Plan policies T6 and T13.

5) Development and Flood Risk

The NPPF (2012) at paragraph 103 states that “ local planning authorities should ensure that development do not increase flood risk elsewhere and should only consider development appropriate in areas at risk of flooding where informed by a site specific flood risk assessment (FRA). The FRA must demonstrate that within the site the most vulnerable development is located in areas of the lowest flood risk unless there are overriding reasons and that the development is appropriately flood resilient and resistant including safe access and escape routes. In addition, it emphasises that priority should be given to the use of Sustainable Drainage Systems (Paragraph 103).

The site is shown on the Harrow Strategic Flood Risk Maps to lie partially in flood zones 1 and 3b which are categorised as having a low and high probability of flooding. A surface water drainage strategy and Flood Risk Assessment (FRA) has been submitted in accordance with the National Planning Policy Framework. As outlined previously, more vulnerable uses can be acceptable within previously developed flood zone 3b, provided sufficient mitigation measures are implemented.

The FRA finds that the proposed development is not at risk of flooding and would also not increase the risk of flooding off site. It is proposed that additional surface water that would result from the proposed extensions and additional hard surfacing will be attenuated on the site through the provision of underground attenuation tanks. Paragraph 4.4 of the FRA outlines that all new areas of hardstanding, including the new area of car parking would be constructed of permeable materials. The FRA outlines that the area of attenuation will be greater than that of the new buildings and that for the 100 year return storm period, including allowance for climate change, the peak discharge rate for the site will not be increased. The flood risk assessment has been referred to the Council’s Drainage Authority who have confirmed that they are satisfied with the proposals. However, additional comments from the Environment Agency are currently awaited in order to determine the overall acceptability of the details and to comply with the requirements of the NPPF (2012). As such, any additional comments by the Environment Agency will be reported to the committee through the addendum as well as the need for any additional requirements or planning conditions to ensure they are also satisfied with the provisions to mitigate the impact of flood risk on the site. Subject to this, the development would comply with London Plan (2011) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy EP12 of the Harrow Unitary Development Plan which seek to ensure that development does not increase flood risk and sustainable urban drainage is incorporated into development schemes.

6) Accessibility

The London Plan (2011) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Saved policy C16 of the Harrow UDP seeks to ensure that buildings and public spaces are readily accessible to all.

Two accessible parking spaces will be provided and will have clearly defined transfer zone. All pedestrian footpaths will be a minimum of 1800mm wide and pavement surfaces will be of non slip material. Gradients will not exceed 1:20. The approach and entrances to the new buildings would be level or provided with a ramp. A lift can be used to provide access to the hall and junior ground floor classrooms. All corridors will have a minimum width of 1800mm and all doors will have a minimum clearance of 900mm. Disabled and accessible WCs will also be provided. It is considered that the layout of the building would enable adequate circulation for persons with disabilities users and would be acceptable in relation to London Plan (2011) policies 3.1 and 7.2 and saved policy C16 of the Harrow UDP.

7) Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 of the London Plan (2011) seeks to ensure that development proposals make the fullest contribution to minimising carbon dioxide emissions. Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The applicant has provided a sustainability statement within their Design and Access Statement. They have indicated that a reduction in carbon dioxide will be achieved mainly through passive measures. The measures identified include high insulation and U values, greater than what is required by the current Building Regulations standards. Renewable energy measures will also be incorporated on the roof of the extensions including the provision of photovoltaics and solar hot water provision. Furthermore, the layouts of the spaces have been designed to provide excellent levels of natural ventilation and daylight requirements.

In view of the above and having regard to the overall scale of the proposal, it is considered that the proposed development would make an acceptable contribution to minimising carbon dioxide emissions.

8) Trees and Development

The applicant has provided an Arboricultural Assessment with the application. None of the trees are protected by a tree preservation order but nevertheless they make a positive contribution to the amenity value of the area. The development would result in the removal of three trees and two small trees. However, it is proposed that the trees would be replaced with 5 heavy duty standard trees which would provide additional landscape amenity.

Subject to a condition to ensure that the proposed development is carried out in accordance with the recommendations of the Arboricultural Report, including arboricultural supervision throughout the project, the proposed method statement and the

'Tree Protection Plan', it is considered that the proposed development is acceptable in relation to policy 7.21 of The London Plan (2011) and saved policy D10 of the Harrow Unitary Development Plan (2004).

9) S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

10) Consultation Responses

- The work will be extensive and will result in a lot of disruption to the road.
This will be managed by an appropriate construction management strategy which will ensure disruption on surrounding neighbouring roads and to occupiers is minimised.
- The increase in pupils will make car parking worse than it is already.
This is addressed in section 4 of the above appraisal.
- Heavy lorries coming and going will cause disruption in the road and cause excessive noise.
This will be managed by an appropriate construction management strategy which will ensure disruption on surrounding neighbouring roads and to occupiers is minimised.
- Concern has been raised that excessive building will result in a loss of outlook of the farm, allotments and school playing fields.
This is addressed in section 3 of the above appraisal.

CONCLUSION

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), The London Plan (2011), the Harrow Core Strategy (2012), the saved policies of the Harrow Unitary Development Plan (2012), as well as all relevant material considerations including any responses to consultation. The proposed school will form an invaluable piece of social infrastructure, to help meet the growing population and high level of demand for primary school places which is projected to increase over the next 6 years within the London Borough of Harrow. The school is considered to be of good sustainable design which makes a positive contribution to the character and appearance of the area whilst respecting the environment. It is considered that the proposed new building and increased capacity of the school would not have a significantly harmful impact on the amenities of any neighbouring occupiers. The proposal is considered not to result in unacceptable pressure on local roads and will not be to the detriment of highway safety. The proposed school is accessible to all and will provide a safe and secure environment for users. In light of the above it is recommended that the application is approved subject to conditions as outlined below:

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the approved plans: Design and Access Statement Ref: 1412; Arboricultural Impact Assessment at Pinner Infant School, Harrow submitted by A.T. Coombes Associates; Pinner Park Infant and Junior School Site Study, dated November 2012; Pinner Park First and Middle Schools School Travel Plan; 1412-00-ST-01;

1412-01-EL-01; 1412-01-EL-02; 1412-01-GD-01; 1414-01-GD-02; 1412-10-EL-01; 1412-10-EL-02; 1412-10-GD-01; 1412-10-GD-02; 1412-10-ST-01; 1412-20-RF-01; Acoustic and Ventilation Strategy; Plant Noise Limits Ref: 12/2394/M01; Pinner Park Infant School – Flood Risk Assessment Ref: JRC/582035/PINI/JRC Rev 3; Pinner Park Junior School – Flood Risk Assessment Ref: JRC/582035/PINJ/JRC Rev 4

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

3. The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: all external materials for the buildings

b: the ground surfacing

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policies of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan 2004).

4. No development shall take place, including any works of demolition, until a Construction Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i a detailed timeline for the phases and implementation of the development

ii. the parking of vehicles of site operatives and visitors

iii. loading and unloading of plant and materials

v. storage of plant and materials used in constructing the development

vi. measures to control the emission of dust and dirt during construction

vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties, in accordance with policies 7.4 and 7.6 of The London Plan 2012 and saved policies D4 and T13 of the Harrow Unitary Development Plan (2004)

5. The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site, including full details of irrigation proposals. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with saved Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the extensions, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of

a similar size and species, unless the local authority agrees any variation in writing.
REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with saved Policies D4 and D9 of the Harrow Unitary Development Plan (2004).

7. Prior to the commencement of development, a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.

The boundary treatment shall be completed:

b: before the development is occupied

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

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).

8. The use of the extensions hereby permitted shall not commence until a travel plan has been submitted to, and approved in writing by the local planning authority. The use shall not commence until the details of the revised travel plan have been implemented in accordance with the approved details and thereafter retained.

REASON: To ensure the satisfactory provision of facilities for all users of the site and in the interest of highways safety in accordance with the saved policies D4 and T13 of the Harrow Unitary Development Plan 2004.

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with Policy D4 of the Harrow Unitary Development Plan (2004).

10. The development hereby permitted shall not be occupied until a scheme for the provision of cycle parking spaces in accordance with the London Plan (2011) has been submitted to and agreed in writing by the Local Planning Authority. The use hereby approved shall not commence until the cycle parking scheme has been implemented in accordance with the approved details and thereafter retained.

REASON To encourage occupants of the development to use methods of transport other than the private car in accordance with policy T11 of the Harrow UDP and Policy 6.9 of the London Plan 2012

11. The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and

mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and saved policy EP12 of the Harrow Unitary Development Plan (2004) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012).

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and saved policy EP12 of the Harrow Unitary Development Plan (2004) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012).

13. The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment at Pinner Infant School, Harrow by A.T Coombes Associates. The will include that arboricultural supervision is undertaken throughout the project and the development is carried out in accordance with the method statement and 'Tree Protection Plan'. The tree protective measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected in accordance with saved policies D4 and D10 of the Harrow Unitary Development Plan (2004).

14. Notwithstanding the details shown on the approved plans, prior to the commencement of the development hereby permitted, elevations of the refuse enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the character and appearance of the area and ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties, in accordance with saved policy D4 of the Harrow Unitary Development Plan (2004).

INFORMATIVES

1 REASON FOR GRANT OF PLANNING PERMISSION

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), The London Plan (2011), the Harrow Core Strategy (2012), the saved policies of the Harrow Unitary Development Plan (2012), as well as all relevant material considerations including any responses to consultation. The proposed extensions will provide much needed space for the expansions of the existing schools, to help meet the growing population and high level of demand for primary school places

which is projected to increase over the next 6 years within the London Borough of Harrow. The overall scale and design of the building would have an acceptable impact on the character and appearance of the surrounding area; and when viewed in the context of the surrounding school buildings. The proposed re-siting of the car park towards the front of the site on part of the adjacent school field would not unduly compromise and character and openness of the Green Belt. It is considered that the proposed extensions and increased capacity of the school would not to have a significantly harmful impact on the amenities of any neighbouring occupiers. The proposal is considered not to result in unacceptable pressure on local roads and will not be to the detriment of highway safety. The proposed school is accessible to all and will provide a safe and secure environment for users. In light of the above it is recommended that the application is approved subject to conditions.

The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

The London Plan (2011):

- 3.16 – Protection and Enhancement of Social Infrastructure
- 3.18 – Education Facilities
- 5.2 – Minimising carbon dioxide emissions
- 5.3 – Sustainable design and construction
- 5.7 – Renewable Energy
- 5.10 – Urban Greening
- 5.11 – Green roofs and development site environs
- 5.12 – Flood risk management
- 5.13 – Sustainable Drainage
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.10 – Walking
- 6.13 – Parking
- 7.1 – Building London’s neighbourhoods and communities
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.5 - Public Realm
- 7.6 – Architecture
- 7.13 – Safety, security and resilience to emergency
- 7.15 – Reducing noise and enhancing soundscapes
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

CS 5: Rayners Lane and North Harrow

Harrow Unitary Development Plan (2004)

D4 -The Standard of Design and Layout
D10 - Trees and Development
EP25 – Noise
EP26 – Habitat Creation and Enhancement
EP27-Species Protection
EP43 – Green Belt and Metropolitan Open Land Fringes
C2- Provision of Social and Community Facilities
C7- New Education Facilities
C16- Access to Buildings and Public Spaces
T6 – The Transport Impact of Development Proposals
T9 – Walking
T10 – Cycling
T11 – Cycle and Motor Cycle Parking in public places
T13 – Parking Standards
EP12 – Control of Surface Water Run-off

Draft Development Management Policies DPD (2012)

Policy 1 – Achieving a High Standard of Development
Policy 2 – Achieving Lifetime Neighbourhoods
Policy 16 – Managing Flood Risk
Policy 17 – On Site Water Management and Surface Water Attenuation
Policy 19 – Sustainable Design and Layout
Policy 21 – Renewable Energy Technology
Policy 24 – beneficial Use of the Green belt and Metropolitan Open land
Policy 26 – Provision of New Open Space
Policy 27 – Protection of Biodiversity and Access to Nature
Policy 28 – Enhancement of Biodiversity and Access to Nature
Policy 30 – Trees and Landscaping
Policy 31 – Streetside Greenness and Forecourt Greenery
Policy 35 – Amenity Space
Policy 53 – Parking Standards
Policy 56 – Waste Management

Other Relevant Guidance:

Harrow Strategic Flood Risk Assessment (2010)
Harrow Surface Water Management Plan (2011)
Supplementary Planning Document Sustainable Building Design (2009)
Supplementary Planning Document: Access for All (2006)
Code of Practice: Refuse Storage and Collection of Domestic Refuse (2008)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

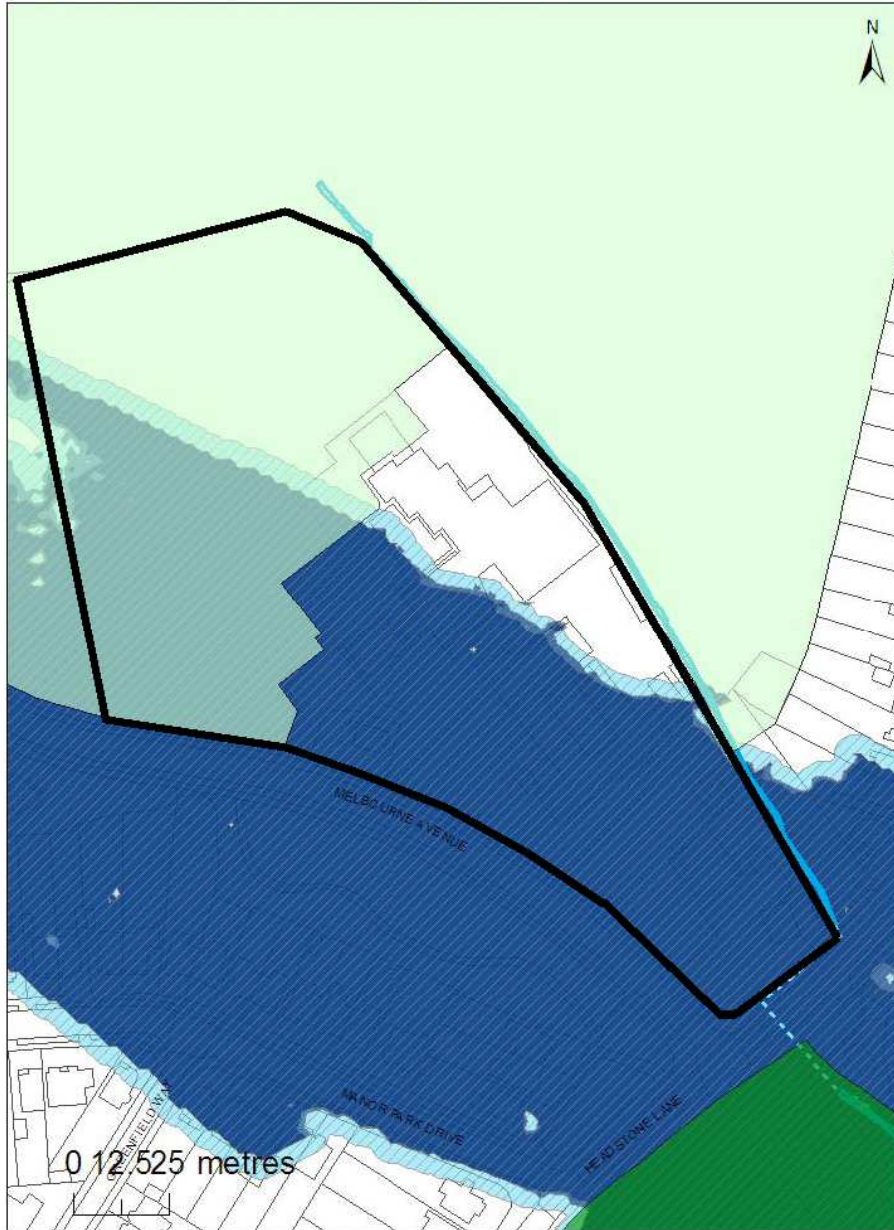
5. INFORM_PF1

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

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

Plan Nos: Design and Access Statement Ref: 1412; Arboricultural Impact Assessment at Pinner Infant School, Harrow submitted by A.T. Coombes Associates; Pinner Park Infant and Junior School Site Study, dated November 2012; Pinner Park First and Middle Schools School Travel Plan; 1412-00-ST-01; 1412-01-EL-01; 1412-01-EL-02; 1412-01-GD-01; 1414-01-GD-02; 1412-10-EL-01; 1412-10-EL-02; 1412-10-GD-01; 1412-10-GD-02; 1412-10-ST-01; 1412-20-RF-01; Acoustic and Ventilation Strategy; Plant Noise Limits Ref: 12/2394/M01; Pinner Park Infant School – Flood Risk Assessment Ref: JRC/582035/PINI/JRC Rev 3; Pinner Park Junior School – Flood Risk Assessment Ref: JRC/582035/PINJ/JRC Rev 4

**PINNER PARK INFANT AND NURSERY SCHOOL, MELBOURNE AVENUE,
PINNER**



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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.