

Planning Committee AGENDA

DATE: Wednesday 22 July 2020

TIME: 6.00 pm

VENUE: Virtual Meeting - Online

THERE IS NO SITE VISIT FOR PLANNING COMMITTEE MEMBERS.

A VIRTUAL BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON 20 JULY 2020.

MEMBERSHIP (Quorum 3)

Chair: Councillor Keith Ferry

Councillors:

Ghazanfar Ali (VC)
Simon Brown
Sachin Shah

Marilyn Ashton
Christopher Baxter
Anjana Patel

Reserve Members:

1. Christine Robson
2. Ajay Maru
3. Peymana Assad
4. Kiran Ramchandani

1. Bharat Thakker
2. Norman Stevenson
3. Ameet Jogia

Contact: Mwim Chellah, Senior Democratic & Electoral Services Officer
Tel: 020 8416 9269 E-mail: mwimanji.chellah@harrow.gov.uk

Useful Information

Meeting details:

This will be a virtual Planning Committee meeting, and can be followed on:

www.harrow.gov.uk/virtualmeeting .

Within the page, there is a hyperlink of the meeting with the Teams live event [Planning Committee 22 July 2020](#)

This meeting is open to the press and public.

Filming / recording of meetings

The Council will record Public and Councillor Questions. The recording will be placed on the Council's website.

Please note that proceedings at this meeting may be recorded or filmed.

Recording of meetings

Please note that in the interests of improving access to the Council's meetings, recording is made of the public parts of many of the Council's Committees. The Chair will announce at the start of the meeting if it is being recorded.

Meeting access

Members of the public wishing to follow the virtual meeting may do so at the following links: www.harrow.gov.uk/virtualmeeting . Within the page, there is a hyperlink of the meeting with the Teams live event.

[Planning Committee 22 July 2020](#).

If you have special requirements, please contact the officer listed on the front page of this agenda.

Agenda publication date: Tuesday, 14 July 2020.

AGENDA - PART I

Guidance Note for Members of the Public attending the Planning Committee (Pages 7 - 10)

1. ATTENDANCE BY RESERVE MEMBERS

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

Reserve Members may attend meetings:-

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

2. RIGHT OF MEMBERS TO SPEAK

To agree requests to speak from Councillors who are not Members of the Committee, in accordance with Committee Procedure 4.1.

3. DECLARATIONS OF INTEREST

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

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

4. MINUTES (Pages 11 - 22)

That the minutes of the meeting held on 17 June 2020 be taken as read, and signed as a correct record.

5. PUBLIC QUESTIONS

To receive any public questions received in accordance with Committee Procedure Rule 17 (Part 4B of the Constitution).

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

[The deadline for receipt of public questions is 3.00 pm, 17 July 2020. Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

6. PETITIONS

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).

7. DEPUTATIONS

To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B) of the Constitution.

8. REFERENCES FROM COUNCIL AND OTHER COMMITTEES/PANELS

To receive references from Council and any other Committees or Panels (if any).

9. ADDENDUM (To Follow)

10. REPRESENTATIONS ON PLANNING APPLICATIONS

To confirm whether representations are to be received, under Committee Procedure Rule 29 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.

PLANNING APPLICATIONS RECEIVED

Report of the Divisional Director, Planning - circulated separately.

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

11. SECTION 1 - MAJOR APPLICATIONS

- | | | | | |
|-----|---|--------------|--------|-----------------|
| (a) | 1/01 Roger Bannister Sports Centre - P/0561/20 | HARROW WEALD | GRANT | (Pages 23 - 42) |
| (b) | 1/02 Prince Edward Playing Fields, Camrose Avenue - P/4134/19 | HARROW WEALD | REFUSE | (Pages 43 - 88) |

12. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

- | | | | | |
|-----|---|---------------|-------|-------------------|
| (a) | 2/01 16 Northwick Park Road - P/0828/20 | GREENHILL | GRANT | (Pages 89 - 112) |
| (b) | 2/02 Suncourt, Mayfield Drive, Harrow - P/0188/20 | PINNER | GRANT | (Pages 113 - 136) |
| (c) | 2/03 Avondale Lodge 8 Pynacles Close - | STANMORE PARK | GRANT | (Pages 137 - |

	P/1138/20			170)
(d)	2/04 Central Depot Forward Drive - P/1680/20	KENTON WEST	GRANT	(Pages 171 - 188)
(e)	2/05 Canons High School - P/0937/20	EDGWARE	GRANT	(Pages 189 - 212)
(f)	2/06 Hujjat Primary School - P/0487/20	HARROW WEALD	GRANT	(Pages 213 - 256)
(g)	2/07 Land Rear Of Station House 11-13 Masons Avenue - P/0681/20	MARLBOROUGH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 257 - 290)
(h)	2/08 42 Chartley Avenue - P/1346/20	STANMORE PARK	GRANT	(Pages 291 - 312)
(i)	2/09 Land fronting Uxbridge Rd Forming Part of Bannister Outdoor Sports Centre - P/5094/19	HARROW WEALD	APPROVE	(Pages 313 - 332)
(j)	2/10 Hermitage Gate Clamp Hill - P/1426/20	STANMORE PARK	GRANT	(Pages 333 - 354)

13. ANY OTHER URGENT BUSINESS

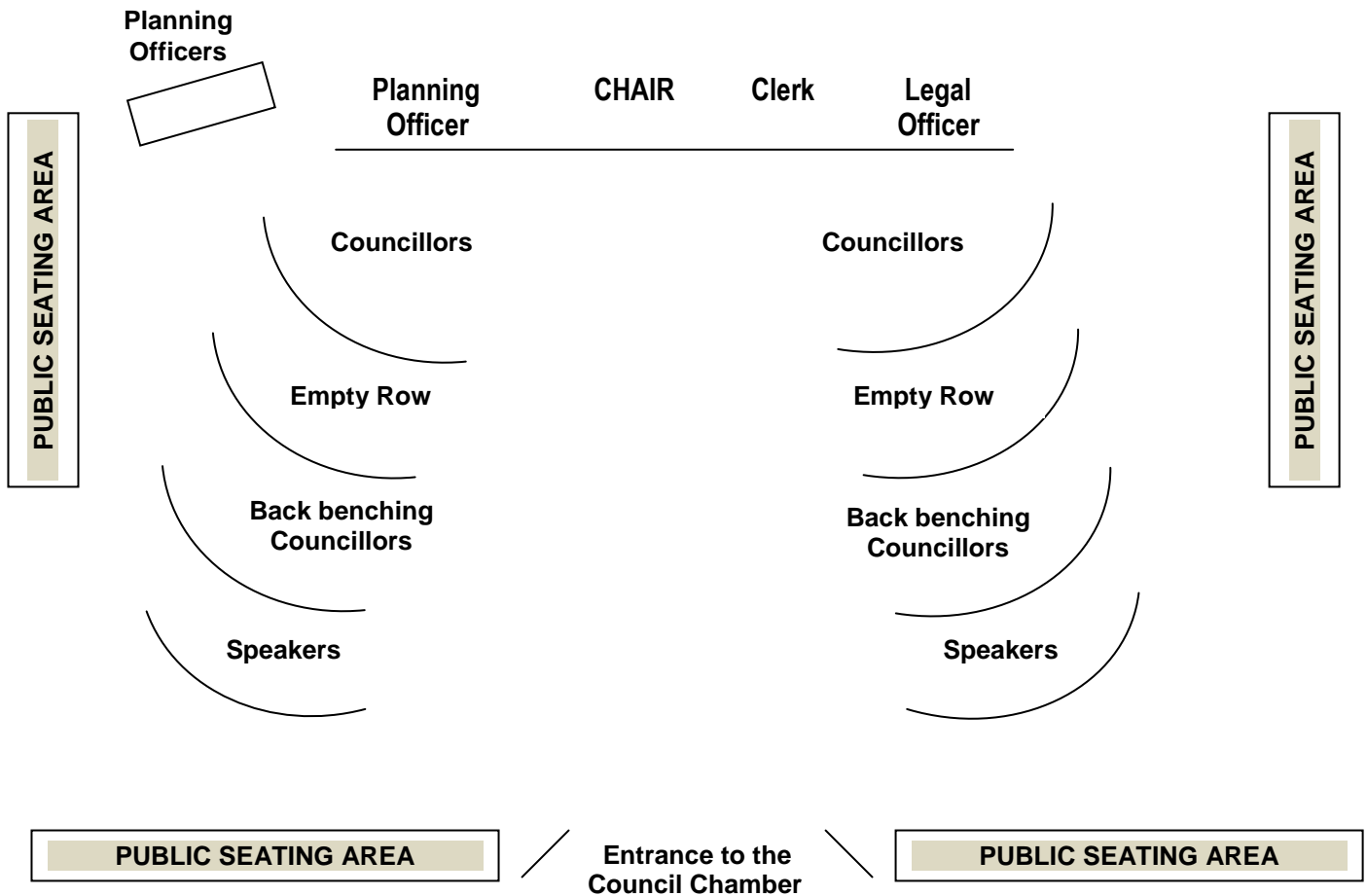
Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

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GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

Typical Planning Committee Layout for the Council Chamber



Order of Committee Business

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

Rights of Objectors & Applicants to Speak at Planning Committees

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

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

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

<http://www.harrow.gov.uk/www2/documents/s151078/029%20Part%204B%20Committee%20Procedure%20Rules.pdf>

Addendum

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

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

Decisions taken by the Planning Committee

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

Refuse permission:

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

Grant permission as recommended:

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

Minded to grant permission contrary to officer's recommendation:

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

Defer for a site visit:

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

Defer for further information/to seek amendments:

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

Grant permission subject to a legal agreement:

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

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

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PLANNING COMMITTEE

MINUTES

17 JUNE 2020

Chair: * Councillor Keith Ferry

Councillors: * Ghazanfar Ali * Simon Brown
* Marilyn Ashton * Ajay Maru (2)
* Christopher Baxter * Anjana Patel

* Denotes Member present
(2) Denote category of Reserve Members

348. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Sachin Shah

Councillor Ajay Maru

349. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda item indicated:

Councillor

Planning Application

Stephen Greek

Agenda Item 2/01 - 15 Aylmer Drive HA7
3EJ (P/0063/20)

350. Declarations of Interest

RESOLVED: To note that the following interest was declared:

Agenda Item 2/07 - 102 College Road - (P/5297/19)

Councillor Keith Ferry declared a pecuniary interest in that he had an association with the applicant. He left the meeting whilst the matter was considered and voted upon.

351. Minutes

RESOLVED: That the minutes of the meeting held on 20 May 2020 be taken as read and signed as a correct record.

352. Public Questions

RESOLVED: To note that one public question had been received and responded to and the recording had been placed on the website.

353. Petitions

RESOLVED: To note that no petitions were received at this meeting.

354. Deputations

RESOLVED: To note that no deputations were received at this meeting.

355. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

356. Addendum

RESOLVED: To accept the Addendum.

RESOLVED ITEMS

357. Representations on Planning Applications

RESOLVED: That, in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of the following Agenda items on the list of planning applications: 2/01; 2/06; and 2/08.

358. 1-01 - Kilby's Industrial Estate & Nos 1-5 Bacon Lane - P-3667-19

PROPOSAL: redevelopment to provide 23 houses; associated landscaping and parking; and refuse storage (as amended by the Addendum).

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required.

The Section 106 Agreement Heads of Terms would cover the following matters:

- i. Provision of offsite affordable housing contribution of £110,000 with a viability review mechanism;
- ii. Harrow Employment and Training Initiatives - financial contribution towards local training and employment initiatives prior to commencement;
- iii. Child Play Space provision contribution;
- iv. Parking permit restriction;
- v. Carbon offsetting contribution;
- vi. External materials strategy;
- vii. Planning Permission monitoring fee; and
- viii. Legal fees.

RECOMMENDATION B

That if the Section 106 Agreement was not completed by 28 October 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation was not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission for the following reason:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly related to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), Policies 3.6, 3.12, 5.2, 6.3, 6.13 and 8.2 of the London Plan (2016), Policies H4, S4, SI2, T6, T6.1 and DF1 of the draft London Plan (2019) – intend to publish version, Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM50, of the Harrow Development Management Policies Local Plan (2013).

DECISION: GRANT

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

359. 2-01 - 15 Aylmer Drive - P-0063-20

PROPOSAL: redevelopment to provide a two storey dwelling with basement; parking; hard and soft landscaping; and bin store demolition of existing dwelling (as amended by the Addendum).

The Committee received representations from Mr Maxwell Nisner (Objector) and Councillor Stephen Greek.

The speakers outlined their reasons for seeking refusal of the application.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of the report.

DECISION: GRANT

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

Councillors Ferry, Ali, Brown and Maru voted in favour of granting the application.

Councillors Ashton, Baxter and Patel abstained from voting on the application.

360. 2-02 - 35-69 Imperial Drive - P-0247-20

PROPOSAL: addition of one floor to each building to provide two by one bed flats with balconies (additional 6 flats in total); patio area to ground floor flats; external alterations; parking; landscaping; and refuse and cycle storage.

Following questions and comments from a Member, an officer advised that:

- Residents would have to apply for parking permits in order to park at the development.

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) The proposed development, due to its inappropriate design, represents an incongruous addition to the host building and would be out of keeping with the character and appearance of the original buildings and would fail to respect the character of the surrounding neighbouring properties and pattern of development in the surrounding area, contrary to policies 7.4B and 7.6B of the London Plan (2016) and policy D3 of the draft London Plan (2019), policy CS 1 B of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Policies London Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010); and
- 2) The proposal, by reason of its siting in close proximity to neighbouring houses, would result in an overbearing development, resulting in an unacceptable loss of outlook and visual amenity to the rear habitable rooms and rear gardens of the neighbouring occupiers, contrary to policy 7.6B of the London Plan (2016) and D2 of the draft London Plan (2019) policy DM1 of the Development Management Policies (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

The motion was seconded by Councillor Anjana Patel, put to the vote and agreed.

The Committee resolved to refuse the officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report subject to conditions.

DECISION: REFUSE

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

Councillors Ferry, Brown and Maru voted for the application.

Councillors Ashton, Ali, Baxter and Patel voted against.

361. 2-03 - 100-102 Headstone Road - P-0714-20

PROPOSAL: redevelopment to provide two storey building with habitable roof space to be used as house in multiple occupation (HMO) for up to 17 residents (sui generis) (as amended by the Addendum).

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) The proposed development by reason of the excessive number of occupiers that it would accommodate would represent an overly intensive use of the site and would provide a poor quality living

arrangement for future occupiers and would cause excessive levels of disturbance to the detriment of the living conditions of future occupiers and the amenities of adjoining occupiers. The proposed development would therefore be contrary to the National Planning Policy Framework (2019) policy 7.6B of the London Plan (2016) D1 and D6 of the draft London Plan (2019) policies DM1, DM30 and DM42 of the Harrow Development Management Policies London Plan (2013).

The motion was seconded, put to the vote, and lost.

The Committee resolved to approve the officer recommendations:

RECOMMENDATION A

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of the report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i. Prior to occupation of the development notify all prospective owners, residents, occupiers or tenants of the units of the development that they would not be eligible for a Resident Parking Permit or Visitors Parking Permit to park a motor vehicle where a CPZ had been implemented unless they had a Disabled Person's Badge.
 - ii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
 - iii. Planning Administration Fee: Payment of £1,580 administration fee for the monitoring and compliance of the legal agreement.

RECOMMENDATION B

That if, by 31 July 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation was not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission for the following reason:

The proposed development in the absence of a legal agreement for the restriction of resident parking permits would result in a detrimental impact on the capacity and safety of the Highway network, would fail to comply with the requirements of policies DM42 and DM50 of the Development Management Policies Local Plan 2013, policy AAP 19 of the Harrow and Wealdstone Area Action Plan (2013) and the Supplementary Planning Document: Planning Obligations (2013).

DECISION: GRANT

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

Councillors Ferry, Ali, Brown and Maru voted for the application.

Councillors Ashton, Baxter and Patel voted against.

362. 2-04 - R/O 91 93 High Street - P-0773-20

PROPOSAL: redevelopment to provide four by two storey (1 bed) dwellings; bin and cycle stores; and landscaping.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report; and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of the report.

DECISION: GRANT

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

363. 2-05 - 180 -188 Northolt Road - P-0843-20

PROPOSAL: creation of fourth and fifth storey of residential accommodation (C3) comprising eight flats (8 x 1 bed); and refuse and cycle storage.

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Deed of Variation related to Section 106 legal agreement subject of application P/1347/18/PRIOR and pursuant to sections 106 and 106A of the 1990 Act and was a supplement to the Principal Deed and should be read in conjunction with the Principal Deed The Section 106 Agreement Heads of Terms would cover the following matters:

- i. Development to be Resident Permit Restricted - with the exception of disabled persons, no resident of the development should obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order; and
- ii. Legal Fees - Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, by 10 July 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation was not completed, then delegate the decision to the Chief Planning Officer to REFUSE planning permission for the following reason:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits would fail to comply with the requirements of policies 6.3 and 6.13 of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019), policy CS1 of the Harrow Core Strategy (2012), and Policies DM50 and DM42 of the Harrow Development Management Policies Local Plan (2013) and would therefore be unacceptable.

DECISION: GRANT

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

364. 2-06 - 11 Adelaide Close and 5 Aylmer Drive- P-5043-19

PROPOSAL: outbuilding at rear (retrospective).

The Committee received representations from Mr Robert Daboul (Objector), who outlined his reasons for seeking refusal of the application.

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) The outbuilding, by reason of its siting in relation to the neighbouring site boundaries and its excessive scale and height, gives rise to a visually bulky and unduly dominant structure, which is out of character with the pattern of development in the locality, to the detriment of the character and appearance of the area and visual amenities of the neighbouring occupiers in particular 14 Old Forge Close, contrary to the high quality design aspirations of the National Planning Policy Framework (2018), policies 7.4B and 7.6B of the London Plan (2016) and policy D2 of the draft London Plan (2019), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document - Residential Design Guide (2010).

The motion was seconded by Councillor Anjana Patel, put to the vote and agreed.

The Committee resolved to refuse the officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

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

The Committee resolved to refuse the officer recommendations.

DECISION: REFUSE

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

Councillor Ferry voted for the application.

Councillors Ali, Brown, Maru, Ashton, Baxter and Patel voted against.

365. 2-07 - 102 College Road - P-5297-19

Councillor Ferry (Chair) left the meeting at 8:08 pm and Councillor Ali (Vice-Chair) assumed the chair.

PROPOSAL: third floor rear extension and creation of fourth and fifth floors to create 19 additional house in multiple occupation (HMO) units (44 no. C3 and HMO units in total on site); and additional bin and cycle stores (as amended by the Addendum).

Following questions and comments from Members, the Interim Chief Planning Officer advised that:

- The development would not be co-living. However, co-living accommodation was part of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019); and
- Delegation could be given to Officers to request the applicant to sub-divide the kitchen into two, through a condition for a revised layout.

The Committee resolved to approve the officer recommendations, and to delegate authority to the Interim Chief Planning Officer to seek a revised layout of the kitchen plan by condition.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of the report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i. Development to be Resident Permit Restricted - with the exception of disabled persons, no resident of the development should obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order; and
 - ii. Legal Fees - Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, by 30 November 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation was not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits would fail to comply with the requirements of policies 6.3 and 6.13 of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow & Wealdstone Area Action Plan (2013) and Policies DM50 and DM42 of the Harrow Development Management Policies Local Plan (2013) and would therefore be unacceptable.

DECISION: GRANT

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

366. 2-08 - 27 Radnor Road - P-1020-20

PROPOSAL: first floor side extension.

The Committee received representations from Mr Adrian Jolliffe (Objector), and Mr Mahmood Awan (Applicant). Both speakers outlined their reasons for seeking refusal and approval of the application, respectively.

Following questions and comments from Members, an officer advised that:

- The proposal complied with policy guidelines, and was considered acceptable.

The Committee resolved to approve officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) Agree the reasons for approval as set out in the report; and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of the report.

DECISION: GRANT

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

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

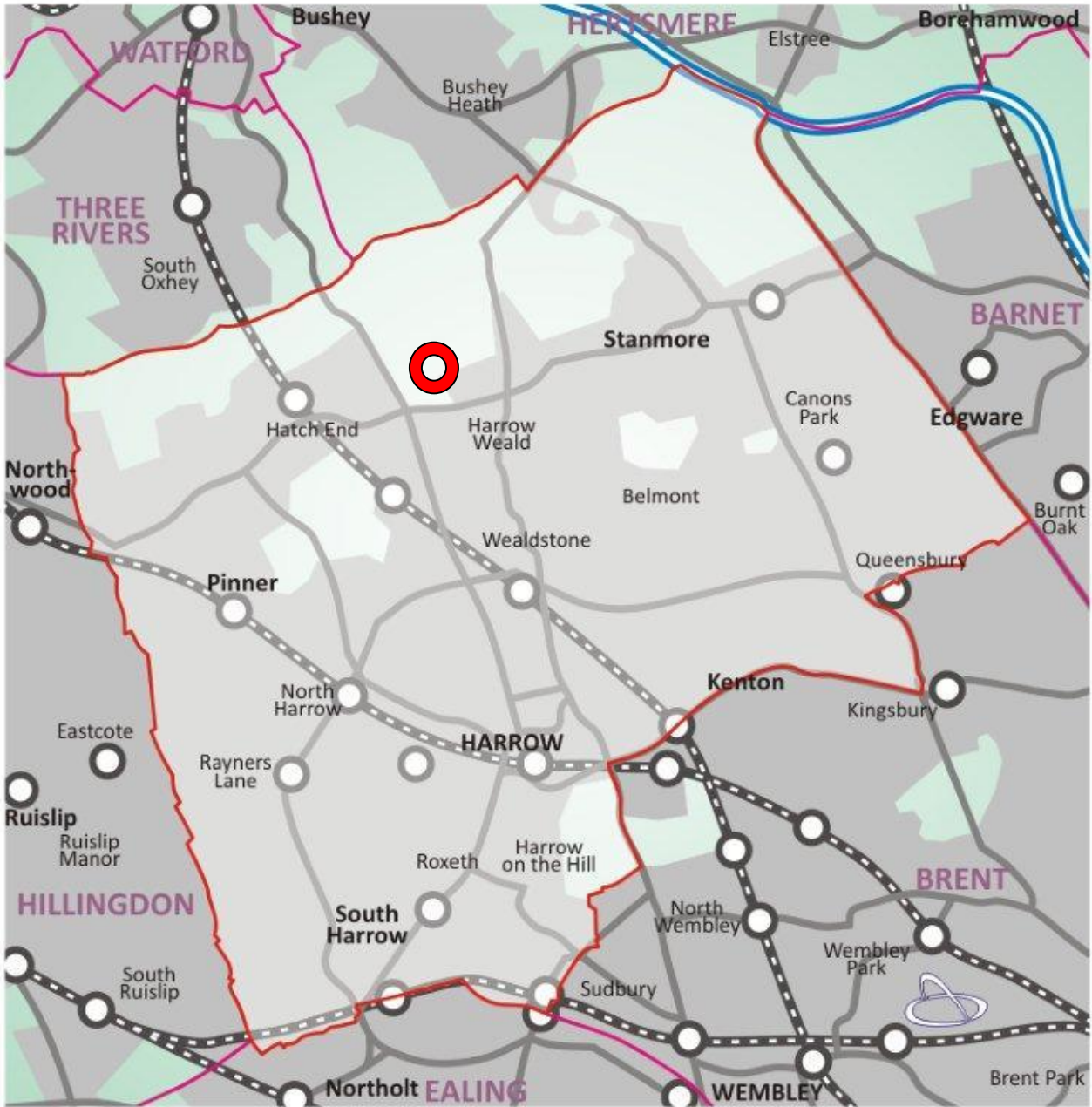
<https://www2.harrow.gov.uk/ieListDocuments.aspx?CId=1001&MId=64899>

(Note: The meeting, having commenced at 6.00 pm, closed at 8.24 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair

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 = application site



Roger Bannister Sports Centre	P/0561/20
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PO Box 39, Civic Centre
 Station Road
 Harrow HA1 2XA
 Telephone: 020 8424 1251

Title:
Bannister Sports Centre
Uxbridge Road
Harrow
HA3 6SW

ES/Issue No	File Number
Scale	Date
1:3,500	05/03/2020

Notes
 OS Plan

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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/0561/20
VALID DATE: 23RD MARCH 2020
LOCATION: ROGER BANNISTER SPORTS CENTRE,
UXBRIDGE ROAD
WARD: HARROW WEALD
POSTCODE: HA3 6SP
APPLICANT: HARROW COUNCIL
AGENT: N/A
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 24TH JULY 2020

PROPOSAL

Variation of condition 21 (revised car parking provision) attached to planning permission P/4748/18 dated 2/8/19 to allow the 3G artificial grass pitch to be used from the beginning of September 2020

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The proposed variation to condition 21 to only allow the use of the 3G Artificial Grass Pitch prior to the approval and completion of the overspill car parking provision under application P/3959/19, would not result in an unreasonable degree of parking stress on the site or harm the functioning or safety of the public highway.

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

PROCEDURAL ISSUES

The application is also made under Regulation 3 of the Town and Country Planning Regulations 1992 (as amended). Regulation 3 permits a local authority to make an application to itself for planning permission to develop land within its area and to then also determine the application

INFORMATION

This application is reported to Planning Committee as it relates to land owned by the Council and falls outside category 1(h) of the scheme of delegation

Statutory Return Type:	(E) Other Largescale Major Development
Council Interest:	n/a
Net Additional Floorspace:	n/a
GLA Community Infrastructure Levy (CIL):	n/a
Local CIL requirement:	n/a

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the proposed access does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site consists of existing playing fields which had provision for football and rugby pitches but could not be used due to land levels and the health of the land. The planning permission granted for the upgrading and regrading of sports pitches to create four natural grass pitches and one 3G synthetic pitch under planning reference P/4748/18 dated 02/08/2019 is currently being implemented.
- 1.2 To the southern site boundary there is full size running track and associated athletics facilities together with two open areas of amenity grassland, which is separated by open grass land.
- 1.3 To the south west of the site there are various administrative buildings and car park. It also includes the frontage of the site which has recently been approved as an 18 Hole Golf Adventure experience with facility to include themed props and ancillary kiosk
- 1.4 The site generally falls from north to south of the site. The eastern field has a public right of way and associated hedgerow and trees. To the north is mature hedgerow with a brook running along it. The application site is located within the Green Belt and is within the Harrow Weald Ridge Area of Special Character.

2.0 PROPOSAL

- 2.1 The application seeks to vary the trigger point of condition 21 to allow the 3g artificial grass pitch to be used from the beginning of September 2020.
- 2.2 Condition 21 attached to planning permission P/4748/18 states:

The development hereby permitted shall not be brought into use until the revised car parking provision for the wider site under application P/4830/18 has been approved in writing by the local planning authority and provided and made available for use and thereafter permanently retained.

Reason: To ensure that the transport related impacts of the development are mitigated to an acceptable level.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/4748/18:	Upgrading and regrading of existing sports pitches to create four natural grass pitches and one 3G synthetic pitch with floodlights, Maintenance Equipment Store & Two Team Dugouts; associated landscaping and security fencing (4.5m high ball stop fence and 1.2m-2m high pitch perimeter barrier)	Granted: 02/08/2019

P/3804/19	Variation of conditions 4 (floodlight hours of use) and 7 (muga hours of use) attached to planning permission p/4748/18 dated 02/08/2019	Grant: 31/10/2019
P/4711/19	Non material amendment to planning permission p/4748/18 dated 02/08/2019 to allow amendments to wording of conditions 10 (landscaping) 16 (suds) and 17 (landscape management plan)	Approved: 26/11/2019
P/4056/19	Details pursuant to conditions 3 (materials) and 5 (flood lighting) attached to planning permission p/4748/18 dated 02/08/2019	Approved: 18/11/2019
P/3633/19	Details pursuant to conditions 9 (construction method plan) 11 (piped watercourse) 12 (arboriculture) 13 (arboriculture - pruning)	Approved: 06/12/2019
P/4255/19	Details pursuant to conditions 8 (event management plan) and 19 (rugby pitch relocation) attached to planning permission p/4748/18 dated 02/08/2019	Approved: 16/01/2020
P/4830/18	Creation of 39 (inclusive of 2 disabled spaces)	Withdrawn
P/3959/19	Creation of 49 additional car parking spaces (inclusive of 2 disabled spaces); replacement of path	Under Consideration

4.0 **CONSULTATION**

- 4.1 A total of 140 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 8th April 2020.
- 4.2 A site notice was placed outside the application site on 4th June 2020. The application was advertised in the local press on 19th March 2020
- 4.3 One objection letter has been received. A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments on original consultation

Noise pollution and disruption as a result of existing construction works
This is not a material planning consideration. It is noted that the approved construction logistics plan sets out a mechanism to control and monitor noise levels during construction. Should this be a persistent issue, the Council's

Environmental Health Team will investigate and regulate accordingly.

4.4 Statutory and Non Statutory Consultation

4.5 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

Consultee and Summary of Comments

LBH Highways

Highways have no objection to the commencement of use of the 3G pitches provided that the grass pitches are not used and large events are not permitted to be held until P/3959/19 has been granted and implemented. Based on analysis contained within the post application technical note for P/4830/18, the parking demand likely to be generated can be accommodated within the parking spaces available on site.

LBH Drainage

No Comment

LBH Biodiversity

No Objection

LBH Landscape Architect

No Objection

LBH Environmental Health

No Comment

Sport England

No objection to the condition being varied as it is not considered to have a significant impact on the delivery of the proposed sports facilities/improvements compared to the already approved position

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Character and Appearance
- Residential Amenity
- Drainage and Flood Risk
- Traffic and Parking
- Biodiversity

6.2 Principle of Development, Character and Appearance, Drainage and Biodiversity

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.19, 5.13, 7.4, 7.16, 7.19,
- The Draft London Plan (2019): S5, G2, G6, SI13,
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10, DM16, DM20, DM48

6.2.2 The principle of development for the upgrading and the regrading of the existing sports pitches has already been established under planning application P/4748/18. The planning permission has been implemented. On this basis, officers consider that the principle of development and its impact on the character and appearance of the area, drainage and biodiversity are acceptable and consistent with the previously approved planning permission. The proposal would therefore comply with the relevant policies in this regard.

6.3 Traffic, Parking and Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.13
- The Draft London Plan (2019): T3, T6, T6.5
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM42, DM43

6.3.2 In order to rationalise parking within the wider Roger Bannister site, a separate planning application (reference P/3959/19) is currently being considered by the Local Planning Authority to create additional parking spaces. This would serve as an overspill car park during larger event days.

6.3.3 The proposed new 3G Artificial Grass Pitch is due to be completed by September 2020, in time for the football season 2020-21. However, ongoing pitch works for the remainder of the site would still be taking place and the works compound for the contractor is currently located where the proposed overspill car park area is proposed. Therefore, it would not be possible to install the new overflow car park (the subject of application P/3959/19) until February 2020. Furthermore, the proposed new grass pitches will not be ready for use until September 2022 and therefore the peak demand for parking provision arising from the development as detailed in the previous application would not occur until then, by which time the overspill car park would be in place.

6.3.4 The application was referred to the Council's Highways Officer who has noted that based on analysis contained within the post application transport technical note, the parking demand likely to be generated by the 3G pitches can be accommodated within the existing car park on site. Consequently, the Highways Authority have raised no objection to the commencement of use of the 3G pitches provided that the grass pitches are not used and large events are not permitted to be held until P/3959/19 has been granted and implemented.

6.3.5 For these reasons, it is considered that the proposed amendment to the trigger point of condition 21, to only allow the use of the 3G Artificial Grass Pitch prior to the approval and completion of the overspill car parking provision under application P/3959/19, would not have a detrimental impact on the functioning or safety of the public highway. The proposal would therefore comply with the relevant policies in this regard.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed variation to condition 21 to only allow the use of the 3G Artificial Grass Pitch prior to the approval and completion of the overspill car parking provision under application P/3959/19, would not result in an unreasonable degree of parking stress on the site or harm the functioning or safety of the public highway.
- 7.2 Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed variation to the wording of the condition is worthy of support.

APPENDIX 1: Conditions and Informatives

Conditions

1. Approved Plans and documents

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

Site Location Plan; 01 Rev 02; 02; Rev 02; 03 Rev 1; 04 Rev 2; WD804, WD804.01 Rev C; WD804.02; WD804.03; WD804.04; WD804.05; WD804.06 Rev E; WD804.07; WD804.08; Project Code; 2323; Relocation of Rugby Pitches 820HE0003; Design and Access Statement dated: 25th June 2019; Transport Statement dated: June 2019; Landscape and Visual Impact Statement dated: 19th November 2018 V3; Ecology report dated: 17th May 2018; Artificial Turf Pitch Report dated: 10th August 2017; Philip Lighting Report dated: 23rd March 2017; Philip Lighting Report dated: 24th August 2017; Flood Risk Assessment; Heritage Statement dated: October 2018, Supporting Document (Proposed Materials and Appearances), Supporting Statement to Vary the Hours of Operation (28/08/2019), Noise Management Plan, Bannister Sports Centre overflow Car Park Post Application Technical Note (version 1.0 dated 10/09/19), Supporting Document for variation of condition 21 (February 2020)

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

2. Materials

The materials to be used for the fencing, dugouts, external storage building and lighting shall be in accordance with the details approved under discharge of condition application P/4056/19 dated 18/11/2019

REASON: To preserve the character and appearance of the greenbelt and the locality

3. Floodlight Hours of Use

The floodlighting shall only be used between:-

0900 and 2200, Mondays - Saturdays

10:00 to 21:00 Sundays, Public or Bank Holidays.

It shall be on a mechanical timer with no override function.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

4. Lighting Details

The proposed floodlighting for the 3G pitch shall be in accordance with the details approved under discharge of condition application P/4056/19 dated 18/11/2019

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity and the character of the area and Green Belt.

5. Lighting Scheme

No floodlighting or other forms of external lighting, other than those shown on the approved plans, shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall follow the Institute of Lighting Engineers Guidance and include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

6. Multi-Use Games Area

The MUGA shall only be used between:-
0900 and 2200, Mondays - Saturdays
10:00 to 21:00 Sundays, Public or Bank Holidays.

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

7. Event Management Plan

The use of the new pitches shall be in accordance with the Event Management Plan approved under discharge of condition application P/4255/19 dated 16/01/2020

REASON: To ensure that the proposed development does not have an adverse impact on the existing public highway and the quantity of the nearby residential occupiers.

8. Construction Method Plan

The development works shall be carried out in accordance with the Construction Method Plan approved under discharge of condition application P/3633/19 dated 06/12/2019

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity.

9. Landscaping

Prior to the commencement of seeding of the two grass pitches on the west field, the following details shall be submitted to, and approved in writing by the local planning authority.

a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting. Landscaping works shall include sections (at a scale not less than 1:100) showing land level changes, written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture

and colour of the materials to be used and information about their sourcing/manufacturer.

b) Details of all ancillary uses and the boundary treatment around it for screening shall be submitted.

c) Proposals for increasing the availability of bird nesting places and bat roosts within the site (including detailed specification and locations of boxes and in-built features) together with details of their ongoing maintenance/ monitoring and any necessary replacement.

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

REASON: To ensure that the development makes provision for landscaping which contributes to the creation of a high quality and protects the green belt designation in terms of visual amenity harm whilst also managing the biodiversity within Harrow

10. Piped Watercourse

The scheme for the protection of the piped watercourse shall be carried out in accordance with the details submitted and approved under discharge of condition application P/3633/19 dated 06/12/2019

REASON: To protect the integrity of the Ordinary Watercourse Corridors and prevent the increased risk of flooding following guidance in the National Planning Policy Framework and Harrow Development Management Policies

11. Arboriculture 1

The scheme for the protection of the retained trees shall be carried out in accordance with the details approved under discharge of condition application P/3633/19 dated 06/12/2019

REASON: To avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site

12. Arboriculture 2

The Access Facilitation Pruning shall be carried out in accordance with the details approved under discharge of condition application P/3633/19 dated 06/12/2019

REASON: To avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site

13. Arboriculture 3

No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any way during the development phase and thereafter within 5 years from completion of development, other than in accordance with the approved plans and particulars.

REASON: To safeguard and enhance the character and amenity of the area

14. Lighting Scheme

The completed schedule of site supervision and monitoring as approved shall be submitted to the LPA within 28 days from completion of development. This condition may only be fully discharged on completion of the development and subject to satisfactory evidence of compliance

REASON: In order to ensure compliance with tree protection and arboricultural supervision details submitted.

15. Sustainable Urban Drainage

Prior to the commencement of seeding of the two grass pitches on the west field, a detailed plan of works to be provided for approval by the Council in writing prior setting out how the SuDS measures and potential alterations to watercourses, e.g. removal of the concrete drainage channel, the retention of permanent ponds within the attenuation lagoons and addition of wetland plants will enhance biodiversity on site.

REASON: To ensure enhancement of biodiversity and help preserve the ecosystem.

16. Landscape Management Plan

A detailed landscape management plan that will set out the measures to be undertaken following the soil re-profiling and SuDS engineering in relation to the seeding and planting works and chosen species and their provenance, including the timing of initial works and the ongoing vegetation management (and any replacements) on a seasonal basis for a period of 5 years, shall be provided for approval by the Council in writing prior to the commencement of seeding of the two grass pitches on the west field. The landscaping proposals should maximise the opportunities to benefit biodiversity, e.g. low-nutrient soil of adequate depth should be used within the areas where wildflowers are to be encouraged.

REASON: To ensure enhancement of biodiversity and help preserve the ecosystem

17. Bat Boxes

The siting of bat boxes which include mixed type (in accordance with the PEAR suggestions) shall be installed, by appropriately experienced individuals in suitable locations at 4 metres plus above ground level in trees situated away from light disturbance within 3 months of the first use of the grass pitches, and shall thereafter be retained

REASON: To ensure enhancement of biodiversity and help preserve the ecosystem.

18. Rugby Pitch Relocation

The relocation of the rugby pitch within Hatch End Playing Fields shall be retained in accordance with the details approved under discharge of condition application P/4255/19 dated 16/01/2020

REASON: To ensure that there is a range of sporting activities available around the area.

19. Ancillary Storage Unit

The ancillary storage unit hereby permitted shall only be used for purposes ancillary to the existing football pitches and not for any other purposes without prior planning consent of the Local Planning Authority

REASON: To safeguard the greenbelt designation and prevent harm to visual amenity.

20. Overspill Car Park

Other than the use of the 3G Artificial Grass Pitch, the development hereby approved shall not be brought into use until the revised car parking provision for the wider site under application P/3959/19 has been approved in writing by the local planning authority and provided and made available for use and thereafter permanently retained.

REASON: To ensure that the transport related impacts of the development are mitigated to an acceptable level.

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 3.19, 5.13, 6.3, 6.13, 7.4, 7.16, 7.19, 7.21

Draft London Plan (2019) – Intend to Publish Version: S5, G2, G6, G7, SI13, T6, T6.4

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM6, DM10, DM16, DM17, DM20, DM21, DM22, DM42, DM43, DM46, DM47

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. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2018) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

4. Biodiversity 1

For the lifetime of the development, any external and internal lighting must be of a design and placement to avoid disturbance to bat roosting, foraging or commuting behaviour. Any works that might affect tree, shrub or ground nesting birds to be undertaken outside of the breeding season (March-September inclusive) or to be carried out only if a qualified person has checked for the presence of breeding birds no more than two days before works are due to start. If birds are found to be occupying a nest works should stop until advice has been obtained from a qualified ecologist.

5. Biodiversity 2

Provision of wildflowers for pollinators will have greater real value if there is provision of suitable breeding structures as well, e.g. the construction of sunny, sheer sided banks, and retention of habitat piles beneath the shade of trees. Provision of such features should be incorporated within the Landscape Management Plan.

6. Drainage

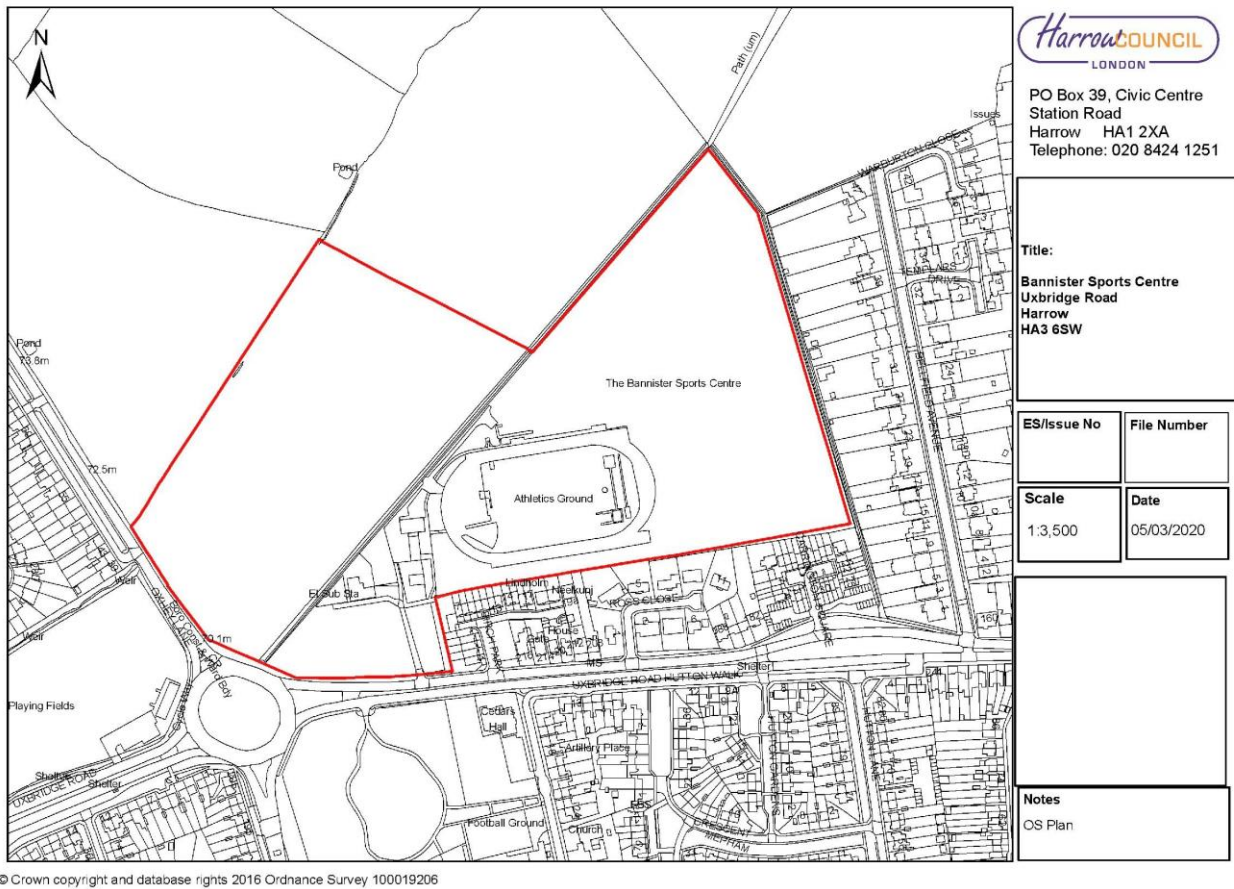
The applicant is advised that the prior written consent of the LB Harrow is required for introduction of water and Under the terms of the Water Resources Act 1991, and Harrow Land Drainage Bylaws, increase in flow or volume of water in any watercourse in the Borough. The applicant should contact the Harrow Infrastructure Team for further information.

Reason: To protect the integrity of the Ordinary Watercourse Corridors and prevent the increased risk of flooding following guidance in the National Planning Policy Framework and Harrow Development Management Policies. The applicant should contact the Harrow Infrastructure Team for further information. The applicant should write to infrastructure@harrow.gov.uk requesting our consent with a copy of the recording/ dvd of the survey. As long as the existing pipes are in a reasonable condition and the identified repairs are undertaken, our permission for the proposed connections can be granted and the drainage scheme approved. Please note that our consent for the proposed connections (direct / indirect) to an ordinary watercourse is required.

CHECKED

Interim Chief Planning Officer	Orla Murphy @ Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

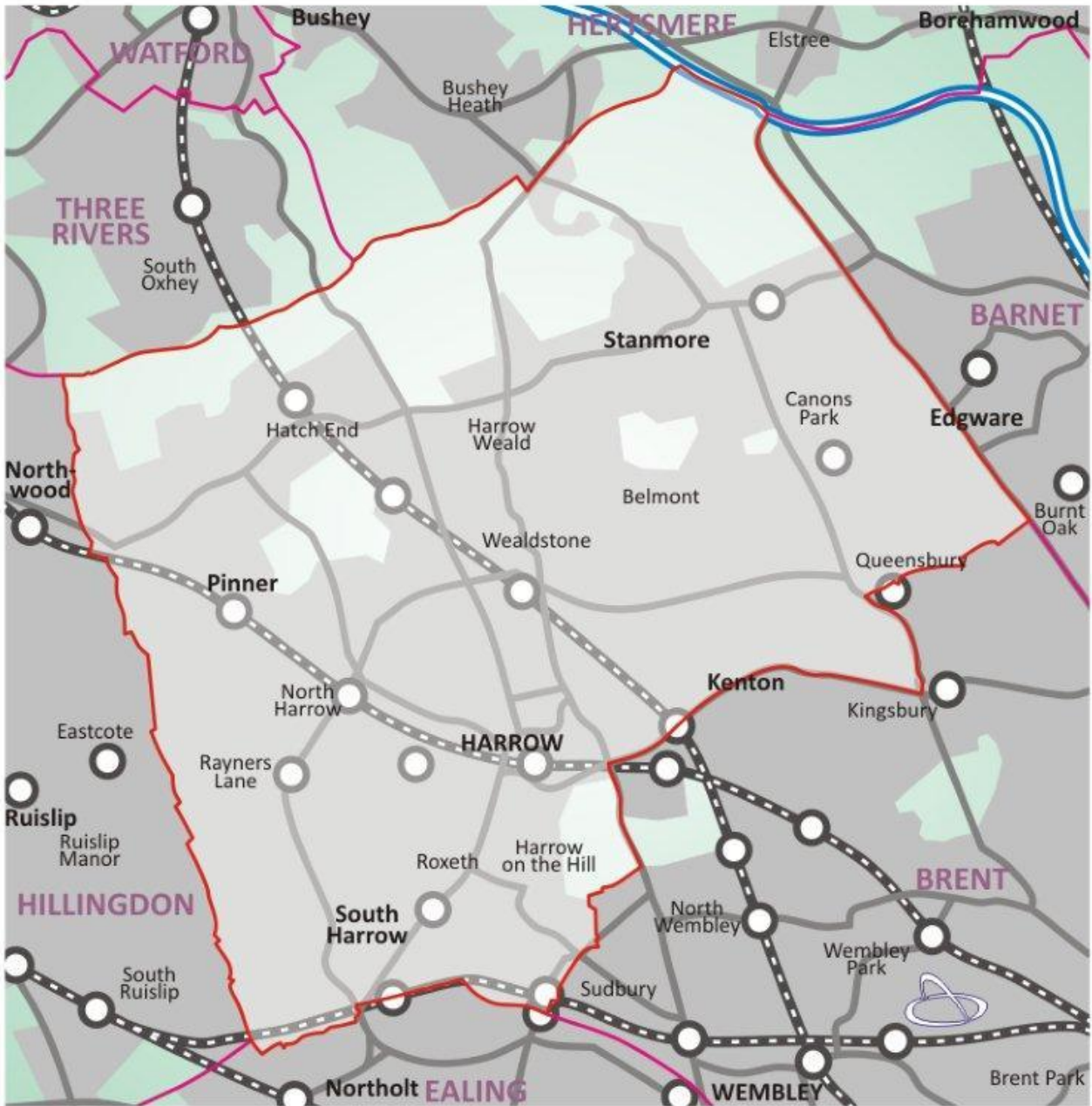
APPENDIX 2: SITE PLAN



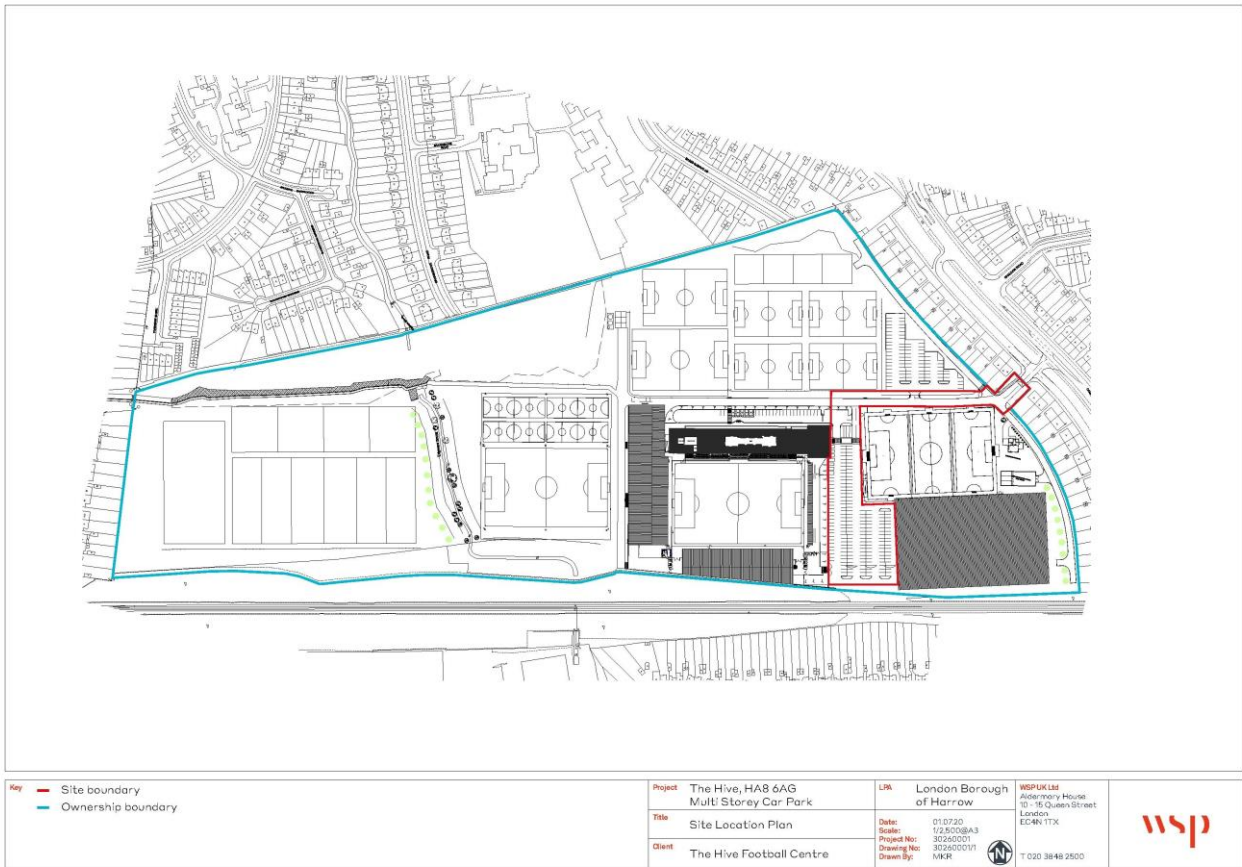
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 = application site



Prince Edward Playing Fields Camrose Avenue	P/4134/19
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/4134/19
VALID DATE: 16th DECEMBER 2019
LOCATION: PRINCE EDWARD PLAYING FIELDS, CAMROSE AVENUE, EDGWARE
WARD: HARROW WEALD
POSTCODE: HA8 6AG
APPLICANT: FOOTBALL FIRST LTD
AGENT: WSP INDIGO
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 10th MARCH 2020

PROPOSAL

Outline application for all matters reserved: Construction of five storey car park

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Refuse the application for the following reasons:
 - 1) The proposed development, by reason of a failure to propose measures to promote sustainable travel modes and to reduce the effects of travel by car and insufficient information to support the numbers of car parking spaces proposed, would result in unacceptable harm to the surrounding highway network through increased pressure on local parking amenity and on local transport infrastructure from excessive vehicle trips, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.10 and 6.13 of The London Plan (2016), policies T1, T2, T4, and T6 of the Draft London Plan (2019), policy 1 of the Mayor's Transport Strategy, policy CS1 R of the Harrow Core Strategy (2012) and policies DM 42 and DM 43 of the Harrow Development Management Policies Local Plan (2013).
 - 2) The proposed development, in the absence of an up to date Preliminary Ecological Assessment and the close proximity to the adjoining Borough Grade II Site of Importance for Nature Conservation, fails to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced, contrary to the National Planning Policy Framework (2019), policy 7.19 of The London Plan (2019), policy G6 of the Draft London Plan (2019) policy CS 1 E of the Harrow Core Strategy and policies DM 48 A b, DM 20

and DM 21 of the Harrow Development Management Policies Local Plan (2013).

- 3) The proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of the adjoining occupiers and the future users of the development, contrary to the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policies SI12 and SI 13 of the Draft London Plan (2019), Core Policy CS1 U of Harrow Core Strategy (2012) and policies DM 9 and DM 10 of the Harrow Development Management Policies Local Plan (2013).
- 4) The proposed development, by reason of its failure to demonstrate the impacts of the development on the adjacent Artificial Grass Pitches and the continued or enhanced community access to the site, would prejudice the ongoing use of the facilities needed for the proper functioning of the principal outdoor sports uses and would not promote enhanced community access to the site, contrary to the National Planning Policy Framework (2019), policies 3.1 and 3.19 of The London Plan (2016), policy S5 of the Draft London Plan (2019), core policy CS1 G and Z of the Harrow Core Strategy (2012) and policy DM 48 B b of the Harrow Development Management Policies Local Plan (2013).
- 5) The proposed development, by reason of insufficient information relating to the proposed development parameters, the Local Planning Authority is unable to determine the acceptability or otherwise of the principle of the development on the character and appearance of the site, surrounding area and designated open space, contrary to the National Planning Policy Framework (2019), policies 7.4 B and 7.6 B of The London Plan (2017), policies D1 and D3 of the Draft London Plan (2019), core policy CS 1 B and F of the Harrow Core Strategy (2012) and policy DM 18 C c and d of the Harrow Development Management Policies Local Plan (2013).

- 6) The proposed development, in the absence of an Air Quality Assessment, fails to demonstrate that the proposed development would be Air Quality Neutral and would have the potential to contribute to a deterioration in air quality in the locality, to the detriment of the future users of the site and wider area and the overall environmental quality of the London Borough of Harrow, contrary to the National Planning Policy Framework (2019), policy 7.14 of The London Plan (2016), policy of the SI 1 of the Draft London Plan (2019) and polices DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATION

The application is accompanied by out of date technical reports and as such officers are unable to make an informed assessment on the main material planning considerations of the application. The proposed development fails to comply with the development plan for Harrow in relation to matters of traffic and parking, biodiversity, flood risk, air quality, access to community sport and impact on the character and appearance of the area including the surrounding designated open space.

To allow the proposal to proceed would be detrimental to the borough in terms of setting an unacceptable precedent of policy non-compliance development with no supporting justification. Officer's consider that proposals for any increase in car parking without sufficient justification is unacceptable and is likely to add pressure (or will not improve it) to the surrounding Highway network in the form of congestion in both traffic and parking terms and there are no measures included that would seek to reduce the effects of car travel.

In the absence of an up to date ecological survey, officers cannot be certain whether the proposed development may have adverse implications for the biodiversity of the adjacent SINC, including, if present, any protected species and as such would cause unacceptable harm to biodiversity interests.

The proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of the adjoining occupiers and the future users of the development.

Due to insufficient information relating to the development parameters, officers are unable to determine whether the proposed development would have an acceptable impact or otherwise on the character and appearance of the site and area or the surrounding designated open space.

Following consultation with Sport England, the proposed development is considered to be unacceptable in principle, by reason of its failure to demonstrate the impacts on the adjacent Artificial Grass Pitches and the continued community access to the site and

would have the potential to prejudice the ongoing use of the facilities needed for the proper functioning of the principal outdoor sports uses.

The proposal fails to demonstrate that the development could be Air Quality Neutral, and as such would be detrimental to the environmental quality of the borough and its residents.

INFORMATION

This application is reported to Planning Committee as it has been called in by a nominated member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	Major Development
Council Interest:	N/A
Net additional Floorspace:	17,000sqm
GLA Community Infrastructure Levy (CIL):	£1, 020, 000
Contribution (provisional):	
Local CIL requirement:	£nil

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition could be added at the Reserved Matter Stage for evidence of certification of Secure by Design Accreditation for the development, had the proposal been otherwise considered acceptable.

1.0 SITE DESCRIPTION

- 1.1 The Hive Football Centre (formerly Prince Edward Playing Fields) comprises former educational sports grounds, designated as Open Space and allocated for Community Outdoor Sports Use. It is now occupied by a football stadium with ancillary facilities and open-air grass and synthetic football pitches.
- 1.2 The wider stadium site (approx 17ha) is bound by the Jubilee Line railway to the west, with residential properties fronting Aldridge Avenue on the other side of the embankment, residential properties fronting Whitchurch Lane to the north and those on Camrose Avenue to the south. Those properties on Camrose Avenue have gardens that adjoin the site, the majority of which have chain mesh means of enclosure. To the south of those gardens, on the other side of a road is a large bund, which limits views into the site and the existing artificial floodlit pitches beyond it. To the east, the site adjoins residential properties along Buckingham Gardens and St David's Drive and Little Stanmore Nursery, First and Middle Schools.
- 1.3 The subject site is located to the south west of the site and to the rear of the south stand. It currently contains a surface level hard surfaced car park.
- 1.4 The section of railway embankment that adjoins the western site boundary is identified as a Site of Nature Conservation Importance.
- 1.5 Levels at the site fall from the north to the Edgware Brook, which crosses the site, and then rises again to Camrose Avenue.
- 1.6 The part of the site adjacent to the Brook is in Flood Zone 3a/3b (including an Environment Agency flood defence bund), with other parts of the site within Flood Zone 2.
- 1.7 The main vehicular access to the site is from Camrose Avenue, with secondary access (pedestrian only) from Whitchurch Lane.
- 1.8 The football stadium at the site is used by Barnet Football Club, a Football League side. The stadium has a maximum permitted attendance of 8500 which was granted under planning application P/2764/17.
- 1.9 There are 413 parking spaces on the site currently which is comprised of parking in the following areas:
 - 234 parking spaces in the main surface car park
 - 86 spaces in the triangular car park to the south of the site
 - 44 matchday/VIP spaces to the front of the East Stand and
 - 49 spaces on the two service road at the south of the site

- 1.10 The site is located adjacent to Canon’s Park Underground Station which is served by the Jubilee Line. The PTAL rating for the site ranges from 0 (poor) to 3 (average), though the majority of the site is covered by a rating of 1a/1b.

2.0 PROPOSAL

- 2.1 The proposal seeks outline planning permission with all matters reserved for construction of a five storey car park.
- 2.2 Indicative site plans, floorplans and elevations have been provided. The development would have a maximum floorspace of 17000 m². The development is indicated to be five storeys in height with a maximum height of 17m AOD. However, the specific maximum footprint for the development has not been specified.
- 2.3 The proposed multi storey car park would have a total of 439 parking spaces which would be an uplift of 26 parking spaces across the wider site overall. However, it should be noted that the applicant has not confirmed whether other areas of parking outside of the multi storey parking area would be retained, noting that the proposed coach parking area (currently 86 car parking spaces), east stand spaces (44 car parking spaces) and service road spaces (49 car parking spaces) do not fall within the red line boundary and as such the Local Planning Authority have no influence on whether these spaces are retained or not as car parking spaces. In theory if the other parking areas were retained in addition to the spaces proposed in the multi storey car park, there could be a total of 618 car parking spaces on the site, resulting in an uplift of 205 parking spaces overall on the wider application site.
- 2.4 It is noted that the proposed indicative siting of the car park deck would necessitate the realignment of the approved stadium academy building granted under application P/2763/17 as well as the adjacent pitches to the north. These elements are not included within the red line application boundary and do not fall to be considered under this application. The realignment of both of these elements would require planning permission.
- 2.5 The applicant’s supporting documents also outline that it is proposed that the existing car parking located to the east of the main entrances will be converted to the bus and coach parking area for 19 coaches (an uplift of 15 coaches). However, this area does not fall within the application site boundary outlined in red, and so does not fall to be considered by this application.

3.0 RELEVANT PLANNING HISTORY

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

Reference	Description	Decision
EAST/148/01/OUT	Outline: football stadium, terraces,	Approved: 11 th April

	stand & clubhouse, floodlights to ground, artificial pitch & tennis courts, health & fitness facilities, parking, vehicular access from Camrose Avenue	2003
P/1087/03/DVA	Variation of condition 13 of planning permission East/148/01/OUT to provide revised parking layout	Approved: 29 th July 2003
P/898/03/CDP	Details of design and appearance of building and landscaping pursuant to condition 2 of outline planning perm. East/148/01/OUT for football stadium associated works	Approved: 04 th August 2003
P/0002/07	Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking	Approved: 08 th April 2008
P/1321/08	Alterations and internal changes to east stand and change of use of part of first floor of east stand from D2 (assembly and leisure) to primary care trust premises	Approved: 06 th October 2008
P/1226/09	S.73 application to vary condition 27 (development within the area liable to flood) attached to planning permission P/0002/07	Approved: 25 th August 2009
P/2022/09	Variation of condition 18 (external lighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road and car park level that shall be extinguished not more than 60 minutes	Approved: 06 th November 2009

	after the end of any match or event.'	
P/2257/09	Variation of condition 17 (floodlighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2200 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 2300 hours' to 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2300 hours, until commencement of use of the playing surface of the main stadium, at which time floodlighting for the main stadium shall only be used on any day up to 2300 hours, and any other floodlighting within the site hereby permitted for playing surfaces shall only be used on any day up to 2230 hours'.	Refused: 29 th December 2009
P/2912/09	Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'; variation of condition 18 (external lighting) from 'all exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to 'exterior lighting other than floodlighting shall be extinguished on	Approved: 15 th June 2010

	any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'	
P/1693/12	<p>Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'</p> <p>Variation of condition 18 (external lighting) from 'all exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to 'exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'</p>	Approved: 10 th September 2012
P/2807/12	Non-material amendment to add a condition detailing approved plans to planning permission P/0002/07 dated	Approved: 27 th November 2012

	08/04/2008 for redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking	
P/0665/13	Variation of condition 29 (approved plans - added through application P/2807/12) attached to P/0002/07 dated 08/04/2008 for 'Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking' to allow minor amendments to the stadium comprising: Phase 1: internal and external alterations to east stand including additional row of seats; increase in height, depth and capacity of west stand including camera position; reduction in capacity of standing areas; increase in height of floodlights and re-siting of southern floodlights; additional turnstiles, spectator circulation, fencing, food kiosks and toilets; alterations to parking areas. Phase 2: replace north stand with seated stand; reduction in capacity of standing area in southern stand; extension to rear of west stand to provide indoor spectator space (total stadium capacity not to exceed 5176 as previously approved)	Refused: 11 th September 2013 Appeal allowed: 19 th December 2014
P/4092/14	Single storey side to rear extension to the east stand to create an enlarged medical centre and box office security; provision of two internal chiller units and three internal air conditioning units	Approved: 23 rd March 2015
P/4096/14	First floor side extension to the east stand to create an enlarged banqueting suite and provision of a new entrance	Approved: 13 th April 2015
P/2004/15	Display one internally illuminated free standing sign	Approved: 02 nd July 2015
P/2191/15	Variation of condition 1 (drawing numbers) attached to planning	Approved: 20 th July 2015

	<p>permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand and associated facilities than that approved by the original consent for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involves internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involves the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space</p>	
P/3255/16	Erection of temporary spectator stand adjacent to the academy pitch (training area a); footpath to provide pedestrian access to the temporary stand	Appeal allowed: 23 rd December 2016
P/5204/16	Variation of condition 1 (drawing numbers) attached to planning application P/0665/13 allowed on appeal under reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand (increased height and depth, and larger bar area) and the provision of a building to facilitate a ticket office and turnstiles. The scheme allowed on appeal was for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involved internal and external alterations to the East Stand including an additional row	<p>Refused: 23rd June 2017</p> <p>Appeal allowed Ref: app/m5450/W/ 17/ 3188361</p>

	of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involved the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space extension	
P/3352/16	Non-material amendment to planning permission reference P/2191/15 dated 17/07/15 to increase the depth of the north stand at ground floor level, increase the height of the north stand and increase the width of the north stand	Refused: 25 th August 2016
P/2764/17	Erection of a new South stand; new medical facilities, community facilities and commercial floorspace to the rear of the south stand; replacement of East stand seating with terraces; single deck above existing car park and increase in the total capacity of the stadium from 5,176 to 8,500	Granted 28 th February 2018
P/4485/17	Variation of Condition 1 (Approved plans) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/14 to allow for a larger north stand and associated facilities than approved by the original consent	Granted 2 nd November 2018
P/2763/17	<i>Erection of an indoor academy building with an indoor 3G pitch, a new 11-a-side 3G pitch, eight 5-a-side pitches, a new indoor sports hall, a permanent ticket-office and club-shop, a permanent academy spectator stand and WC and snack shop porta cabins.</i>	Granted 18 th July 2019
P/1564/20	Outline application for Access Only:	Decision Pending

	Redevelopment to provide four storey building with basement level comprising of sporting higher education facility, hotel, medical diagnostic centre; associated works	
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4.0 **CONSULTATION**

- 4.1 A total of 122 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The public consultation period expired on 06 January 2020. No responses were received.
- 4.3 The site was advertised for the following reasons:
- Press Advert: Major Development /Departure from Development Plan Expiry: 9/01/2020
 - Site Notice: Major Development /Departure from Development Plan Expiry: 20/02/2020

Statutory and Non Statutory Consultation

- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p>Greater London Authority: I have assessed the details of the application and, given the scale and nature of the proposals, conclude that the proposal does not give rise to any strategic planning issues. The Council should however engage with Transport for London and consider any comments made by Transport for London on the above application.</p> <p>Transport for London:</p> <p>Proposed Development and Site Context</p> <p>The proposed development is for the construction of a 400 space multi-storey car park within the Hive Football Centre; it is part of a series of redevelopment proposals for the Centre which are subject to separate planning applications, the most recent was consented in June 2018. The overall proposals include a stadium expansion, new 'South Stand' and replacement 'East Stand' to increase seating capacity from 5,200 to 8,500 seats, as well as, a Hive Academy, indoor sports hall and mixed-use ancillary facilities. The multi-storey car park replaces the car parking lost by the redevelopment proposals.</p> <p>The site is bound to the north by Whitechurch Lane and to the south by Camrose</p>

Avenue, both of which are borough roads. The Jubilee line bounds the site to the east. The nearest section of the Strategic Road Network (SRN) is A5 Burnt Oak Broadway, located approximately 1.4km to the east of the site.

The site has a Public Transport Access Level (PTAL) of 3/2, on a scale of 0-6b, where 6b is highest. Jubilee line stations' Canons Park Station and Queensbury Station are 190m north, and 850m south, respectively. Bus stops are on Whitechurch Lane and Camrose Avenue, and are served by three strategic routes; service no. 340, 79, 186, and 288.

Transport Assessment

The Transport Assessment (TA) submitted to assess the transport implications of the proposals is over 4 years old, and therefore has not been updated to reflect current national, London or local policy. This application should be supported by a TA prepared in accordance with TfL's Healthy Streets TA best practice guidance. Intend to publish London Plan Policy T2 requires developments to follow the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business by encouraging active travel, public transport use and mode shift from car travel. An Active Travel Zone (ATZ) assessment should be prepared required and submitted for review by TfL and the Council prior to determination. The ATZ assessment should identify measures for off-site improvements which would benefit the site as well as the local area. ATZ assessments require a site visit, and at the time of writing, this is not possible due to government restrictions. Therefore, TfL would accept a desktop assessment and welcome further discussion with the applicant on how to achieve this.

Access, Healthy Streets and Vision Zero

The main access for pedestrians and vehicles will remain as the existing site on Camrose Avenue, to the south end of the site. Whitechurch Lane offers a secondary pedestrian access to the north. It should be demonstrated how the proposals meets the Healthy Streets indicators to meet Intend to publish London Plan Policy T2.

It should also be demonstrated how the development meets the Mayor's Vision Zero agenda. There is no continuous footway from Camrose Avenue into the site which poses a risk for pedestrians diverting onto the road and a potential road safety issues. The pedestrian environment at the gateway of the site should be improved to accommodate for the rise in visitors. Healthy Streets and Vision Zero measures should be discussed with TfL, but ultimately are to be agreed by Harrow Council as the highway authority. This includes measures to manage traffic movements to and from site to avoid conflicts between vehicles movements, cyclists and pedestrians.

Car Parking

As part of the redevelopment proposals consented in June 2018, 100 car parking spaces were lost to make room for the redevelopment works, and a further 100 spaces are to be re-purposed for bus and coach parking. The proposed car park will rationalise all car parking on site, and it is stated that the net overall quantum of spaces is not increasing. It is not clear from the TA but the quantum of spaces

appears to be based on the consented no. of spaces within planning permission ref: P/0002/7 and P/2191/15, which is:

- 10 coach parking spaces
- 300 car parking spaces, 19 parking spaces for officials, 7 disabled spaces
- 100 cycle parking spaces
- 20 motorcycle spaces

From a strategic transport perspective, the principle of a 400 space car park is not in line with the Mayor's Transport Strategy or the Policy T.6.4 Hotel and leisure uses parking of the Intend to publish London Plan which states that for PTAL 0-3 locations;

'schemes should be assessed on a case-by-case basis and provision should be consistent with the Healthy Streets Approach, mode share and active travel targets, and the aim to improve public transport reliability and reduce congestion and traffic levels.'

Providing this level of parking does little to encourage active travel to the site or reduce road traffic congestion. The justification for re-providing all spaces is based on an increase in stadium capacity from 5,176 to 8,500 seats (3,324 additional) however, the no. of attendees for Barnet FC games is expected to remain similar to the 2015/2016 season and this is therefore not an acceptable reason for the high quantum of spaces proposed.

Reducing car dependence of non-residential development is essential to help achieve sustainable development in London, which already suffers from some of the highest levels of congestion in the UK. Therefore, to alleviate this issue, people are encouraged to use travel actively, rather than by car travel, where possible. The nearest part of the Strategic Road Network is the A5 and is congested during weekday and weekend peaks and is a major corridor of growth. The impact of this car parking on the strategic road network should be assessed in the TA.

TfL would ideally want the quantum of parking spaces to be reduced significantly, and a car-lite approach should be taken. The level of parking should reflect mode shift targets supported by the London Plan. Notwithstanding the objection to the principle of development, Intend to publish London Plan Policy T6.4D would require a minimum of 6% of the 400 spaces to accommodate accessible car parking spaces to accord with Sport England guidance. All operational car parking must provide infrastructure for electric vehicles to conform with Intend to publish London Plan Policy T6.C. and a Parking Design and Management Plan should be secured by condition.

The multi-storey car park is located near London Underground (LU) railway tracks and car headlight glare can pose a safety issue for passing trains. The car park is to be designed to reflect and retract the lights from car headlights, this should be demonstrated and approved by Harrow Council in consultation with TfL or LU prior to construction.

Coach Parking

The existing car parking spaces to the east of the main entrance are to be converted into a coach parking area which will result in additional coach trips to

the site. A Coach Parking Management Plan should be provided and secured by condition. It should set out the expected coach arrivals and proposed management system.

Cycle Parking

New developments must take every opportunity to overcome barriers to cycling and good quality cycle parking is a selling-point. The current site has 50 Sheffield stands in the cycle parking area to the south-east corner of the stadium with no new spaces proposed. The provision of Sheffield stands meets the London Cycle Design Standards (LCDS), however, the applicant should ensure the cycle parking is of high quality, in good condition, is well-located, secure, visible and fit-for purpose.

End of journey (shower and changing) facilities should be provided for staff that travel to the site by sustainable modes.

Traffic Modelling and Trip Generation

TfL preference is to minimise impact on the Strategic Road Network by encouraging mode shift. For the modelling to be acceptable the models should be prepared in accordance with TfL Traffic Modelling Guideline and Model Audit Process. The modelling should be based on the most up to date data available including observed traffic data and forecast future demand. This should be where use of the car park coincides with peak travel on the local road network.

The scope of impact depends on forecasting traffic assignment from the car park. The junction modelling and trip generation analysis is based on 2016 traffic surveys and 2013 trip generation data. TfL is concerned about the traffic impact on the A5, to assess impact on the local highway network, TfL input relates to operation of traffic signals and bus services and Harrow Council's advice should be followed. TfL would need to be provided with a local traffic assignment to determine which junctions need to be modelled. The applicant should discuss this further with TfL.

The existing site trip generation is based on Brentford FC Stadium Travel Plan, 2013 which does not reflect recent travel patterns. The proposed match day modal split suggests the percentage of existing supporters arriving by car will reduce by 10% to around 48%. This is not ambitious enough, and as already stated does not reflect active travel targets in Policy 1 of the Mayor's Transport Strategy and Intend to publish London Plan Policy T6.

During the assessment peak hour, the development would attract 166 new pedestrian trips and 31 new cyclist trips which are expected to be split between both entrances, although the exact split is unknown. The impact on the LU network and bus network is expected to increase with 565 LU trips and 300 extra bus users. It is concluded that this increase can be accommodated without mitigation, however, no justification is provided. It is recommended that an updated assessment is undertaken to provide a realistic, site specific mode split, based on data no more than 5 years old. Once this is provided a view will be taken to understand if the capacity of LU and bus services can accommodate demand.

Travel Planning and Delivery and Servicing

Due to the nature of this application a Travel Plan and Delivery and Servicing information has not been provided. It is assumed that a Travel Plan and Delivery and Servicing Plan (DSP) have both been secured by condition as part of the wider site redevelopment applications which should be approved by Harrow Council.

Construction

No construction details have been provided and TfL expect a Construction Logistics Plan to be prepared and agreed by Harrow Council in consultation with TfL. TfL have particular interest in vehicle timing, routing and minimising disruption to public transport.

Mayoral Community Infrastructure Levy 2 (MCIL2)

The extent of the increase in development will be subject to Mayoral Community Infrastructure Levy 2 (MCIL 2), which was introduced on 1st April 2019. The Mayor has arranged boroughs into three charging bands. The proposed development is in London Borough of Harrow where the charging rate is £60 per square metre of floorspace.

Summary

To summarise, the principle of a 400 space car park does not conform with Policy 1 of the Mayor's Transport Strategy, Policy T2 Healthy Streets or Policy T6 Car Parking of the Intend to publish London Plan. The Transport Assessment has not been prepared in line with current London policy and should be updated. A revised trip generation assessment should be completed, and the impact on the A5 Strategic Road Network should be analysed.

LBH Highways Authority: This application is accompanied by a transport assessment however it was written in 2016 and last amended in 2017 meaning that it does not take account of policy revisions to the London Plan, Mayors Transport Strategy, NPPF and TfL Transport Assessment guidance. All documents have a strong emphasis on sustainable travel and ask applicants to promote non-car travel therefore any proposal for car parking should focus on improving access to sustainable travel options and minimise the need for private car use.

New sporting venues in London are generally designed to be car free or car-lite in order to encourage non-car travel. Whilst this isn't an entirely new development, this is an opportunity to design a venue that seeks to fulfil current aspirations in terms of transport policy.

Parking levels need to be justified beyond a simple intention to re-provide an existing number of spaces. This should be done through a Healthy Streets style transport assessment supported by a travel plan. The document should include a review of accessibility of the venue and what changes could be made to improve this; a study of current travel behaviour and future goals including how these could be achieved; a study of parking demand and how this could potentially be reduced – guidance on the full content of transport assessments is available on

the TfL website.

At present, we cannot support this proposal as it does not contribute to meeting the aims of the Mayor's Transport Strategy to reduce car travel in London. Proposals for car parking are likely to add pressure (or will not improve it) to the surrounding Highway network in the form of congestion in both traffic and parking terms and there are no measures included that would seek to reduce the effects of car travel.

Additional Comments: The comments from TfL are very similar to ours; it is apparent that both authorities consider this application provides insufficient information to make this proposal acceptable. The main issue is policy related; the proposal seeks to provide a car parking facility that exceeds the maximum levels permitted by the Intend to Publish (ITP) London Plan and as a consequence does not positively contribute to the aims of the Mayor for London's Transport Strategy, both policies that the Council supports and intends to comply with. As a borough we are tasked with helping to achieve the aim of 80% of journeys in London being undertaken by sustainable modes.

In particular, policy T6 Car Parking (ITP London Plan) states;

Where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy.

Furthermore, policy T6.4 Hotel and Leisure Uses Parking (ITP London Plan) continues;

B In locations of PTAL 0-3, schemes should be assessed on a case-by-case basis and provision should be consistent with the Healthy Streets Approach, mode share and active travel targets, and the aim to improve public transport reliability and reduce congestion and traffic levels.

In order to justify a deviation from the policies, it would be necessary for the applicant to demonstrate a genuine need but that has not been done. The increased stadium capacity does not automatically result in an uplift in car journeys furthermore, actual attendance increases are not expected at this stage or any time soon. If attendance does increase, it would be more appropriate to have measures in place from the outset that encourage sustainable travel rather than attempt to facilitate car travel by increasing car parking. Good travel habits need to be established at an early stage. We can consider the examples set by other London venues such as the Emirates Stadium (Arsenal FC) (ptal 4-6b) and Tottenham Hotspur FC (ptal 3-4) – both have been redeveloped and are marketed as car free venues. Both attract much higher attendance figures and whilst they do have better access to public transport this does serve to demonstrate that a similar venue can operate successfully without large amounts of car parking.

It would also be necessary to demonstrate how increased sustainable travel could be encouraged and it is acknowledged that a travel plan was submitted and approved as part of a previous application. However, it is a complete conflict to then propose increased car parking on-site no matter how small an increase.

To allow this proposal to proceed would be detrimental to the Council in terms of setting a precedent of policy non-compliance with no supporting justification. Failure to meet the policy requirements can result in negative highway impacts and definitely will not address the need to make improvements to the existing situation (policy T6.4 B).

LBH Drainage Authority: With regards to the above planning application, please note that the site is identified within fluvial flood zone 2 & 3 according to Environment Agency flood maps and also within surface water flood zone 3a & 3b according to our surface water flood maps. The site is at a highest risk of flooding.

We can confirm that **insufficient information** is provided in the Flood Risk Assessment submitted by the applicant. Detailed drainage strategy in line with our requirements attached should be submitted, especially the volume of surface water storage proposed.

Please note that the proposed development is restricted to a discharge rate of 5l/s/ha and 40% allowance for climate change should be considered.

Environment Agency: I can confirm that we have no comments to make in relation to this application.

LBH Biodiversity: It would appear that in relation to ecological matters the applicant is attempting to rely upon a not very satisfactory Preliminary Ecological Assessment conducted in September in 2017.

I recall pointing out its deficiencies at the time, not least the failure to undertake a desktop survey of existing records for the site and its vicinity which resulted in the applicant failing to take account of the adjoining SINC, as well as suggesting possible ecological enhancement along the Edgware Brook although I can't find a record of my comments at the time either in Civica or in my files.

I note that in the bundled supporting documents – mostly prepared in support of these earlier applications - it is claimed that the relevant consultants have reviewed those documents and confirmed that the conclusions are relevant to this application. However, there seems to be no statement from these consultants to confirm this or indeed to say why they are relevant to the present application.

I would not be willing to accept a deficient Preliminary Ecological Assessment as satisfactory in relation to the present application even were it well past its expiry date.

The applicant will either need to withdraw and resubmit or negotiate whilst they arrange for provision of the following.

(1) An up to date Preliminary Ecological Assessment which takes full account of an assessment of a search of site, species and habitat from within a 2 km buffer around and including the development site

(2) Any follow up surveys for which this indicates a need with particular regard to direct and indirect impacts of the current proposals on the site, its surroundings and the ecological network of which it forms part

(3) A detailed assessment of those impacts and how their effects might be minimised and mitigated

(4) An identification of definite proposals for delivering appropriate mitigation and biodiversity gain to meet the requirements of national, regional and local planning policies with regard to the protection and enhance of biodiversity and access to biodiversity

Subject to the on site and desktop survey findings, consideration should be given to both the demolition/construction phases and the subsequent operation of the site, to bats, birds and other species either occurring on the site or its surroundings, particular the SINC and how appropriate gain might best be delivered.

I would strongly suggest that the applicant gives consideration to the adoption of measures to provide a living roof and sections of green wall to the building.

As part of satisfying the above requirements, the applicant should give consideration as to how they might enhance the site's biodiversity, landscaping and climate mitigation value in a strategic manner within which any further development could be integrated.

Until we have this information, we won't be able to assess whether application would amount to sustainable development. As matters stand I would only be able to recommend refusal.

Sport England: Thank you for consulting Sport England on the above planning application. The site is considered to constitute playing field, or land last used as playing field, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). As such Sport England is a statutory consultee.

Sport England has sought to consider the application in light of the National Planning Policy Framework (particularly Para. 97) and against its own playing fields policy. Unfortunately there is insufficient information to enable Sport England to adequately assess the proposal or to make a substantive response. Please therefore could the following information be provided as soon as possible:

1. The proposed development would appear to result in the Artificial Grass Pitches (AGP's) adjacent to the proposed car park being re-orientated but no further details of this has been submitted, such as phasing and where existing users would play while the AGP's would be unusable. Please can these details be submitted so that Sport England can understand the impact on community sport.

2. In relation to users of the proposed car park, could the applicant/their agent confirm whether this would be free of charge for those using the AGP's and other sport facilities available for community use at the site?

Sport England's interim position on this proposal is to submit a **holding objection**. However we will happily review our position following the receipt of all the further information requested above. As I am currently unable to make a substantive response, in accordance with the Order referred to above, the 21 days for formally responding to the consultation will not commence until I have received all the information requested above.

LBH Policy: The application site is noted within the Local Plan as being designated Open Space. Open space is also recognised within the draft New London Plan (2019) (Intend to Publish Version), specifically through Policy G4.

With regard to the development itself, it would be a substantial footprint within the site and located on the existing car parking area between the astro training turfs and the existing stadium. Notwithstanding the fact that the land in question is hardstanding to provide for a car park, it is nonetheless designated as open space, and will be treated as such.

The National Planning Policy Framework (2019) places great weight in protecting open space.

Paragraph 97. States that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

At a London wide level, the draft New London Plan (2019) (Intend to Publish Version) provides policy seeking to protect Open Space, by way of Policy G4. Policy G4 requires development plans to undertake needs assessments of the boroughs open space stocks, and to include appropriate designations and policies for their protection. LB Harrow have, by way of the PPG 17 study under taken an open space needs assessment at a borough wide level. This assessment was undertaken in 2011. The PPG17 Study identifies that in 2010 there was a total deficiency of 117ha of land, which would rise to 139ha in 2026. Whilst this document is somewhat dated, there is no evidence to suggest that in quantative terms, the document is inaccurate. The current local plan has a specific policy (detailed below) in relation to Open Space, and identifies land that is designated as such within the Local Plan Policy Maps.

When considering specific development proposals, the draft New London Plan (2019) (Intend to Publish Version) sets out the following through Policy G4;

- 1) Not result in a the loss of protected open space
- 2) where possible create areas of publicly accessible open space, particularly in areas of deficiency.

It is clear from the proposed development that the proposed development would result in a loss of open space that is protected under the Local Plan. Furthermore, the proposed development would not result in the creation of publically open space, indeed it would result in a loss, in an area of an identified deficiency.

Any discussion regarding public access to the open space as a result of the application will be discussed later within the response.

For this reason, the Harrow Core Strategy (2012) directs housing growth to previously developed land, rather than to exacerbate this projected loss of the plan period (it is acknowledged that whilst this scheme does not propose housing development, it nonetheless proposes development that would result in a net loss of open space). The Core Strategy 2012 goes onto state that with the exception of small scale ancillary facilities needed to support or enhance the proper functioning of open space, development will not be permitted on designated open space as identified on the Harrow proposals map. There is a presumption against any net loss of open space, regardless of ownership and accessibility.

Following on from the Core Strategy (2012) position, Policy DM18 (Protection of Open Space) provide guidance on developments that would have an impact on open space. It is clear that DM18 would not support development that results in a net loss of Open Space, however would support the reconfiguration of open space. The proposed development would result in a significant amount of designated open space being lost, which is in direct conflict with both the draft New London Plan (2019) (Intend to Publish Version), the Harrow Core Strategy (2012) and also the Harrow Development Management Plan Local Policies (2013).

Turning to the proposed development specifically, it seeks to construct a five storey carpark on open space. In terms of the principle of development, this relates to the footprint of the scheme, with matters of height, bulk, scale etc considered later in the report. The planning policy maps indicate that the entire

site is located within open space designation, which includes internal roads, the stadium and the existing car park. Therefore, it is clear that the proposed development would be erected on designated open space. Whilst there is a presumption against the development of designated open space, that would result in a net loss of that open space. However, the circumstances of each case must be taken into consideration.

It is noted that the current site where it is proposed to erect the car parking structure, is set out in tarmac and used as car parking for the existing facility. By reason of this, the proposed development would result in no further hardstanding that was existing in terms of footprint, rather a structure with a vertical emphasis. Looking at the uses of Open Space, the current development site does not meet any of the expected open space uses. Specifically, it is noted that the existing use would not comprise a park and garden, play areas, amenity space, natural conservation site, playing pitches / sport grounds, allotments etc. Furthermore, by reason of the hardstanding nature of the existing site, it offers little benefit to drainage / flood risk, ecology / biodiversity or even visual relief around buildings. In terms of the listed benefits / uses for designated open space, it is considered that the existing car park provides limited benefit, and that the proposed multi-level car parking would not result in a demonstrably worse outcome to open space than that which exists currently.

Notwithstanding the above, a sporting use of the site is still only one function that open space would provide. Designated Open Space provides for more than recreation opportunities, such as urban form breaks, ecology / biodiversity opportunities and also providing future recreation opportunities as LB Harrow and London as a whole attempt to provide for the necessary housing required.

Whilst it is clear that there would be a net loss of open space, and therefore a conflict with DM18A, the proposed development would also find some favour under DM18C. Specifically, it is noted that the open space is primarily utilised as a football facility, providing a stadium, practice pitches (artificial) and also open grass land that is utilised as natural grass playing fields. As part of the existing site, it could therefore be argued that the proposed parking structure may assist in facilitating the proper functioning of the open space. The site has a public transport accessibility level (PTAL) ranging from 0 (Worst) to 3 (average). However, it is noted that the majority of the site is either 1a or 1b, which are both extremely poor. By reason of this, and the nature of the use, the premise requires a certain quantum of car parking for the use to operate. Ancillary parking is considered an appropriate use on site. However, the quantum of this would need to be found acceptable to the Highways Authority, and also the weighing up of the planning balance of the application.

In terms of the proposed development and the impact that it would have on the existing sports facility, this would need to be considered against draft new London Plan (Intend to Publish Version)(2019) Policy S5 (Sports and recreation facilities). It is clear that sport and recreation is supported, however, would need to be considered against policies such as Open Space (Policy G4). However, it is not noted that specialist sporting venues and stadiums also have a role to play in providing facilities and enabling wider access to sport, as well as having an important cultural value (para 5.5.5). The Hive is a dedicated, purpose built stadium with required ancillary structures, such as gymnasium, stadium for viewing football, and training / practice pitches and parking.

Locally, DM48 provides policy in relation to enhancing outdoor sports facilities.

This policy requires that community access be provided, but also that there would be no conflict with among other things, Open Space Policies. Development Management colleagues would provide an assessment against the remainder of this policy. However, it is clear that there would be a conflict from the outset with DM48A(a). However, as discussed above, it is considered that the proposed function is unlikely to have any more detrimental impact on the use or benefits of the existing open space.

It is considered that in this instance, the principle of building a multi-level car parking structure, above the existing level car parking area, is acceptable in principle.

Greater London Archaeological Advisory Service: Recommend no archaeological requirement

London Underground: No objection to the principle of the development but there are a number of potential constraints on the redevelopment of the site situated close to railway infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:

- Our right of support is not compromised
- The development will not have any detrimental impact on the structures either in the short or the long term
- The design must be such that the loading imposed on our structures is not increased or removed
- We offer no right of support to the development or the land.

Therefore, we request that the grant of planning permission be subject to conditions to secure detailed design and method statement for each stage of the development.

5.0 **POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Biodiversity and Air Quality
- Drainage and Flood Risk
- Equalities Implications
- S17 Crime & Disorder

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.18, 3.16, 3.19
- The Draft London Plan 2019: G4, S4, S5
- Harrow Core Strategy 2012: CS1 F, Z
- Harrow Development Management Policies Local Plan (2013):DM18, DM48
- Site Allocations DPD: Site MOS5
- PPG 17: Open Space Needs Assessment

Open Space

6.2.2 The only issues to be considered at this Outline stage are the general principles of whether this type of development would be acceptable in this location, and

whether this amount and scale of development would be acceptable. If Outline planning permission is approved, more detailed proposals will be submitted as Reserved Matters applications; and also as applications to discharge any other conditions that are attached to the Outline Planning Permission.

- 6.2.3 The application site is noted within the Local Plan as being designated Open Space. Open space is also recognised within the draft New London Plan (2019) (Intend to Publish Version), specifically through Policy G4. With regard to the development itself, it would be a substantial footprint within the site and located on the existing car parking area between the astro training turfs and the existing stadium. Notwithstanding the fact that the land in question is hardstanding to provide for a car park, it is nonetheless designated as open space, and will be treated as such.
- 6.2.4 Policy DM18 (Protection of Open Space) provide guidance on developments that would have an impact on open space. It is clear that DM18 would not support development that results in a net loss of Open Space, however would support the reconfiguration of open space. The proposed development would result in some designated open space being lost, which is in direct conflict with both the draft New London Plan (2019) (Intend to Publish Version), The Harrow Core Strategy (2012) and also the Harrow Development Management Plan Local Policies (2013). Whilst there is a presumption against the development of designated open space, that would result in a net loss of that open space, the circumstances of each case must be taken into consideration.
- 6.2.5 In terms of the principle of development, this relates to the footprint of the scheme, with matters of height, bulk and scale considered later in the report. The proposed plans indicate that the development would be constructed over an existing surface level car park and as such would result in no further hardstanding than was existing in terms of footprint. The site does not meet any of the expected open space uses such as amenity space or recreational space and offers little benefit to drainage / flood risk, ecology / biodiversity or even visual relief around buildings. In respect of visual relief, it is also acknowledged there is an extant planning permission for the construction of an academy building adjacent to this site which would have a height up to 18 metres and if constructed would obscure any views of the structure here from the southern part of the site.
- 6.2.6 Although there would be some conflict with policy DM 18 A and policy DM 48A, policy DM 18C would weigh in favour of the proposal. The open space is primarily utilised as a football facility, providing a stadium, practice pitches (artificial) and also open grass land that is utilised as natural grass playing fields. Given the relatively low PTAL rating across the site ranging from 0 to 3, it is accepted that the use requires a certain quantum of parking to operate and ancillary parking is considered to be an appropriate use. However, the overall acceptable quantum of parking would require further consideration and assessment under other policies of the development plan and this is discussed in more details in the highways and parking assessment section of this report.

- 6.2.7 In conclusion, whilst there would be some conflict with open space protection policies, it is considered that the proposed function is unlikely to have any more detrimental impact on the use or benefits of the existing open space. The proposal would also assist in facilitating the proper functioning of the open space. The principle of the multi storey car park, above the existing surface level car parking area is therefore considered to be acceptable.
- 6.2.8 Impact on Existing Sports Facilities
- 6.2.9 In terms of the proposed development and the impact that it would have on the existing sports facility, this would need to be considered against draft new London Plan (Intend to Publish Version) (2019) Policy S5 (Sports and recreation facilities). Policy S5 seeks to retain and enhance access to sporting facilities. As outlined in the Draft London Plan (2019) specialist sporting venues and stadiums have a role to play in providing facilities and enabling wider access to sport, as well as having an important cultural value (para 5.5.5). The Hive is a dedicated, purpose-built stadium with required ancillary structures, such as gymnasium, stadium for viewing football, and training / practice pitches and parking.
- 6.2.10 London Plan Policy 3.19 (Sports Facilities) states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facilities developments are proposed on existing open space, they will need to be considered carefully in light of policies on protecting open space.
- 6.2.11 Policy MOS5 of the Site Allocations Local Plan allocates the site for community outdoor sports use. The commentary to that policy states that this allocation supports such further outdoor sport development as may be required to enable the success of this important community facility. Development must make provision for community access to facilities and be consistent, in terms of design, siting and any other impacts, with the amenity of neighbouring residential occupiers.
- 6.2.12 The site is designated by the Core Strategy as falling within the Kingsbury and Queensbury Sub-Area. Two of the area objectives for that sub-area are to:
- Continue to promote Prince Edward playing fields as a centre of sports excellence; and
 - Maintain community access to sport and recreation facilities and encourage enhancement
- 6.2.13 Locally, policy DM48b, also outlines that proposals for uses that would support outdoor sporting uses will be supported provided they do not displace or prejudice facilities needed for the proper functioning of the principal outdoor sport uses.
- 6.2.14 The Design and Access Statement accompanying the application outlines that the approved Academy building (Ref: P/2763/17) and the sports pitches to the north of the subject site do not align with the main stadium. It outlines that the intention is to rotate the pitches and the previously approved academy building in order to ensure they align with the stadium which would in turn free up space for

the siting of the proposed multi storey car park. However, the adjacent land including the sports pitches do not fall within the red line application site boundary and the re-orientation of the pitches and academy building would require new planning permissions.

6.2.15 The application has been referred to Sport England who has raised an objection to the principle of the development due to the lack of information provided in respect of car park charges for community users as well as the impact of realigning the sports pitches on community sport. Sport England note that *“the proposed development would appear to result in the Artificial Grass Pitches (AGP’s) adjacent to the proposed car park being re-orientated but no further details of this has been submitted, such as phasing and where existing users would play while the AGP’s would be unusable.”*

6.2.16 In this regard, the proposed development is considered to be unacceptable in principle, by reason of its failure to demonstrate the impacts on the adjacent Artificial Grass Pitches and the continued community access to the site and would have the potential to prejudice the ongoing use of the facilities needed for the proper functioning of the principal outdoor sports uses and would not promote enhanced community access to the site.

6.3 Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6
- The Draft London Plan 2019: D1, D2, D3
- Harrow Core Strategy 2012: CS1 B, F
- Harrow Development Management Policies Local Plan (2013): DM1, DM 18

6.3.2 In respect of character and open space, policy DM 18 C c/d/f outlines that proposals for ancillary development on land identified as open space will be supported where it is appropriate in scale, would not detract from the open character of the site or surroundings and it would contribute positively to the setting and quality of the open space. The requirement for a high standard of design and layout is emphasized in all of the above policies and proposals must have regard to mass, bulk, scale and height in relation to their location and surroundings. As this application is seeking only Outline Planning Permission, the matters of the design, scale and the layout are reserved for consideration at a later stage. Nevertheless, in order to establish the acceptability of the principle of the development on the character and appearance of the area, it is imperative to understand maximum and minimum development parameters and the developable area within the red line application site.

6.3.3 In this case the applicant has outlined the maximum parameters of the development to be 17,000m² of floorspace and a maximum height of 17 metres AOD. Indicative elevations have been provided demonstrating the potential impact of the development in relation to the existing and emerging context. The building would be no higher than the approved academy building which has an

approved maximum height of 18 metres. The height of the building would also be viewed within the context of the west stand which has a height of 10 metres. It is considered that the proposed building at the indicated maximum height would be acceptable and would respond appropriately to the existing and consented buildings around the subject site.

6.3.4 However, the minimum and maximum parameters for the footprint, length, width of the development has not been specified or the development area within the red line application site boundary been clearly defined. As such, in the absence of this information the Local Planning Authority is unable to determine the acceptability or otherwise of the development on the character and appearance of the area.

6.3.5 In conclusion, due to insufficient information, officers are unable to determine whether the proposed development would have an acceptable impact or otherwise on the character and appearance of the site and area or the surrounding designated open space.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 7.6 B
- The Draft London Plan Policy D3
- Harrow Development Management Polices Local Plan (2013):DM1,

Residential Amenity of neighbouring Occupiers

6.4.2 The proposed building would be located within the south western area of the wider site. The closest neighbouring properties to the west of the site are located along Aldridge Avenue. These properties are separated from the subject site by London Underground railway tracks which are surrounded by a steep embankment. The rear elevations and rear gardens of the properties are separated by approximately 74 metres and 30 metres respectively to the western application boundary. Although the outlook to these properties would change, any development within this location would be seen within the context of existing and emerging development including the west stand and Academy building. The raised embankment would also reduce the visual impact. Owing to the character of the existing and emerging site, the distances described and the orientation of the properties along Aldridge Avenue, there would be no harm caused to neighbouring amenity in respect of daylight/sunlight or outlook.

6.4.3 The proposed development site is separated from the rear garden boundaries of the closest properties in Camrose Avenue to the south by approximately 145 metres. The land to the south of the subject site already has an extant planning permission for the Academy building (Ref: P/2763/17). Given the residential amenity impacts were found to be acceptable under this application, it is concluded the proposal would also have an acceptable residential amenity impact on these properties.

6.4.4 In summary, it is considered the proposal would have an unacceptable impact on the residential amenities of adjoining residential occupiers.

6.5 Traffic and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 6.3, 6.10, 6.13
- The Draft London Plan 2019: T1, T2, T4, T6, T6.4
- Mayor's Transport Strategy: Policy 1
- Harrow Core Strategy CS1 R
- Harrow Development Management Policies Local Plan (2013):DM42 and DM 43

6.5.2 The site is bound to the north by Whitechurch Lane and to the south by Camrose Avenue, both of which are borough roads. The Jubilee line bounds the site to the east. The nearest section of the Strategic Road Network (SRN) is A5 Burnt Oak Broadway, located approximately 1.4km to the east of the site. Jubilee line stations' Canons Park Station and Queensbury Station are 190m north, and 850m south, respectively. Bus stops are on Whitechurch Lane and Camrose Avenue, and are served by three strategic routes; service no. 340, 79, 186, and 288.

6.5.3 Intend to publish London Plan Policy T2 requires developments to follow the Healthy Streets Approach, which aims to improve air quality, reduce congestion and make attractive places to live, work and do business by encouraging active travel, public transport use and mode shift from car travel. An Active Travel Zone (ATZ) assessment should be prepared required and submitted for review by TfL and the Council prior to determination.

6.5.4 The main access for pedestrians and vehicles will remain as the existing site on Camrose Avenue, to the south end of the site. Whitechurch Lane offers a secondary pedestrian access to the north. As required by policy T2 of The London Plan (2019) It should be demonstrated how the proposals meets the Healthy Streets indicators including measures to manage traffic movement and avoid conflicts with pedestrians and cyclists. However, the proposal fails to address this policy requirement.

Car Parking, Traffic Modelling and Trip Generation

6.5.5 As outlined above, the proposed multi storey car park may result in an uplift of 26 spaces. Although as noted above, the applicant has not clarified their intention with the other parking areas on the site which do not fall within the application site boundary. As such, if other parking spaces were retained on the site there could be an uplift of 205 spaces.

6.5.6 The Transport Assessment (TA) submitted to assess the transport implications of the proposals is over 4 years old, and therefore has not been updated to reflect

current national, London or local policy. TFL have raised concerns with the potential impact on the A5 but have been unable to assess the full extent of the impacts as the junction modelling and trip generation analysis is based on 2016 traffic surveys and 2013 trip generation data which does not reflect recent travel patterns.

- 6.5.7 The application has been reviewed by both TFL and the Council Highway's Authority who have both objected to the principle of the development which is not considered to be in line with the Mayor's Transport Strategy or the Policy T.6.4 Hotel and leisure uses parking of the Intend to publish London Plan which states that for PTAL 0-3 locations;

'schemes should be assessed on a case-by-case basis and provision should be consistent with the Healthy Streets Approach, mode share and active travel targets, and the aim to improve public transport reliability and reduce congestion and traffic levels.'

- 6.5.8 Moreover, policy T6 (Car Parking) states: "***Where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy.***"

- 6.5.9 Both TFL and LBH Highways consider that the proposal fails to address active travel to the site or contribute to a reduction in road traffic congestion.

- 6.5.10 The applicant's justification for re-providing all spaces is based on an increase in stadium capacity from 5,176 to 8,500 seats (3,324 additional) however, the number of attendees for Barnet FC games is expected to remain similar to the 2015/2016 season and this is therefore not an acceptable reason for the high quantum of spaces proposed.

- 6.5.11 The existing site trip generation is based on Brentford FC Stadium Travel Plan, 2013 which does not reflect recent travel patterns. The proposed match day modal split suggests the percentage of existing supporters arriving by car will reduce by 10% to around 48%. TFL note that this is not ambitious enough and does not reflect active travel targets in Policy 1 of the Mayor's Transport Strategy and Intend to publish London Plan Policy T6.

- 6.5.12 As noted by LBH Highways "*In order to justify a deviation from the policies, it would be necessary for the applicant to demonstrate a genuine need but that has not been done. The increased stadium capacity does not automatically result in an uplift in car journeys furthermore, actual attendance increases are not expected at this stage or any time soon. If attendance does increase, it would be more appropriate to have measures in place from the outset that encourage sustainable travel rather than attempt to facilitate car travel by increasing car parking. Good travel habits need to be established at an early stage. We can consider the examples set by other London venues such as the Emirates Stadium (Arsenal FC) (ptal 4-6b) and Tottenham Hotspur FC (ptal 3-4) – both have been redeveloped and are marketed as car free venues. Both attract much higher attendance figures and whilst they do have better access to public*

transport this does serve to demonstrate that a similar venue can operate successfully without large amounts of car parking.”

- 6.5.13 In conclusion, in officers view, to allow this proposal to proceed would be detrimental to the Council in terms of setting an unacceptable precedent of policy non-compliance with no supporting justification. Officer’s consider that proposals for car parking are likely to add pressure (or will not improve it) to the surrounding Highway network in the form of congestion in both traffic and parking terms and there are no measures included that would seek to reduce the effects of car travel which is contrary to the aims and objectives of the above stated policies.

6.6 Biodiversity and Air Quality

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 7.19, 7.14
- The Draft London Plan 2019: G6
- Harrow Core Strategy CS1 E
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM20, DM 21, DM 48
- Circular 06/05: biodiversity and geological conservation)

Biodiversity

6.6.2 The application is accompanied by a Preliminary Ecological Assessment (PEA) that was prepared more than two years ago. Having regard to this as well as the proximity of the adjoining Site of Importance for Nature Conservation and the nature of the proposal (multi-storey car parking), without an updated PEA, in officer’s view it is not possible for the Council to demonstrate that it has adequately exercised its duty under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity (including biodiversity assets beyond the site and its immediate surrounds). Additionally it is not possible to accurately assess if the principle of the development and whether its location is acceptable having regard to DM48 (Enhancing Outdoor Sport Facilities) which refers to impact upon biodiversity assets within or surrounding the site, as well as the biodiversity specific Local Plan policies, DM20 and DM 21.

6.6.3 The applicant’s argument that an ecological assessment is not required due to the proposal’s location on an existing hard standing car park fails to recognise the potential impact of the proposal on the adjoining SINC and any potential protected species.

6.6.4 Furthermore, the application gives no consideration as to how the site’s biodiversity, landscaping and climate mitigation value could be enhanced.

6.6.5 Government guidance (Circular 06/05: biodiversity and geological conservation) is clear in relation to the use of conditions relating to biodiversity matters stating

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.” The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances”. There are not considered to be any exceptional circumstances in this case that would warrant the use of a planning condition.

- 6.6.6 In conclusion, in the absence of an up to date ecological survey, officers cannot be certain whether the proposed development may have adverse implications for the biodiversity of the SINC, including, if present any protected species, and as such would cause unacceptable harm to biodiversity interests, contrary to the above mentioned policies.

Air Quality

- 6.6.7 As outlined in the London Plan and Draft London Plan – Intend to Publish 2019 (Policy 7.14 and SI 1), all development proposals should minimise increased exposure to existing poor air quality and take steps to minimise the impacts through design solutions and promote greater use of sustainable transport modes through travel plans. As a minimum development proposal should be air quality neutral.
- 6.6.8 The whole of the Borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀). The proposed development would result in an increase in vehicular traffic which would contribute to a deterioration in air quality. The application is not accompanied by an Air Quality Assessment demonstrating that the proposed development would be air quality neutral. As discussed elsewhere, the submitted travel plan is out of date and the sustainable travel mode targets are not considered ambitious enough in respect of current policy requirements. Although, the increase in parking may not be deemed significant, in officer opinion, the failure to demonstrate that the development would be air quality neutral undermines the Council position on other development proposals which have the potential to result in detrimental impacts on air quality without demonstrating any mitigation. The proposal is therefore considered to be unacceptable in this regard.

6.7 Drainage and Flood Risk

- 6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 5.12, 5.13
- The Draft London Plan 2019: SI 12 and SI13
- Harrow Core Strategy 2012: CS1U
- Harrow Development Management Polices Local Plan (2013):DM9, DM 10

- 6.7.2 Areas of the site wider site are located across all three flood zones. There are areas to the north adjacent to the Edgware Brook which are identified within fluvial flood zone 2 & 3 according to Environment Agency flood maps and also within surface water flood zone 3a & 3b according to LBH surface water flood maps. The site is at a highest risk of flooding.
- 6.7.3 The subject site itself lies within flood zone 1 which has a low probability of flooding and the proposed type of development in this area of the site is appropriate for its intended use.
- 6.7.4 The application is accompanied by an out of date Flood Risk Assessment undertaken in June 2016 which consider the impacts of the Multi storey car park in a different area of the site to the south east which is not relevant to its current proposed siting on the existing surface car park to the south west.
- 6.7.5 As noted in the Flood Risk Assessment area of the existing site are served by existing drainage infrastructure, approved by the Council and Environment Agency as part of earlier phases of the development. The application has been referred to the Council's Drainage Authority who have advised that the subject site is served by an existing drainage required as part of a previous planning consent which intercepts surface water from the site which has not been taken into consideration as part of this application. The Flood Risk Assessment fails to demonstrate the existing surface water storage volume on the site is maintained and that there is no obstruction to surface water flows across the site. As such, in the absence of this information, it is considered that the proposed development is at risk of surface water flooding and acceptable flood mitigation for potential flood risk within the site and elsewhere and for its users has not been demonstrated.
- 6.7.6 In conclusion, the proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of future users of the development, contrary to the above policies.

7.0 CONCLUSION AND REASONS FOR REFUSAL

- 7.1 The application is accompanied by out of date technical reports and as such officers are unable to make an appropriate assessment on the main material planning consideration of the application. The proposed development, fails to comply with the development plan for Harrow in relation to matters of traffic and parking, biodiversity, flood risk, air quality, access to community sport and impact on the character and appearance of the area including the surrounding designated open space and is therefore recommended for refusal

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2019)

The London Plan (2016):

- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.16 Protection and Enhancement of Social Infrastructure
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 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
- 7.6 Architecture
- 7.14 Air Quality
- 7.18 Protecting Open Space and addressing deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodlands

The Draft London Plan – Intend to Publish (2019):

- Policy D1 London's form and characteristics
- Policy D2 Delivering good design
- Policy D3 Inclusive design
- Policy S1 Developing London's social infrastructure
- Policy S2 Health and social care facilities
- Policy S4 Play and Informal Recreation
- Policy S5 Sports and Recreation Facilities
- Policy G4 Open Space
- Policy G6 Biodiversity and access to nature
- Policy SI1 Improving air quality
- Policy SI12 Flood risk management
- Policy SI13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling

Policy T6 Car parking
Policy T6.4 Hotel and leisure uses parking

Harrow Core Strategy (2012)

CS1: Overarching Principles

Harrow Development Management Policies Local Plan (2013):

Policy DM 1 Achieving a High Standard of Development
Policy DM 9 Managing Flood Risk
Policy DM 10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 18 Protection of Open Space
Policy DM 20 Protection of Biodiversity and Access to Nature
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy DM 22 Trees and Landscaping
Policy DM 42 Parking Standards
Policy DM 43 Transport Assessments and Travel Plans
Policy DM44 Servicing
Policy DM 46 New Community Sport and Educational Facilities
Policy 50 Planning Obligations

Other Relevant Guidance:

Site Allocations DPD (2013)

2. INFORMATIVE: Mayoral Community Infrastructure Levy

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £346815 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008. Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £1, 020, 000 for the application, based on the levy rate for Harrow of £60/sqm and the stated floor space of 17,000sqm. You are advised to visit the planning portal website where you can download the appropriate document templates.

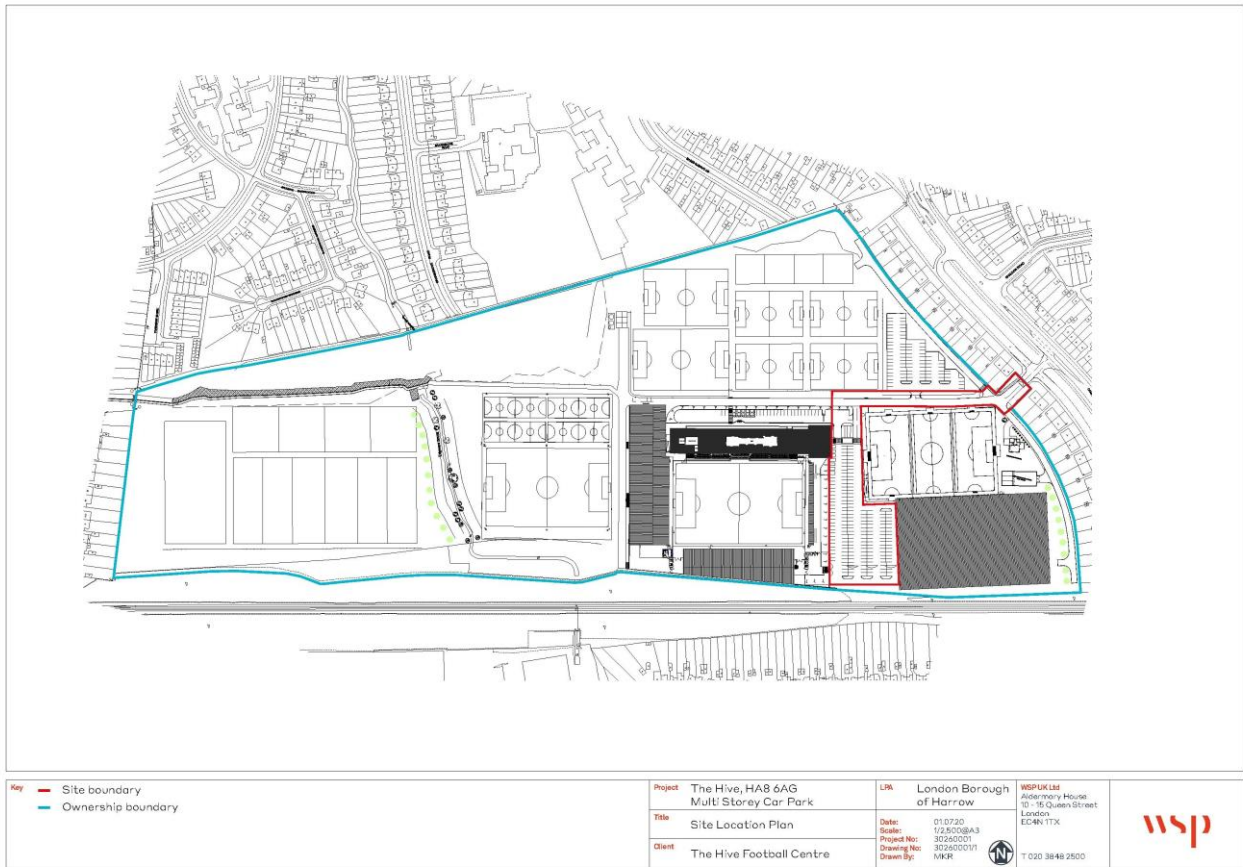
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDI

X 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

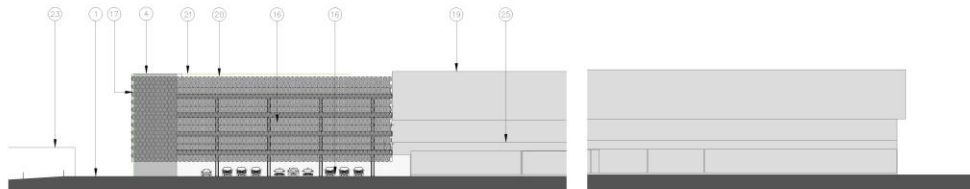


APPENDIX 4: PLANS AND ELEVATIONS

Indicative Proposed Site Plan/ Ground Floor Plan



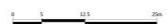
Indicative Proposed West Elevation



01 West Elevation
Scale: 1:500 @ A3

- Notes
1. Pedestrian zone around stadium
 2. Main stair core to access the upper levels
 3. Lift access to upper levels
 4. Escape core from upper floors
 5. Motorcycle parking
 6. Parking security office and maintenance
 7. Public staff wc
 8. Enlarged parking bays (3.2 x 6 m)
 9. Accessible parking bays with 1.2 m clear access
 10. Main entrance for indoor academy
 11. Indoor academy pitch
 12. Indoor academy changing rooms
 13. Viewing gallery for indoor academy
 14. Academy pitch below
 15. Access and escape doors to/from car park
 16. Perforated metal cladding to allow natural ventilation and minimise light escaping. Predominantly solid.
 17. As per 16. Predominantly solid to West and becoming more open to East
 18. As per 16. Predominantly open
 19. Roof of previously approved academy
 20. Photovoltaic panelled canopy over parking bays to match height of lift over/under stair core roof
 21. PFC cladding to extended height parapet/balustrade
 22. North stand in background
 23. Rear elevation of South stand
 24. Side elevation of East stand

Key:
 --- Boundary Line
 --- Area of Application



For Planning

Rev.	Description	By	Date
P1	For Planning	CB	18.03.19

Client: **Football First**

Project: **The Hive - Car Park & Academy**

Title: **Proposed West Elevation**

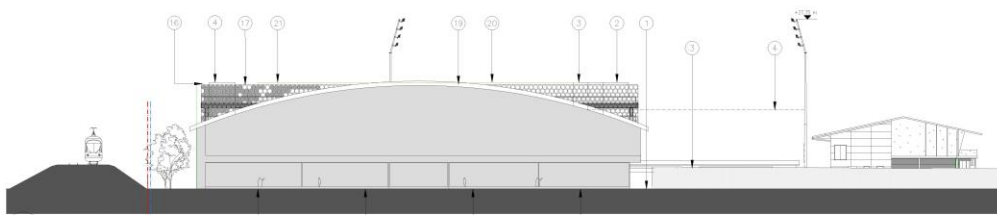
Drawn/No.	Rev.
HIVE-1174-W	P1
Project No.	Scale
012B	1:200 @ A1 / 1:500 @ A3
Drawn	Checked
CB	CB
Date	Date
18.03.19	18.03.19

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UNIT 5, River House
 Riverside Close, London, N6C 7JN
 T: +44 (0)20 840 1200
 E: info@myconstruction.co.uk

MY construction

Indication Proposed South Elevation



01 South Elevation
Scale: 1:500 @ A3

- Notes
1. Pedestrian zone around stadium
 2. Main stair core to access the upper levels
 3. Lift access to upper levels
 4. Escape core from upper floors
 5. Motorcycle parking
 6. Parking security office and maintenance
 7. Public staff wc
 8. Enlarged parking bays (3.2 x 6 m)
 9. Accessible parking bays with 1.2 m clear access
 10. Main entrance for indoor academy
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 13. Viewing gallery for indoor academy
 14. Academy pitch below
 15. Access and escape doors to/from car park
 16. Perforated metal cladding to allow natural ventilation and minimise light escaping. Predominantly solid.
 17. As per 16. Predominantly solid to West and becoming more open to East
 18. As per 16. Predominantly open
 19. Roof of previously approved academy
 20. Photovoltaic panelled canopy over parking bays to match height of lift over/under stair core roof
 21. PFC cladding to extended height parapet/balustrade
 22. North stand in background
 23. Rear elevation of South stand
 24. Side elevation of East stand

Key:
 --- Boundary Line
 --- Area of Application



For Planning

Rev.	Description	By	Date
P1	For Planning	CB	18.03.19

Client: **Football First**

Project: **The Hive - Car Park & Academy**

Title: **Proposed South Elevation**

Drawn/No.	Rev.
HIVE-1173-S	P1
Project No.	Scale
012B	1:100 @ A1 / 1:200 @ A3
Drawn	Checked
CB	CB
Date	Date
18.03.19	18.03.19

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UNIT 5, River House
 Riverside Close, London, N6C 7JN
 T: +44 (0)20 840 1200
 E: info@myconstruction.co.uk

MY construction

Indicative Proposed East Elevation D



D1
1172
East Elevation
Scale 1:500 @ A3

- Notes:
1. Pedestrian zone around stadium
 2. Main stair core to access the upper levels
 3. Lift access to upper levels
 4. Escape core from upper floors
 5. Motorcycle parking
 6. Parking security office and maintenance
 7. Public staff area
 8. Enlarged parking bays (3.2 x 6 m)
 9. Accessible parking bays with 1.2 m clear access
 10. Main entrance for indoor academy
 11. Indoor academy pitch
 12. Indoor academy changing rooms
 13. Viewing gallery for indoor academy
 14. Academy pitch below
 15. Access and escape doors to/from car park
 16. Perforated metal cladding to allow natural ventilation and minimise light escaping. Predominantly solid
 17. As per 16. Predominantly solid to West and becoming more open to East
 18. As per 16. Predominantly open
 19. Roof of previously approved academy
 20. Photovoltaic solar panel canopy over parking bays to match height of fit over main stair core roof
 21. PPC capping to extended height parapet/terrace
 22. North stand in background
 23. Rear elevation of South stand
 24. Side elevation of East stand
 25. Side Elevation of previously approved East elevation
 26. PPC metal facade to ground floor of east elevation parking area.

Key:
 - - - Boundary Line
 - - - Area of Application

0 10 20 30m

For Planning
 Rev. Description By Date
 P1 For Planning CB 18.03.19

Client
Football First

Project
The Hive - Car Park & Academy

Title
Proposed East Elevation

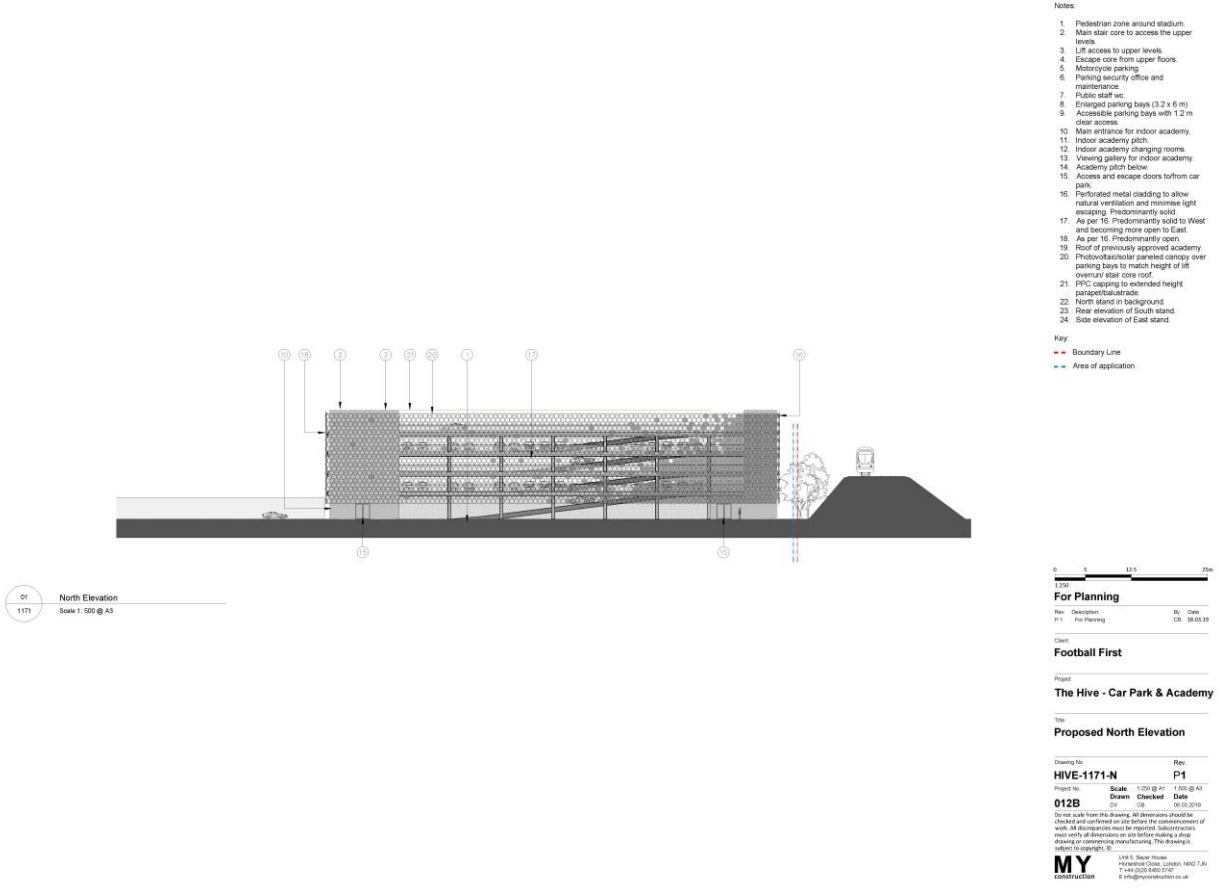
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Project No. **012B** Scale **1:500 @ A3** Date **18.03.2019**

Drawn **CB** Checked **CB**
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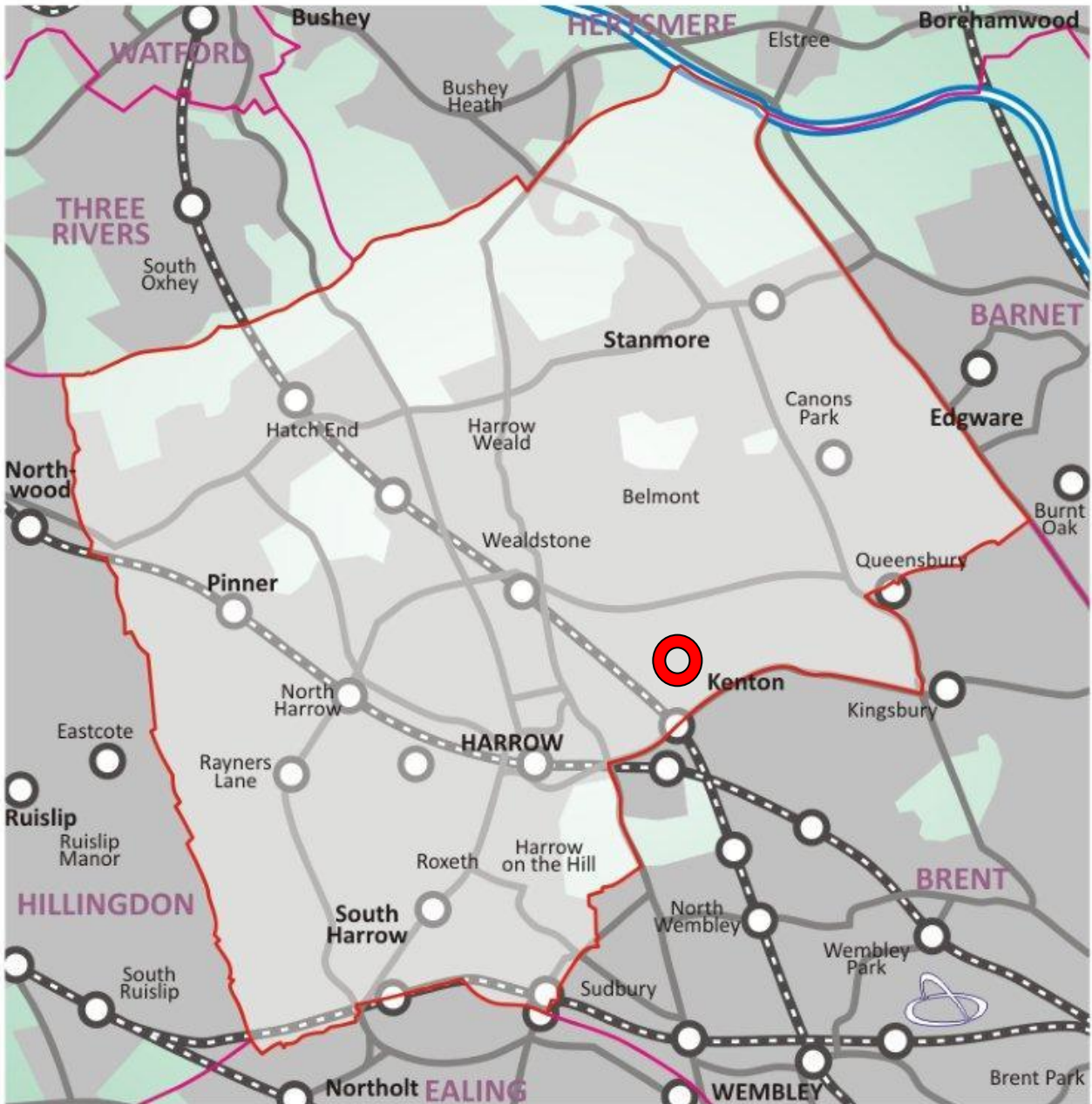
Indicative Proposed North Elevation



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 = application site



16 Northwick Park Road	P/0828/20
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/0828/20
VALID DATE: 16th MARCH 2020
LOCATION: 16 NORTHWICK PARK ROAD
WARD: GREENHILL
POSTCODE: HA1 2NU
APPLICANT: MR PRITESH SUCHDEV
AGENT: MZA PLANNING
CASE OFFICER: AADIL ESSA
EXPIRY DATE: 11th MAY 2020 (EXTENDED EXPIRY DATE 24th JULY 2020)

PROPOSAL

Single storey outbuilding at rear to be used as sensory room ancillary to day care centre (Use class D1/C2).

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The development would provide an improvement in quality of accommodation for the occupiers of the property, whilst ensuring the development would be sympathetic to the existing property and would not unduly impinge on neighbouring amenities. Accordingly, the development would accord with development plan policies and is recommended for approval.

INFORMATION

This application is reported to Committee as in the opinion of the Interim Chief Planning Officer, the proposals are likely to be of significant public interest. The proposal therefore does not fall within any of the provisions set out at Paragraphs 1 (a) to 1 (g) of the Scheme of delegation dated 12th December 2018.

Statutory Return Type:	E18 Minor Development
Council Interest:	N/A
Net additional Floorspace:	26.24sqm
GLA Community	
Infrastructure Levy (CIL)	N/A
Contribution (provisional):	
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.2 The subject site comprises a substantial two storey semi-detached building located on the north-eastern side of Northwick Park Road.
- 1.3 The site is bounded by residential development on all sides and at the rear.
- 1.4 The property operates as a day care centre with overnight respite care (Use Class D1/C2).
- 1.5 The application site benefits from a generous rear garden.
- 1.6 The rear of the site adjoins amenity space of Blackthorne Court.
- 1.7 1B Manor Road is a detached bungalow located on an infill site.
- 1.8 The rear of 1B Manor Road adjoins the rear garden of the application site at a right angle.
- 1.9 The site is located in a critical drainage area. There are no other site constraints.

2.0 PROPOSAL

- 2.1 The proposal involves the construction of a single storey detached outbuilding within the rear garden to be used as a sensory room ancillary to the day centre.
- 2.2 The proposed outbuilding would be located in the final quarter of the garden and would measure 7.5m in width and would have a depth of 4.0m adjacent to the common boundary with number 18 and set off 1.6m from the boundary.
- 2.3 The proposed outbuilding would feature a flat roof design with a maximum height of 2.5m.
- 2.4 The external finish on the outbuilding would be rendered to match the main building.
- 2.5 Proposed floor plans indicate that the outbuilding would be a sensory room, ancillary use to the day care centre.
- 2.6 The outbuilding would be used by 5 occupants (including carers) at any one time.

3.0 RELEVANT PLANNING HISTORY

P/3051/16

Change of Use from Day Centre (Use Class D1) to a Mixed Use Day Centre (Use Class D1) and Respite Care (Use Class C2) for 40 users (adults with special needs); Single Storey Rear Extensions; Rear Conservatory; Alterations to Existing Ramp at Rear.

Granted: 10/11/2016

P/5430/16

Single Storey Rear Extension - Refused; 26/01/2017

Reason For Refusal

The proposed single storey rear extension, in addition to the existing extensions to the property, by reason of excessive bulk, depth and overall excessive size would give rise to disproportionate and incongruous addition that would dominate and subsume the character and appearance of the existing property and would fail to respect the scale of the surrounding neighbouring dwellinghouses and pattern of development in the surrounding area. The proposal is contrary to policies 7.4B and 7.6.B of The London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012), policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010.

APP/5450/W/17/3173321

Appeal of the above

Allowed: 08/08/2017

P/0747/17

Single Storey Rear Extension

Granted: 11/04/2017

P/2816/17

Single Storey Garage at Rear

Granted: 25/09/2017

P/4356/17

Detached Outbuilding At Rear For Use As Office Ancillary To Existing Day Care Centre – Granted 22/11/2017

P/1843/19 - Single storey outbuilding at rear to be used ancillary to day care centre (Use class D1/C2) – Refused on 4/7/2019 for the following reason:

Insufficient information has been provided to demonstrate that the use of the proposed outbuilding as a sensory room would not give rise to excessive activity, noise or general disturbance associated with the use and would therefore fail to safeguard the residential amenities of the adjoining occupiers. The proposal would therefore be contrary to Policy 7.6B of The London Plan (2016) and Policies DM1 and DM46 of the Development Management Policies Local Plan (2013).

P/4533/19 - Single storey outbuilding at rear to be used as sensory room ancillary to day care centre (use class d1/c2) – Refused on 19/12/2019 for the following reason:

Insufficient information has been provided to demonstrate that the use of

the proposed outbuilding as a sensory room would not give rise to excessive activity, noise or general disturbance associated with the use and would therefore fail to safeguard the residential amenities of the adjoining occupiers. The proposal would therefore be contrary to Policy 7.6B of The London Plan (2016) and Policies DM1 and DM46 of the Development Management Policies Local Plan (2013).

4.0 CONSULTATION

- 4.1 A total of 12 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 21st April 2020 and 8 objections were received and are summarised below.

Highways:

- The proposal would lead to an increase in parking.
- Road safety.

Officer response: The Council's Highways Officer has confirmed that given that there is no intensification of the use proposed and the current limit on numbers attending the site will remain the same. As such the proposal would not result in any increased harm for the surrounding highway network and there Highways have no objections to the proposal.

Noise and disturbance:

- The proposal would lead to increased noise and disturbance to the surrounding neighbouring properties.

Officer response: The Noise Report submitted confirms that appropriate mitigation measures are in place to minimise day to day noise resulting from the development. In addition the Council's Environmental Health Officer has reviewed the submitted noise impact assessment and has raised no objections to the proposal subject to conditions.

Amenity:

- The garden provided is already too small for the existing number of residents and increasing the number of residents using it would make it even more constrained;

Officer response: The site property has a relatively large garden area and the proposed outbuilding would be located within the final quarter of the garden and as such is considered to be acceptable. Furthermore, there would be no increase in the number of people attending/ using the site. The proposed outbuilding would be ancillary to the existing use. This is further addressed within the amenity section of the report.

Other issues:

- Residents at the subject property have been behaving in an undignified manner.
- Members of the property have been littering on neighbouring properties.

Officer response: This is not a material planning consideration. This matter has been raised with the Environmental Health Team.

4.3 Statutory and Non Statutory Consultation

4.4 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments

LBH Highways

The Design and Access statement confirms that there is no intensification of use proposed and the current limit on numbers attending the site will remain the same therefore, this proposal would not result in any increased harm for the surrounding highway network. Highways have no objection.

LBH Environmental Health Officer

No objections to the proposal, subject to conditions.

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Development and Flood Risk

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6
- The Draft London Plan 2019: D1, D4, D5
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Polices Local Plan (2013): DM1,

6.2.2 Development Management Policy DM1 (2013) states "All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted".

6.2.3 The proposed outbuilding would not be visible from the public domain and would therefore not have a degree of impact on the street scene. Furthermore, the proposal would be located in the final quarter of the rear garden. It is noted that the premises benefits from a generous rear amenity space and therefore the proposed outbuilding would not appear cramped within the site and would leave ample amenity space for the users of the site.

6.2.4 The proposed outbuilding would be in scale with other domestic outbuildings in the locality. It is considered that the proposed development would have an acceptable relationship within the host property and be considered subordinate in scale. It would therefore not have an adverse impact on the character and appearance of existing dwelling or the locality.

- 6.2.5 The materials for the proposed outbuilding would consist of render. It is considered that the proposed materials would be an appropriate treatment for the proposed ancillary structure.
- 6.2.6 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of the property, wider area and would be in accordance with the NPPF (2019), Harrow Core Strategy (2012) CS1.B, policies D1 and D4 of the 'Intend to publish' Draft London Plan (2019), policies 7.4.B and 7.6.B of The London Plan and Policy DM1 of the Development Management Local Plan Policies (2013).

6.3 Residential Amenity

- 6.3.1 The relevant policies are:
- Harrow Core Strategy 2012:CS1
 - Harrow Development Management Polices Local Plan (2013): DM1
 - The London Plan Policy 7.6
 - The Draft London Plan Policy D1
- 6.3.2 The proposed outbuilding would be located close to the boundary with No.18 Northwick Park Road which is sited to the north-west of the subject site. Given the proposed outbuilding is modest in height and scale, it is considered that it would not have an impact in terms of loss of daylight, overshadowing and outlook to the neighbouring occupiers of No.18 Northwick Park Road.
- 6.3.3 The proposed outbuilding would be sited approximately 8m away from the property to the south-east No.1B Manor Road and wold be largely screened away from this property by the existing outbuilding in the rear garden of the subject property. The proposed outbuilding would also located adjacent to the rear garden of No's 1-3 Blackthorne Court (sited to the north-east) and would be sited at a good distance away from the rear elevations of this neighbouring block of flats. Given these site circumstances, it considered that the proposal would not be harmful to the residential amenities of No.1B Manor Road and the occupiers of No's 1-3 Blackthorne Court in relation to daylight, overshadowing and outlook.
- 6.3.4 Objections have been raised in relation to increased noise and disturbance that would occur as a result of the proposed outbuilding. It is noted that that the previous proposal under planning reference P/4533/19 was refused for the lack of sufficient information to demonstrate that the use of the proposed outbuilding as a sensory room would not give rise to excessive activity, noise or general disturbance with the use. The applicant has provided a noise report and a Design and Access statement which provides a strategy of how noise and disturbance would be mitigated from the proposed development. Furthermore, within the submitted documents, the applicant has stated that the outbuilding would not be frequented by more than 4 people at any given time and would assist in reducing the noise within the existing garden area by removing people from the garden and placing them into a controlled and enclosed environment. It is also acknowledged

that the users of the day centre are currently permitted to frequent the existing rear garden area (where the proposed outbuilding would be located) and therefore the proposed outbuilding in this location would not exacerbate the existing levels of noise and disturbance that already occur. Importantly, the Council's Environmental Health Officer is satisfied with the submitted information and has raised no objections to the proposed development subject to suitable conditions.

6.3.5 Objections have also been raised in relation to the over intensification of the site from the resulting outbuilding. However, condition 6 attached to planning permission P/3051/16 restricts a maximum of 40 people for anyone time plus 7 staff members, and as such the maximum number of people would remain unchanged and would not result in an over intensification of the existing site.

6.3.6 Overall, it is considered that the current proposal addresses previous concerns in relation to insufficient information relating to noise and disturbance and subject to conditions, it is considered the proposal would not have an unacceptable impact on the residential amenities of adjoining occupiers in accordance with London Plan policy 7.6B and Development Management Policies Local Plan (2013) Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

6.4 **Traffic and Parking**

6.4.1 The relevant policies are:

- Harrow Development Management Policies Local Plan (2013): DM42
- The London Plan Policy: 6.13
- The Draft London Plan Policies: T6

6.4.2 There would be no change to the existing parking arrangements on site. Furthermore, there would not be an intensification of use proposed and the current limit on numbers of users attending the site will remain the same and as such the proposal would not result in any increased harm for the surrounding highway network.

6.4.3 Highways officer have raised no objections to the proposal in relation to traffic and parking concerns.

6.5 **Development and Flood Risk**

6.5.1 The relevant policies are:

- Harrow Development Management Policies Local Plan (2013): DM9, DM10
- The London Plan Policy: 5.12
- The Draft London Plan Policy: SI 12, SI 13

6.5.2 The development would result in any additional hard surfacing on the site and could therefore have an impact in terms of surface water flood risk. As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. As such an informative has been attached to this effect.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: 9805 P 01 A; 9805 P 02 A; 9805 P 03 A; Site Location Plan; Planning, Design and Access Statement.

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

3. Materials

The materials to be used in the construction of the external surfaces of the outbuilding hereby permitted shall match those used in the existing building.

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

4. Use of the outbuilding

The detached outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the day care centre use (Use Class D1/C2) of the occupiers of No. 16 Northwick Park Road, Harrow, HA1 2NU

REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

5. Hours of Use

The detached outbuilding hereby permitted shall not be occupied at any time outside of the following hours:-

8am-8pm Monday – Sunday

REASON: To safeguard the amenity of neighbouring residents.

6. Noise amplification

No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To safeguard the amenity of neighbouring residents.

7. Air conditioning

No air conditioning units or plant is to be installed without prior agreement from the local planning authority in writing.

REASON: To safeguard the amenity of neighbouring residents.

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan 2016

5.12 Flood risk management

5.13 Sustainable drainage

6.13 Parking

7.4 Local Character

7.6 Architecture

Intend to Publish Draft London Plan (2019):

D1 London's form and characteristics

D4 Delivering good design

D5 Inclusive Design

SI12 Flood Risk Assessment

SI13 Sustainable drainage

T6 Car Parking

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

DM 1 – Achieving a High Standard of Development Policy

DM 9 - Managing Flood Risk Policy

DM 10 – On Site Water Management and Surface Water Attenuation

DM 42 – Parking Standards

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. Liability For Damage to Highway

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

5. Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the

whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

Checked

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front Elevation



Rear elevation



Rear elevation



Rear garden



Existing outbuilding

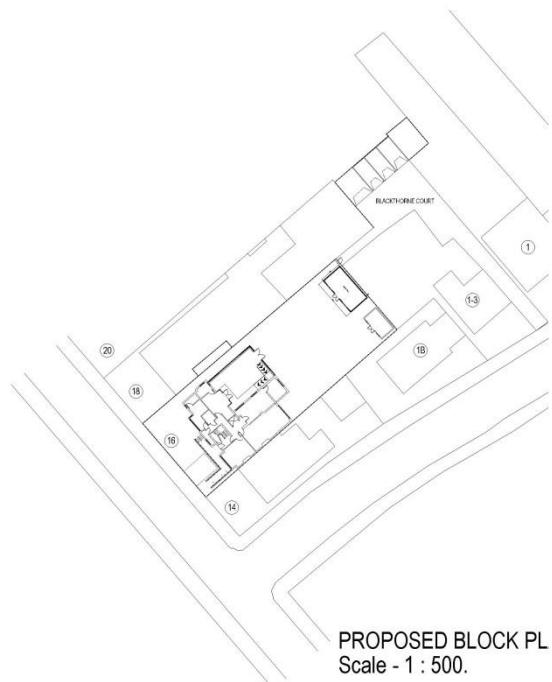
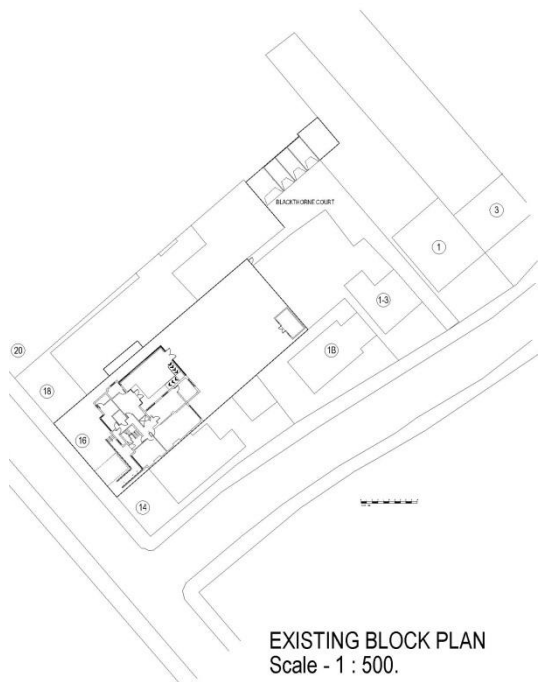


Rear garden

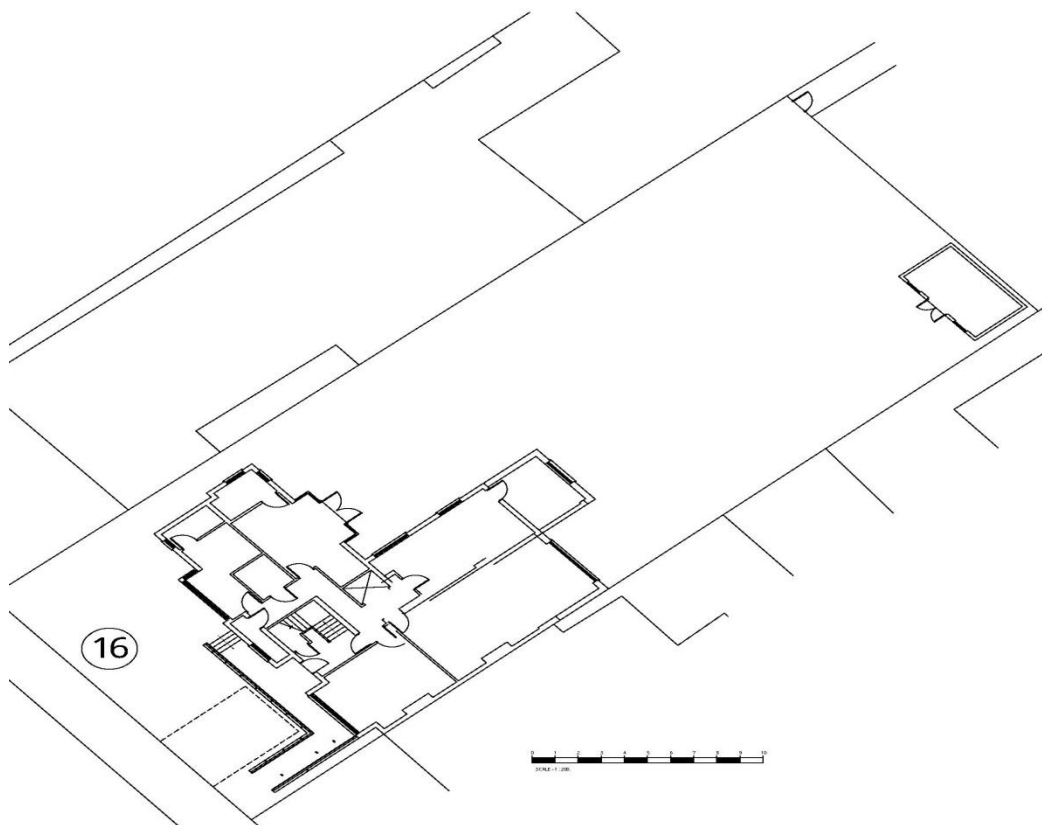


APPENDIX 4: PLANS AND ELEVATIONS

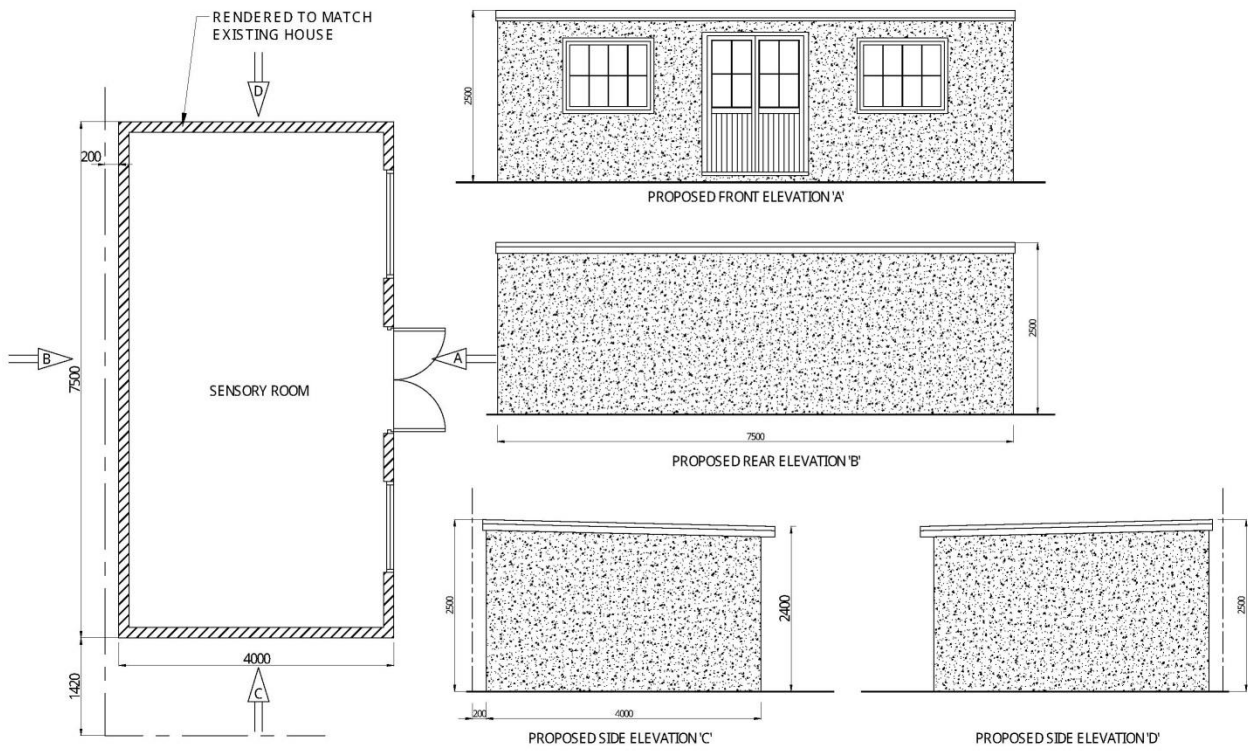
Existing and proposed site block plan



Existing site plan



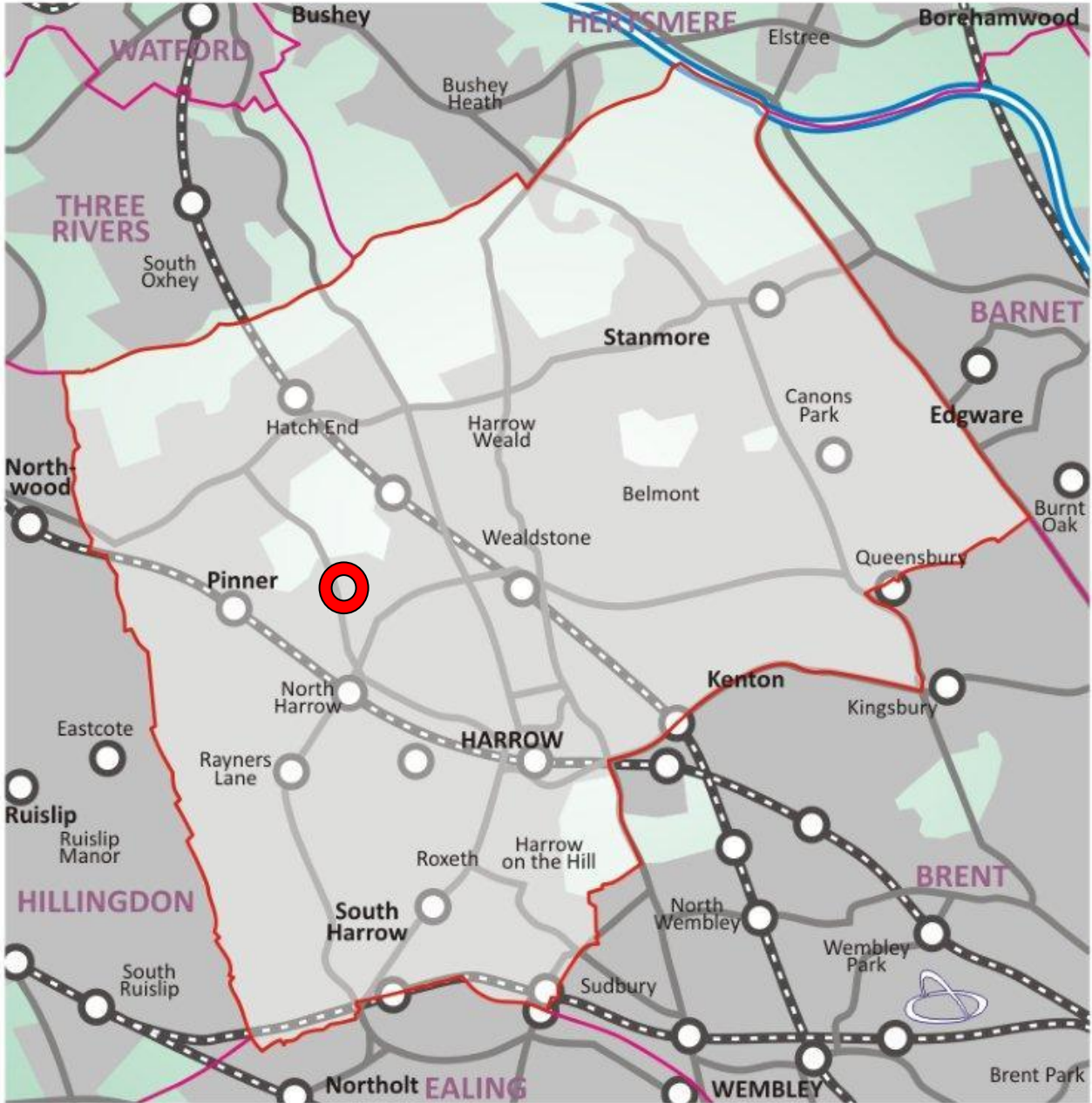
Proposed elevation and floor plans



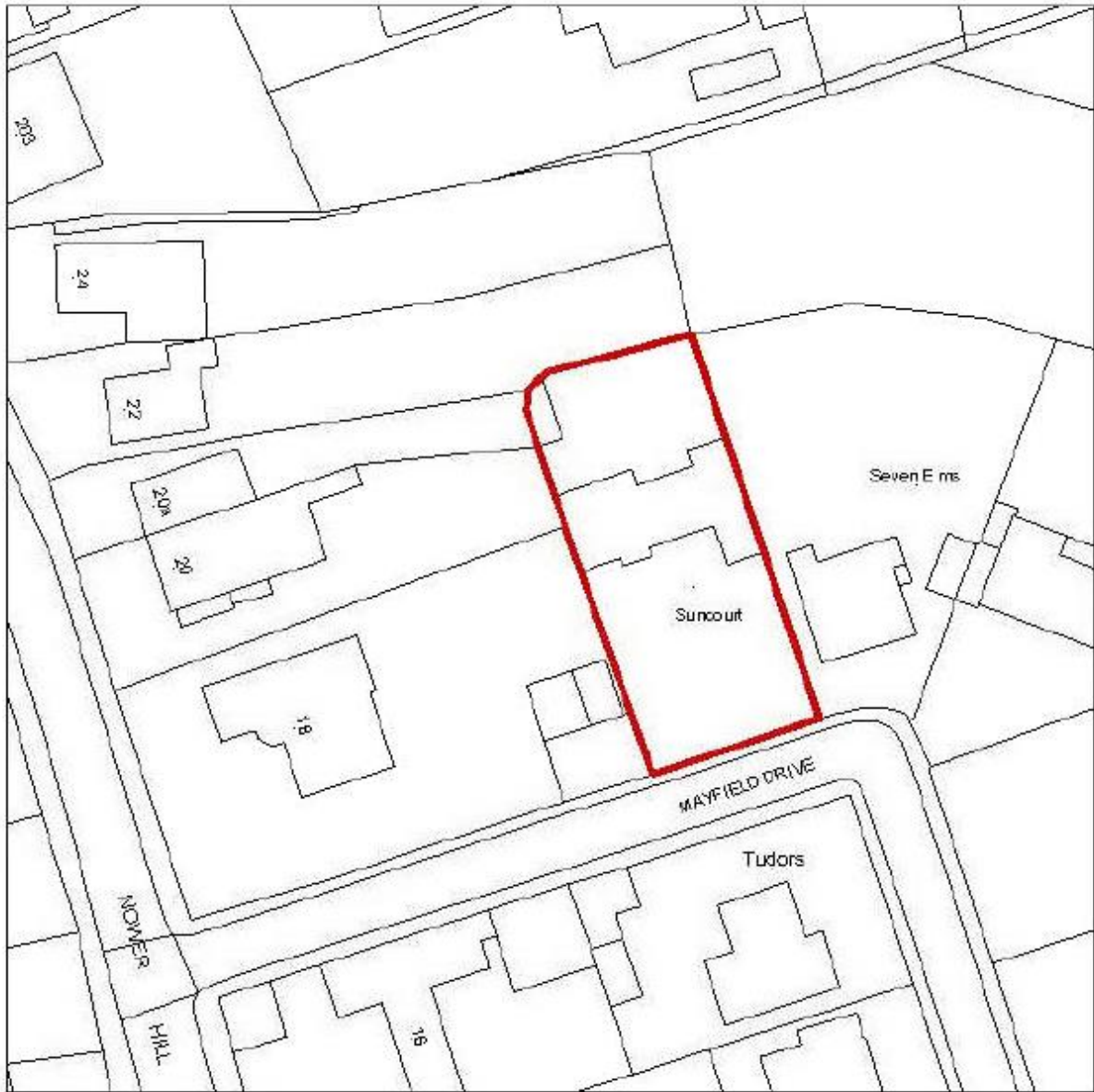
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Agenda Item : 2/02

 = application site



Suncourt, Mayfield Drive	P/0188/20
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LOCATION PLAN 1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/0188/20

VALID DATE: 28th JANUARY 2020

LOCATION: SUNCOURT, MAYFIELD DRIVE, HARROW

WARD: PINNER

POSTCODE: HA5 5QT

APPLICANT: DR CHETAN KAHER

AGENT: CONSILIO TOWN PLANNING

CASE OFFICER: BLYTHE SMITH

EXPIRY DATE: 24th JULY 2020

PROPOSAL

Two storey front extension; single storey rear extension; alterations to form pitched roof over single storey side extension; alterations and extension to roof over existing first floor side extension; first floor side infill extension; first floor rear infill extension; front dormer; two rear dormers; rooflights in both side roofslopes; Juliette balcony at first floor rear; conversion of garage to habitable room with installation of window to front; external alterations

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATION

The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2019), Policies 7.4B, 7.6B, 7.8C and 7.8D of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version, Policy CS1.B of the Harrow Core Strategy, Policy DM1 and DM7 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

This application is reported to Committee as in the opinion of the Interim Chief Planning Officer, the proposals are likely to be of significant public interest. The proposal therefore does not fall within any of the provisions set out at Paragraphs 1 (a) to 1 (g) of the Scheme of delegation dated 12th December 2018.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	91.29 sqm
GLA Community	
Infrastructure Levy (CIL):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The property is a substantial two storey detached single family dwellinghouse located on the north side of Mayfield Drive. The dwellinghouse occupies a large plot with the rear amenity space of No.18, 20 and 20a to the west and the flank elevation of Seven Elms to the east, and the property's principal/front elevation faces south, on to Mayfield Drive.
- 1.2 The property is not a listed building or in a conservation area or within any other land designated under Article 2(3) of the GPDO 2015, however it is adjacent to Tookes Green Conservation Area by its western flank boundary.
- 1.3 The property is not subject to an article 4 Direction.
- 1.4 The site is located within a critical drainage zone

2.0 PROPOSAL

- 2.1 The application proposes a two storey front extension located on the southern side of the property, single storey rear extension located to the north of the property, alterations to form pitched roof over single storey side extension located on the west of the property, alterations and extension to roof over existing first floor side extension to the east of the property, first floor side infill extension, first floor rear infill extension to the north of the property, front dormer, two rear dormers, rooflights in both side roofslopes, Juliette balcony at first floor rear, conversion of garage to habitable room with installation of window to front and external alterations including the relocation of the front door.
- 2.2 The proposed two storey front extension would continue the hipped roof profile and would extend out by 2m. The ridge and eaves height would be maintained.
- 2.3 The proposed single storey rear extension would project 2.6m and 4.1m from the rear elevation with a width of 14m. This will have a flat roof, with roof lights at a maximum height of 3m
- 2.4 The proposed pitched roof over the side extension will replace a flat roof, at a maximum height of 3.4m
- 2.5 The proposed alterations to the first floor side extension would raise the existing walls and incorporate an subservient hipped roof, at a maximum height of 7.5m.
- 2.6 The proposed first floor rear infill extension would project 1.5m and come inline with the existing rear elevation.

- 2.7 The proposed front dormer would project 1.8m from the roof slope, with a height and width of 1.5m and 1.6m. The proposed rear dormers will project 2m with a height and width of 1.5m and 1.2m.
- 2.8 The proposed development would have three roof lights measuring 0.8 metres x 0.8 metres in the proposed side elevation of the hipped roof, it would have 3 roof lights on the ground floor roof alteration. Two windows from the western flank will be removed, three windows will be incorporated on the western flank. The garage door will be replaced with a window, as well as the door on the existing ground floor side extension. A Juliette balcony will be incorporated on the rear elevation.
- 2.9 The existing garage will be converted to a habitable space.
- 2.10 The proposed extension would be finished in materials to match with the existing house.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of planning history is set out below:

Ref no.	Description	Status & date of decision
LBH/4526	Front extension to garage	GRANTED 17 th November 1969
LBH/4526/1	Erection of carport	GRANTED 3 rd October 1975
LBH/38564	First floor side extension assistant	GRANTED 6 th June 1989

3.2 Pre-application Discussion

- 3.2.1 Pre application advice was given reference P/5036/19/PREAPP on the pre-revised plans. The proposal was concluded to be unacceptable subject due to the impact of the two storey front extension on the character of the area.
- 3.2.2 Whilst many elements of the proposed development are similar to the plans submitted under pre application P/5036/19/PREAPP, the front extension has been reduced from 3.9m to 2.1m in depth

4.0 **CONSULTATION**

- 4.1 A total of 7 consultation letters were sent to neighbouring properties regarding this application, an additional renotification was sent due to the amended plans being received Two site notices were placed in the local area due to the proximity to the conservation area. The minimum statutory consultation period expired on 1st June 2020.
- 4.2 Eighteen objections were received from the public consultation.
- 4.3 A summary of the responses received along with the Officer comments are set out below:

Character and appearance:

- The two storey front extension would be out of character with other development and would be obtrusive.
- The first floor side extension would be highly visible on this corner.

Officer response: Given the varied character of the locality and the appropriate scale and design of the proposal it is considered that the proposal would not detract from the character and appearance of the house and the area.

Amenity:

- The proposed would be overbearing and would impact upon privacy of neighbours.

Officer response: The proposal is considered to have an acceptable impact with regard to outlook and privacy of neighbours. Furthermore, a condition ensuring that no new windows are installed within the side and rear elevations other than those shown on the approved plans, is included within this recommendation.

Impact of vehicles delivering materials:

- Difficulty of vehicles turning within the cul-de-sac, and impact of deliveries on emergency vehicles

Officer response: This is not a planning consideration

Wall between boundaries

- Applicant wishes to develop on the boundary walls

Officer response: There have been no plans for any development on the boundary walls

Parking

- Removal of garage will increase off street parking

Officer response: There would remain sufficient hardstanding to the front of the property to accommodate off street parking for residential use.

Flooding

- The proposed development will increase the risk of flooding for the local area

Officer response: Harrow Councils drainage officer has raised no concerns regarding drainage of the area.

4.4 Statutory and non-statutory consultation

4.5 A summary of the consultation responses received along with the officer comments are set out in the table below.

Conservation Officer	“This property is in the setting of the Tookes Green Conservation Area. The proposal would preserve the setting of the conservation area given the scale and design of the extensions as long as the rooflights were all conditioned to be flush with the roofline and materials and details were otherwise conditioned to match.”
CAAC	“There should be no front dormer given the views from the conservation area.”

4.6 A section is included below on drainage as the site is located in a critical drainage area and as such relevant informatives are necessary and recommended.

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] which sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the

Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Character and Appearance of the Area/Setting of Conservation Area
- Amenity
- Residential Amenity Flood Risk and Drainage

6.2 Character and Appearance of the Area/Setting of Conservation Area

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B, 7.6B, 7.8C and 7.8D
- The Draft London Plan Intend to Publish Version (2019): D1, D4
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM1, DM7

6.2.2 The existing Mayfield Drive street scene is characterised by a mix of detached dwellinghouses with those in the immediate locality predominantly comprising hipped and pitched roof forms.

6.2.3 It is noted that the application property has a significant set back from Mayfield Drive and the neighbouring property Seven Elms. The two storey front extension would be 18m from the front boundary. This would remove the front gable of the

original property but would ensure a subordinate appearance from the host dwelling.

- 6.2.4 The proposed ground floor rear extension would project 2.5m from the existing rear, or 4m including the infill, this would be considered acceptable for a detached dwelling.
- 6.2.5 The proposed rear dormer dimensions would be considered acceptable and would not be considered out of place on Suncourt.
- 6.2.6 The proposed roof lights would not significantly project beyond the roof slope
- 6.2.7 The rearranged front door would not be considered out of place in relation to the other properties situated on Mayfield Drive
- 6.2.8 The existing garage would be converted to a habitable space. As there would be sufficient off street parking to the front of Suncourt, this would be considered acceptable and would not increase on-street parking.
- 6.2.9 Harrow Council's Heritage officer has been consulted on the plans and has confirmed the proposals would be considered acceptable in relation to the setting of the Tookes Green Conservation area.
- 6.2.10 In conclusion, the proposal is therefore considered to have an acceptable impact on the character and appearance of the main house and the street scene and would meet with the design aspirations of the NPPF (2019), Policies 7.4B and 7.6B of the London Plan (2016), and Policies D1 and D4 of the Draft London Plan Intend to Publish Version (2019).

6.3 Residential Amenity

- 6.3.1 The relevant policies are:
 - National Planning Policy Framework (2019)
 - The London Plan (2016): 7.6B
 - The Draft London Plan (Intend to Publish Version) (2019): D6
 - Harrow Core Strategy (2012): CS1
 - Harrow Development Management Policies (2013): DM1
- 6.3.2 The proposed two storey front extension would not breach the 45 degree line drawn from the edge of the nearest neighbouring side wall at Seven Elms. As such it is not considered that the proposal would adversely impact upon outlook to their nearest rear first floor window.
- 6.3.3 It is noted that objections have been received regarding the loss of privacy of neighbours. The proposed side facing windows would be between 1m to 4m from the common boundary with Seven Elms and serve non protected rooms, and the flank elevations of No. 20, 20a and 18, the proposed windows towards Seven Elms can be condition to be obscurely glazed to protect against overlooking. Additionally, there would remain enough distance from the rear elevation of Suncourt and the property to the rear. In addition, the window and front dormer within the front elevation would be in the same position as windows within the

existing front elevation and would therefore not be detrimental to the privacy enjoyed by occupants opposite the host site on the other side of Mayfield Drive.

- 6.3.4 The proposed front extension would not project beyond a 45 degree angle from the nearest first floor corner of Seven Elms, and the rear extensions would be buffered from view by the existing property. There would therefore not be an unacceptable impact on these neighbouring occupiers in terms of overbearing impacts.
- 6.3.5 The proposed rooflight would be positioned to not provide a clear line of sight to a neighbouring property. As such it is considered that the proposed roof light on this side would not give rise to any objections in terms of loss of privacy to neighbours.
- 6.3.6 In conclusion, the proposal would not give rise to any adverse impact in terms of loss of outlook or loss of privacy to neighbours.

6.4 Development and Flood Risk

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13
- The Draft London Plan (Intend to Publish Version) (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.4.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, “proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.”

6.4.3 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. The site is not located within a flood zone. As such this permission contains an informative relating to the provision of sustainable drainage systems.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area, and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2019), Policies 7.4B, 7.6B, 7.8C and 7.8D of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version, Policy CS1.B of the Harrow Core Strategy, Policy DM1 and DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS:

1. Timing

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

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

2. Approved plans and documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents: PA-01; Heritage Statement

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

3. Windows 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the side and rear elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents.

4. Windows 2

The windows in the eastern wall of the approved development shall:

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

REASON: To safeguard the amenity of neighbouring residents.

5. Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework 2019

The London Plan 2016

7.4B, 7.6B, 7.8C, 7.8D

Draft London Plan Intend to Publish Version 2019

D1, D4, D6

The Harrow Core Strategy 2012

CS1.B

Harrow Development Management Policies Local Plan 2013

DM1,DM7, DM10

Relevant Supplementary Planning Document

Supplementary Planning Document: Residential Design Guide (2010)

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:

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2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

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4. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

5. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

6. Surface and foul water connections

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

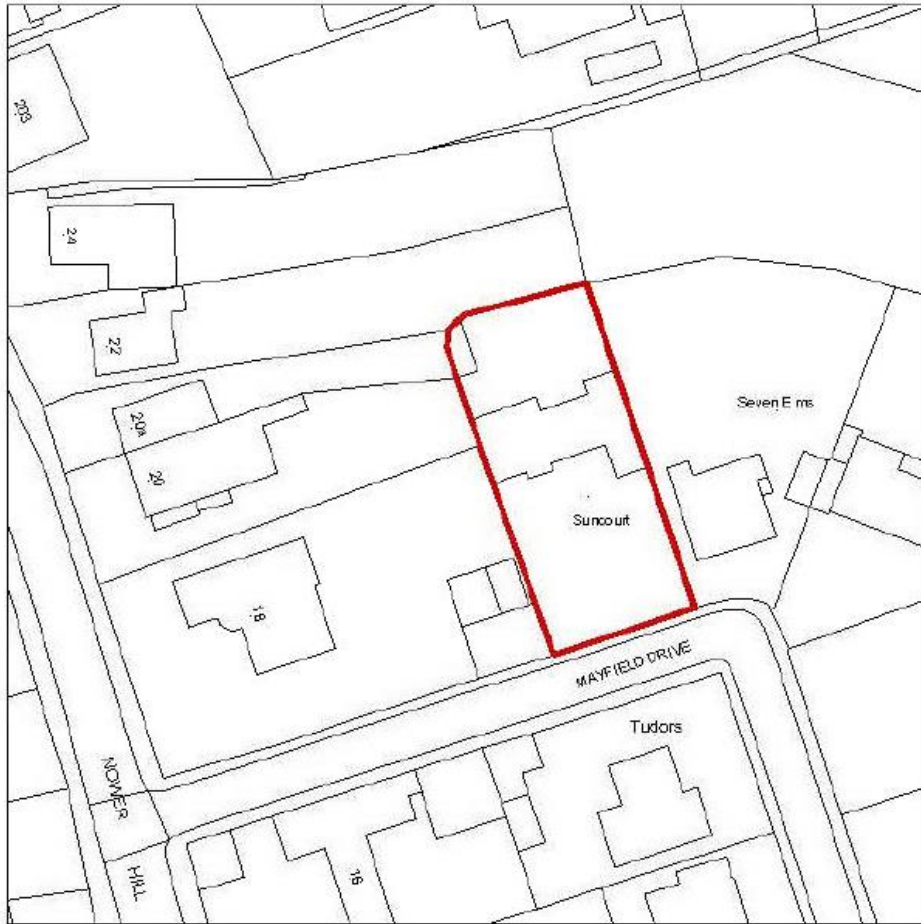
7. Damage to Highway

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

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: LOCATION PLAN



LOCATION PLAN 1:1250

APPENDIX 3: SITE PHOTOGRAPHS



Figure 1 View of property looking north from Mayfield Drive



Figure 2 Existing rear elevation



Figure 3 Rear elevation facing towards Nower Hill



Figure 4 Front of applicant property facing towards Seven Elms, set back clearly shown

APPENDIX 4: PLANS AND ELEVATIONS

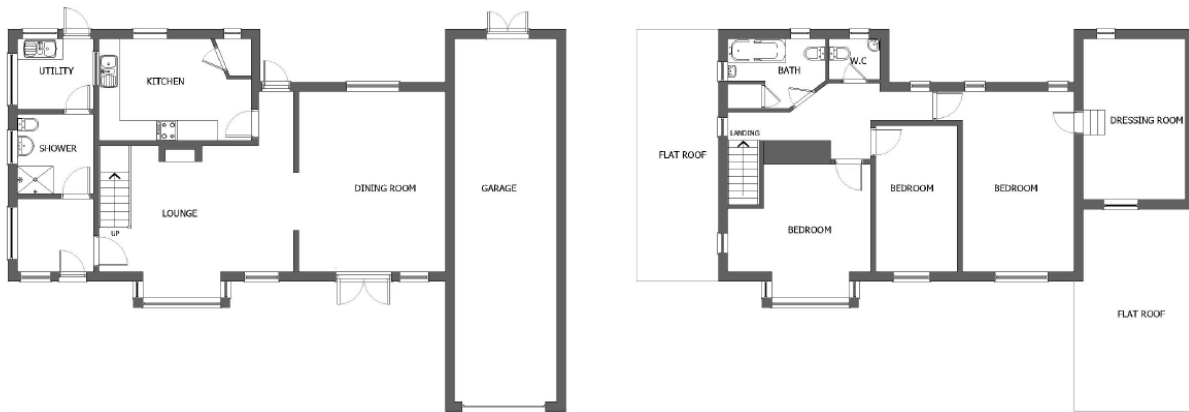


Figure 5 Existing floor plans

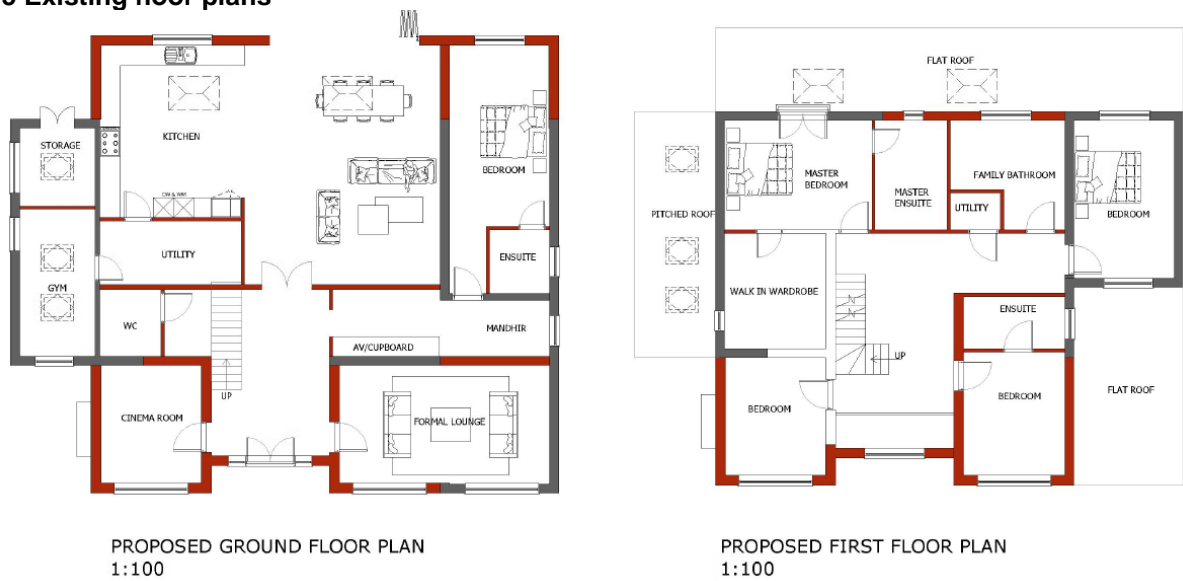


Figure 6 Proposed Floor Plans



EXISTING FRONT ELEVATION
1:100

EXISTING SIDE ELEVATION
1:100



EXISTING REAR ELEVATION
1:100

PROPOSED GROUND FLOOR PLAN
1:100

EXISTING SIDE ELEVATION
1:100

Figure 7 Existing Elevations



PROPOSED FRONT ELEVATION
1:100

PROPOSED SIDE ELEVATION
1:100

PROPOSED REAR ELEVATION
1:100

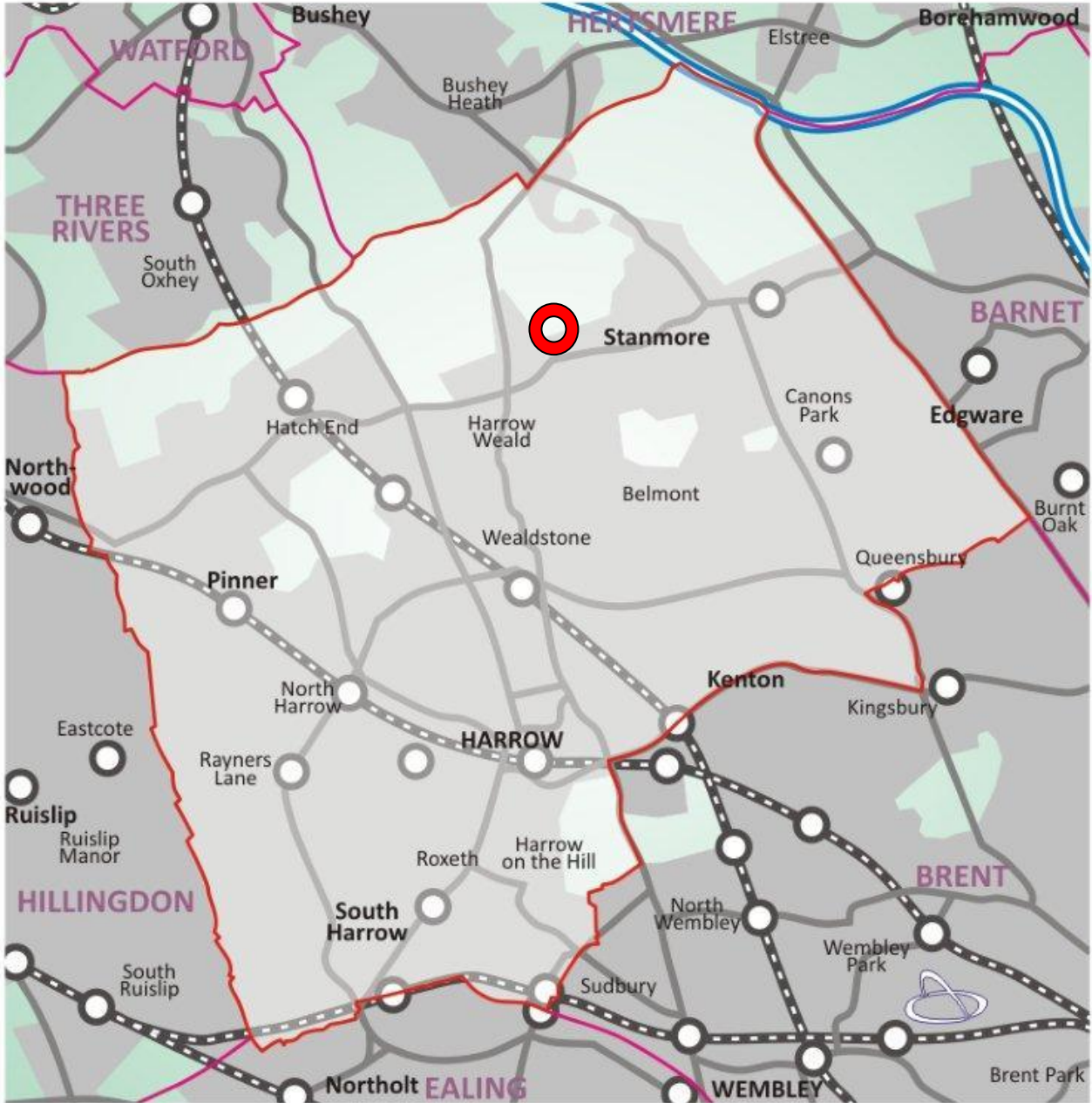
PROPOSED SIDE ELEVATION
1:100

Figure 8 Proposed Elevations

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 = application site



Avondale Lodge 8 Pynacles Close	P/1138/20
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NOTES

- 1. This drawing is copyright of Studio V Architects Ltd
- 2. Use figured dimensions only



Location Plan

1 : 1250

Legend	
	Boundary Line

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/1138/20
VALID DATE: 1st JUNE 2020
LOCATION: AVONDALE LODGE 8 PYNNALES CLOSE
STANMORE
WARD: STANMORE PARK
POSTCODE: HA7 4AF
APPLICANT: MR VIJAY KARA
AGENT: STUDIO V ARCHITECTS
CASE OFFICER: FAYE MCELWAIN
EXPIRY DATE: 29th JUNE 2020 (EXTENDED to 29th JULY 2020)

PROPOSAL

Re-Development To Provide A Two Storey Dwellinghouse (1 X 7 Beds) With Basement And Habitable Roofspace; Parking; Boundary Treatment; Landscaping; Bin / Cycle Store

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposal would provide a high quality replacement family dwellinghouse which responds appropriately to the site, local context, height, massing and architectural appearance. Officers consider that the proposal would not have an unduly harmful impact on the amenity of neighbouring occupiers in terms of privacy/outlook; daylight, sunlight or overshadowing. Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member due to public interest and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
Net additional Floorspace:	922.70
GLA Community	£55,362
Infrastructure Levy (CIL) Contribution (provisional):	
Local CIL requirement:	£146,355

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 Pynnales Close is a quiet residential cul-de-sac largely characterised by detached properties with varying architectural styles, massing and forms, located of Church Road, near the junction with Uxbridge Road, Rectory Lane and Old Church Lane.
- 1.2 The application site consists of a detached single and part two-storey family dwellinghouse located on a wedge shaped plot at the turning head of Pynnales Close, Stanmore. Due to the wedge shaped plot, the front elevation of the subject property is set-back approximately 35m from the highway. The site levels increase by approximately 3m from the south to the north of the application site.
- 1.3 The adjoining property to the east, Woodhaven, is a part single and two-storey detached house that has been previously extended by virtue of single and two-storey additions. The front building line between the subject property and Woodhaven is uniform.
- 1.4 The adjoining property to the west, The Spinney, is a two-storey detached property located within a rectangular plot and is sited forward of the subject property. The front elevation is located broadly perpendicular to the subject property.
- 1.5 The application site is adjoined to the rear by the detached houses of nos. 3, 4 and 5 Halsbury Close. neighbouring boundaries. The submitted Arboricultural report suggests that to facilitate the development proposal, a total of six trees would require removal. The application site is also located within a Critical Drainage Area

2.0 PROPOSAL

- 2.1 The application proposes to re-develop the site to provide a new detached family home. The current proposal alters from the extant permission on the site by proposing to modify the basement, to bring the first floor of the front elevation in line with the ground floor element and to make alterations to the façade and fenestration of the dwelling.
- 2.2 As with the dwelling with extant permission, the proposed replacement house would have a rectangular form and would be two-storeys in height, with a single storey rear element and habitable accommodation within the basement and roof space. The proposed dwellinghouse would feature a pitched/gabled roof form with a maximum height of approximately 11m.
- 2.3 The siting of the replacement property would not be altered from the previous approval. It would be orientated further south and the front elevation would be sited further forward than the existing dwellinghouse. The front elevation would be sited approximately 26m from the highway. The rear elevation would be sited approximately 7m from the shared boundary to the north at its closest point.
- 2.4 As with the previous approval the application proposal also seeks to alter the levels of the site. As a result, the replacement building would be set approximately

600mm lower than the existing property. The ground immediately to the rear would also be excavated to provide a level patio area from the rear elevation and would then follow a steady incline so that the levels match the existing level adjacent to the rear boundary with the adjoining properties.

3.0 **RELEVANT PLANNING HISTORY**

P/0419/20	Re-development to provide a two storey dwellinghouse with basement and habitable roof space; parking and boundary treatment.	Granted by committee 29/05/2019.
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4.0 **CONSULTATION**

- 4.1 A total of 17 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 A site notice was posted on 4th June 2020 and Harrow Times Advert published on 4th June 2020.
- 4.3 The overall public consultation period expired 29th June 2020 and 1 objection was received and is summarised below along with the officer comments.

<p>Proposed house would overdevelop the site – <i>this is dealt with in the Character section below.</i></p> <p>Ground stability issues due to the enlarged basement – <i>This is a building control issue and is not a material planning consideration.</i></p> <p>Impact on TPO trees at 3 and 4 Halsbury Close – <i>Addressed in the trees section below.</i></p> <p>Loss of light/privacy – <i>Addressed in the neighbour amenity section.</i></p> <p>The proposal does not conform to the Conservation Area Appraisal – <i>Addressed in the Character section below.</i></p> <p>Unauthorised concrete has been laid on the site – <i>This is part of an enforcement investigation. This is summarised in the section below.</i></p>
--

4.4 **Statutory and Non-Statutory Consultation**

- 4.5 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
LBH Highways

This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network.

The development is on an unadopted road however, it should not be obstructed, closed or damaged during the demolition and construction works. The Construction Management Strategy is acceptable.

Highways have no objection to this proposal.

LBH Drainage

The **Drainage Strategy submitted is satisfactory**, however further following details are still required and can be conditioned.

LBH Conservation

This proposal is in the setting of the Stanmore Hill Conservation Area whose special character and appearance is outlined by the Stanmore Hill Conservation Area Appraisal and Management Strategy. Given the scale and siting of this scheme, which is a revision to an earlier approval, this would preserve the setting of this heritage asset.

LBH Landscape Architect

In the event of a n approval the suggested landscape conditions are set out in the previous comments, in the email attached dated 8th March 2019.

LBH Tree Officer

The updated report to reflect the enlarged basement and amendments to the previous scheme, is acceptable. This must be implemented exactly in accordance with the details therein.

Designing Out Crime Officer

The proposal can achieve a designing out crime award. This can be conditioned.

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the

Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Character and Appearance of the Area/Conservation Area
- Residential Amenity
- Traffic, Safety and Parking
- Development and Flood Risk
- Trees and Development
- Accessibility
- Secure by Design
- Enforcement
- Conclusion

6.2 Principle of Development

The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016:3.3
- The Draft London Plan 2019: D1
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM24

6.2.1 Planning permission for a replacement dwelling was granted in May 2019 thereby establishing the principle of redeveloping the site. The proposal would require the demolition of the existing dwellinghouse. While there is no specific policy against

the principle of the demolition of the buildings, as they are not protected, Policy 3.14 does safeguard the loss of housing. The proposal would however provide a replacement house with a greater floorspace and would therefore not conflict with the policy in this regard.

- 6.2.2 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the replacement of a residential dwelling here and there has been no significant policy change since the previous approval on the site. Consequently, it is considered that the principle of a replacement dwellinghouse would be acceptable, subject to detailed consideration of the likely impact on the character and appearance of the surrounding area, neighbouring amenity, highway safety, flooding, trees and other matters addressed below.

6.3 Character and Appearance of the Area/Conservation Area

- 6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.3, 3.5, 3.8, 6.3, 6.9, 6.13, 7.4, 7.6, 7.8
- The Draft London Plan 2019: D1, D2, D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM7 DM9, DM10, DM24, DM27, DM42, DM44, and DM45

Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

- 6.3.2 Pynnales Close is predominantly a residential cul-de-sac located off Church Road, near the junction with Uxbridge Road and Old Church Lane. The western side of the street is characterised by modestly sized two-storey detached houses on rectangular plots. The eastern side of the road features Elms Lawn Tennis Club at its southern part, Dron House, Woodhaven and the subject site. The Spinney is located to the north of the turning head. These properties are located on larger plots and generally have a greater footprint than the neighbouring properties on the western side of the Close. Dron House in particular is a substantially large dwellinghouse. Owing to the wedge shape plot, the subject property and Woodhaven are set away from the road. There is a variety of architectural styles, form and massing of the homes on Pynnales Close.

- 6.3.3 The existing dwellinghouse is relatively unassuming given its set-back from the road and predominant single storey height. The existing property has not been modernised and has an out-dated appearance, which is out of odds with the more contemporary styles of the surrounding dwellings.

- 6.3.4 With regard to siting and layout, the proposed replacement house has not altered from the previous approval on the site. The proposed building would be orientated further to the south-east and sited forward of the existing building. The proposed building would therefore be approximately 14m further forward than the existing front elevation. It is considered that the proposed siting and setting space of the replacement dwelling would be acceptable and would not have a harmful impact on the character of appearance of the streetscene or the pattern of development within the locality.
- 6.3.5 The replacement dwellinghouse which was approved would be larger than the existing property by virtue of its proposed scale and massing. The current scheme proposes to extend the first floor forward in line with the ground floor on the front elevation. The proposal maintains a hipped roof profile with front and rear gable projections and a front projection along the western flank elevation. It was previously considered that these design features are consistent with the prevailing roofscape within the locality and the articulation would help to break up the mass and bulk of the replacement dwellinghouse, thereby reducing the visual dominance of the building when viewed from the streetscene. The proposed alteration to the front elevation is not considered to significantly alter this appearance nor the scale or bulk of the dwelling as previously approved and therefore officers consider this alteration to have a negligible impact on the design and character of the dwelling as approved.
- 6.3.6 The revised application would alter the size of the basement but would not cover an area which was over the size of the ground floor of the proposed dwelling. The basement would be entirely sunken and not visible within the streetscene. This part of the scheme would therefore not have a detrimental impact on the character and appearance of the surrounding area.
- 6.3.7 The application site is sited approximately 14.5m away from the boundary of the Stanmore Hill Conservation Area at its closest point (north-west of site). The subject site however does not adjoin the boundary of the Conservation Area. The Council's conservation officer does not consider that the alteration to the scheme would have a negative impact on the Conservation Area and raises no objection to the revised application.
- 6.3.8 Refuse storage details have been demonstrated on the landscaping plan within the rear garden. The refuse bins would therefore be screened away from public vantage points and would safeguard the visual amenities of the streetscene. However, only two bins are shown where three would be required. A condition has been added to obtain further details in relation to this.
- 6.3.9 Policy DM 23 of the Development Management Policies Local Plan (2013) states that: provision for hard and soft landscaping of forecourts, or which fail to contribute to streetside greenery where possible. The Landscape Architect has reviewed the submitted landscape plan and raises no objection to the soft landscape provision and generally raises no objection, subject to landscape and level details.

- 6.3.10 With regard to site levels, the proposed excavation and ground engineering works would result in the proposed replacement dwellinghouse being sited approximately 600mm lower than the existing dwellinghouse. The rear garden levels would also be altered to provide a rear terrace which would be in keeping with the ground floor finished floor levels (up to some 6m beyond the original rear elevation). The ground level would then gradually increase to match existing levels adjacent with the shared boundary with the neighbouring properties at the rear. Given the varied character, pattern of development and site context within Pynacles Close, it is considered that the proposed change in levels would not have a demonstrably harmful impact on the character or appearance of the area of appearance of the streetscene. Further details of the levels are required to ensure that the levels are adequate to ensure that suitable landscaping is achieved. A condition has been added to this effect.
- 6.3.11 Minor alterations to the fenestration detail have also been proposed which do not detract from the contemporary style and design ethos of the approved building.
- 6.3.12 It is therefore considered that the proposed development would not result in a detrimental impact to the character and appearance of the surrounding area, in accordance with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5, 7.4, 7.6 and 7.8 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

6.4 Residential Amenity

6.4.1 The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM27
- London Plan Policy 7.4
- The Draft London Plan Policy D1, D6

Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

Residential Amenity of neighbouring Occupiers

6.4.2 The proposed replacement dwellinghouse would be sited further forward within the plot than the existing dwelling and would be orientated towards the south-east. By virtue of the increase footprint and massing, the proposed replacement dwellinghouse would inevitably appear more visually prominent within the streetscene and from the adjacent rear garden and patio areas of neighbouring dwellinghouses. However, the increased visual prominence was not considered to be harmful in the assessment of the previous scheme. The proposed alterations to the front elevation and the basement are not considered to significantly increase the bulk and therefore the impact on neighbouring amenity.

- 6.4.3 With regards to the adjoining property to the west, The Spinney, given the siting of that neighbouring dwellinghouse, the orientation to the proposed replacement dwellinghouse and the separation distance which would be provided, it is considered that the proposed replacement dwellinghouse would not have a detrimental impact on the residential amenities of that neighbouring dwellinghouse by virtue of overshadowing, loss of light or loss of outlook and the proposed alterations would not have a material impact on the residential amenity of the occupiers of this dwelling.
- 6.4.4 In relation to Woodhaven to the east, at its closest point, the proposed ground floor flank wall would be sited some 2m away from the shared boundary with that neighbouring dwellinghouse. However, the orientation of the building would skew the building line away from that shared boundary so that the rear elevation is sited approximately 9.5m away from that shared boundary. The proposed increase in the first floor would be over 6m from the boundary with this neighbour and would project 2.5m further forward than the approved first floor element. Given the site circumstances, this relationship is acceptable.
- 6.4.5 Nos. 3, 4 and 5 Halisbury Close adjoin the application site to the rear. The property is currently orientated towards the rear gardens of no 3. The approved dwelling house would be positioned more centrally within the plot than the existing dwelling and would be orientated towards the rear elevations of nos. 3, 4 and 5. A separation distance of 7.3m would be provided between the proposed rear elevation and the shared boundary with those adjoining dwellinghouses. At its closest point, the proposed first-floor rear elevation would be located approximately 12.5m from the shared boundaries with the respective adjoining neighbours.
- 6.4.6 Although it is acknowledged that the proposed rear facing windows and dormer would have an overlooking and privacy impact this impact was considered to commensurate with the residential character of the area in the assessment of the previous application. The previous application contained a condition to remove the floor to ceiling windows at first and second floor level as there were concerns that this could exacerbate the perception of overlooking. The full-length windows do not feature on this amended scheme and therefore the condition is not considered necessary for this revised proposal.
- 6.4.7 The proposal would feature a first-floor terrace at the north-western part of the dwellinghouse. Although this is not shown on the plans, the applicant has confirmed that they wish to use the flat roof in this location for this purpose. As with the previous approval, a condition is included for details of the privacy screen to be submitted prior to occupation to safeguard the residential amenities of the adjoining occupiers.
- 6.4.8 The proposal would have seven bedrooms and would meet the minimum floor areas set out within the London Plan (2016). Officers consider that the proposed replacement dwellinghouse would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

6.4.9 It is considered the proposal would not have an unacceptable impact on the residential amenities of adjoining occupiers or the occupiers of the subject site in accordance with London Plan policy 7.6B and Development Management Policies Local Plan (2013) Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

6.5 Traffic, Safety and Parking

6.5.1 The relevant policies are:

- The London Plan 2016: 6.3, 6.9 and 6.13
- The Draft London Plan 2019: T4, T5 and T6
- Harrow Core Strategy 2012: CS1 R
- Harrow Development Management Policies Local Plan (2013): DM 42

6.5.2 Parking for several cars is possible on the frontage of the property and is therefore unlikely to cause issues as regards parking provision in the vicinity of the site or a severe or harmful impact for the surrounding highway network. Secure cycle parking is proposed on the side boundary of the site.

6.5.3 The applicant has submitted a Construction Method Statement. The submitted detail in relation to highways has been referred to the Councils Highways Officer who has raised no objection to the proposal.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- Development Management Policies Local Plan (2013): DM 9, DM10

6.6.2 The Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and basement protection details. The proposal would therefore comply with policies 5.12 and 5.13 of the London Plan (2016) and Policy and DM10 of the Development Management Policies (2013)

6.7 Trees and Development

6.7.1 The relevant policy is DM 22 of the Development Management Policies Local plan (2013).

6.7.2 There are protected trees on the site and on adjoining residential dwellinghouses. A Phase II Arboricultural Impact Assessment has been submitted with the application which has been updated to reflect the changes to the first floor of the dwelling and the basement. The report concludes that six trees would need to be removed to make way for the proposed development. The tree officer is satisfied that the details submitted are satisfactory. Subject to conditions for a detailed site-specific protection plan and method statement, officers consider that the proposal would be acceptable in this regard and would comply with the relevant policies. In addition, a condition has been added to ensure that the trees identified for

retention would be replaced if they die within five years of the completion of the development.

6.8 Accessibility

6.8.1 The relevant policies are:

- The London Plan 2016: 3.5, 3.8
- The Draft London Plan 2019: D5
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM2

6.8.2 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. A Condition is recommended to ensure that the proposed development meets regulation M4(2) of the Building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

6.8.3 On this basis, it is considered that the proposal complies with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5 and 7.2 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

6.9 Secure by Design Issues

6.9.1 The relevant policies are:

- The London Plan 2016: 7.3.B, 7.13B
- Harrow Development Management Policies Local Plan (2013): DM1

6.9.2 It is considered that the development does not adversely affect crime risk. A condition has been attached to ensure that the scheme complies with Secure By Design requirements in accordance with the secure by design officer's recommendation.

6.10 Enforcement

6.10.1 There was an enforcement investigation for the commencement of construction of an outbuilding in the rear garden within the root protection area of protected trees. The outbuilding was constructed on piles without any major excavation so the damage to tree roots is minimal. It is understood that the outbuilding is required as a temporary structure for the storage of materials to be taken down on completion of the development. The applicant is advised to apply for a temporary permission to retain the outbuilding for this purpose. The enforcement action in

relation to the outbuilding is not a material consideration in relation to the current application.

7.0 CONCLUSION AND REASONS FOR APPROVAL

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

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS

1. Timing

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

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

2. Approved Plans and documents

Save where varied by the other planning conditions comprising this planning permission , the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents: PL01; PL03; PL04; PL05; PL06; ARJH-20-005-101; ARJH-20-005-102; ARJH-20-005-103; AR-STRU-1000; AR-STRU-1001; AR-STRU-1002; AR-STRU-1003; AR-STRU-1004; AR-STRU-1005; AR TMP-1001; AR PL-1002; Construction and Environmental Management Plan; Construction Management Strategy March 2020; Design and Access Statement January 2020; Basement Impact Assessment; Report on Ground Investigation October 2019; EA Flood Maps; Drainage Strategy Report – C2255-R1-REV-A; Phase 2 Arboricultural Impact Assessment updated 18/03/2020.

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

3. Levels

The development hereby permitted shall not commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

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

4. Surface and Foul Water Disposal

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

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

mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development.

5. Surface Water Attenuation

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

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development.

6. Basement Protection Plan

The development hereby permitted shall not commence until a basement protection plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk.

7. Arboricultural Method Statement and Tree Protection Plan

The development hereby permitted shall not commence, including works of demolition, until a detailed Arboricultural Method Statement and Tree protection Plan have been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:

- a) sequence of operations
- b) tree protection methods
- c) tree protective fencing and ground protection

REASON: The existing trees represent an important amenity feature which the Local Planning Authority considers should be protected.

Details are required prior to commencement of development to ensure a satisfactory form of development.

8. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above podium slab level until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been submitted to, and approved in writing by, the local planning authority:

- a) All external appearance of the building
- b) Boundary treatment
- c) Ground treatment

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

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

9. Window Glazing

Save where varied by other conditions, no window(s) / door(s), other than those shown on the approved plans, shall be installed in the flank wall(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents.

10. Refuse storage

Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not be occupied until details (including elevations) of the scheme for the storage and disposal of refuse/waste for all residential units and the synagogue has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained. The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

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

11. Landscaping 1

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above podium slab level until there has been submitted to, and approved in writing, by the local planning authority, a scheme of hard and soft landscaping and boundary treatment. This shall include a landscape masterplan and details in both front and rear gardens, Soft landscape works shall include: planting plans which also detail the replacement planting along the boundary, and schedules of plants, noting species, plant sizes and proposed numbers / densities. 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.

12. Landscaping 2

The development hereby approved shall not be occupied until a scheme for the on-going management, management programme of works and maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and landscape maintenance schedules for all landscape areas, 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 in a timely manner as approved.

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

13. Landscaping 3

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation of the approved dwelling, 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.

14. Landscaping 4

All hardsurfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

15. Fencing

No demolition or site works in connection with the development hereby permitted shall commence before:

a: the frontage

b: the boundary of the site is enclosed by a close boarded fence to a minimum height of 2 metres.

Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety

16. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouse hereby permitted without the prior written permission of the local planning authority.

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

17. Trees Retention

No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless otherwise agree in writing by the Local Planning Authority.

REASON: To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality.

18. Terrace Details

The development hereby approved shall not be occupied until details of a privacy screen for the terrace to the NW of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the privacy of the occupiers of the neighbouring occupiers and to ensure that the development achieves a high standard of privacy and amenity.

19. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan 2016

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and balanced communities
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking
- 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 and archaeology

Intend to Publish Draft London Plan (2019):

- D1 London's form and characteristics
- D2 Delivering good design
- D3 Inclusive Design
- D5 Accessible Housing
- HC1 Heritage conservation and growth
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car Parking

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

- DM 1 – Achieving a High Standard of Development Policy
- DM 2 – Achieving Lifetime Neighbourhoods Policy
- DM7 – Heritage Assets
- DM 9 - Managing Flood Risk Policy
- DM 10 – On Site Water Management and Surface Water Attenuation
- DM 12 – Sustainable Design and Layout
- DM22 – Trees and Landscaping
- DM 24 – Housing Mix
- DM 27 – Amenity Space
- DM 42 – Parking Standards

DM 44 - Servicing
DM 45 – Waste Management

Relevant Supplementary Documents

Mayor of London Housing Supplementary Planning Guidance (2016)
Residential Design Guide Supplementary Planning Document (2010)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings
Historic England Good Practice Advice in Planning Note 3

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:

Ucommunities@twoten.comU4T

4. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing

surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information

5. Mayoral Community Infrastructure Levy (provisional)

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £60,872. This amount includes indexation which is 323/323. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

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

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

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

The above forms should be emailed to HarrowCIL@Harrow.gov.uk Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties.

6. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2),

Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2),

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £111,101

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing). The CIL Liability is payable upon the commencement of development. You are advised to visit the planningportal website where you can download the relevant CIL Forms.

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

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

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

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

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

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

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

7. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached 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.

8. Compliance with conditions

Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start.

For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

9. Highways Interference

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

Checked

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: SITE PLAN


NOTES

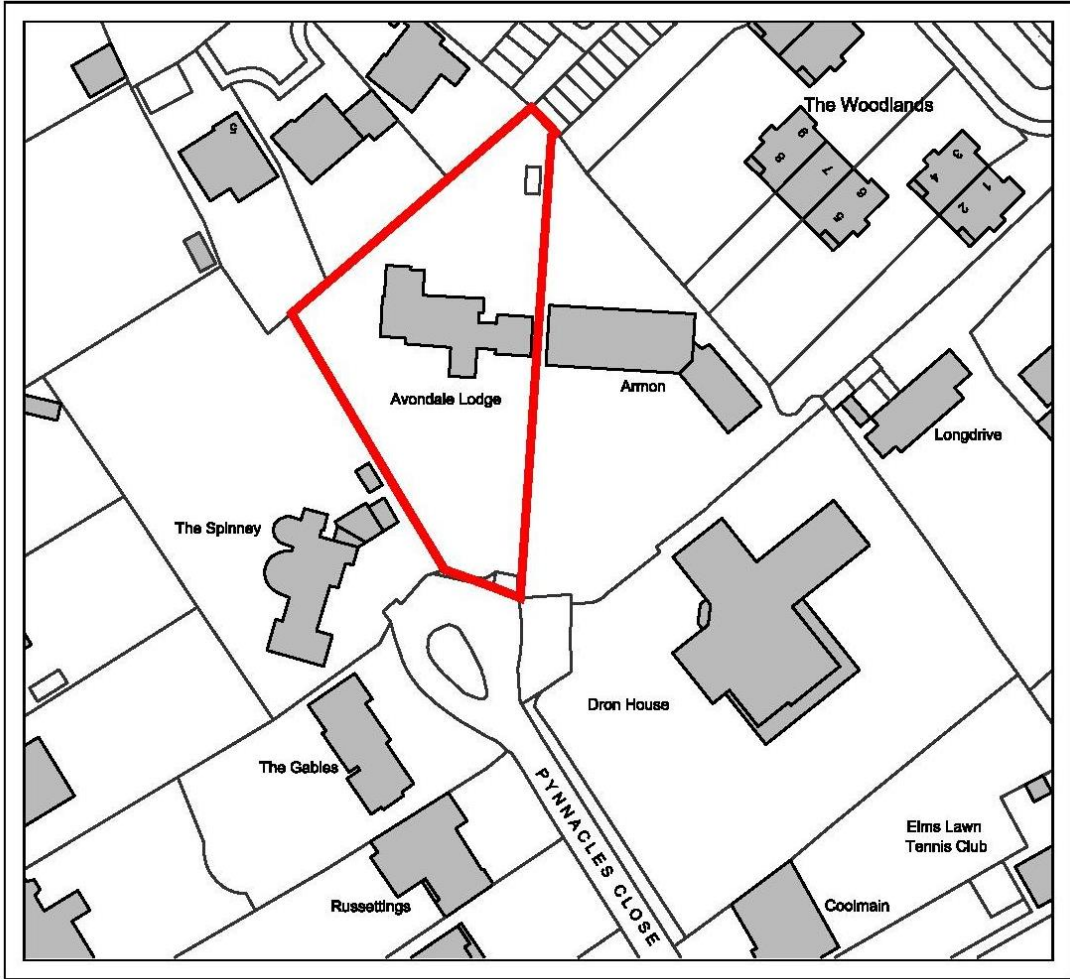
1. This drawing is copyright of Studio V Architects Ltd
2. Use figured dimensions only



Location Plan

1 : 1250

Legend	
	Boundary Line



APPENDIX 3: SITE PHOTOGRAPHS



Front elevation from adjoining highway



Existing dwellinghouse



Existing west facing flank wall



Existing rear elevation



Existing rear elevation



Rear garden

Proposed Elevations

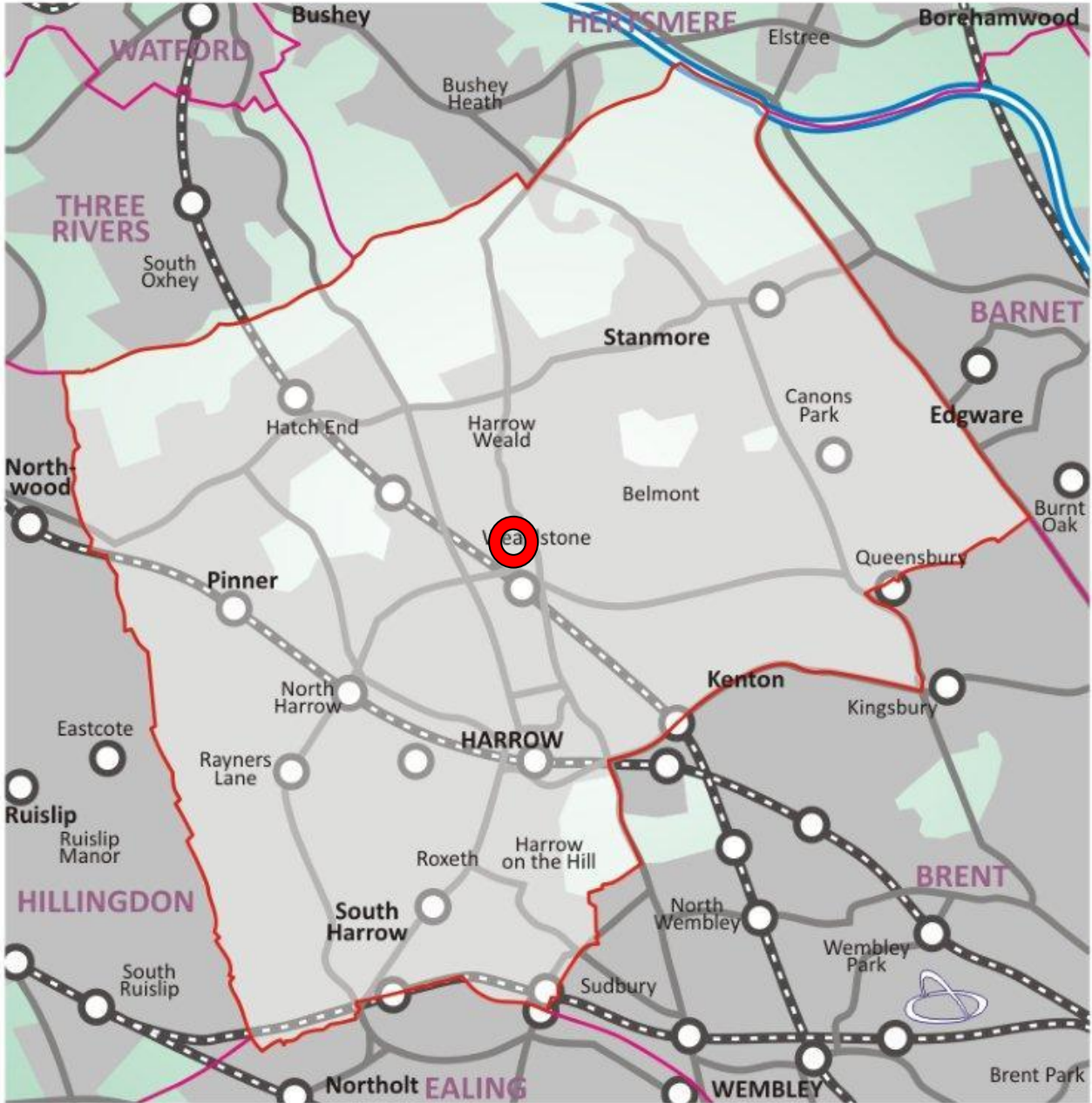


Proposed Streetscene/layout

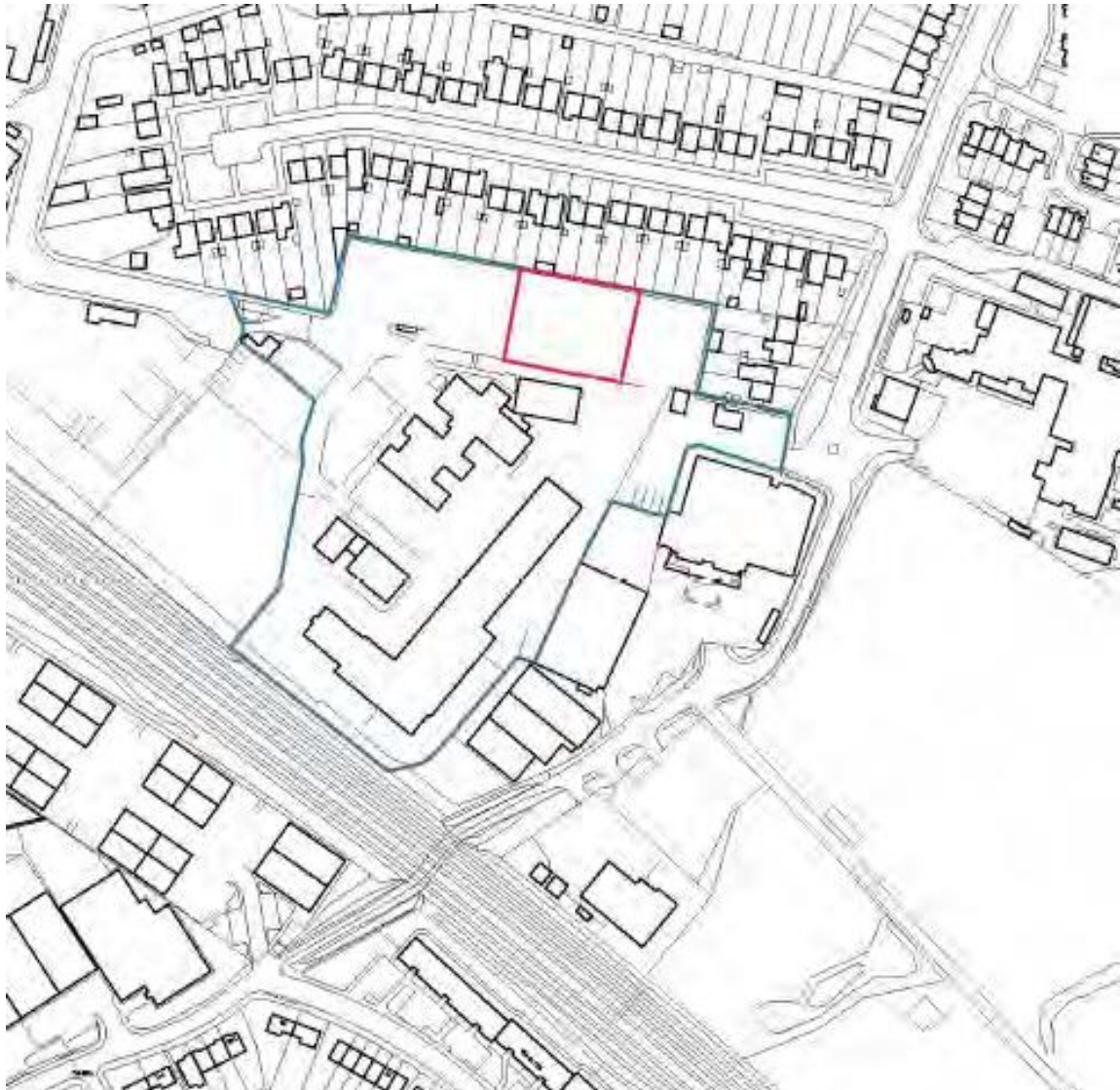
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 = application site



Central Depot Forward Drive	P/1680/20
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/1680/20
VALID DATE: 8th JUNE 2020
LOCATION: CENTRAL DEPOT FORWARD DRIVE HARROW
WARD: KENTON WEST
POSTCODE: HA3 8NT
APPLICANT: LONDON BOROUGH OF HARROW
AGENT:
CASE OFFICER: FAYE MCELWAIN
EXPIRY DATE: 18th AUGUST 2020

PROPOSAL

Variation Of Condition 1 (Removal Of Temporary Office Buildings) Attached To Planning Permission P/3060/17 Dated 28/09/2017 To Allow An 18 Month Extension For The Temporary Office Buildings

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposed variation to condition 1 to permit the temporary office building for an additional 30 months until 27th August 2022, would not result in unreasonable harm to neighbouring residential amenities or the functioning of the site. The variation is required to permit the temporary office building which accommodates the workforce, to remain on site, whilst the redevelopment of the depot and associated car park is completed. It would then be required to be removed from the site.

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

INFORMATION

This application is reported to Planning Committee as the development would be on land owned or where an interest is held by the Council and it would constitute over 100 sqm of floor space and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(18). Minor Development, All Other Development
Council Interest:	Council Owned Site
Additional Floorspace:	N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/a
Local CIL requirement (provisional):	N/a

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1. The application site comprises of a temporary office building located on the former car park within the central depot site owned by the London Borough Of Harrow. The wider site is occupied by various departments of Harrow Council.
- 1.2. The footprint of the temporary building is 828 sq m, with a width of 36m, depth of 24.8m and height of 6.6m. The building is constructed in steel faced composite panels with a steel framework. The external colour is a light grey colour.
- 1.3 The site is located within Harrow Civic Amenity Site, which is an allocated site as per policy Harrow Area Action Plan (AAP) (2013).
- 1.4 To the north of the immediate site are rear gardens of houses along Cullington Close. At present large minibuses park directly adjacent to the rear fences of these neighbouring dwellinghouses.
- 1.5 To the south of the larger site is a railway track serving the London Overground, and other mainline services.
- 1.6 The site is not located within a Critical Drainage Area or any type of higher risk flood zone and the site has been fully hard surfaced. Part of the wider site is located within Flood Zone 1, while outside the site there is a small area within Flood Zone 3a which is at a higher risk flood zone.

2 PROPOSAL

- 2.1 Planning Permission P/3060/17 granted permission on the site for the construction of the temporary office building. Condition 1 of that permission was that the building would be removed within thirty months of the date of the decision (27th March 2020) and the building would be removed and the original car park layout shown on the existing plans would be reinstated.
- 2.2 The current variation to the original permission proposes to vary this permission by allowing for the building to remain in situ for a further eighteen months.

3.0 RELEVANT PLANNING HISTORY

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

P4251/18	Redevelopment to provide part single, part two	Granted 18/09/2019
-----------------	--	--------------------

	and part five storey building with plant room on roof and part first floor mezzanine incorporating workshop (B1 light industrial), office (B1 use), warehouse (B8 use) and ancillary uses; multi storey car park and external car parking; bin store (demolition of existing buildings)	
P/3060/17	Installation of temporary modular buildings to create two storey office accommodation to facilitate works to existing office accommodation on site.	Granted 26/09/2017
P/4767/17	Redevelopment to provide part single, part two and part three storey building with plant room on roof and part first floor mezzanine incorporating workshop (B1 light industrial), office (B1 use), warehouse (B8 use) and ancillary uses; multi storey car park and external car parking; bin store (demolition of existing buildings)	Granted 26/03/2018

4.0 CONSULTATION

- 4.1 A total of 29 consultation letters were sent out to neighbouring properties regarding this application. The minimum consultation period expired on 6⁹th July 2020.
- 4.2 Four objections were received in relation to this proposal. The responses are summarised below with officer comments.

Summary of Comments
Overlooking and privacy issues to the gardens on Cullingham Close. <i>Addressed below in the residential amenity section.</i> Noise disruption from 6am each morning. <i>Addressed below in the neighbouring amenity section.</i> Litter/rubbish has been left at the boundaries of the site. <i>This is not a material planning consideration.</i>

4.3 Statutory and Non Statutory Consultation

- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

Consultee and Summary of Comments
<u>LBH Drainage</u> - No comments

LBH Highways - The proposal to extend the period of time that temporary offices would be in place at this location is unlikely to result in a negative impact for the surrounding highway network as this will not affect the number or frequency of trips to and from the site. Highways have no objection.

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity
- Development and Flood Risk

6.1.1 **Principle of Development**

The relevant policies are:

- Area Action Plan AAP Policy 21 (which relates specifically to the application site)

6.1.2 Planning Permission was granted in March 2018 to decant and demolish the existing accommodation and new accommodation, for Harrow Council services and associated parking. The purpose of the redevelopment is to consolidate and intensify the existing depot uses to make more efficient use of the space. Following the permission to re-develop the site the temporary office building was subsequently granted permission to accommodate Council staff to ensure a continuation in essential Council services during the construction phase of the development. Since the approval of the temporary office buildings and the approval of the original scheme for the Depot, a new application was made in respect of increasing the size of the Depot scheme to include additional office floors and car park floors. This application was granted permission in September 2019.

6.1.3 Due to the approval of the larger scheme the construction programme has been altered and extended. In addition time delays to delivery of the larger scheme have been exacerbated due to the Covid-19 Pandemic. Going forward, the restrictions on the construction industry as a result Covid-19 and the economic implications this has put on the industry as a whole is likely to put further constraints on the timescales for delivery of the re-development of the site. As a result the temporary offices will be required for an additional period before the new offices will be ready to accommodate the displaced staff. It is therefore considered appropriate and reasonable to allow an extension of time of eighteen months to the permission of the temporary office building to allow minimal disruption to Council services and to facilitate the re-development of the site.

6.1.4 Overall, the variation to the time condition of the temporary building is considered acceptable in principle, subject to the other main relevant policy considerations in this location are character and appearance of the area, neighbouring amenity, flood risk and highways considerations.

6.2 **Character and Appearance of the Area**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- Policy 7.4B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2012)
- Policy DM1 of the Development Management Local Plan (2013).

- 6.2.2 It is acknowledged that the design of the existing building, is not a structure that would be considered acceptable if it were to be located on the site for a permanent basis as it would not comply with policy in terms of design and would be inappropriate in terms of character and appearance. Although the current scheme proposes to extend the time that the building is located on site, granting permission would not extend the permission indefinitely. The condition has been altered to allow for a further eighteen months, after which the building is required to be removed and the former car park re-instated. On this basis, as a temporary building it would be considered acceptable.
- 6.2.3 Therefore in respect of character and design the scheme complies with the relevant policies

6.3 Residential Amenity

6.3.1 The relevant policies are:

- Policy 7.6B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2014)
- Policy DM1 of the Development Managements Local Plan (2013).

Residential Amenity of neighbouring Occupiers

- 6.3.2 As with the previous application the main amenity consideration would be related to neighbours to the north of Cullington Close. The building is approximately 30m in width with a height of approximately 6.6m and would be located to the south of these neighbouring dwellinghouses. Therefore it is accepted that the building is relatively large and imposing. However, it is of note that in the pre-existing situation, the site was used as a car park with minibuses that stood approximately 2.7m in height parked directly against the rear boundary of neighbouring houses, effectively forming a solid wall. While the current building is taller than the former buses, it is set approximately 5m from the rear boundary, which mitigates the height to some extent. Furthermore, the houses have medium sized rear gardens to a depth of approximately 20m, leaving, 25m from the rear of the closest neighbouring houses, with the majority of houses facing the building at a distance of 30m from the building.
- 6.3.3 There are 7 windows on the first floor of the building, measuring 1m in height and 60 cm in width facing the neighbouring houses and gardens to the north on Cullington Close. These are obscure-glazed and were conditioned to be as such and opening at high level only on the previous approval. This is considered to be sufficient to ensure that there would not be an unacceptable impact on neighbouring occupiers in terms of loss of privacy and overlooking in accordance with policy DM1 of the Harrow Development Management Policies.
- 6.3.4 While there has been an increased use of the immediate site to some extent, the pre-existing vehicle use involved significant ingress and egress to this part of the site. The office use does not involve significant levels of noise or activity. The depot and some Harrow Council departments work outside normal office hours, so it is not

considered appropriate to condition working hours. However, it is unlikely that the majority of the building would be in use outside normal office hours, or that there is significant noise or disruption associated with the building. On this basis it is considered the extension to the temporary permission would not harm neighbouring amenity in terms of the intensified use in accordance with the relevant policies.

6.3.5 A neighbour has highlighted that the construction work has caused issues in relation to debris and foliage to neighbouring properties. This is not directly related to the current application to retain the building. This has been referred to the Waste Manager for rectification.

6.4 Highways and Parking

6.4.1 The relevant policies are:

- Policies 6.3, 6.9 and 6.13 of The London Plan (2016),
- Policies T4, T5 and T6 of the Draft London Plan (2019)
- Policy CS1 R of the Harrow CS (2012)
- Policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

6.4.2 There are no immediate concerns in relation to this scheme. The proposal has relocated existing office uses, rather than creating a new use. The displaced parking has been relocated to other nearby sites and there has not be a discernible impact on car parking in vicinity of the site and therefore there is no concerns with extending the temporary building from a highway perspective. The Highways Officer concurs that the proposal to extend the period of time that temporary offices is unlikely to result in a negative impact for the surrounding highway network as this will not affect the number or frequency of trips to and from the site.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development to extend the time for the temporary office building within the application site, can be justified due to the granting of the larger scheme and the current national situation and the desire to help facilitate the implementation of this scheme. The building is an appropriate temporary use that does not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Harrow Area Action Plan Policy AAP21: Harrow Waste Management Site.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Time Limit

The temporary office building hereby approved shall be removed and the land restored to its former condition on or before 27th August 2022.

REASON: To safeguard the character and appearance of the site and area.

2 Variation Condition

The permission hereby granted is supplemental to P/3060/17 dated 28/09/2017. Save as modified by this permission, the terms and conditions of the original permission are hereby ratified and remain in full force and effect unless otherwise agreed in writing by the Council.

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016)

6.13 Parking

7.4 Local Character

7.6 Architecture

Intend to Publish Draft London Plan (2019):

D1 London's form and characteristics

D2 Delivering good design

T6 Car Parking

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Polices Local Plan (2013)

DM 1 – Achieving a High Standard of Development Policy

DM 42 – Parking Standards

2 Pre-application engagement

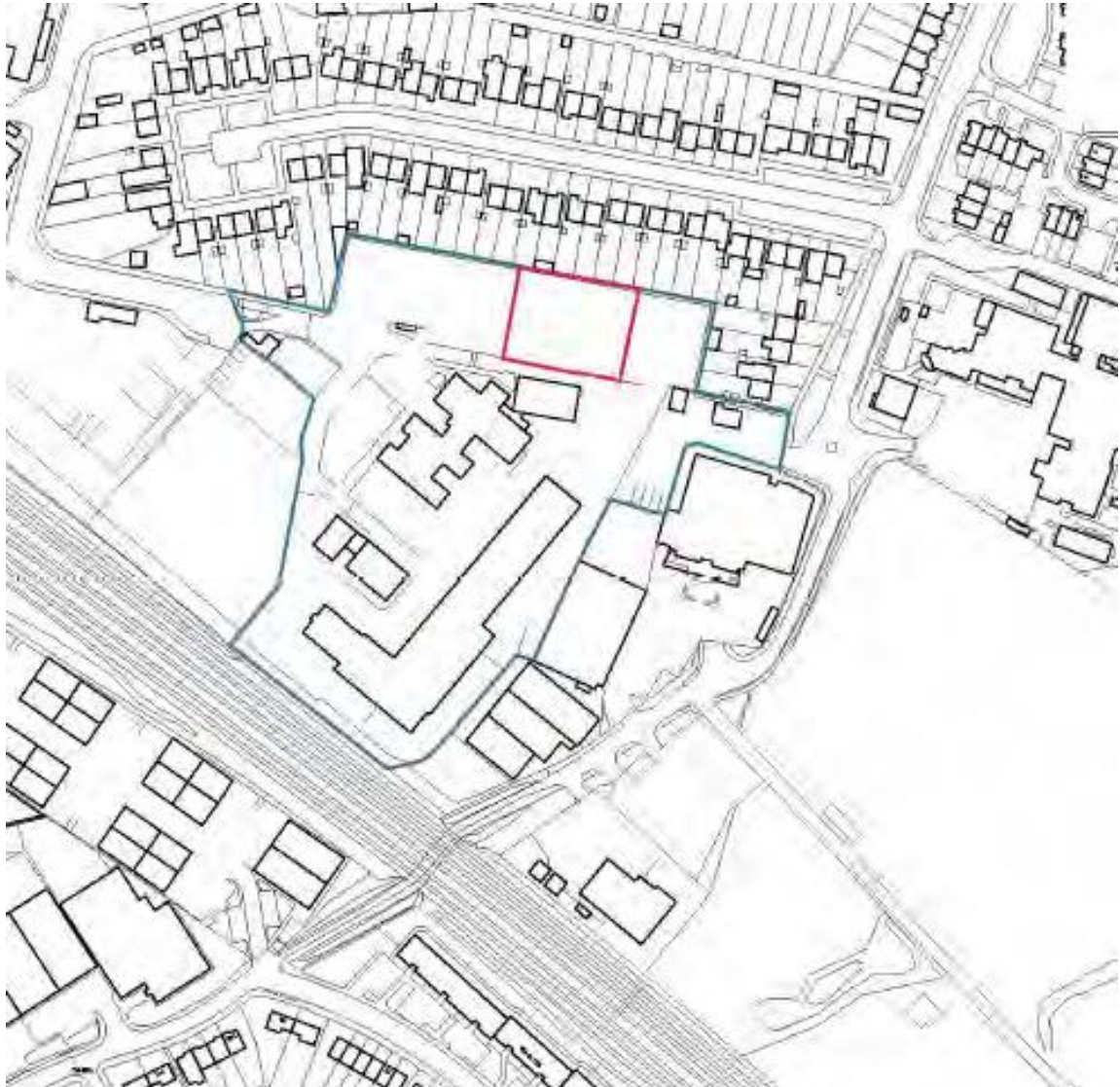
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. 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.

Checked

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: SITE PLAN



APPENDIX 3: PHOTOGRAPHS



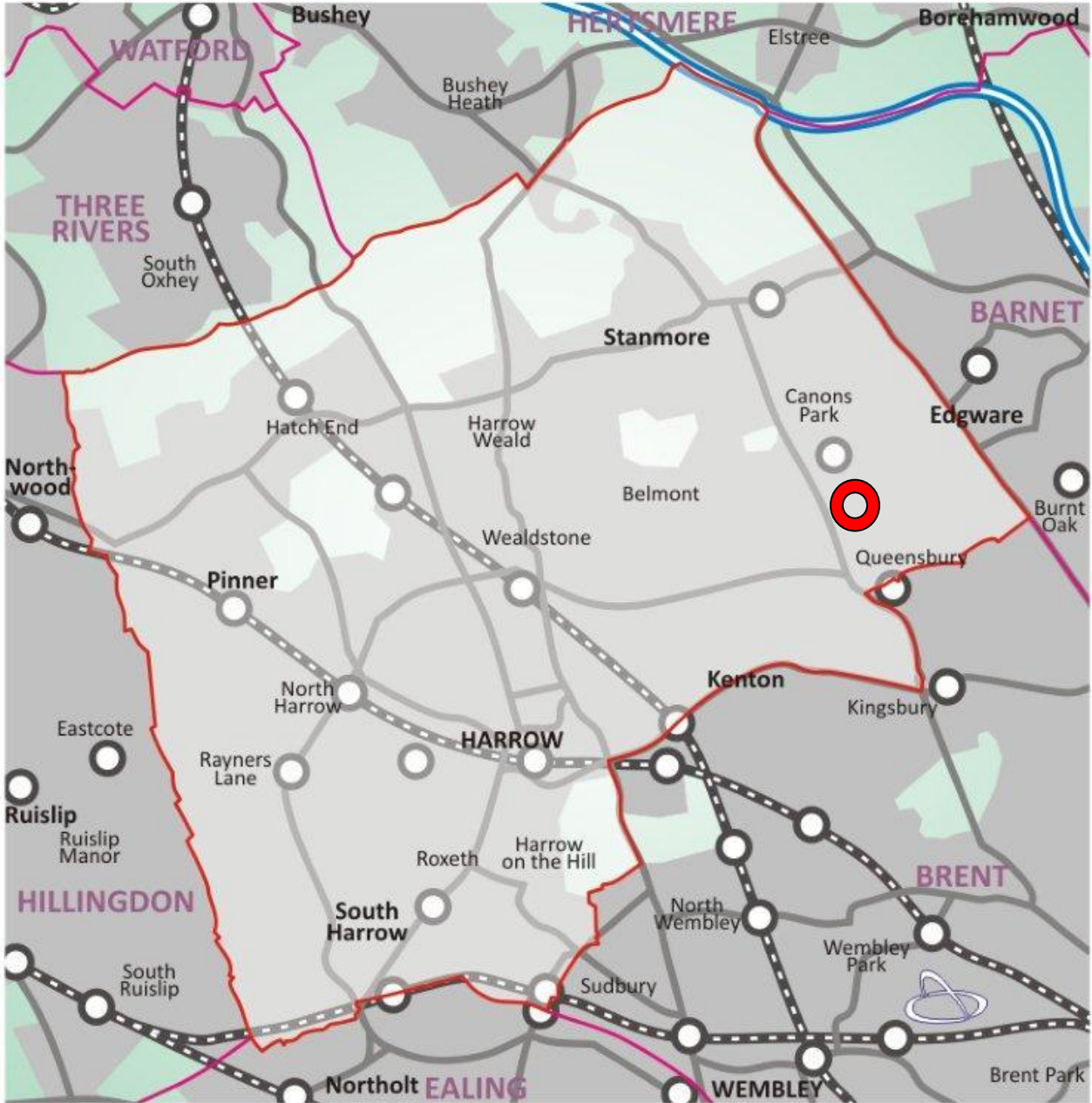




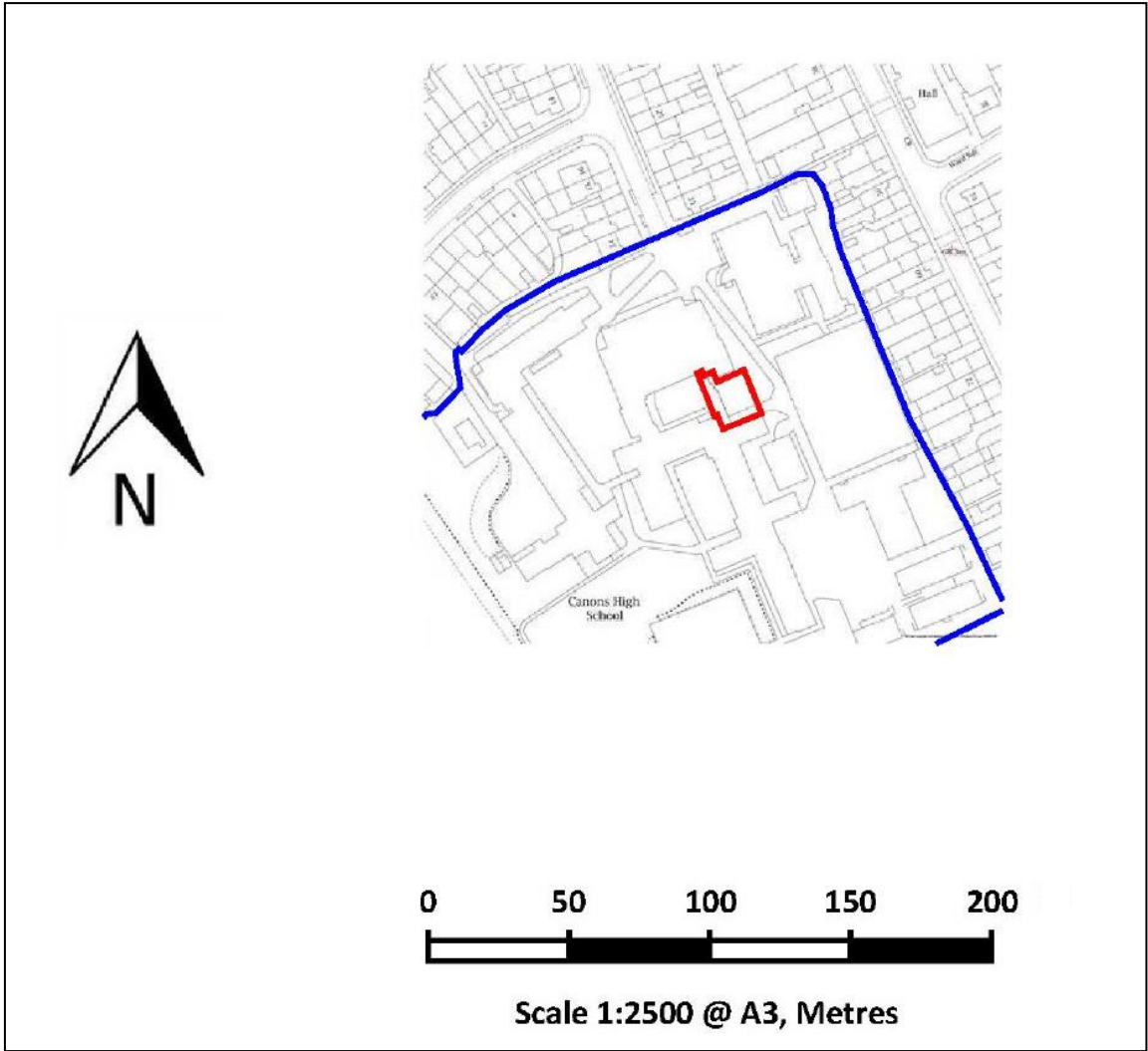
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 = application site



Canons High School	P/093720
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/0937/20
VALID DATE: 12th MAY 2020
LOCATION: CANONS HIGH SCHOOL, SHALDON ROAD,
EDGWARE, HA8 6AL
WARD: EDGWARE
POSTCODE: HA8 6AL
APPLICANT: SIMON NEWTON
AGENT: STREETSPACE GROUP
CASE OFFICER: WILL HOSSACK
EXPIRY DATE: 16th JUNE 2020 (EXTENDED EXPIRY DATE 24th
JULY 2020)

PROPOSAL

Single storey infill extension

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The form, scale and siting of the proposed extension is appropriate in this location and does not appear at odds with the existing character of development in the immediate area and would not have an adverse impact on the amenity of the occupiers of adjoining properties in accordance with Policies 7.4B and 7.6B of The London Plan (2016) and Policy DM1 of the DMP (2013).

INFORMATION

This application is reported to Planning Committee as it would provide an extension to a school in excess of 100m² floorspace, on land where the Council holds an interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type: E13 Minor Dwellings
Council Interest: Council has ownership of land in subject application
Net additional Floorspace: 160.8sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A
Local CIL requirement: N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The subject site comprises the Canons High School complex. The main access to the school is via Shaldon Road which adjoins the site to the north.
- 1.2 The immediate locality around the school is residential in character with the rear gardens of residential properties being sited adjacent to the boundaries of the complex and playing fields.
- 1.3 The buildings on the application site comprise a variety of buildings ranging from single to three storeys. The main buildings are sited in the middle of the site and are internally connected, whilst detached buildings used as a dining hall, a gym are sited around the main building whilst mobile units and sports courts are sited in the south-east quarter of the site.
- 1.4 To the west of the school is the Canons School Playing Fields which can be accessed via Coombe Close and Bridgewater Gardens. The school playing fields are sited to the west of the application site and are a Designated Open Space.
- 1.5 Part of the application site falls within Surface Water Flood Zone 3a. There are no other policy designations on site.

2.0 PROPOSAL

- 2.1 The proposal involves the construction of a single storey extension to one of the central buildings of the main school complex. The extension is to provide an indoor dining and recreational space within the school grounds.
- 2.2 The extension would span 11 metres in depth and 16 metres in width and would have a mono-pitch roof. The front (north-eastern) elevation eaves height would be 3.2 metres whilst the eaves height to the rear (south-western elevation) would measure 3.1 metres. The front and rear elevation of the proposed extension would be glazed. The extension would extend off of the ground floor classroom with no internal connection between the existing class room and the proposed structure. Due to the design of the extension the proposed structure would connect to the existing wall and would not serve to obstruct the existing classroom windows.
- 2.3 The area of the proposed building would span approx. 160m², and would have four doorways, two in each of the front and rear elevation, allowing access from the sheltered walkway (sited adjacent to the proposed rear elevation) and from the east of the school complex.
- 2.4 The agent has confirmed the extension does not coincide with an increase in the number of pupils attending the school.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning history is set out below:

Ref no.	Description	Status & date of decision
LBH/11424/2	Alterations and single storey extensions to existing school buildings for educational purpose (outline)	Granted (02/12/1976)
EAST/366/99/LA3	Alterations and single storey extensions to existing school buildings	Granted (28/06/1999)
P/3556/06	Construction of three storey extension to school in two phases to provide sixth form teaching block	Granted (19/04/2007)
P/2162/20	Two single storey temporary buildings to provide classroom and dance studio with ancillary accommodation (3 years) two single storey extensions to dining hall	Granted (06/11/2009)

4.0 Consultation

4.1 A total of 22 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 9th June 2020. No representations were received.

4.3 Statutory and Non Statutory Consultation

4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

Consultee and Summary of Comments
<p>LBH Drainage <u>Surface & Foul Water Disposal</u></p> <p>In order to review how surface water from the new construction is managed, to make use of sustainable drainage measures and to ensure separation of surface and foul water systems (in line with our Development Management Policy 9 & 10) the following details are required for the proposed construction:</p> <p>The applicant should submit drainage layout drawing showing two separate</p>

surface & foul water connections and outfall details. Combined drainage system are not acceptable.

If a soakaway is provided, full construction details of the soakaway with its location, size, storage volume and calculations should also be provided.

Please be informed that the requested details can be conditioned attached are our standard pre commencement drainage conditions/informative for your reference.

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

5.0 **POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Development and Flood Risk

6.2 Principle of Development

The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.18
- The Draft London Plan (2019): S3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM46, DM47

6.2.1 Policy DM46 of the Harrow Development Management Policies Local Plan (2013) supports the provision of new educational facilities subject to compliance with Policy DM1. Whilst Policy 47(B) of the Harrow Development Management Policies Local Plan (2013) supports proposals that secure enhanced re-provision of educational facilities on site.

6.2.2 It is noted that the use of the extension would not be explicitly for use to extend a classroom or educational facility and its use, providing a recreational indoor space for students of Canons High School, would be more ancillary to the overall use of the site. However, there is no principal policy consideration as to why the proposal would be resisted, the remaining considerations would therefore pertain to the impact of the proposal in terms of Policy DM1 and Policies 7.4 and 7.6 of The London Plan (2016) and Policies D1 and D3 of The London Plan (2019) – Intend to Publish.

6.2.3 It is noted the Canons School Playing Fields are Designated Open Space and is adjacent to the school, however, the proposal would not be built within this area designation and would not be visible from Open Space due to being screened by the main school buildings

6.2.4 Given the above, the principle of the proposed development is acceptable, subject to consideration of further policy requirements as detailed below.

6.3 Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6
- The Draft London Plan 2019: D1, D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1

6.3.2 The proposed development would be sited within the middle of the school complex and being single storey would not exceed the heights of the surrounding buildings. The proposal would be of a scale subordinate to the main buildings and due to its siting in the middle of the main complex would not appear discordant or obtrusive in its surrounding environment.

6.3.3 The design of the single storey extension would be predominately glazed and would not be of similar brick work finish to the main buildings. However, the proposal does retain a modular appearance which would not serve to compete nor detract from the surrounding buildings and ergo would not provide an incongruous nor intrusive form of development.

6.3.4 It is noted the rear elevations of properties along Dale Avenue could be able to view the extension (potentially from first floor level) however, the extension would be sited over 40m away from the site boundary and in any case the proposal would not be out of character within the school and would not be considered to be a detriment as outlined above.

6.3.5 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of Canons High School and the wider area in accordance with the NPPF (2019), Harrow Core Strategy (2012) CS1.B, policies 7.4.B and 7.6.B of The London Plan, Policy D1 of The London Plan (2019) – Intend to Publish and Policy DM1 of the Development Management Local Plan Policies (2013).

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4
- The Draft London Plan (2019): D3
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1

Residential Amenity of neighbouring Occupiers

- 6.4.2 The proposed extension is sited over 40m from the closest neighbouring residential properties, and as such it is considered the proposal would not have any significant detriment to neighbouring residential occupiers in terms of loss of privacy, light and outlook.
- 6.4.3 It is considered the proposal would not have an unacceptable impact on the residential amenities of adjoining occupiers in accordance with London Plan policy 7.6B and Development Management Policies Local Plan (2013) Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

6.5 Development and Flood Risk

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13
- The Draft London Plan (2019): SI13
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM9, DM10

6.5.2 Part of the application site is sited within Surface Water Floodzone 3a. The proposed development would not be sited within the flood zone designation. The Drainage Authority have been consulted regarding the proposal and have not raised any objections to the proposal. As such, it would be considered the proposal would be acceptable in relation to drainage and flood risk considerations

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would provide a satisfactory, layout and design as to not detract from the host building. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The development would accord with development plan policies and is recommended for approval.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. **Timing**

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. **Approved Plans and Documents**

The development hereby permitted shall be carried out in accordance with the following documents and plans: 15196-CHS-P-E-E; 15196-CHS-P-E-P; 15196-CHS-P-RP-E; 15196-CHS-P-RP-P; 15196-CHS-P-SLP-P; 15196-CHS-P-FP-P Revision C; 15196.2 Rev A Page 1 of 5; 15196.2 Rev A Page 2 of 5; 15196.2 Rev A Page 3 of 5; 15196.2 Rev A Page 4 of 5; 15196.2 Rev A Page 5 of 5; Design and Access Statement

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

3. **Materials**

The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those detailed in the approved drawings.

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan 2016

3.18 Education Facilities

7.4 Local Character

7.6 Architecture

Intend to Publish Draft London Plan (2019):

D1 London's form and characteristics

D3 Inclusive Design

S3 Education and childcare facilities

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

DM 1 - Achieving a High Standard of Development Policy

DM 46 - New Community, Sport and Education Facilities

DM 47 – Retention of Existing Community, Sport and Education Facilities

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. Liability For Damage to Highway

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

4. Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

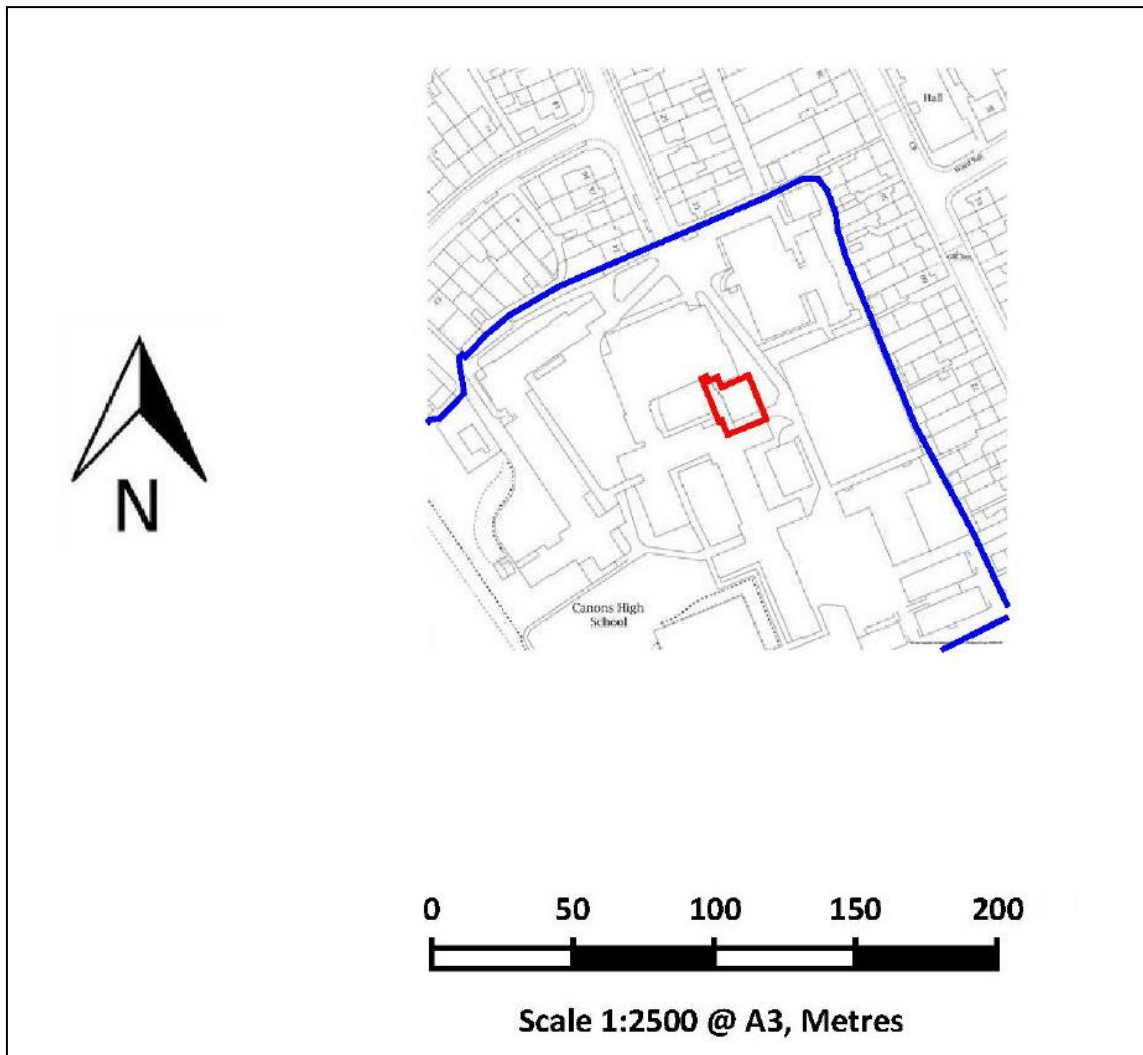
SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

Checked

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

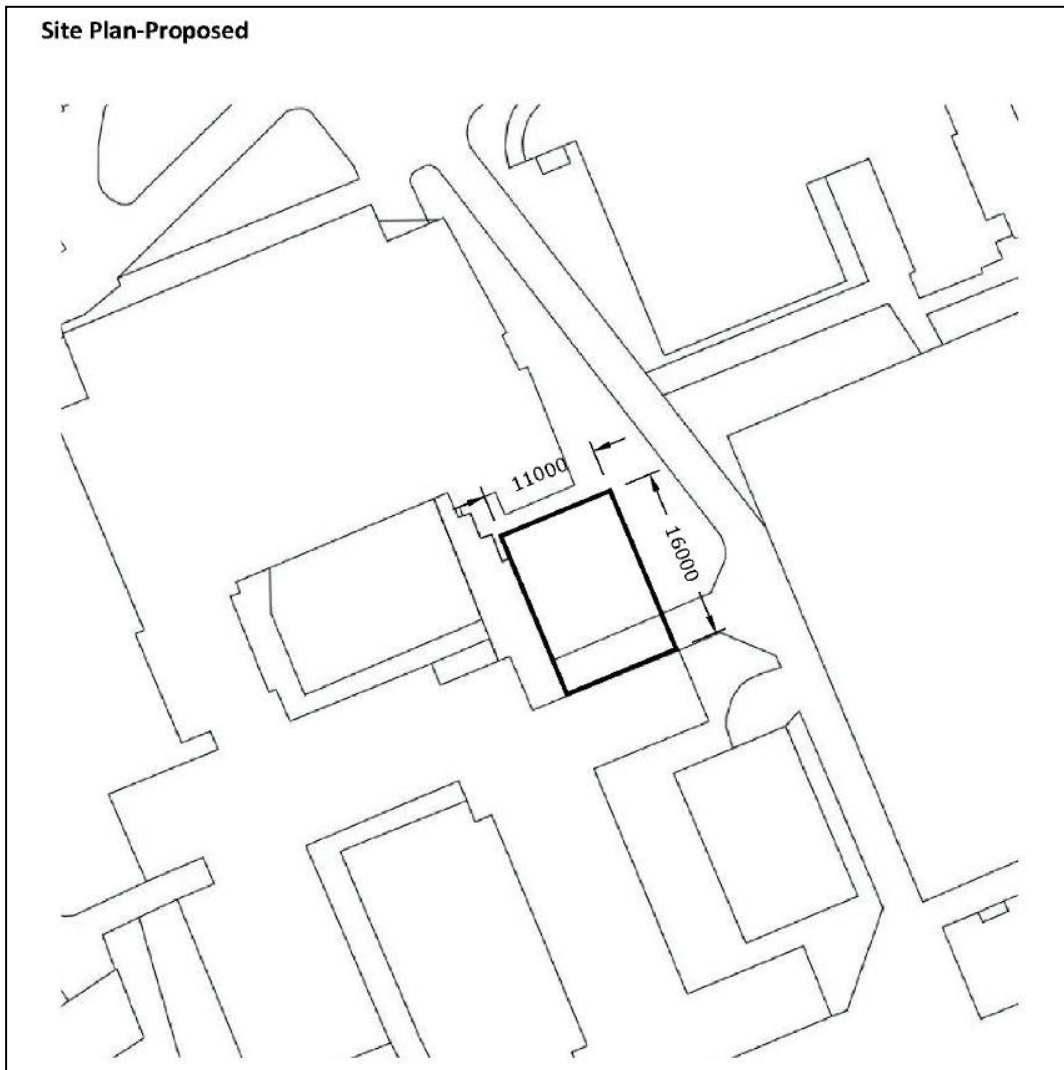


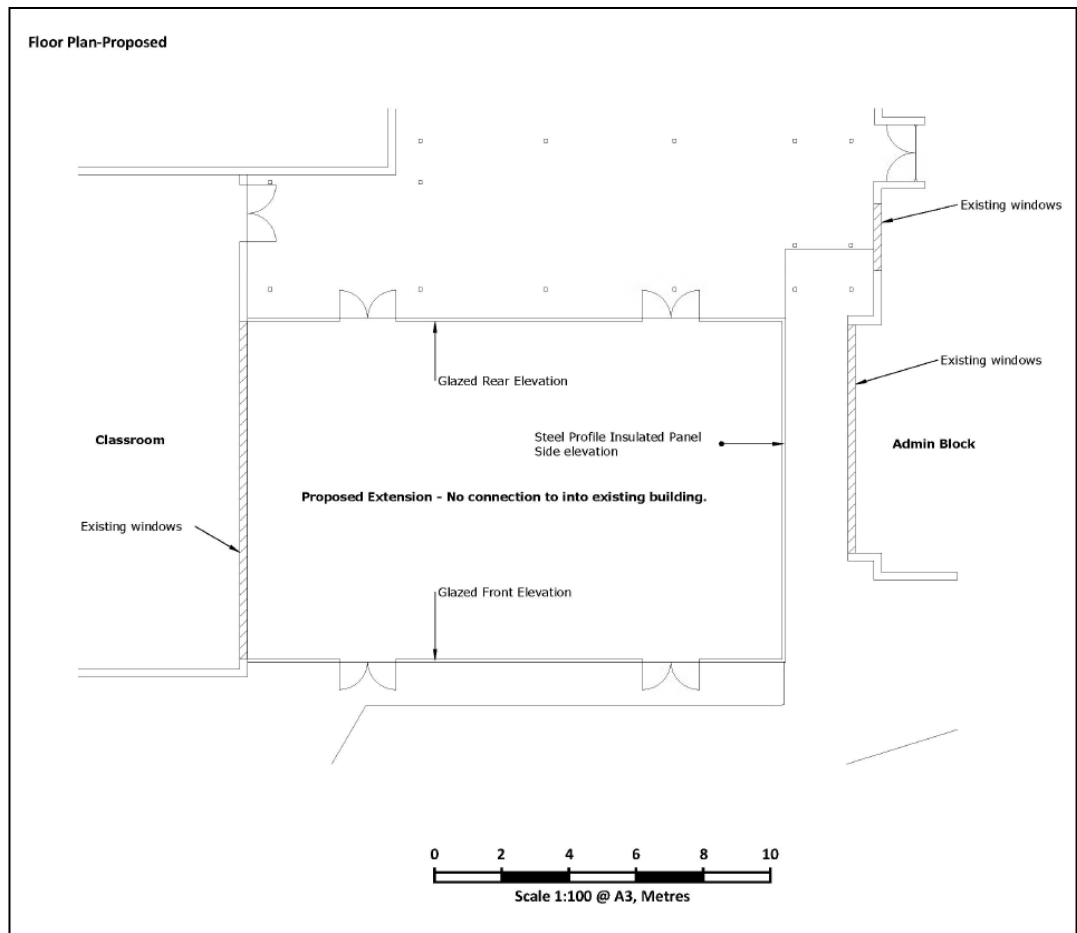
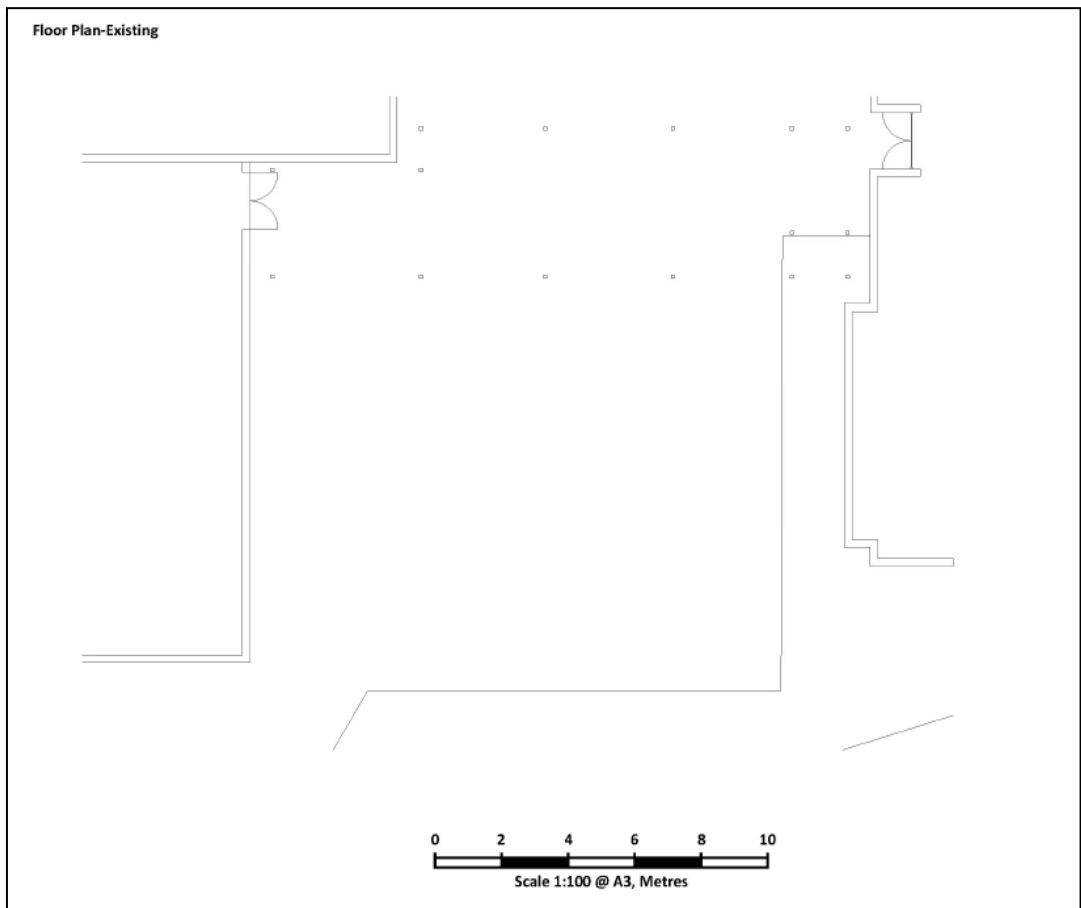




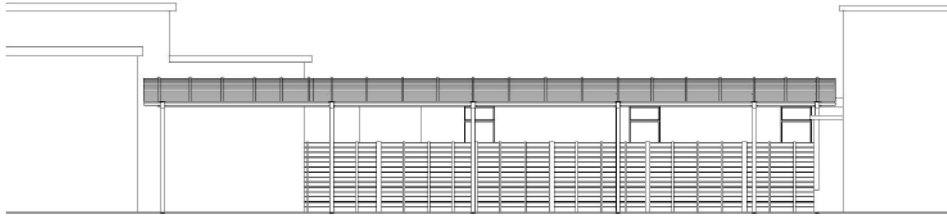


APPENDIX 4: PLANS AND ELEVATIONS

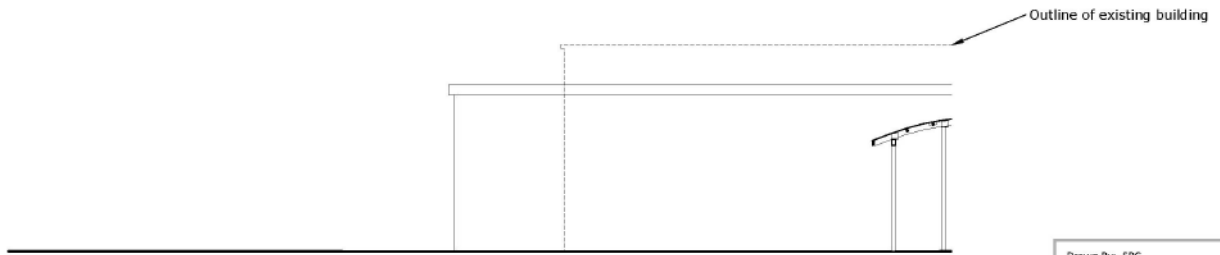




North East Elevation-Existing



North West Elevation-Existing

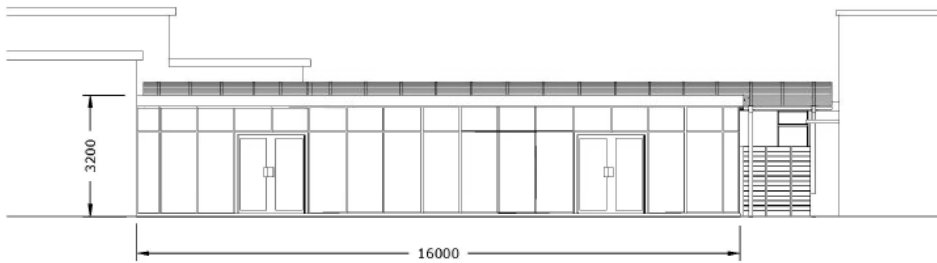


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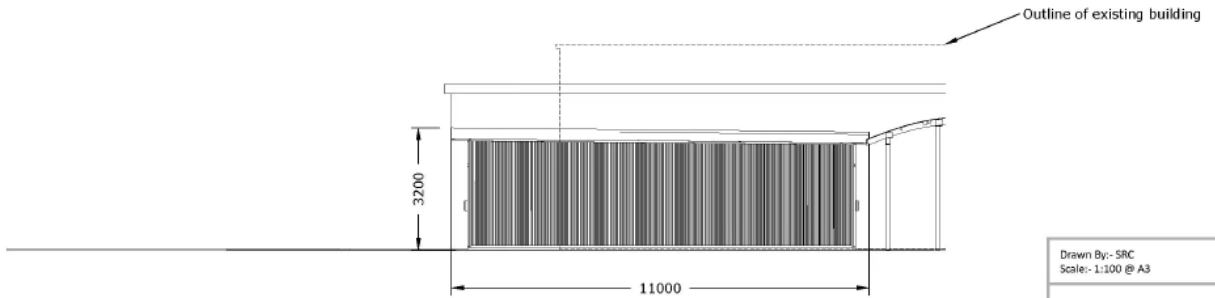
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North East Elevation-Proposed



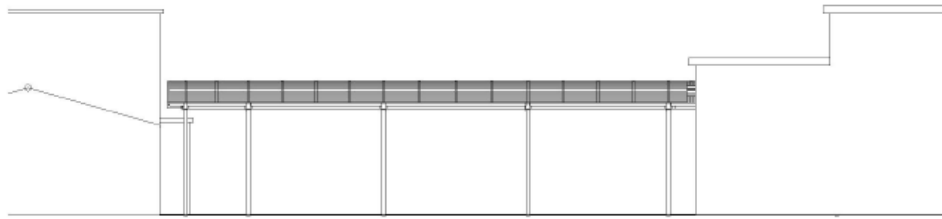
North West Elevation-Proposed



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Drawn By:- SRC
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Drawing Type:- Planning



South West Elevation-Proposed



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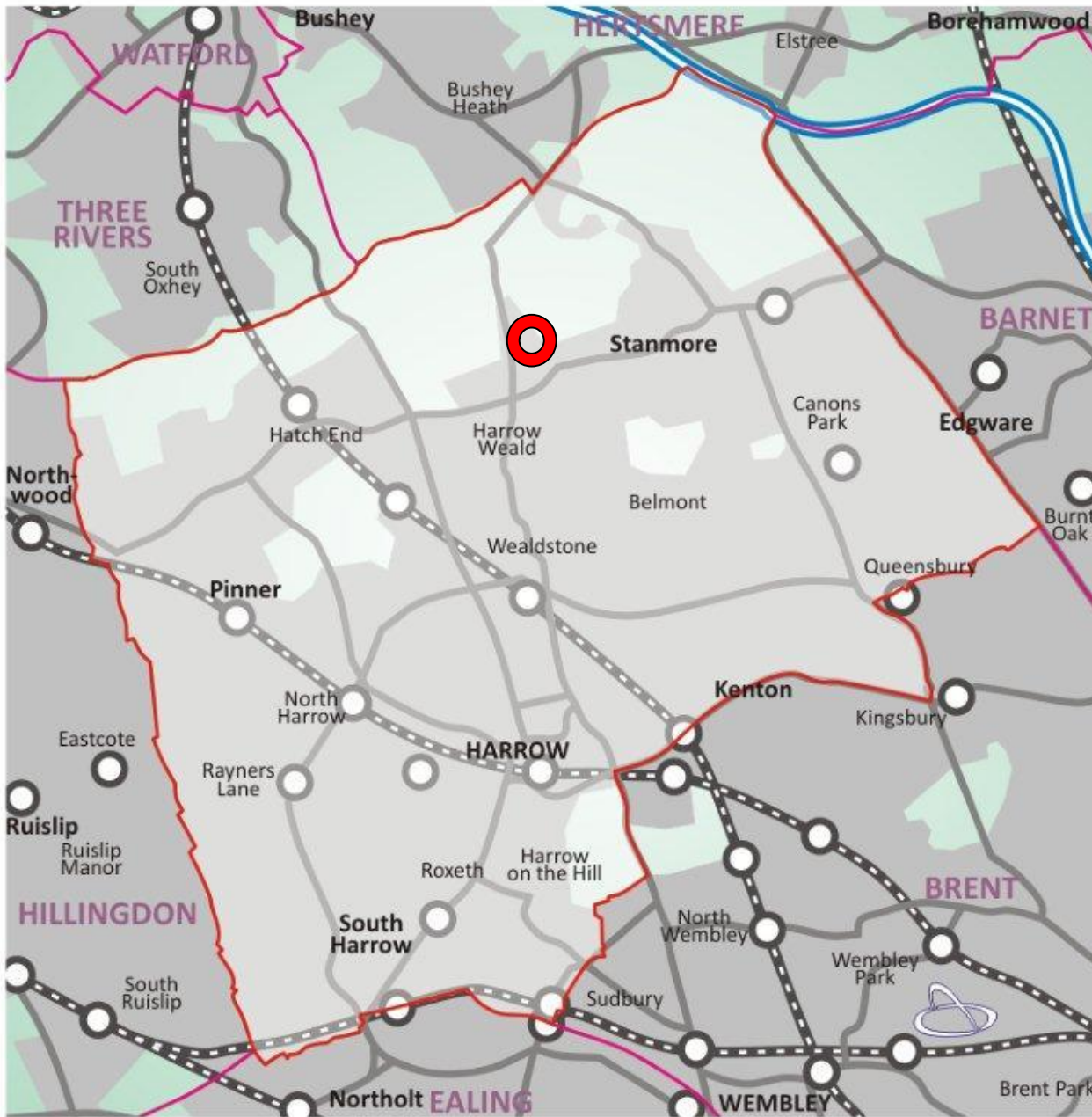
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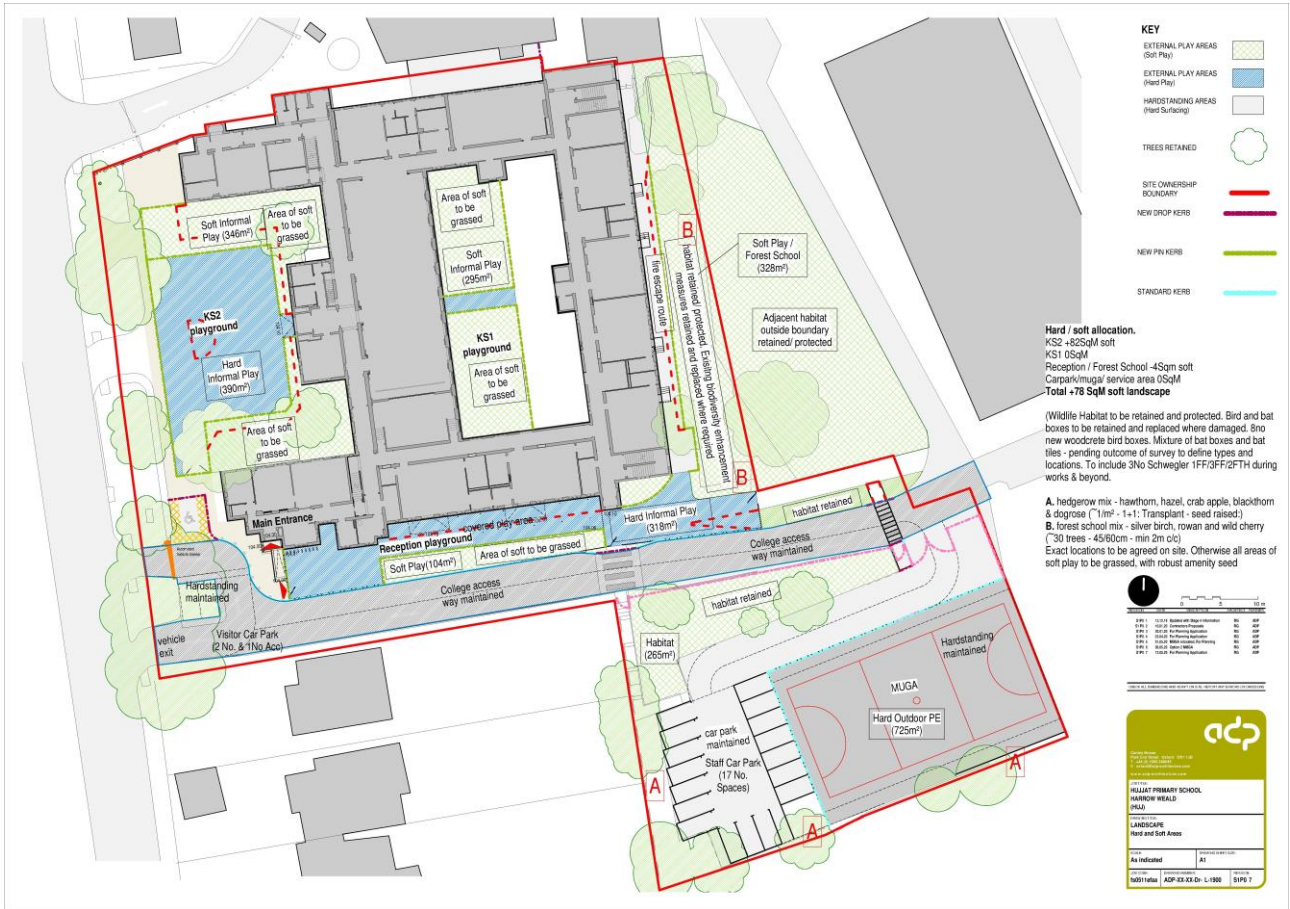
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 = application site



Hujjat Primary School	P/0487/20
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/0487/20
VALID DATE: 18th MARCH 2020
LOCATION: HUJJAT PRIMARY SCHOOL, HARROW COLLEGE,
BROOKSHILL, HARROW WEALD
WARD: HARROW WEALD
POSTCODE: HA3 6RR
APPLICANT: DEPARTMENT FOR EDUCATION
AGENT: GL HEARN
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 29TH APRIL 2020

PROPOSAL

External Alterations to the former Austin building including Six New Double Glazed Doors and Installation of Louvres; Provision of Access Ramp and Steps; Construction of a Free-Standing Canopy to Southern Elevation; New Boundary Treatment and Gates; Multiple Use Games Area (MUGA); Substation; Parking and Cycle Storage; Reconfiguration of drop off and access; Hard and soft Landscaping; External Alterations and Lighting (To provide a new 2FE primary school for 420 pupils)

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATION

The proposal seeks to utilise the existing building structure, materials and boundary treatments. The former Austen Building is currently vacant and has fallen into a degree of dilapidation. The proposed refurbishment works will bring the building back into use and will widen and enhance educational choice in the area. The proposed development is considered to have an acceptable impact on the Green Belt, the locally listed building and character and appearance of the surrounding area and subject to planning conditions, would not have unacceptable adverse impacts on the residential amenity of the neighbouring occupiers/residents. Accordingly, the development would accord with development plan policies and is recommended for approval.

INFORMATION

This application is reported to Planning Committee as it has been called in by an elected member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	E13 Minor Development
Council Interest:	N/A
Net additional Floorspace:	17sqm
GLA Community Infrastructure Levy (CIL):	£nil
Contribution (provisional):	
Local CIL requirement:	£nil

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two storey brick built former college building (Austen building) on the south west side of the Harrow Weald Campus of Harrow College with ancillary car parking spaces both opposite the college to the south of the access road and in front (west) of the building.
- 1.2 The Austen building is arranged around a central courtyard with an ancillary parking area. The external space to the building comprises a small car park area to the front of the building and a soft landscaped area to the eastern edge of the building.
- 1.3 Adjacent and to the south of the Austen building is a car park comprising 50 spaces which lies to the south of a vehicle access way to the college. The applicant outlines that these spaces were previously used by the college but since the disposal of the Austen building in 2017 have been fenced off and remain unused.
- 1.4 To the east of the site is the remaining college buildings and the west area of the site is mainly residential.
- 1.5 The site is within the Green Belt – the Harrow College site is one of two strategic previously developed sites in the Green Belt, as defined by the Site Allocations Development Plan Document (2013). The land north of the east west access road is previously developed land.
- 1.6 Currently there is a vehicle and pedestrian entrance from Brookshill. The site is located within PTAL zone 2.
- 1.7 The site sits adjacent to the Harrow Weald Park Conservation area (although not within its setting) and sits within the Harrow Weald Ridge Area of Special Character.
- 1.8 There is a large band of trees situated on the western and eastern boundary of the application site surrounding the existing car park. These trees are not subject to a Tree Preservation Order.
- 1.9 The application site is situated between two of the more western sections of the Borough Grade II *Harrow Weald Park and the Heritage Site* of Importance for Nature Conservation.

2.0 PROPOSAL

- 2.1 The proposal is for works associated with the conversion of the locally listed Austen building which was formerly part of the Harrow College Campus. The building is currently vacant but was most recently used by the college for teaching and learning purposes.
- 2.2 The building would be used by the Hujjat Primary School which is a Muslim, co - educational free school. The school would be 2 FE and would accommodate 420 pupils for children aged between 4 and 11 years old and 40 members of staff.
- 2.3 The school site hours would operate between 7:30am and 6pm, official pupil times between 8:45am and 3:15pm, breakfast club between 8am and 8:45am and after school clubs between 3:15pm and 5pm.
- 2.4 The proposals would utilise the existing building structure, materials, boundary treatment and floor space. No additional floorspace is proposed as part of the development with the exception of a small substation proposed on the northern side of the Austen Building adjacent to Brookshill.
- 2.5 The proposal seeks to demolish the existing courtyard single storey extension located along the eastern wing, to enable reinstatement of the original internal quad space which would be used as play space.
- 2.6 Other minor external alterations are proposed to the building including: new double glazing to match the existing, new PPC rainwater goods, installation of heating/ventilation louvres and flues to suite new plant, new canopy to play area, minor modifications to the existing external landscape, new fencing around the proposed MUGA/sports area and a new accessible ramp to entrance and new signage.

Trees and Landscaping/Parking and Access

- 2.7 New soft and hard play space will be provided surrounding the school building. Reception children will have a dedicated play space to the south of the building. Further dedicated play spaces for key stage 1 and 2 children would be located within the courtyard and adjacent to the east elevation.
- 2.8 All trees are proposed to be retained as part of the redevelopment proposals.
- 2.9 The existing staff car park to the south of the site would be reconfigured to provide 17 No. spaces.
- 2.10 The main vehicular access via Brookshill is to be retained in the south west corner of the site and will require minor modifications. Pedestrian access will be from three separate entrances to the west of the site via Brookshill Road.

- 2.11 12 shared Sheffield cycle stands are proposed for staff and students (24 spaces in number) and 6 scooter racks (48 spaces) are proposed for younger children.
- 2.12 A new Multi-Use games area will be installed on the remainder of the existing staff car park area. This would be enclosed on its east, western and southern boundaries by a 3-metre-high weld mesh fence and on the south western boundary by an additional 2.4 metre high timber acoustic fence.
- 2.13 An area for waste and recycling bins is proposed in a secure compound to the north of the school building, enclosed by a 2.4-metre-high timber fence and access gates.
- 2.14 The application also proposes 7 x 5-metre-high lighting columns along the access road and the car park.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status & date of decision
P/0274/20	Certificate of lawful development (proposed): Use of two storey building adjacent to Brookshill Drive (Austen building), part of southern parking area and associated access road for use a primary school (Use Class D1)	Granted 20 th March 2020
P/2948/18	Two storey extension to North and West Elevation of Newton building; external alterations (part demolition of Newton building and storage areas)	Granted 28 th September 2018
P/2080/16	Demolition Of Existing Gaskell And Davis Buildings And Construction Of New Two Storey Building For Use As Health And Social Care Educational Facility (Class D1); Associated Landscaping; Relocation Of Polytunnel And Security Hut; New Entrance Gates And Boundary Treatment; Alterations To Vehicle Crossover; Installation Of New Street Lights; Photovoltaic Panels On Roof	Granted 20 th July 2016

P/5710/16	Details pursuant to the first schedule (masterplan) of the section 106 agreement relating to planning permission P/2080/16 dated 20/10/16 for Demolition of existing Gaskell and Davis buildings and Construction of new two storey building for use as health and social care educational facility (Class D1); Associated landscaping : Relocation of polytunnel and security hut; New entrance gates and boundary treatment; Alterations to vehicle crossover ; Installation of new street light; PV panels on the roof	Granted 25th January 2017
P/2398/17	Variation Of Conditions 2 (Approved Plans) 3 (Materials) 4 (Landscaping) 7 (Levels) 8 (Lighting) 12 (Landscape Management Plan) 13 (Arboricultural Survey Report) 14 (Disposal Of Sewage) 15 (Disposal Of Surface Water) 16 (Surface Water Attenuation And Storage Works), 18 (Bats And Birds), 19 (Reptile Habitats) And 20 (Construction And Demolition Method And Logistics Statement) Attached To Planning Application Reference P/2080/16 Dated 20 October 2016, For The `Demolition Of Existing Gaskell And Davis Buildings And Construction Of New Two Storey Building For Use As Health And Social Care Educational Facility (Class D1); Associated Landscaping: Relocation Of Polytunnel And Security Hut; New Entrance Gates And Boundary Treatment; Alterations To Vehicle Crossover ; Installation Of New Street Light; PV Panels On The Roof	Granted 30th July 2018
EAST/375/00/FUL	Retention of single storey extension within courtyard of 1930s building	Granted 17/05/2000
EAST/135/95/FUL	Single storey extension within courtyard of 1930s building and	Granted 20/04/1995

	car parking (revised)	
EAST/299/95/FUL	Two storey lift tower for disabled access (courtyard of 1930s building)	Granted 19/06/1995
EAST/192/94/FUL	Alterations and single storey extension to 1930s building and alterations to access and forecourt layout	Granted 27/06/1994

4.0 CONSULTATION

- 4.1 A total of 77 consultation letters were sent to neighbouring properties regarding this application on two separate rounds of consultation.
- 4.2 The first public consultation period expired on 08th April 2020 and the second public consultation expired on 30th June 2020.
- 4.3 A total of 18 objections were received and one general comment.
- 4.4 A summary of the responses received along with the Officer comments are set out below:

Residential Amenity

- Harrow college and the opening of a school will significantly increase noise pollution.
- Concerns over viability of the planned MUGA and other open spaces around the school
- Concerns over hours of use of the school facilities outside of school hours
- Concerns over the proximity of the MUGA to the residential properties along Brookshill – there will be a double impact of increased noise from the road and to our gardens
- We will be forced to live with play areas on two side of our property which will increase noise pollution for us substantially.
- The proposal would result in overlooking and loss of privacy as the development plans brings the schools facilities/entrances right up to our boundary fences.
- The building company have put up site offices around the perimeter of the site which has resulted in overlooking to our properties.
- We would prefer the MUGA to be placed away from our boundary as it is intrusive, overbearing and has the potential for greater noise disruption.

Character and Appearance

- The proposal would result in an overdevelopment of the site in a Green Belt area.
- The proposal will detract from our clean neighbourhood and exacerbate noise, traffic and waste pollution.

Trees and Landscape

- The construction workers have cut and damaged trees on the boundary of our

properties.

Traffic and Parking

- The applicant has removed trees along the boundary of the site.
- The traffic management plan has not been agreed.
- Concerns for children safety during drop off
- Major disruption to everyday traffic in the area during pick up and drop off, particularly as Bushey is a main artery road
- The catchment area of the school is extremely wide and parents will want to arrive by car as time taken to take public transport will be excessive
- Staff parking levels are insufficient for the size of the school
- Parents will block of our driveways
- A traffic survey should be a necessary consideration as part of the planning application.
- There are already traffic issues throughout the day due to the material deliveries during the construction phase.

Other Matters

- A new Muslim faith school does not encourage integration in society
- Disappointed by the lack of proactive consultation on this development by the Department of Education
- The removal of tree branches has created a security risk to our properties

Statutory and Non Statutory Consultation

- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

Consultee and Summary of Comments
<p>LBH Conservation Officer:</p> <p>The justification for the harmful changes to the windows (via installing louvres in place of parts of the windows to install Mechanical Ventilation Heat Recovery (MVHR) units) is stated to be due to the need to comply with this document: 'BB101 standards of natural ventilation for schools'. No reference is given to the specific parts of this document that these proposals stem from but this is needed to allow us to assess.</p> <p>This Building Bulletin document is the regulatory framework for ventilation in schools and gives recommended performance levels for compliance with UK regulations. It also provides non-statutory guidance on how to design schools to achieve adequate performance for ventilation, indoor air quality and thermal comfort.</p> <p>The proposed louvres are harmful to appearance and the justification given is insufficient.</p>

Additional Comments

Thermal report

This model is based on the assumption that all windows will be double glazed which is not the case so the model is not correct for the current purposes. Therefore, this should really be based on the current proposal to retain the windows.

These alterations do not seem to be essential for the school to install these to comply with building regulations and the guidance they refer to is guidance that notes account should be taken of the qualities of historic buildings.

Amendments

On the east elevation – the existing greyed out windows should be reinstated as windows rather than just retained as they are, in order to help mitigate the harm proposed. It is unclear why these need to be greyed out still.

Removal of any proposed area of louvres that are not essential. My view is that those in the gable ends which are prominent features would particularly benefit from removal of these proposed louvres.

Are all existing extracts which they showed us in photos, being removed and affected fabric made good?

An email provided confirmed that these louvres will be installed by just removing the glass but retaining the glazing bars. This should be demonstrated.

Relevant national policy

Paragraph 197 of the NPPF applies. This states:

‘The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’.

There is not a policy requirement for these louvres and they are certainly harmful in heritage terms. There should be some greater mitigation and clarification by ensuring the above points are addressed which would help ensure the above paragraph of the NPPF is complied with.

Comments on this being a balancing exercise therefore stand. Could it be conditioned that samples are provided so we know ultimately what colour this will be and that prior to installation of new vents the existing windows shown as being reinstated / repaired are done so in accordance with their proposed plans.

LBH Highways The principle of the school being provided on an existing education site appears to be outside of consideration for planning permission as the use is already accepted and in operation. It is understood that this site has been in use as an educational establishment for a considerable length of time.

In any case, we would have concerns about traffic generation associated with a school as this is very different to the effects of the existing occupier of the site as a college. Schools tend to generate a large amount of traffic at start and finish times in terms of both pedestrians and vehicles. Faith schools do not usually have catchment areas meaning that pupils may often travel from locations beyond a reasonable walking distance, resulting in a high amount of car journeys. There is little in the way of drop-off/collection points and most of the roads around the school are subject to stringent waiting restrictions. The school will need to encourage parents to travel sustainably or if they do drive, should be encouraged to park away from the school and walk the remaining distance in order to avoid causing congestion. It would be appropriate for the school to further discourage car use onsite at the start and end of the school day by closing the vehicle gates. Measures should be included within a travel plan and the school should aim to achieve STARS accreditation. It is noted that a travel plan has been submitted and this will be reviewed separately. Scooter and cycle parking is proposed which should help staff and pupils to choose this as an alternative mode of travel to the private car.

This site is located in a PTAL 2 area meaning that access to public transport is considered to be poor, however there are 6 bus routes available within a 5 minute walk, and the rating does improve towards High Road, Harrow Weald where there are more buses. Bus stops for route 258 are located on Brookshill to the north and south of the site and benches and shelters are present at some stops. There are existing pedestrian refuge islands. The school may benefit from appointing a school crossing patrol as Brookshill can be very busy at peak times.

Schools generally cause high levels of traffic congestion at the start and end of the school day which are usually fairly short lived but still have a significant impact. As these times may coincide with the operations of the college day there is a potential for increased congestion although most college students will travel by sustainable modes but there will still be a high amount of pedestrian movements. It should be considered that this may have a wider impact on the operation of Uxbridge Road and High Road, Harrow Weald which are both part of the strategic road network, particularly at the roundabout where these roads meet with Brookshill. Brookshill itself may suffer congestion if parents wait outside the school site despite existing waiting restrictions – it may be necessary to have regular patrols by civil enforcement officers to ensure that the road is kept clear of parking obstructions for safety reasons as well as maintaining the flow of traffic.

In relation to the construction work proposed, I have reviewed relevant parts of the construction health and safety plan however I would like to know a little more detail about the proposed activity;

Additional Comments: No major concerns as most of the work does appear to be internal and unlikely to involve the use of HGV's. Highway Network Management have requested that deliveries only take place between 09:30 and 15:30 hrs to avoid peak traffic and college start/finish times.

LBH Drainage: No Objection, subject to conditions relating to surface water disposal, foul water disposal and surface water attenuation and storage.

Drainage details for MUGA are required, please request the applicant to show improvement to the area not just overlaying it with new tarmac. Thames Water approval of surface water discharge level is required also indirect connection consent when re-using existing connections. Please contact Thames Water developer services **by email:** developer.services@thameswater.co.uk or **by phone:** 0800 009 3921 or on Thames Water website www.developerservices.co.uk

Biodiversity Officer: The application site is situated between two of the more western sections of the Borough Grade II *Harrow Weald Park and the Hermitage* SINC. This is a sizeable complex of areas designated for their wildlife value and has additional strategic importance for nature conservation as part of a chain of high value sites including Bentley Priory and the Clamp Hill Brickfields in the northern part of the borough. The wider area is green, well-treed, and forms part of Harrow's Green Belt.

It will be important to ensure that the development of the Harrow College site has no direct impact on the designated areas, nor on the movement and dispersal of species between them, nor on species or other features of conservation importance within the development site. Additionally, any development should result in overall enhancement or 'net gain' for biodiversity, whilst avoiding, minimising and mitigating impacts as much as possible.

A number of biodiversity enhancement and mitigation gain works have been conditioned and implemented in connection with previous development on this site and the applicant will need to ensure that these and their intended outcomes will be safeguarded. With regard to this, I think that the areas of grassland, partly included within the red line at the east of the development site was due to be converted in to a more species-rich 'meadow' area, although the supplied plans seem to indicate this is now ear-marked as a play area.

As part of the pre-application discussions it was noted that (a) the applicant's proposals appeared not to have taken account of the recommendations of the preliminary roost assessment (PRA) conducted last year, and (b) the Council had not been provided with a copy of the report from the original roost surveys which revealed that the main buildings to be in active use by one (or more) pipistrelle bat species.

With regard to the current proposals and the evidence provided in relation to these: -

- There should be no impact on designated areas in the vicinity and the main focus for biodiversity protection will be the bat roosts.
- In addition to the PRA, a 'Mitigation Recommendations Advice Note' has been provided as an addendum. This also references the earlier survey findings that have still to be provided.
- The applicant appears to follow a standard approach to development project management in the form of the Morgan Sindall Project Execution Plan (PEP). Although the Part 1 plan document, which serves to coordinate project management, does not specifically refer to the risk of criminal prosecution in relation to impacts on protected species, the Environmental and Sustainability Management Pan (EMP) which forms Part 3 of the PEP does include reference to ecology and biodiversity matters. However, the supplied text (3.15) appears

generic rather than relating directly to the present application. For example, it notes that bats might be present rather than addressing the issue.

- At the present time we have information about what could be done, taking account of legislation and licensing requirements in relation to bats but no detailed plan of exactly what will be done, when, where and how in relation to the phasing of operations nor anything to indicate how or even whether the applicant proposes to incorporate the consultants' recommendations. Whilst the initial 'toolbox talks' for contractors, as proposed by the suggested mitigation document, will be helpful, it will be important for there to be clear procedures (a) for workers to follow and (b) to ensure that they will do so, e.g. should bats be encountered.
- Bats are highly mobile species, and whilst some roosts may be used for decades, it is also possible for some locations to be used in frequently or to be colonised soon after a survey has found no signs. I would not consider it safe to act on the findings of a survey that is more than a year old, despite the assertions in the supplied PRA. Should the commencement of works be delayed beyond such a period, follow-up surveys will be required.
- Gaps around window frames can provide important roost sites for crevice-roosting bat species and it will be important to ensure that works to the windows will not have any impact on bats.
- Since bats do presently roost on site, consideration also needs to be given to the avoidance of negative impacts e.g. from lighting that might otherwise affect such use, and to how it might be furthered.
- Additionally, the requirement to provide appropriate biodiversity gain appears to have neglected in the proposals.
- The arboricultural report indicates that a small number of trees (T5, T12 and G5) might be removed as part of the development but there appears to be no mention of this within the plans as presented. There is also no reference to the suggested opportunity for tree-planting and, other than reference to tree pruning, even the landscape strategy appears to be lacking appropriate consideration of the site's soft landscaping despite the importance which this has to people's well-being as well as to biodiversity.

On this basis, if you are otherwise minded to recommend approval of the proposals, this should be subject to conditions.

Informative:

- The goals to be achieved as part of meeting the applicant's requirements will be minimisation and mitigation of impacts on existing features of value for bats and the provision of additional features to provide appropriate gain
- At present the information and proposals
- Given the extent of the proposed flat roof replacement, the applicant should be encouraged to consider the various benefits that replacement with a living roof would provide, contributing to thermal efficiency and noise insulation as well as providing gain for biodiversity and helping to reduce flood risk and assisting climate change mitigation efforts. The roof areas south of the Austin building would seem the most favourable candidates for this approach.

Additional comments: There is still a need to agree and finalise what will be appropriate biodiversity gain. I consider that this should be some appropriate mix

of (a) improving the soft landscaping and (b) provision of bat and bird shelters. Greening flat roof areas as part of the planned works would have been an appropriate option but would probably be less easily accomplished at this stage without specific changes to the submitted proposals and the necessary roof loading capacity.

For (a), I would propose the addition of six trees/large shrubs along the margins of the NNW-SSE path at the eastern side of the school site (although this lies outside of the presented red line). These should be deciduous species and, in combination, provide a mix of different food sources for wildlife at different times of year. In contrast with the recent response the arboricultural report states that there are opportunities for additional tree-planting.

For (b), additional to the protection and mitigation of impacts on existing roost locations, the applicant should explore the opportunities for setting aside one or more dedicated 'bat-loft' areas within the void of the pitched roofs. Ideally, this would have been investigated prior to an application being made and appropriate provision incorporated within the scheme and work programme but the applicant appears to have left us to bolt-on gain to their scheme which isn't really acceptable practice. Additionally, since we are being asked to grant planning permission so that certain works might be undertaken before the results of follow-up surveys are known and can be responded to we are clearly not in a position to set specific conditions about the provision of bat/bird shelters or other measures at this juncture. Accordingly, I previously identified the need for a mitigation and gain plan to be provided for our approval in the wake of the emergence/return surveys and for this then to be implemented accordingly. Amended conditions recommended.

Landscape Officer: No objection, subject to condition relating to boundary fencing details, landscaping implementation and landscape management and maintenance plans.

Arboricultural Officer: No objection

Lighting Engineer: With reference to the planning application P/0487/20, I have reviewed the EMEC Design and Consultancy Drawing Ref:FS0511EFAA-EMEC-00-00-DR-E27-01 Rev P1 dated September 2019 and the following points are noted:-

- the developer has confirmed the use of the Kingfisher Lighting Ltd Viva City Pro luminaire Reference No:AY70 Optic 40w/5288 Lumen, utilising Neutral White (4000K) LED's at 5m mounting height in a single configuration.
and
- the developer has confirmed the use of the Kingfisher Lighting Ltd Viva City Pro luminaire Reference No:FW70 Optic 60w/ 7705 Lumen, utilising Neutral White (4000K) LED's at 5m mounting height in a single configuration.
- LED's will be utilised for improved colour rendering (RA70)
- a total of 7 luminaires will be installed in a post top configuration on 7 x 5m lighting columns

Recommended lighting levels for outdoor car parks will vary depending on individual circumstance, including pedestrian and vehicle conflict, traffic flow and environmental zone:-

Range from 5 Lux Eav light traffic (e.g. parking areas of shops, terraced and apartment houses, cycle parks) to 20 Lux Eav Heavy traffic (e.g. parking areas of schools, churches, major sports and multipurpose sports and building complexes)

The average maintained horizontal illuminance levels detailed on the drawing submitted by the Developer, including summary lighting calculations Ref: FS0511EFAA-EMEC-00-00-DR-E27-01 Rev P1 dated September 2019, indicates the average maintained illuminance of 21.0 Lux Eav, which is very close to the recommended 20 Lux Eav for this environment.

Isolux contours have been provided for any overspill horizontal illuminance to indicate anticipated levels to the properties bordering the development on both sides, which as expected is very high in the immediate vicinity of the column(s)/luminaire(s) located at the boundary fence line of the adjacent private property "Highfield" at 41-51 Lux Emax, this reduces to more acceptable levels of 5-1 Lux Emin, but only at a significant distance within the property grounds.

For information, some typical lighting levels used in everyday applications would range from 0.5 Lux Moonlight, 10 Lux Residential Road: high use well-lit footpaths, 15/30 Lux Suburban Pedestrian Shopping Street (General), 50 Lux outdoor working area.

I assume that no allowance has been made in the overspill calculations for the limiting effect of any tree line, which would provide any appreciable screening?

For comparison, the existing street lighting installation in Brookshill utilises 10m columns, although the lighting levels are less than that required for outdoor car parks.

The Developer has not confirmed that the design has been undertaken in conjunction with BS EN 5489 – 1:2013 and with the Institution of Lighting Professionals, Guidance Notes for the Reduction of Light Pollution, GN01:2011, but has stated compliance with alternative standards Pol 04 - Reduction of night time light pollution, Ene 03 – Energy efficient external lighting and Hea 01 Internal and external lighting levels. I have not looked at these particular reference documents, but expect the recommendations to be broadly comparable. Also, confirmed compliance with the more recognised CIBSE Lighting Guide for External Lighting and BREEAM requirements.

The Developer has not provided vertical illuminance calculations at the target line in direction of all properties within the immediate vicinity and bordering the development on all sides. However, has stated that they have been unable to calculate this as no housing is shown on the drawing. This is somewhat strange as the private residential property "Highfield", is situated directly adjacent to the access road and clearly indicated on the ADP Architects Drawing Ref:ADP-XX-XX-Dr-A-0925 Rev S1P06 dated: 30/01/2020. Given the distance from the car

park to the closest residential properties and use of flat glass luminaires this should not present any particular problems, but calculations will need to be provided for the closest column(s)/Luminaire(s) which are situated on the adjacent access road to confirm compliance. Developer to clarify? Same issue with source intensity calculations. Developer to clarify?

The Developer has referenced Environmental Zone E3 for this project.

The maximum recommended vertical illuminance into house windows is 10 Lux Eav before curfew and 2 Lux Eav after curfew within Environmental Zone E3.

The developer has not indicated actual hours of operation, but I assume that the installations are controlled by Photocell – Dusk to Dawn, including any Time Clock override provision to suit college teaching, off operation at 22.00 hours. Developer to clarify?

Any further opportunity for the reduction of overspill lighting/visual impact by the use of luminaire baffles/louvres and/or additional screening by trees during landscaping would lessen the impact.

Travel Plan Officer: The submitted Travel Plan does not meet our requirements.

LBH Environmental Health: There are some concerns, much of which have been allayed by the report itself. Having a MUGA behind houses is never ideal – so I would definitely be in favour of the MUGA and car park being swapped over in terms of location and positioning, to reduce the detrimental effects of the MUGA on the residential buildings.

If they are unwilling to swap the two over, would recommend the following conditions:

1. MUGA is only to be used during school terms and only during the time periods of 8:30am to 3:30pm.
2. No floodlighting is to be present on or around the courts.
3. A noise management plan to be implemented that outlines what measures are to be taken to control noise – administrative or physical measures – this plan to be kept in place until such time as the MUGA is taken out of use.
4. The acoustic fence referred to in the noise report and plan 5 FS0511EFAA-ADP-XX-XX-DR-A-1901p05 is installed as per the requirements within, and maintained thereafter.

Additional Comments following revised location:

There is no reason why the school can't have it until 4:30pm, assuming this would be for after school clubs etc.

The use should be for school use only and it should not to be made available for hire to private clubs.

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Biodiversity

- Drainage and Flood Risk
- Accessibility
- Equalities Implications
- S17 Crime & Disorder

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.16, 3.18
- The Draft London Plan 2019: G2, S1, S3
- Harrow Core Strategy 2012: CS1 F, Z
- Harrow Development Management Policies Local Plan (2013):DM1, D16, DM 46
- Site Allocations DPD: Site GB2

6.2.2 Paragraph 145 of the NPPG (2019) states that: A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, the noted exceptions to this include the following:

- the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it; (paragraph b)
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; (paragraph g)

6.2.3 The Harrow College site is one of two strategic previously developed sites in the Green Belt, as defined by the Site Allocations Development Plan Document (2013) (Site GB2). Part of the application site lies within the site allocation including the Austin Building and its associated curtilage.

6.2.4 In accordance with the requirements of the site allocation a masterplan for the college was approved under application P/5710/16 which secured the rationalization of built footprint on the site. However, the masterplan excluded the Austin building which was deemed to be no longer fit for purpose by the college and sold in 2015 to fund other state of the art facilities on the college site. The Austen building has now been empty for a number of years and has fallen into a degree of dilapidation, with both damp and vegetation ingress. The applicant outlines that when previously occupied, the building would have had capacity for 629 staff and students.

6.2.5 As outlined above, the application is for minor works only to enable the refurbishment of the Austen building and its associated curtilage. The proposal

would utilise the existing building structure, material and boundary treatments. No new additional floor space is proposed to the Austen building.

- 6.2.6 An application for a Lawful Development Certificate was submitted and granted under ref: P/0274/20 which established and confirmed the D1 use of the building. As such the use of the building for educational purposes is lawful and does not require planning permission. For these reasons, the other impacts associated with the use, such as impacts of traffic and parking do not fall to be considered under this application.
- 6.2.7 Much of the minor works to the Austen Building and its immediate associated curtilage do not give rise any conflict with the purposes of Green Belt land or its openness and permeance and are considered to be acceptable in principle.
- 6.2.8 The application does include the provision of a Multi-Use Games Area (MUGA) together with associated boundary treatments. In respect of the MUGA, this would be in the southern part of the site in an area of existing hard standing which is currently used as a car park. The existing car park area would be reconfigured to provide 17 staff space adjacent to the closest residential properties in Brookshill and the MUGA would be sited to the east of this parking area. It is considered that the MUGA is an appropriate use within the Green Belt and would not adversely affect openness. It is acknowledged that the MUGA would include the provision of 2.4 metre acoustic fencing and 3-metre-high weld mesh fencing but this is considered intrinsic to the use of the MUGA which is an appropriate use. This element of the proposal is therefore considered to be acceptable in principle and would comply with paragraph 145 b and g and the above outlined policies.

6.3 Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.18, 7.4, 7.6, 7.8
- The Draft London Plan 2019: D1, D2, D3, G2, G7, S1, S3, HC1
- Harrow Core Strategy 2012: CS1 B, F, D
- Harrow Development Management Policies Local Plan (2013): DM1, DM 7 DM 16, DM22, DM 44, DM 45, DM46

6.3.2 The existing two storey former college building will be retained. The building has a GIFA of 3680sqm.

6.3.3 All new materials for the proposed refurbishment would be a like for like replacement and would be in keeping with the original materials of the building. Existing windows and doors will be retained and refurbished. All new window and door openings will match the existing fenestration detailing in scale, colour and design. It is considered that the appearance and appearance of the building will largely be retained.

- 6.3.4 The other minor alterations, including new boundary treatments and hard and soft landscaping are considered to have an acceptable impact on the character and appearance of the surrounding area. The application has been reviewed by the Council's landscape architect who has raised no objection to the proposals.
- 6.3.5 The proposal would include the installation of ventilation louvres to the some of the windows. The applicant has outlined the ventilation grilles are required for the Department of Education guidelines (BB101), for ventilation, thermal comfort and indoor air quality purposes.
- 6.3.6 The Council's conservation officer has raised concerns with the impact of the louvres on the character of the locally listed building outlining that they are not required under Building Regulations. In response, the applicant has reduced the overall number of louvres proposed on the building and provided a thermal report to demonstrate the impacts on future occupiers of the building without the installation. The thermal report suggests that future occupiers of the building would be excessively hot in summer and cold in winter if the louvres were not installed.
- 6.3.7 It is noted that no louvres are proposed on the principal front elevation of the building. In addition, where louvres are required, only the glass of the window would be removed, and the transoms and mullions of the windows would remain in place to preserve the building fabric. In the future, should the louvres no longer be required, it would be possible to remove them, and the glass reinstated. Moreover, it is noted that the total area of introduced louvre, only increases the louvre area by approximately 4m² over the existing louvres identified in the façade. An indicative sample image of the louvres has been provided in support of the application to demonstrate the impact on the character of the building. A condition is recommended to ensure that final sample louvres are provided and agreed on site prior to their installation to ensure they are appropriate in colour, material and design and to minimise the impact on the appearance of the locally listed building.
- 6.3.8 The NPPF (2019) emphasizes at paragraph 94 that local planning authorities should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and to development that will widen choice in education. It states that local planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decision on applications. The support for education is also strongly emphasized in the London Plan, Draft London Plan and Local Plan (DM 46). Policy DM 46 A highlights that proposals for the refurbishment and re-use of existing premises for community, sport and educational uses will be supported.
- 6.3.9 The proposed alterations to the façade would help facilitate an educational use within the building which great weight should be attributed to in accordance with the development plan. It is also considered that the proposals would also help restore and improve the appearance of the building which has been deteriorating over several years by bringing it back into use. Parts of the facade which have been damaged including external brickwork and windows will be repaired and refurbished as part of the proposals. Whilst it is acknowledged that the proposal would give rise to some harm in relation to the character and appearance of the locally listed

building, on balance, having regard to the proposed amendments discussed above and given the refurbishment would help facilitate an educational use, the proposed ventilation louvres are considered to be acceptable, subject to the above mentioned condition.

6.3.10 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of the subject site, locally listed building and wider area.

6.4 Residential Amenity

6.4.1 *The relevant policies are:*

- National Planning Policy Framework (2019)
- London Plan Policy 7.6 B
- The Draft London Plan Policy D3, D4
- Harrow Development Management Policies Local Plan (2013):DM1,

6.4.2 A number of representations have been received from neighbouring residents raising concerns with the proposals. In particular, concerns has been raised in relation to traffic and parking impacts on the surrounding highway network, the intensity of the use and associated levels of noise and disruption generated by the coming and goings of pupils to the school. However, as noted above, the use of the building as a school is lawful and the subject application is for the minor works associated with the proposed use of the building only. As planning permission is not required for the use, the local planning authority is unable to take account of impacts that may arise in relation the above matters.

6.4.3 The proposed refurbishment works to the building and other external alterations to the hard and soft landscape immediately around the building are considered not to give rise to any amenity impacts.

6.4.4 In respect of the proposed MUGA to the south west of the site, this was originally proposed adjacent to the south western site boundary, adjoining the rear gardens of the properties in Brookshill. The application is accompanied by a noise report in respect of this proposed location. The report outlines that the noise model was based on the assumption that the MUGA would be in operation for up to 45 minutes per hour during the daytime. Taking account of the 2.4 high metre acoustic fencing, the noise predictions are outlined at around 43dB at the rear façade of the closest property to the west of the MUGA and that noise levels would have the potential to rise upto 50dB within the central garden position of these properties. Based on the findings, the report concludes that the predicted noise levels would fall below the predicted ambient noise levels of 51dB. The report confirms that these noise limits fall within the Sport England 'Artificial Grass Pitches' Acoustics - Planning Implications and World Health Organization Guidelines for Community Noise'. Notwithstanding the conclusions of the noise assessment, the Council's Environmental Health Officer has raised concerns with the potential noise impact on the adjacent neighbouring residents. The existing background noise levels are generally expected to be higher at the front of the dwellings as Brookshill is a busy trafficked road but it is considered that the rear garden boundaries would be more

sensitive to noise and it is reasonable for more stringent protection to apply to the rear garden areas of these properties.

- 6.4.5 In response to the concerns of the Council's Environmental Health Department and neighbouring residents during the application, the location of the MUGA has been revised so that it is located further east away from residential gardens. The reconfigured car park spaces would be moved adjacent to the western boundary which is considered to be acceptable as this area is already used for car parking. The revised MUGA location would be sited approximately 18 to 23 metres from the western boundary and would be located approximately 50 metres away from the nearest residential façade. The revised MUGA location has been reviewed by the Environmental Health department who have advised that the proposed revised location is acceptable, subject to conditions restricting hours of use by the school only, provision of a noise management plan, no installation of flood lighting and a further condition to ensure the acoustic fencing is installed and maintained thereafter. In addition to the acoustic fencing, additional planting is also proposed to further lessen the impacts, the final details of which can be secured by condition.
- 6.4.6 The distance of the MUGA to the Felix Day Centre and adjacent Steiner Training Academy buildings further to the south of the site are around 80m and 50m respectively and given the above conclusions and implementation of the recommended conditions they would also not be adversely affected with regard to noise impact.
- 6.4.7 The application also proposes 7 x 5-metre-high lighting columns along the access road and the car park. This was referred to the Lighting Engineers who has not raised any significant concerns. However, given the proposed revised location of the car park, it is considered an alternative lighting scheme will now be required. As such a condition is recommended for further details to be secure by condition to ensure no adverse impacts on neighbouring amenity in respect of light pollution.
- 6.4.8 In summary, subject to the above recommended conditions, it is considered that the proposal would have an acceptable impact on the residential amenities of the adjacent residential properties in Brookshill and the occupiers and users of the surrounding buildings.

6.5 Biodiversity

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 7.19, 7.14
- The Draft London Plan 2019: G6
- Harrow Core Strategy CS1 E
- Harrow Development Management Policies Local Plan (2013): DM1, DM12, DM20, DM 21, DM 48
- Circular 06/05: biodiversity and geological conservation

6.5.2 The application site is situated between two of the more western sections of the Borough Grade II Harrow Weald Park and the Hermitage SINC. This is a sizeable

complex of areas designated for their wildlife value and has additional strategic importance for nature conservation as part of a chain of high value sites including Bentley Priory and the Clamp Hill Brickfields in the northern part of the borough. The wider area is green, well-treed, and forms part of Harrow's Green Belt.

- 6.5.3 The application has been referred to the Council's biodiversity officer who has outlined it will be necessary to ensure that the development of the Harrow College site has no direct impact on the designated areas, nor on the movement and dispersal of species between them, nor on species or other features of conservation importance within the development site. Additionally, any development should result in overall enhancement or 'net gain' for biodiversity, whilst avoiding, minimising and mitigating impacts as much as possible.
- 6.5.4 The application is accompanied by a bat survey which has found evidence of bats roosts within the building. As such, further surveys are recommended to be undertaken and secured by condition to ensure any impacts on bats can be minimised and if necessary additional mitigation measures agreed.
- 6.5.5 In terms of biodiversity net gain, conditions are recommended in relation to the installation of bird and bat boxes across the site, the provision of bat lofts within the roof voids and additional tree planting.
- 6.5.6 Subject to the above-mentioned conditions, the proposal would be acceptable in biodiversity terms and would comply with the above conditions.

6.6 Drainage and Flood Risk

- 6.6.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan 2016: 5.12, 5.13
 - The Draft London Plan 2019: SI 12 and SI13
 - Harrow Core Strategy 2012: CS1U
 - Harrow Development Management Policies Local Plan (2013):DM9, DM 10
- 6.6.2 The application site lies within flood zone one and as such is at low risk of flooding. Nevertheless the proposal would result in additional and new hard surfacing across the application site which would increase the potential for food risk for surface water flooding. In order to provide betterment over the existing situation, the Council's drainage engineers have advised surface water discharge should be restricted to Greenfield run off rates of 5l/s/ha. It is recommended that the details of surface water storage and attenuation be secured by condition.
- 6.6.3 Subject to the conditions outline, the proposal complies with the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policy CS1U of the Core Strategy (2012) and policies DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

6.7 Accessibility

6.7.1 The relevant policies are:

- The London Plan 2016: 3.5, 3.8
- The “Intend to Publish” London Plan 2019: D5
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM2

6.7.2 The submitted Design and Access Statement states that the building has been designed to be fully wheelchair accessible to staff, students and visitors and will be fully compliant with the Approved Document M of the Building Regulations. The proposals include a ramped entrance to ensure alternative access for disabled persons. There is an existing passenger lift within the building which will be refurbished to serve all habitable floors. Most external areas outside the building are generally flat and will be fully accessible. Within the building, contrasting colours will be used to clearly identify stair nosing and handrails for partially sighted users.

6.7.3 On this basis, it is considered that the proposal complies with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5 and 7.2 of The London Plan (2016), policy CS1 of the Core Strategy (2012), and policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013).

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal seeks to utilise the existing building structure, materials and boundary treatments. The former Austen Building is currently vacant and has fallen into a degree of dilapidation. The proposed refurbishment works will bring the building back into use and will widen and enhance educational choice in the area. The proposed development is considered to have an acceptable impact on the Green Belt, the locally listed building and character and appearance of the surrounding area and subject to planning conditions, would not have an unacceptable impact on the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Approved Plans and Documents

Saved where varied by other conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and:

FS0511EFAA-ADP-XX-XX-DR-A-915- Location Plan	S1P02
FS0511EFAA-ADP-XX-XX-DR-A-920- Existing Site Plan	S1P03
FS0511EFAA-ADP-XX-XX-DR-A-925- Proposed Site Plan	S1P10
FS0511EFAA-ADP-XX-XX-DR-A-905- Existing N E Elevations	S1P0 4
FS0511EFAA-ADP-XX-XX-DR-A-906- Existing S W Elevations	S1P0 4
FS0511EFAA-ADP-XX-XX-DR-A-910- Proposed N E Elevations	S1P0 8
FS0511EFAA-ADP-XX-XX-DR-A-911- Proposed S W Elevations	S1P0 8
FS0511EFAA-ADP-XX-GF-DR-A-0903- Existing Ground Floor Plan	S1P0 3
FS0511EFAA-ADP-XX-GF-DR-A-1025- Proposed Ground Floor Plan	S1P0 11
FS0511EFAA-ADP-XX-01-DR-A-0904- Existing First Floor Plan	S1P0 2
FS0511EFAA-ADP-XX-01-DR-A-1026- Proposed First Floor Plan	S1P0 10
FS0511EFAA-ADP-XX-R1-DR-A-0908- Existing Roof Plan	S1P0 1
FS0511EFAA-ADP-XX-R1-DR-A-1027- Proposed Roof Plan	S1P0 5
Hujjat Primary School, Harrow – Preliminary Roost Assessment Report	Rev00
858562 - Hujjat School - Emergence report	Rev00
858562 Hujjat Primary School Bat Surveys	
FS0511EFAA-ADP-XX-XX-DR-A-1900- Proposed Landscape Plan	P07
FS0511EFAA-ADP-XX-XX-DR-A-1901- Proposed Fencing and External Furniture	SP104
CLD-Dulok-Lite-General-Purpose-Fencing	
12K Acoustic Envirofence Technical Data Sheet	
CLD-Flexarail-General-Purpose-Fencing	
Hit Miss Vertical Panel Spec Sheet	
CLD-Dulok-Sports-Fencing	
FS0511EFAA-EMEC-00-00-DR-E-2701_External Lighting Layout_S1 (Co-Ordination)_P1_0	P1
Viva-City-Pro Datasheet	
	V2
200424 - Contract Programme -DFE - HUJJAT PRIMARY SCHOOL	

200124 - Updated Hujjat Construction Logistics 27-04-2020	
Appendix 4 - Part 1 - Project Execution Plan (PEP) - Hujjat dated 31.01.20	
Appendix 4 - Part 2 - Health and Safety Management Plan Legionella addition - 31.01.20- Hujjat	
Appendix 4 - Part 3 - Environmental and Sustainability Management Plan (EMP) - 27.04.2020 - Hujjat	
	May-20
	May-20
FS0511EFAA-AKSW-XX-XX-DR-C-9251_Drainage Standard Details - Sheet 1_S1 (Co-Ordination)_P02_0	P02
Existing_P01	
Proposed_P03	
Proposed_P03 - No CC	
FS0511EFAA-AKSW-XX-XX-DR-C-9201.pdf	P06
FS0511EFAA-AKSW-XX-XX-DR-C-9202.pdf	P04
FS0511EFAA-AKSW-XX-XX-DR-C-9203.pdf	P04
FS0511EFAA-AKSW-XX-XX-DR-C-9501.pdf	P03
FS0511EFAA-AKSW-XX-XX-DR-C-9502.pdf	P02
3617,GI/GROUND/SG,GF/04-02-19/V1	V1
Hujjat Primary School - S106 CONSENT	
FS0511EFAA-ADP-XX-XX-DR-A-3100- Stairs and Ramps	S1P01
FS0511EFAA-ADP-XX-GF-DR-A-3005 S3-P02- External Canopy	S3P02
FS0511EFAA-ADP-XX-XX-DR-A-912- Fencing Elevations North and East	S1P01
FS0511EFAA-ADP-XX-XX-DR-A-913- Fencing Elevations South and West	
05-19-76160 AC 3v1 - Hujjat Primary School - MUGA Noise Assessment	V1
FS0511-EMEC-00-ZZ-RP-Z-0002-P3 BB101 Overheating Assessment Report (1)	
Hujjat - DfE BB101 Letter	

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

3. Materials

The materials to be used in the construction of the external surfaces of the external alterations of windows and doors and for the external alterations to the existing building hereby permitted shall match as closely as possible those used in the existing building

REASON: To preserve or enhance the appearance of the locally listed building and safeguard the character and appearance of the area.

4. Details of louvres

Notwithstanding the details shown on the approved drawings and documents, prior to commencement of the development hereby permitted details/samples of the window louvres shall be submitted to the local planning authority, provided on site and approved in writing by the Local Planning Authority:

The development shall be completed in accordance with the approved details and shall thereafter be retained, unless otherwise agreed in writing with the local planning authority.

REASON: To preserve or enhance the appearance of the locally listed building and safeguard the character and appearance of the area.

5. Biodiversity 1

Notwithstanding the approved details, the proposed renovation works will be carried out in accordance with the measures detailed in the approved ecological assessment, mitigation proposals addendum, the revised project program and the conditions under which any planning permission is granted. Where there is any gap or contradiction between the guidance these provide, a precautionary approach shall be applied in order to fully safeguard the conservation of bats and to deliver appropriate mitigation and biodiversity gain.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

6. Biodiversity 2

An appropriately qualified and experienced Ecological Clerk of Works (ECoW) will be appointed prior to commencement of development. The ECoW will be responsible for ensuring that works are conducted in accordance with the approved Mitigation Recommendations Advice Note prepared by RSK, by:

- (a) ensuring that all workers and their overseers are informed of the need to be aware of the potential presence of roosting bats and evidence of past use and what to do in the event that bats or signs of use are found, with all suspected and definite presence or signs being reported to the ECoW and guidance provided as to how to proceed.
- (b) directly supervising the first day of each of the key Phase 1 flat roof repairs (Item 1) and, pending survey findings and the requirements of Condition 6, the Phase 2 pitched roof repairs (Item 4) and demolition of the courtyard building (Item 3).

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

7. Biodiversity 3

Prior to commencement of the development hereby permitted, for the purposes of mitigation, three bat boxes (Schwegler 1FF/3FF/2FTH or equivalent, appropriate to the proposed situation) are to be permanently mounted on building walls or in mature trees at suitable separate locations where they are unlikely to be disturbed in the course of the planned works at just below roof eaves level (second storey or upwards) in order to provide alternative shelter for any bats disturbed in the course of the planned works.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

8. Biodiversity 4

Where, from previous assessment, there is little or no likelihood of use by bats (Status 0 areas), works may proceed as planned provided a watching brief is to be maintained in order to ensure protection of bats and any roosts. It will be the ECoW's responsibility to ensure that all workers to comply with this and to re-designate any areas (as Status 1) should the current or former presence of bats be confirmed.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

9. Biodiversity 5

Prior to the commencement of works in Status 1 areas (including any re-designated Status 0 areas) the applicant shall undertake bat roost emergence/return surveys during suitable conditions on three occasions, in accordance with BCT guidelines and the approved documents, and provide a brief summary of the resulting observations within one working week of the third survey. The details shall be submitted and approved in writing with the Local Planning Authority. This should indicate where bats are currently known to be roosting, suspected/likely to be roosting over the course of the year, and where it is considered they are unlikely to roost, details of species and an estimate of roost size and importance.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

10. Biodiversity 6

Prior to the commencement of works in Status 1 areas (including any re-designated Status 0 areas) the applicant shall provide to the Council for approval in writing a detailed plan, taking account of all survey findings, to set out:

- a. which buildings, roof areas and trees are considered unlikely to be used by roosting bats (Status 0 locations) and those of moderate to high potential at the current time or previously shown to be in use (Status 1

locations).

- b. how works will be conducted so as to avoid and minimise disturbance or other impacts on bat conservation; the mitigation measures that will be employed, and the steps to be taken to ensure that these will all be implemented.
 - c. where there are opportunities for providing dedicated 'bat-loft' areas within the building roof spaces
 - d. definite proposals for the provision of biodiversity gain as part of the development, for bats and other species to include, as appropriate to the site and its wider surroundings
 1. the provision of bat lofts within pitched roof voids,
 2. the provision of 'woodcrete' or similarly durable shelters for bats and birds, to be installed and permanently maintained on the exterior of buildings and in mature trees
 3. the planting of six or more deciduous trees/large shrubs within the school grounds (e.g. along the path dividing the grassland areas at the east of the school site), comprising a mix of predominantly native with non-native species to provide a mix, appropriate to the location, that will attract and support a range of wildlife at different times of year.
 4. or other, suitable alternatives
- o a time plan for the proposed mitigation and gain works, the subsequent successful establishment of vegetation, and ongoing management for a period of at least 5 years after the completion of building works

This document should incorporate the consultants' recommendations provided within Section 4.3 of the submitted PRA (October 2019) and the Addendum (of February 3rd 2020) as informed by the 2020 survey evidence, and should also give consideration as to how best to provide enhancement of the school site for biodiversity and access to nature for the benefit of wildlife, staff, pupils, visitors and local residents.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

11. Biodiversity 7

The applicant will ensure that the actions agreed and approved in discharge of Condition 6 will be implemented in accordance with the agreed time plan, unless otherwise agreed, in writing, with the Council. Notwithstanding any planning permission, where there is any doubt or discrepancy, matters agreed under Condition 6 shall take precedence over requirements under Condition 2.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

12. Surface Water Drainage Strategy

No development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, the Local Planning Authority in writing to be agreed. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate and to ensure that sustainable urban drainage measures are exploited.

13. Foul Surface Water Drainage Strategy

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to the Local Planning Authority in writing to be agreed. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development.

14. Lighting

Notwithstanding the approved plans and documents, the development hereby approved shall not commence until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

Reason: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality.

15. Landscaping 1 MUGA Landscape details

The development of the MUGA hereby approved shall not commence until a scheme for the soft landscaping works along the south western boundaries of the site as shown on drawing ADP-XX-XX-Dr-L01900 Rev S1P07 have been submitted and approved in writing by the Local Planning Authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

Reason: To ensure that the development makes provision for soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensures a high standard of design, layout and amenity.

16. Landscaping 2 – Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the soft landscaping within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has been submitted to the Local Planning Authority in writing to be agreed,. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

Reason: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the site and surrounding area.

17. Landscaping 3 – Implementation

All hard and soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the occupation of the buildings, 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, diseased or defective, 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 ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity.

18. MUGA – Hours of Use/Floodlighting

The Multi Use Games Area hereby approved shall not be floodlit, shall only be used by students and staff of the Hujjat Primary school during school term times and shall not be used outside the hours of 8:30am to 4:30pm Monday to Friday (excluding bank holidays), unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the residential amenities of the occupiers of adjacent residential properties.

19. MUGA – Noise Management Plan

Prior to the first use of the Multi Use Games Area (MUGA) hereby approved, a Noise Management Plan detailing both physical and administrative measures to minimise the control of noise arising from the use of the MUGA, shall be submitted and approved in writing by the Local Planning Authority. The Noise

Management Plan shall be implemented in accordance with the approved details and shall be adhered to for the duration of use of the MUGA on the site.
Reason: To safeguard the residential amenities of the occupiers of adjacent residential properties.

20. MUGA Acoustic fencing

The acoustic fencing referred to in the submitted Noise Report Ref: 05-19-76160-AC-3v1 by Stroma Built Environment and identified on drawing ADP-XX-XX-Dr-L-1901 Revision S1P04 shall be installed as per the requirements within. The acoustic fencing shall be maintained in good condition thereafter.
Reason: To safeguard the residential amenities of the occupiers of adjacent residential properties.

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan 2016

3.16 Protection and Enhancement of Social Infrastructure
3.18 Education Facilities
6.9 Cycling
6.13 Parking
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 and archaeology
7.16 Green Belt
7.19 Biodiversity and Access to Nature
7.21 Trees and Woodlands

Intend to Publish Draft London Plan (2019):

D1 London's form and characteristics
D2 Delivering good design
D3 Inclusive Design
D4 Noise
S3 Education and Childcare Facilities
HC1 Heritage Conservation and Growth
G2 London's Green Belt
G6 Biodiversity and Access to Nature
G7 Trees and Woodlands
SI12 Flood Risk Management
SI 13 Sustainable Drainage

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

DM 1 – Achieving a High Standard of Development Policy
DM 2 – Achieving Lifetime Neighbourhoods Policy
DM 9 - Managing Flood Risk Policy
DM 10 On Site Water Management and Surface Water Attenuation
DM 12 Sustainable Design and Layout
DM16 Maintaining the Openness of the Green Belt and Metropolitan Open Land
DM 20 Protection of Biodiversity and Access to Nature

DM 21 Enhancement of Biodiversity and Access to Nature
DM22 – Trees and Landscaping
DM 44 - Servicing
DM46 New Community Sport and Education Facilities

2. Compliance with planning conditions

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

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

3. Considerate Contractor Code of Practice

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

4. Party Wall Act:

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5. Liability For Damage to Highway

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

6. Sustainable Drainage Systems

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

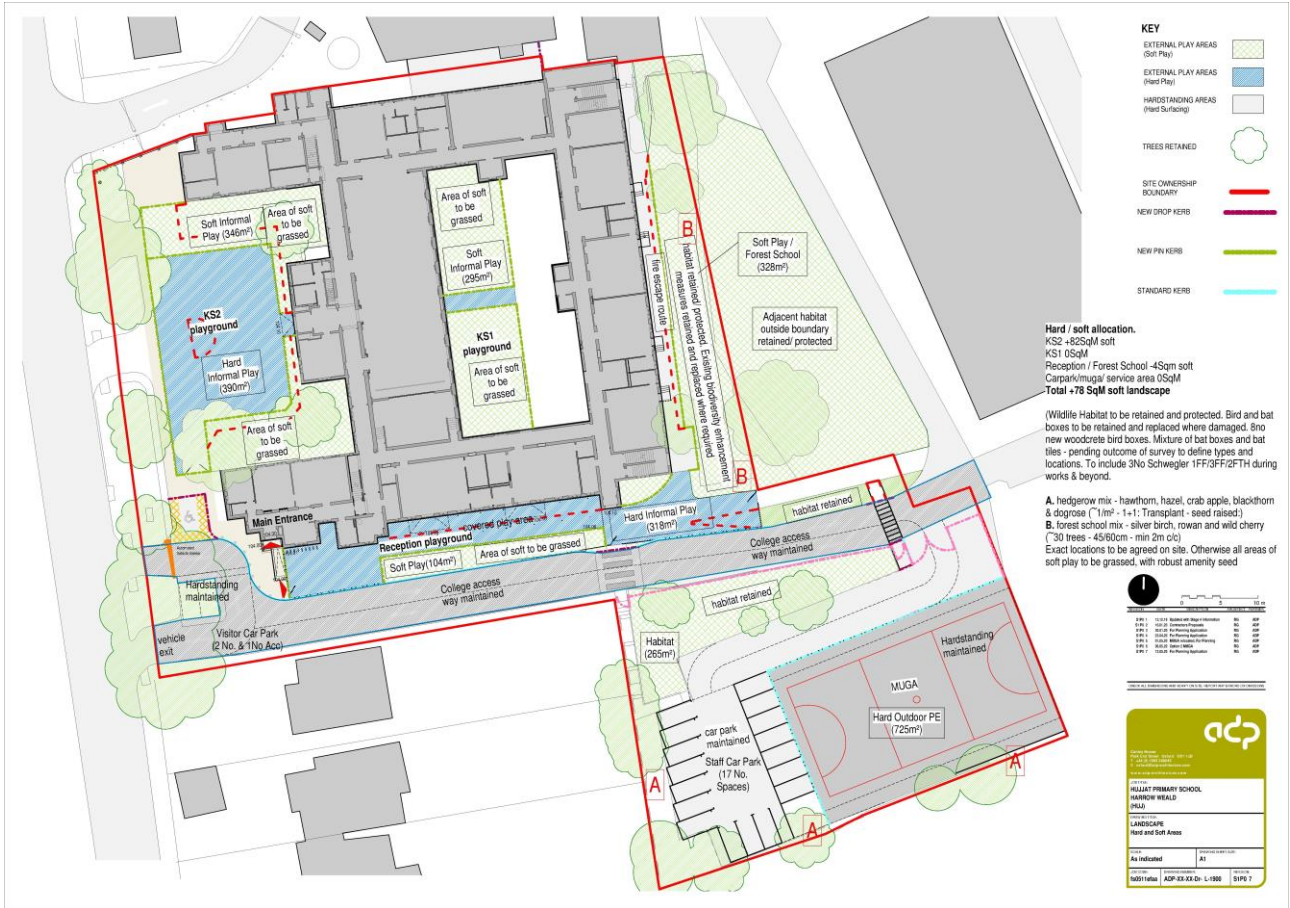
SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS



South western car park



Front Elevation





Front Elevation along Brookshill

APPENDIX 4: PLANS AND ELEVATIONS

1 North Elevation Proposed
1: 100

2 East Elevation Proposed
1: 100

- Existing Brickwork
- Existing Tiled pitched roof
- Existing Window refurbished
- Existing Timber Doors
- New Painted Alu RWPs & gutters to match existing. Hoppers to be retained and refurbished, unless damaged beyond reasonable repair.
- PPC louvers in high level windows. Colour to match window.
- New Insulated PPC Aluminium Glazed doors to match window Crittal style

Original windows to be repaired/reinstated to match existing, where possible existing windows re-used where being rehoused from elsewhere

Item	Description	Quantity	Unit
101	1:100 Plan to be submitted	1	Set
102	1:100 Section to be submitted	1	Set
103	1:100 Elevation to be submitted	1	Set
104	1:100 Detail to be submitted	1	Set
105	1:100 Section to be submitted	1	Set
106	1:100 Elevation to be submitted	1	Set
107	1:100 Detail to be submitted	1	Set
108	1:100 Section to be submitted	1	Set
109	1:100 Elevation to be submitted	1	Set
110	1:100 Detail to be submitted	1	Set



1 South Elevation Proposed
1 : 100



2 West Elevation Proposed
1 : 100

1. Existing Brickwork
2. Existing Tiled pitched roof
3. Existing Window refurbished
4. Existing Timber Doors
5. New Painted Alu RWPs & gutters to match existing. Hoppers to be retained and refurbished, unless damaged beyond reasonable repair.
6. PPC louvres in high level windows. Colour to match
7. New Insulated PPC Aluminium Glazed doors to match window Crittal style
8. New Entrance Signage - Cut PPC Aluminium letters
9. New Freestanding Polycarbonate Canopy to Reception Play area
10. New Aluminium vented access hatch to plantroom

Original windows to be repaired / reinstated to match existing, where possible existing windows re-used where being removed from elsewhere

Item	Description	Quantity	Unit
101	100mm EPS Insulation	100	m ³
102	100mm EPS Insulation	100	m ³
103	100mm EPS Insulation	100	m ³
104	100mm EPS Insulation	100	m ³
105	100mm EPS Insulation	100	m ³
106	100mm EPS Insulation	100	m ³
107	100mm EPS Insulation	100	m ³
108	100mm EPS Insulation	100	m ³
109	100mm EPS Insulation	100	m ³
110	100mm EPS Insulation	100	m ³

acp

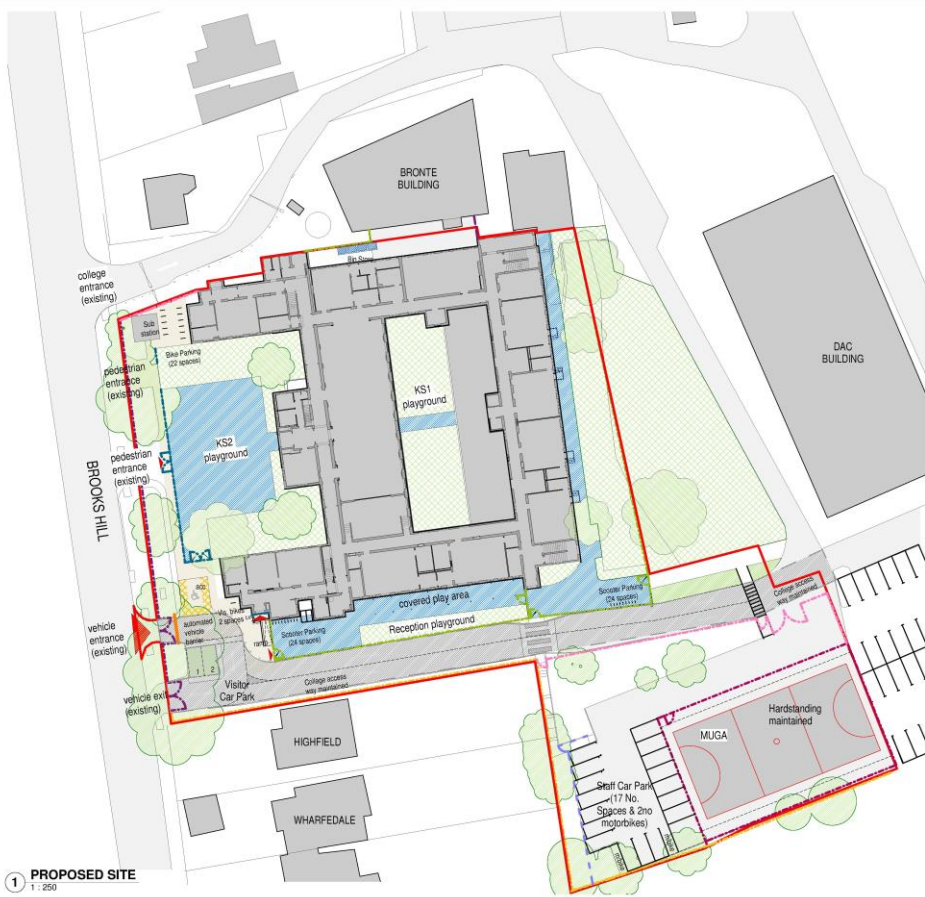
ARUP CONSULTANTS
100, Brook Hill, Huddersfield, West Yorkshire, HD13 8JN
Tel: 01484 474000 Fax: 01484 474001
www.arup.com

HUJJAT PRIMARY SCHOOL
HARRISON WEALE
(PLA)

Elevation Proposed
South & West

As indicated A1

DATE: 2020-07-22
ADP-03-02-D- A-001 02/PL



1 PROPOSED SITE
1 : 250

- KEY**
- SECURE EXIT PLAY AREAS (Soft Play)
 - SECURE EXIT PLAY AREAS (Hard Play)
 - HARDSTANDING AREAS (Hard Surfacing)
 - TREES REMOVED
 - SITE OWNERSHIP BOUNDARY
- TOTAL CAR PARKING: 20 No. spaces**

Item	Description	Quantity	Unit
101	100mm EPS Insulation	100	m ³
102	100mm EPS Insulation	100	m ³
103	100mm EPS Insulation	100	m ³
104	100mm EPS Insulation	100	m ³
105	100mm EPS Insulation	100	m ³
106	100mm EPS Insulation	100	m ³
107	100mm EPS Insulation	100	m ³
108	100mm EPS Insulation	100	m ³
109	100mm EPS Insulation	100	m ³
110	100mm EPS Insulation	100	m ³

acp

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HUJJAT PRIMARY SCHOOL
HARRISON WEALE
(PLA)

Site Plan - Proposed

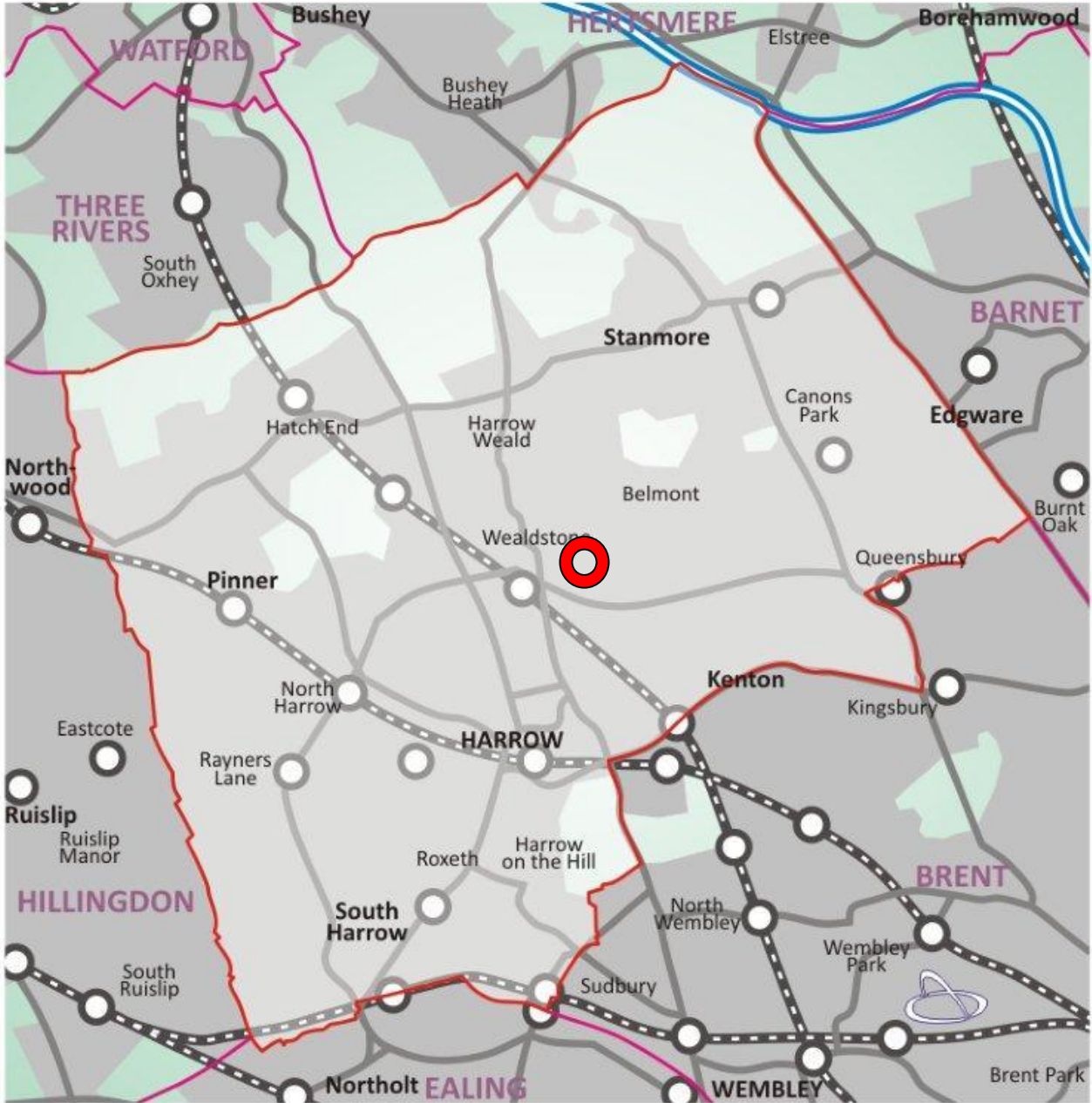
(1:250) A1

DATE: 2020-07-22
ADP-03-02-D- A-002 03/PL

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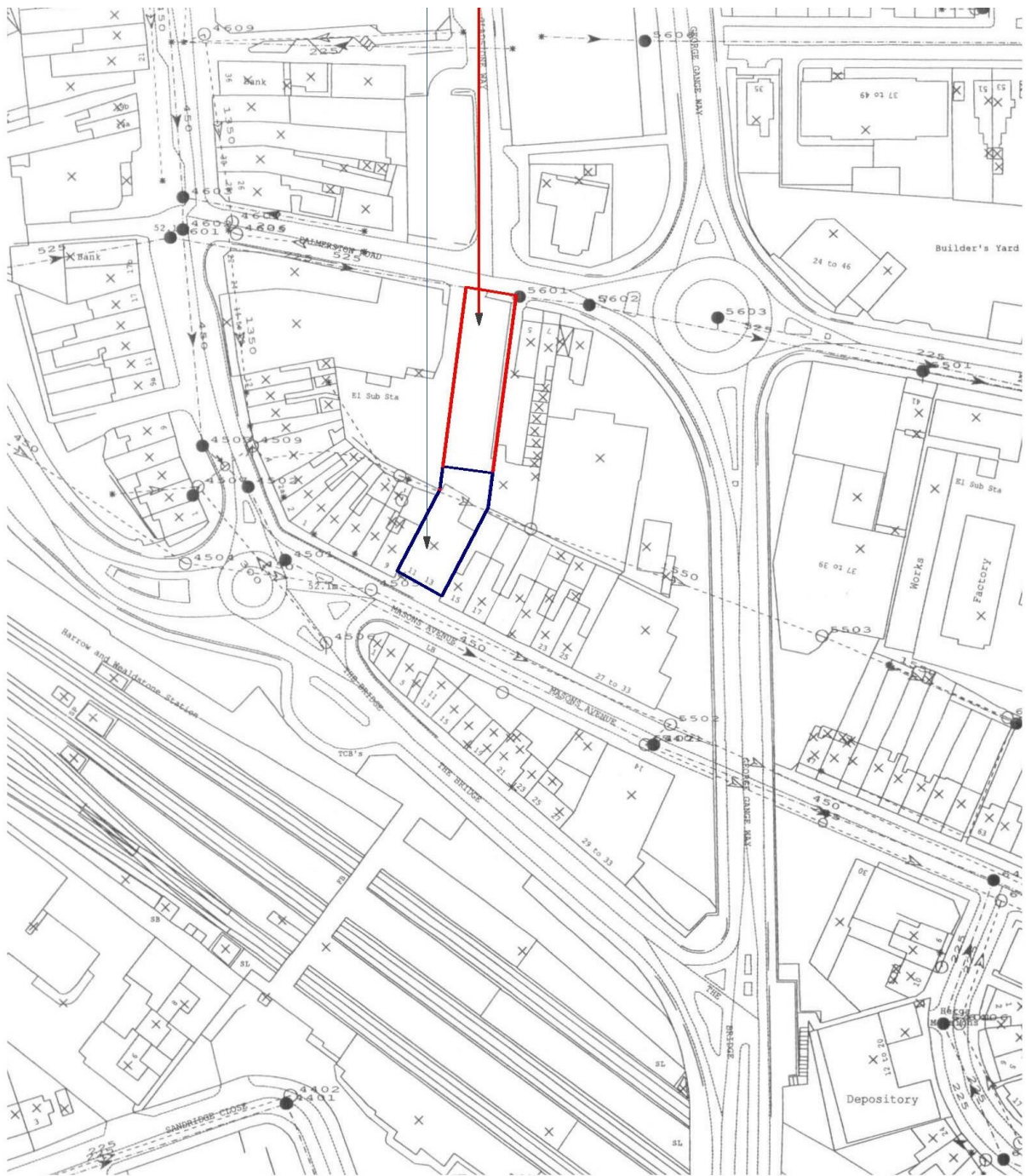
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 = application site



R/O Station House, 11-13 Masons Avenue	P/0681/20
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LOCATION PLAN HERE (CRW)



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/0681/20
VALID DATE: 26TH MARCH 2020
LOCATION: REAR OF STATION HOUSE, 11 - 13 MASONS AVENUE, HARROW
WARD: MARLBOROUGH
POSTCODE: HA3 5AD
APPLICANT: WESTGOLD HOLDINGS LTD
AGENT: STRATAGEM PLANNING CONSULTANTS LTD
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 22ND OCTOBER 2020

PROPOSAL

Construction of four storey building with green roof to create six flats (1 X studio, 3 X 1 bed and 2 X 2 bed) (Use Class C3); Office at ground floor (Use Class B1); New vehicle access from Palmerston Road; Refuse and Cycle Storage; One blue-badge parking bay

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The Section 106 Agreement Heads of Terms would cover the following matters:
 - I. Parking permit restriction
 - II. Monitoring and Legal Fees

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 22nd October 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation

is not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission for the following reason:-

The proposed development, in the absence of a Legal Agreement to provide parking permit restrictions would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, contrary to the National Planning Policy Framework (2019), Policies 6.3 and 8.2 of the London Plan (2016), Policies T6, T6.1 and DF1 of the draft London Plan (2019) – intend to publish version, Policy CS1 of the Harrow Core Strategy (2012), Policies DM42 and DM50 of the Harrow Development Management Policies Local Plan (2013) and PolicyAAP19 of the Harrow and Wealdstone Area Action Plan (2013)

REASON FOR THE RECOMMENDATIONS

The proposed development would provide a residential-led mixed use development, including designated business floorspace. The proposal would make more efficient use of a highly accessible site within Wealdstone Town Centre and would also contribute to delivering the objectives of the Harrow and Wealdstone Opportunity Area.

The design of the proposal is of a high quality in respect to its response to the site and local context, in terms of height and massing, layout, architectural appearance and materials. The development would optimise the potential of the site and would therefore enhance the character and appearance of the area. Given the urban context of the site and its relationship with the adjacent residential properties, the proposal would not unacceptably impact upon the residential amenities of the adjoining occupiers. Furthermore, the proposal would provide appropriate living conditions for the future occupiers of the development. The car-free proposal is acceptable subject to a permit free agreement and would not harm the functioning or safety of the public highway.

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

INFORMATION

This application is reported to Planning Committee as it would provide the construction of more than three dwellings and therefore falls outside category 1(b) of Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	E.18. Minor Development, all other
Council Interest:	n/a
Net Additional Floorspace:	496m ²
GLA Community	
Infrastructure Levy (CIL):	£29,760
Local CIL requirement:	£55,343

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the proposed access does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site consists of the land to the rear of Station House, 11-13 Masons Avenue. The site is hardsurfaced and features designated parking associated with the D1 and B1 uses of Station House. Access to the site is provided by a vehicle crossover fronting Palmerston Road
- 1.2 Station House is a four storey, L-Shaped building fronting Masons Avenue with a D1 use on the ground floor and B1 uses on the upper floors. The application site is adjoined to the west by Birchfield (1 Palmerston Road) a five storey residential building. The site features a vehicle access in the part adjacent to the application site
- 1.3 The parcel of land adjoining the application site to the east formerly consisted of three dwellinghouses fronting Palmerston Road and vacant workshop buildings. These have recently been demolished as part of the implementation of the Origin Housing Scheme granted Planning permission under reference P/1619/16 dated 29/08/2019. Permission has been granted on the adjacent site for a part 2 and part 5 storey building with commercial/community floorspace and 17 flats.
- 1.4 The application site is located within the Wealdstone District Centre and is within a designated Industrial and Business Use Area. The application site is also within the Harrow and Wealdstone Opportunity Area, in close proximity to the culverted Wealdstone Brook and within Fluvial Flood Zone 2. The application site has a public transport accessibility rating of 6a.

2.0 PROPOSAL

- 2.1 The application proposes a four storey mixed use building. The proposed building would feature a commercial unit fronting Palmerston Road on the ground floor and a total of six flats on the upper floors.
- 2.2 The proposed building would have a broadly rectangular form and would be grey brick with pre cast concrete cladding detailing. The proposal would also feature a biodiverse green roof. The residential stair core would be detailed by an aluminium frame curtain wall.
- 2.3 Pedestrian and vehicular access to the site would be through a shared surface along the western part of the application site. The proposal would provide one designated blue-badge parking bay for the proposed development would retain two parking spaces for the exiting D1 use at Station House, 11-13 Masons, Avenue.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history

4.0 **CONSULTATION**

- 4.1 A total of 105 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 16th April 2020.
- 4.2 No comments were received follow the statutory neighbour consultation.
- 4.3 **Statutory and Non Statutory Consultation**
- 4.4 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

Consultee and Summary of Comments

LBH Planning Policy

The application seeks to provide for a B1 use on the ground floor with residential units above. The application site is located within a designated Local Strategic Industrial Site (LSIS), and is currently vacant of buildings and used as a car park. The car park does not serve an industrial use. It is noted that the application site is the last site within the designated LSIS, and sits adjacent to a block of flats.

In this instance, the application site is located right on the boundary of the LSIS with residential either side. Directly to the west is a block of residential units, which falls outside of the designated LSIS. Located to the east and fronting onto Palmerston Road are a number of residential properties. To the rear of these are industrial units and then the rear of shops fronting onto Masons Avenue. The application site itself is utilised as a carpark which does not appear ancillary to an industrial use, or utilised as any such yard space. What can be said about the application site, by reason of its specific location within the LSIS, and the adjoining uses, is that it is a transitional site adjacent to residential properties.

Whilst being noted as being sited within a designated LSIS, the site is also located within the Wealdstone Town Centre Boundary and within the Harrow & Wealdstone Opportunity Area. Whilst the retention of land for industrial uses within the LSIS is sought after, the application site firstly does not serve an industrial site. Secondly, the site is located within a designated town centre, and therefore under this designation office use is an appropriate use in such a location.

The proposal would also find favour with Policy DM31 (Supporting Economic Activity & Development), specifically through DM31B(a – d). It is therefore considered that this particular piece of land provides little contribution to the existing LSIS land, and by reason of its specific location, is unlikely to come forward in an identified industrial use within the borough. Furthermore, the site does not provide parking or yard space, or indeed any useful space to adjacent industrial uses. Lastly, the site is located within a designated town centre, and therefore an office use would provide an employment use, within an

appropriate location.

The applicant has submitted a sequential test, looking at allocated sites across LB Harrow and also neighbouring boroughs. This approach is appropriate as it looks across multiple local plans, and at allocated sites which have already been through a sequential test. The current application, by reason of including office space, results in a significant number of the out of centre sites becoming contrary to the development plan. B1 office space is a town centre use, with the application site falling within the Wealdstone Town Centre. Furthermore, a number of the sites identified within the LB Harrow site allocations DPD have already been delivered. It is considered that insofar as the LB Harrow sites that have been considered as part of the sequential test, it is reasonable that the application site is the only site to meet the development parameters of the proposal, and is a site that is available and deliverable.

It appears that the ground floor has been amended to incorporate a B1 use class, and therefore by reason of not being a residential use, is a less sensitive occupier of the ground floor. Subject to an appropriate Flood Risk Assessment (to be reviewed by the Drainage Authority), the location of such a use in a flood zone is appropriate.

LBH Highways

This proposal is within a PTAL 6a location meaning that access to public transport is considered to be excellent. There are various bus services, rail and Underground all within a short walking distance. There are also many shops and other conveniences within Wealdstone town centre that are also within a short walk. The Council has proposals to further improve transport access within the immediate vicinity of this site.

On-street parking in this location is very limited. Immediately outside the site on Palmerston Road there are double yellow lines and loading is also prohibited at all times. The northern section of the site is within CPZ CA operating Monday to Friday, 10-11am and 2-3pm, whilst the southern section (not part of this proposal) is within CPZ J, operating Monday to Sunday 7am to midnight. In order to support the car free intentions of the proposal and to minimise the impact of any overspill car parking, it would be necessary to restrict future residents from being able to apply for parking permits for the surrounding CPZ. The proposal for a car free residential and commercial development is acceptable. The single disabled person's parking space exceeds the requirements of the draft London Plan – this is welcomed. The retained parking space for the D1 use is also considered acceptable.

The proposed access route to the parking area is very narrow at 2.85m (measured on the site plan drawing) if this is to be a shared surface area. Whilst it is likely to be very lightly trafficked, there would be very little space for a pedestrian or cyclist to pass should a car enter at the same time. The alterations at the front of the site may need further investigation as the existing vehicle access would no longer be appropriate and should be reinstated to full height kerb. A new access would need to be created however there is an existing street light in place; it would need to be confirmed by the Street

Lighting department that this could be relocated if needed.

Cycle Parking needs to be conditioned to accord with draft London Plan standards. Considering the highly accessible location, it is accepted that the anticipated trip generation is acceptable and journeys can be accommodated within the existing and proposed transport network.

In summary, this proposal is unlikely to result in a severe impact for the surrounding highway network. Further information is required in relation to the possible relocation of a street light and concerns in relation to the width of the access route. Subject to receipt of a satisfactory response and the addition of conditions (cycle parking, CLP) and obligations (parking permit restriction); Highways have no objection to this proposal.

LBH Drainage

No Objection, subject to conditions.

LBH Landscape Officer

No Objection, subject to conditions

Waste and Refuse Management Officer

No Comment

Environment Agency

No Objection

Thames Water

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the

Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Housing Supply, Density and Mix
- Design, Character and Appearance
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Landscape and Biodiversity
- Planning Obligations

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 2.13, 3.3, 3.8, 4.4,
- The draft London Plan (2019): SD1, H1, H8, E4, E6
- Harrow Core Strategy (2012): CS1, CS8
- Harrow Development Management Policies (2013): DM31
- Harrow and Wealdstone Area Action Plan (2013): AAP3, AAP14

Industrial and Business Land Use Designation

6.2.2 The application site is located within a designated Local Strategic Industrial Site (LSIS), although currently vacant of buildings and used as a car park. The car park also does not serve an industrial use. It is also noted that the application site is adjoined by residential properties to the east and the west. The site is also located within the Wealdstone Town Centre Boundary and within the Harrow & Wealdstone Opportunity Area. Whilst the retention of land for industrial uses within the LSIS is sought after, the application site does not serve an industrial site.

Furthermore, the designation of the ground floor as an office use would be an appropriate use within the town centre location.

- 6.2.3 The Council's Planning Policy Officer has noted that the subject site provides little contribution to the LSIS land, and by reason of its specific location, is unlikely to come forward in an identified industrial use within the borough. Furthermore, the site does not provide parking or yard space, or indeed any useful space to adjacent industrial uses. Lastly, the site is located within a designated town centre, and therefore an office use would provide an employment use, within an appropriate location. For these reasons, it is considered that the principle of a mixed use development would be acceptable in this instance.

Loss of existing car park spaces for the commercial and community uses

- 6.2.4 The existing site functions as a car park for 11-13 Station House, which fronts Masons Avenue and has a mixed use consisting of a place of worship on the ground floor and offices above. The applicant has provided a supporting letter from the Pastor of Redeemed Christian Church of God (RCCG) which occupies the ground floor. The letter confirms that the RCCG are only entitled to two parking spaces within the existing car park. The proposed site plan shows that these two parking spaces would be retained. Furthermore, the applicant has also confirmed that the remaining parking spaces are no longer leased to the former commercial tenants, who have vacated the premises. Any new commercial tenant would not have the benefit of an on-site parking space. On this basis, it is considered that the proposal would not prejudice the functioning of an existing community or commercial use and would comply with the relevant policies in this regard.

Flood risk and the sequential test

- 6.2.5 The application site is located within EA Flood Zone 2 and therefore has a medium probability of flooding. In accordance with the NPPF, the proposal therefore necessitates a sequential test which would assess whether there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
- 6.2.6 A sequential test has been submitted with the application which considers allocated sites across LB Harrow and the neighbouring boroughs. The current application, which proposes office space on the ground floor, results in a significant number of alternative sites outside of a town centre becoming contrary to the development plan. The Council's Planning Policy Officer has noted that insofar as the LB Harrow sites that have been considered as part of the sequential test, it is reasonable that the application site is the only site to meet the development parameters of the proposal, and is a site that is available and deliverable. Furthermore, the ground floor commercial use is a less vulnerable use (as defined in the Planning Practice Guidance) than the residential use above. On this basis, subject to meeting the Exception Test, the location of the development within the Flood Zone is considered acceptable.

- 6.2.7 Paragraph 159 of the NPPF states that if it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The application of the exception test should be informed by a strategic or site-specific flood risk assessment, and for the exception test to be passed, it should demonstrate that the development would;
- provide wider sustainability benefits to the community that outweigh the flood risk; and
 - the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 6.2.8 The application site is previously developed land, within the Opportunity Area and designated Town Centre. The site benefits from excellent public transport accessibility and would conform to the prevailing residential and mixed use development within the locality. As detailed more comprehensively in other sections of this report, the proposed development would deliver a wide range of planning benefits for the site and the surrounding area. As detailed in section 6.6 of the report, a site specific Flood Risk Assessment was submitted and is considered to be acceptable by the Council's Drainage Department. A number of flood risk mitigation measures are proposed in addition to a sustainable urban drainage strategy and this would be secured by way of conditions. Consequently, Officers are satisfied that the proposal would be safe for its lifetime without increasing flood risk elsewhere.
- 6.2.9 For these reasons, officers therefore consider that the requirements of the Sequential and Exception Tests are met. The proposal would therefore comply with the relevant policies in this regard.

Provision of new residential accommodation

- 6.2.10 The proposed flats would provide an increase in smaller housing stock within the borough, thereby complying with the housing growth objectives and policies of the Harrow Development Plan. The principle of new residential flats on the site is therefore considered acceptable.
- 6.2.11 Overall, it is considered that the principle of development would be acceptable and the proposal would therefore comply with the relevant policies in this regard.

6.3 Design, Character and Appearance

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.1, 7.3, 7.4, 7.6
- The Draft London Plan (2019): D1, D4,
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM22, DM23
- Harrow and Wealdstone Area Action Plan (2013): AAP4

- 6.3.2 The layout, form, massing, appearance and design of the proposed development is considered to be appropriate within the context of the application site and would positively enhance the character and appearance of the locality.
- 6.3.3 Subject to conditions to safeguard the quality of the proposed development, external finishing and landscaping, officers consider that the proposed development would be consistent with the principles of good design. The proposal would therefore comply with the relevant policies in this regard.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2, 7.6,
- The Draft London Plan (2019): D4, D5, D6, D7
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM2, DM27, DM28
- Harrow and Wealdstone Area Action Plan (2013): AAP4
- Mayor's Housing SPG (2016)

Neighbouring Occupiers

- 6.4.2 The application site is adjoined to the west by Birchfield House, a five storey residential building. The east facing flank elevations of that adjacent building feature habitable room windows that face directly towards the application site. Block A of the Origin Housing development to the east of the application site also has windows and balconies facing towards the application site. The upper floor flats of nos. 5-9 Masons Avenue are located to the south of the application site
- 6.4.3 A daylight and sunlight report was submitted with the application. This concludes that the daylight to the majority of habitable rooms of the neighbouring buildings would fall within the BRE guidelines. However, the report also identifies that some rooms and windows would experience a noticeable reduction in daylight. However, these windows have a reliance on daylight over neighbouring land and would therefore be sensitive to any additional massing on the subject site.
- 6.4.4 A 'mirror image' analysis was also undertaken to establish whether alternative targets are reasonable based on the impact of the neighbouring buildings upon themselves. The report concludes that only two rooms would not meet the target criteria of the alternative target values within the Origin Housing Scheme. However, these rooms are single aspect and set behind a recessed balcony which restricts the view of the sky and would be more sensitive to changing conditions on the subject site. In relation to Birchfield, five rooms would not meet the No Sky Line targets and eight windows would fall short of meeting the Vertical Sky Component targets. Again, as the rooms and windows are situated very close to the site boundary and are in most cases single aspect, they are extremely sensitive to any change in sky obstruction resulting from development of the subject site

- 6.4.5 It is acknowledged that the design of the adjacent buildings and the location of single aspect windows facing the application site have made the adjacent residential units very sensitive to any change. This design has unfairly constrained the ability to development on the subject site to a scale and massing which is commensurate with the surrounding area. Furthermore, an informative attached to the planning permission for the adjacent Origin Housing development advises that the windows in the flank elevations (facing the application site) would not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.
- 6.4.6 Taking into account the above, the extent and degree of daylight and sunlight losses that would occur, and the need to balance the efficient use of the previously developed site, it is concluded that the proposal would maintain an appropriately standard of amenity for neighbouring residential occupiers within the context of the application site
- 6.5.7 It is noted that the proposed residential core would be finished in aluminium curtain wall glazing. Given the extent of glazing proposed and its proximity to the adjacent habitable room windows of the adjacent buildings to the east and west of the application site, it is considered that this would result in an unfavourable privacy amenity relationship. A condition is therefore attached requiring a revised external finish to the residential core in order to address this issue.

Future Occupiers

- 6.4.8 The proposed flats would comply with the minimum space standards and would benefit from private amenity space. The supporting Daylight and Sunlight report confirms that the proposed residential units would benefit from an adequate level of daylight and sunlight. Officers consider that the proposed development would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

6.5 Traffic and Parking

- 6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44
- Harrow and Wealdstone Area Action Plan (2013): AAP19

- 6.5.2 The subject site has a PTAL 6a and therefore benefits from excellent accessibility to sustainable transport modes. The proposal for a car free residential and commercial development is therefore considered acceptable. In order to avoid the possibility of overspill parking taking place within the surrounding roads and to ensure that no additional parking stress is placed on the public highway following the development, the Council's Highways Department have requested a planning obligation to restrict the future occupiers of the development from applying for on-

street resident parking permits. The planning permission is also subject to a Grampian condition to ensure the street lamp adjacent to the proposed vehicular access would be relocated to ensure it does not hinder the functioning of the proposed vehicle access or restrict the use of the proposed blue-badge parking bay and retained vehicle parking spaces for the community use.

6.5.3 Subject to conditions and securing the permit restriction through a planning obligation, the Council's Highways Department raise no objection to the proposals. On this basis, it is considered that the development would not have a detrimental impact on the safety and functioning of the highway and would not result in undue parking stress within the locality. The proposal would therefore comply with the relevant policies in this regard.

6.6 Flood Risk and Drainage

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.11, 5.12, 5.13, 5.14
- The Draft London Plan (2019): SI11, SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow and Wealdstone Area Action Plan (2013): AAP9

6.6.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and informatives. The proposal would therefore comply with the relevant policies in this regard.

6.7 Biodiversity

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19, 7.21
- The Draft London Plan (2019): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21
- Harrow and Wealdstone Area Action Plan (2013): AAP12

6.7.2 The application proposes a green roof which would provide net biodiversity gain on the site. Subject to appropriate detailing, which can be secured by condition, it is considered that the application would comply with the relevant policies in this regard.

6.8 Planning Obligations

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 8.2
- The Draft London Plan (2019): DF1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM50

6.8.2 To ensure that no additional transport stress is placed on the public highway following the development and to promote sustainable modes of transport, the section 106 will secure a resident/visitor permit restriction to exclude future occupiers of the development from applying for on-street parking permits.

6.8.3 The legal costs associated with the preparation of the planning obligation and the Council's administrative costs associated with monitoring compliance with the obligation terms will also be secured.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would provide a residential-led mixed use development, including designated business floorspace. The proposal would make more efficient use of a highly accessible site within Wealdstone Town Centre and would also contribute to delivering the objectives of the Harrow and Wealdstone Opportunity Area.

7.2 The design of the proposal is of a high quality in respect to its response to the site and local context, in terms of height and massing, layout, architectural appearance and materials. The development would optimise the potential of the site and would therefore enhance the character and appearance of the area. Given the urban context of the site and its relationship with the adjacent residential properties, the proposal would not unacceptably impact upon the residential amenities of the adjoining occupiers. Furthermore, the proposal would provide appropriate living conditions for the future occupiers of the development. The car-free proposal is acceptable subject to a permit free agreement and would not harm the functioning or safety of the public highway.

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

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

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

2. Approved Plans and documents

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

101-3EX-00, 101-3EX-01, 101-3GA-01B Rev B, 101-3GA-02B Rev B, 101-3GA-03, 101-3GA-04, 101-3GA-05, 101-3GA-06, 101-3GA-07B Rev B, 101-3GA-08B Rev B, 101-3GA-09B Rev B, 101-3GA-10B Rev B, 101-3GA-11B Rev B, 101-3GA-12B Rev B, C2204-02 Rev A, Daylight and Sunlight Assessment (February 2020), Design and Access Statement, Transport Statement (6 February 2020), Flood Risk Assessment & SUDS Report (C2204-R1-Rev-B), Sequential Test (C2204-R2-Rev-B), Planning Statement (February 2020), Addendum Planning Statement (April 2020)

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

3. Relocation of Street Light

The development authorised by this permission shall not begin until a scheme for the relocation of the lamp column sited on the pedestrian footpath adjacent to the application site has been submitted to, and approved in writing by the Local Planning Authority. The development hereby approved shall only be occupied once the lamp column has been relocated in accordance with the proposals so agreed.

REASON: To ensure the vehicular access and parking bays for the development would not be compromised. Details are required prior to commencement of development to ensure a satisfactory form of development

4. Surface and Foul Water Disposal

The development shall not commence until works for the disposal of surface and foul water, including a foul water drainage strategy, have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. The applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development

5. Surface Water Attenuation

The development shall not commence until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development

6. Construction and Logistics Plan

The development shall not commence until a construction logistics plan has first been submitted to and agreed in writing by the Local Planning Authority. The plan shall detail the arrangements for:

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

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during construction and to safeguard the amenity of neighbouring occupiers and to ensure that the transport network impact of construction work associated with the development is. Details are required prior to commencement of development to ensure a satisfactory form of development.

7. Levels

The development hereby permitted shall not commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

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

8. Materials

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

- a. external appearance of the buildings;
- b. windows and doors
- c. refuse and cycle storage area
- d. the boundary treatment

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

REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

9. Revised External Finish of the Residential Core

Notwithstanding the details submitted, the proposed development hereby permitted shall not proceed above damp proof course level until elevation and floorplan drawings detailing the revised external finish and treatment of the residential core have been submitted to an approved in writing by the Local Planning Authority. The revised details shall overcome the privacy impacts identified. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the privacy of the occupiers of the neighbouring occupiers and to ensure that the development achieves a high standard of privacy and amenity

10. Landscaping and External Lighting

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above damp proof course level until there has been submitted to, and approved in writing, by the local planning authority, a scheme of hard and soft landscaping and boundary treatment. This shall include a landscape masterplan, written specification of planting and cultivation works to be undertaken and a landscape implementation programme. Soft landscape works shall include: planting plans which also detail the replacement planting along the boundary, and schedules of plants, noting species, plant sizes and proposed numbers / densities. All details of hard landscaping materials are also to be provided including permeable paving. External lighting details should include locations, lighting design, lighting design details with images and manufacturer details, specification, elevations, light spillage and lighting levels. 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 policy DM23 of the Development Management Policies Local Plan 2013.

11. Biodiversity Enhancements

The development hereby permitted shall not commence above damp proof course level until full details of biological enhancements for the site have been submitted to, and agreed in writing by, the local planning authority. The enhancements shall include;

- the type and location of bat and bird boxes to be built into the structure
- full details of the proposed green roof treatment, including roof build up, plant species mix(es) which should include twenty plus native flower species offering pollen and nectar from early spring to late autumn, together with an assessment of the sustainability of the roof to ensure adequate water provision/retention

— Full details of measures to be taken to provide shelter and foraging for invertebrate species at ground level, in the external building walls, and within the green roof areas where possible.

The works shall be completed in accordance with the approved details before the development is occupied and shall thereafter be retained.

REASON: To enhance the ecology and biodiversity of the area

12. Landscaping Implementation

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first use of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the 5 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 ensure that the development maintains appropriate provision for soft landscaping soft landscaping details

13. Landscape Management Plan

The development hereby approved shall not be occupied until a scheme for the on-going management, management programme of works and maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and landscape maintenance schedules for all landscape areas, 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 and Landscape Maintenance Plan shall be carried out in a timely manner as approved.

REASON: To enhance and safeguard the appearance of the development

14. Cycle Provision

The development hereby permitted shall not be occupied until details of cycle parking, including the appropriate quantum, full specification of the type of stand and dimensions of storage unit have been submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure appropriate cycle provision in accordance with Policy 6.9 of the London Plan (2016)

15. Accessible and Adaptable Dwellings

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

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

16. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the approved designated refuse storage areas

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

17. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime

18. Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety

19. Flues and pipework

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

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

20. Noise

The individual and cumulative rating level of noise emitted from plant and/or machinery at the development hereby approved shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings

21. Non-Residential Use Class Restriction

The ground floor unit shall only be used for the purposes specified on the application and those that fall within Use Class B1 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: To ensure the use accords with the industrial and business use designation, safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety

22. Non-residential opening hours

The B1 Use hereby approved shall only be open to the public between: 8:00am and 20:00pm on Mondays to Saturdays, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the operation of the ground floor use is compatible with residential amenity

23. Non-residential Delivery Hours

Deliveries to the non-residential use within the development shall take place only between the hours of 08:00 and 19:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays. There shall be no deliveries on Sundays and Bank Holidays

REASON: To ensure that the noise impact of deliveries associated with non-residential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 2.13, 3.3, 3.5, 3.8, 4.4, 5.12, 5.13, 5.14, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.19, 7.21, 8.2

Draft London Plan (2019) – intend to publish version: SD1, H1, H8, E4, E6, D1, D3, D4, D5, D6, D7, T4, T5, T6, T6.1, SI12, SI13, G6, DF1

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM2, DM9, DM10, DM12, DM14, DM15, DM22, DM23, DM24, DM27, DM28, DM42, DM43, DM44, DM45, DM50

Harrow and Wealdstone Area Action Plan (2013) AAP2, AAP4, AAP9, AAP12, AAP14, AAP19

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Documents

Mayor of London, Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

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: Ucommunities@twoten.comU4T

4. Mayoral Community Infrastructure Levy (provisional)

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £29,760. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

5. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2),

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £55,343

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

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

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

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

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

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

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

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

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

6 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached 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.

7. Environment Agency

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

8. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of

surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information

9. Compliance with conditions

Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

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

10. Highways Interference

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

11. Street Naming and Numbering

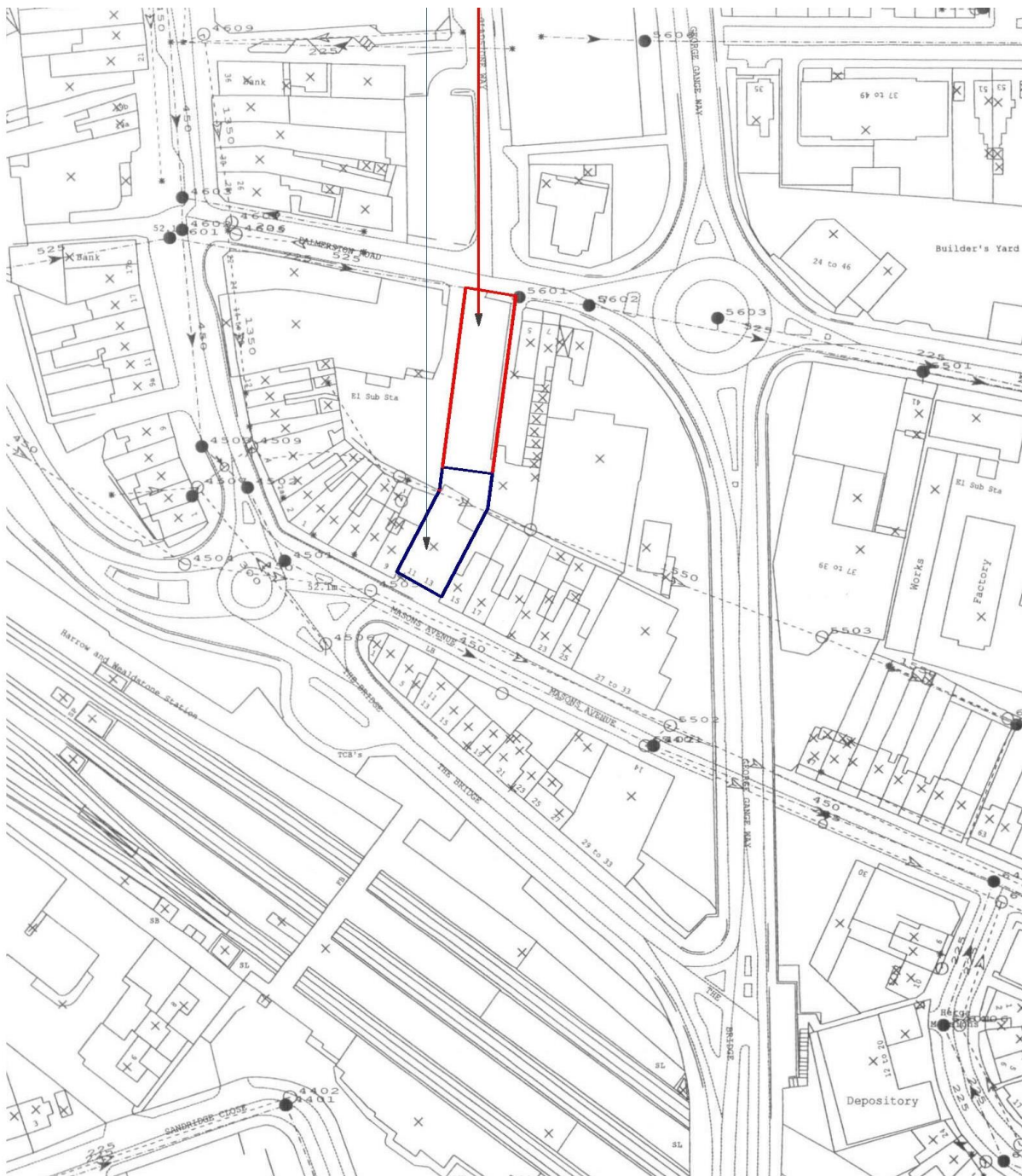
Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9.7.2020

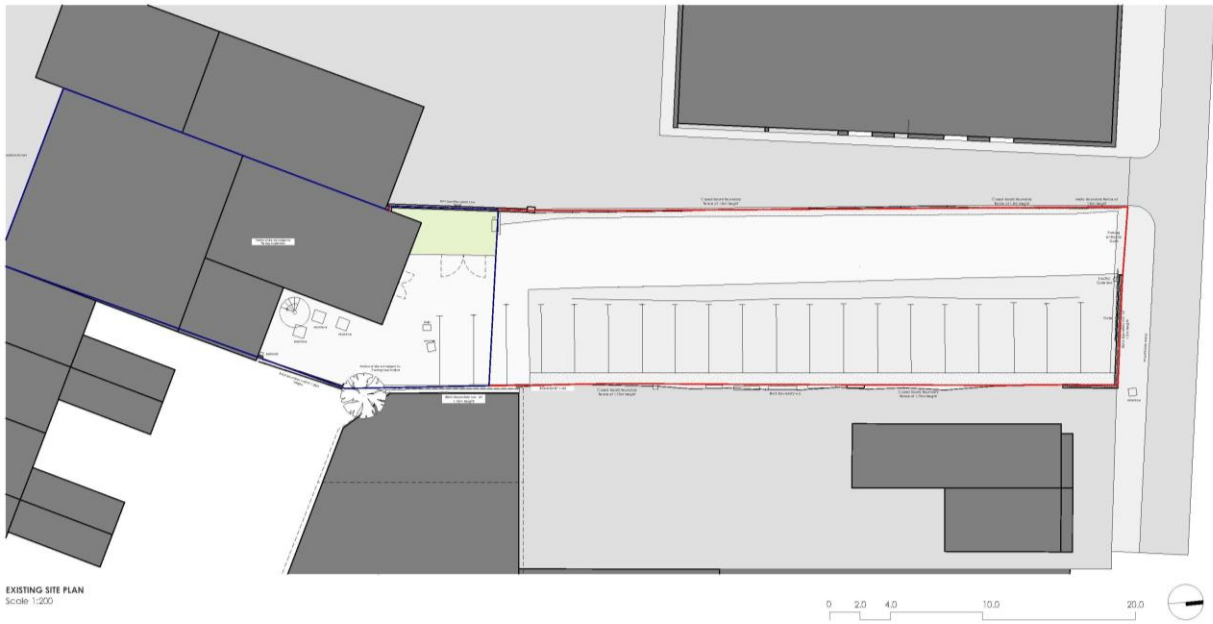
APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



APPENDIX 4: PLANS AND ELEVATIONS



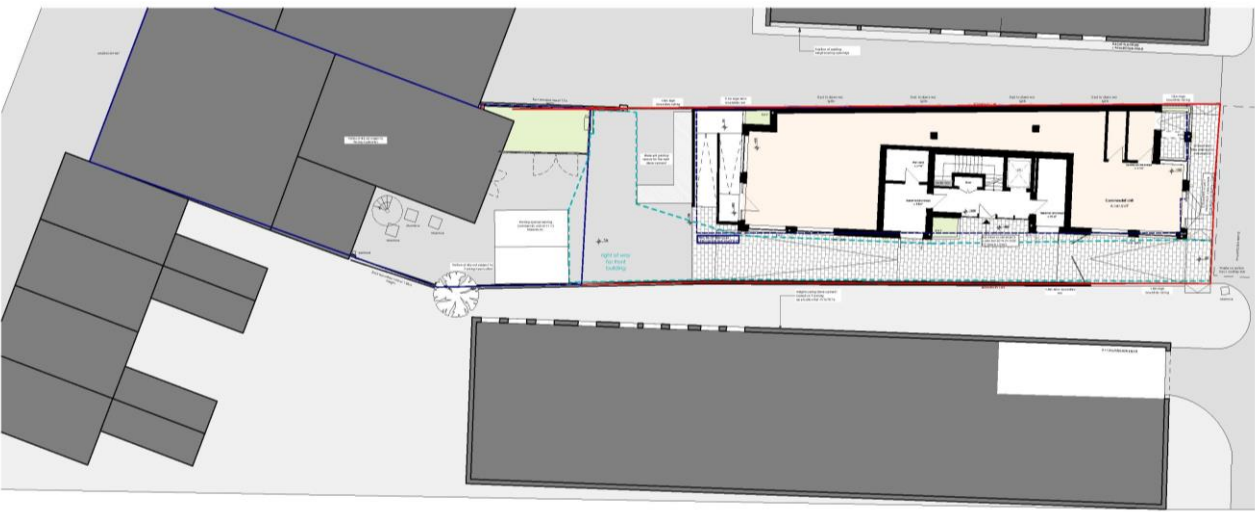
EXISTING SITE PLAN
Scale 1:200

Rev	Date	Notes

Client	Horsfield Holdings Ltd	Project Ref No	101
Project	London City Station House, 11-13 Mason's Avenue	Drawing number	101-SCA-01
Working Title	Existing Site Plan	Drawn By	GC
		Checked By	AP

37 Cerner Street,
London, E3 8JG
+44 (0)20 34751 385
info@ciao.org.uk
www.ciao.org.uk

Creative Ideas & Architecture Office



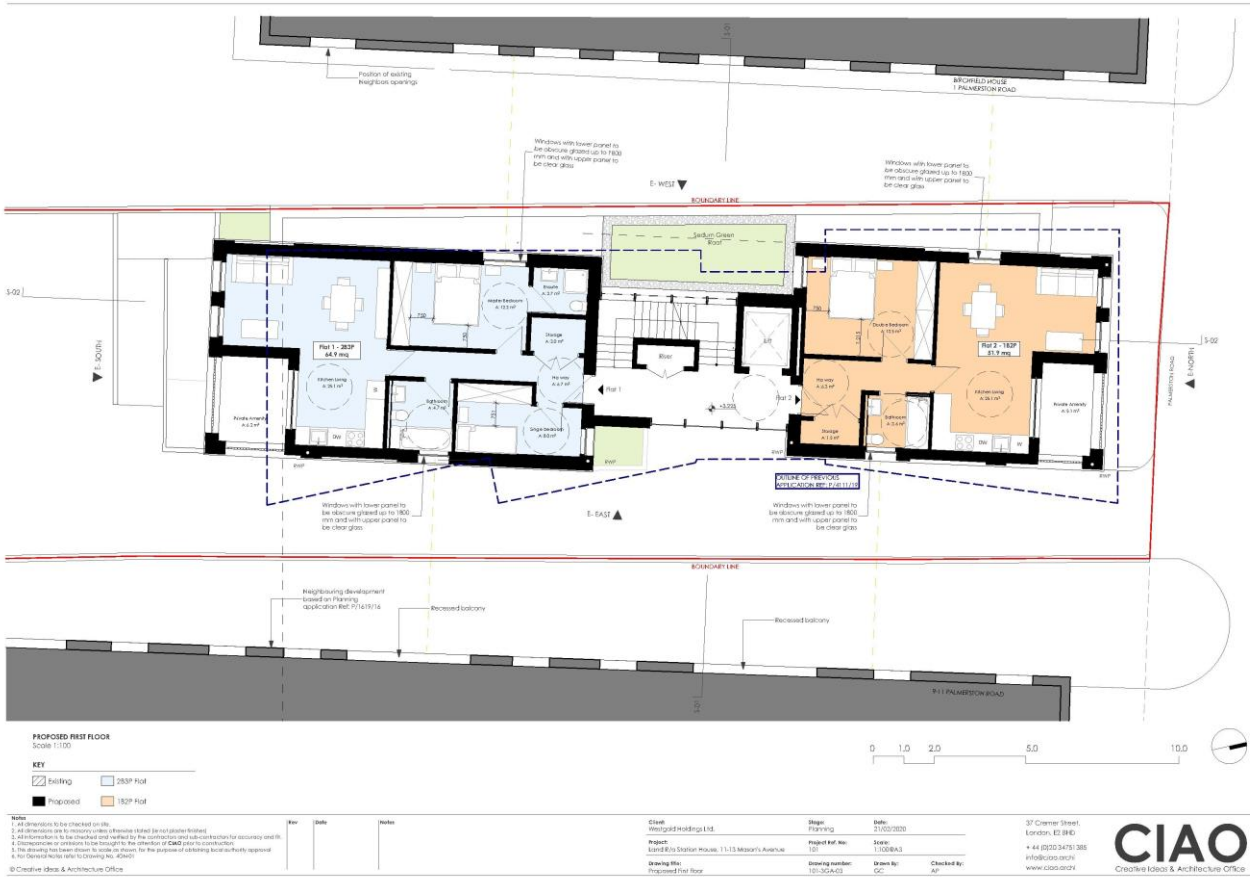
PROPOSED SITE PLAN
Scale 1:200

Rev	Date	Notes

Client	Horsfield Holdings Ltd	Project Ref No	101
Project	London City Station House, 11-13 Mason's Avenue	Drawing number	101-SCA-01B
Working Title	Proposed Site Plan	Drawn By	GC
		Checked By	AP

37 Cerner Street,
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PROPOSED ELEVATION E-SOUTH
Scale: 1:100

KEY

- ① Light grey bricks
- ② Pre-cast concrete cornice
- ③ Recessed pre-cast concrete cladding
- ④ Aluminium frame windows (RAL 7012)
- ⑤ Steel railing (RAL 7012)
- ⑥ Steel gate (RAL 7012)
- ⑦ Dark grey bricks



Notes:
 1. All dimensions to be marked on site.
 2. All dimensions are to measure unless otherwise stated (see notations below).
 3. All dimensions to be checked and verified by the contractor and sub-contractor for accuracy on site.
 4. Discrepancies or omissions to be brought to the attention of CIAO prior to construction.
 5. The drawings have been drawn to British Standards, for the purposes of obtaining a temporary approval.
 6. All numbers refer to the following list.
 © Creative Ideas & Architecture Office

Rev
 #
 1
 2

Date
 15/05/2020
 15/05/2020

Notes
 Step ordered to Commercial and Finance
 Final ground floor level and elevation to vehicle coating

Client
 Westgill Holdings Ltd

Project
 Land of c/o Station House, 11-13 Masons Avenue

Drawing Ref:
 Proposed Elevation E-South

Stage
 Planning

Project Ref. No.
 10

Drawing number:
 10-02A-1-B

Date:
 15/05/2020

Scale:
 1:100 (E.A.S)

Drawn By:
 GC

Checked By:
 AP

37 Clerkenwell Street,
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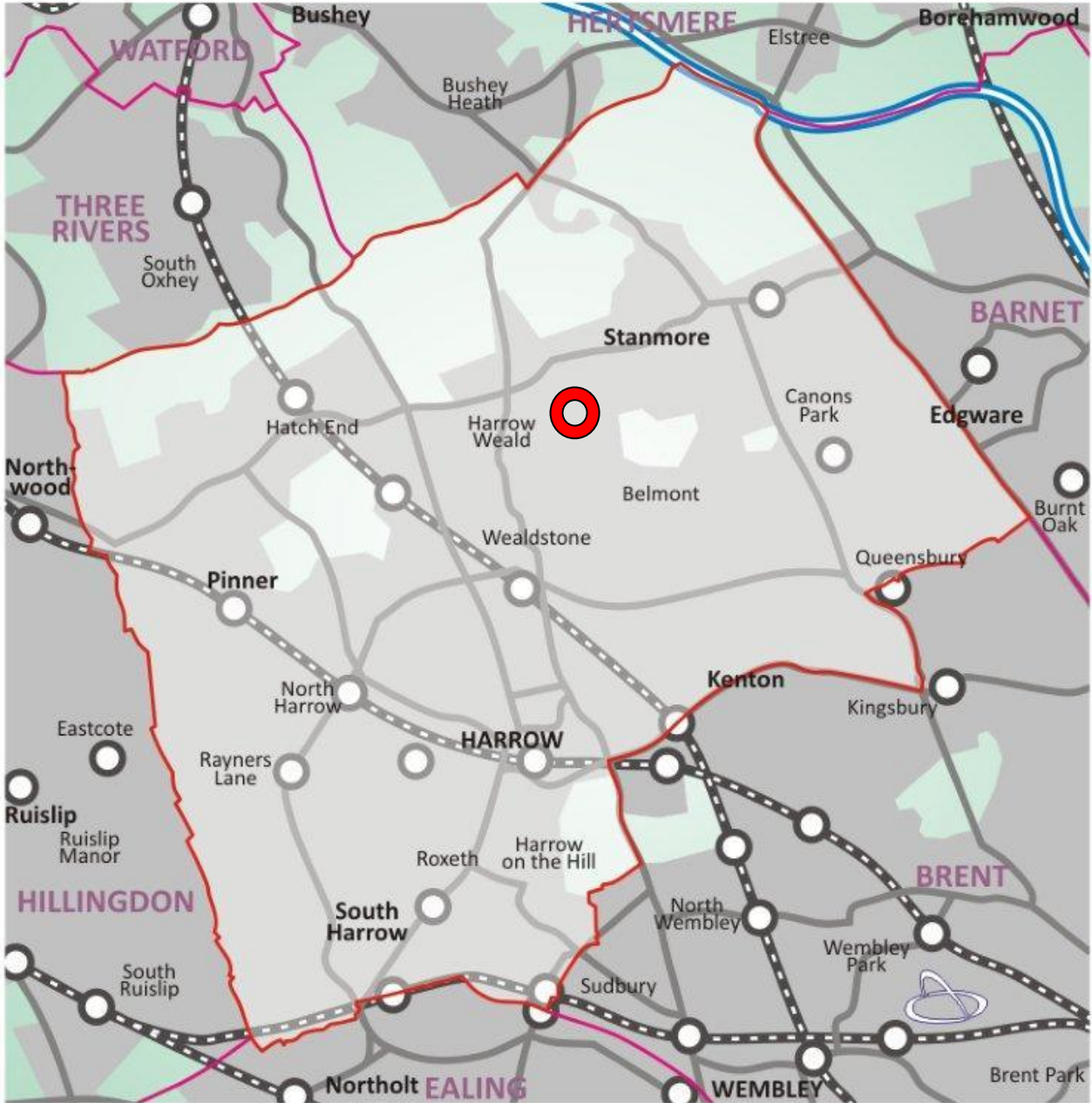


View of the proposal from Palmerston Road

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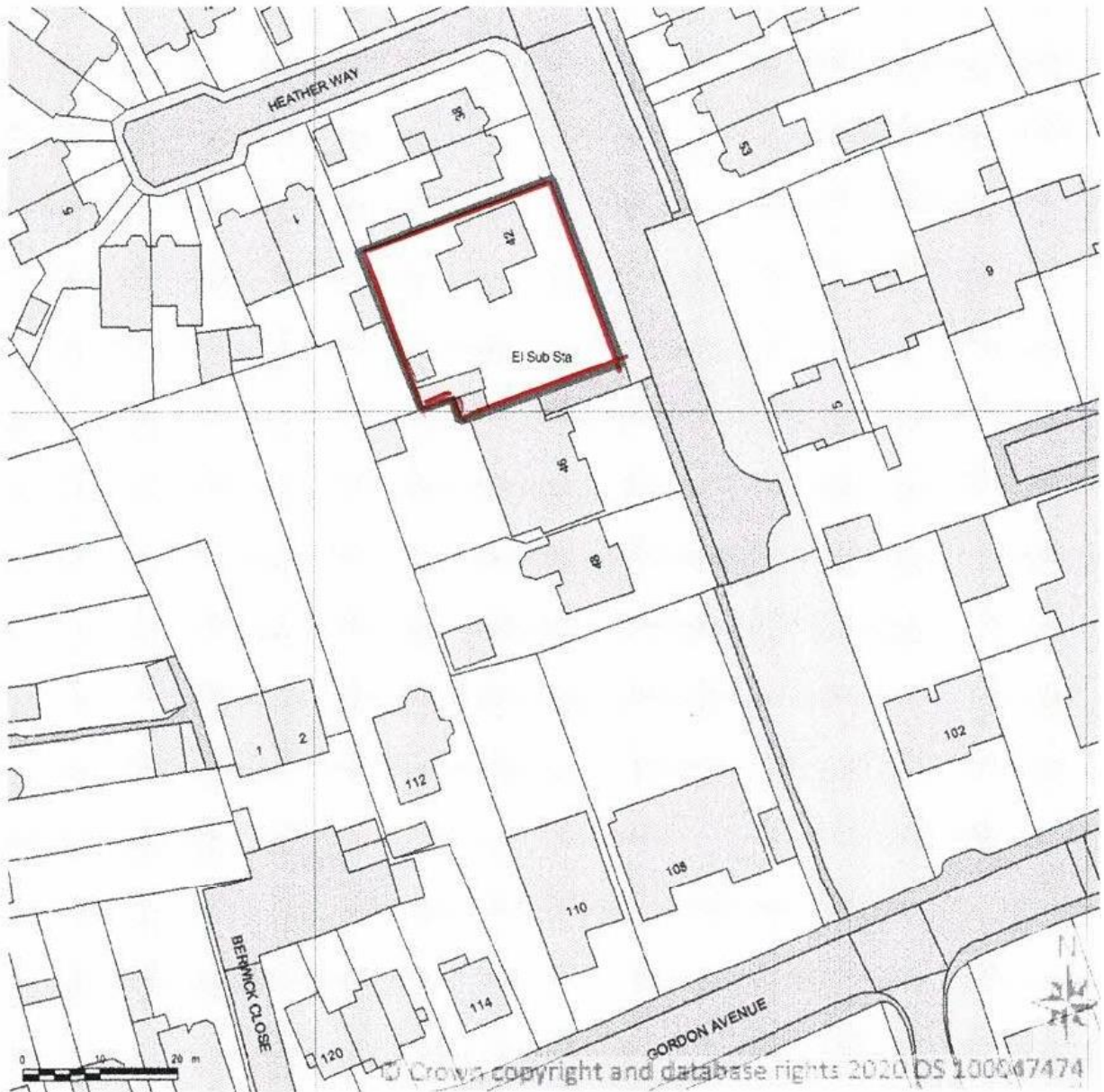
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 = application site



42 Chartley Avenue	P/1346/20
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LOCATION PLAN HERE (CRW)



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/1346/20
VALID DATE: 18TH MAY 2020
LOCATION: 42 CHARTLEY AVENUE, STANMORE
WARD: STANMORE PARK
POSTCODE: HA7 3QZ
APPLICANT: MR FITZGERALD
AGENT: COLNESIDE BUILDING DESIGN CONSULTANCY
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 24TH JULY 2020

PROPOSAL

Outline Planning Permission For Access Only: Detached Two Storey Dwellinghouse At Land To Side No.42 (Demolition Of Conservatory At No.42)

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The side garden of no. 42 Chartley Avenue represents a genuine gap site as defined in the Garden Land Development SPD (2013). Therefore the subdivision of the plot to provide a new detached dwellinghouse would not result in an inappropriate form of development that undermines the spatial strategy of the borough. Officers therefore support the principle of development.

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

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type: (E)13 Minor Dwellings
Council Interest: n/a
Net Additional Floorspace: 105m²
GLA Community
Infrastructure Levy (CIL): £6,300
Local CIL requirement: £16,654

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the proposed access does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site relates to no. 42 Chartley Avenue. The site itself has a broadly square form and is occupied by a two storey detached dwellinghouse that it located towards the northern part of the site. The property benefits from a large side garden. A secondary vehicle access with associated hardstanding that provides access to detached garages is sited adjacent to the southern boundary of the subject site. The subject dwellinghouse has been extended by means of a single storey rear extension and a side conservatory.
- 1.2 No 40 Chartley Avenue, a semi-detached bungalow, adjoins the application site to the north. No 46 Chartley Avenue, a detached two-storey dwellinghouse, adjoins the application site to the south.

2.0 PROPOSAL

- 2.1 The application is made in outline form for access only with all other matters (appearance, layout, scale and landscaping) reserved. The application proposes the construction of a detached two-storey dwellinghouse within the side garden of no. 42 Chartley Avenue

3.0 RELEVANT PLANNING HISTORY

There is no relevant planning history on the application site

4.0 CONSULTATION

- 4.1 A total of 8 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 15th June 2020.
- 4.2 No responses have been received following the public consultation
- 4.3 Statutory and Non Statutory Consultation
- 4.4 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

Consultee and Summary of Comments
LBH Planning Policy No Comment
LBH Highways No Comment
LBH Drainage No Comment

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Character, Appearance and Heritage
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.5, 3.8
- The Draft London Plan (2019): H1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1
- Harrow Garden Land Development Supplementary Planning Document (2013)

6.2.2 The application is made in outline form for access only, and all other matters reserved, for the provision of a new detached two storey dwellinghouse within the side garden of no.42 Chartley Avenue.

6.2.3 Following on from national and regional planning policies, the Harrow Core Strategy includes a presumption against inappropriate development of residential gardens, recognising the propensity for such proposals to lead to unmanaged, incremental growth that undermines the spatial strategy of the borough.

6.2.4 The Council's adopted Garden Land Development Supplementary Planning Document (2013) provides clarity on the purposes of the policies CS1A/B of the Core Strategy (2012) whereby the Council seeks to resist development on 'garden land', and gives effect to these policies and objectives. It is evident that the subject proposal consists of the provision of a new residential dwellinghouse within the existing side garden of no. 42 Chartley Avenue.

6.2.5 However, the Garden Land Development SPD makes an exception for new residential dwellinghouses on 'gap sites'. These are defined as an anomalous missing piece from an otherwise clearly defined rhythm of buildings and spaces around buildings in the streetscene. They are usually obvious vacant plots, of dimensions consistent with those prevailing in the street. The SPD states that consideration of the pattern and character of development surrounding the site will enable a distinction to be drawn between genuine gap sites and spurious proposals for development on garden land.

6.2.6 In considering whether the application site constitutes a genuine gap site, it is clearly evident that No. 42 Chartley Avenue has a significantly wider plot than the neighbouring dwellinghouses within Chartley Avenue. The detached typology of the dwellinghouse and its two storey height make it different to the prevailing semi-detached bungalows within Chartley Avenue. Notwithstanding this, the width of the plot is still significantly greater than that of the conventional semi-detached pair of bungalows. When compared to nos. 46 and 48 Chartley Avenue, which are detached two-storey dwellinghouses sited to the south of the host property, the width of the subject plot (at approximately 26m) is broadly the same as the frontages of those two properties combined.

6.2.7 Large side gardens to residential properties are not a prevailing feature within Chartley Avenue or within immediate locality of the application site. For this

reason, officers consider that the larger plot of no. 42 Chartley Avenue is not a distinguished feature that informs the pattern of development within the locality. The exceptionally wider plot size for no. 42 can therefore be considered as a genuine gap site, and the subdivision of the plot would result in dimensions that are consistent with those prevailing in the street and locality. Furthermore, the absence of no. 44 from the street numbering is further illustrative of the 'missing piece' from an otherwise clearly defined rhythm of buildings and spaces around buildings in the streetscene.

6.2.8 For these reasons, it is considered that the subject plot constitute a genuine gap site and would therefore fall within the exceptions detailed in the adopted Garden Land Development SPD (2013). The principle of development is therefore considered acceptable and would accord with the relevant policies in this regard.

6.3 Character and Appearance

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4, 7.6
- The Draft London Plan (2019): D1, D2,
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1

6.3.2 As the application is in outline form for access only with all other matters reserved, the submitted floorplan and elevation drawings are indicative. The final design, layout and appearance of the dwellinghouse would be subject to further approval by the local planning authority. Notwithstanding this, the submitted indicative plans demonstrate that new detached dwellinghouse can comfortably sit within the subdivided plot and would not appear unduly cramped or materially conflict with the pattern of development within the immediate locality. Careful consideration would be required on the massing, height, scale and appearance of the proposed dwellinghouse to ensure that it would have a satisfactory impact on the character and appearance of the locality. These would be considered in detail with reserved matter applications.

6.3.3 Accordingly, and subject to consideration of detailed reserved matters applications, the proposed development is capable of successfully integrating with surrounding area and would comply with the relevant policies in this regard.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.6,
- The Draft London Plan (2019): D2, D4
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM45,

- Mayor's Housing SPG (2016)

Neighbouring Occupiers

- 6.4.2 On the basis of the proposed site block plan, the proposed dwellinghouse would be sited appropriately away from the shared boundaries with the neighbouring dwellinghouses and would broadly align with the respective front and rear elevations of those neighbouring properties. On this basis, it is considered that the proposed dwellinghouse would not have a detrimental impact on the residential amenities of the adjoining occupiers by reason of overshadowing, loss of light or loss of outlook. Subject to consideration of detailed reserved matters applications, the proposal would comply with the relevant policies in this regard.

Future Occupiers

- 6.4.3 The indicative plans demonstrate that the proposed dwellinghouse is capable of meeting the relevant space standards for new residential accommodation. Subject to consideration of detailed reserved matters applications, the proposal would comply with the relevant policies in this regard.

6.5 Traffic and Parking

- 6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44

- 6.5.2 The indicative site block plan demonstrates that two motor vehicles could be comfortably accommodated within the forecourt of the new dwellinghouse. The vehicular access for the new dwellinghouse is already in situ, serving the detached garage for the existing dwellinghouse. On this basis, it is considered that the proposed vehicular access point for the new dwellinghouse would be acceptable and the proposal would not have a detrimental impact on the safety and functioning of the highway. The proposal would therefore comply with the relevant policies in this regard.

6.6 Flood Risk and Drainage

- 6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13, 5.14
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.6.2 As this application is in outline form for access only, and with all matters reserved, it is considered that the detailed drainage strategy including SUDS can be required by condition. Subject to these conditions, the proposal would not increase the risk of flooding on the site or elsewhere. The proposal would therefore comply with the relevant policies in this regard.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The side garden of no. 42 Chartley Avenue represents a genuine gap site as defined in the Garden Land Development SPD (2013). Therefore the subdivision of the plot to provide a new detached dwellinghouse would not result in an inappropriate form of development that undermines the spatial strategy of the borough. Officers therefore support the principle of development.

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

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

The development permitted shall commence on or before whichever is the later of the following dates;

(a) Three years from the date of this decision, or

(b) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter approved

REASON: To enable the Council to review the suitability of the development in light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

2. Reserved Matters

Details of the external appearance, landscaping, layout and scale of the development (here in after collectively referred to as 'the reserved matters') shall be made to the Local planning Authority before the expiration of three years from the date of this permission. These matters shall be approved in writing by the Local planning Authority prior to the commencement of development.

REASON: To ensure that the proposed development is satisfactory and to comply with the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure).

3. Approved Plans and documents

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

Site Location Plan, 42/ChartleyAve/2020/01, 42/ChartleyAve/2020/02, 42/ChartleyAve/2020/03, Planning Design and Access Statement (May 2020),

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

4. Levels

The development hereby permitted shall not commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

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

5. Construction Logistics Plan

No development shall take place, until a construction logistics plan has first been submitted to and agreed in writing by the Local Planning Authority. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction of the development;
- d) the erection and maintenance of security hoardings;
- e) measures for the control and reduction of dust, noise and vibration

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

REASON: To ensure that measures are put in place to ensure the transport network impact of demolition and construction work associated with the development is managed and reduce noise and vibration impacts during construction and to safeguard the amenity of neighbouring occupiers. Details are required prior to commencement of development to ensure a satisfactory form of development.

6. Surface and Foul Water Disposal

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk. Details are required prior to commencement of development to ensure a satisfactory form of development.

7. Surface Water Attenuation

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

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood. Details are required prior to commencement of development to ensure a satisfactory form of development.

8. Biodiversity

The development hereby permitted shall not proceed above damp proof course level until full details of the biodiversity enhancements have been submitted to, and agreed in writing by, the local planning authority. The enhancements to be considered should include (but not limited to) bat and bird boxes and Invertebrate bricks. The development shall be completed in accordance with the approved details prior to the occupation of the development and shall thereafter be retained.

REASON: To enhance the ecology and biodiversity of the area in accordance

9. Accessible Dwellings

Unless otherwise agreed in writing by the local planning authority, the internal specification of the dwellinghouse shall comply with Building Regulation Standard M4(2).

REASON: To ensure that all of the homes within the development are accessible to all

10. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouse hereby permitted without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area and openness of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot, the openness of the site and availability of amenity space

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 3.3, 3.5, 3.8, 5.13, 5.14, 6.3, 6.9, 6.13, 7.4, 7.6

Draft London Plan (2019): H1, D1, D2, D4, T4, T5, T6, T6.1, SI13,

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM10, DM21, DM22, DM23, DM42, DM44, DM45

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Garden Land Development (2013)

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: Ucommunities@twoten.comU4T

4. Mayoral Community Infrastructure Levy (provisional)

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £6,300. This amount includes indexation which

is 323/323. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

5. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £16,654

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

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

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

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

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

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

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

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

6 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached 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.

7. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information

8. Compliance with conditions

Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

9. Highways Interference

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

10. Street Naming and Numbering

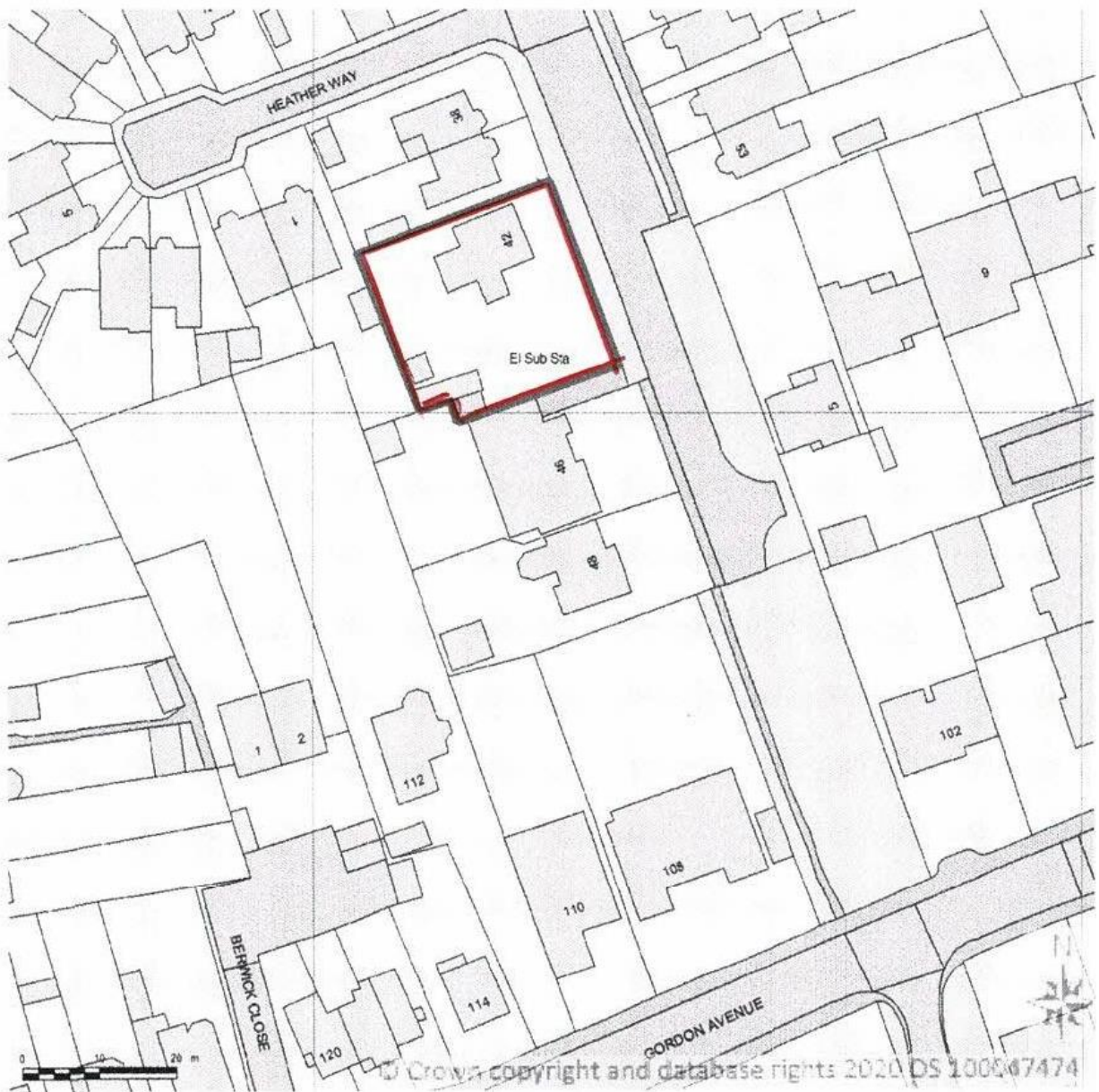
Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9.7.2020

APPENDIX 2: SITE PLAN



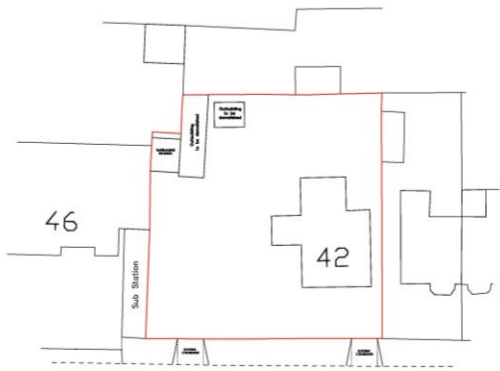
APPENDIX 3: SITE PHOTOGRAPHS





APPENDIX 4: PLANS AND ELEVATIONS

Existing and Proposed Site Block Plan

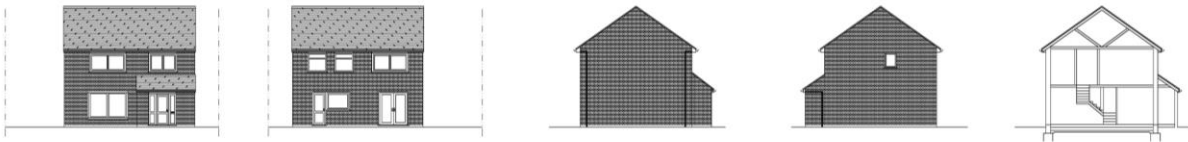


EXISTING BLOCK PLAN



PROPOSED BLOCK PLAN

Indicative Proposed Floorplan and Elevations



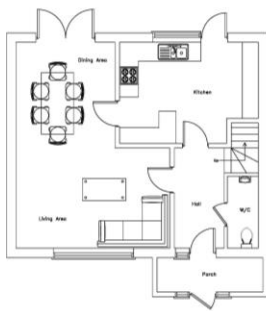
PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION

PROPOSED SIDE ELEVATION

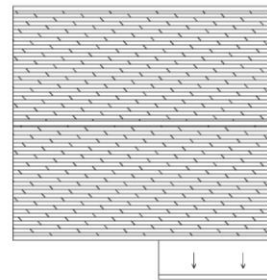
PROPOSED SECTION



PROPOSED GROUND FLOOR PLAN



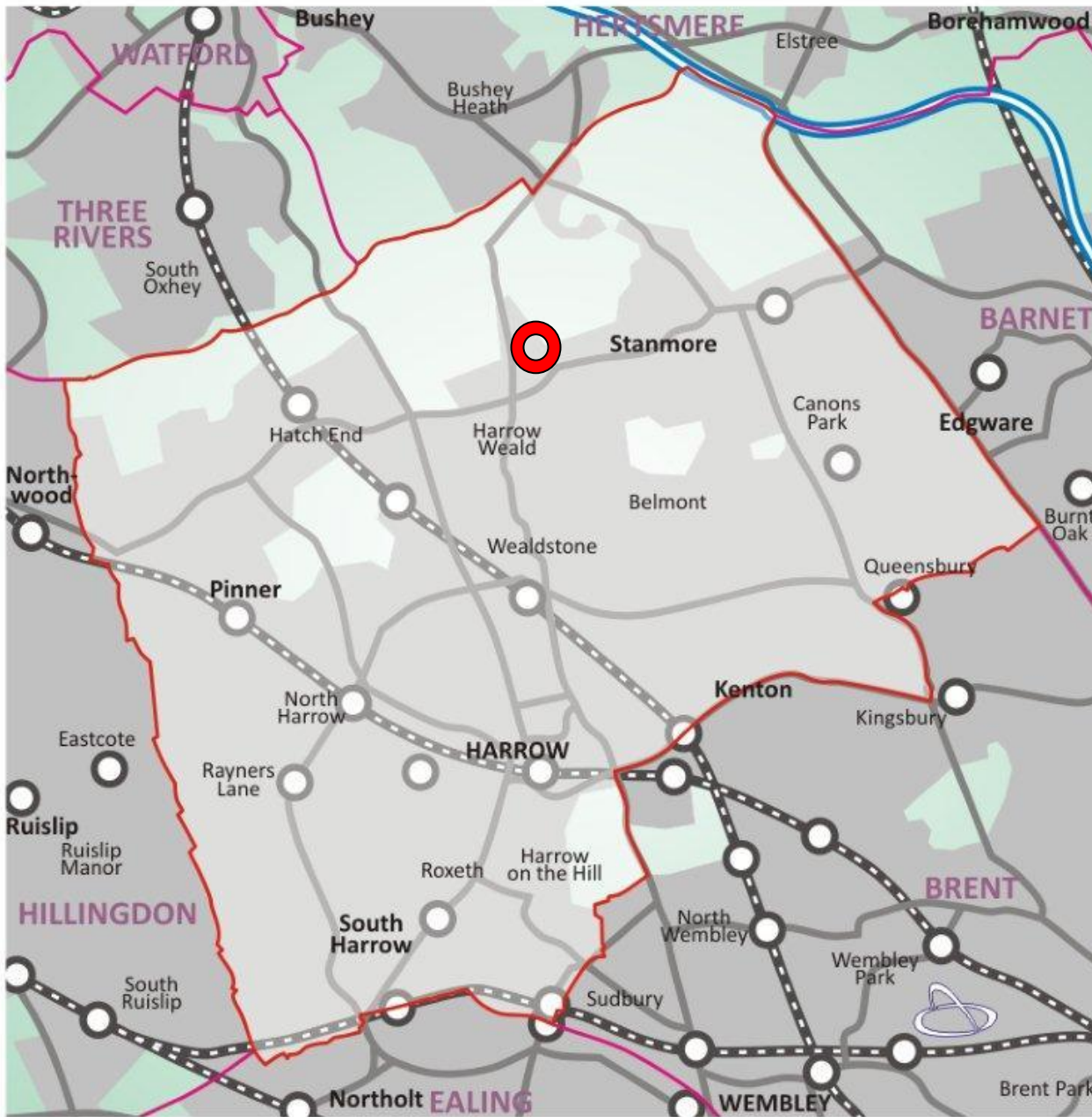
PROPOSED FIRST FLOOR PLAN



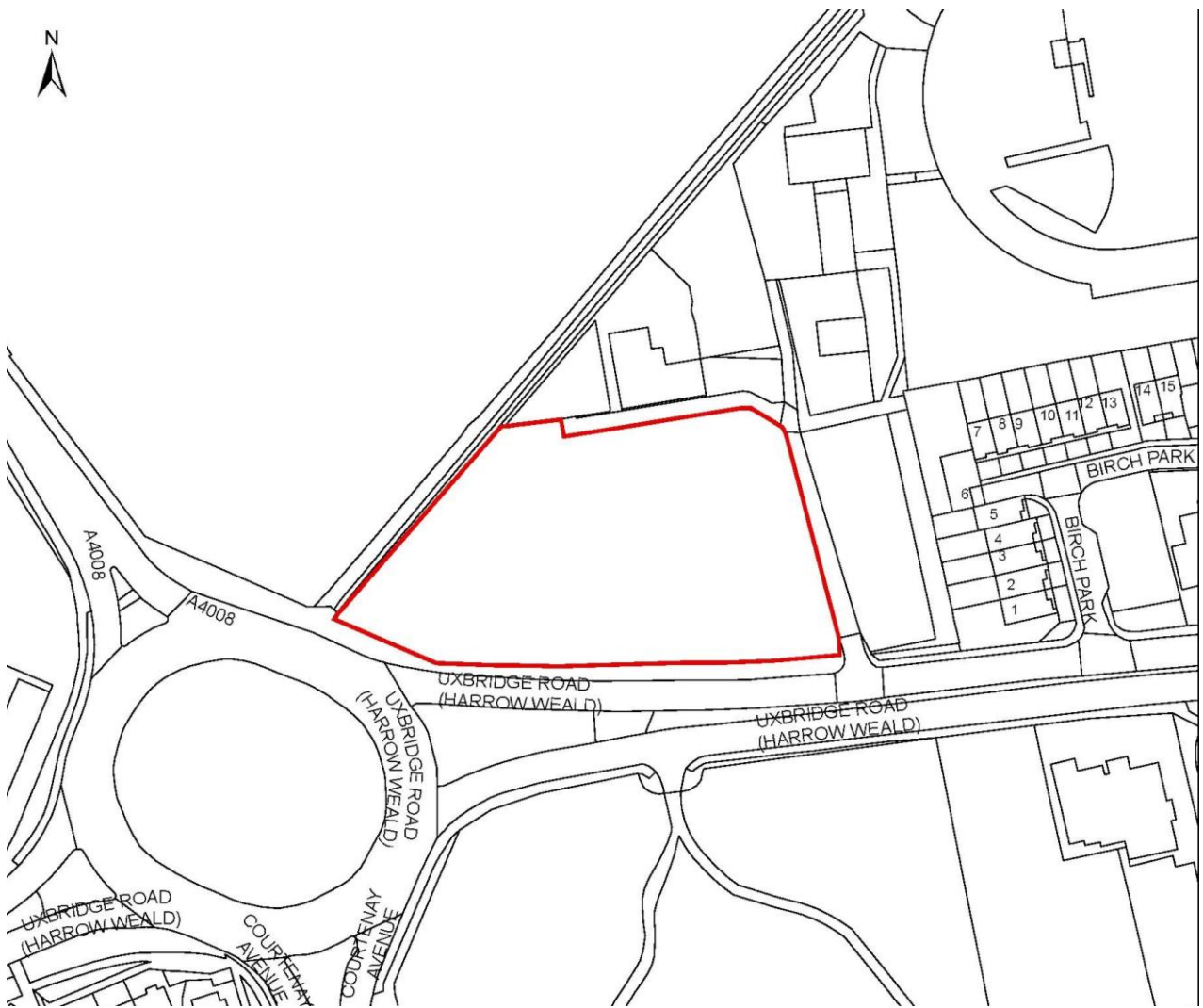
PROPOSED ROOF PLAN

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 = application site



Land fronting Uxbridge Rd Forming Park of Bannister Outdoor Sports Centre	P/5094/19
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/5094/19
VALID DATE: 16TH DECEMBER 2019
LOCATION: LAND FRONTING UXBRIDGE ROAD,
FORMING PART OF BANNISTER OUTDOOR
SPORTS CENTRE
WARD: HARROW WEALD
POSTCODE: HA3 6SW
APPLICANT: ADVENTURE EXPERIENCE LTD
AGENT: DOWSETTMAYHEW PLANNING
PARTNERSHIP
CASE OFFICER: NABEEL KASMANI
**EXTENDED EXPIRY
DATE:** 24TH JULY 2020

PROPOSAL

Details pursuant to conditions 3 (tree protection), 4 (details of pruning), 7 (ecology mitigation and monitoring), 8 (noise report), 9 (surface water disposal), 10 (foul sewage disposal), 11 (construction method statement), 12 scheme of landscaping) and 15 (external materials) attached to planning permission P/0672/18 dated 23/09/2019 for creation of an 18 Hole Golf adventure experience facility including theme props and ancillary kiosk; Refuse Storage in car park area

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Approve the details

REASON FOR THE RECOMMENDATIONS

Planning permission for the creation of an 18 hole golf adventure experience facility including theme props and ancillary kiosk and refuse storage in the car park area was granted under application reference P/0672/18 dated 23/09/2019, subject to conditions. The application seeks to discharge to conditions 3 (tree protection), 4 (details of pruning), 7 (ecology mitigation and monitoring), 8 (noise report), 9 (surface water disposal), 10 (foul sewage disposal), 11 (construction method statement), 12 scheme of landscaping) and 15 (external materials).

Officers consider that the details submitted are acceptable to address the reasons why the respective conditions were imposed and would subsequently enhance the quality of the development while mitigating any adverse effects. Accordingly, officers conclude that the proposal is worthy of support and the respective conditions can be discharged.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	E.18. Minor Development, all other
Council Interest:	n/a
Net Additional Floorspace:	n/a
GLA Community	
Infrastructure Levy (CIL):	n/a
Local CIL requirement:	n/a

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the proposed access does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 This near-triangular shaped site of approximately 0.5 hectares is located on the northern side of the Uxbridge Road, the A410 at the corner of Oxhey Lane just northwest of the roundabout where Oxhey Lane, Uxbridge Road and Courtenay Avenue meet. It serves as a section of an informal space between Bannister Sports Ground and the main Uxbridge Road. Access to the site is via Uxbridge Road. The Roger Bannister Sports Centre is owned by Harrow Council.
- 1.2 The current site is an open space which forms an area of mown grass which often serves as an overspill car parking area during events at the Roger Bannister Sports Centre on ad-hoc basis.
- 1.3 Immediately to the east of the access serving the sports ground is the centre car park. Further to the east is Birch Park, which is residential street of a cluster of detached, semi-detached and terrace properties forming a cul-de-sac. To the north lies the Lodge, a residential single-storey building and the Roger Bannister Sports Ground and Stadium.
- 1.4 The site is located within a Green Belt and Open Space, Sports and Recreation Site Typologies and Area of Special Character as designated within the proposals map to the Local Plan. The National Grid Gas Pipelines pass through the site. There are at least 22 mature (significant) trees along its perimeter, which are by default protected being public trees. The site is relatively flat and the landscape is relatively open in nature with long views to the north.
- 1.5 The area has a Public Transport Accessibility Level (PTAL) of 1/2 and the Uxbridge Road is a Strategic Route.

2.0 PROPOSAL

- 2.1 The application proposes to discharge Conditions 3 (tree protection), 4 (details of pruning), 7 (ecology mitigation and monitoring), 8 (noise report), 9 (surface water disposal), 10 (foul sewage disposal), 11 (construction method statement), 12 scheme of landscaping) and 15 (external materials) attached to planning permission P/0672/18 dated 23/09/2019

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/0672/18	Creation of an 18 hole golf adventure experience facility including theme props and ancillary kiosk; refuse storage in car park area	Grant: 23/09/2019
P/4748/18:	Upgrading and regrading of existing sports pitches to create four natural grass pitches and one 3G synthetic pitch with floodlights, Maintenance	Granted: 02/08/2019

	Equipment Store & Two Team Dugouts; associated landscaping and security fencing (4.5m high ball stop fence and 1.2m-2m high pitch perimeter barrier)	
P/5217/19	Details pursuant to s106 obligations for landscape and ecological management plan details of travel plan co-ordinator travel plan and event management plan attached to planning permission p/0672/18 dated 23.9.19	Under Consideration
P/3959/19	Creation of 49 additional car parking spaces (inclusive of 2 disabled spaces); replacement of path	Under Consideration

4.0 **CONSULTATION**

- 4.1 There is no statutory requirement to consult adjoining occupiers for an application for approval of details reserved by condition.
- 4.2 Four letters of objection have been received. A summary of the responses received are set out below with officer comments in Italics.

Summary of Comments
<ul style="list-style-type: none"> - Lake overflow pipe crosses a major high pressure gas main pipeline - Proposed lake location will damage existing bannister football fields main drainage pipe - Drainage details of surfaces are not sufficiently specified <p><u>Condition 3:</u></p> <ul style="list-style-type: none"> o No detail of the location of electricity supply cables, water supply pipes, phone line cables, electric cables to animatronic dinosaurs o No definition of foundation required for fixing the dinosaur props o T12 is a Hornbeam and not Common Beech. Proposal permits destruction of a mature Hornbeam Tree wrongly identified, which is worth saving as being indicative of ancient woodland which is now Green Belt <p><u>Condition 8</u></p> <ul style="list-style-type: none"> o The noise modelling report is invalid. What is the actual height of the loudspeakers and what noise modelling with these heights produce at neighbouring houses? <p><u>Condition 9</u></p> <ul style="list-style-type: none"> o Previous water strategy document is flawed o Lake location and depth is in conflict with the existing Bannister football fields main rainwater drainage pipe o Discharge pipe crosses over the high pressure gas main pipeline o Culvert referred to does not sustain waterflow o Existing drainpipe will be damaged by excavations resulting in greater

flooding

- Much of the golf course will not be permeable
- No drainage maintenance plan
- How can the sewerage design be approved without drawings

Condition 10

- Cannot be fulfilled without construction of the sewage disposal works on the site which has not occurred

Condition 15

- Construction materials for drainage artefacts not specified
- Conflicting information on materials for the path
- No definition of proposed dinosaurs

- Total control of managing the parking for the site on Bannister 'event' days in the hands of Adventure Experience Ltd

As detailed below, the details submitted are considered acceptable to address the reasons why the respective conditions were imposed. The details are considered acceptable in the professional judgement of council officers and in conjunction with the statutory functions of the respective departments.

4.3 Statutory and Non Statutory Consultation

4.4 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

Consultee and Summary of Comments

Highways Officer

The submitted information is acceptable

Drainage Engineer

The drainage conditions can be approved. Thames Water Consent should be submitted once it is granted.

In response to the objections raised by the neighbouring occupier

- It is possible for an overflow from the lake to cross the high pressure gas main with the gas utilities permission. It would likely need to be hand dug, but would nonetheless have to accord with the relevant legislations in place to safeguard the gas main
- The drainage pipe from the football field could be diverted
- The flooding of the site is likely to improve with new drainage likely proposed for the development for the enhanced football pitches to the north of the site
- The applicant is aware that construction materials need to be permeable
- The site is not discharging to the culvert. It has been discussed with the applicant and they need TW consent to discharge into a public surface water sewer
- All drainage design should be in line with the approved FRA reference

Arboricultural Officer

No objection to the information provided. The respective conditions can be discharged. The Hornbeam was misidentified in the survey and this error was commented on to the case officer on the original planning application. However it is not significant in the wider proposals and existing comments remain unchanged. Whilst I was not wholly supportive of the loss of the Hornbeam, its condition and location in relation to the development was such that removal was required in any event.

Landscape Officer

The revised and additional information is acceptable and the landscape conditions can be discharged

Biodiversity Officer

I'm happy enough with the supplied information as being proportionate to the scheme with regard to biodiversity matters, including in relation to Condition 12. For my part, the pre-commencement part of Condition 7 can be considered to be adequately discharged.

Environmental Health Officer

The condition can be considered discharged subject to the recommended mitigation measures outlined on page 20 (part 11) of the noise report Issue 2 – 15/08/2018.

Cadent Gas

I need more information on the excavations that will need to be completed and any structures that are going to be built to be able to complete my assessment *However, no further response was received following emails from the case officer to Cadent Gas requesting clarity on the information being sought*

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP],

the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 Discharge of Conditions:

- Conditions 3 and 4: Arboriculture
- Condition 7: Biodiversity
- Condition 8: Noise
- Condition 9 and 10: Disposal of Surface Water and Sewage
- Condition 11: Construction Method Statement and Management Plan
- Condition 12: Landscaping
- Condition 15: Materials

6.2 **Conditions 3 and 4: Arboriculture**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The draft London Plan (2019):
- Harrow Core Strategy (2012):
- Harrow Development Management Policies (2013):

6.2.2 Condition 3 states:

Prior to commencement of development (including demolition and all preparatory work) a scheme for the protection of the retained trees, in accordance with BS5837 including a tree protection plan (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved by the LPA

Specific issues to be dealt with in the TPP and AMS:

-Location and installation of services / utilities / drainage

-Details of construction within the RPA or that may impact on the retained trees

-Specification for construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of areas of roads and parking areas to be constructed using no-dig. Details shall include relevant sections through them

-Levels and cross-sections to show that raised levels of surfacing where no-dig is used, demonstrating that they can be accommodated in finished levels and where they meet with any adjacent building damp-proof courses

-Details of foundation type / design to be used for buildings (e.g. proposed new kiosk) proposed within the RPA of retained trees

-Specification for protective fencing to protect trees during construction phases and plan indicating alignment / position of protective fencing

-Tree protection during construction shown on a TPP and construction activities clearly identified as prohibited within this area

-Details of site access, temporary parking, site huts etc., loading unloading and storage of materials, equipment and waste

-Boundary treatments within the RPA

-Arboricultural supervision and inspection by the appointed consultant or suitably qualified tree specialist and during key stages of development: installation / inspection of protective fencing prior to development, installation of new surfacing using no-dig methodology, any other activities taking place within RPA of retained tree.

REASON: Required to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site

6.2.3 Condition 4 states:

Prior to commencement of development details of all proposed Access Facilitation Pruning shall be submitted to and approved by the LPA. The approved works shall be carried out in accordance with BS3998:2010

REASON: Required to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site.

6.2.4 The Council's Arboricultural Officer has reviewed the submitted information and is satisfied that the details submitted would address the reason for the imposition of the conditions. On this basis, it is considered that the details submitted satisfactorily safeguard against any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site.

6.3 Condition 7: Biodiversity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The Draft London Plan (2019):

- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013):

6.3.2 Condition 7 states:

Prior to the commencement of any works which may affect the biodiversity and ecology makeup of the site, a detailed mitigation and monitoring strategy should be submitted to, and approved in writing by the local planning authority. All works should then proceed in accordance with the approved strategy with any amendment agreed in writing. Full details should be provided in relation to:

-the living wall and roof area

-the pond(s), including details re the overflow. this should be provided in the form a swale

-all plantings and how the biodiversity value of these will be maximised, including a management regime

-'woodcrete' bird and bat boxes to be provided including details of location

-enhancement within the carpark area

-handling of pollution from the carpark

-how the design reflects tree root protection zone requirements

-how the proposals would contribute to natural capital within the green belt in this area

-how noise and, in particular, light impacts on bats and invertebrates would be minimised, including via limiting operating times at certain times of year

REASON: To ensure the development does not have an unacceptable impact on protected species or the overall the ecological value of the site, in accordance polices 7.19 of the London Plan (2016), CS6 B of the Harrow Core Strategy 2012, DM20, DM21 and DM42 of the Harrow Development Management Policies Document 2013.

6.3.3 The information submitted was reviewed by the Council's Biodiversity Officer who is satisfied that with the supplied information as being proportionate to the scheme with regard to biodiversity matters. The Council's Biodiversity Officer has therefore advised that the pre-commencement part of Condition 7 can be considered to be adequately discharged and the proposal would not have an unacceptable impact on protected species or the overall the ecological value of the site, in accordance polices 7.19 of the London Plan (2016), CS6 B of the Harrow Core Strategy 2012, DM20, DM21 and DM42 of the Harrow Development Management Policies Document 2013.

6.4 Condition 8: Noise

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The Draft London Plan (2019):
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM28

6.4.2 Condition 8 states:

The use shall not commence until:

1. A noise survey and report addressing all sources of noise involved in/associated for the proposed use, has been submitted and agreed by the LPA; and

2. A scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority.

- The scheme shall include such combination of physical, administrative measures, noise limits, and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

- The objective of the noise control scheme shall be, where practicable, to achieved rating level(s) of noise(s) emitted from the site at least 5dB(A) below the existing background noise level; the noise measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON: To safeguard the amenity of residents within the surrounding area

6.4.3 A Noise assessment has been submitted with the application. This details that the speakers for the 'roar' sound effects are hidden underneath small wooden boxes and are no more than 25cm in height with the volume and frequency controllable by staff. The report notes that the predicted sound levels from the proposed development are considered to comply with the relevant standards. The application was referred to the Council's Environmental Health Officer who has advised that the condition can be considered discharged subject to the recommended mitigation measures outlined on page 20 (part 11) of the noise report Issue 2 – 15/08/2018. On this basis, it is considered that the proposal would safeguard the residential amenities of adjoining occupiers and would accord with the relevant policies in this regard.

6.5 Condition 9 and 10 (surface water and sewage disposal)

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The Draft London Plan (2019):
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.5.2 Condition 9 States:

The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

6.5.3 Condition 10 States:

The development hereby permitted shall not be commenced until works for the disposal of sewage have been provided on site in accordance with details to be

submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption

- 6.5.4 The application was referred to the Council's Drainage Engineer who has advised that the information submitted is satisfactory and that the respective conditions can therefore be approved. Further comments by the drainage engineer on the specific points of objections by the neighbouring residents are addressed in the section 4.4 of the report.

6.6 Condition 11: Construction Method Statement and Management Plan

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The Draft London Plan (2019):
- Harrow Core Strategy (2012):
- Harrow Development Management Policies (2013):

6.6.2 Condition 11 States:

Details of a site construction method statement and management plan shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The method statement/management plan shall include the following:

- i) Construction worker parking*
- ii) Anticipated number, frequency and size of construction vehicles.*
- iii) Delivery times*
- iv) Dust suppression measures*
- v). Site security*
- vi). Vehicle manoeuvring and turning*
- vii) Details of dust mitigation.*
- vii). Tree Protection*

Such details shall be implemented or phasing agreed in writing, prior to the commencement of works on site and thereafter retained for the duration of the works.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents

- 6.6.3 A Construction Environmental Management Plan has been submitted with the application. This was reviewed by the Council's Highways Officer who has advised that the information submitted is acceptable. The proposal would therefore include adequate precautions to avoid noise nuisance and to safeguard the amenity of neighbouring residents. The condition can therefore be discharged.

6.7 Condition 12: Landscaping

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The Draft London Plan (2019):
- Harrow Core Strategy (2012):
- Harrow Development Management Policies (2013):

6.7.2 Condition 12 States:

The development hereby permitted shall not be used until there has been submitted to, and approved by, the local planning authority, a scheme including, landscape masterplan, hard and soft landscape details:

- Soft landscape works to include:

- Planting plans (at a scale not less than 1:100)

- Schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities

- Written specification of planting and cultivation works to be undertaken

- A landscape implementation programme

The scheme shall also include details of the following:

- Tree planting, including the detail for the proposed trees, tree pits and fixing (at time of planting)

- Native species planting detail to soften appearance and screen the existing substation

- Tree planting within the car park spaces (allowing for loss of planned parking spaces) and screening around car park with hedge planting using native species.

Specification for protective fencing to protect hedges during establishment and plan indicating alignment / position of protective fencing

- Mixed native hedge planting to southern boundary

- Car park and access road, 'No-Dig' construction details, specification and method statement, proposed cellular confinement system and hard surface material. Final finished levels of car park surfacing and ground level linkage to the surrounding proposed and existing levels outside the car park. Final finished levels around existing trees and within RPA's (root protection areas). Details shall include relevant cross sections to demonstrate the 'no-dig' raised levels can be accommodated in relation to the surrounding area, features, adventure golf course, kiosk, footpath connections and existing trees.

- Pond, including details of levels/ contouring, depths and surrounding adjacent land levels, proposed water source and any water features, shelved pond sides, build-up of the constructed pond layers, water circulation, pond overflow, proposed planting

- Details of minor artefacts and structures (such as furniture, seats and bins, any proposed low level lighting to be bat friendly, including any fixed to the exterior of the kiosk building, proposed living green wall panel system)

- Cycle storage including details of cycle stands

- Refuse storage details

- Details of any proposed irrigation or proposed watering system to be installed for regular watering in dry / drought conditions for the landscaped areas.

- Cross sections through the development site to a scale of 1:100, with proposed ground levels and heights (proposed levels) of proposed boulders, dinosaurs, kiosk, proposed car park, proposed level depths of pond.

The Green roof / living green wall panel system

- Green roof and living green wall panel system, hard and soft landscape details and planting plans, with a written specification of the planting, details of the proposed build-up of the layers for the growing medium, drainage and schedules of plants, noting species, plant sizes or types (all at time of planting) and proposed numbers / densities. Planting to include wildlife friendly planting and native species. Proposed fixing details for the green panel system, including fixing detail for the plants, proposed watering and soil planting medium.

- Hard landscape Material Details

- Boundary Treatment

- Levels - a detailed Levels Plan of the proposed finished levels, including the proposed finished levels for the car park. This document needs to explain details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways, and any other changes proposed in the levels of the site. Sufficient levels detail is required to understand the proposals in relation to the existing levels around the existing trees and the linkage of the proposed levels to the existing levels of the surrounding external wider site, outside the development site.

- 6.7.3 A Soft Landscape Specification (Rev 01), Detailed Plant Schedule and Specification, Soft Landscape Maintenance Schedule, Materials Schedule, Soft Landscape and Ecological Management Plan (Rev03), Bodpave specification documents, levels and sections drawings have been submitted with the application. The details were reviewed by the Council's Landscape Architect who has advised that the information submitted is satisfactory. The condition can therefore be discharged.

6.8 Condition 15: Materials

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016):
- The Draft London Plan (2019):
- Harrow Core Strategy (2012):
- Harrow Development Management Policies (2013):

6.8.2 Condition 15 States:

Full details of materials to be utilised in the construction of the Adventure Golf Facility including the dinosaur props to be submitted and approved prior to the commencement of development.

REASON: To ensure a satisfactory and safe development and to protect the visual character and appearance of the green belt.

- 6.8.3 A materials schedule has been submitted with the application. This notes that the theme props, including rocks, are constructed from fibreglass. The animatronic dinosaurs also include areas of silicone skin to allow the prop to move. The kiosk

would be covered with a dry grass, thatched-type roof with climbing plants trained on trellis to its external walls. The external walls would also be painted dark green.

The proposed dinosaurs would have the following dimensions:

Brachiosaurus – Length: 16m, Height: 7m and fixed on a 2m x 4m concrete slab

Spinosaurus – Length: 13m, Height: 4m and fixed on a 2m x 3m concrete slab

Triceratops - Length: 6m, Height: 2m and fixed on a 2m x 2m concrete slab

Tyrannosaurus - Length: 15m, Height: 5m and fixed on a 2m x 3m concrete slab

The concrete slabs would typically be 200mm thick, laid on 200mm of Type 1 Sub Base and reinforced with rebar.

Officers consider that the material details are acceptable for the proposed development. The condition can therefore be discharged.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 Planning permission for the creation of an 18 Hole Golf adventure experience facility including theme props and ancillary kiosk; Refuse Storage in car park area was granted under application reference P/0672/18 dates 23/09/2019, subject to conditions. The application seeks to discharge to conditions 3 (tree protection), 4 (details of pruning), 7 (ecology mitigation and monitoring), 8 (noise report), 9 (surface water disposal), 10 (foul sewage disposal), 11 (construction method statement), 12 scheme of landscaping) and 15 (external materials).
- 7.2 Officers consider that the details submitted are acceptable to address the reasons why the respective conditions were imposed and would subsequently enhance the quality of the development while mitigating any adverse effects. Accordingly, officers conclude that the proposal is worthy of support and the respective conditions can be discharged.

APPENDIX 1: INFORMATIVES

1. Planning Policies

The following policies are relevant to this decision:
National Planning Policy Framework (2019) (NPPF)
The London Plan 2016:
5.3, 5.12, 5.13, 7.4, 7.6, 7.15, 7.19, 7.21,
The draft London Plan (2019) – intend to publish version
D4, D14, G6, G7, SI12, SI13, T7,
Harrow Core Strategy 2012:
CS 1
Harrow Development Management Policies Local Plan 2013:
DM1, DM9, DM10, DM11, DM20, DM21, DM22

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. Thames Water Consent

The applicant is advised that Thames Water Consent should be submitted to the Local Planning Authority once it is granted.

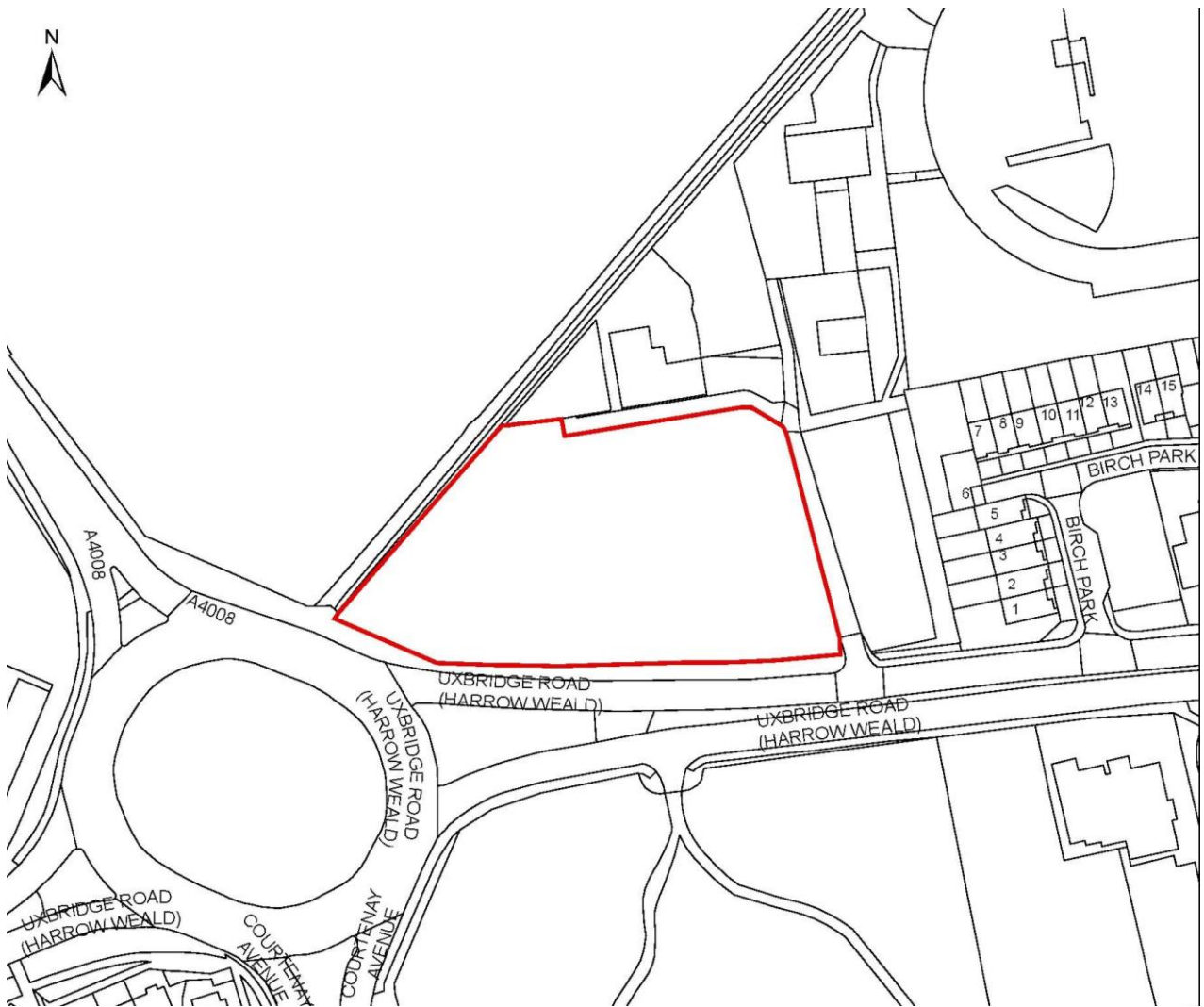
4. Plan Numbers:

Plan Numbers: 3722/DD01, 3722/EX01 Rev C, 3722/EX02 Rev C, 3722/EX03 Rev A, 3722/EX04, 3722/EX05, RCo 253/01 Rev 08, RCo 253/02 Rev 00, RCo 253/03 Rev 01, RCo 253/04 Rev 00, RCo 253/05 Rev 00, RCo 253/06 Rev 00, RCo 253/07 Rev 00, RCo 253/08 Rev 01, RCo SP-TCS-12x5 Rev A,
Tree Protection Plan and Arboricultural Method Statement
Ecological Enhancement and Management Plan
Noise Assessment (Issue 2)
Micro Drainage Calculations
Soft Landscape Specification (Rev 01)
Detailed Plant Schedule and Specification
Soft Landscape Maintenance Schedule
Materials Schedule
Harrow Adventure Gold Enhancements (The Ecology Partnership)
Construction Environmental Management Plan (Version 2)
Soft Landscape and Ecological Management Plan (Rev03)
Supporting Document: Bodpave Specification
Supporting Document: Thames Water Application Acknowledgement
Supporting Document: Proposed Landscape Elements
Supporting Document: Animatronic Dinosaur Details

CHECKED

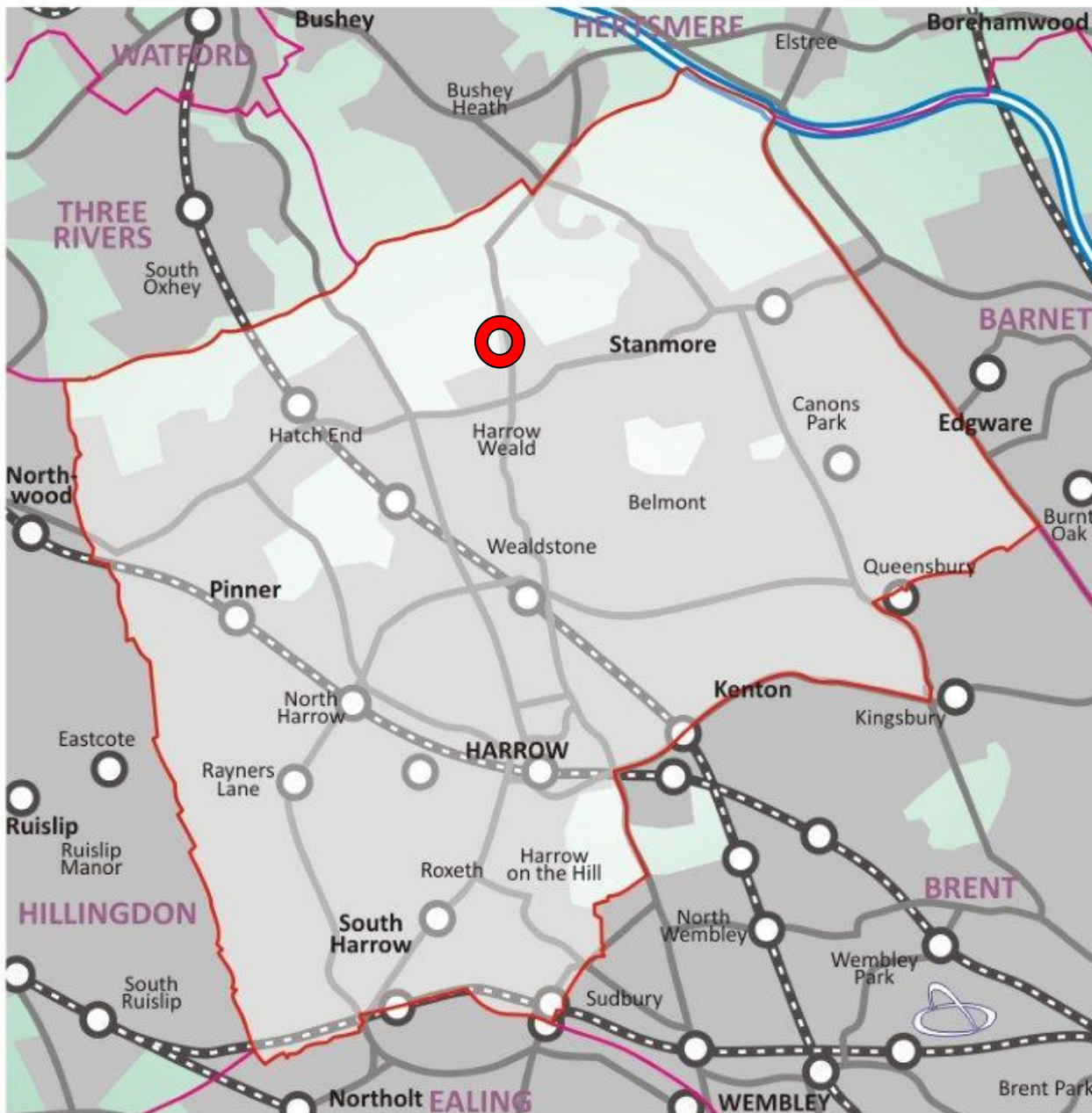
Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 9/7/2020

APPENDIX 2: SITE PLAN

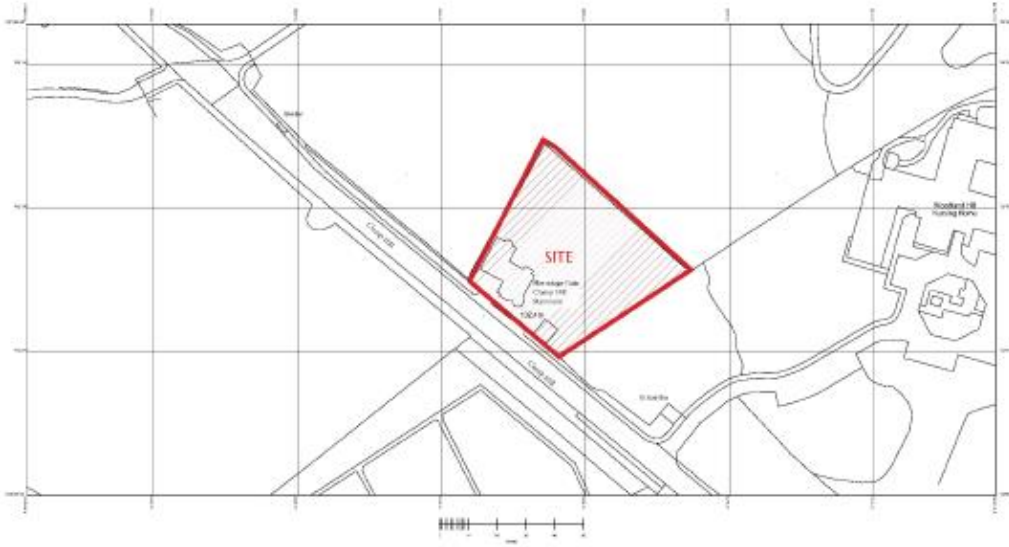


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 = application site



Hermitage Gate Clamp Hill Stanmore	P/1426/20
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3.

Site Location Plan

1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd July 2020

APPLICATION NUMBER: P/1426/20

VALID DATE: 13th MAY 2020

LOCATION: HERMITAGE GATE, CLAMP HILL, STANMORE

WARD: STANMORE PARK

POSTCODE: HA7 3JP

APPLICANT: DR AASIM QURESHI

AGENT: BRASS ARCHITECTURE

CASE OFFICER: KATIE HOGENDOORN

EXPIRY DATE: 27TH JULY 2020

PROPOSAL

Two storey side to rear extension; detached double car port; installation of 1.6m to 2m high brick pier boundary wall, installation of wrought iron pedestrian and vehicle access gates to front; relocation of pedestrian and vehicle access; external alterations (demolition of detached double garage; plant room; changing rooms, swimming pool and tennis courts)

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for refusal as set out in this report,

REASON FOR RECOMMENDATION

1. The proposed two storey side to rear extension, in conjunction with existing extensions to the original building, would give rise to disproportionate additions over and above the size of the original dwellinghouse which would constitute inappropriate development in the Green Belt, contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan – Intend to Publish Version(2019), Core Policy CS1.F of the Harrow Core Strategy (2012), and Policy DM 16 of the Harrow Development Management Policies Local Plan (2013). No very special circumstances have been demonstrated by the applicant whereby the harm by reason of inappropriateness is outweighed by other considerations.

2. The proposed boundary wall with piers and gates is considered inappropriate development within the Green Belt for which no case for very special circumstances have been demonstrated which would outweigh the harm caused by reason of inappropriateness. Further, the siting and height of the proposed boundary treatment is considered to represent visual and spatial harm to the openness of this Green Belt site, contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan Intend to Publish Version (2019), Core Policies CS1.B and CS1.F of the Harrow Core Strategy (2012) and Policies DM1 and DM16 of the Harrow Development Management Policies Local Plan (2013).

3. The proposed car port is considered to be in inappropriate development within the Green Belt and would harm the openness of the existing Green Belt site. No case for very special circumstances has been demonstrated which would outweigh the harm caused by reason of inappropriateness, the proposal is therefore contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan – Intend to Publish Version(2019), Core Policy CS1.F of the Harrow Core Strategy (2012), and Policy DM 16 of the Harrow Development Management Polices Local Plan (2013).

INFORMATION

This application is reported to Planning Committee at the request of a nominated member due to public interest and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	31 sqm
GLA Community	
Infrastructure Levy (CIL):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two storey detached dwellinghouse situated on the east side of Clamp Hill in Stanmore
- 1.2 The dwellinghouse is locally listed.
- 1.3 The property has been previously extended with a two storey side extension and integral attached garage and a single and two storey rear extension.
- 1.4 The property is located within the Green Belt.
- 1.5 There are a number of individually protected trees within the site and there is a group tree preservation order immediately adjacent to the southern boundary of the site.
- 1.6 There is an existing 1.4 metre high brick boundary wall across the full width of the front boundary with Clamp Hill
- 1.7 The property's front elevation faces south where there is an existing tennis court and an outbuilding within the side/front garden.
- 1.8 The site is not located within a flood zone or critical drainage area.

2.0 PROPOSAL

Extensions

- 2.1 The application proposes a two storey side to rear extension which would be located on the western elevation where the property fronts Clamp Hill.
- 2.2 The extension would be set in 2.7 metres from the existing side wall of the dwellinghouse, and would have a flat roof with an eaves height of 5.5 metres in line with the eaves height of the existing two storey rear extension.
- 2.3 The extension would be 2 metres in width and would project 9.3 metres from the rear elevation with a rear wall in line with the rear wall of the existing two storey rear extension.
- 2.4 There would be a square bay window within the proposed side wall at ground and first floor which would project a further 0.8 metres from the proposed side wall of the extension, and two new windows at ground and first floor within the recessed section of the extension. There would be no new windows on the rear wall of the proposed extension.

Boundary treatment and revised access

- 2.5 The application proposes a replacement boundary wall which would span the entire front boundary with Clamp Hill and would comprise a solid brick wall to a height of 1.4 metres with 2.3 metre high piers at 3 metre intervals. The pedestrian access would have a timber open gate to a height of 1.4 metres in line with the height of the brick wall and the proposed vehicular access would have a timber open gate to a height of 2 metres, and a width of 4.7 metres.
- 2.6 The existing pedestrian and vehicular accesses would be relocated southwards along the front boundary with Clamp Hill, with landscaping introduced and hardstanding removed and relocated from the front garden area where the properties front elevation faces south. The proposed hardstanding would provide paths to the rear garden and to the driveway.

Hardstanding alterations and car port

- 2.7 The existing tennis courts and outbuilding on the front boundary would be removed and replaced with a newly laid hardstanding and access to a proposed open sided car port.
- 2.8 The proposed car port would be 6.9 metres wide x 6.6 metres deep and would be set back 16 metres from the front boundary.
- 2.9 The proposed car port would have a pitched roof with an eaves height of 2 metres and a ridge height of 3.5 metres.
- 2.10 The car port would be constructed of timber.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of planning history is set out below:

Ref no.	Description	Status & date of decision
HAR/20188	Detached house and garage (outline)	REFUSED 19/04/1963
Reason for Refusal: The proposed development would be contrary to the provisions of the County Development Plan in which the site is included in the Green Belt and is not available for general residential development.		
HAR/2188A	To provide ground floor cloakroom	GRANTED 18/06/1964
LBH/2884	C Rebuilding existing garages with additional rooms over	REFUSED 16/01/1968
Reason for Refusal: The proposal does not show details of the elevational		

treatment of the proposed extension, showing how the extension can be satisfactorily integrated with the existing building in this exposed position in the Green Belt.		
LBH/2884/1	Rebuilding existing garages with additional rooms over (outline)	GRANTED 22/02/1968
LBH/2884/2	Erection of 2 bedrooms and bathroom over existing garages.	GRANTED 23/08/1972
LBH/2884/3	Erection of two storey extension to rear of dwellinghouse	GRANTED 10/11/1978
LBH/37447	Single storey rear extension	GRANTED 25/01/1989
LBH/38690	Single storey rear extension	GRANTED 20/09/1989
EAST/802/01/FUL	Replacement garage & changing room.	GRANTED 07/01/2002

3.2 Pre-application Discussion

3.2.1 Pre application advice was given reference P/4444/19/PREAPP on the following proposal: 'Reinvent existing property, Update site boundary arrangements, Extension to existing property, Relocate site access, Demolish garage + showers And replace with car port, Replace tennis court with soft landscaping'

3.2.2 The following advice was provided: 'Given the excessive scale, massing and siting, the proposal is considered to be inappropriate development when viewed in conjunction with the existing extensions in the Green Belt and would harm the openness of the Green Belt. It would also fail to respect the scale of the original cottage and would not preserve the special interest of the subject locally listed building. The proposals are therefore not supported in principle. The applicant is also reminded that all the TPO trees within the subject site should be retained and protected'.

4.0 CONSULTATION

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 15th June 2020.

4.2 No objections were received from the public consultation.

4.3 Statutory and non-statutory consultation

Consultee and Summary of Comments
LBH Conservation Officer

Significance

This Hermitage Gate is locally listed. The outline around the locally listed building indicates the whole building is locally listed. The local list description is for identification purposes but indicates significance as it says: '2 storey red brick and mock half-timbered building of irregular plan. Features a tower'.

Pevsner's book of North West London states the building has a 'Romantic composition with a Gothic tower, belonged to another house'.

Part of the building is present on the 1864-1894 OS map and remains on there 1896, 1932-1941 and 1931-42. The 1864-1894 map is enclosed.

The supporting photo record from the last pre-application proposal states that the gate house was built circa 1650.

In 1978 planning permission was granted for 'Erection of two storey extension to rear of dwellinghouse'. In 1989 planning permission was granted for a 'Single-storey rear extension'. It is likely that these account for the remainder of the building.

There is other planning history for the outbuilding.

It is considered that part of the Tudor Revival style is of some historic and architectural interest. The 1970s addition though is of no special interest in its own right.

Appraisal

This proposal follows pre-application advice.

The proposal would cause some harm to the special interest of this locally listed building given the further addition on the Clamp Hill side adjoining the historic locally listed building and the very large rear garden terrace proposed. Since this house was designed as a gate house to a larger house it was only ever designed as a reasonably small cottage and the extensions already added to this having greatly increased its original bulk and mass. The existing extensions have been respectful in that they do not enclose all elevations and the roof of the extension is set below the existing roof height of the lodge. To add yet again to this, and enclosing the original gatehouse even more, would be harmful to this special character. Both public and private views of a locally listed building are important and this proposal would impact on both.

However, it is noted that the proposal would include works of repair to the existing locally listed building that are needed and would help ensure its ongoing conservation, and some removal of outbuildings and some removal of hardstanding which are harmful to the setting of the locally listed building. My view is that it should be conditioned that these repair/improvement works are carried out prior to the commencement of the extension, namely:

- 1) removal of the infilling of the crenulations
- 2) repair works
- 3) removal of hardstanding shown
- 4) Removal of changing room, plant room, swimming pool and tennis court

If this condition was added, and materials and brickwork bond ie arrangement of the bricks were conditioned to match, then the proposal would comply with relevant heritage policy.

The proposal should be weighed against paragraph 197 of the NPPF in particular. This states: 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

The Council's own adopted Locally Listed Buildings SPD is an important consideration. This is available at this link:

http://www.harrow.gov.uk/info/200162/conservation_and_biodiversity/857/locally_listed_buildings

Summary and conclusion

The proposal adds yet more to excessive in scale in relation to the original lodge which would cause some harm. However, subject to repair and improvement works being conditioned to be carried out before the extension and materials and brickwork bond being conditioned to match, the proposal would be appropriate.

Relevant policy and guidance

NPPF paragraphs 189, 190, 192, 197

London Plan policy 7.8 C and D

Harrow Core Strategy policy CS1

Development Management Policies Local Plan policy DM 7

Locally Listed Buildings SPD

LBH Tree Officer

It's not clear what the full tree impact of the proposals would be, as I can't find a survey or impact assessment in the documents.

It does appear that the enlarged footprint would not encroach directly onto existing trees (there are both unprotected and protected trees on the site, with some notable TPOs including a Wellingtonia to the rear); the proposed new garage appears to be located in an area already hardstanding (the existing tennis court)

If this is the case and no trees are proposed for removal, then a site-specific tree protection plan and method statement, needs to be provided to demonstrate how existing retained trees are to be protected during the development

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the

Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of Development within the Green Belt
- Impact on Character and Appearance of the Locally Listed Building
- Residential Amenity
- Trees
- Development and Flood Risk

6.2 Principle of Development within the Green Belt

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.16
- The Draft London Plan Intend to Publish Version (2019): G2
- Harrow Core Strategy (2012): CS1.F
- Harrow Development Management Policies (2013): DM 16

6.2.2 The dwelling has already been significantly extended with a two storey side extension and integral attached garage and a single and two storey rear extension. It is also noted that there is an existing boundary wall which spans the full width of the front boundary to a height of 1.4 metres. It is noted that the proposal includes the removal of the existing changing room outbuilding located adjacent to the front boundary and the removal of the existing tennis court along the side boundary which would have some visual and spatial impact by opening up part of the site.

The proposed extensions

6.2.3 Below is a table of the calculations made in respect of the original and the existing building and the proposed development, including changes in the amount of hardstanding on site and the removal of an existing outbuilding.

	Original Dwelling	Existing Dwelling	Proposed Dwelling	% Change from original
Footprint (m2)	130.7	235	261	+99%
Floor space (m2)	199.8	383	482	+141%
Volume (m2)	715	1310	1412.3	+98%
Hardstanding (m2)	N/A	1028	342.5	-67%
Outbuilding	0	80	47.3	-41%

- 6.2.4 Based on the planning history for the site, the LPA consider that the original dwellinghouse had a footprint of approximately 130.7m² and that the existing footprint of the building is approximately 235m². The proposed extensions would increase the footprint of the dwellinghouse to approximately 261m² which would result in an increase over the original dwellinghouse of 99%. In addition, the extensions would increase the floor space by 141% above original, and the volume by 98% above the volume of the original dwellinghouse. Accordingly the proposed extensions and the existing extensions to the original dwellinghouse, when considered cumulatively, would represent significant disproportionate additions and would result in inappropriate development which cannot be outweighed by other considerations.
- 6.2.5 It is noted that in spatial terms the proposed extension would to some degree appear visually contained within the existing envelope of the building, due to its position on the side elevation and set back behind the existing side building line which fronts Clamp Hill. As such it is not considered that the proposed extension has a significant visual impact in Green Belt terms. However the spatial and visual assessment of the proposed is not the sole test of whether or not the proposed development is found to be appropriate in the Green Belt, and this is not considered to outweigh the harm by reason of inappropriateness which must be given significant weight.
- 6.2.6 Examples have been given within the Planning Statement submitted with this application of existing permissions within and outside the borough. The first of these is York House, Pinner, reference P/2179/18; whereby the Council granted planning permission for a two storey rear extension within the Green Belt. This proposal comprised increases in footprint and floor space of 28.61% and 83.5 % respectively. These increases are below the increases in volume, floor space and in footprint of this proposal and are not therefore considered a comparable to the proposed scheme. Further, in the inspectors appeal reference APP/M5450/D/12/2187009 at Antolido, Potter Street Hill, Pinner, where the Council refused permission for 'a new pitched roof over existing garage for larger bedroom'; the inspector concluded that percentage increases of 48% in floor area, and 44% in volume were 'substantial' and that when aggregated with past extensions, the proposals would result in disproportionate additions over and above the size of the original building.
- 6.2.7 It is noted that percentage increases are not the sole assessment for concluding whether development is proportionate to the size of the original building. However, in the inspectors appeal decision reference APP/M5450/D/19/3232674 against the

Council to refuse permission for a part single storey part double storey side/rear extension, roof extension and patio extension, the inspector concluded that 'there is no defined way of assessing and measuring proportionality, but the NPPF refers to 'size'. This can, in my view, refer to volume, height, external dimensions, footprint, floor space'. As such the inspector concluded that the scale of the extensions (which in this instance related to increases in volume of 60% and in footprint of 122%) would subsume in their scale, the proportions of the original dwelling, and would therefore be considered disproportionate.

- 6.2.8 A further example provided in the supporting Planning Statement with this application is for Castlewood, Pinner Hill, reference P/0548/11 whereby the Council granted permission for a replacement dwellinghouse. This example was assessed upon its own merits and against a separate section of the National Planning Policy Framework in terms of exceptions to proposed development being inappropriate in the Green Belt. As such this latter example is not considered to be comparable to the proposal.
- 6.2.9 In conclusion, the proposed two storey side to rear extension is considered inappropriate development within the Green Belt for which a case for very special circumstances has not been demonstrated which would outweigh the harm by reason of inappropriateness. The proposed side to rear extension is therefore contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan (2016), Core Policy CS1.F of the Harrow Core Strategy (2012), and Policy DM 16 of the Harrow Development Management Polices Local Plan (2013).

The Car Port

- 6.2.10 The proposed car port would not fall within the list of exceptions in paragraph 145 of the National Planning Policy Framework and would be regarded as inappropriate development in the Green Belt. By definition this would harm the Green Belt and should not be approved except under very special circumstances.
- 6.2.11 The inspector, in their assessment of the appeal reference APP/M5450/D/15/3133689 against the Councils decision to refuse planning permission for a new detached double garage and a summer outhouse building at Mickledore, Potters Street Hill, Pinner, Harrow, noted that the construction of a detached garage did not fall within any of the exceptions. It is noted that there is an existing outbuilding on site adjacent to the front boundary which would be demolished as part of the proposals. It is however noted that this outbuilding was given planning permission in a different policy context and that this would not provide a set of very special circumstances with which to justify the harm caused by reason of inappropriateness. Furthermore, due to the proposed siting of the car port in a prominent position set away from the buildings front elevation, it is considered that this would result in the car port being readily visible from the street scene and accordingly there would be a spatial and visual impact on the openness of the existing site for which no very special circumstances have been demonstrated which would outweigh this harm.
- 6.2.12 In conclusion, the proposed car port is unacceptable in principle and would cause harm to the openness of the existing Green Belt site. No case for very special

circumstances has been demonstrated which would outweigh the harm caused by reason of inappropriateness.

The Boundary Wall

- 6.2.13 The exceptions listed within paragraph 145 of the National Planning Policy Framework do not include the construction of gates, fences or walls. As such the proposed boundary treatment is considered unacceptable in principle.
- 6.2.14 It is noted that there is existing boundary treatment on site however this has a maximum height of 1.4 metres and is immune from enforcement action by virtue of the time limit set out in Section 171.B of the Town and Country Planning Act 1990.
- 6.2.15 In the Inspectors assessment of an appeal against the Councils refusal to grant permission for boundary treatment at Belswood Cottage, Heathbourne Road, Stanmore, (reference APP/M5450/D15/3134268), it was noted that 'Paragraph 89 of the National Planning Policy Framework' (then the 2012 version)..., 'sets out the limited purposes for which the construction of buildings will not be considered inappropriate. Certain other forms of development are not inappropriate providing they preserve the openness of the Green Belt and do not conflict with the purposes of including within the Green Belt.'... The inspector goes on to note... 'This does not include the construction of gates and fences. I therefore consider that the proposed development would constitute inappropriate development in the Green Belt and would not accord with London Plan Policy 7.16 and CS Policy CS1.F or the Framework.'
- 6.2.16 Furthermore, in the inspectors assessment of the appeal reference APP/M5450/D/14/2216456, at Xanadu, Potters Street Hill, Pinner, for the appeal against the Council to refuse planning permission for a new site access and gates; the inspector concluded that there were no considerations in favour of the proposal which would clearly outweigh the general presumption against inappropriate development and that substantial harm should be attached to the harm caused by reason of inappropriateness.
- 6.2.17 As such, the proposed boundary treatment, due to its prominent siting and height, would result in visual and spatial harm to the openness of the existing Green Belt site for which there are no very special circumstances which outweigh this harm.
- 6.2.18 In conclusion, the proposed boundary wall with piers and gates is considered inappropriate development within the Green Belt for which no cases for very special circumstances have been demonstrated which would outweigh the harm caused by reason of inappropriateness. Further, the siting and height of the proposed boundary treatment is considered to represent visual and spatial harm to the openness of this Green Belt site, contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan Intend to Publish Version (2019), Core Policies CS1.B and CS1.F of the Harrow Core Strategy (2012) and Policies DM1 and DM16 of the Harrow Development Management Policies Local Plan (2013).

6.3 Impact on the Character and Appearance of the Locally Listed Building

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B, 7.8
- The Draft London Plan (Intend to Publish Version) (2019): HC1
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1, DM7

6.3.2 The dwellinghouse Hermitage Gate is locally listed. The outline around the locally listed building indicates the whole building is locally listed. The local list description is for identification purposes but indicates significance as it says: '2 storey red brick and mock half-timbered building of irregular plan. Features a tower'.

6.3.3 The proposal would cause some harm to the locally listed building owing to the siting of the proposed two storey side to rear extension, and the size of the terracing area proposed. It is noted that the original dwelling has been significantly extended and that the proposal would add to this by enclosing the original gate house further. Both public and private views of the locally listed building would be impacted. However, the existing tennis courts and outbuildings which are harmful to the setting of the locally listed building would be removed as part of the proposals. It is also noted, having regard to the provisions of Paragraph 197 of the National Planning Policy Framework, that repair works to the locally listed building would ensure its ongoing conservation. These repair works would include the repair and maintenance of the existing main roof, the repair and re pointing of chimney stack and brick parapets.

6.3.4 In conclusion and on balance, it is considered that the benefits of the proposal would outweigh any harm caused to the locally listed building and that should this application have been acceptable in other aspects, suitable conditions could be placed on the permission to ensure that the existing tennis courts and outbuildings were removed and that repair works completed prior to the commencement of development. In addition, the Council's conservation officer has been consulted on the proposals and raises no objection, subject to these conditions.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.6
- The Draft London Plan (Intend to Publish Version) (2019): D4
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1

6.4.2 The nearest neighbouring residential dwellings are located at Belgrano Cottages which are located over 170 metres north east of the existing property, as such there are no concerns raised with regard to outlook of neighbours or loss of privacy.

6.4.3 In conclusion, the proposal would have an acceptable impact on the privacy and outlook of neighbours and is accordingly in line with the relevant policies.

6.5 Trees

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.21
- The Draft London Plan (Intend to Publish Version) (2019): G7
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM22

6.5.2 It is noted that the existing site is located to the north of a group tree protection order and that there are a number of individually protected trees within the rear garden of the existing site. There are no plans which indicate that the proposed works would encroach on to the protection areas of existing trees. As such the proposal is considered to have an acceptable impact on the long term viability of trees, subject to a site-specific tree protection plan and method statement which could be provided by condition if the proposals were acceptable in principle.

6.5.3 In addition, the Council's tree officer has been consulted and raises no objections to the proposals subject to conditions.

6.5.4 In conclusion, it is therefore considered that the proposal would have an acceptable impact with regards to protected trees on site and accordingly is in line with the relevant policies.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13
- The Draft London Plan (Intend to Publish Version) (2019): S113
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.6.2 The application site is not located within a critical drainage area or flood zone. As such there are no objections or concerns raised.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

7.1 The application is considered to result in inappropriate development in the greenbelt and no very special circumstances have been advanced to offset the identified harm. Accordingly, this application is recommended for refusal.

APPENDIX 1: INFORMATIVES

1. Policies

1. The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016):

- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.16 Green Belt
- 7.21 Trees and Woodlands

The Draft London Plan – Intend to publish version (2019)

- D4 Delivering Good Design
- G2 Londons Green Belt
- G7 Trees and Woodlands
- HC1 Heritage Conservation and Growth

Harrow Core Strategy (2012):

- Core policy CS1.B

Harrow Development Management Policies Local Plan (2013):

- DM1: Achieving a High Standard of Development
- DM7: Heritage Assets
- DM16: Maintaining the openness of the Green Belt and Metropolitan Open Land
- DM22: Trees and Landscaping

Supplementary Planning Documents:

- Supplementary Planning Document Residential Design Guide (2010)

2. Refuse with pre app

CHECKED

APPENDIX 1: PLANS

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 13.7.2020

List of plans:

Design and Access Statement; Heritage Statement; Planning Statement; 3D Images Document; Condition statement ; 17013 L.01.I; 17013 L.01.1; 17013 L.01.2; 17013 L.01.3; 17013 L.01.4; 17013 L.01.5; 17013 L.01.7; 17013 L.01.8; 17013 L.01.9; 17013 L.03.1; 17013 L.03.2; 17013 L.03.3; 17013 L.03.4; 17013 L.04.1; 17013 L.04.2; 17013 L.04.3; 17013 L.04.4; 17013 L.04.5; 17013 L.04.6

Two storey side/rear extension: proposed side elevation (Clamp Hill street scene)



Car port: proposed elevation

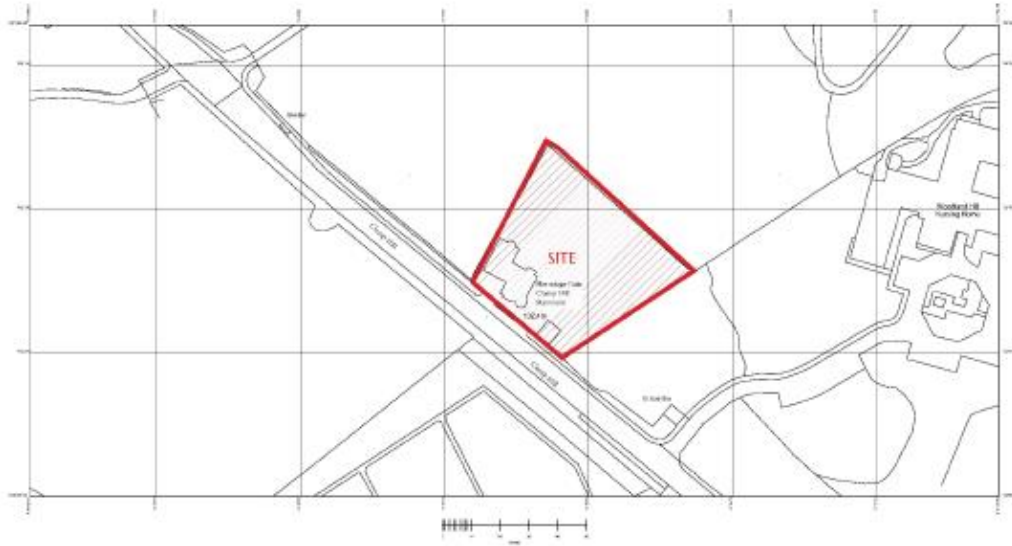


× carport >

Gates: proposed elevations



APPENDIX 2: SITE PLAN



3.

Site Location Plan

1:1250

APPENDIX 3: SITE PHOTOGRAPHS

Existing front/side elevation



Existing rear elevation



Existing street side/corner of front and side elevation



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