

Planning Committee AGENDA

DATE: Wednesday 2 September 2020

TIME: 6.30 pm

VENUE: VIRTUAL MEETING

THERE IS NO SITE VISIT FOR PLANNING COMMITTEE MEMBERS

A VIRTUAL BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON 27 AUGUST 2020 AT 6PM

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 | 1. Bharat Thakker |
| 2. Ajay Maru | 2. Norman Stevenson |
| 3. Peymana Assad | 3. Ameet Jogia |
| 4. Kiran Ramchandani | |

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

Useful Information

Meeting details:

This meeting is open to the press and public and can be viewed on www.harrow.gov.uk/virtualmeeting

Filming / recording of meetings

Please note that proceedings at this meeting may be recorded or filmed. If you choose to attend, you will be deemed to have consented to being recorded and/or filmed. The recording will be made available on the Council website following the meeting.

Agenda publication date: Monday 24 August 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 22 July 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, 27 August 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

12. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

(a)	2/01 - Roger Bannister Sports Centre, Uxbridge Road Harrow Weald HA3 6SP - P/1776/20	HARROW WEALD	GRANT	(Pages 23 - 36)
(b)	2/02 - Pinner Park Primary School, Melbourne Avenue, Pinner HA5 5TJ - P/1614/20	HEADSTONE NORTH	GRANT	(Pages 37 - 62)
(c)	2/03 - Street Record, Elizabeth Gardens, Stanmore HA7 4TE - P/2408/20	CANONS	GRANT	(Pages 63 - 84)
(d)	2/04 - Nower Hill High School, George V Avenue, Pinner HA5 5RP - P/1190/20	PINNER	GRANT	(Pages 85 - 108)

(e)	2/05 - 1 Canons Park Close, Donnefield Avenue, Edgware HA8 6RJ - P/1277/20	CANONS	GRANT	(Pages 109 - 134)
(f)	2/06 - 350 High Road High Road, Harrow HA3 6HF - P/1069/20	HARROW WEALD	GRANT	(Pages 135 - 160)
(g)	2/07 - Hermitage Gate, Clamp Hill Stanmore HA7 3JP - P/1426/20	STANMORE PARK	GRANT	(Pages 161 - 192)
(h)	2/08 - 42 Roxeth Hill, Harrow HA2 0JW - P/1715/20	HARROW ON THE HILL	GRANT	(Pages 193 - 214)
(i)	2/09 - Land Rear of 259 Pinner Road, Harrow HA1 4HF - P/4355/19	HEADSTONE SOUTH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 215 - 254)

13. SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

(a)	3/01 - The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware HA8 6AG - P/1564/20	HARROW WEALD	REFUSE	(Pages 255 - 296)
(b)	3/02 - Mallory, Priory Drive, Stanmore HA7 3HN - P/1463/20	STANMORE PARK	REFUSE	(Pages 297 - 318)

14. SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

15. SECTION 5 - PRIOR APPROVAL APPLICATIONS

16. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

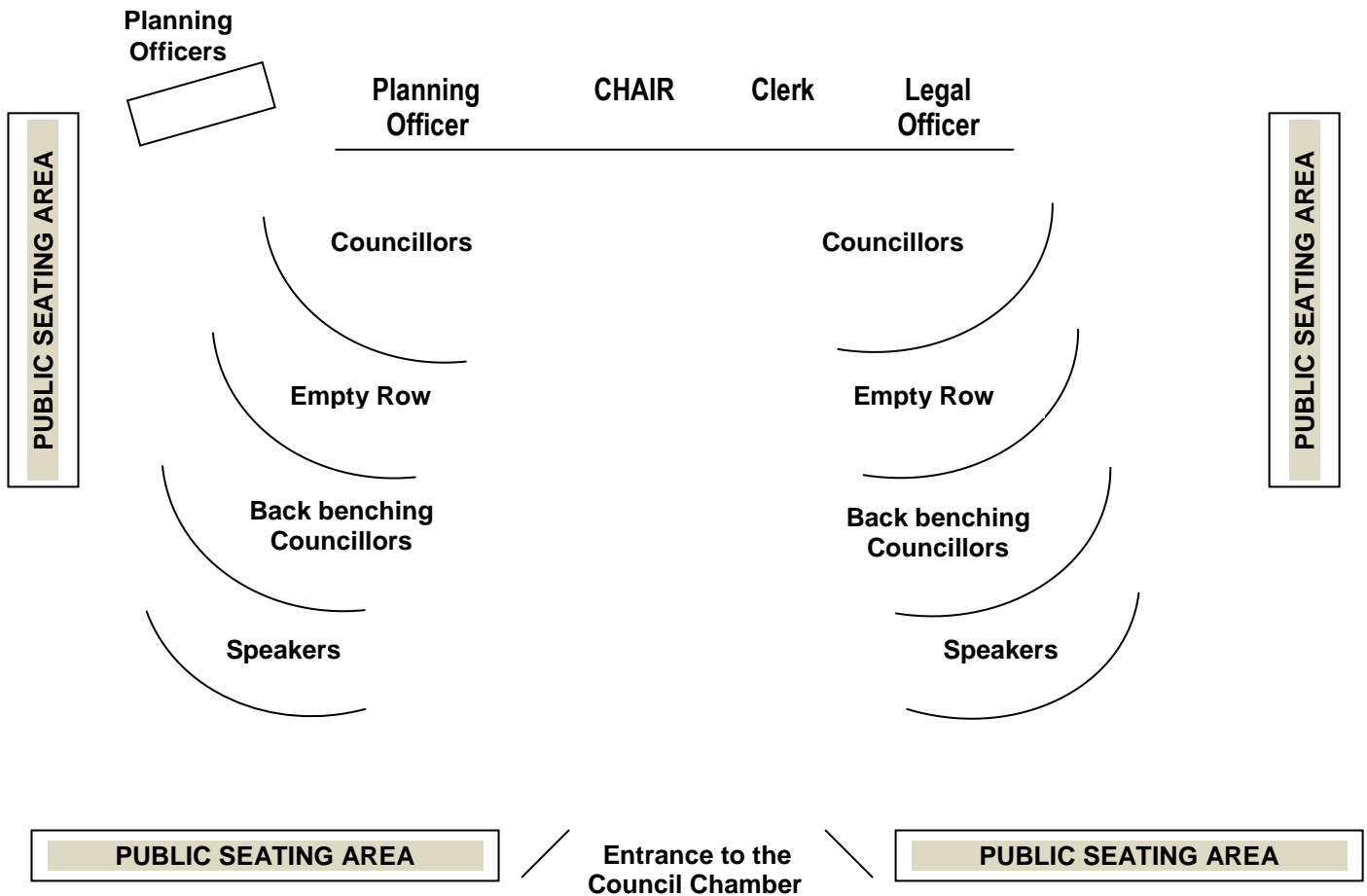
AGENDA - PART II

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

22 JULY 2020

Chair: * Councillor Keith Ferry

Councillors: * Ghazanfar Ali * Anjana Patel
 * Marilyn Ashton * Kiran Ramchandani (4)
 * Christopher Baxter * Sachin Shah

In attendance: Stephen Greek Minute 384 and 387
(Councillors) Norman Stevenson Minute 380

* Denotes Member present
 (4) Denotes category of Reserve Member

367. Attendance by Reserve Members

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

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Simon Brown	Councillor Kiran Ramchandani

368. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda item indicated:

<u>Councillor</u>	<u>Planning Application</u>
Stephen Greek	Item 2/06, Hujjat Primary School (P/0487/20) Item 2/09, Land fronting Uxbridge Road, Forming Part of Bannister Outdoor Sports Centre (P/5094/19)

369. Declarations of Interest

RESOLVED: To note that the Declarations of Interests published in advance of the meeting on the Council's website were taken as read.

370. Minutes

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

371. Public Questions

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

372. Petitions

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

373. Deputations

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

374. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

RESOLVED ITEMS

375. Addendum

RESOLVED: To accept the Addendum, and Supplemental Addendum.

376. 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 Agenda items 1/02, 2/01, 2/02, 2/04, 2/06, 2/09, and 2/10 on the list of planning applications.

[Note: Planning application 2/04 was subsequently withdrawn, and representations were not received.]

377. 1/01 Roger Bannister Sports Centre - P/0561/20

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 (as amended by the Supplemental Addendum).

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.

378. 1/02 Prince Edward Playing Fields, Camrose Avenue - P/4134/19

PROPOSAL: outline application for all matters reserved - construction of five storey car park (as amended by the Addendum and Supplemental Addendum).

The Committee received representations from Mr Sean McGrath (for the Applicant) who outlined his reasons for seeking refusal of the officer recommendation, and subsequently requesting that the application be granted.

The Committee resolved to accept the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to 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); and
- 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 policies

DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

DECISION: REFUSE

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

Councillors Ali, Shah, Ramchandani, Ashton, Baxter and Patel voted to refuse the application.

Councillor Ferry abstained from voting on the application.

379. 2/01 16 Northwick Park Road - P/0828/20

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 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 received representations from Ms Elsa Morrison (Objector), and Mr Yussuf Mwanza (for the 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 notices were sent later than usual due to the illness of a staff member, who usually sent them out; and
- A total of nine objections had been received, and had been placed in the public domain, with no prejudicial impact on objectors.

The Legal Officer further advised that the legal requirement was for a site notice, which had been sent. Therefore, there was compliance with the regulations.

The Committee resolved to approve 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 a majority of votes.

Councillors Ferry, Shah, Ramchandani, Ashton, Baxter and Patel voted for the application.

Councillor Ali abstained from voting on the application.

380. 2/02 Suncourt, Mayfield Drive, Harrow - P/0188/20

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; roof lights in both side roof slopes; Juliette balcony at first floor rear; conversion of garage to habitable room with installation of window to front; external alterations (as amended by the Supplemental Addendum).

The Committee received representations from Mr Shazia Akhtar (Objector) and Councillor Norman Stevenson. Both speakers outlined their reasons for seeking refusal of the application.

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) The extensions would be out of keeping, are poorly designed and are visually obtrusive and would not preserve or enhance the character and appearance and the setting of the Tookes Green Conservation Area, which this site abuts, contrary to CS1B of the Core Strategy and 7.4B, 7.6B 7.8B and 7.8D of the London Plan (2016), D1 and D4 of the Draft London Plan (2019) and DM1, DM7 of the Harrow Development Management Policies (2013).

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

The Committee resolved to refuse 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: REFUSE

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

Councillors Ferry, Shah and Ramchandani voted for the application.

Councillors Ali, Ashton, Baxter and Patel voted against.

381. 2/03 Avondale Lodge 8 Pinnacles Close - P/1138/20

PROPOSAL: re-development to provide a two storey dwelling house (1 X 7 beds) with basement and habitable roof space; parking; boundary treatment; landscaping; bin/cycle store (as amended by the Addendum).

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, and delegate authority to the Interim Chief Planning Officer to add a Condition on window glazing.

DECISION: GRANT

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

382. 2/04 Central Depot Forward Drive - P/1680/20

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 (withdrawn in the Supplemental Addendum).

WITHDRAWN FROM THE AGENDA

Following legal advice this application was withdrawn to allow for the submission of a new planning application as the temporary permission expired on 27 March 2020.

383. 2/05 Canons High School - P/0937/20

PROPOSAL: single storey infill extension.

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.

384. 2/06 Hujjat Primary School - P/0487/20

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) (as amended by the Addendum).

The Committee received representations from Majella Baade (Objector), and Mr David Poole (for the Applicant). Both speakers outlined their reasons for seeking refusal and approval of the application, respectively.

The Committee also received representation from Councillor Stephen Greek.

The Committee resolved to approve the officer recommendation, and to delegate authority to the Interim Chief Planning Officer to seek a revised travel plan by condition.

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 conditions listed in Appendix 1 of the report.

DECISION: GRANT

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

385. 2/07 Land Rear Of Station House 11-13 Masons Avenue - P/0681/20

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 (as amended by the Supplemental Addendum).

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) the development, by reason of its close proximity and orientation to Birchfield House, and given its height and scale, would be detrimental to the amenities of the occupiers of Birchfield House and would cause

a noticeable and unacceptable reduction in daylight into the habitable rooms thereof, contrary to the Harrow Core Strategy CS1 (2012), London Plan (2016) 3.5, 7.2, 7.6 draft London Plan (2019) D1, D4, D5, D7, Harrow Development Management Policies DM1, DM2, DM27, DM28 and the Harrow and Wealdstone Area Action Plan (2013) AAP4.

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 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:
 - a. Parking permit restriction; and
 - b. Monitoring and Legal Fees.

RECOMMENDATION B

That if the Section 106 Agreement was not completed by 22 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:

- 1) 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 Policy AAP19 of the Harrow and Wealdstone Area Action Plan (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, Shah and Ramchandani voted for the application.

Councillors Ashton, Baxter and Patel voted against.

386. 2/08 42 Chartley Avenue - P/1346/20

PROPOSAL: outline Planning permission for access only: detached two storey dwelling house at land to side no.42 (demolition of conservatory at no.42).

Councillor Marilyn Ashton requested to: “place a watching brief on the reserve matters, since the application was in outline only. Therefore, there were no details of the dwelling that would be built on the plot.”

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, Shah and Ramchandani voted in favour of granting the application.

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

387. 2/09 Land fronting Uxbridge Rd Forming Part of Bannister Outdoor Sports Centre - P/5094/19

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 (as amended by the Supplemental Addendum).

The Committee received representations from Mr Brian Stoker (Objector) and Mr Pierre Dowsett (for the Applicant). Mr Dowsett’s statement was read by the Chair.

Both the Objector and Applicant outlined their reasons for seeking refusal and approval of the application, respectively.

The Committee also received representation from Councillor Stephen Greek, who outlined reasons for seeking refusal of the application.

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) The proposed materials used for the construction of the model dinosaurs was out of keeping in a Green Belt setting and Area of Special Character and would be visually obtrusive in the street scene to the detriment of the long views both from the road and when viewed from the Green Belt itself and would therefore result in a loss of amenity within the locality, contrary to Harrow Core Strategy CS1B and CS1F (2012), National Planning Policy Framework (2029), Policy 7.16B of the London Plan (2016), Policy G2 of the Draft London Plan (2019), and Policy DM1 and DM16 of the Harrow Development Management Policies Local Plan (2013); and
- 2) To add to Condition 12 that the mature planting abutting the highway include mature evergreen trees and not the deciduous variety only, in order to screen off the dinosaurs in the winter months. Furthermore, reference be made to the "Contractor Code of Practice", thereby compelling the Council to keep a close eye on the hours of construction works in order to minimise the disturbance the construction site had caused to the people living nearby.

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

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) approve the details.

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, Shah and Ramchandani voted for the application.

Councillors Ashton, Baxter and Patel voted against.

388. 2/10 Hermitage Gate Clamp Hill - P/1426/20

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) (as amended by the Addendum).

The Committee received representations from Mr Roger Birtles (for the Applicant) who outlined his reasons for seeking refusal of the officer recommendations, and subsequently requesting that the application be granted.

A Member proposed to grant the application.

The motion was seconded by Councillor Marilyn Ashton, and agreed.

The Committee resolved to refuse the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for refusal as set out in the report.

DECISION: GRANT

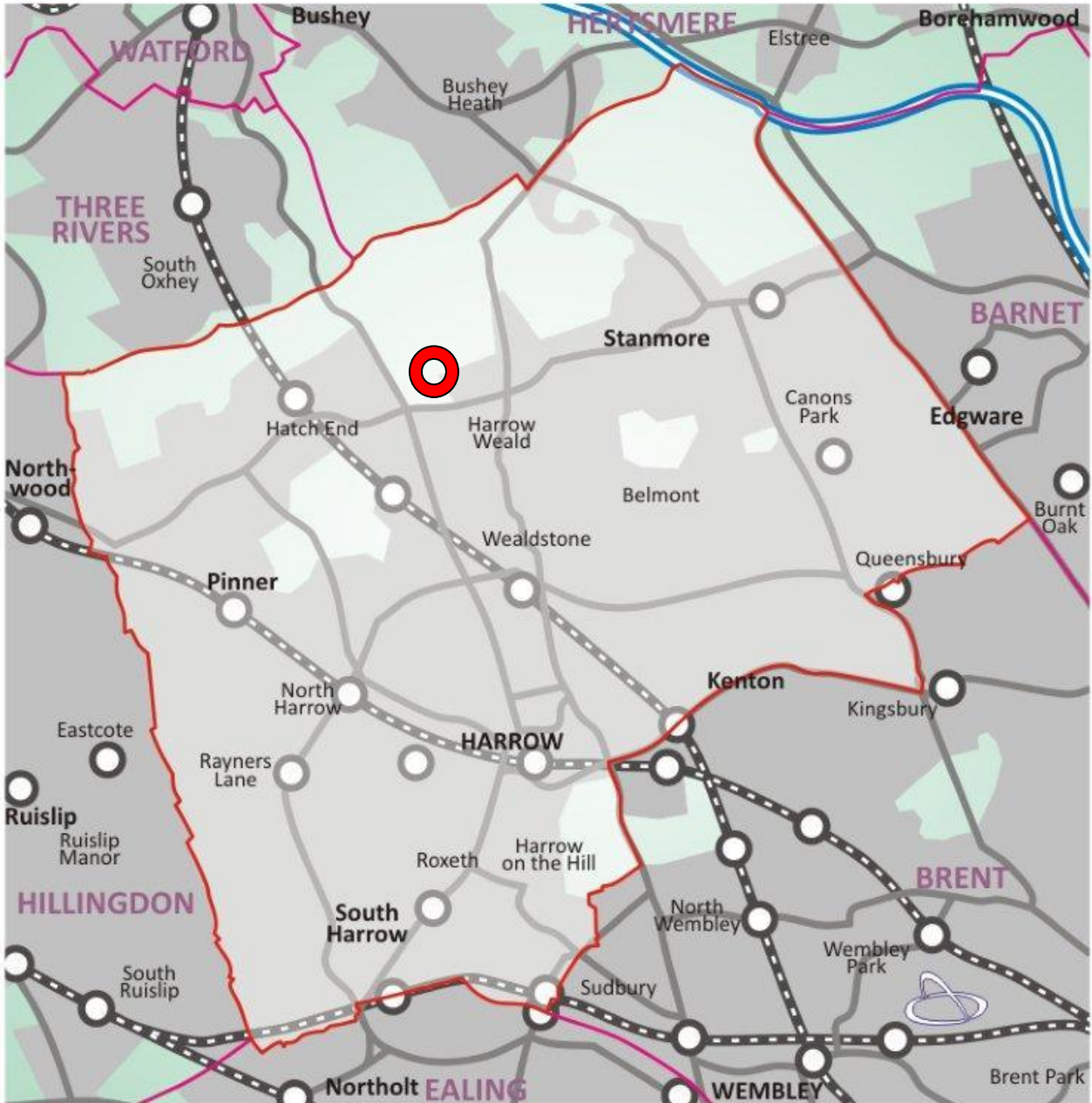
The Committee wished it to be recorded that their decision to be “minded to grant” the application, which would be brought back to Committee, was unanimous.

The audio recording of this meeting can be found at the following link:
www.harrow.gov.uk/virtualmeeting.

(Note: The meeting, having commenced at 6.00 pm, closed at 9.29 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair

 = application site



Roger Bannister Sports Centre

P/1776/20

Location Plan

Harrow COUNCIL
LONDON

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
1:5,000	17/08/2020

Notes
OS Plan

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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1776/20
VALIDATE DATE: 8TH JUNE 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: 8TH SEPTEMBER 2020

PROPOSAL

Enlargement of vehicle access (retrospective)

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 enlarged vehicle crossover facilitates the safe movement of heavy goods vehicles into the site to allow development associated with implemented planning permission reference P/4748/18 for the upgrading and regrading of existing sports pitches to progress. The enlarged vehicle crossover is not inappropriate development within the Green Belt and has an acceptable impact with regard to character and appearance of the locality, amenity of neighbouring occupiers, highways and drainage.

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.

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 at the request of 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:	(E)18
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 The application site relates to the vehicular access serving the Roger Bannister Sports Centre located on the northern side of Uxbridge Road, near the roundabout junction with Oxhey Lane and Courtney Avenue.

1.2 The car park serving the Sports Centre is located immediately to the east of the vehicular access road. To the west of the access road is a grass field which has been granted planning permission to provide an 18 Hole Golf Adventure experience with facility to include themed props and ancillary kiosk.

2.0 PROPOSAL

2.1 The retrospective application relates to the enlargement of the vehicle access which increases the width of the access bell mouth curb line by 2 metres and extended 6 metres further north.

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/3633/19	Details pursuant to conditions 9 (construction method plan) 11 (piped watercourse) 12 (arboriculture) 13 (arboriculture - pruning)	Approved: 06/12/2019
P/3959/19	Creation of 49 additional car parking spaces (inclusive of 2 disabled spaces); replacement of path	Under Consideration
P/0561/20	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	Grant 27/07/2020

4.0 **CONSULTATION**

4.1 A total of 11 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 6th July 2020

4.2 No comments have been submitted 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 Highways No Objection. The proposal would enable access by HGV's into the site to enable construction to take place
LBH Vehicles Crossings Officer 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 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 and Appearance
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): 7.16
- The Draft London Plan (2019): G2
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM16

- 6.2.2 The application site is within the Green Belt. The proposal provides approximately 15m² of additional width to the vehicular access way from the already hard-surfaced pavement and car park which would serve to provide access for the construction of outdoor sport and recreation facilities that have been previously granted planning permission. On this basis, it is considered that the proposal does not constitute inappropriate development within the Green Belt and does not conflict with the purposes of land within it. On this basis, the proposal complies with the relevant policies in this regard.

6.3 Character, Appearance and Heritage

- 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

- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1

6.3.2 The increased width of the vehicular entrance does not have a detrimental impact on the character or appearance of the locality. The proposal is therefore considered to 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): 7.6,
- The Draft London Plan (2019): D2,
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.4.2 The increased width of the vehicular access does allow heavy goods vehicles to enter the site for construction purposes. Given that the vehicular access is sited approximately 22 meters away from the rear gardens of the adjacent residential properties within Birch Park, and the likely use by heavy use goods vehicles would only be temporary, during the construction period, officers consider that the proposal does not have a detrimental impact on the residential amenities of the adjoining occupiers. For these reasons, the proposal complies with the relevant requirements of the policies with regard to residential amenity.

6.5 Traffic and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.3
- The Draft London Plan (2019): T7
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM43

6.5.2 The Council's Highways officer and Road Network Management Officer have raised no objections to the proposal. On this basis, it is considered that the proposal does not have a negative impact on the functioning or safety of the highway. The application therefore complies 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
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

- 6.6.2 The proposal replaces the hardstanding for the existing car-park with that for the enlarged vehicle access. There is therefore no net increase in impermeable surfaces. On this basis, it is considered that the proposal has a neutral impact with regard to drainage. The proposal therefore complies with the relevant policies in this regard.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 6.1 The enlarged vehicle crossover facilitates the safe movement of heavy goods vehicles into the site to allow development associated with implemented planning permission reference P/4748/18 for the upgrading and regrading of existing sports pitches to progress. The enlarged vehicle crossover is not inappropriate development within the Green Belt and has an acceptable impact with regard to character and appearance of the locality, amenity of neighbouring occupiers, highways and drainage.
- 6.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1. Approved Plans and documents

The development hereby permitted shall be retained in accordance with the following approved plans:

T/DWG/001422, OS Plan

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

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 5.3, 5.13, 7.4, 7.6, 7.16

Draft London Plan (2019): H1, D1, D2, G2, T7, SI13,

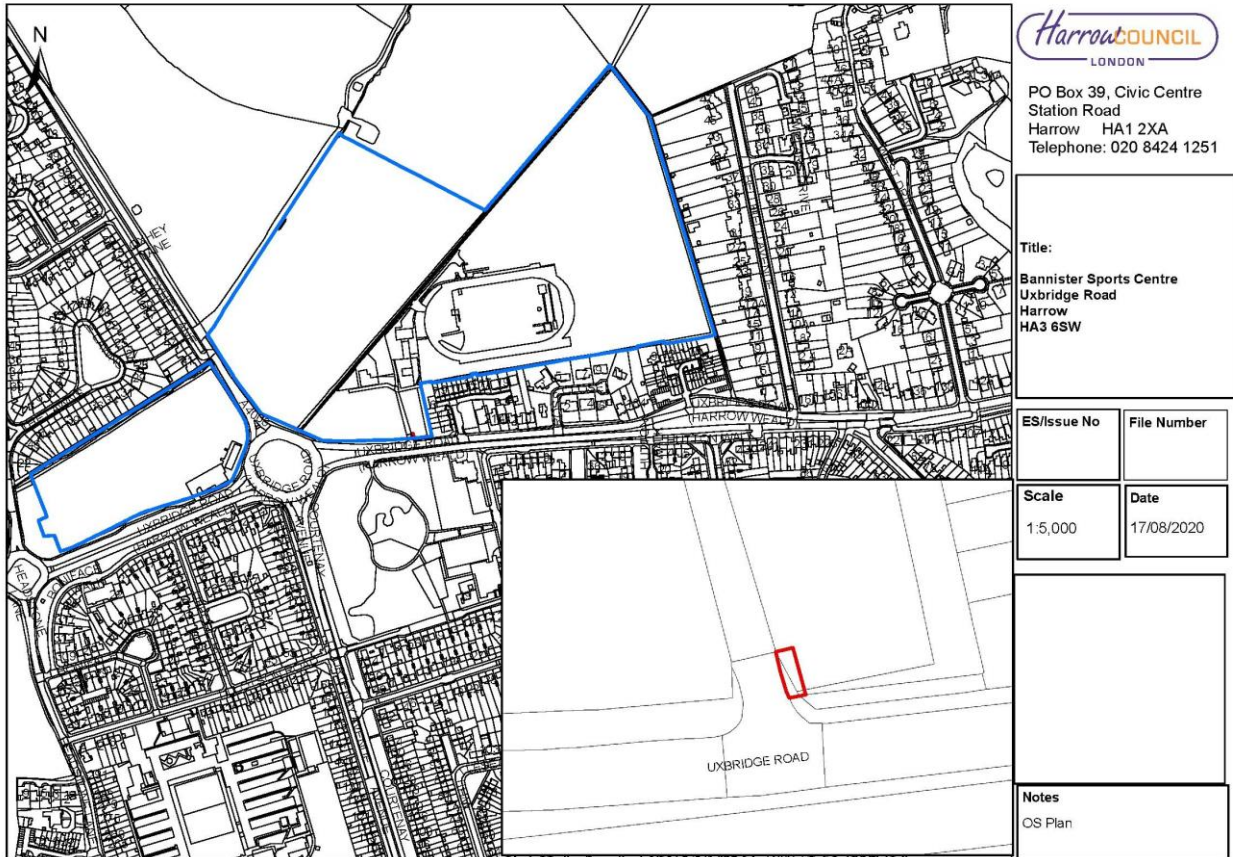
Harrow Core Strategy (2012): CS1,

Development Management Policies (2013): DM1, DM10, DM16, DM43

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar	20.8.20
Corporate Director	Hugh Peart pp Paul Walker	20.8.20

APPENDIX 2: SITE PLAN



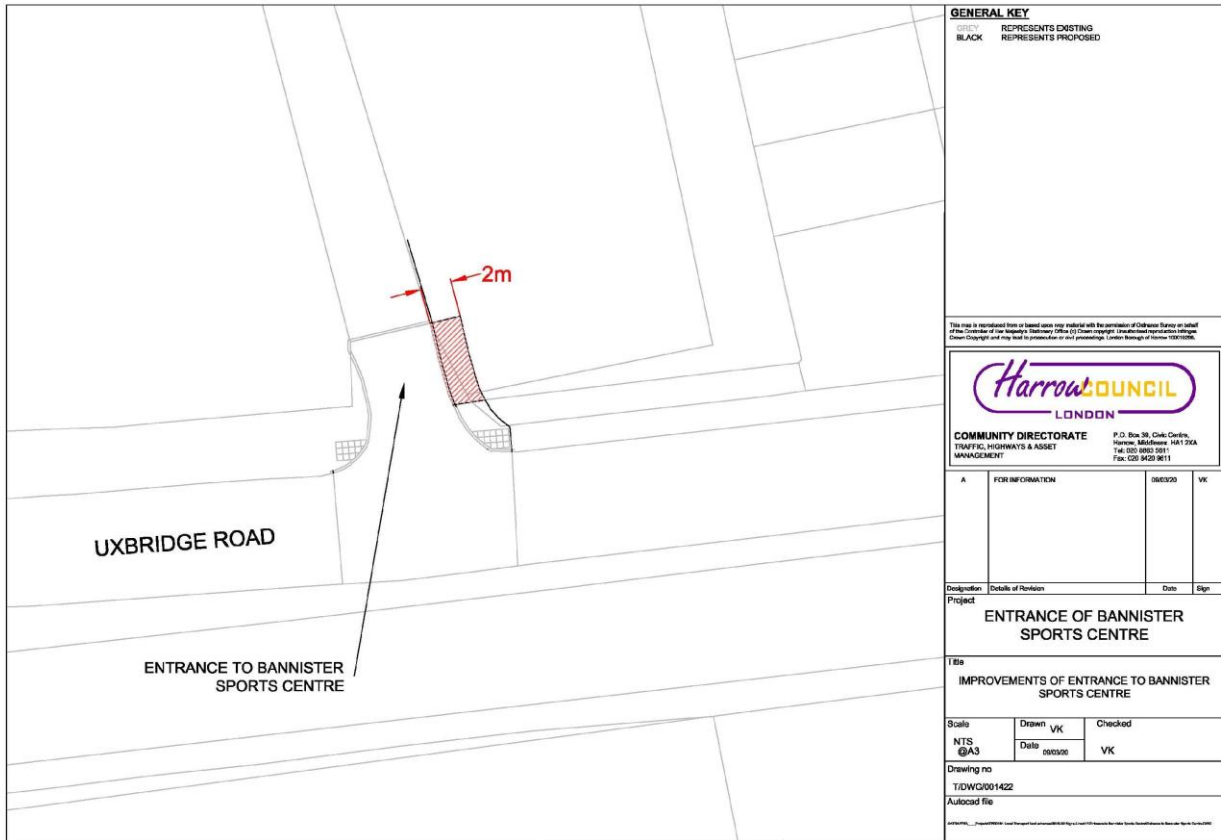
APPENDIX 3: SITE PHOTOGRAPHS

Bannister Main Entrance

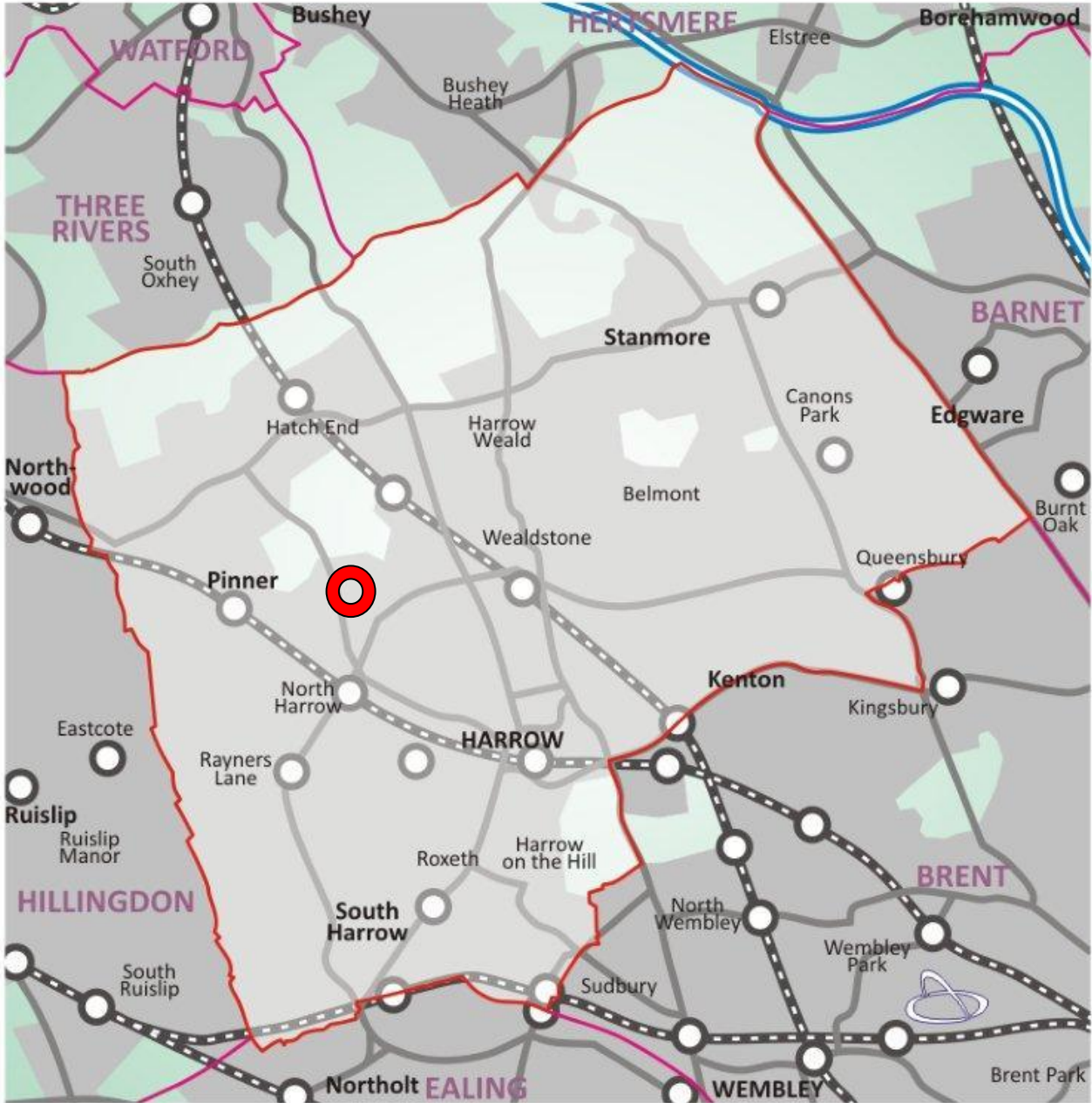




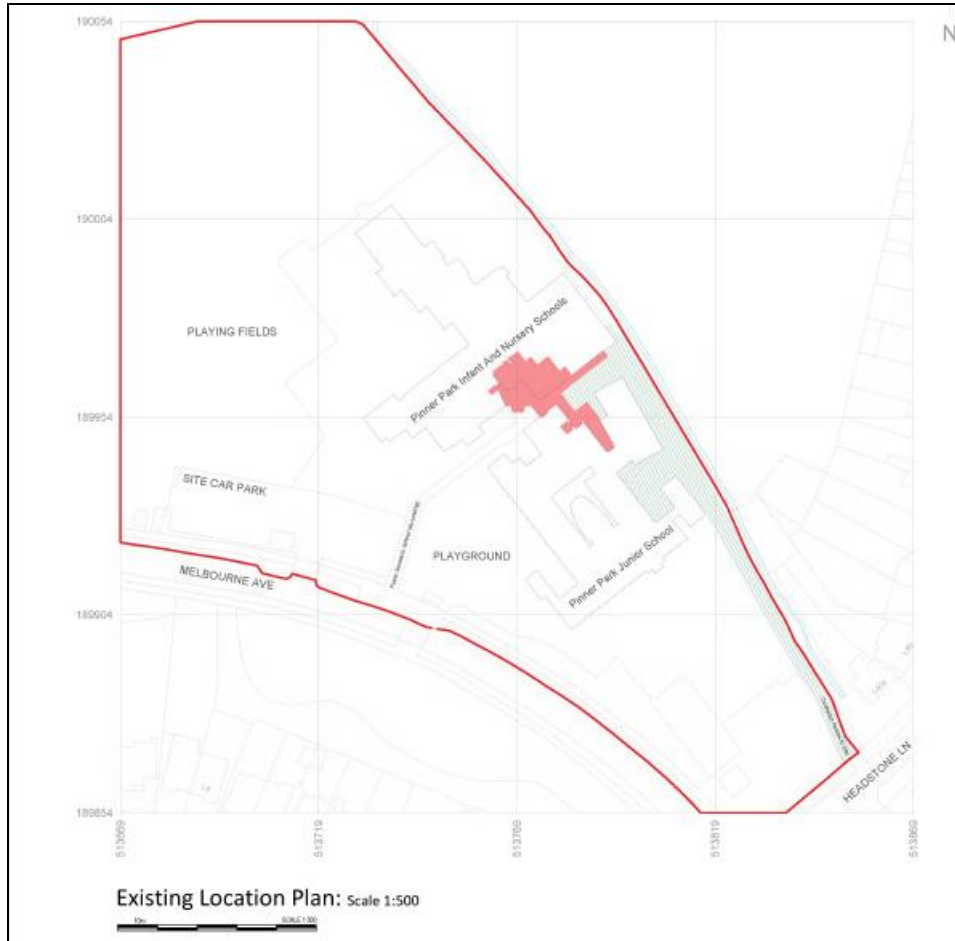
APPENDIX 4: PLANS AND ELEVATIONS



 = application site



Pinner Park Primary School, Melbourne Avenue, Pinner	P/1614/20
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LOCATION PLAN

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1614/20

VALID DATE: 10TH JUNE 2020

LOCATION: PINNER PARK PRIMARY SCHOOL MELBOURNE AVENUE

WARD: HEADSTONE NORTH

POSTCODE: HA5 5TJ

APPLICANT: MR MICK WYNNE

AGENT: EDGE PS

CASE OFFICER: SHAMAL LONDON

EXPIRY DATE: 27th JULY 2020

PROPOSAL

The development proposes a single storey front and side extension to sports hall building.

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: 120 sqm
GLA Community N/A
Infrastructure Levy (CIL)
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

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 subject site is situated within the district of Harrow and is located on the northern side of Melbourne Avenue. The schools two buildings currently separate the infant and Junior Schools.
- 1.2 The site consists of a variety of one and two storey educational buildings, a car park, playgrounds and playing fields.
- 1.3 The subject site is identified within surface water flood zone 3a & 3b as well as a critical drainage area, the site is at a high risk of flooding.

2.0 PROPOSAL

- 2.1 The application proposes the construction of a single storey linked extension to facilitate a corridor between infant and junior school which would form part of an enlarged reception. The development would also include other internal alterations to the host building.
- 2.2 It would see ramped access in the internal link corridor. The proposed extension would comprise a mono-pitched roof over the main reception section with the remaining link extension being flat roofed.
- 2.3 It is proposed to re-use most of the existing glazed curtain walling to the current reception entrance on the proposed new reception entrance. The remaining extension would be constructed in brickwork and windows to match the existing character of the existing school.
- 2.4 The area of the proposed building would result in an additional floor space of approximately 120m².

3.0 RELEVANT PLANNING HISTORY

- 3.1 None

4.0 CONSULTATION

- 4.1 A total of 24 consultation letters were sent to neighbouring properties regarding this application.

- 4.2 The overall public consultation period expired on 8th July 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.

LBH Drainage

Note that the site is identified within surface water flood zone 3a & 3b according to our surface water flood maps. The site is at a high risk of flooding.

Can confirm that all additional information submitted regarding flooding and drainage are satisfactory.

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 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
- 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 Policies Local Plan (2013): DM1, DM46 and 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 extension would provide additional circulation space for the school, rather than additional classrooms. 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 The proposal would not harm the ability of the site to continue as an educational institution, it is considered to be in accordance with policy 3.18 of the London Plan, S3 of the Intend to Publish Draft London Plan and Development Management Policies Local Plan (2016) and in line with Policy DM46 of the Development Management Policy.

6.3 Character and Appearance of the Area

6.3.1 The relevant policies are:

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

6.3.2 The proposed development would be sited within the middle of the school complex and would link the two existing buildings. Being single storey the proposal 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 compete nor detract from the surrounding buildings and would not be an incongruous nor intrusive form of development, as outlined within the design and access statement supporting document.

6.3.4 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of Pinner Park Primary 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, policies D1 and D4 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): 7.4B
- The Draft London Plan (Intend to Publish Version) (2019): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.4.2 Due to its siting and modest design, it is considered that it would have no undue impact on neighbouring amenity of the area. Given the nature of the development being largely buffered by the host building it would not unduly impact on the residential amenity of neighbouring properties.

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.

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 (Intend to Publish Version) (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.5.2 Part of the application site is sited within Surface Water Floodzone 3a and 3b and therefore the site is at a high risk of flooding. The Drainage Authority has been consulted regarding the proposal and had initially raised objection these have been since revised to which the Drainage engineer stated were satisfactory as such there are no objections to the proposal. Therefore, the proposal would be considered to be acceptable in relation to drainage and flood risk considerations.

7.0 CONCLUSIONS 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, completed and retained in accordance with the following approved plans and document: Thames Water Supporting Letter Dated 01.05.2020; 100428_01_0800_01.1 Revision T01; 100428_01_0800_01.2 Revision T01; 19-187-PSRE-01; 19-187-PSRE-04; 19-187-PSRE-02; 19-187-PSRE-05; 19-187-PSRE-06; 19-187-PSRE-07; 19-187-PSRE-08; Pinner Park School, Harrow Flood Risk Assessment and Drainage Strategy; 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 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

3.18 Education Facilities

7.4 Local Character

7.6 Architecture

Draft London Plan Intend to Publish Version 2019

D1 London's form and characteristics

D3 Inclusive Design

S3 Education and childcare facilities

The 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.

2. 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.

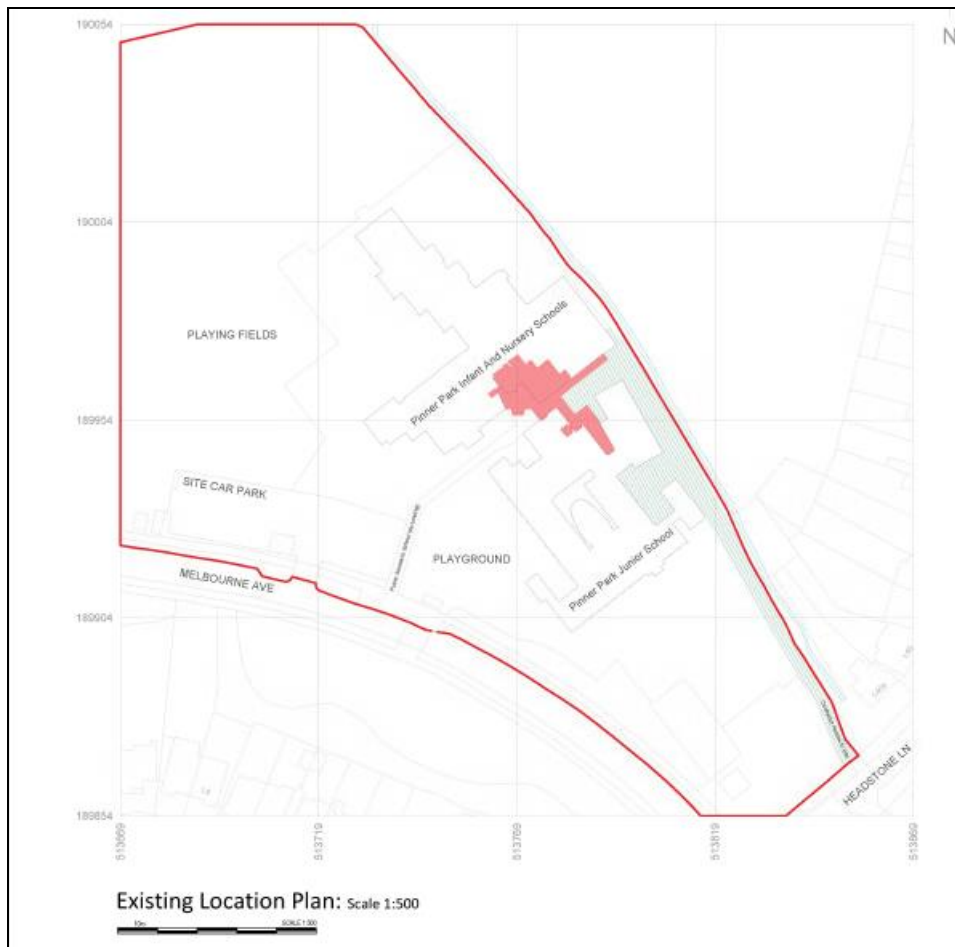
7. Damage to Highway

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 Beverly Kuchar 20.8.20
Corporate Director	Hugh Peart pp Paul Walker 20.8.20

APPENDIX 2: LOCATION PLAN



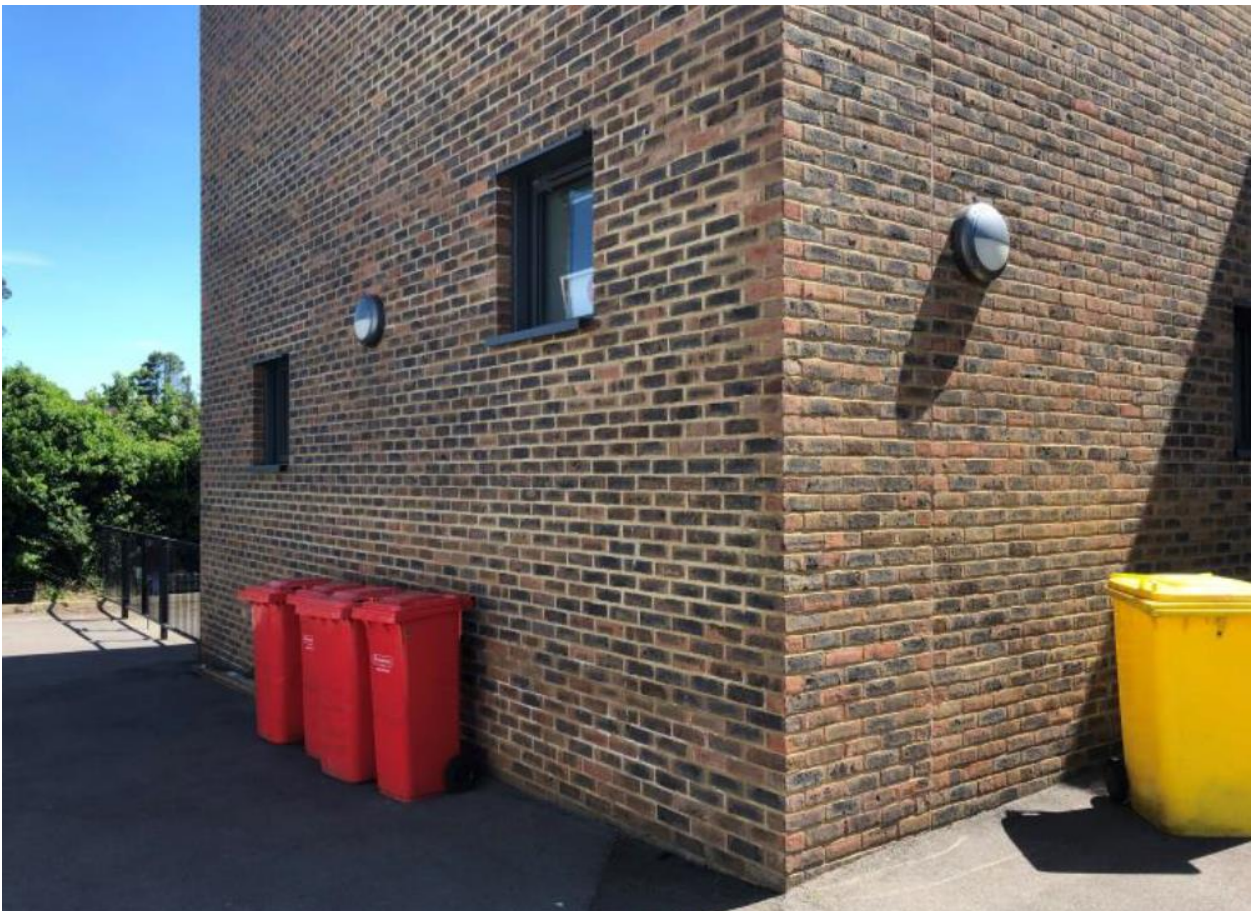
APPENDIX 3: SITE PHOTOGRAPHS













APPENDIX 4: PLANS AND ELEVATIONS



Figure 1 Demolition Plan

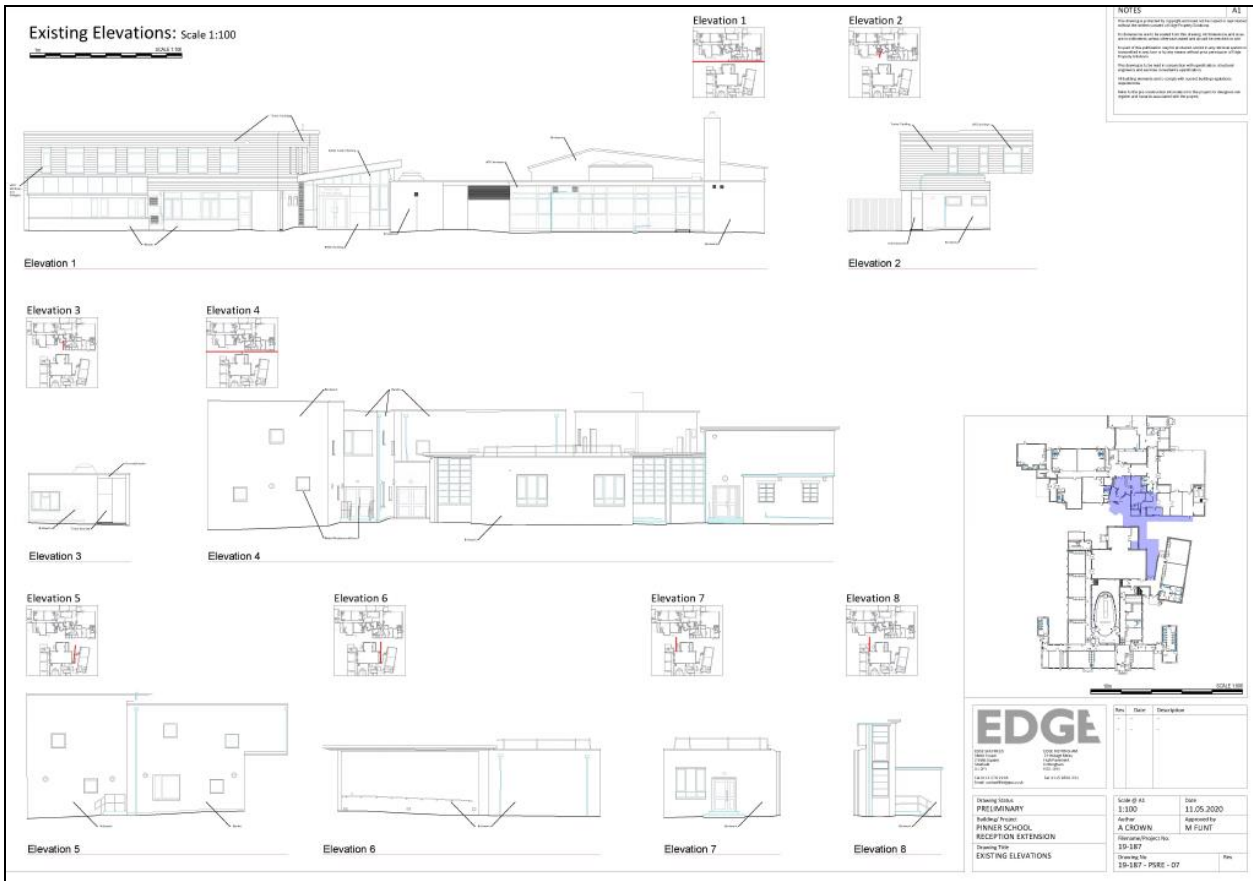


Figure 2 Existing Elevations



Figure 3 Existing Floor Plans

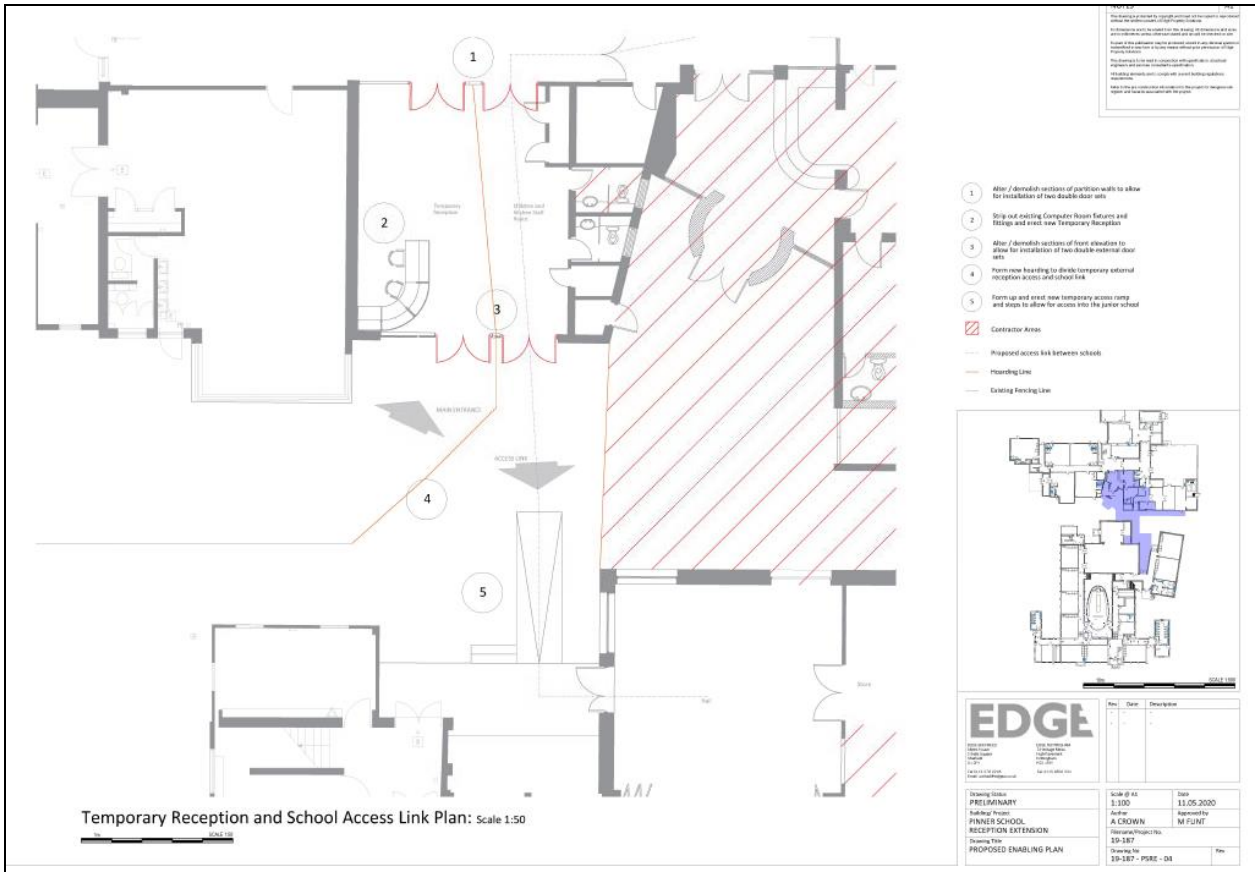


Figure 4 Temporary Reception and School Access Link Existing floor plans

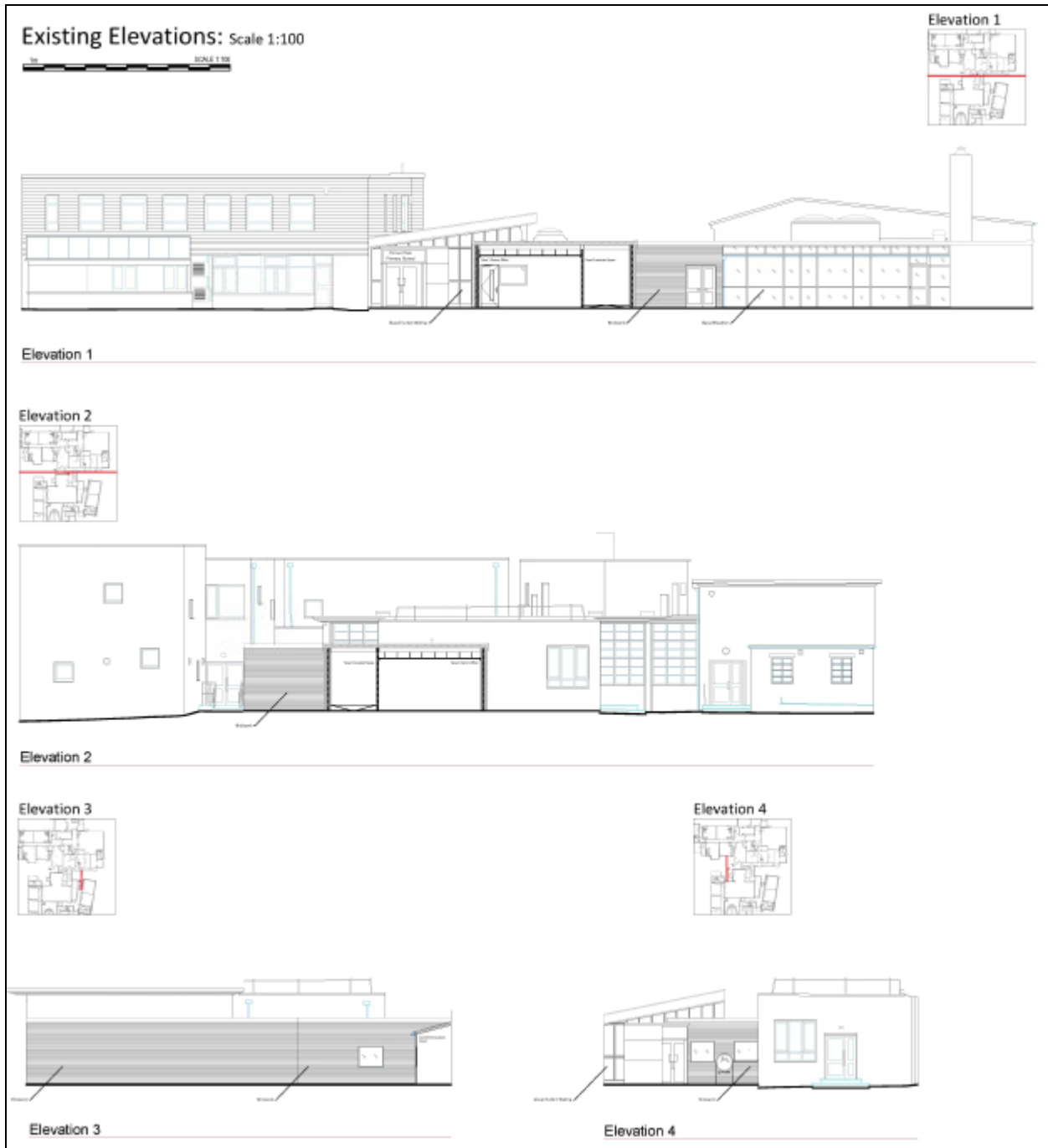


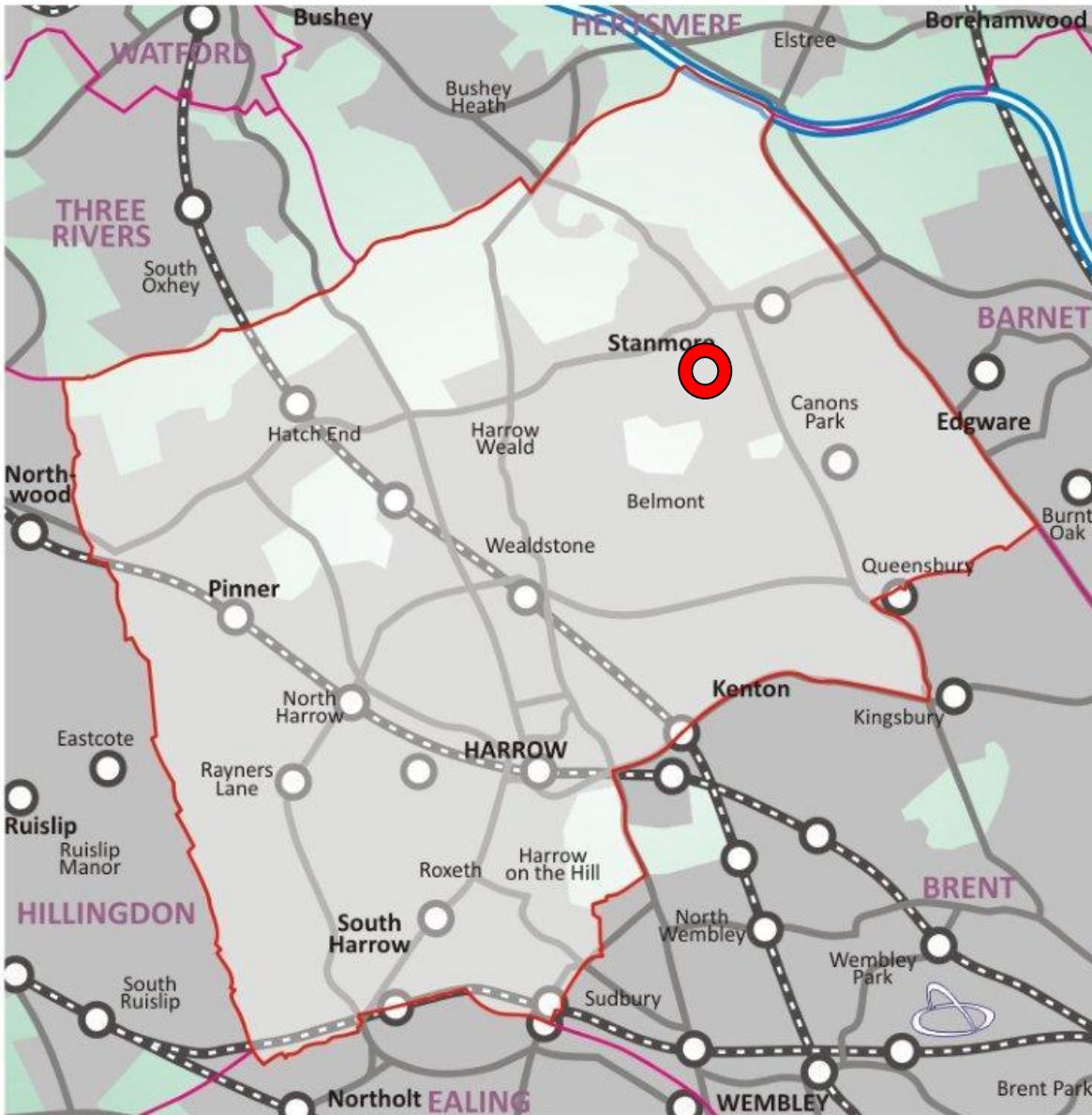
Figure 5 Existing Elevations



Figure 6 Proposed Floor Plan

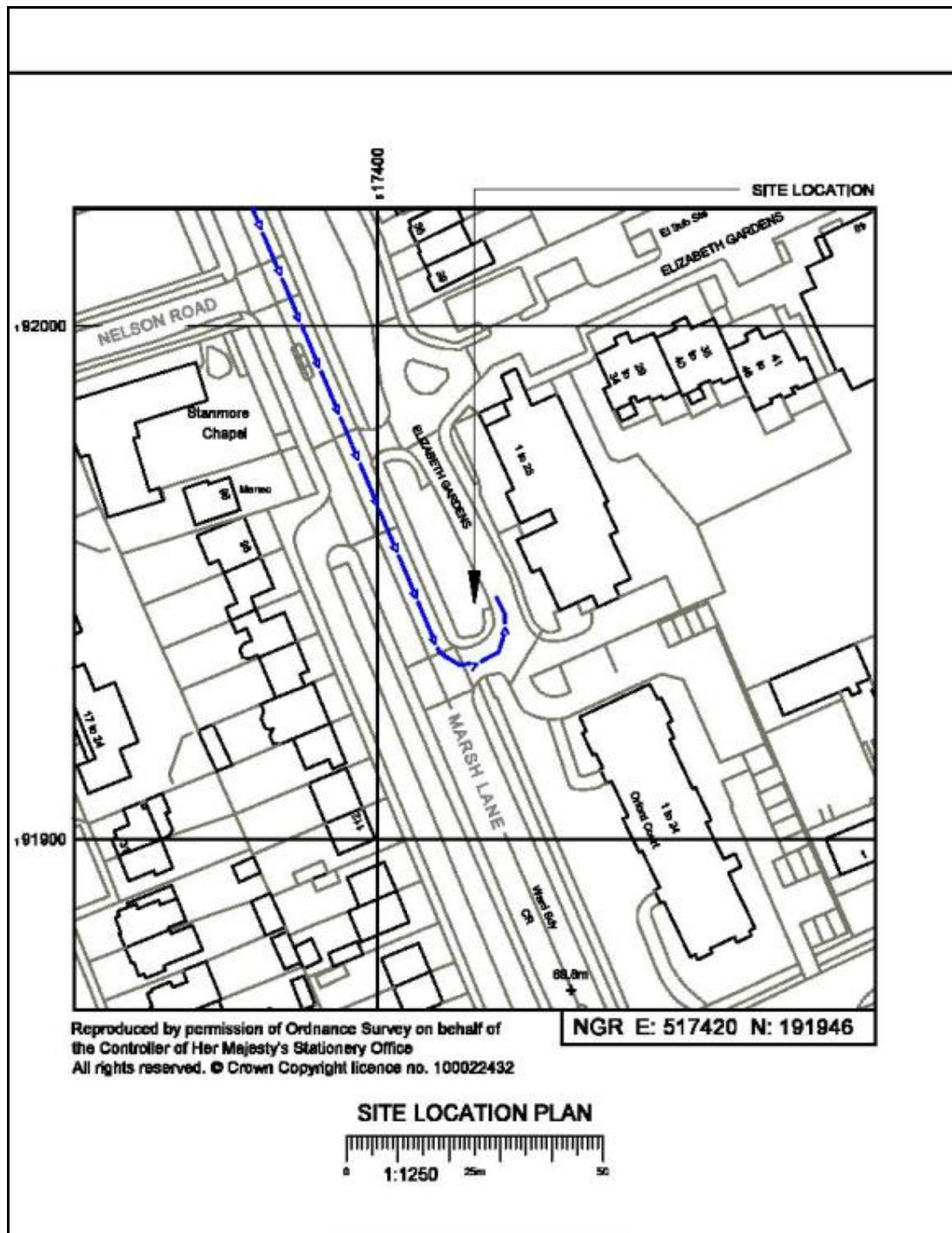
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 = application site



Street Record, Elizabeth Gardens, Stanmore	P/2408/20
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/2408/20
VALID DATE: 5th AUGUST 2020
LOCATION: VERGE FRONTING 1-28 ELIZABETH GARDENS
ADJACENT TO INTERSECTION WITH MARSH
LANE, STANMORE
WARD: CANONS
POSTCODE: N/A
APPLICANT: Hutchison 3G UK Limited
AGENT: Chris Weir
CASE OFFICER: WILL HOSSACK
EXPIRY DATE: 7th SEPTEMBER 2020

PROPOSAL

Prior Approval Of Details And Siting For Installation Of 20M High Phase 8 Monopole With Wraparound Cabinet At Base; Three Equipment Cabinets And Associated Works For 5G Network

RECOMMENDATION

The Planning Committee is asked to:

- 1) Grant prior approval of details of siting and appearance for the development described in the application and submitted plans.

REASON FOR THE RECOMMENDATION

The proposed impact of the proposal, despite the height of the 20m high monopole, would not be considered to be of significant detriment to the character appearance of the area nor residential amenities. This is due to the existing local context provided by its siting including the partial screening of trees and street furniture, and the presence of existing telecommunications equipment in close proximity to the application site. The proposal therefore accords with the Harrow Development Management Policies Local Plan as its siting minimises its impact on the area, whilst providing a significant public benefit. The demonstration of the unsuitability of alternative site also adds weight, in accordance with the NPPF, to the proposal. Having regard to the strong weight attached to telecommunications development outlined in the NPPF, it is considered on balance the proposal would not result in unreasonable harmful impacts on the character and appearance of the area. Accordingly, prior approval is required and is recommended for grant

INFORMATION

This application is reported to Planning Committee at the request of 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:	E29
Council Interest:	Adopted Highway
Net additional Floorspace:	N/A
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 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

- 1.2 The subject site comprises a traffic island separating Marsh Lane (A4140) and Elizabeth Gardens. The traffic island is adopted highways land.
- 1.3 The traffic island contains a deep grass verge and contains three trees. Traffic islands are a recurring feature in the immediate locality (when heading north-west along the A4140). A three storey block of flats, no's 1 to 28 Elizabeth Gardens is sited to the north east of the island.
- 1.4 The traffic island which pertains to the subject application is adjacent to a public footpath and is also adjacent to a bus stop.
- 1.5 The adjacent traffic island (sited to the north-west) contains existing telecommunications equipment currently operated by a different telecoms operator.

2.0 PROPOSAL

- 2.1 The proposal seeks to install a 20m high phase 8 monopole with wraparound cabinet at base; three equipment cabinet and associated works for 5G network.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history relating to the application site

4.0 CONSULTATION

- 4.1 A total of 300 consultation letters were sent to neighbouring properties regarding this application.
- 4.3 The statutory public consultation period expires on 2nd September 2020 and 4 objections were received and are summarised below. Any additional comments submitted after the agenda of the Planning Committee is published will be reported to the Planning Committee in the addendum.

Summary of Comments

Character and appearance / Residential Amenities

Proximity to local residences and nursing home; Alternative site should be sought; Impact of siting behind trees and within the grass verge would eclipse the tree line and damage to the detriment of the area; Existing telecommunications equipment in the locality is already a detriment to the area erection of further equipment will change character of the street; Excessive height of the proposal;

Officer response: The proposal has provided documentation which detail the inappropriate nature of other sites in the locality. It is considered the proposed siting of the telecommunications mast would be the most appropriate of the all

potential locations due to the screening offered by surrounding trees and the established presence of the existing telecommunications equipment in close proximity. Although the height of the telecommunications would eclipse the tree line, the 20m height of the proposal is the minimum height required to facilitate the required 5G services. It is considered the limited visual intrusion this causes would be significantly outweighed by the public benefit of 5G provision in the area and its siting is in an area considered to cause the least amount of harm to the character and appearance of the locality.

Other issues:

Health Impacts of 5G; Total Health Impacts are still to be ascertained

Officer response: The National Planning Policy Framework (2019) states that Local Planning Authorities should limit their assessment of communication infrastructure to planning grounds only, explicitly they should not set health safeguards different from the International Commission guidelines for public exposure. The NPPF further states that applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported when a statement is provided that self-certified that, when operational International Commission guidelines will be met. The application has submitted a statement declaring conformity with the International Commission On Non-ionising Radiation Protection (ICNIRP) guidelines once operational. It is therefore considered within the scope of the planning process the proposal has provided the relevant declaration to not be considered to have an adverse effect on health.

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

The proposal would not cause any loss of visibility for vehicular users of the highway and ergo would not raise any highway safety concerns.

5.0 POLICIES

5.1 This application has been made under Part 16 of Schedule 2, of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This requires the developer, *inter alia*, to submit to the local planning authority for prior approval as to the siting and appearance of the equipment.

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.

6.0 ASSESSMENT

- 6.1.1 The main issues are:

Telecommunications Development
Compliance with ICNIRP guidance
Character of the Area and Visual Amenity
Highway Safety

6.2 Telecommunications Development

The relevant policies and legislation are:

- The National Planning Policy Framework (2019)
- Harrow Development Management Policies (2013): DM49
- The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 16, Class A.

- 6.2.1 The public benefit of the proposal would be enabling 5G coverage to an area identified as a 'coverage hole' by the operator. This accords with policy guidance in the NPPF which highlights the importance of high quality communications infrastructure, both for sustainable economic growth and to enhance local community facilities and services. In justifying a location for a new mast or base station, the NPPF states that applicants should provide evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure. The subject application has provided and complied with all the necessary prerequisites pertaining to the prior approval process (including serving notice to the Highway Authority, who own the application site land) and as such subject to prior approval in regards to its siting and appearance, the subject application would be considered Permitted Development.

- 6.2.2 The application has provided supporting documents detailing the suitability of the application site in relation to other possible sites in the locality. The submitted documents state all identified sites where areas which would provide coverage to the targeted areas for the operators and that existing base stations are not capable of supporting additional required equipment. It also notes that recent 5G technology requires monopoles to have a minimum height of 20m in order to operate.
- 6.2.3 The proposed siting of the mast in alternative residential locations would be considered significantly detrimental in terms of its impact to the locality with no existing telecommunications equipment or screening available. The application has also stated the existing telecommunications installation, in the immediate locality, is not capable of being shared with the operator.
- 6.2.4 It is considered the justification disregarding alternatives sites can be sustained in terms of their impact to siting and appearance. As such, this contributes significantly to the justification of the proposed site, as it would cause the least amount of visual intrusion in terms of impact to character and appearance whilst providing a significant public benefit.
- 6.2.5 The subject application has provided and complied with all the necessary prerequisites pertaining to the prior approval process as per Schedule 2, Part 16, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This includes serving notice to the Highway Authority, who own the application site land and as such, subject to prior approval, in regards to its siting and appearance the subject application would be considered Permitted Development.

6.3 Compliance with ICNIRP

- 6.3.1 The relevant policies are:
- National Planning Policy Framework (2019)
- 6.3.2 Paragraph 116 of The NPPF explicitly states: *“Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.”* The application is supported by a declaration of ICNIRP conformity (dated 26/06/2020) and as such it is considered the proposal is acceptable in this regard. Compliance with ICNIRP guidance is monitored and further enforced by regulators outside of the planning process.

6.4 Character and Appearance of the Area / Visual Amenities

- 6.4.1 The relevant policies are:
- The National Planning Policy Framework (2019)
 - Harrow Development Management Policies (2013): DM1, DM49
 - Harrow Core Strategy (2012): CS1

- The London Plan (2016): 7.4, 7.5, 7.6
- The London Plan (2019) – Intend to Publish: D1, D3

- 6.4.2 The application site proposes the equipment to be sited on a traffic island adjacent to the A4140. The traffic island contains existing trees, and is adjacent to street furniture. There is an adjacent traffic island sited to the north-west of the application site which contains existing telecommunications equipment consisting of a mast and radio equipment housing (approx. 45m away from the application site).
- 6.4.3 It is acknowledged the height of the telecommunications mast would eclipse the height of the surrounding trees and adjacent block of flats at 20m, however, the height of 20m is the minimum height requirement in order to provide capacity for 5G technology. Recent appeal decisions which have been allowed in the borough (Appeal ref. number APP/M5450/W/20/3245964 (Land adjacent to 354 High Road, Harrow Weald, London, HA3 6HF) and APP/M5450/W/19/3242580 (Highway Verge, Uxbridge Road, Harrow Weald, Harrow, HA3 6SS) have found the impact of 20m masts to be acceptable in their own right. The Planning Inspectors noted that despite the increase in height from previous telecommunications equipment, which would have some visual impact, this would be offset by the slim design of the 20m high masts. In the former appeal decisions, the Planning Inspector also placed weight on the locality already exhibiting other telecommunications equipment in the absence of any screening. This has been duly considered in the determination of this application. In the allowed appeal APP/M5450/W/19/3242580, the Inspector attached weight to the buffer that would be provided by trees, despite the proposal being fully visible from several vantage points.
- 6.4.4 The visual impact of the proposal would be consistent with the aforementioned appeal decisions due to its siting and appearance. The mast would be sited within the traffic island, surrounding street furniture and tree cover offering partial screening. It is also noted the mast would have a backdrop of the three storey block of flats when viewed from the footpath. The proposed radio equipment housing cabinets would be of limited size and would be considered acceptable being within the surrounding street furniture. When viewed in this context it is considered there is limited harm caused to the character and appearance of the area.
- 6.4.5 The mast would also be clearly visible when viewed from the adjacent block of flats no's 1 to 28 Elizabeth Gardens (when facing south-west on Elizabeth Gardens), however, as discussed above the relatively slim design of the mast would not be considered to be a significantly visually intrusive form of development. The presence of existing equipment at the adjacent traffic island provides a context where the proposal would not be incongruous to the area.
- 6.4.6 It is acknowledged the proposal is sited 10m away from the principal elevation of the adjacent block of flats and that Policy DM49 requires assessment of not only impact to character and appearance of the area but also to residential amenities. The siting of the monopole is sited to be in between the panels of glazing and not directly in front of adjacent windows. Furthermore, the siting of the mast to the

south-west of the block of flats means the occurrence of overshadowing from the mast would be extremely limited and the width of the mast (spanning approx.0.4m) would cast modest shadows in any case. The flats potentially affected are served by multiple window panels and the limited impact would not be deemed to be of significant detriment to the residential amenities of the adjacent residence.

- 6.4.7 The alternative sites were primarily identified in purely residential areas of roads including Sandymount Avenue, Charlbury Avenue, Du Cros Drive and Merryfield Gardens. It is considered the siting of the proposed telecommunications equipment in these areas would offer little to no screening and due to their primarily residential character (dominated by two-storey high semi-detached dwellinghouses) the proposal would be significantly incongruous and more visually intrusive in these areas, than its impact on the current application site.
- 6.4.8 Overall, it is considered the proposal has identified the most appropriate siting for the proposed telecommunications equipment which offers existing context of similar development whilst providing partial screening of the proposal, its siting and appearance is considered acceptable in this regard. Although the height of the proposed mast would provide some visual intrusion to the area, on planning balance, it is considered the limited harm to the character and appearance of the area and the visual/residential amenities of neighbouring occupiers would be outweighed by the principal public benefit of providing upgraded services to the local area.

6.5 Highway Safety

- 6.5.1 The relevant policies are:
- The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Article 3 Paragraph 6
- 6.5.2 The councils Highway Authority were consulted during the course of the application and asked to verify ownership of the application site. The Highway Authority confirmed the application site falls within the Adopted Highway. The application has provided a copy of developers notice served to the Highway Authority prior to the submission of the application and as such complies with paragraph A.3(2)(a) of the GPDO.
- 6.5.3 The Highways Authority also provided comment on whether the proposal would create an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons. The Highway Authority raised no objection in this regard and as such the proposal complies with Article 3 Paragraph 6 of the GPDO and subject to prior approval would be considered Permitted Development.

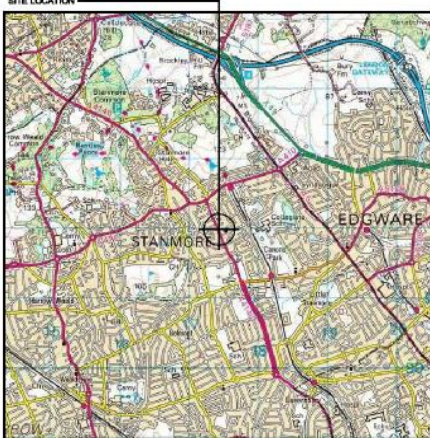
7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed impact of the proposal, despite the height of the 20m high monopole, would not be considered to be of significant detriment to the character appearance of the area nor residential amenities. This is due to the existing local

context provided by its siting including the partial screening of trees and street furniture, and the presence of existing telecommunications equipment in close proximity to the application site. The proposal therefore accords with the Harrow Development Management Policies Local Plan as its siting minimises its impact on the area, whilst providing a significant public benefit. The demonstration of the unsuitability of alternative site also adds weight, in accordance with the NPPF, to the proposal. Having regard to the strong weight attached to telecommunications development outlined in the NPPF, it is considered on balance the proposal would not result in unreasonable harmful impacts on the character and appearance of the area. Accordingly, prior approval is required and is recommended for grant.


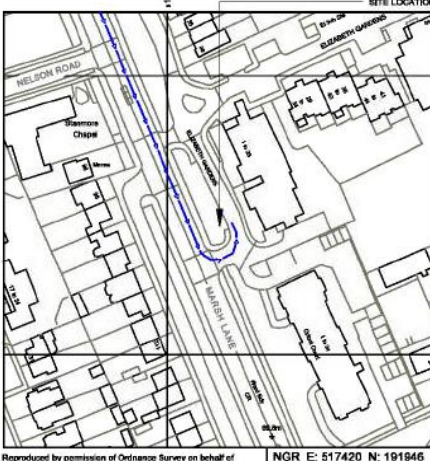
APPENDIX 1: INFORMATIVES

APPENDIX 2: SITE PLAN



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SITE AREA PLAN
0 1:50,000 2





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SITE LOCATION PLAN
0 1:1250 20

NGR E: 517420 N: 191846

NOTE:
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.


Access Route To Site: 

REV	MODIFICATION	BY	CHK	DATE



Hutchinson 3G UK Limited
1st Floor, 11 Oxford Street
London, W1D 1BN
Tel: 020 7593 9000
Fax: 020 7593 9001
100 New Street, Birmingham B1 1NL
0800 020 0202
Available from Open Monday to Friday

Design Consultant & Principal Contractor:



Group British Commercial Builders
1st Floor, 11, Oxford Street
London, W1D 1BN
Tel: 020 7593 9000
www.gbcgroup.co.uk

Site Name: ELIZABETH GARDENS SW

SUR Cell ID: HRW13036

Address: ELIZABETH GARDENS
STANMORE
HARROW
LONDON
HA7 4TE


Site: 002 SITE LOCATION PLAN

Plan: H3G UNILATERAL SW


Purpose of Issue: **PLANNING**

Scale: -

Drawing No: HRW13036_PLANNING_REV_A Sheet A

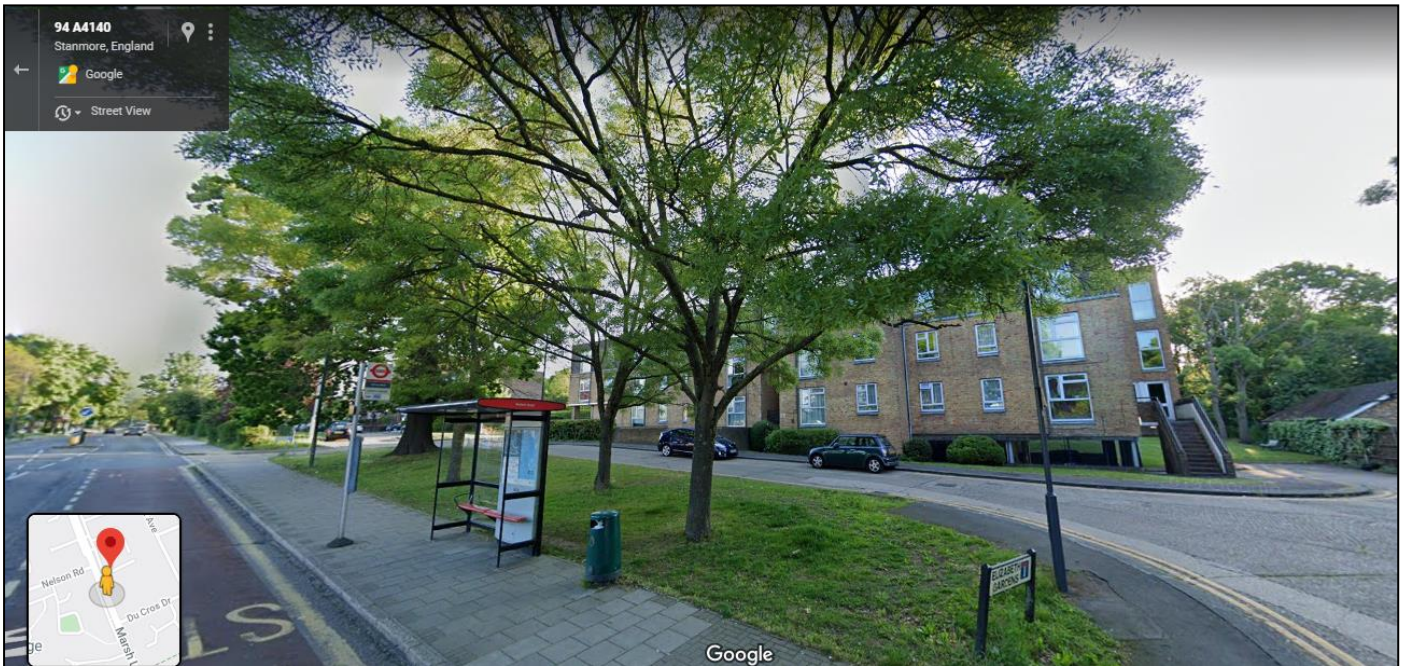


SITE PHOTOGRAPH



GOOGLE MAPS QR CODE
GOOGLE MAPS - <https://goo.gl/maps/UNW9mLkc1NzYx1o47>
STREETVIEW - <https://goo.gl/maps/b7enXxxB8mwuFsEi6>

APPENDIX 3: SITE PHOTOS

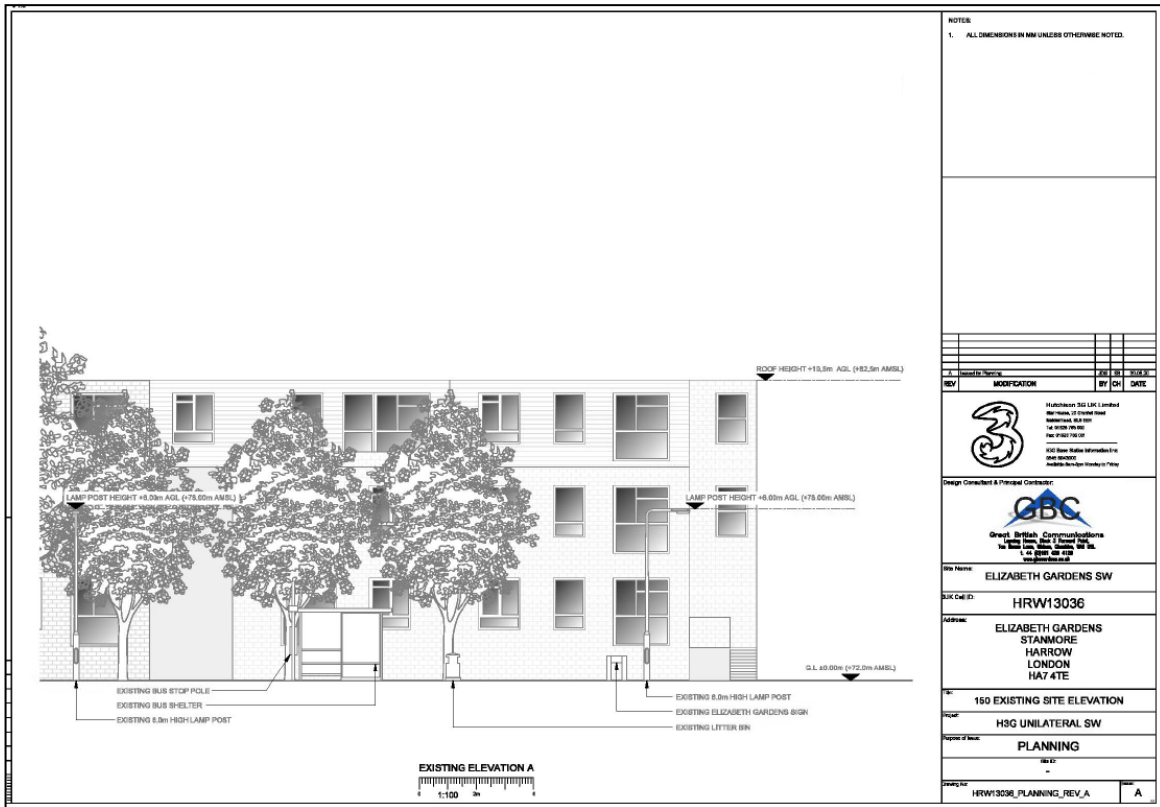


Street View Imagery Application Site (Dated May 2019)



Street View Imagery Application Site (Dated April 2018)

APPENDIX 4: PLANS AND ELEVATIONS



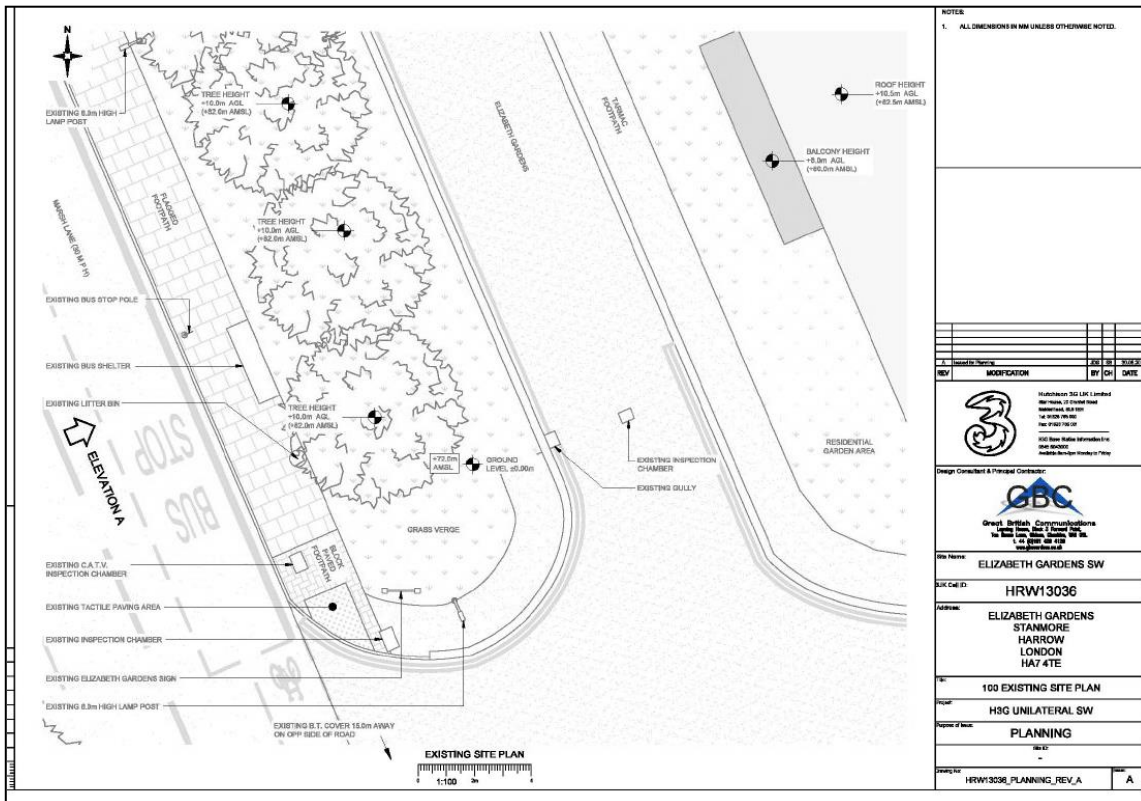
NOTES
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

REV	DESCRIPTION	BY	CHK	DATE
3	MODIFICATION			

Hatchedwood 302 Ltd Limited
 14, WOOD WALK
 100 New North Woodside
 Harewood, Leeds LS17 7DQ

Great British Communications
 14, WOOD WALK, 100 NEW NORTH WOODSIDE
 HAREWOOD, LEEDS LS17 7DQ

Site Name: ELIZABETH GARDENS SW
 SJK Cell ID: HRW13036
 Address: ELIZABETH GARDENS STANMORE HARROW LONDON HA7 4TE
 150 EXISTING SITE ELEVATION
 H3G UNILATERAL SW
 PLANNING
 HRW13036_PLANNING_REV_A



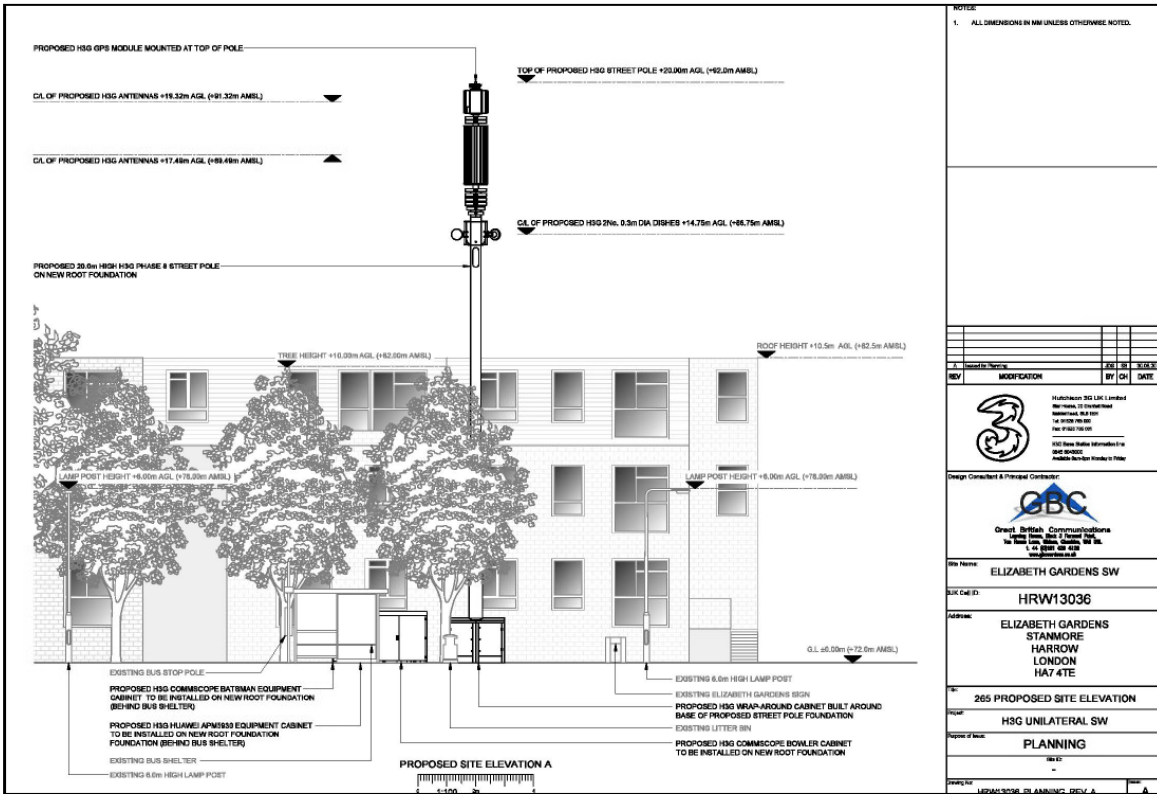
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Hatchedwood 302 Ltd Limited
 14, WOOD WALK
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 Harewood, Leeds LS17 7DQ

Great British Communications
 14, WOOD WALK, 100 NEW NORTH WOODSIDE
 HAREWOOD, LEEDS LS17 7DQ

Site Name: ELIZABETH GARDENS SW
 SJK Cell ID: HRW13036
 Address: ELIZABETH GARDENS STANMORE HARROW LONDON HA7 4TE
 100 EXISTING SITE PLAN
 H3G UNILATERAL SW
 PLANNING
 HRW13036_PLANNING_REV_A

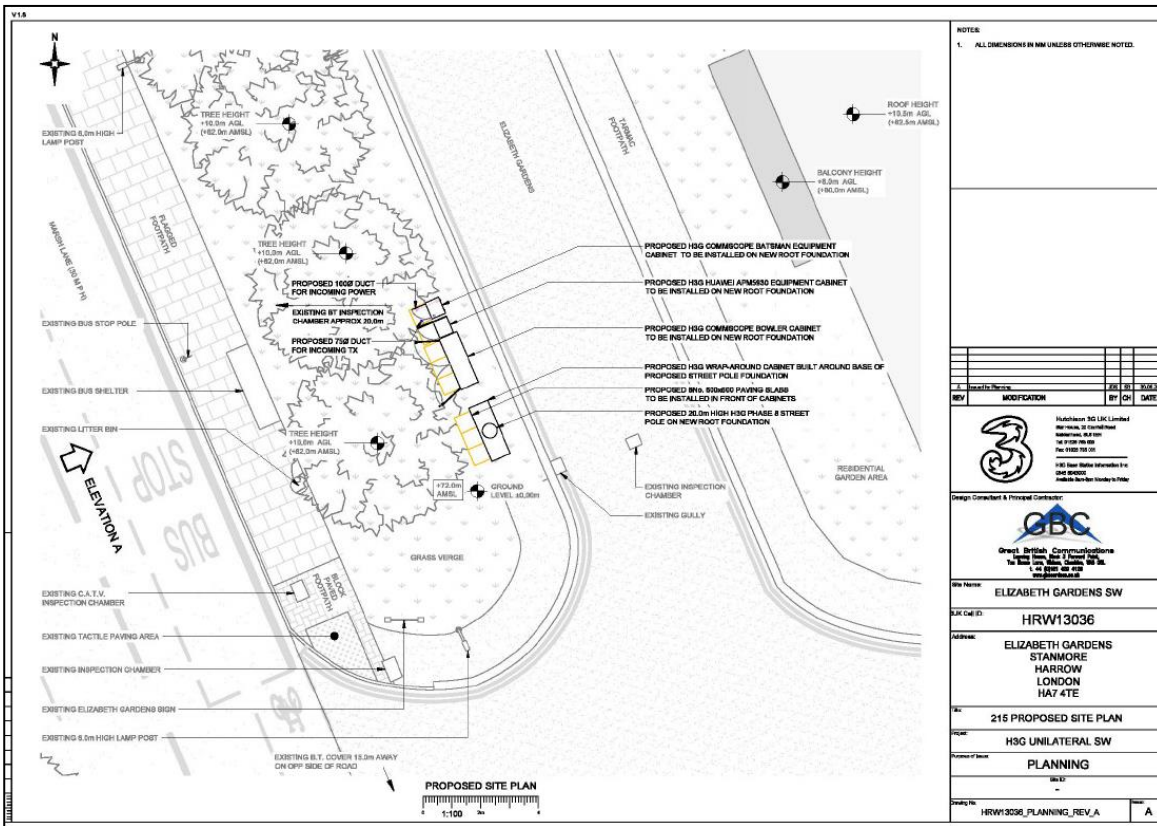


NOTES:
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

REV	DESCRIPTION	BY	CHK	DATE

Design Consultant & Principal Contractor:
3
QBC
Orsted British Communications Ltd
1st Floor, 250, Cannon Street, London EC6A 3DF
Tel: +44 (0)20 7553 5000
Fax: +44 (0)20 7553 5001
www.qbc.com

Site Name: ELIZABETH GARDENS SW
BLK Call ID: HRW13036
Address: ELIZABETH GARDENS STANMORE HARROW LONDON HA7 4TE
BL: 265 PROPOSED SITE ELEVATION
PC: H3G UNILATERAL SW
Project of Name: PLANNING
Sheet: -
Drawing No: HRW13036_PLANNING_REV_A



NOTES:
1. ALL DIMENSIONS IN MM UNLESS OTHERWISE NOTED.

REV	DESCRIPTION	BY	CHK	DATE

Design Consultant & Principal Contractor:
3
QBC
Orsted British Communications Ltd
1st Floor, 250, Cannon Street, London EC6A 3DF
Tel: +44 (0)20 7553 5000
Fax: +44 (0)20 7553 5001
www.qbc.com

Site Name: ELIZABETH GARDENS SW
BLK Call ID: HRW13036
Address: ELIZABETH GARDENS STANMORE HARROW LONDON HA7 4TE
BL: 215 PROPOSED SITE PLAN
PC: H3G UNILATERAL SW
Project of Name: PLANNING
Sheet: -
Drawing No: HRW13036_PLANNING_REV_A

APPENDIX 5: APPEAL DECISIONS



The Planning Inspectorate

Appeal Decision

Site visit made on 18 February 2020

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State.

Decision date: Tuesday, 31 March 2020

Appeal Ref: APP/M5450/W/19/3242580

Highway verge, Uxbridge Road, Harrow Weald, Harrow, HA3 6SS.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by MBNL (EE UK Ltd and HG3 UK Ltd) against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3174/19, dated 16 July 2019, was refused by notice dated 10 September 2019.
 - The development proposed is the installation of a 20m monopole, 12 no antenna apertures, equipment cabinets, the removal of the existing 11.7m monopole, 3no antennas, redundant equipment cabinets and development ancillary thereto.
-

Decision

1. The appeal is allowed, and planning permission granted for the installation of a 20m monopole, 12 no antenna apertures, equipment cabinets, the removal of the existing 11.7m monopole, 3 no antennas, redundant equipment cabinets and development ancillary thereto at the highway verge, Uxbridge Road, Harrow Weald, Harrow, HA3 6SS, in accordance with planning application P/3174/19, dated 16 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be completed in accordance with details supplied with the application: declaration of conformity with ICNIRP dated 2019/07/12; supplementary information dated 16 July 2019; covering letter dated 12 June 2019; Plan No 002 Site Location Plan, issue C; Plan No 100 Existing Site Plan, issue C; Plan No 150 Existing Elevation, issue C; Plan No 215 Max Configuration Site Plan, issue C; Plan No 265 Max Configuration Elevation, issue C.
 - 3) The electronic communications apparatus provided in accordance with this permission shall be removed from the land upon which it is situated as soon as reasonably practical after it is no longer required for electronic communications purposes.
 - 4) The land upon which the electronic communications apparatus is sited shall be restored to its condition before the development took place once the apparatus has been removed from the site.

Main Issues

2. The effect of the proposed mast on the character and appearance of the area.

<https://www.gov.uk/planning-inspectorate>

Reasons

3. Policy DM49 of the Harrow Development Management Policies Local Plan (HDMPLP) (2013) seeks, amongst other things, to ensure that the installation of new telecommunications equipment minimises its impact on the character and appearance of the area within which it is located.
4. The National Planning Policy Framework (the Framework) recognises the importance of the establishment of high quality and reliable communications infrastructure, such as 5G, as being essential to economic growth and social wellbeing. Where new equipment is required the Framework requires that it is sympathetically designed and camouflaged where appropriate.
5. The appellant has argued that the new mast is required in order to facilitate the roll out of the 5G network and they have investigated alternative sites for the propose mast. The proposal is also a mast share between two operators.
6. The site lies at the side of a busy dual carriageway road with a wide central reservation which has mature tree cover. Some of the mature trees are tall and so would help to mitigate the impact of the mast. The dual carriageway also has tall, prominent lamp posts along its route, together with the existing 11.7m high mast. Whilst the new mast would be clearly visible from several vantage points, it is still a slim structure, it would be read against the backdrop of existing, tall mature trees, prominent lamp posts and a busy road with fast moving traffic. Whilst a degree of visual impact is inevitable due to the increase in scale of the proposed mast, it is nevertheless the minimum height and girth capable of providing the improved services and introducing 5G technologies to the area, whilst also satisfying ICNIRP standards. It is also set away from the residential development to the side of the main road, on a wide grass verge which is backed by trees and vegetation.
7. I find that the impact of the proposed mast on the character and appearance of the area, despite its height, will be low. I base this opinion on the siting of the proposed mast to the side of a busy dual carriageway road away from houses, the presence of tall lamp posts along the road, tall mature trees and the presence of an existing mast in the vicinity of the proposed mast site. I am therefore of the view that the proposal accords with the Policies of the development plan, the HDMPLP, as its siting minimises its effect on the character and appearance of the area within which it is located. I also give weight to the fact that this is a proposed mast share between two operators. I have also taken account of the appellant's attempts to find a suitable alternative site and the advice given in the Framework concerning the siting of telecommunications masts and find that these also add weight to my decision.

Conditions

8. In addition to the standard time limit and a condition referencing the approved plans – for the avoidance of doubt – there needs to be conditions that ensure the communications apparatus is removed once it is no longer needed. In addition, a condition is needed to ensure that the highway verge is restored once the apparatus is removed. These conditions are necessary in order to protect the character and appearance of the area in the future.

Conclusion

9. I find that having regard to all matters before me, including the policies of the development plan, when taken as a whole, that the appeal should be allowed, and planning permission granted.

Peter Mark Sturgess

INSPECTOR



Appeal Decision

Site visit made on 9 June 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st July 2020

Appeal Ref: APP/M5450/W/20/3245964

Land adjacent to 354 High Road, Harrow Weald, Harrow, London HA3 6HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by MBNL against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2694/19, dated 7 June 2019, was refused by notice dated 9 August 2019.
 - The development proposed is described as, "the removal and replacement of the existing 15m monopole, with a 20m monopole, 12 no. apertures, equipment cabinets, the removal of the existing 15m monopole, 3 no. antennas, redundant equipment cabinets and development ancillary thereto."
-

Decision

1. The appeal is allowed and planning permission granted for the removal and replacement of the existing 15m monopole, with a 20m monopole, 12 no. apertures, equipment cabinets, the removal of the existing 15m monopole, 3 no. antennas, redundant equipment cabinets and development ancillary thereto at Land adjacent to 354 High Road, Harrow Weald, Harrow, London HA3 6HF, in accordance with the terms of application Ref P/2694/19, dated 7 June 2019, subject the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 002 Site Location Plan; 100 Existing Site Plan; 150 Existing Elevation A; 215 Max Configuration Site Plan; 265 Max Configuration Elevation; HRW022/PM/01 Photomontage 01 HRW022/PM/02 Photomontage 02 HRW022/PM/03 Photomontage 03 HRW022/PM/04 Photomontage 04.

Procedural Matter

2. As part of the appeal process the appellant submitted additional background information and plans¹ to provide further details in support of the proposal to address the reason for refusal.

¹ Connected Growth - A manual for places working to boost their digital, cultural and social connectivity - Department for Digital, Culture, Media and Sport (2019); Councils and Connectivity: How local government can help to build mobile Britain - Mobile UK (2018); and Photomontages (HRW022/PM/01 Photomontage 01; HRW022/PM/02 Photomontage 02; HRW022/PM/03 Photomontage 03; and HRW022/PM/04 Photomontage 04).

3. To avoid the risk of prejudicing interested parties it would only be appropriate for me to take the documents and plans into account if all interested parties had been given an opportunity of making further representations. The additional documents and plans were submitted with the appeal and interested parties would have been notified of the appeal. Whilst, the Council has not provided a response to the documents and plans, it is clear that they have had a chance to consider the information. Furthermore, the additional information does not materially alter the proposed scheme. Having regard to the Wheatcroft principles² and guidance³, I am satisfied that there is no risk of prejudice if I was to take the additional plans and documentation into account. I have, therefore, determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the site and the surrounding area.

Reasons

5. The site is located on a pedestrian footpath, on the east side of High Road and is located next to the parking area of the adjacent supermarket. Opposite the site there is a bus depot and a recreation ground. The surrounding area is characterised by a mixture of uses such as a takeaway restaurant, memorial club, retail premises and residential properties. On the footpath there is currently 2 telecommunication masts and associated equipment cabinets positioned alongside them. There are a number of other existing tall features and various items of street furniture in the local area such as street lighting, mature trees, business and road signage, litter bins, flag poles and covered bus stops.
6. The proposal is to replace the existing 15m high monopole with a 20m high monopole and associated ancillary equipment. The appellants states that the proposed upgrade of the site would allow for additional coverage and capacity requirements to incorporate 5G technology. The appellant states that the new mast is not able to share the existing pole, therefore, it is necessary to install a new monopole. The supporting documents state that the increased height of the replacement mast is necessary to accommodate and support the 5G antenna and other apparatus, and to avoid any interference.
7. There are already monopoles in this area, and the proposed mast would be seen in the context of this, and the other surrounding apparatus and street furniture, such as the street lighting. Whilst I note that the proposed monopole would be higher than the existing monopole and would have a wider circumference at the top, the majority of the monopole would be relatively slim, and similar in design to the existing monopole. The proposal would fit in well within the existing urban and commercial context and would not appear incongruous or out of place in this environment.
8. I note that there is no large screening immediately adjacent to the existing site, and that the existing monopoles are clearly visible. In terms of wider views, the proposal would be higher than some of the trees located in the recreation ground opposite the site. However, it would not be significantly different from the views already experienced in the area. Despite the increase

² Bernard Wheatcroft Ltd vs. Secretary of State for the Environment [JPL 1982]

³ 'Procedural Guide Planning Appeals – England'

in height, the mature trees in the open space would still help to screen elements of the proposal and break up some of the wider views towards the site from the recreation ground.

9. In terms of the cabinets, there are already cabinets in this area, along with various other items of street furniture. The proposed cabinets would be located towards the rear of the footpath and would be positioned close to each other in a linear arrangement. They would not appear visually intrusive or incongruous within the wider street scene or be out of character with the surrounding environment.
10. Accordingly, the proposed development would not harm the character and appearance of the site and the surrounding area. Therefore, it would accord with Policy DM49 of the Harrow Development Management Policies Local Plan (2013). This policy, amongst other things, supports telecommunication equipment where the siting and design of the installation would minimise its impact upon the amenity of neighbouring occupiers, the host building (where relevant) and the appearance and character of the area and there would be no unacceptable impact upon areas of designated open space.

Conclusion

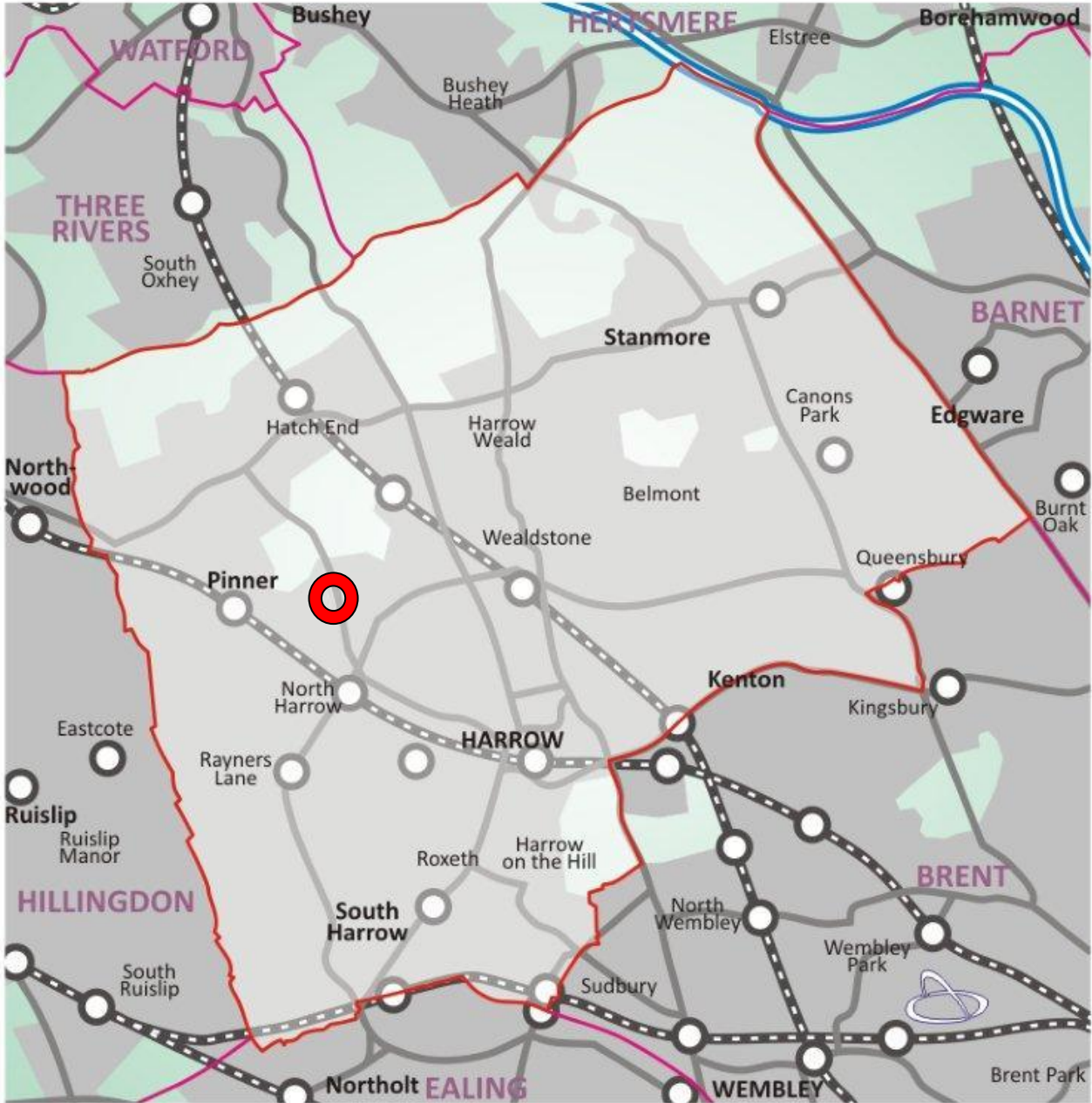
11. For the reasons set out above, I conclude that the appeal is allowed.

D Peppitt

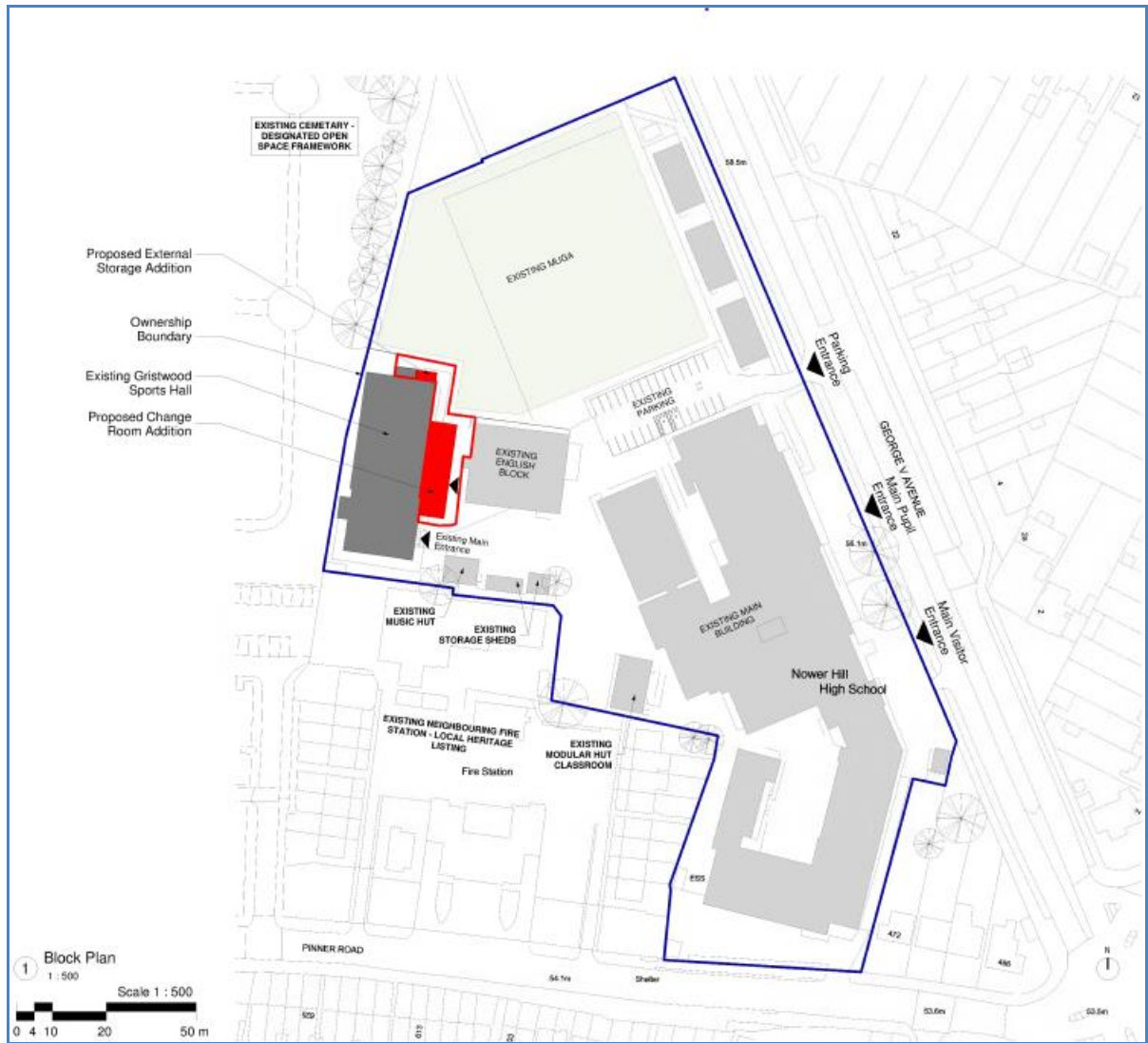
INSPECTOR

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 = application site



Nower Hill High School, George V Avenue, Pinner	P/1190/20
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LOCATION PLAN

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1190/20

VALID DATE: 10TH JUNE 2020

LOCATION: NOWER HILL HIGH SCHOOL GEORGE V AVENUE

WARD: PINNER

POSTCODE: HA5 5RP

APPLICANT: MRS AARTI SHAH

AGENT: ARCADIS

CASE OFFICER: SHAMAL LONDON

EXPIRY DATE: 17th JULY 2020

PROPOSAL

Single storey front and side extension to sports hall building.

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: 200 sqm
GLA Community N/A
Infrastructure Levy (CIL)
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

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 Nower Hill High School fronts both George V Avenue and Pinner Road.
- 1.2 The main school buildings are clustered at the south of the site between the main entrance on George V Avenue and the service entrance on Pinner Road.
- 1.3 The playing field is to the north of the main school buildings. It is bounded on the south by a sports hall (the subject site).
- 1.4 To the east, the field is bounded by three temporary classrooms (which are near George V Avenue). To the north of the field is a fenced area containing six tennis courts, and to the west is Pinner Cemetery.
- 1.5 Nower Hill High School is sited in the setting of the Pinner Road Conservation Area and the locally listed fire station. It is also located within a designated open space area. The site is located with a Surface water Zone.

2.0 PROPOSAL

- 2.1 The application proposes the construction of single storey side and front extensions to the Sports Hall Building.
- 2.2 The proposed front extension would span 26.5 metres along the east elevation of the sports hall and would measure 7.14 metres in depth. It would be of a single storey and have a flat roof with a maximum height of 4.42 metres.
- 2.3 It would have two doors along the front elevation and window that would match the existing.
- 2.4 A new proposed external storage addition would be located along the northern elevation, This in essence would be an infill extension it would have a flat roof with a maximum height of 3.15 metres and a would be 2.72 metres wide. It would have a flat roof and would also be at ground floor level.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of planning history is set out below:

Ref no.	Description	Status & date of decision
P/2645/08	Retention of two temporary classrooms	Granted 21 ST

	for two years to northern side of school Grant	November 2008
P/2203/12	Part replacement of boundary fence and gates fronting George V Avenue with 1.95m high steel fence.	Granted 05 th October 2012
P/1615/12	Replacement of natural turf playing field with tiger turf grass playing field and related external alterations	Granted 9 th August 2012
P/2824/13	Variation of condition 2 of planning permission p/2156/09 dated 06-nov-2009 to allow the retention for an additional three years of two two-storey temporary buildings to provide classrooms.	Granted 17 th December 2012

4.0 **CONSULTATION**

- 4.1 A total of 69 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 8th July 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.

LBH Drainage

Can confirm that the FRA with Drainage Strategy submitted seems fine, however the following details are still required and can be conditioned.

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

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

CAAC

No objection. (note: The D & A refers to the Pinner Road Conservation Area but

the Heritage Statement does not include it.)

Conservation Officer

The single storey extension would be tucked away in relation to the heritage assets. As long as materials and details are conditioned to match, this would preserve the setting of this heritage asset.

Policy

In favour of the scheme, it is supporting enhanced education facilities. This would find favour with Policy S3 (Education and childcare facilities) and S5 (Sports and recreation facilities), and DM47B of the HDMP (2013). Furthermore, the location of the proposed new build does appear to be in the logical place, by reason of being located between the existing buildings, rather than being on the other side and projecting into the un-developed area of the school which is also in the designated open space.

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 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/Setting of Conservation 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 and 7.3
- The Draft London Plan (2019): S3 and S5
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM18, DM46 and 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 DM47(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 The proposed development is located within designated open space. Policy DM18 of the Development Management Policies Local Plan (2013) seeks to protect open space. It states that proposals for ancillary development on designated space will be supported when the proposal would be ancillary to the use of the open space, would be of an appropriate scale and where it would be ancillary to the use of the host building. The proposed extension to the sports building would be appropriate in scale and would not detract from the open character of the site or its surroundings.

6.2.3 The proportionate addition would be subordinate to the sports related use of the open space and therefore would be supported by Policy DM18 of the Development Management Policies Local Plan (2013). Therefore, the principle of the proposed extension is considered to be acceptable.

6.2.4 The proposal would not harm the ability of the site to continue as an educational institution, it is considered to be in accordance with policy 3.18 of the London Plan, S3 and S5 of the Intend to Publish Draft London Plan and Development

Management Policies Local Plan (2016) and in line with Policy DM46 of the Development Management Policy.

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

6.3.1 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 and HC1
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM1 and DM7

6.3.2 Nower Hill High School is sited in the setting of the Pinner Road Conservation Area and the locally listed fire station. The special character and appearance of this area is outlined by the Pinner Road Conservation Area Appraisal and Management Strategy and relates to the Art Deco metroland character and medium density layout.

6.3.3 The proposed development would be sited within the middle of the school complex, and, being single storey, it 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.

6.3.4 While it is noted the extension would reduce the gap between the host building and the main school 'English Block', it would still maintain a gap of 4 metres. The addition of the rear extension is not considered to be out of keeping with the character of the extension within the curtilage of the school, nor would it be out of keeping with the wider character of the area. With regard to the single storey side extension, this would be a proportionate addition which in essence would be an infill extension used for storage. It would have an acceptable impact to the character and appearance and would not impact on the openness of the area.

6.3.5 Moreover, the proposed single storey extension would be tucked away in relation to the heritage assets. As long as materials and details are conditioned to match existing, this would preserve the setting of this heritage asset. A condition has been added to ensure this.

6.3.6 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of Nower Hill High School and the wider area in accordance with the NPPF (2019), Harrow Core Strategy (2012) CS1.B, policies 7.4.B, 7.6.B and 7.8 C/D of The London Plan, policy D1 and D4 of the Draft London Plan (2019) – Intend to Publish version and policies DM1 and DM7 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): 7.6B
- The Draft London Plan (Intend to Publish Version) (2019): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.4.2 Due to its siting, modest design and largely buffered by the host building, it is considered that it would have no undue impact on neighbouring amenity of the area.

6.4.3 The proposal would be in accordance with London Plan policy 7.6B and policy DM1 of the Development Management Policies Local Plan (2013).

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 (Intend to Publish Version) (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9 and DM10

6.5.2 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.”

6.5.3 The proposed development would adjoin the surface water flood zone, the applicant has provided a Flood Risk Assessment which was deemed adequate and sufficient by the Drainage Engineer. It is considered the development would have an acceptable impact. As such this permission contains an informative relating to the provision of sustainable drainage systems, further a condition has been attached for the applicant to submit a detailed drainage design in line with the LPA’s standard requirements.

7.0 CONCLUSIONS 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, the setting of the conservation area, the setting of the locally listed fire station 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, completed and retained in accordance with the following approved plans and document: 10021828-ARC-01-GF-DR-AR-001 Revision A; 10021828-ARC-01-GF-DR-AR-002 Revision C; 10021828-ARC-XX- GF-DR-AR-03 Revision E; 10021828-ARC-XX- GF-DR-AR 04 Revision M; 10021828-ARC-XX- GF-DR-AR-05 Revision J; 10021828-ARC-XX-RF-DR-AR-06 Revision E; 10021828-ARC-XX- GF-DR-AR-07 Revision A; 10021828-ARC-XX- RF-DR-AR-08 Revision A; 23868UG-01; Flood Risk Assessment; Geosphere Environmental Report (dated 19th February 2019); Archaeological Assessment; 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 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

3.18, 7.3B, 7.4B, 7.6B, 7.8C and D

Draft London Plan Intend to Publish Version 2019

D1; D3, HC1, S3, S5

The Harrow Core Strategy 2012

CS1.B

Harrow Development Management Policies Local Plan 2013

DM1, DM7, DM9, DM10, DM18 DM46

Relevant Supplementary Planning Document

Supplementary Planning Document: Residential Design Guide (2010)

Pinner Road Conservation Area Appraisal and Management Strategy

Locally Listed Buildings SPD

Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets

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 (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.

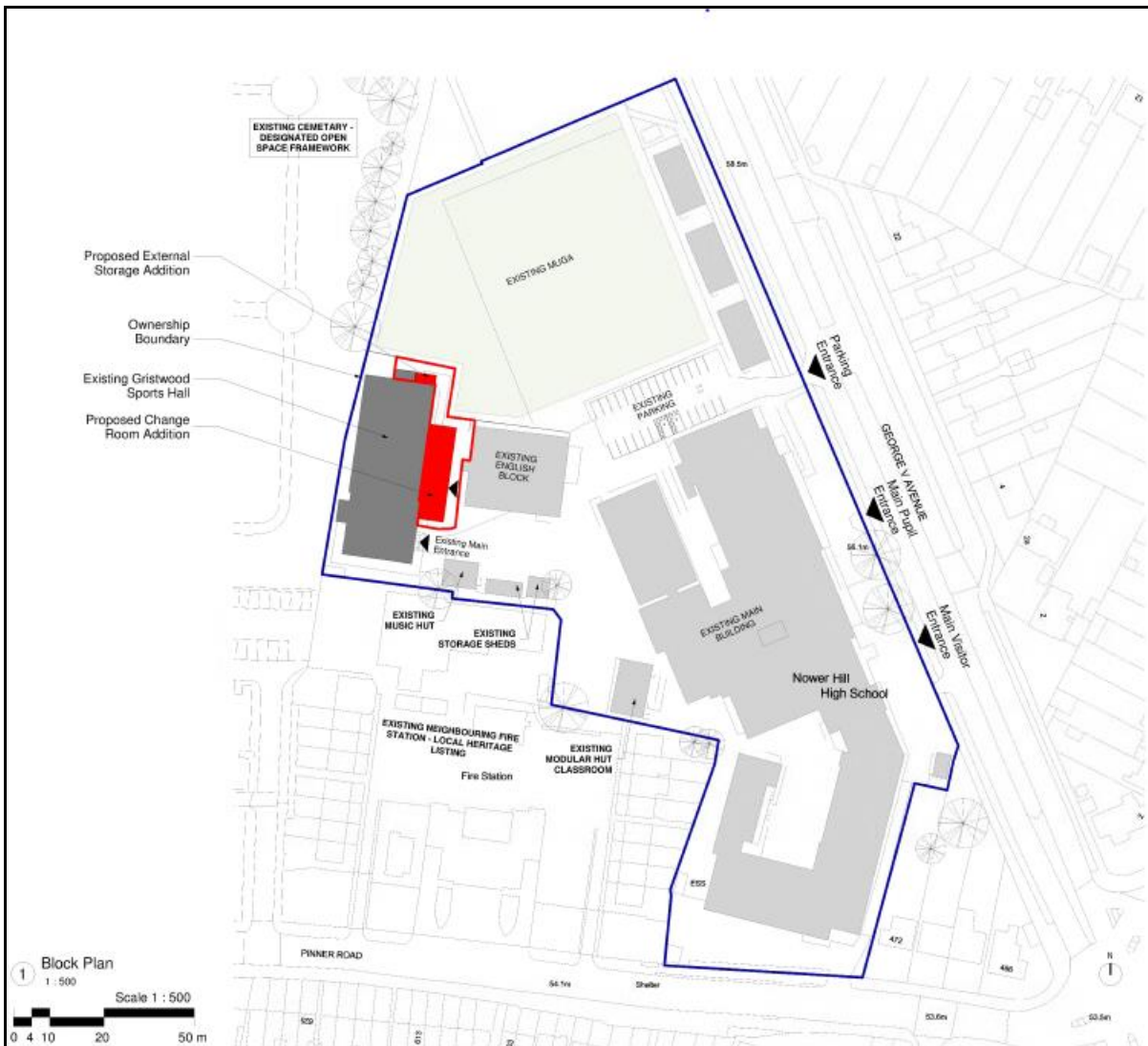
7. Damage to Highway

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 20.8.20
Corporate Director	Orla Murphy pp Beverley Kuchar 20.8.20

APPENDIX 2: LOCATION PLAN



APPENDIX 3: SITE PHOTOGRAPHS











APPENDIX 4: PLANS AND ELEVATIONS

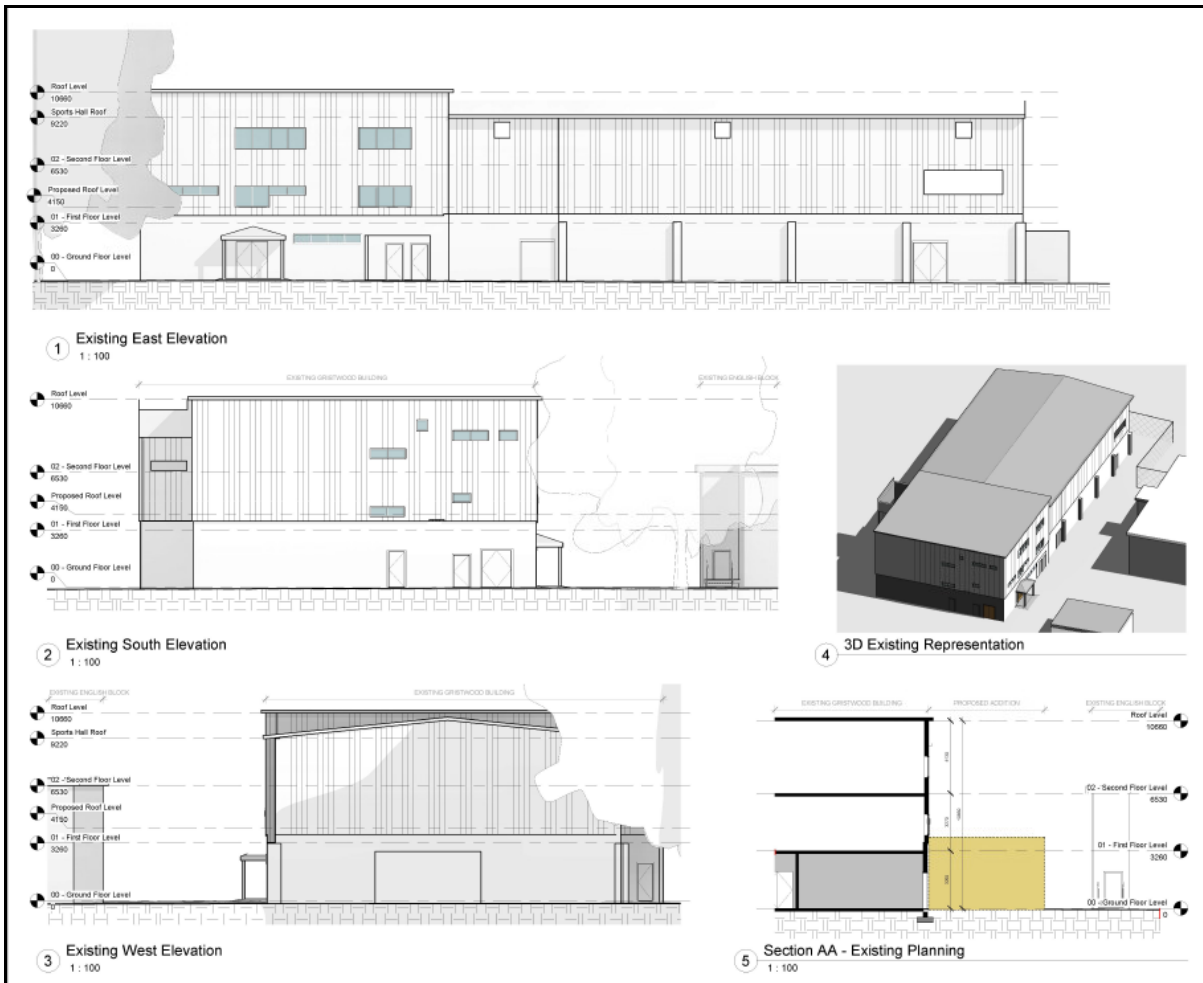


Figure 1 Existing Elevation

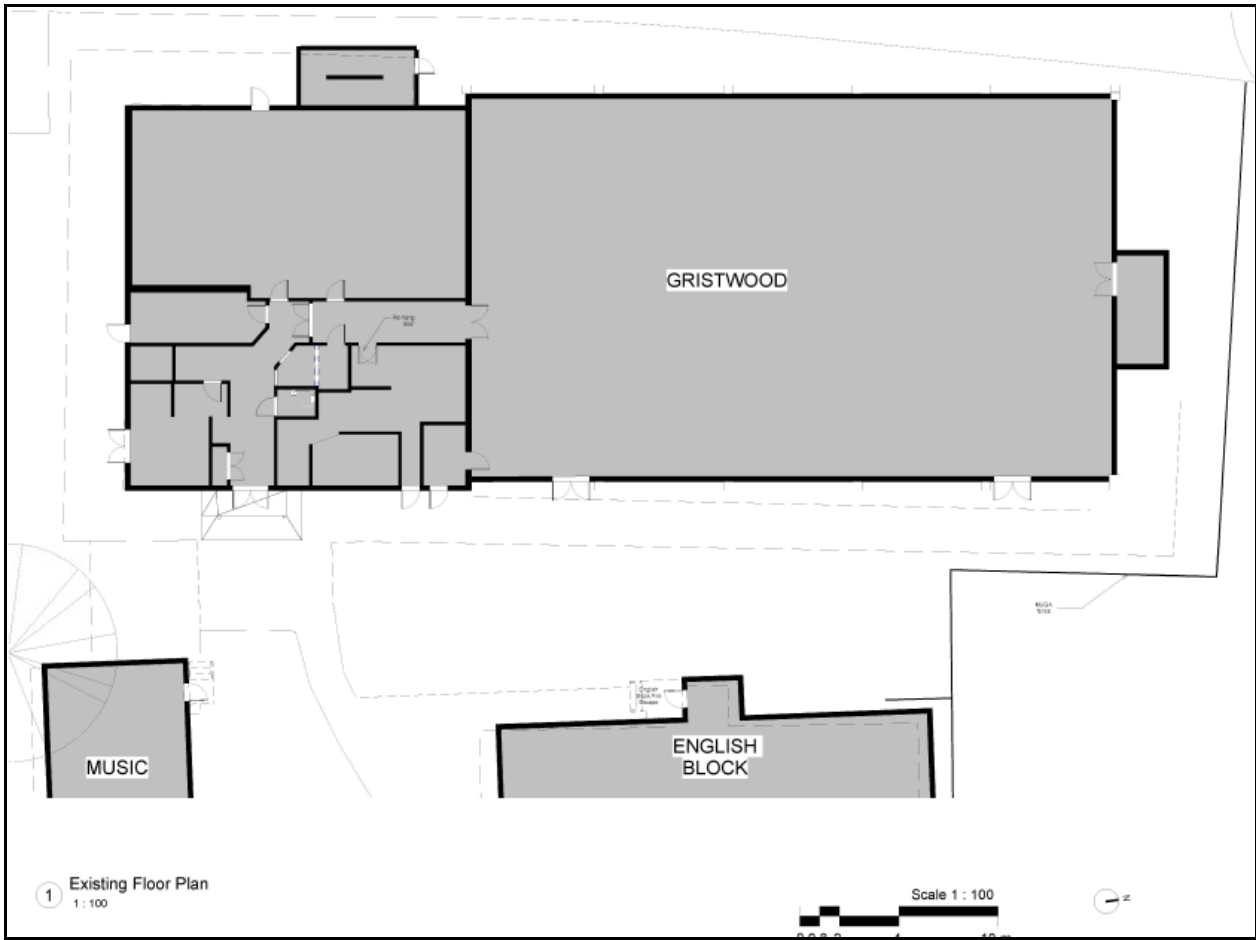


Figure 2 Existing Floor Plan

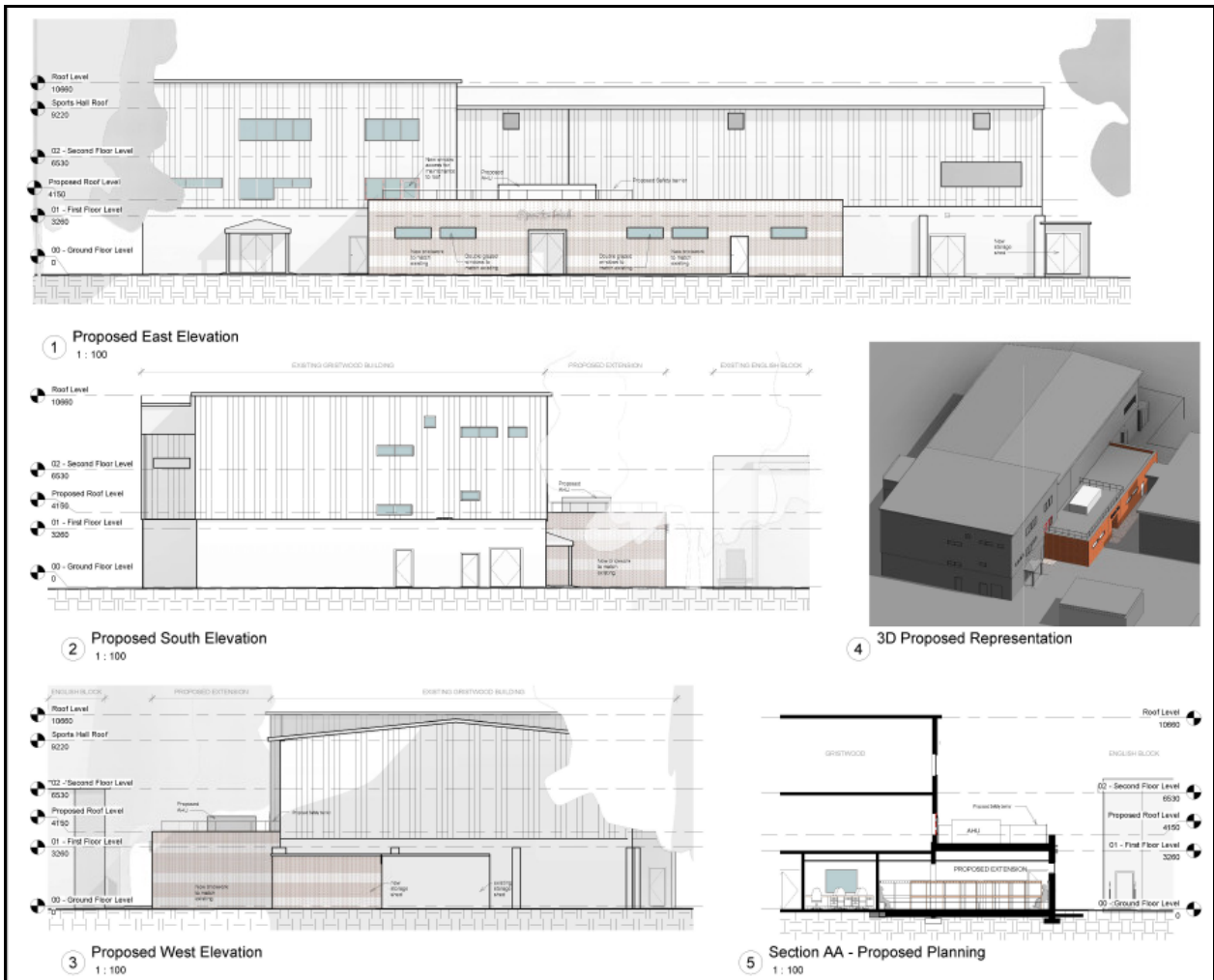


Figure 3 Proposed Elevation

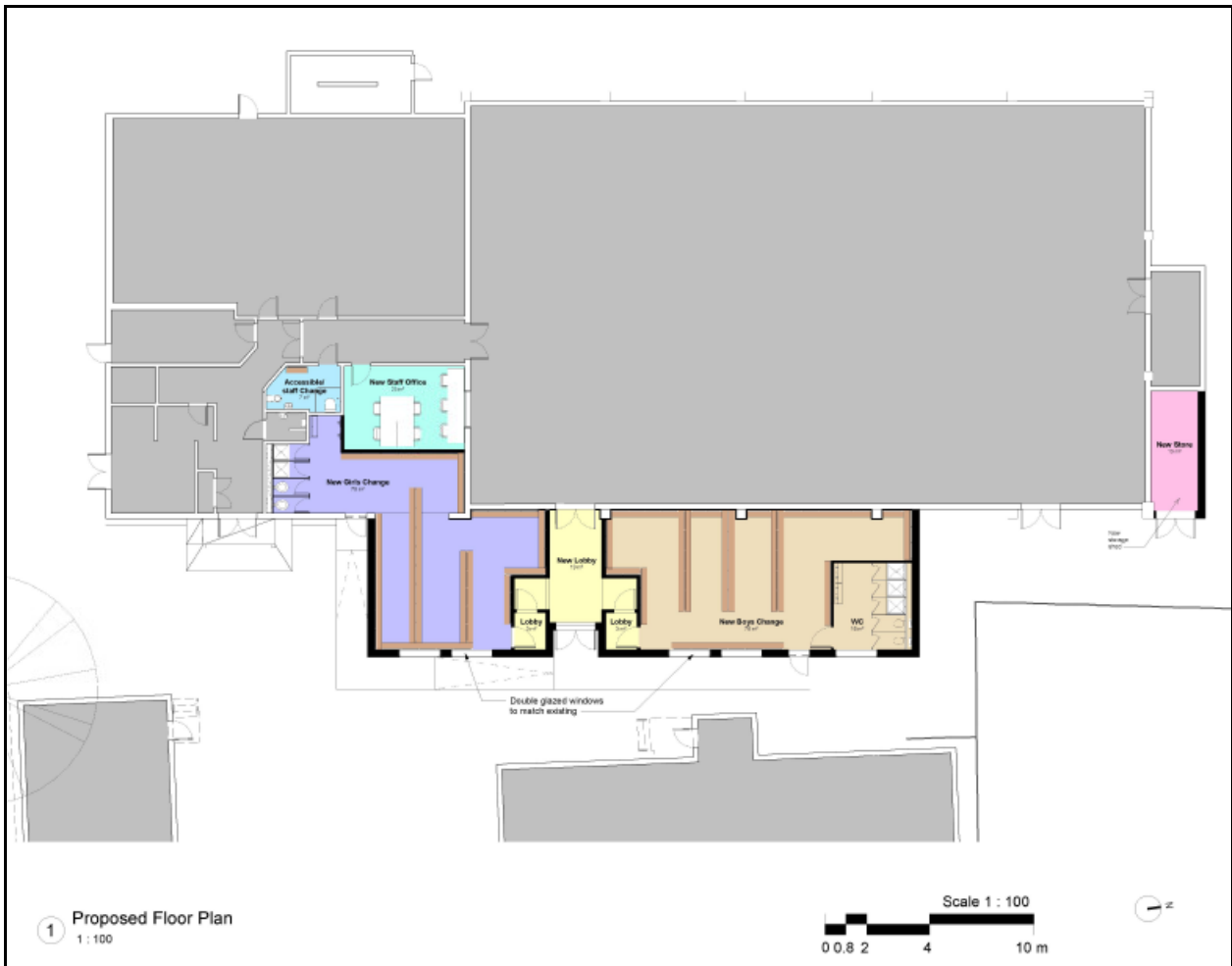
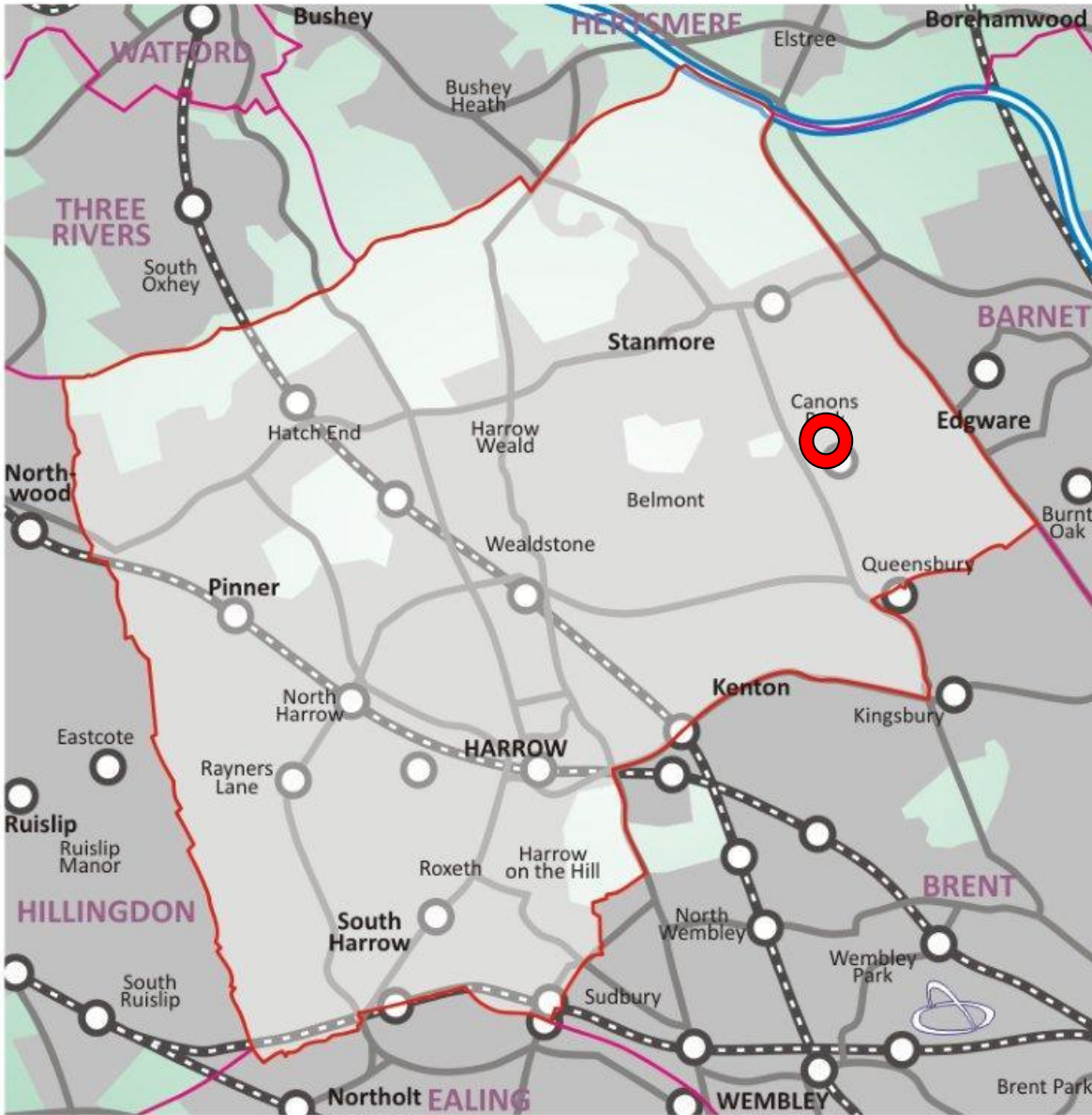


Figure 4 Proposed Floor Plan

Agenda Item 2/05

 = application site



1-20 Canons Park Close

P/1277/20



Location Plan

**LONDON BOROUGH OF HARROW
PLANNING COMMITTEE**

2nd September 2020

APPLICATION NUMBER: P/1277/20
VALIDATE DATE: 4TH MAY 2020
LOCATION: 1-20 CANONS PARK CLOSE, DONNEFIELD AVENUE
WARD: CANONS
POSTCODE: HA8 6RJ
APPLICANT: HAYSPORT PROPERTIES LTD
AGENT: BROOKS/MURRAY ARCHITECTS
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 9TH SEPTEMBER 2020

PROPOSAL

Creation of an additional floor to create 8 flats (8 X 1 Bed); Parking and cycle storage; refuse storage

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 proposal would respond appropriately to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. Given the context of the site, the proposal would not unacceptably impact upon the adjacent heritage designations, amenity of neighbouring occupiers or biodiversity. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

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)13 Minor Dwellings
Council Interest:	n/a
Net Additional Floorspace:	475m ²
GLA	Community
Infrastructure Levy (CIL):	£28,500
Local CIL requirement:	£75,342

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 a part 2 storey, part 3 storey building comprising twenty flats located on the eastern side of Donnefield Avenue. The subject building is set back from the highway with generous soft landscaping around the building which serves as the communal amenity space. A block of detached garages is located abutting the southern boundary of the application site.
- 1.2 An identical building comprising flat numbers 21-49 Canons Park Close is located to the north of the application. No. 4 Donnefield Avenue, a semi-detached dwellinghouse, adjoins the application site to the south.
- 1.3 Adjoining the application site to the east is Arnold House School Playing Fields. The single storey pavilion is sited immediately adjacent to the application site along the north part of that shared boundary. The playing fields fall within the Grade II Historic Canons Park, which is also designated as Metropolitan Open Land and is within the Canons Park Conservation Area.
- 1.4 The application site has a public transport accessibility level (PTAL) of 3.

2.0 PROPOSAL

- 2.1 The subject proposal is for the construction of an additional floor to provide 8 x 1 bed self-contained flats.
- 2.2 The additional storey would have a maximum height of 4.75m from the finished floor level to the proposed ridge and would follow the form of the host building with a hipped roof profile finish.
- 2.3 Access to the proposed flats would be via the existing stairwells located within the central block and northern and southern wings of the building.
- 2.4 The proposed flats would access the existing refuse storage which would have an increased capacity. Five additional parking spaces would be provided opposite the existing garage and would utilise the crossover at the southern part of the site. A cycle store providing twelve new cycle spaces would be sited adjacent to the existing garages.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/3837/19	Creation of third floor to north and south wings comprising of 6 flats (6 x 1 bed); parking cycle storage	Granted: 04/02/2020

4.0 CONSULTATION

- 4.1 A total of 53 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 2nd June 2020.
- 4.2 A site notice was placed outside the application site on 7th May 2020. The application was advertised in the local press on 7th May 2020.
- 4.3 A total of 9 objections have been received. A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments on original consultation

Character

Out of character; change visual aspect of this part of Canons Park Conservation Area; stairwell being covered will change the aesthetics to the exterior of the property;

This has been addressed in section 5.3 of the report

Residential Amenity

Loss of light; congestion and noise pollution; location of cycle and parking will result in loss of light and privacy to flat 1;

This has been addressed in section 5.4 of the report.

Highways and Parking

Cycle spaces will not be utilised;

The policies require cycle storage provision to encourage modal shift to more sustainable transport modes. The likely use of the cycle stores is therefore not a material consideration in this regard.

Ecology

Construction will impact trees and wildlife within the gardens

This has been addressed in section 5.7 of the report

Other

Concern whether existing building can withstand major development; will the residents be rehoused during the build? How will residents access the flats as new stairwell will reduce light and ventilation and increase noise and disruption; build should commence while Coronavirus is an issue due to social distancing measures;

An informative is included which requires adherence to the considerate contractor code of practice in relation to noise and hours of construction; the structural considerations of the proposal would be dealt with under building control regulations; the Government has provided guidance on how construction can proceed during the current Covid-19 pandemic and any proposed construction would need to comply in this regard.

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
<p>LBH Conservation Officer This proposal is in the setting of the Canons Park Conservation Area and the grade II listed registered park and garden. Given the scale, siting, design and trees, this would preserve the setting of these heritage assets in my view as long as materials and details were conditioned to be provided for approval to ensure they would match existing. The proposal would only be slightly taller in the centre than the previous approval for the site. A specific condition is also needed to state: brickwork bond to match the existing.</p>
<p>LBH Highways The proposed level of parking and cycle parking appear to meet the requirements of the draft London Plan.</p>
<p>LBH Biodiversity Officer No Comment</p>
<p>LBH Drainage we have no objections to the proposed development but surface water details are required for new / extended parking area. The use of non-permeable surfacing impacts upon the ability of the environment to absorb surface water, and the hardsurfacing of the front gardens and forecourts lead to localised surface water flooding. Hence the requirement for surface water to be contained within site and discharged to ground via the use of permeable paving or other suitable options..</p> <p>Permeable paving details which includes the a cross section of permeable paving construction and their maintenance plan should be submitted for our approval. Please note that a minimum of 250mm subbase for permeable paving should be proposed to provide adequate storage underneath.</p> <p>If using non permeable paving, please request the applicant to provide surface water drainage details for the run-off from the car park. A drainage plan with full details of outlet and cross section of proposed storage along with details of a flow restrictor provided should be submitted for our approval. If the applicant wishes to discharge the surface water into the existing drainage system, please note that the discharge should be limited to 5l/s. Please be informed that the requested details can be conditioned</p>
<p>Conservation Area Advisory Committee Adjoins Canons Park CA. The increased height/roof line and the increased bulk</p>

of the proposed development will detract from the openness of the views out of the CA, even more so than the previously approved application P/3837/19. This would be a massive overdevelopment. Before we had a central block flanked by two lower wings; now they are all to be of about the same height, and the pleasing proportion is lost.

London Parks and Gardens Trust

- The height, bulk and outline of the proposed buildings will have a harmful impact on the historic character of the park and would become too dominant from many key locations within the park;
- The proposed design of additional units undermines the coherent design and detailing of the original building
- The imposition of an additional 8 units will cause unacceptable additional pressure on the amenity of the existing original units and parking and waste storage and disposal

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
- Biodiversity

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8
- The Draft London Plan (2019): H1
- Harrow Core Strategy (2012): CS1, CS10
- Harrow Development Management Policies (2013): DM40

6.2.2 Having regard to Policy 3.8 of the London Plan (2016), it is considered that 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 development is therefore considered acceptable.

6.2.3 The application site adjoins Canons Park to the east, which is designated as Metropolitan Open Land. Given the modest increase in height of the proposal, the siting away from the boundary and the intervening trees and screening, officers consider that the proposal would not have a materially harmful impact on the openness/visual amenities of the Metropolitan Open Land.

6.3 Character, Appearance and Heritage

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4, 7.6, 7.8
- The Draft London Plan (2019): D1, HC1
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM7

- 6.3.2 The application site consists of a block of flats on the east side of Donnefield Avenue. The block of flats has twin flat-roofed two-storey wings arranged in two staggered rectangular blocks and a central three storey section which features a hipped roof. An identical block of flats is located to the north of the application site. Adjoining the application site to the east is Arnold House School Playing Fields which falls within the Grade II Historic Canons Park, Metropolitan Open Land and Conservation Area. Across Donnefield Avenue from the application site is the car park for the Canons Park London Underground Station.
- 6.3.3 Planning permission P/3837/19 approved the addition of a third floor to the twin flat-roofed two-storey wings. The subject proposal incorporates this approved permission with an additional third floor extension over the central block. The addition of the proposed third floor to the central block would serve to replicate the architectural vernacular of the host building with a taller central element and subservient winged projections. Furthermore, given the relatively modest width of the central block in conjunction with a modest increase in height, this would serve to break up the mass and provide further articulation and relief in the built form.
- 6.3.4 The application site is within the setting of the Canons Park Conservation Area and grade II listed registered park and garden. The application was referred to the Council's Conservation Officer who has advised that the proposal would preserve the setting of the heritage assets subject to conditions for materials and brickwork bond to match the existing.
- 6.3.5 The proposed extension would have a brick finish with a tiled hipped roof. In order to ensure a high quality palette of materials, key details such as materials and balconies will be secured by condition.
- 6.3.6 The submitted proposed site plan shows an increased refuse bin provision within the existing refuse storage area. Subject to a condition requiring further details of the external finish of the bin store and enclosure, it is considered that the proposal would be acceptable in this regard.
- 6.3.7 For these reasons, officers consider that the proposal would not have a detrimental impact on the character or appearance of the host building, the surrounding area or the Historic Grade II listed Canons Park and Conservation Area. The proposal would therefore comply with the relevant policies in this regard subject to appropriate conditions.

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, DM27, DM45,
 - Mayor's Housing SPG (2016)

Neighbouring Occupiers

- 6.4.2 The subject building is located 10m to the north of the shared boundary with no. 4 Donnefield Avenue. Given the separation distance, orientation and siting of that neighbouring dwellinghouse, it is considered that the proposed second floor extension to the southern wing of the host building would not have a detrimental impact on the residential amenities of those adjoining occupiers by reason of undue overshadowing, loss of light or loss of outlook.
- 6.4.3 The proposed north facing flank elevation of the second floor along the northern wing of the subject building would be sited approximately 30m away from the flank elevation of the adjacent flatted block, nos. 21-40 Canons Park Close. The proposal would therefore not have an unduly harmful impact on the residential amenities of those adjoining occupiers.
- 6.4.4 The pavilion serving Arnold House School Playing Fields is located approximately 18m to the east of the proposed extension. However, given the non-residential use of that building and the limited openings in the west elevation facing the subject property, it is considered that their amenity impact would be acceptable in this instance.
- 6.4.5 With regard to the impact of the proposal on the residential amenities of the existing occupiers, the proposed additional floor would result in vertical and horizontal stacking relationships with the existing first and second floor flats. While details of the existing floor layouts have not been provided, given the modest number of units proposed as an extension to the building and the soundproofing requirements which would be secured through building regulations, it is considered that the proposal would not have a detrimental impact on the residential amenities of the existing occupiers in this regard.
- 6.4.6 The proposal would provide 8 x one bedroom flats which could therefore increase the occupancy of the building by a further 16 persons. Given the scale of the subject building, its location, the setting space afforded and the numerous access points into the building, it is considered that the proposed residential intensification would not have a materially harmful impact on the amenity of the existing occupiers by reason of increased noise or disturbances by reason of trip generation.
- 6.4.7 Comments from neighbouring residents have referred to loss of light to the existing flats. It is acknowledged that the stairwell within the front elevation and balconies within the rear elevation would protrude beyond the main footprint of the building. A daylight and sunlight report has been submitted with the application. The report concludes that all the windows to habitable rooms would meet the target figure for the Vertical Sky Component and No Sky Line Assessment. Furthermore, 126 out of 127 windows assessed would pass the BRE Guidelines for Annual Probable Sunlight Hours (APSH) during the summer months, with all windows passing the APSH assessment for the winter months.

- 6.4.8 With regard to the continuation of the external stairwell on the front elevation, officers consider that the brick façade would result in an unfavourable relationship with the adjacent bay window for the first-floor flats. However, a more considered external finish to the external stairwell (e.g. through the use of obscured glazing), would be less obtrusive and allow for more light to penetrate through the adjacent bay window. Officers therefore consider that this detail could be satisfactorily addressed by means of a pre-commencement condition.
- 6.4.9 With regard to the proposed protruding balconies, these would sit centrally within the rear elevation of the staggered wings and the central block. The balconies sited within the middle of the rear elevation would be above the glazed windows and door which likely serve the kitchen and bathrooms for the first-floor flats. These windows are not 'protected' in accordance with the adopted Residential Design Guide SPD. Therefore, while it is considered that the loss of light to these windows would be limited, the resulting impact would nonetheless have an amenity impact commensurate with the adopted SPD. The balconies at the end of each wing would protrude 1.5m beyond the rear elevation but would be sited approximately 500mm above the windows on the first-floor. Therefore, while the balconies may result in the loss of some ambient daylight to those respective rooms, officers consider that the impact would not be harmful enough to warrant a reason for refusal on this basis.
- 6.4.10 The proposal would provide five parking bays adjacent to the rear elevation of the southern wing which would be sited perpendicular to the building. Given the layout of the parking bays, the limited number of parking spaces proposed and the established vehicular access at the southern part of the building, officers consider that this element of the proposal would not have a detrimental impact on the residential amenities of the adjoining occupiers.
- 6.4.11 For these reasons, the proposal subject to appropriate conditions, would comply with the relevant requirements of the policies with regard to residential amenity.

Future Occupiers

- 6.4.12 The proposed flats would adhere to or exceed the minimum space standards. Moreover, all the double bedrooms would be generously sized and would meet the minimum size and width requirements. All the flats would be dual aspect and therefore benefit from acceptable levels of light and outlook and would feature the minimum quantum of private amenity space. Officers consider that the proposed flats 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

6.5.2 The subject site has a PTAL 3 and therefore benefits from moderate accessibility to sustainable transport modes. The proposal would provide five new parking bays for the future occupiers which would accord with the draft London Plan with regard to maximum parking standards. Twelve cycle spaces would also be provided within a designated cycle store. The Council's Highways Authority has raised no objection to the proposal. On this basis, it is considered that the proposal 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.

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 The Council's Drainage Engineer 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 and Trees

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, DM22

6.7.2 The application site lies in close proximity to the Canons Park and Stanmore Railway Embankments Sites of Interest for Nature Conservation which is of Borough Grade importance and forms a strategically important link in Harrow's ecological network. The development should deliver net biodiversity gain. In this instance, this could be best achieved by installing and maintaining bat and bird boxes permanently within the fabric of the building. Subject to securing this by condition, the proposal would therefore comply with the relevant policies in this regard.

6.7.3 There are statutory protected trees located along the eastern boundary of the application site. Given the separation distance between the host building and the trees, and as the proposal is for an additional storey, it is considered that the proposed development would not have a detrimental impact on the protected trees. In order to safeguard the protected trees during the construction phase, a

condition is included requiring the submission and approval of an Arboricultural Method Statement prior to commencement of development.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 6.1 The proposal would respond appropriately to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. Given the context of the site, the proposal would not have unacceptable impact upon the adjacent heritage designations, amenity of neighbouring occupiers or biodiversity. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.
- 6.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

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:

1195.17-001, 1195.17-002 Rev A, 1195.17-010, 1195.17-011, 1195.17-020, 1195.17-030, 1195.17-100, 1195.17-200, 1195.17-300, 1195.17-500, Design and Access Statement (March 2020), Daylight and Sunlight Report (Rev 2: March 2020), Heritage Assessment

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

3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the external facing materials and brickwork bond details have been made available to view on site, and approved in writing by, the local planning authority. The relevant works shall be carried out in accordance with the approved sample details.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area. This is a pre-commencement condition to ensure a satisfactory form of development

4. External Stairwell Details

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until revised drawings for the detailing and treatment of the external stairwells within the front elevation have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out and retained in accordance with the approved details or any amendment or variation to it as may be agreed in writing by the local planning authority.

Reason: To safeguard the residential amenities of the neighbouring occupiers. This is a pre-commencement condition to ensure that measures are agreed and built-in to the development to provide a satisfactory form of development

5. Bird and Bat Boxes

The development hereby permitted shall not be occupied until full details of the provision of bird and bat boxes to be installed within the fabric of the building have been submitted to, and agreed in writing by, the local planning authority. The enhancements shall include;

- a) Six Schwegler 2FR interconnecting bat tubes (or equivalent) in two groups of 3 at just below the new roof eaves level on the south elevation
- b) Five Schwegler 17C double cavity swift nesting boxes (or equivalent) at just below the new roof eaves level on the north elevation
- c) Two Schwegler 1SP sparrow terraces (or equivalent) at or just below the current maximum height on the north elevation of the existing building.

The development shall be carried out in accordance with the approved details or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme. The development shall not be occupied until bird and bat boxes have been installed in accordance with the approved details. Photographs of the boxes in situ will be submitted to the Local Planning Authority prior to occupancy of the proposed units

Reason: To enhance the ecology and biodiversity of the area. This is a pre-commencement condition to ensure that measures are agreed and built-in to the development to provide a satisfactory form of development

6. Arboricultural Method Statement and Tree Protection Plan

The development hereby permitted shall not commence 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

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

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.

7. Permeable Paving

Notwithstanding the details submitted, the development hereby permitted shall not commence until full details of the permeable paving and the long term maintenance and management of the on-site drainage has been submitted to,

and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the approved details

Reason: To ensure that the development has adequate drainage facilities to reduce and mitigate the effects of flood

8. Refuse Storage

Notwithstanding the approved plans, the development hereby permitted shall not be occupied until details of refuse and waste bin storage and location has been submitted to and approved in writing by the Local Planning Authority. The refuse bins shall be stored at all times, other than on collection days, within the designated refuse storage area to be approved, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid visual clutter within the streetscene and safeguard the character and appearance of the area.

9. Accessible Dwellings

Unless otherwise agreed in writing by the local planning authority, the internal specification of the individual flats shall comply with Building Regulation Standard M4(2).

Reason: To ensure that all of the homes within the development are accessible to all

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, CS10

Development Management Policies (2013): DM1, DM10, DM27, DM45, DM40, DM42, DM44,

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 £28,500. 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 £75,342

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. Thames Water

The applicant is advised to contact Thames Water regarding confirmation of capacity within their system to receive the proposed discharge from the new development

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.

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar	20.8.20
Corporate Director	Hugh Peart pp Paul Walker	20.8.20

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS





APPENDIX 4: PLANS AND ELEVATIONS

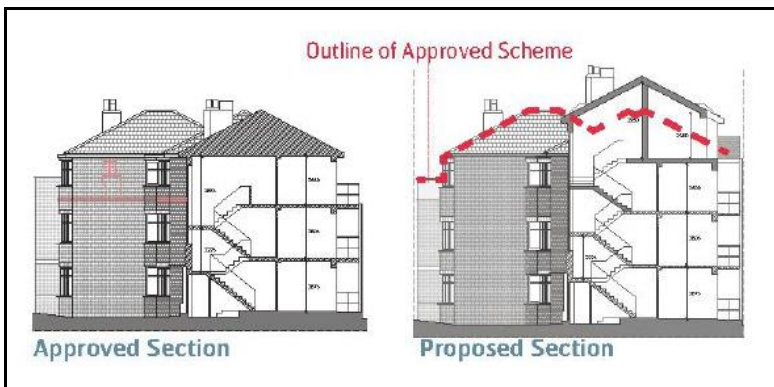
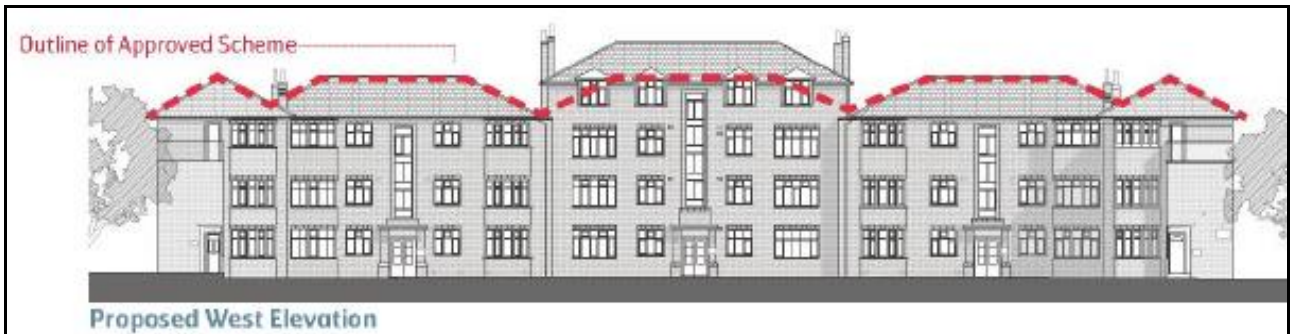
Existing Elevations



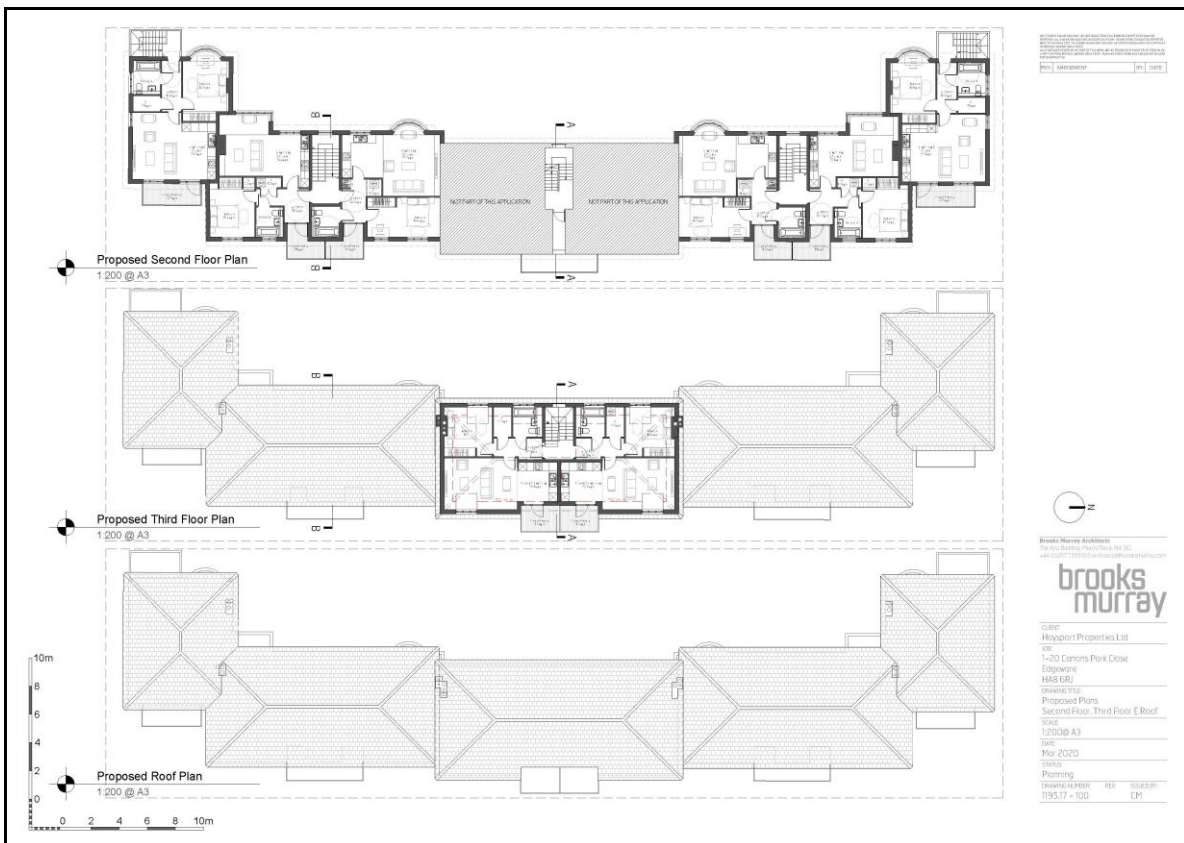
Proposed Elevations



Elevation and section showing difference between proposal and approved scheme
P/3837/19

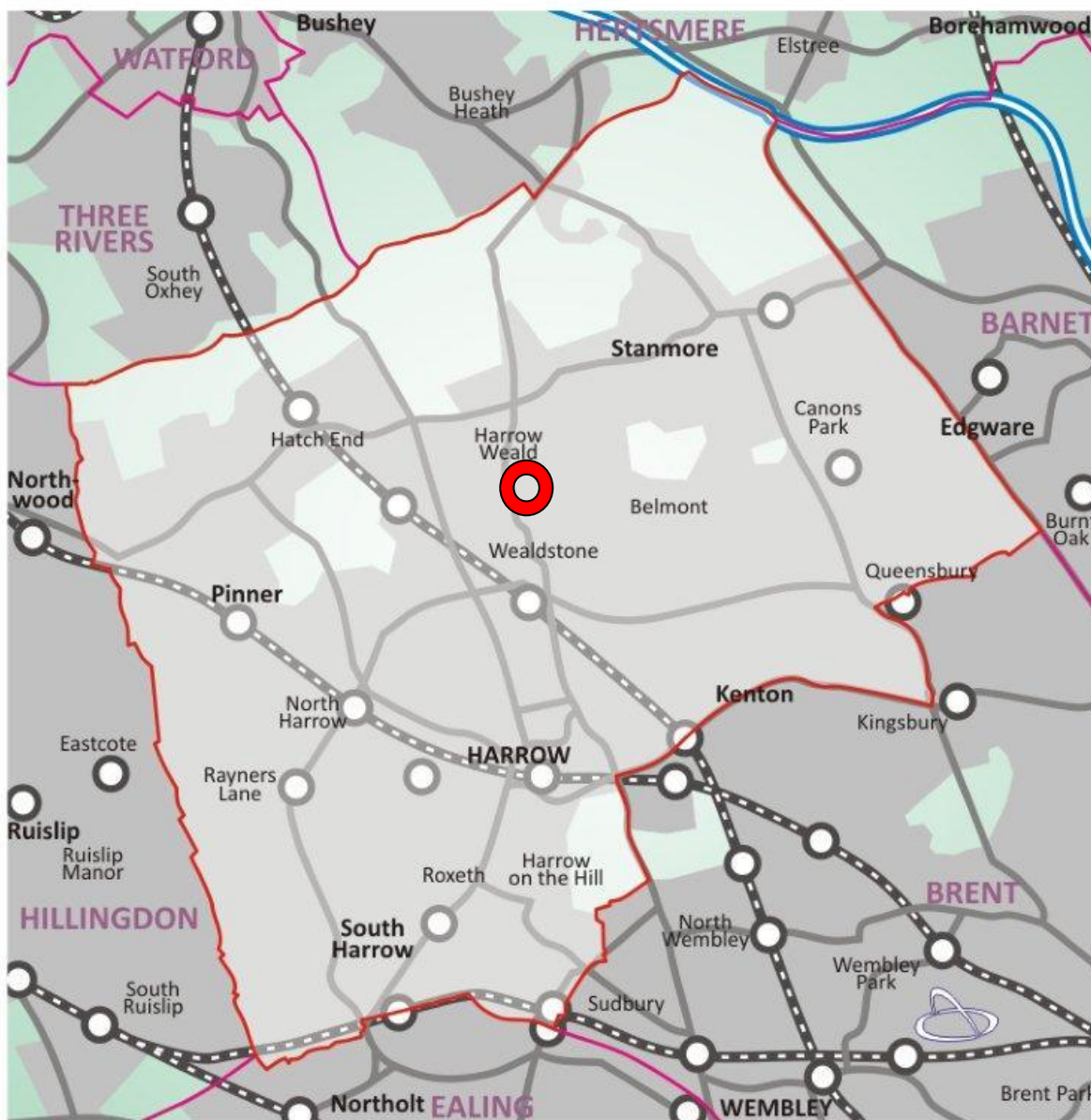


Proposed floorplan



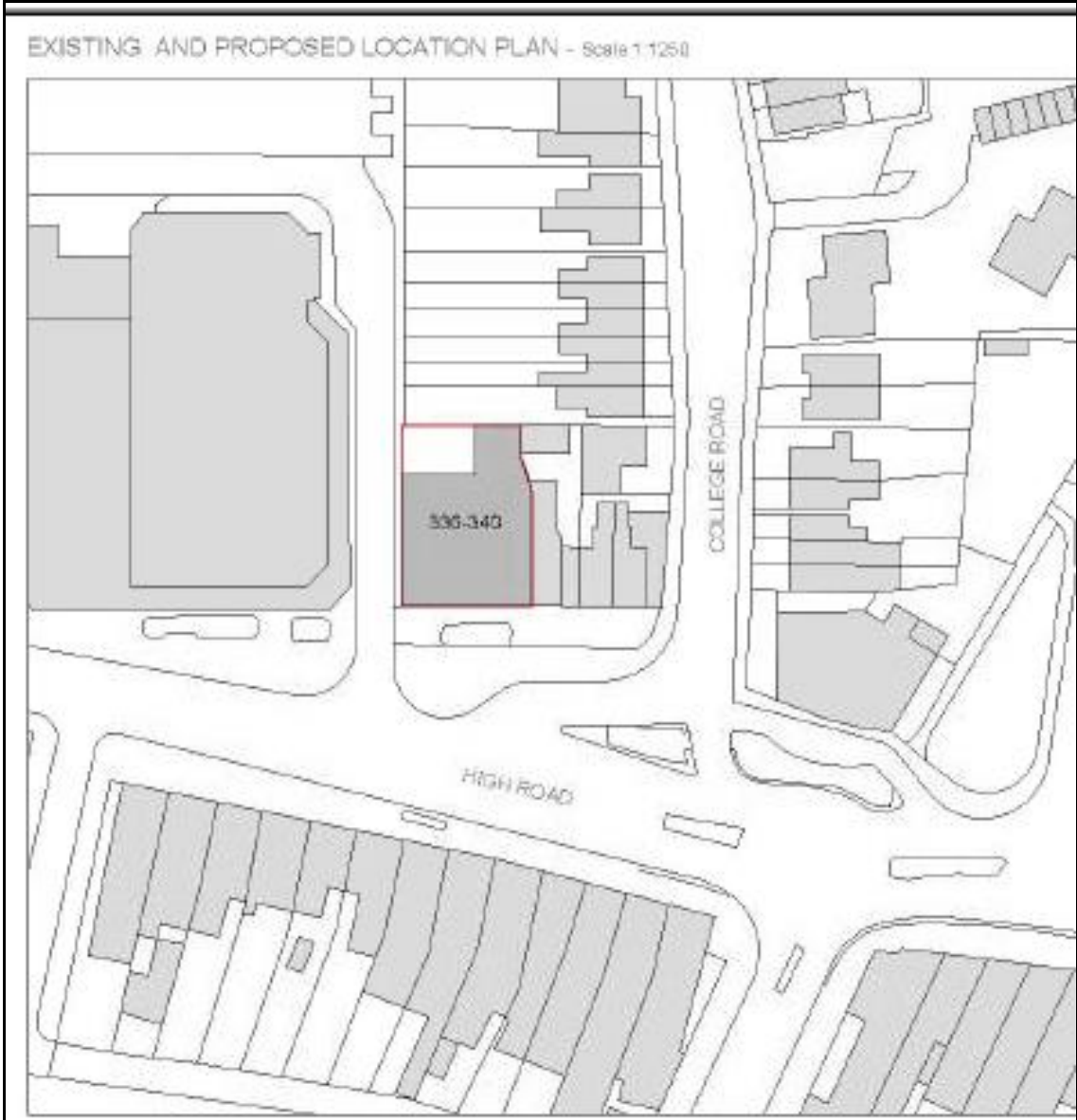
Agenda Item 2/06

 = application site



336-350 High Road, Harrow Weald

P/1069/20



Location Plan

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1069/20
VALID DATE: 28/05/2020
LOCATION: 336 - 350 HIGH ROAD HARROW
WARD: HARROW WEALD
POSTCODE: HA3 6HF
APPLICANT: MR RISHI LAKHANI
AGENT: CITY PLANNING LTD
CASE OFFICER: FAYE MCELWAIN
EXPIRY DATE: 08/07/2020 (Extension of Time 07/09/2020)

PROPOSAL

First Floor Rear Extension; Rear Dormer; Creation Of 8 Additional Flats To First And Second Floors; 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 form, scale and siting of the proposed additional floor and extensions and the creation of flats on the site is appropriate in this location and does not appear at odds with the existing character of development in the immediate area and would not have an unacceptable impact on the amenity of future occupiers or 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).

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

INFORMATION

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

Statutory Return Type:	(13) Minor Dwellings.
Council Interest:	None
Additional Floorspace:	228.93 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£13,735.80
Local CIL requirement (provisional):	£36,311.98

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 subject property is a two storey end of terrace building fronting the High Road with commercial use on the ground floor and associated storage on the first floor.
- 1.2. To the north west of the site is an access road used for the car park serving Iceland and Waitrose supermarkets which is adjacent to the building on the northern side.
- 1.3. The building has a larger hipped roof section at the end of the terrace and two first floor gabled windows at first floor on the far side. The other two storey properties on the row are of a simpler pitched roof design.
- 1.4. The building has an existing single storey flat roof L-shaped rear element which projects 8m and 16m from the rear wall leaving a gap of hardstanding beside the access with Waitrose supermarket.
- 1.5. The area is highly commercial in character. Within the surrounding area, the ground floor uses are predominantly commercial with a number of residential properties on the upper floors.
- 1.6. There are a number of properties with front dormers in the vicinity of the site.

2 PROPOSAL

- 2.1 The application proposes to extend and convert the underused extended storage area on the upper floors to accommodate eight flats on first and second floors.
- 2.2 The proposal comprises of two dormers on the front elevation, and on the rear elevation, a first floor rear extension which measures 5.2m from the building line. In addition, a rear box dormer is proposed with three windows. A hip to gable extension is proposed to the hipped section of the building to accommodate the extra level.
- 2.3 The proposed flats consist of two 2-bed two person units, three 1-bed one person units and three studios.
- 2.4 The flats are accessed from a secondary door from the High Road. Cycle and bin storage is proposed internally at ground floor, which would also be accessed from the High Road. No car parking spaces or amenity space is proposed for the future residents.

3.0 RELEVANT PLANNING HISTORY

- 3.1 No relevant history

4.0 **CONSULTATION**

- 4.1 A total of seven notifications were sent to neighbours of surrounding properties. The overall expiry date was 25th June 2020.
- 4.2 No objections were received in relation to the proposal.
- 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><u>LBH Drainage -</u></p> <p>The site is identified within surface water flood zone 3a & 3b according to our surface water flood maps. The roads 'High Road' which is the main access to the site is also identified within surface water flood zone 3a & 3b according to the Council's surface water flood maps and is at a high risk of flooding.</p> <p>The submitted Flood Risk Assessment is sufficient. However, the proposed safe emergency escape route from the building should be marked on plan. This requirement can be conditioned.</p>
<p><u>LBH Highways –</u></p> <p>On the basis that this proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, Highways have no objection.</p> <p>The parking surveys demonstrate that on average, car parking demand in this location is very high, but, there are streets where stress levels are lower. However, this is a fairly modest proposal which is unlikely to result in a significant level of overspill parking.</p>

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 if 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 and Appearance of the Area
- Residential Amenity
- Transport and Highways
- Development and Flood Risk
- Accessibility
- Conclusion

6.1.1 Principle of Development

The relevant policies are:

- The National Planning Policy Framework 2019
- Policy 3.8 of The London Plan 2016
- Policy CS1.A of Harrow's Core Strategy 2012

6.1.2 There would be no loss of useful retail floorspace as a result of the proposal. It is understood that the ancillary storage on the first floor is under-utilised and therefore the change of use of this space is not likely to prejudice the running of the shop below. The proposed site is in a sustainable location, and the additional floor and the change of use to flats, would be acceptable in this area.

6.1.3 As such, the change of use of the upper floors of the property is considered to be acceptable in principle, in accordance with the relevant policies subject to acceptable details.

6.2 Character and Appearance of the Area

6.2.1 The relevant policies and guidance documents are:

- National Planning Policy Framework (2019)
- Policy 7.4B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2012)
- Policies DM1 of the Development Management Local Plan (2013)
- Supplementary Planning Document Residential Design Guide (2010).

6.2.2 It is proposed to extend upwards and to alter the appearance of the front elevation by inserting two front dormers above the existing bay window and to change the hipped roof element to a gable and to extend the glazing upwards.

6.2.3 Although the other properties on the row of terraces follow a pattern of simple pitched roofs, the subject building has design features which give it a more dominant and unique presence in the row and therefore there is scope to alter its appearance in a sympathetic manner. It is noted that there are a number of buildings in proximity of the site with front dormers and therefore the proposed dormers would be in keeping with the surrounding area. In the context of the adjoining buildings, and the character of the area, the proposed alterations to the frontage would be acceptable and would respect the street scene.

6.2.4 A first floor rear extension is proposed over the existing ground floor which has a substantial depth of 8.5m beside the access road decreases to approximately 7.2m beside the adjoining building. Although the depth is significant in relation to the existing dwelling the attached terrace has a two storey outrigger element projecting beyond the rear elevation of the subject property beside the boundary, therefore there is scope for a two storey extension. When taken in context with the existing extensions and the predominant pattern of development in this commercial area, there is considered to be minimal visual harm caused by the first floor extension.

6.2.5 The proposed rear box dormer is wide with a width of approximately 8m covering a large proportion of the rear roof slope. The dormer is set in from the edges of the roof and is set up from the eaves and is therefore in conformity with the guidance contained in the Council's SPD. It is acknowledged that the rear dormer would be somewhat visible for users of the access to Waitrose car park. However, given its position at the back of the building and the highly commercial nature of the site and the surrounding area this is considered acceptable.

6.2.6 Therefore in respect of character and design the scheme complies with the relevant development plan policies

6.3 Residential Amenity

6.3.1 The relevant policies and guidance documents are:

- Policy 7.6B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2014)
- Policies DM1 and DM27 of the Development Managements Local Plan (2013).Supplementary Planning Document Residential Design Guide (2010)

Residential Amenity of neighbouring Occupiers

6.3.2 The area is highly commercialised. However, there are flats above the commercial properties on the row of the terraces. The proposed rear extension projects 2m beyond the rear wall of the neighbouring property and therefore would comprehensively breach a 45 degree line taken from the corner of this building. The window on the rear elevation of this neighbouring property is understood to be a bedroom window in the adjacent flat and therefore deemed a 'protected' window. A daylight and sunlight assessment has been taken by the applicant in accordance with the BRE methodology, which concludes that the proposal would have a minimal impact on the daylight and sunlight to this room. The bedroom which this window serves is dual aspect with a door providing light on the flank/front wall. Therefore the potential impact on this room in regards to daylight/sunlight is minimal and given the modest projection beyond the neighbouring rear wall and the site's circumstances, this is considered to be acceptable.

Residential Amenity of future Occupiers

6.3.3 All of the proposed flats exceed the minimum floor space as set out in the London plan and are acceptable in this regard. All the main habitable rooms and the studio flats have an outlook either to the front or to the rear of the building which is appropriate in terms of outlook and light availability.

6.3.4 All the flats have a floor to ceiling height of 2.5m which is sufficient and in accordance with the guidance set out in the London Plan to ensure suitable ventilation and avoids over-cramped accommodation.

6.3.5 No amenity space is provided for the flats. Harrow Weald recreation ground is less than half a mile from the site. This is an acceptable situation given the location of the flats above the commercial unit/s and the commercial nature of the immediate area.

6.3.6 The bedrooms and living areas on the first and second floor are generally aligned above one another. It is noted that, the studios on the ground floor are above either another studio or a flat on the first floor. However, efforts have been made to align the sleeping areas and bedrooms and given the nature of studio apartments this would be unavoidable. Building regulations would require appropriate acoustic

treatment to reduce the transmission of noise therefore this is considered to be acceptable.

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 No parking is proposed with the development. The area has a moderate PTAL rating of 3 and although there is not a wealth of sustainable travel options it is accepted that the location is accessible in terms of public transport that offers good onward connections and other amenities and local services that make living in the location convenient. There is restricted parking on the high road itself and parking pressure on the surrounding streets. Notwithstanding this, the size of the units is not considered likely to create significant impact on the highway network or parking in the area. The applicant has submitted a Transport Statement with the application that demonstrates that this location is suitable for car free living and it is noted that those who do need to travel by car from time to time may also make use of the car club vehicle located near to the site for occasional trips.

6.4.3 In line with the Pre-application advice the cycle and refuse storage is proposed internally on the ground floor and accessed from the front. This arrangement is considered satisfactory and avoids crime and safety issues which could occur if they were located to the rear. However, to comply with the Intend to Publish London plan the number of cycle spaces needs to be increased to 1.5 per flat. A condition has been added for the applicant to provide further details of the cycle parking.

6.5 Development and Flooding

6.5.1 The site itself is identified within surface water flood zone 3a & 3b according to the Council's surface water flood maps. The 'High Road' which is the main access to the site is also identified within surface water flood zone 3a & 3b and is at a high risk of flooding.

6.5.2 The applicant has submitted a Flood Risk Assessment which has been reviewed and is considered satisfactory. A condition has been added to request the emergency planning information.

6.6.1 Accessibility

6.6.1 The relevant policies are:

- Policies 3.5 and 3.8 of the London Plan (2016)
- Policy DM2 of the Harrow Development Management Local Plan (2013) and
- Policy CS1 K of the Core Strategy (2012).

- 6.6.2 It is acknowledged that as the flats are at the upper floors, the flats may not be accessible to all and that this is not always possible for converted buildings. A condition of approval will ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.
- 6.6.3 Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory, and as such would comply with the relevant policies.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with 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).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

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

2. Approved Drawing and Documents

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

Plans: 1-Existing Ground Floor Plan – Location Plan; 2 Existing First Floor Plan – Block Plan; 3-Existing Roof Plan; 4-Existing Front Elevation; 5-Existing Side Elevation; 6-Existing Side Elevations; 7-Existing Sections; 8-Proposed Ground Floor Plan; 9-Proposed Ground Floor Plan; 10-Proposed Second Floor Plan; 11-Proposed Roof Plan; 12-Proposed Front Elevation; 13- Proposed Side Elevations; 14-Proposed Rear Elevation; 15-Proposed Sections; 16-Proposed Cycle and Refuse Storage detail; 17-Proposed Cycle and Refuse Storage Detail; 18-Proposed Cycle and Refuse Storage Detail; 19-Existing Contextual Study; 20-Proposed Contextual Study; Design and Access Statement 13th March 2020; Transport Survey 13th March 2020; Parking Survey 3rd March 2020; Daylight and Sunlight Study Report; Flood Risk Assessment August 2020.

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

3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the external facing materials and brickwork bond details have been made available to view on site, and approved in writing by, the local planning authority. The relevant works shall be carried out in accordance with the approved sample details.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area. This is a pre-commencement condition to ensure a satisfactory form of development

4. Emergency Planning

The development hereby permitted shall not be occupied until details of safe dry access/egress arrangements and a plan indicating a safe route for the occupants and users, away from the source of flooding, have been submitted

to and agreed 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 in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

5. Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate sewage disposal details are agreed before the development commences on site.

6. Refuse storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013.

7. Accessibility

The development hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) and (3), evidence demonstrating compliance should be submitted to and approved in writing by the Local Planning Authority prior to occupation. The proposal shall be carried out in accordance with the approved drawings and retained thereafter.

REASON: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time.

8. Change of Use

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

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1 of the Harrow Core Strategy 2012, Policy 7.6 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

9. Cycle Parking Details

Notwithstanding the details on the plans hereby approved, prior to the first occupation of the development hereby approved, details of the secure cycle parking to serve the flats shall be submitted to, and approved in writing by, the local planning authority. The plans must show dimensions, type of storage and type of stand. The cycle parking shall be carried out in accordance with the approved details prior to the occupation and shall thereafter be retained.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan (2016) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES:

1. The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016):

3.3 Increasing Housing Supply

3.5C: Quality and design of housing developments

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.3B Designing out crime

7.4B Local character

7.6B Architecture

The Draft London Plan – Intend to publish version (2019):

D1 London's form, characteristic and capacity for growth

D3 Optimising site capacity by the design led approach

T5 Cycling

T6 Car parking

Harrow Core Strategy (2012):

Core policy CS1.B

Core policy CS1.D

Core Policy CS1 K

Core policy CS1.W

Harrow Development Management Policies Local Plan (2013):

DM1: Achieving a High Standard of Development

DM2: Achieving Lifetime Neighbourhoods

DM7: Heritage Assets

DM10: On Site Water Management and Surface Water Attenuation

DM 24: Housing Mix

DM27: Amenity space

DM 42: Parking Standards

DM45: Waste Management

Supplementary Planning Documents:

Supplementary Planning Document Residential Design Guide (2010)

Technical housing standards - nationally described space standard (2015).

Major of London Housing SPG (2016)

2. Pre-application engagement

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

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

3 Mayoral CIL

INFORMATIVE: 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 £13,735.80 The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

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

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

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

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

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

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

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

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

4 Harrow CIL

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

Harrow's Charges are:

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

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is **£36,311.98**

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

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

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

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

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

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

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

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

5 Considerate Contractor Code of Practice

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

6 Party Wall Act

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

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

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

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 Compliance with Planning Conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local

Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.- Beginning development in breach of a planning condition will invalidate your planning permission.

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

8 Liability For Damage to Highway

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

9 Street Numbering

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

All new developments, 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

12 Surface Water Drainage

Thames Water would advise that if the developer follows a sequential approach to the disposal of water. Prior approval will be required for the discharge to a public sewer. For further information please visit Thames Water website.

13 Sustainable Drainage Systems

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

involve piping water off site as quickly as possible.

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

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

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information

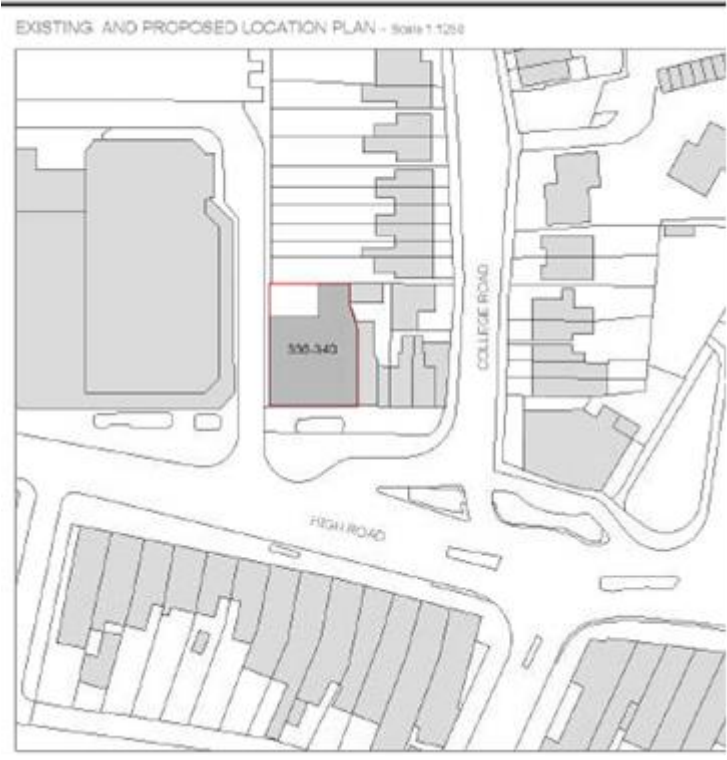
14. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: DOCOMailbox.NW@met.police.uk

Checked

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar 20.8.20
Corporate Director	Hugh Peart pp Paul Walker 20.8.20

APPENDIX 2 SITE PLAN



APPENDIX 3: PHOTOGRAPHS



Front Elevation



Side elevation



Rear elevation

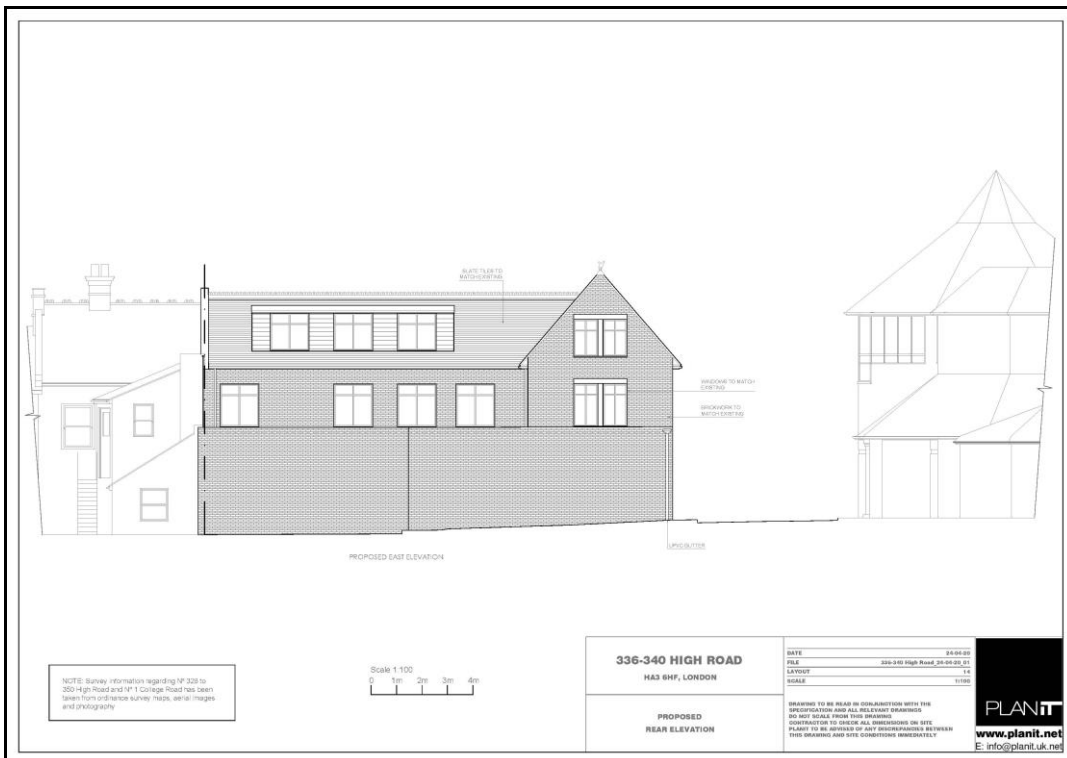


Rear

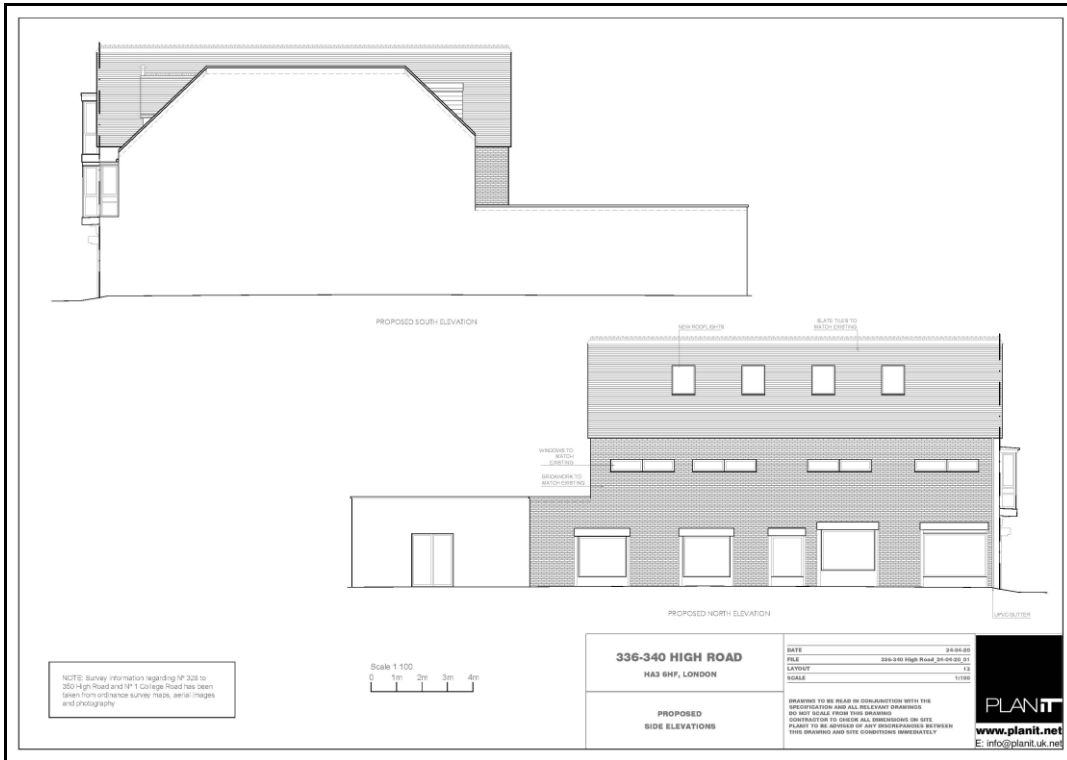
APPENDIX 4 – PLANS



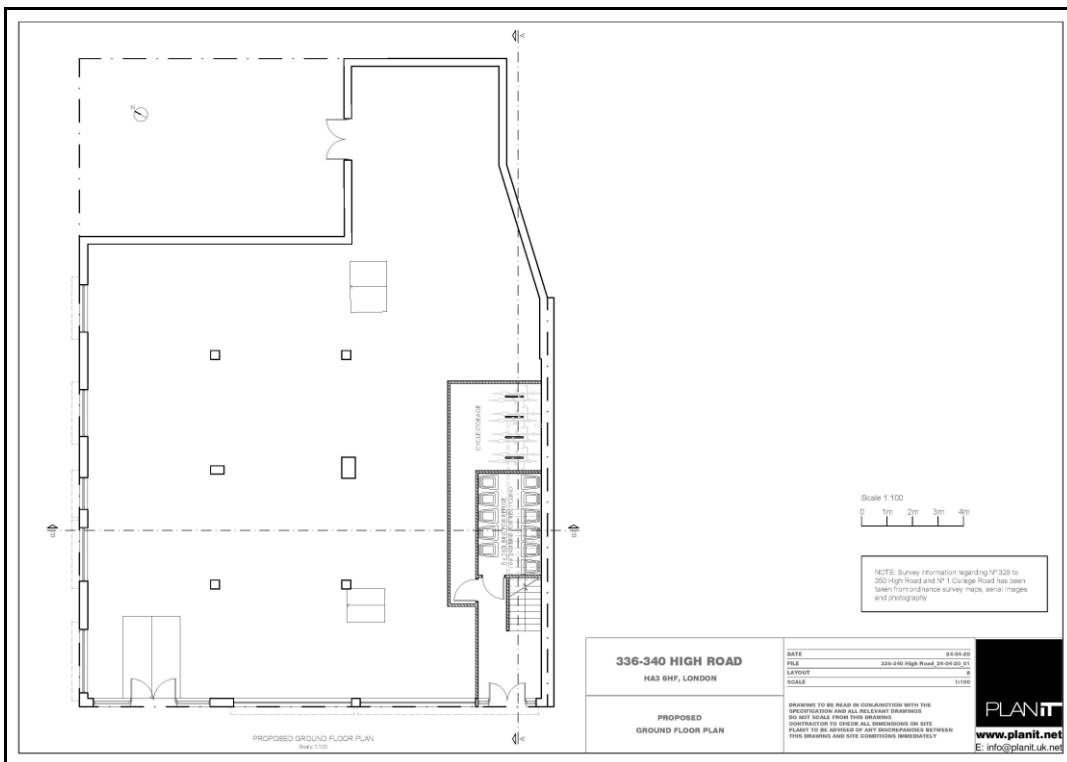
Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation

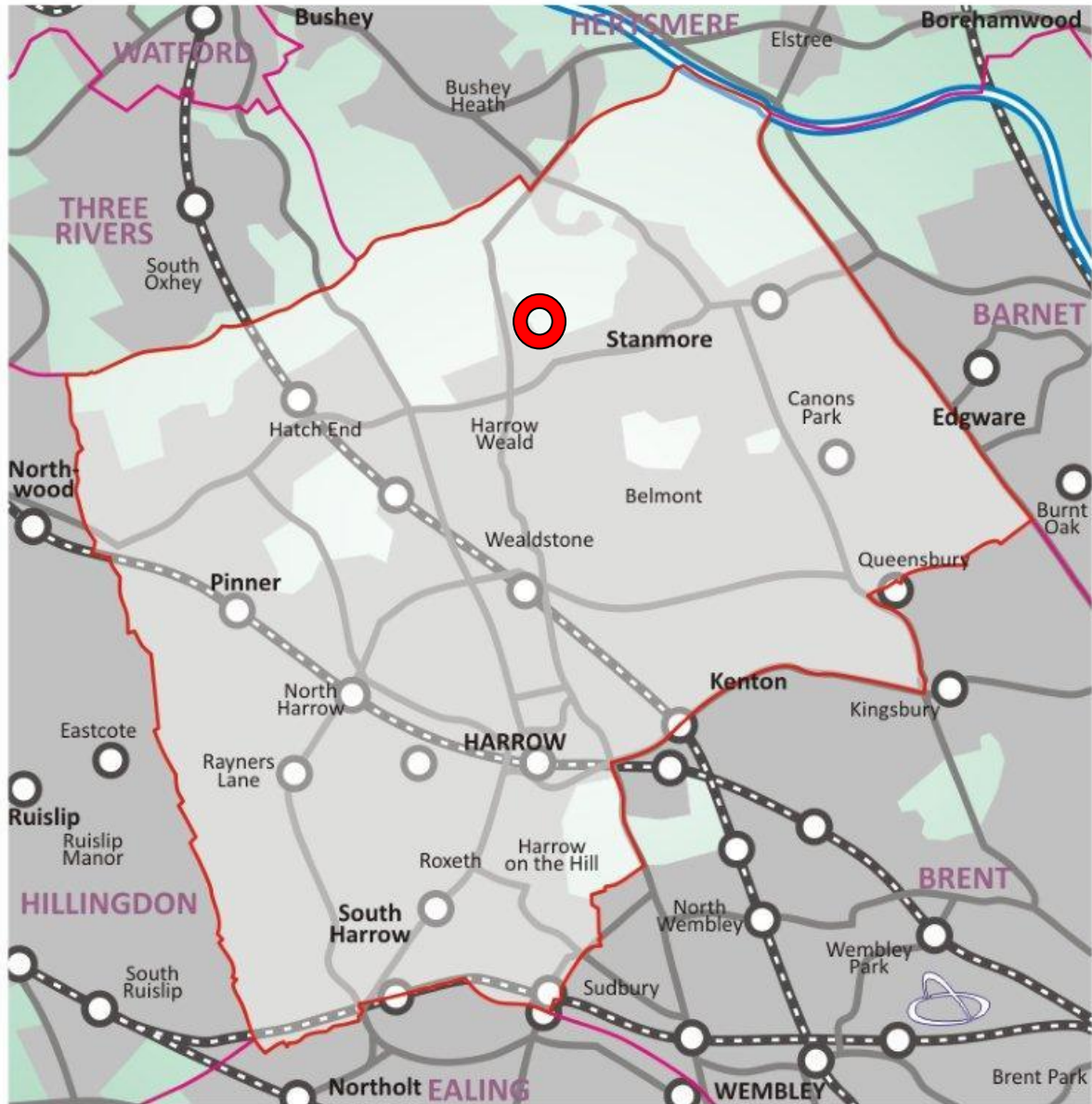


Proposed Ground Floor Plan

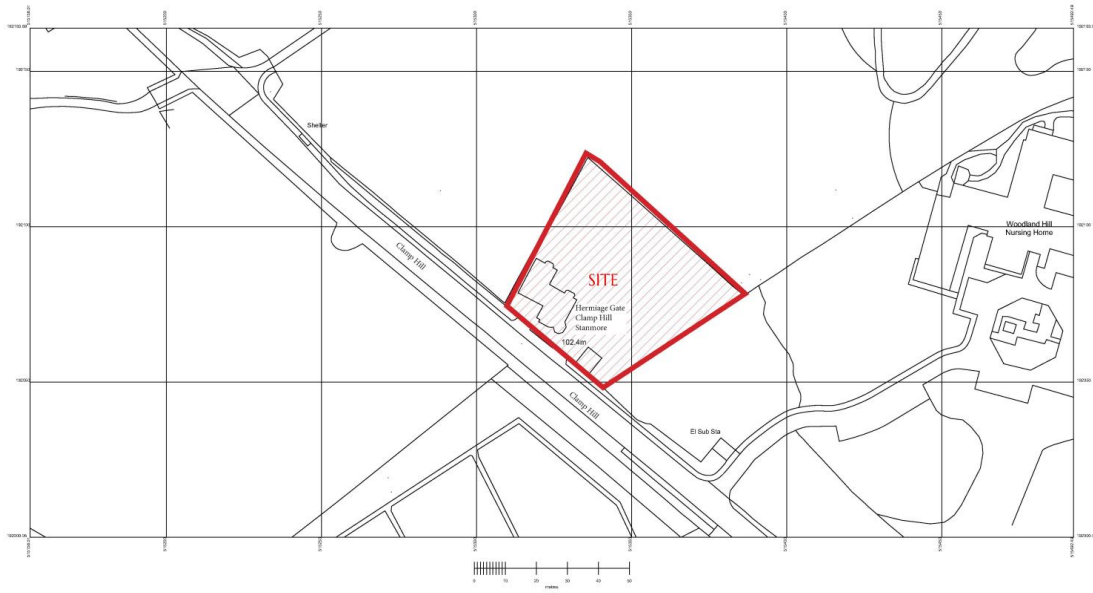
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Agenda Item 2/07

 = application site



<p>Hermitage Gate, Clamp Hill, Stanmore</p>	<p>P/1426/20</p>
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0.

Site Location Plan

1:1250

REVISION	DATE	COMMENTS	AUTHOR / CHECKED	
 www.brassarchitecture.com			TITLE HERMITAGE GATE Clamp Hill	
			DETAIL Site Location Plan	
DATE		16-04-2020	SCALE 1:1250	
DRAWING No.		17013 L.O1.1	REV.	AUTHOR / CHECKED JPB/RS
DRAWING-STATUS		Planning Application		

LONDON BOROUGH OF HARROW
PLANNING COMMITTEE

2nd September 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

EXTENDED EXPIRY DATE: 30TH SEPTEMBER 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)

Background

The planning application was reported to the planning committee with a recommendation for refusal on 22nd July 2020. The original committee report is attached below for information at appendix 2. At this committee the members resolved to grant planning permission and in accordance with procedures the application was deferred. The reasons given for the deferral are outlined in the committee minutes set out under appendix 3 of this report.

RECOMMENDATION

Should the planning committee still be minded to grant the planning permission, the committee is asked to:

- 1) Agree conditions and grant the application subject to the conditions set out at appendix 1

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. Materials

PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, samples of the materials to be used for the proposed extension, and for the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. These samples shall include:

- a) Brick work bond;
- b) Mortar

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

REASON: To protect the special architectural or historic interest of the locally listed building.

Repair Works

3. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, a repair and improvement works schedule shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the repairs listed in the Submitted Heritage statement dated April 2020, removal of hardstanding, changing room, plant room, swimming pool and tennis court shown in Plan No 17013 L.01.2, and details of the existing crenulations to the existing fabric of the building and a method statement for removal of the existing infilling of these. The development shall be carried out in accordance with the approved details and thereafter retained.

Reason: To protect the special architectural or historic interest of the locally listed building.

4. Trees

PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, a site-specific tree protection plan and method statement shall be submitted to and approved in writing by the Local Planning Authority, this document shall:

- a) Demonstrate how existing retained trees are to be protected during the development
- b) And shall include revised proposed site plan to annotate the trees to be retained on site

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

Reason: To ensure that the retention and survival of trees and other planting of significant amenity value.

5. Plans

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

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

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 (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. 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: Ucommunities@twoten.comU4T

4. Per-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.

8. 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.

**APPENDIX 2: COMMITTEE REPORT AGENDA ITEM 12.(i) AND
ADDENDUM AND SUPPLEMENTARY ITEMS HEARD AT MEETING DATED
22ND JULY 2020**

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:

- 2) 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 Policies 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 Policies 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): SI13
- 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.

APPENIDIX 1: INFORMATIVES

1. Policies

2. 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)

3. Refuse with pre app

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Hugh Peart 13.7.2020

APPENDIX 1: PLANS

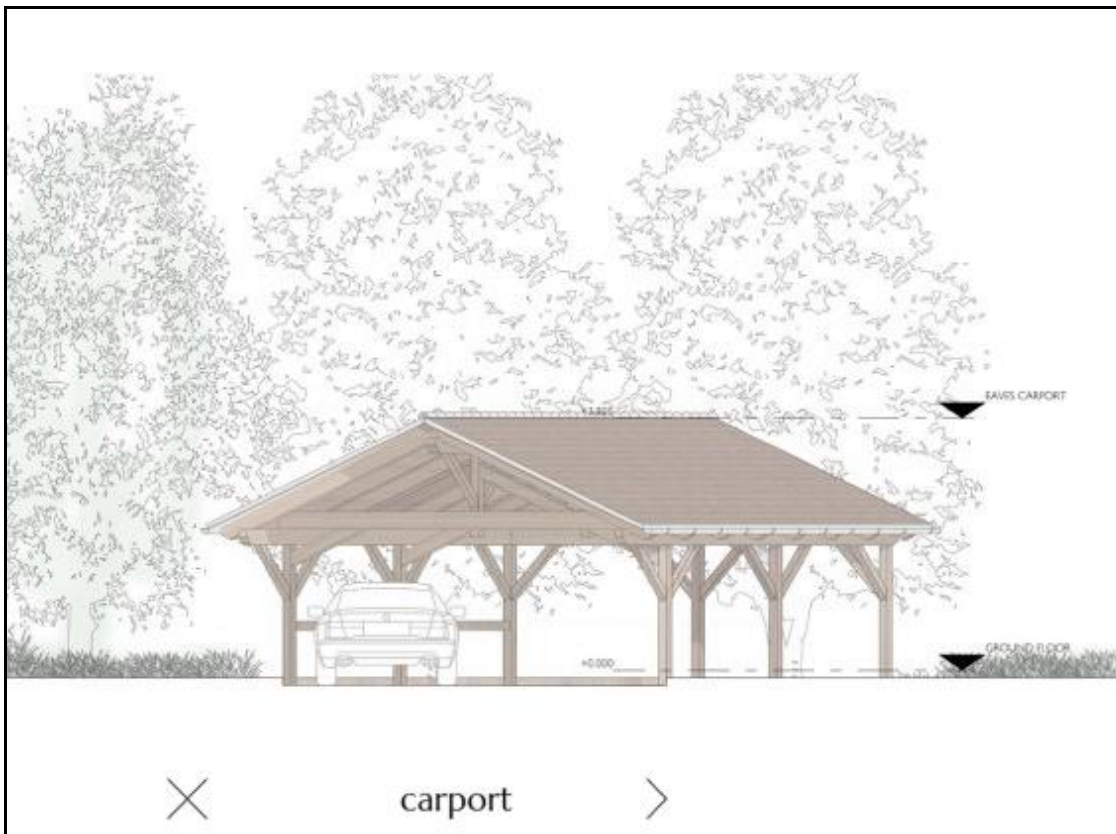
List of plans:

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



Gates: proposed elevations



APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS

Existing front/side elevation



Existing rear elevation



Existing street side/corner of front and side elevation



APPENDIX 3: PLANNING COMMITTEE MINUTES 22ND JULY 2020

'Hermitage Gate Clamp Hill-P/1426/20

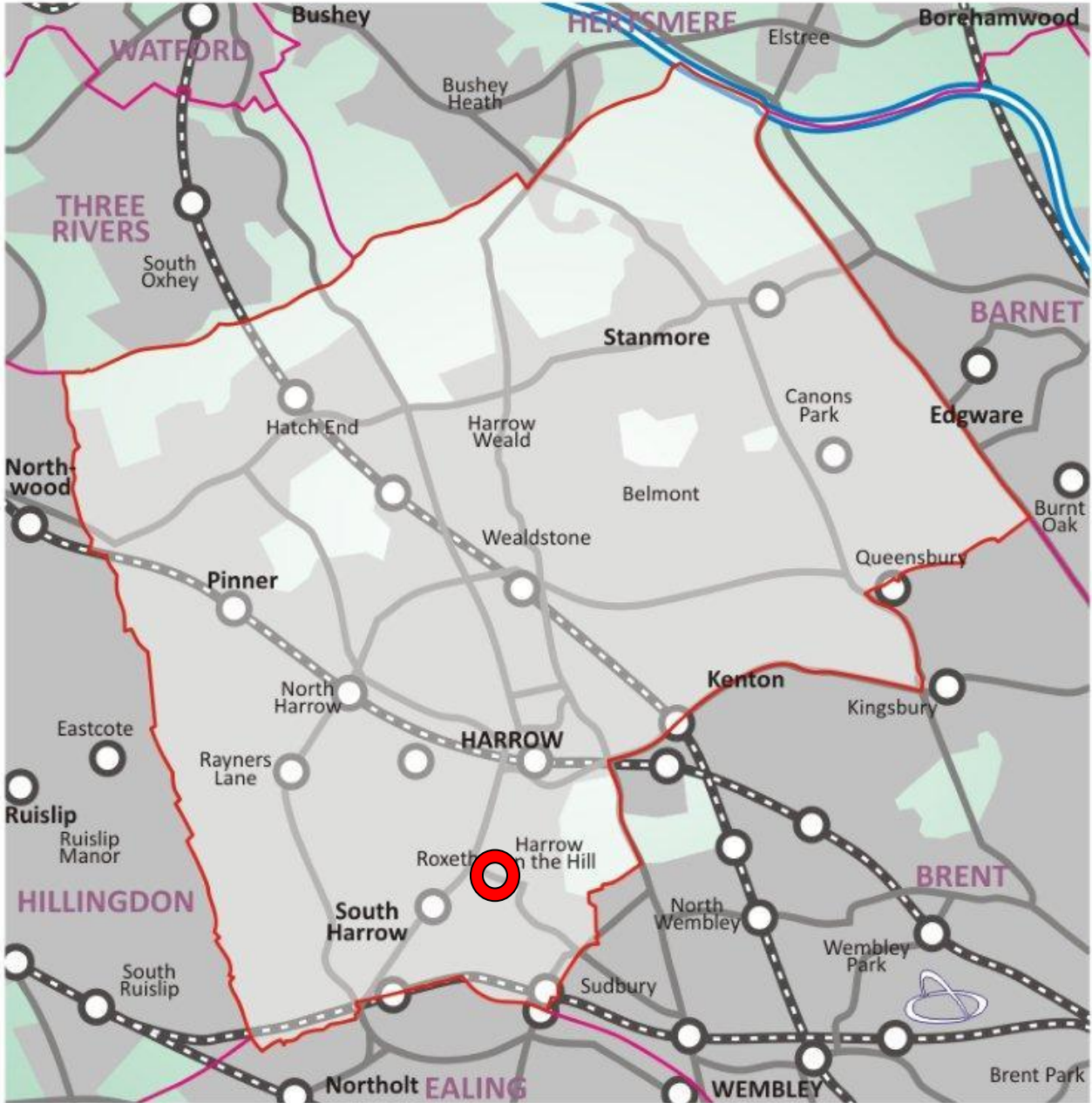
PROPOSAL: Two storey side to rear extension; detached double car port; installation of 1.6m to 2m high brick pier boundary wall, installation of wrought iron pedestrian and vehicle access gates to front; relocation of pedestrian and vehicle access; external alterations (demolition of detached double garage; plant room; changing rooms, swimming pool and tennis courts) (as amended by the Addendum). The Committee received representations from Mr Roger Birtles (for the Applicant) who outlined his reasons for seeking refusal of the officer recommendations, and subsequently requesting that the application be granted. A Member, Councillor Sachin Shah, proposed to grant the application. The motion was seconded by Councillor Marilyn Ashton, and agreed. The Committee resolved to refuse the officer recommendation. RECOMMENDATION The Planning Committee was asked to: 1) agree the reasons for refusal as set out in the report. DECISION: GRANT The Committee wished it to be recorded that their decision to be "minded to grant" the application, which would be brought back to Committee, was unanimous. The audio recording of this meeting can be found at the following link: www.harrow.gov.uk/virtualmeeting.'

CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar 20.8.20
Corporate Director	Hugh Peart pp Paul Walker 20.8.20

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 = application site



42 Roxeth Hill, Harrow HA2 0JW	P/1715/20
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LOCATION PLAN 1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1715/20

VALID DATE: 23rd JUNE 2020

LOCATION: 42 ROXETH HILL, HARROW

WARD: HARROW ON THE HILL

POSTCODE: HA2 0JW

APPLICANT: MS INGRIT GRUDA

AGENT: Mrs M VAJA

CASE OFFICER: BLYTHE SMITH

EXPIRY DATE: 4th AUGUST 2020

PROPOSAL

Single storey rear extension (demolition of conservatory)

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. The proposals would preserve the character and appearance of the conservation area. 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 (2019), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Plan (2013), the Harrow Supplementary Planning Document: Residential Design Guide (2010) and the Roxeth Hill Conservation Area Character Appraisal and Management Strategy.

INFORMATION

This application is reported to Planning Committee at the request of 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:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	14.62 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 semi-detached two storey single family dwellinghouse located on the south side of Roxeth Hill. The dwellinghouse occupies a plot with No. 40 Roxeth Hill to its western flank, No. 44 is adjoining to the eastern flank. The rear amenity space adjoins the rear amenity space of No.27 and No.29 Ashbourne Avenue. The property's principal/front elevation faces north, on to Roxeth Hill.
- 1.2 The property has an existing conservatory at approximate 3m height and 2.6m in depth. The property is on a gradient where the rear garden is lower than the proposed development.
- 1.3 The property is not a listed building but it is located within the Roxeth Hill conservation area.
- 1.4 The property is not subject to an article 4 Direction.
- 1.5 The site is located within a critical drainage zone.

2 PROPOSAL

- 2.4 The application proposes a single storey rear extension located on the southern side of the property and the demolition of the existing conservatory.
- 2.5 The proposed single storey rear extension would project 3m and would have a flat roof with a maximum height of 3.4m (measured from the lowest site level).
- 2.6 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
P/3489/19	Single storey rear extension; external steps at rear (demolition of conservatory)	REFUSED 25 TH October 2019
Reason for refusal: 1. The proposed extension by reason of its excessive height, depth and minimal setback would result in a disproportionate development which would appear visually obtrusive, and would give rise to a loss of outlook and overbearing impacts to the rear protected windows and amenity space of No. 40 and No.44 Roxeth Hill which would be harmful to the residential amenities of the occupiers of this		

neighbouring property		
2. The proposed extension by reason of its scale and unsympathetic roof design would appear as an unduly bulky addition and contrived form of development which would be harmful to the character and appearance of the host dwelling and the area		
P/4822/19	Single storey rear extension; external steps at rear (demolition of conservatory)	REFUSED 13 th January 2020
Reason for refusal: 1. The proposed extension by reason of its excessive height and depth would appear visually obtrusive, and would give rise to a loss of outlook and overbearing impacts to the rear protected windows and amenity space of No.44 Roxeth Hill which would be harmful to the residential amenities of the occupiers of this neighbouring property		

3.2 Pre-application Discussion

3.2.1 No Pre-application discussion.

3 CONSULTATION

3.4 A total of 5 consultation letters were sent to neighbouring properties regarding this application. One site notice was placed in the local area. The minimum statutory consultation period expired on 23rd July 2020.

3.5 One objection was received from the public consultation.

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

<p>Character and appearance:</p> <ul style="list-style-type: none"> The construction needs to remain the same dimensions and style as existing. <p><i>Officer response: It is considered that the proposal would not detract from the character and appearance of the house and the area.</i></p> <p>Outlook and loss of sunlight:</p> <ul style="list-style-type: none"> The proposed development would reduce views from the kitchen and dining rooms of the neighbouring property <p><i>Officer response: The dining room window is located approximately at the same level as the rear elevation of No. 42, the extension would not project</i></p>

more than 3m beyond this elevation. The kitchen window is dual aspect with the outrigger on No. 40 , the outlook from the flank window is not protected. The proposal is considered to have an acceptable impact with regard to outlook and privacy of neighbours.

3.7 Statutory and non-statutory consultation

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

Conservation Officer	The proposal is small scale and neat. As long as materials were conditioned to match the existing, this would preserve the character and appearance of the conservation area.
CAAC	Brick on edge on creasing tile parapet wall to flat roof preferable.

3.9 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 Conservation Area
- Residential Amenity
- Flood Risk and Drainage

6.2 Character and Appearance of the Conservation Area

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.3B, 7.4B, 7.6B, 7.8C and 7.8D
- The Draft London Plan Intend to Publish Version (2019): D2 and D3
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM1 and DM7
- Harrow Residential Design Guide SPD (2010)
- Roxeth Hill Conservation Area Character Appraisal and Management Strategy

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 single storey rear extension would not be visible from the public domain and would therefore not have a degree of impact on the street scene. It is noted that the proposed single storey rear extension will extend 0.4m deeper than the existing conservatory and the property benefits from a generous rear amenity space and therefore the proposed extension would not appear cramped within the site and would leave ample amenity space for the users of the site.

- 6.2.4 It is noted that objections have been received stating the proposal would be out of character for the area and the property.
- 6.2.5 The extension is above a height than usually permitted, however, this is not significantly taller than currently in situ and there is a gradient difference to the rear elevation. Having regard to the site constraints, the proposed height is considered to be acceptable.
- 6.2.6 Harrow Council's Heritage Officer and the Conservation Area Advisory Committee has been consulted on the plans and have confirmed the proposals would be considered acceptable in relation to the Roxeth Hill Conservation area. The CAAC stated that brick edging on the parapet would be preferable for design.
- 6.2.7 In conclusion, the proposal is therefore considered to have an acceptable impact on the character and appearance of the main house, the street scene and would preserve the character and appearance of the conservation area. There, the proposal would meet with the relevant policies and guidance listed above.

6.3 Residential Amenity

- 6.3.1 The relevant policies and guidance 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
 - Harrow Residential Design Guide SPD (2010)
- 6.3.2 The proposed ground floor rear extension would not project beyond 3m of either the two rear elevations of no. 40 or the rear elevation of No. 44 Roxeth Hill. It will have be 3.4m in maximum height, however this is required to provide a useable area due the gradient in the rear amenity space. The impact of this is offset by the distance between the development and the boundary (0.9m) and the neighbouring properties built patio.
- 6.3.3 It is noted that objections have been received regarding the loss of outlook and sunlight.
- 6.3.4 The window on the flank elevation of No. 40 will directly face the proposed extension however this is a secondary window to the kitchen, as there are patio doors to the rear of the outrigger. Given that the primary source of light and outlook would be from the rear facing window in the outrigger, the view from the flank elevation window would not be protected in line with the Council's guidance.
- 6.3.5 The proposed development would project 3m beyond the window on the rear elevation that provides outlook for the reception room of No. 44. The application property and this neighbour both benefit from the gradient in the rear amenity

space, therefore the 3.4m height of the proposed extension, if stood at this window, would appear at 3.1m in height due to the change in ground level. Additionally there will be 0.9m between the development and the common boundary off setting harm further.

6.3.6 In conclusion, the proposal would not give rise to any adverse impact in terms of loss of outlook, sunlight 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, would preserve the character and appearance of the conservation 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 (2019), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM10 of the Harrow Development Management Policies Plan (2013), the Harrow Supplementary Planning Document: Residential Design Guide (2010) and the Roxeth Hill Conservation Area Appraisal and Management Strategy.

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: Location Plan; 19/042/ROX/001; Heritage Statement; Design & Access 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) 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. 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 and CS1.D

Harrow Development Management Policies Local Plan 2013

DM1, DM7, DM10

Relevant Supplementary Planning Document

Supplementary Planning Document: Residential Design Guide (2010)
Roxeth Hill Conservation Area Character Appraisal and Management Strategy

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:

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

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

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.

5. 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.

6. 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 20.8.20
Corporate Director	Hugh Peart pp Paul Walker 20.8.20

APPENDIX 2: LOCATION PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Figure 1 Existing rear elevation



Figure 2 Towards the rear elevation of No. 44 Roxeth Hill



Figure 3 Towards the rear elevation of No. 40 Roxeth Hill



Figure 4 Flank elevation of the outrigger on No. 40 Roxeth Hill, taken from the rear steps of the existing rear extension

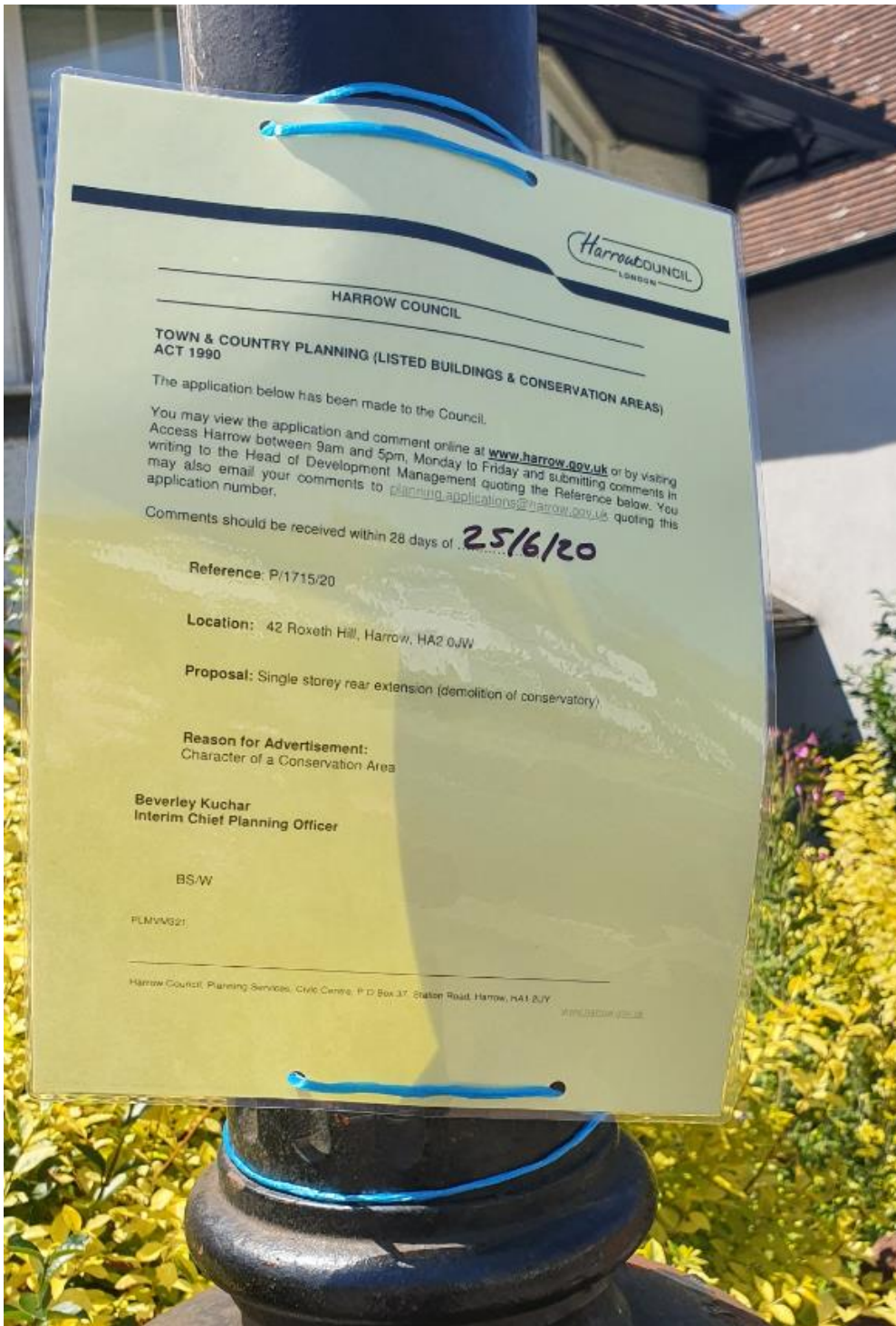


Figure 5 Site notice

APPENDIX 4: PLANS AND ELEVATIONS

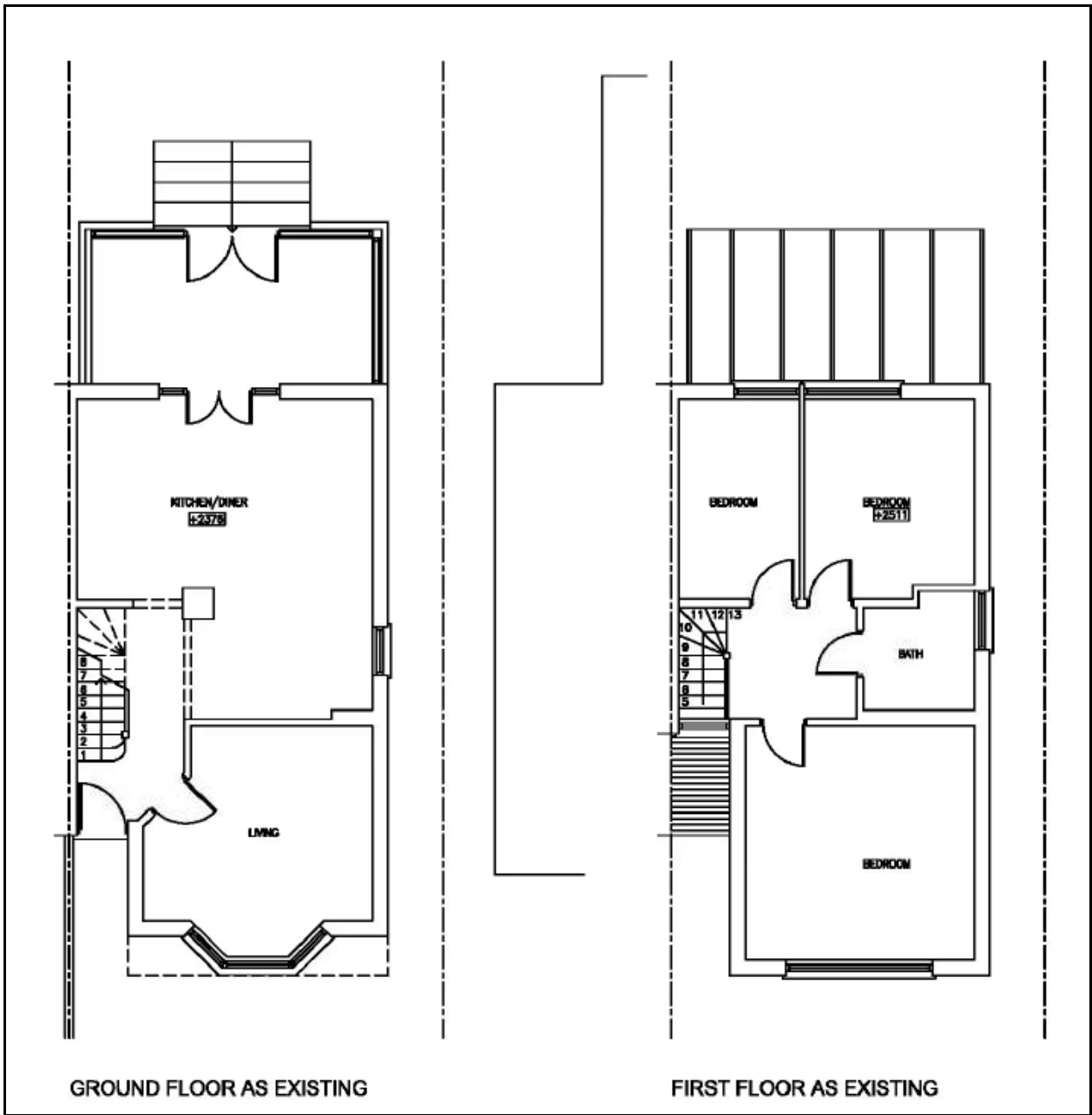


Figure 6 Existing floor plans

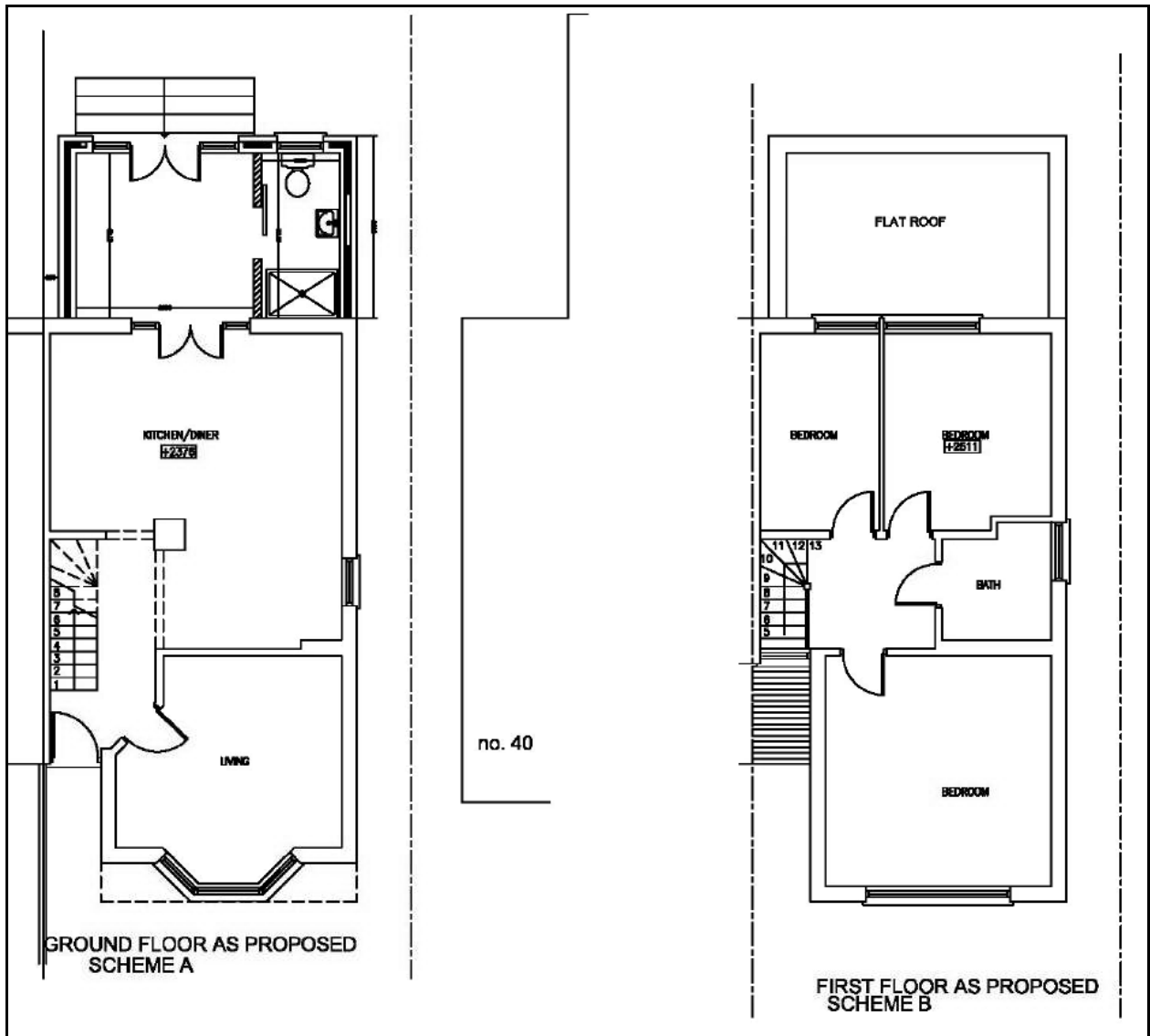


Figure 7 Proposed Floor Plans

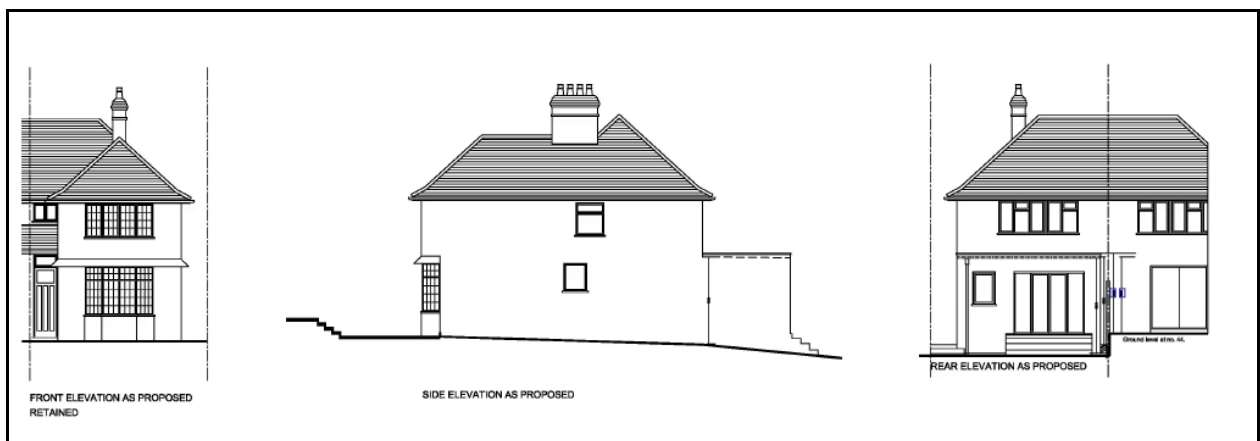


Figure 8 Existing Elevations

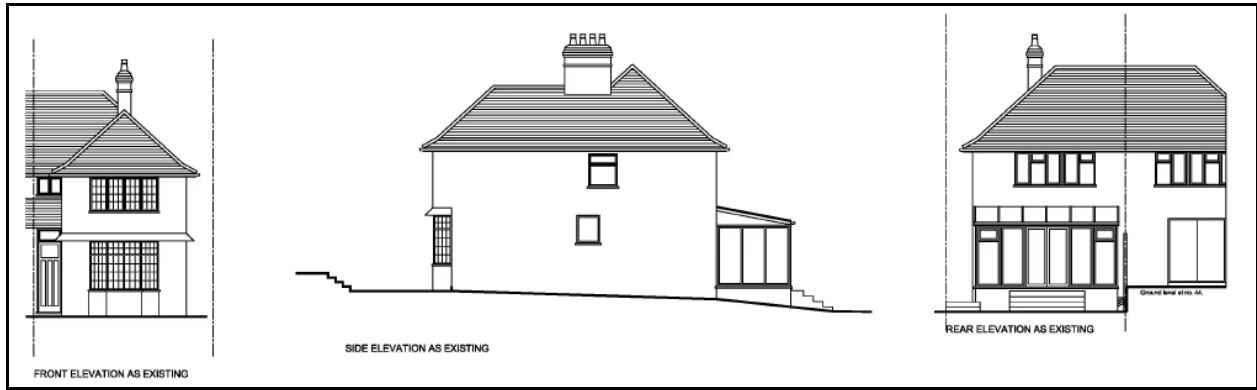
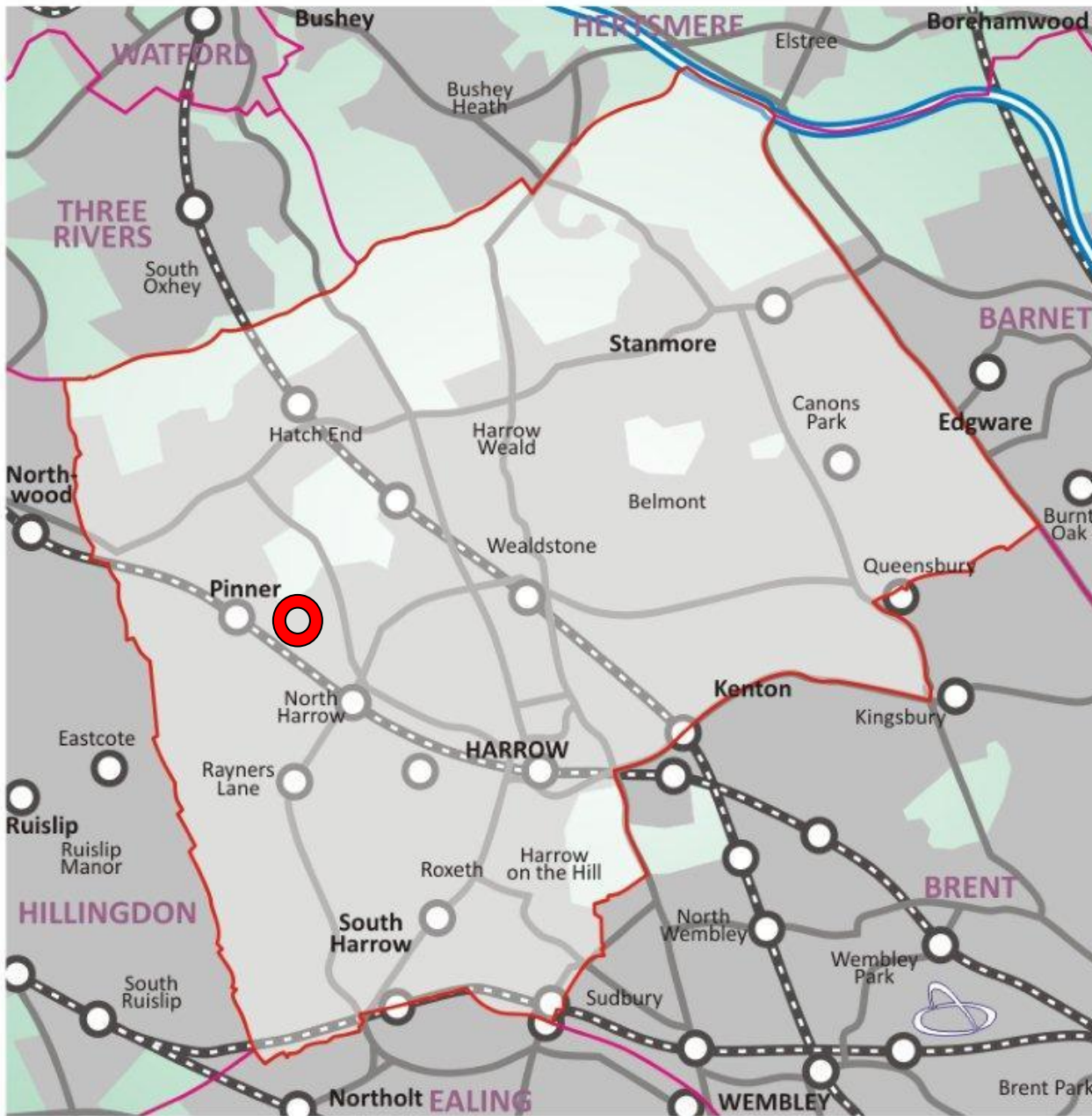
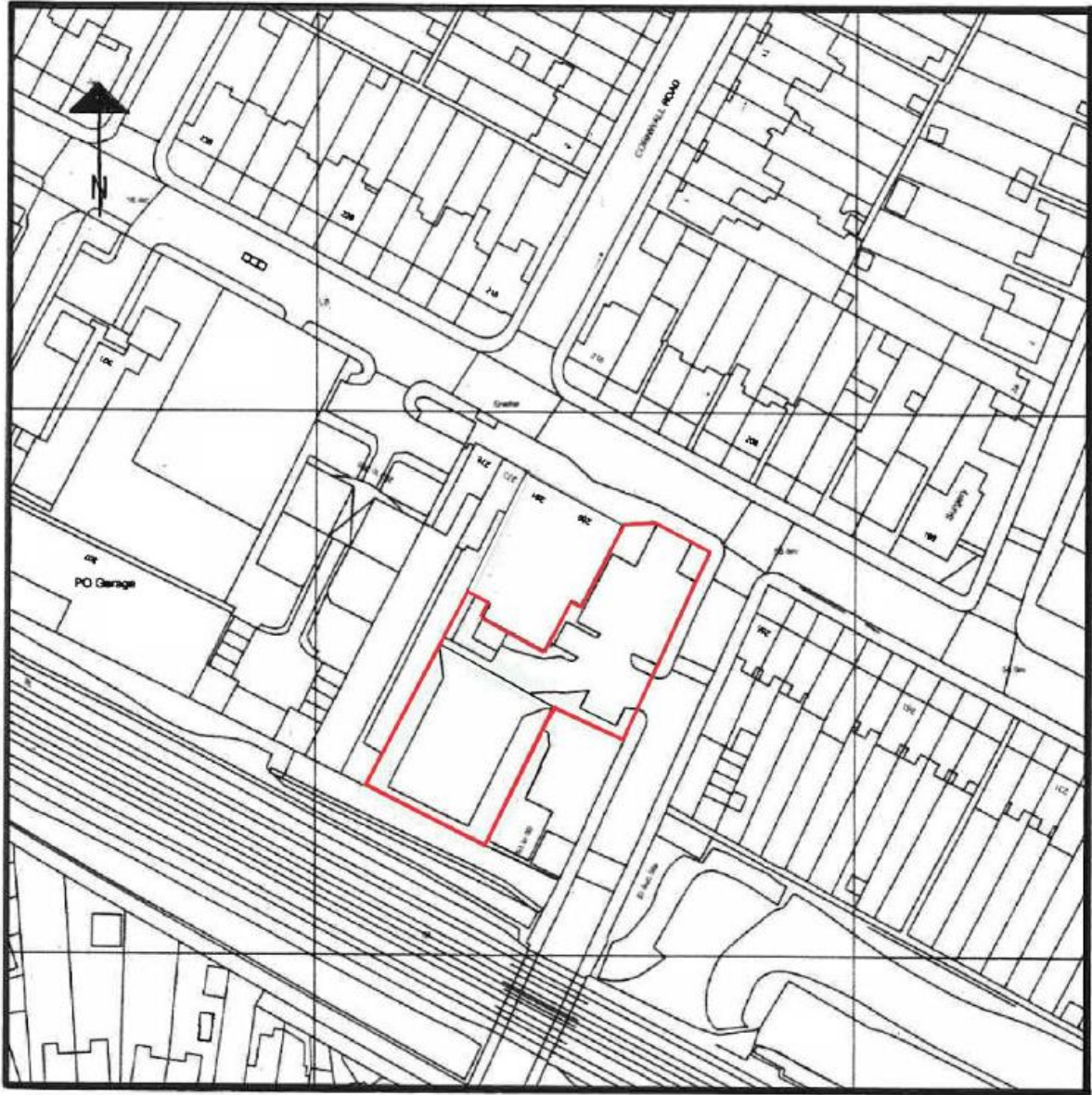


Figure 9 Proposed Elevations

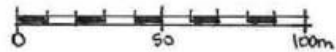
 = application site



Land at rear of 259 Pinner Road, Harrow, HA1 4HF	P/4355/19
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SITE LOCATION PLAN 1:1250



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/4355/19
VALIDATE DATE: 11/10/2020
LOCATION: LAND REAR OF 259 PINNER ROAD, HARROW
WARD: HEADSTONE SOUTH
POSTCODE: HA1 4HF
APPLICANT: PINNER DEVELOPERS LTD
AGENT: AKT PLANNING+ARCHITECTURE
CASE OFFICER: SELINA HOTWANI
EXTENDED EXPIRY DATE: 22nd SEPTEMBER 2020

PROPOSAL

Redevelopment to provide three storey building comprising of seven flats (6 X 2 bed and 1 X 1 bed); bin and cycle stores

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 Section 106 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 shall obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order.
 - ii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, 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 Chief Planning Officer to **REFUSE** planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to ensure a car-free development through the restriction of resident parking permits for future occupiers of the proposed dwellings, would result in increased parking stress in the locality, in a

sustainable location, to the detriment of the Councils aim to reduce reliance on the private motor car in sustainable locations. The proposal is therefore contrary to Policy 6.13 of the London Plan (2016), Policy T6 of the Draft London Plan (2019) Policy CS1.R of the Core Strategy (2012), and policies DM42, DM43 and DM50 of the Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATIONS

The principle of providing a residential development on the application site is considered acceptable. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.

It is considered that the proposed buildings 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 proposal would provide appropriate living conditions for the future occupiers of the 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 as the proposed development consists of construction of more than 3 new dwellings. The proposal therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	No
Net Additional Floorspace:	514 sqm
Infrastructure Levy (CIL) Contribution:	£30,840 (with indexation)
Local CIL requirement:	£81,417.60 (with indexation)

HUMAN RIGHTS ACT

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

EQUALITIES

In determining this 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 a parcel of vacant land located to the south west rear of 259 Pinner Road formerly used as additional car parking associated with the Apollo Public House.
- 1.2 The subject site is located within a mixed commercial, retail and residential area. Directly north of the site are Tesco Express and Ladbrokes, including associated car parking for the Tesco customers. At first floor level of the rear part of the Tesco store are 2 x 1 bedroom flats. Access for this building is via The Gardens. The application site benefits from legal right of access via this same access point.
- 1.3 To the east of the site and also accessed off, The Gardens is an MOT, services and car sales garage. South of the site adjoins an access path which leads to the rear of No. 275 Pinner Road which separates the site from the embankment carrying the Railway Line providing tube and main line services including the Metropolitan Line.
- 1.4 To the west of the application site is the rear of No. 273 Pinner Road. Within this rear garden, abutting the shared boundary with the application site is the Tunnel (Shisha) Lounge. This extends the full depth of the site.
- 1.5 The wider area further east and north of Pinner Road comprises two storey terraced and semi-detached dwellinghouses. There are also larger flatted blocks to the west such as Adrian Court and Kotecha House which are three storey developments.
- 1.6 The site is not within a Conservation Area and is not statutorily listed. The site has a public transport accessibility level (PTAL) of 3.

2.0 PROPOSAL

- 2.1 The proposal seeks to construct a three storey building to accommodate 7 new flats. The ground and first floors would comprise three units on each (2 x 2 bedroom and 1 x 1 bedroom units) and the second floor would comprise 1 x 2 bedroom unit. The ground floor units would benefit from private garden space and the upper floors would be provided with private balconies. A roof garden to provide additional communal space is also proposed.
- 2.2 Three parking spaces located south of the Tesco vehicular access would be repositioned to accommodate a wider pedestrian footpath from The Gardens to the proposed development site. Boundary treatments are proposed to the front of the site.
- 2.3 A refuse store fronting the Tesco Service Yard and cycle storage for 14 cycle spaces within the forecourt of the development are proposed. Soft landscaping would be provided.

- 2.4 The materials proposed would comprise a mix of brickwork and render with aluminium casement windows and doors. The balcony balustrades would comprise 1.1m high steel railings and enclosed balconies with glass screening on the railway side.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
P/3128/19	Redevelopment to provide three storey building comprising of eight flats; parking; bin and cycle stores	Refused 26/11/2018
<p>1. The proposed application by virtue of their description and existing and proposed plans fail to demonstrate satisfactory and accurate information with regards to the proposed red line boundary and submitted land registry information associated with the subject application contrary to the provisions of the General Development Management Procedure Order 2015.</p> <p>2. The proposed development by reason of its poor siting fronting the Tesco Express service yard and poor legibility resulting in the lack of safe, sustainable and inclusive access arrangements would result in a conflict between residential and commercial traffic to the detriment highway and pedestrian safety and free flow of traffic contrary to the National Planning Policy Framework (2018), Policy 6.3 The London Plan (2016), Core Policy CS1 of the Harrow Core Strategy (2012), Policies DM1, DM22, DM44 and DM45 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document - Residential Design Guide (2010).</p> <p>3. The proposed ground floor flats by reason of their poor layout and proximity to the shared boundaries with surrounding commercial / industrial uses would give rise to poor levels of outlook, undue noise, vibration and disturbances to the detriment of the residential amenities of the future occupiers. Furthermore, the applicant has failed to satisfactorily demonstrate acceptable noise levels for all proposed residential units and private amenity spaces of the development, contrary to the National Planning Policy Framework (2012), Policies 3.5.B, 3.5.C, 7.6B, 7.15 of The London Plan (2016), Policies DM1 and DM27 of the Harrow Development Management Policies Local Plan (2013), Policies, Mayor of London's Housing Supplementary Planning Guidance (2016) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</p>		

Wider (Tesco) Site

Ref no.	Description	Status and date of decision
HAR/108014	Residential Development (Outline)	Granted 25/08/1955
LBH/1492/1	Erection of new licensed premises	Granted 02/11/1966
WEST/624/9 6/VAR	Variation of condition 5 LBH/1492/1 dated 2 Nov 66 to allow use of parking area as garden.	Refused 14/11/1996
<p>1. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the Council's minimum requirements in respect of the development, and the likely increase in parking on the neighbouring highways would be detrimental to the free flow and safety of traffic on the neighbouring highway and the amenity of neighbouring residents.</p> <p>2. The proposal would result in the loss of parking spaces, and a parking layout with inadequate manoeuvring space, that would be likely to lead to displaced car parking taking place on the neighbouring highway which would be detrimental to the free flow and safety of traffic and harmful to the amenity of local residents.</p> <p>3. The proposed use of the rear parking area as a beer garden would have an unacceptable impact on the occupiers of the flats at Adrian Court, giving rise to unacceptable levels of noise and disturbance, particularly at unsocial hours.</p>		
WEST/92/95/ CON	Continued use of part of car park as playground / patio without compliance with Condition 5 of LBH/1492/1 dated 2 Nov 1966	Refused 18/07/1995
<p>1. The unauthorised uses lead to displaced car parking taking place of the neighbouring highways which is detrimental to the free flow and safety of traffic and harmful to the amenity of local residents.</p> <p>2. The unauthorised uses cause unreasonable noise and disturbance for surrounding local residents which is harmful to their enjoyment of properties and thus detrimental to residential amenity.</p>		
P/0325/09	Single storey front extension to provide additional retail floor space with associated alterations to ground floor elevations	Granted 11/09/2009

P/0327/09	Alterations to existing car park to include two additional car parking spaces and landscaping	Granted 11/09/2009
P/0328/09	Conversion of first floor to provide 2x1 bedroom flats and 2 storey rear extension	Granted 11/09/2009
P/0361/12	Change of use from retail shop (use class A1) to financial and professional services (Use Class A2) or restaurant (Use Class A5); external alterations including installation of extract flue	Granted 16/05/2012

4.0 **CONSULTATION**

4.1 A total of 38 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 14 November 2019.

4.2 Revisions made to the current application include:

- Floor to ceiling heights have been increased to 2.5m on all levels.
- Front facing balconies have been relocated at first and second floor levels to provide enclosed (sound proof) inset balconies facing Tunnel Lounge.
- The stairwell wall on the front elevation now includes a glazed panel / curtain walling;
- The floor areas for Flats 1 & 4 have been reduced from 78 to 76sq.m. and Flat 7 has been reduced from 88 to 86 sqm.
- All flats include over 2sqm of internal storage space.

4.3 Having regard to the comments made below it is not considered that the above amendments would either overcome or frustrate the matters raised and as such it was not considered necessary to conduct a further re-consultation. Following the initial consultation 3 objections were received.

4.4 A summary of the responses received are set out below with officer comments in *Italics*:

Summary of Comments (Objections)
<p>Character & Appearance: All the buildings and housing in the area are 1930 builds this modern atrocity will devalue the area as it won't suit it and will stand out.</p> <p><i>The immediate surrounding area is mixed in character and the buildings vary from traditional 1930s buildings to more modern development along Pinner Road with buildings varying to up to 3 storeys. Within this context, it is not considered that the development would appear at odds with the varied pattern of development in the locality.</i></p>

With Tesco and the area already being a high flowing pedestrian area (many shops in the area) there are issues of littering. With 7 more flats there will be an increase of littering in the area.

The proposed development has a dedicated refuse area for future occupiers, contained within a secure refuse store. As such, it is not considered that the development would result in additional litter.

Car Parking:

This proposed development has zero parking provision and there are not enough parking spaces to accommodate current residents' vehicles this is only going to increase pressure on spaces.

It is highly unlikely in this day and age that the new occupants of all seven flats will be 'car free' and it is questionable whether a ban on the residents of these flats gaining parking permits can be practically enforced.

Although no car parking spots will be allocated in a suburban area like Harrow we would expect visitors to come with cars and residents with children in the future to look for car parking spots to drop off their kids/go shopping etc hence this new proposal is poorly thought out and doesn't have the best interest of the future occupiers.

The Councils Highways Officer has indicated that in order for a car free proposal to be considered acceptable, it is necessary for the applicant to demonstrate that residents have good access to public transport and measures will be put in place to encourage car free living. The transport statement details the public transport facilities available within the area surrounding the site and furthermore the applicant commits to enter into an agreement that would restrict future residents from obtaining parking permits for the surrounding CPZ. As this is a legally binding document, any breach would result in an injunction against the person/s entered into the obligation and is therefore enforceable.

Amenity:

The privacy from the back window of No. 273 Pinner Road will be exposed with the proposed layout especially as it is three storey high building.

There are no windows which directly face No. 273 Pinner Road, furthermore this property is sited approximately 28m North-West of the site and it is therefore not considered that any detrimental harm in terms of overlooking or arising loss of privacy would occur to an unacceptable degree.

Amenity for future occupiers:

In addition to this the flats will need to have sufficient soundproofing especially due to trains and lorries. They are claiming they will put the maximum thickness of glass allowed but due to noise from the surrounding area residents wouldn't be happy.

Building flats in this location would cause issues for the future occupiers as the proposed site would give rise to poor level of outlook undue noise vibration and disturbances.

A Noise & Vibration Assessment was submitted with the application and appropriate mitigation measures incorporated as part of the design have been put in place to ensure that it would not cause detrimental harm to future occupiers as a result. This has been reviewed by the Council's Environmental Health Officer and is considered acceptable.

The proposed balconies overlook a railway and shops/commercial area. This is not an ideal area for residential flats.

The flats are surrounded by 3 businesses and a railway this is not a location for housing it's a preposterous location to build a block of flats. This is not a location for a block of flats.

There are no policy restrictions precluding this site for residential use and it is considered that given the acceptable design and mitigation measures in place to minimise the impact of noise and vibration from the railway and surrounding uses the proposed development would be appropriately located. The outlook from these units not considered uncommon in dense urban environments such as this.

Currently there is a rat infestation in the area adding more flats will amplify this issue with more rubbish in the area.

The refuse would be contained within a dedicated refuse store.

Other Issues:

There have been numerous power cuts in the area and an additional 7 flats would put more stress on the network.

The access point to build the flats will be adjacent to the rail way line. This land is owned by Lift & Engineering Services Ltd - 275 Pinner Road Harrow. Permission should be requested if this access point can be used as they control the entrance/exit gate.

These are not material planning considerations and have therefore not been included as part of the assessment of this application.

Drainage:

There has been a lot of drainage issues on Pinner Road where Thames Water have had to come and unblock drainage. With the addition of 7 flats this will increase the drainage problems. The last problem occurred week commencing 21st October.

A condition requiring the applicant to contact and attain Thames Water Consent. Furthermore, the Council's Drainage Engineer has requested the submission of a Drainage Strategy via condition, to ensure the applicant makes use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures used.

4.5 Statutory and Non-Statutory Consultation

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

4.6

Consultee and Summary of Comments
<p>LBH Drainage Engineer No objections subject to pre-commencement conditions.</p> <p>Environmental Health Officer: Initial concerns raised particularly in relation to impact of adjacent Tunnel (Shisha) Lounge use at the shared boundary. Following the submission of additional mitigation measures and subject to conditions relating to the submission of MVHR system details and an operational condition ensuring the development is carried out in accordance with the information provided within this application, the Officer raises no objection.</p> <p>Highways Officer: The transport statement is acceptable. In order for a car free proposal to be considered acceptable, it is necessary for the applicant to demonstrate that residents have good access to public transport and measures will be put in place to encourage car free living. The transport statement details the public transport facilities available within the area surrounding the site and furthermore the applicant commits to enter into an agreement that would restrict future residents from obtaining parking permits for the surrounding CPZ. Policy T6 of the draft London Plan states that developments that are car free should still provide disabled persons parking. However a non-provision of disabled parking could be justified given that Policy T6.1 G requires for 1 disabled space per unit (for 3% of the total) but refers to 10 or more units. T6 B/E require disabled parking to be provided but in line with T6.1 Although from a highways perspective, the provision of disabled parking is an important element of a residential development that should not be undervalued, it is not necessarily required by policy.</p> <p>Details of the cycle store should be secured by pre-occupation condition. A construction logistics plan following guidance at www.constructionlogistics.org should be secured by pre-commencement condition.</p> <p>A legal agreement is required for the restriction on parking permits.</p> <p>Waste Officer: No objections</p>

Landscape Officer:

Subject to conditions, no objections.

Secure By Design:

Fence should be lowered to avoid obstructing the view of the main entrance of the building. Secure by Design accreditation should be attained.

Transport for London:

No objection in principle, subject to pre-commencement conditions requiring a design and method statement and associated informatives.

5 POLICIES

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

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

5.2 The National Planning Policy Framework (NPPF) 2019 sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.

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. 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 Plan (Consolidated Suggested Changes Version published in July 2019) holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are recommended to be amended in the Panel's report.

5.5 Notwithstanding the above, the Draft London Plan remains a material planning consideration, 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 and Appearance of the area
- Housing Supply, Mix and Density
- Residential Amenity
- Transport and Parking
- Flood Risk and Development
- Accessibility

6.2 **Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.4 and 3.8
- The draft London Plan (2019): CG2, H1 and H2
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.2.2 The subject site was formerly part of the Apollo Public House, which has been converted into an A1 retail unit (currently occupied by Tesco supermarket). The previous use of this building was Use Class A4. Planning permission was not sought for the change of use from A4 to A1 as such a change can occur under permitted development and the Town and Country Planning (General Permitted Development Order) 1995 (as amended). Permission was subsequently granted for alterations to the existing car park to facilitate the change to a Tesco store under application P/0327/09. Within the submission, the subject site was not included in the approved plans as forming part of the customer car park. This evidence suggests that the subject site ceased to operate as associated car parking for the A1 unit and has remained vacant since. On this basis, the proposal is not considered to result in a loss of car parking and is considered to be previously developed land as defined by the National Planning Policy Framework (2019).

6.2.3 Having regard to the planning designations on the site, the site lies outside of a designated parade or metropolitan, district or local centre and there are no development plan policies that specifically preclude the provision of residential dwellings here. The application site is not an identified site within the Sites Allocation Local Plan (2013), but is a previously-developed site. This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site, but the provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough. Some weight should also be afforded to the Draft London Plan "Intend to Publish" version (2019) and policy H2 which supports well-designed new homes

on small sites (below 0.25 hectares in size) and reinforces the need for small sites to contribute to meeting London's housing needs. The subject site is 0.16 hectares and is considered to fall within this category. Accordingly, both adopted and emerging policies support sites such as this for residential use.

6.2.4 Policy DM 24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land. It is considered that the proposed 2, 3 and 4 persons dwellinghouses would provide a high quality mix of housing for both smaller and family sized households and would therefore be appropriate. Given the scale of the proposal, no affordable housing is required; and this would be considered satisfactory.

6.2.5 On the basis of the above, the use of the land for residential uses is supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable, subject to consideration of further policy requirements as detailed below.

6.3 Character & Appearance of the area

6.3.1 The relevant policies are:

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

6.3.2 Since the scheme was refused in 2018 (P/3128/18), the following modifications have been made:

- Site location plan amended to include footpath works;
- Removal of a blue badge parking space;
- Reduction in one unit and overall mass at third floor level and creation of a roof garden with obscure 1.8m high obscure acoustic glazing;
- increase in the number of 2 bedroom units from 5 to 6;
- Additional landscaping to the frontage of the site;
- Detailed Noise Report and Daylight/Sunlight Assessment included;
- Enclosed balconies to the rear of the site; and
- Changes to materials on the elevations.

6.3.3 The application site is currently vacant and located to the rear of the motor garage fronting The Gardens and set back from Pinner Road by some 38m and is largely screened by the existing two storey Tesco Express. The rear of the site is characterised by the railway line. The subject site is therefore not considered to

occupy a prominent location. The wider area comprises two storey dwellinghouses on the northern side of Pinner Road and a mix of retail and residential on the southern side directly in front of the subject site. In close proximity to the application site to the north east are flatted developments between two and three storeys including Kotecha House and Adrian Court.

- 6.3.4 The proposed building would be a maximum of three storeys although the third storey would not be highly prominent given that this element would be set in from the edges of the building and would not occupy the entirety of the building footprint. Notwithstanding this, the part two / three storey building would be compatible with the scale of development in the locality. The development is also visually contained within the site and set in from adjacent boundaries by between 3.5m at its narrowest point and 5m at its widest point. As such, it would sit comfortably within the site and would not appear unduly large or bulky in mass. To add, the building footprint comprises approximately 40% of the overall site and would not constitute an overdevelopment. It is therefore considered that the scale and mass of the proposed development would be acceptable in the context of the wider area.
- 6.3.5 In terms of design and appearance, the development would comprise contemporary design using high quality materials. The external facades of the building would comprise a mix of light and dark grey stock facing brickwork to differentiate between the second floor and lower levels. The use of brickwork on the second floor level is welcomed and is considered an improvement from the previously proposed zinc. It would also include 'pewter grey' render to highlight the main entrance and core of the building which is considered acceptable and would create some architectural interest. The front facing balconies would comprise 1.1m high steel balustrades which would appear lightweight not adding to the bulk of the development. Similarly, the fully enclosed balconies to the rear are provided with sliding glass screens to minimise any noise impacts from the adjacent railway line. Whilst generally acceptable, exact details of the materials and their appearance, including the location, design and appearance of any external flues or rainwater goods would be secured by condition.

Refuse Storage

- 6.3.6 Policy DM26 states that part of the requirements for good design are that bin and refuse storage must be provided in such a way as to minimise its visual impact and that adequate arrangements for the storage and collection of waste, which would not give rise to nuisance to future occupiers is required. Policy DM45 states that waste storage must be located and screened to avoid nuisance to occupiers and adverse visual impact.
- 6.3.7 The Councils Waste Officer has confirmed that the provision of two large waste bins and an organic waste bin is acceptable. The location of refuse to the front of the property to integrate with the existing servicing arrangement with Tesco is also considered acceptable. The double frontage doors also enable residents to access the store from the southern side and allow for collection on the northern side. Subject, to details of the design and appearance of the refuse store, this element

would not detract from the character and appearance of the proposed development or wider area.

Landscaping

- 6.3.8 Policy DM22 requires proposals to include hard and soft landscaping to be provided as part of new development. The proposal was referred to the Council's Landscape Officer who was supportive in principle subject to conditions requiring details of the boundary treatments including the railings and wall proposed alongside the pathway leading to the site from The Gardens. Design details for the climber supports, green roofs and communal amenity roof terrace area together with and landscape management and maintenance plans for all the communal external landscaped areas are required. The cycle store proposes a green roof, which is also welcomed, and details are required for this as well as all the other green roofs proposed. Accordingly, subject to the aforementioned conditions the proposal complies with policy DM22 in respect of landscaping. Furthermore, to ensure safety across the site a condition to provide adequate access control management and secure by design accreditation must be achieved.

Access

- 6.3.9 The proposal seeks to adjust three existing Tesco parking spaces located adjacent to the main access of the site to create a larger pedestrian footpath from The Gardens directly to the proposal site between 1.2-1.5m wide and railings either side. The deed of easement submitted as part of the application confirms the developers right of access to use and alter the footpath as proposed. This is considered acceptable from a highways perspective and would not cause harm to the accessibility in and out of the site. Concerns were raised previously in relation to the access from the proposed development to the Tesco unit, however a dropped kerb from the site for pedestrians to safely access the supermarket is proposed and coupled with the widened footpath this is considered to incorporate safe access in and out of the site. Although residents may be required to cross the service yard to reach the store, the transport statement notes that this is not dissimilar from the existing arrangement whereby the store is accessed via the car park. Alternatively, there is a footpath via The Gardens to the main entrance on Pinner Road. On this basis, it is considered that the proposed arrangement would be acceptable.
- 6.3.10 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 and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2, 7.6, and 7.14
- The Draft London Plan (2019): D4, D5, D6, D7 and SI 1

- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM2, DM24 and DM27
- Mayor's Housing SPG (2016)
- Residential Design Guide SPD (2010)

Residential Amenity for future occupiers

6.4.2 The proposed development would provide seven units comprising 1 x 1 bed two person; 5 x 2 bedroom three person and 1 x 2 bedroom four person units. This would be consistent with the larger unit sizes advocated by Policy DM24 of the DMPD (2013). The proposed units would comply with the minimum space standards and would benefit from private amenity gardens or balconies, thereby providing the appropriate quantum of private amenity space for the future occupiers. Outdoor amenity is also provided by virtue of a 44.3sqm roof garden. The proposed units would be dual aspect and are sufficiently set in and buffered by planting from the surrounding uses and would therefore benefit from acceptable levels of light and outlook. A daylight assessment was also submitted which concluded that all 19 rooms would benefit from good levels of daylight. Officers consider that the proposed units would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

Layout & stacking

6.4.5 Paragraph 4.55 of the Residential Design Guide SPD specifies that 'the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs'.

6.4.6 The vertical stacking arrangements are generally acceptable, although there are some marginal encroachments between the first and second floor units namely units 4, 6 and 7. However, the Noise consultant has stated that in order to comply with Building Regulations a precast wide plank floor slab for all intermediate floors with 65mm sand cement screed on a layer of 25 acoustic insulation would be provided. The ceiling would be 15mm Fireline board on a suspended metal framing. Whilst these measures are considered generally acceptable, this aspect will be covered at the Building Control Stage to ensure that sound transmission is minimised.

Noise & Disturbance

6.4.7 The development site is landlocked between various commercial uses and a railway line which has the potential to create undue noise and disturbance for future occupiers. The Noise Assessment submitted in support of the application considers the main sources of noise:

- Train noise from the railway line to the south;
- Plant noise associated with Tesco to the north;

- Delivery noise associated Tesco to the north;
- Noise associated with the garage to the east; and
- Noise from the Tunnel Lounge to the west.

6.4.8 The table below summarises the source of noise and the mitigation measures proposed to overcome these:

Source of Noise	Impact to future occupiers	Mitigation
Train noise and vibration from railway	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance. 	<ul style="list-style-type: none"> • Enclosed balconies to the rear units; • Communal terrace incorporating glass parapet. • Suitable double glazed windows coupled with a mechanical ventilation system, such that windows will not need to be opened.
Tesco plant noise	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance 	<ul style="list-style-type: none"> • Suitable double glazed windows coupled with a mechanical ventilation system, such that windows will not need to be opened. • Ambient noise would generally mask the noise generated from the plant. • On-going maintenance checks should be made in discussion with Tesco on the plant.
Tesco delivery noise - Small deliveries - Larger deliveries - Local deliveries for residents	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance 	<ul style="list-style-type: none"> • Considered that the mitigation noted above would adequately deal with the infrequent larger deliveries and daily deliveries (duration of 5 minutes).
Noise from MOT garage - Air Ratchets - Car Sales - MOT / Service centre	<ul style="list-style-type: none"> • Outdoor amenity space • Internal noise and disturbance 	<ul style="list-style-type: none"> • The garage mainly used for car sales with a small service and MOT centre. • Car sales do not generate noise above traffic levels and it is not considered that noise from the service / MOT bays can be distinguished between existing background noise levels.
Noise from Tunnel Lounge	<ul style="list-style-type: none"> • Outdoor amenity space; • Internal noise and disturbance. 	<ul style="list-style-type: none"> • 3m high masonry wall on western boundary; • Standard double glazed window unit with sound attenuation exceeding minimum recommended specification; • Mechanical ventilation system, so windows do not need to be opened.

6.4.9 The noise report does state that the results of the vibration monitoring show no adverse impact to the proposed development as a result and therefore no mitigation in this respect have been applied.

6.4.10 The Environmental Health Officer has reviewed all the Noise documentation within the report and an additional note supplied by the Acoustic Consultant and considers that subject to conditions, requiring the development to be carried out in accordance with the proposed mitigation measures, the proposed development would not cause detrimental harm to future occupiers in terms of noise and disturbance. Furthermore, a request for details relating to the mechanical ventilation and heat recovery system will also be requested by condition.

Air Quality

6.4.11 The applicant has submitted an Air Quality Assessment (Hawkins Environmental) which assess the impact of the existing air quality on future occupiers of the proposed development. Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

6.4.12 Overall it is considered that the proposed development meets the guidance within the Technical Guidance on Local Air Quality Management (LAQM) (TG16), IAQMEPUKs Land Use Planning & Development Control: Planning for Air Quality and IAQMs Guidance on the assessment of dust from demolition and construction. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the construction and demolition phases of the construction of the proposed development, the site is designated a 'Low Risk Site.' Accordingly, the site will not generate any likely significant effects, either during the construction or operational phases with the implementation of the mitigation measures. As such, there are no air quality constraints arising from the proposed development and there would be no conflict with the policies listed under paragraph 6.4.1 of this appraisal.

Residential Amenity for neighbouring occupiers

Impact to Nos. 259a and 259b Pinner Road

6.4.13 The proposed development would be set back from all shared boundaries by at least 3.5m at their closest points. The nearest residential properties are first floor flats above the Tesco Express (No. 259 Pinner Road). There are protected dormer windows which directly face the site. However, the proposed building would be approximately 16m away from the proposed building and as such it is unlikely that the scheme would cause significant harm in terms of loss of daylight to these occupiers. Furthermore, this distance and set back of the third storey would reduce the visual impact of the development from the windows directly facing the site and are therefore not considered to result in a detrimental loss of outlook. The first and second floor level balconies were revised so that they would face Tunnel Lounge to the west so as to mitigate against issues of overlooking. It is therefore considered that there would not be a loss of privacy or overlooking as a result.

Impact to No. 273 Pinner Road

6.4.14 The development would be set in by approximately 4.5m from the shared boundary with No. 273 and the residential units at first floor level would only have oblique views of the proposed development, some 27m away. As such, it is not considered that these units would experience a loss of daylight, outlook or overlooking as a result. Whilst there are flank facing windows which face the rear garden of No. 273, this area is used for commercial uses and covered almost in its entirety by Tunnel (Shisha) Lounge, a plywood structure covered in black sheets. Whilst no permission was sought for this operation, the use is immune from enforcement action and is considered to be a permanent fixture and is therefore considered to be material to this planning application. On this basis it is not considered that the proposed development would result in adverse amenity impacts to this property.

Overlooking from rear balconies

6.4.15 The proposed balconies on the rear elevation would overlook the railway line and embankment however the passengers using the trains would only experience fleeting views of the development.

6.4.16 In summary, it is considered that the proposal would not give rise to detrimental harm to future or existing residents and would accord with the development plan policies.

6.5 Transport and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9 and 6.13
- The Draft London Plan (2019): T4, T5, T6 and T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42 and DM44

6.5.2 This proposal is within a PTAL 3 location which is considered to be moderate. As noted within the submitted Transport Statement, the site is located within walking distance from North Harrow and Harrow Town Centres, as well as being in close proximity to local amenities. Furthermore, there are six bus routes located approximately 20m away on Pinner Road and two Underground Stations West Harrow and North Harrow some 400m and 750m. On this basis and given the stringent parking restrictions in place by virtue of the Controlled Parking Zone (CPZ) it is considered that 'car free' proposal is considered acceptable at this location. This is consistent with the approach taken at No. 249 Pinner Road where permission was granted for three, two storey dwellinghouses (P/5703/15).

6.5.3 The study of parking demand in the Transport Statement indicates that there may be a need for about 4-5 parking spaces based on Census car ownership levels (68% of flats in this area have access to at least one car or van) however the site is intended to be car free. The Council's Highways Officer has reviewed the information and states that given that it has been demonstrated that there are public transport facilities available within the area surrounding the site and as the

developer has confirmed commitment to enter into a legal agreement that would restrict future residents from obtaining parking permits for the surrounding CPZ, the car free element is considered acceptable.

- 6.5.4 It is however noted that Policy T6 of the draft London Plan states developments that are car free should provide disabled persons parking. Concerns surrounding conflict with deliveries to the Tesco store and servicing have resulted in disabled parking being removed from the design. Notwithstanding this, Policy T6B and E require disabled parking to be in line with T6.1 which specifically relates to parking in new residential development. Policy T6.1G states that where as disabled persons parking should be provided for new residential developments, but makes reference to those developments delivering ten or more units. The proposed development proposes seven. On this basis and given the servicing concerns raised it is considered on balance that the non-provision of a disabled space is acceptable in this instance.
- 6.5.5 The design and access statement indicates that refuse would be collected using the arrangement in place for the Tesco store and flats above, the Highways Authority considers this to be acceptable as it minimises the number of trips to/from the site. The scheme proposes 14 cycle spaces located at the front of the site. The quantum and siting of the cycle stands would be appropriate and are considered to be accessible. Further detail would be required showing the type of store, type of stands and their dimensions as such a condition to this effect is recommended. The Highways Authority has also requested that a construction logistics plan following guidance at www.constructionlogistics.org should be secured by pre-commencement condition.
- 6.5.6 In conclusion, it is considered that subject to the above conditions and legal agreement required for the restriction on parking permits, the proposal would accord with the above stated policies.

6.6 Flood Risk and Development

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13 and 5.14
- The Draft London Plan (2019): SI13
- 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 nor within an area of high flood risk. However, the Council's drainage officer has recommended that a surface water drainage strategy and the submission of full construction details of permeable paving with their maintenance plan is submitted to and approved by the Local Planning Authority. This would ensure the development makes use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of

the measures used in line with Development Management Policy DM10. Furthermore, details for the use of permeable paving have also been requested.

- 6.6.3 Subject to the above conditions and informatives it is therefore considered that the proposed development would be acceptable in terms of flood risk and would accord with relevant drainage policies

6.7 Accessibility

6.7.1 The relevant policies are:

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

6.7.2 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'. As this is a new build development there is the opportunity to make the ground floor units accessible for wheel chair users. Furthermore, the agent stated that the intention is for intermediate floors to be of concrete slab construction which would be ideal for hoist mounting and that bathrooms have been laid out to the requirements of Lifetime Homes, namely with wheelchair turning and flush floor gully provision. It is noted that proposed internal lift provision also provides wheel chair accessibility to all three floors as well as level access at ground floor. As the applicant is required to comply with Part M of Building Regulations, it is considered that the applicant has provided sufficient information to demonstrate that the accessible and adaptable homes standards can be achieved.

6.7.3 Notwithstanding the above, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, including comments received in response to notification and consultation as set out above, this application is recommended for approval given that it is considered that the proposal would contribute to the housing stock within the Borough and would make a positive contribution to an otherwise vacant parcel of land, consistent with the national and local guidance. The development would provide a good quality of accommodation for the occupiers of the property, whilst not unduly impinge on neighbouring amenities. 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

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document: 1906-S1, 1906-13 Rev F, 1906-14 Rev C, 1906-15 Rev D, 1906-16 Rev B, 1906-17 Rev B, 2349-001, 2349-002, (90)200, Air Quality Assessment (25th March 2020), Noise and Vibration Assessment (Dated 24th January 2020), Transport Statement (Reference: ITR/5266/TS.6), Deed of easement (Dated 11 November 2019), Design and Access (Dated 9th October 2019), Internal Daylight Assessment (23rd September 2019), Heating/Ventilation System (prepared by MPS, dated 6th October 2019), Addendum letter from Hawkins Environmental dated the 2nd July 2020.

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

3. Site Levels

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

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. Foul Water Disposal

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

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

5. Surface Water Disposal and Attenuation

The development hereby permitted shall not be commenced until works for the disposal of surface water, surface water attenuation and storage works have

been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as agreed and shall thereafter be retained.

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. Construction Logistics Statement

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

- a) Detailed timeline for the phases and implementation of the development
- b) Demolition method statement
- c) The parking of vehicles of site operatives and visitors;
- d) Loading and unloading of materials;
- e) Storage of plant and materials used in constructing the development;
- f) Measures to control the emission of dust and dirt during the construction; and
- g) Scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement & Logistics Plan, or any amendment or variation to it as may be agreed in writing by the Local Planning Authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

7. Materials

Notwithstanding the submitted details and 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 approved in writing by, the local planning authority:

- a) Facing materials and roof;
- b) Windows and doors
- c) Rainwater goods;
- d) Hardsurfacing; and
- e) All boundary treatment including either side of the footpath access The Gardens

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

REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area.

8. Mechanical Ventilation and Heat Recovery

The development hereby permitted shall not progress beyond damp proof course level until details of the Mechanical Ventilation Heat Recovery (MVHR) system has been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the details as agreed and shall be retained for the life of the development thereafter.

REASON: To safeguard the amenity of future occupiers.

9. Communal Television Equipment

The development hereby approved shall not progress beyond damp course level, until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) as been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

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

10. Permeable Paving

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until, full details of the permeable paving and details relating to the long term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with details as agreed and shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development.

11. Refuse Storage Details

The flats hereby approved shall not be first occupied until refuse storage details showing a layout plan and elevations of the storage area, types of enclosure and access doorways with dimensions 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 the refuse store shall be in place prior to the first occupation of the development and thereafter retained in that form. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To ensure that adequate, secure and accessible refuse storage is provided and to safeguard the appearance of the development.

12. Secure by Design

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

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

13. Cycle Storage

The flats hereby approved shall not be first occupied until cycle parking details showing a layout plan and elevations of the storage area, types of stands and access doorways with dimensions 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 the cycle stores shall be in place prior to the first occupation of the development and thereafter retained in that form.

REASON: To ensure that adequate, secure and acceptable form of cycle parking is provided.

14. Sound Mitigation Measures

The works and mitigation measures outlined in the Noise and Vibration Assessment (Dated 24th January 2020) prepared by Hawkins Environmental hereby approved shall be carried out to the required specifications. This will also include such acoustic glazing as stated and the 3m masonry boundary wall with “the Tunnel Lounge” as specified in the addendum letter from Hawkins Environmental dated the 2nd July, unless otherwise agreed by the Local Planning Authority.

REASON: To minimise noise disturbance to the future residents of the development.

15. Landscape Plan

The development hereby approved shall not be occupied until a landscape masterplan comprising hard and soft landscape details, shall be submitted to, and approved in writing by, the Local Planning Authority. The soft and hard landscaping details should 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;
- Design details are required for the climber supports, green roofs and communal amenity roof terrace area together with and landscape management and maintenance plans for all the communal external landscaped areas.
- Details of landscaping and planting specifications for the communal roof terrace;
- Details for all green roofs proposed;
- Written specification of planting and cultivation works to be undertaken;
- A landscape implementation programme;
- Hard Landscape Material Details; and

- Landscaping scheme including proposed implementation.

The landscape works shall be carried out in accordance with the details agreed.

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

16. Accessibility

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 as far as possible and thereafter retained in that form.

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

17. Landscape Implementation

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

18. Private amenity space

Notwithstanding the submitted details, the sub-division of private rear garden areas for the ground floor flats (but excluding the boundaries adjoining No. 273 Pinner Road and the railway tracks) shall be bounded by close-boarded timber fencing to a maximum height of 1.8metres prior to the first occupation of the development and shall be retained thereafter.

REASON: To protect the residential amenities of the existing and future occupiers of the development.

19. Removal of permitted development rights

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

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

INFORMATIVES:

1. The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016)

3.1, 3.3, 3.4, 3.5, 3.6, 3.8, 5.12, 5.13, 5.14, 6.3, 6.9 6.10, 6.13, 7.2, 7.4B, 7.5, 7.6B

Draft London Plan (2019)

GG1; GG2; CG4; SD1; D1, D4; D5; D6; D7; D12; H1; H2; H10; SI 1; SI 5; T1; T2; T4; T5; T6.1; DF.1

Harrow Core Strategy (2012)

CS1 Overarching Policy

Harrow Development Management Policies Local Plan (2013)

DM1, DM2, DM3, DM10, DM22, DM24, DM27, DM42, DM45, DM50

Supplementary Planning Documents

Supplementary Planning Document: Residential Design Guide (2010)

Mayor of London's Housing Supplementary Planning Guidance (2016)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

2. London Underground

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant and scaffolding.

3. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

4. Compliance with planning conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to

commence the development within the time permitted.- Beginning development in breach of a planning condition will invalidate your planning permission.

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

5. Considerate Contractor Code of Practice

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

6. 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

7. 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.

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. Construction Design and Management Regulations

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 01541 545500

10. Street Numbering

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

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

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

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

11. Mayoral Community Infrastructure Levy (provisional)

Please be advised that this application attracts a liability payment of £14,280 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 upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £14,280 for the application, based on the levy rate for Harrow of £60/sqm

12. Harrow Community Infrastructure Levy (provisional)

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

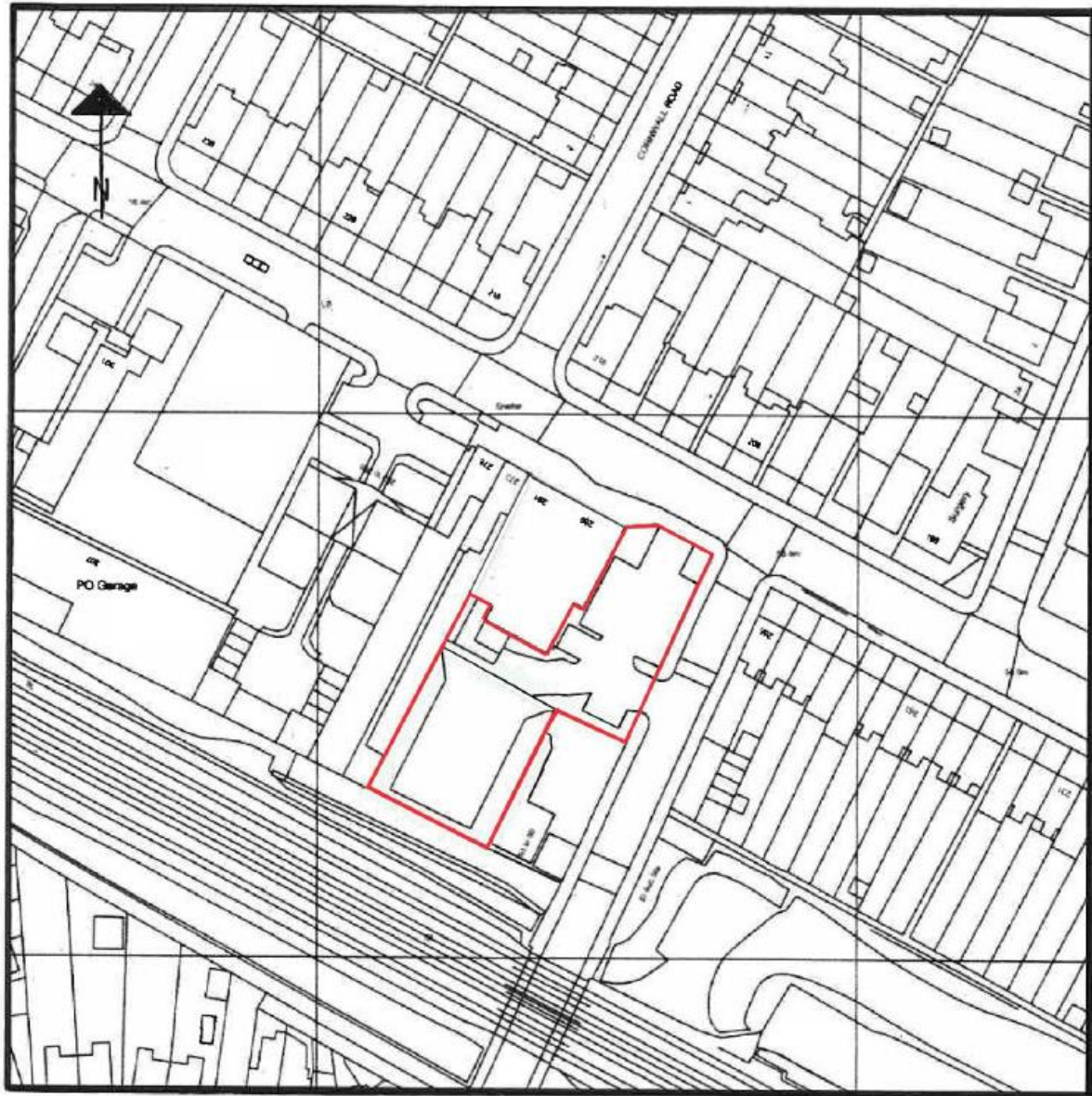
Residential (Use Class C3) - £110 per sqm; Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm; Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm; All other uses - Nil.

The Harrow estimated CIL Liability for this development is: £37,699.20

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar	20.8.20
Corporate Director	Hugh Peart pp Paul Walker	20.8.20

APPENDIX 2: Existing and Proposed Drawings

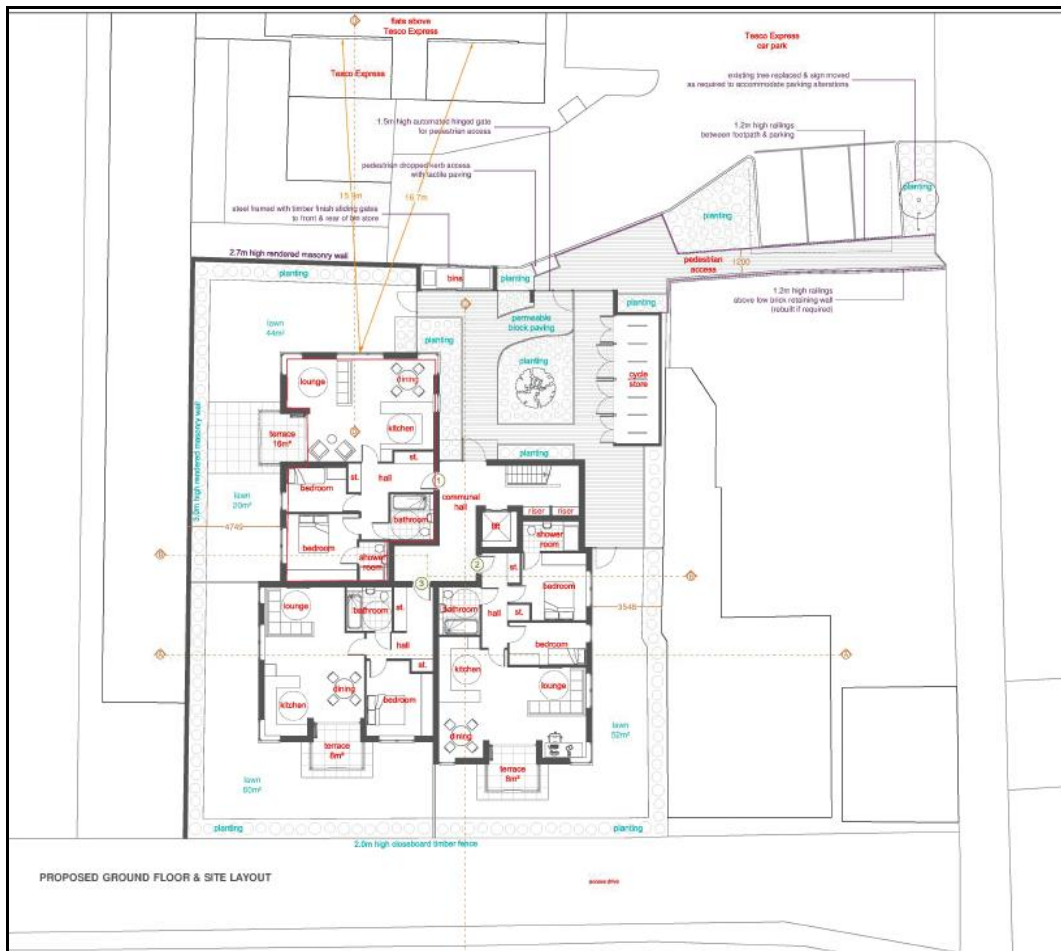
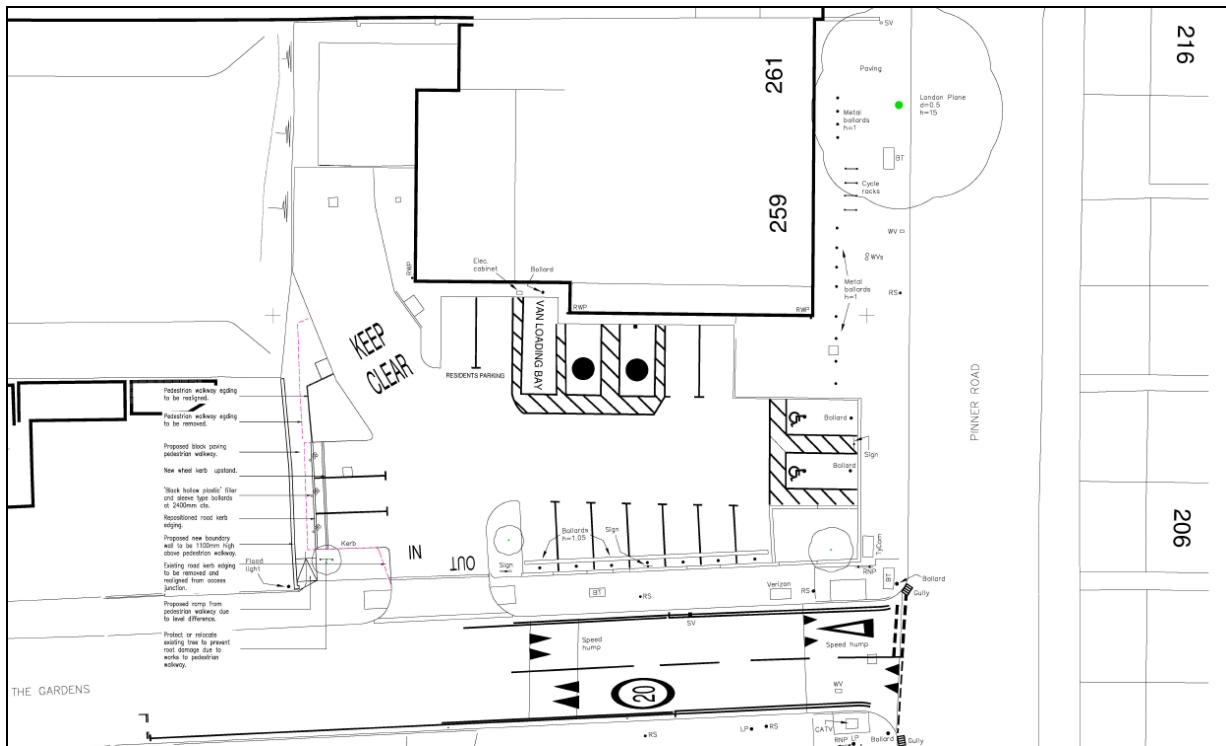
SITE PLAN



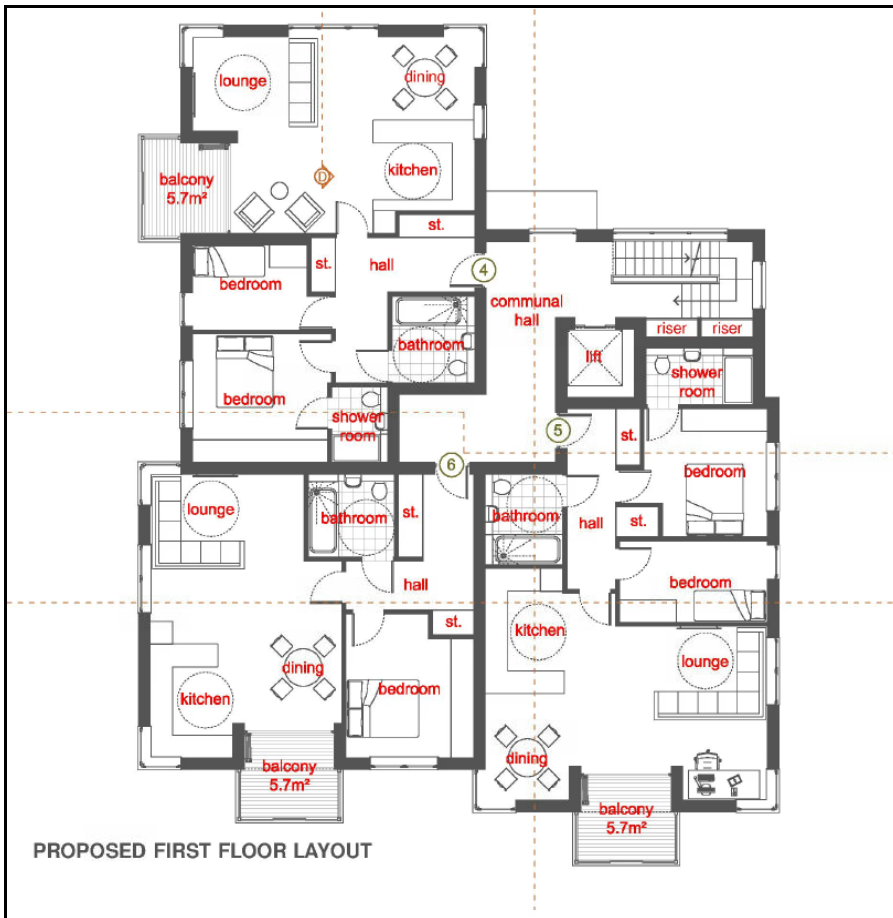
SITE LOCATION PLAN 1:1250



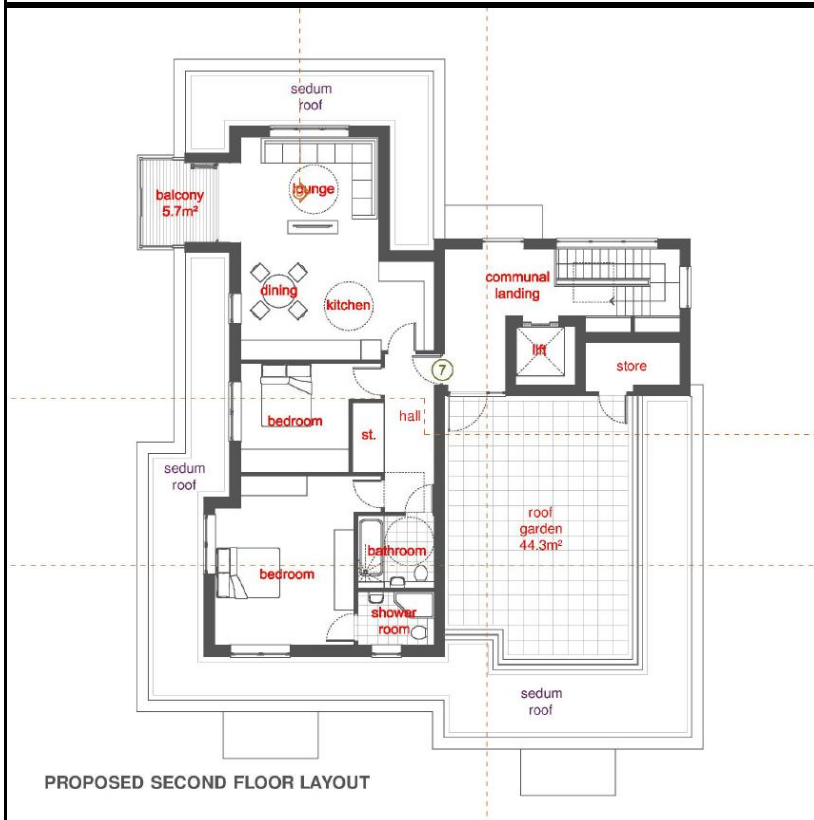
PROPOSED SITE PLAN



PROPOSED PLANS & ELEVATIONS



PROPOSED FIRST FLOOR LAYOUT



PROPOSED SECOND FLOOR LAYOUT



APPENDIX 3: SITE PHOTOGRAPHS



Application site (above) looking towards the railway and (below) towards the MOT garage





View from within the site towards residential properties above Tesco Store (above) and from The Gardens, existing vehicle and footpath access (below)



View from The Gardens looking towards the site

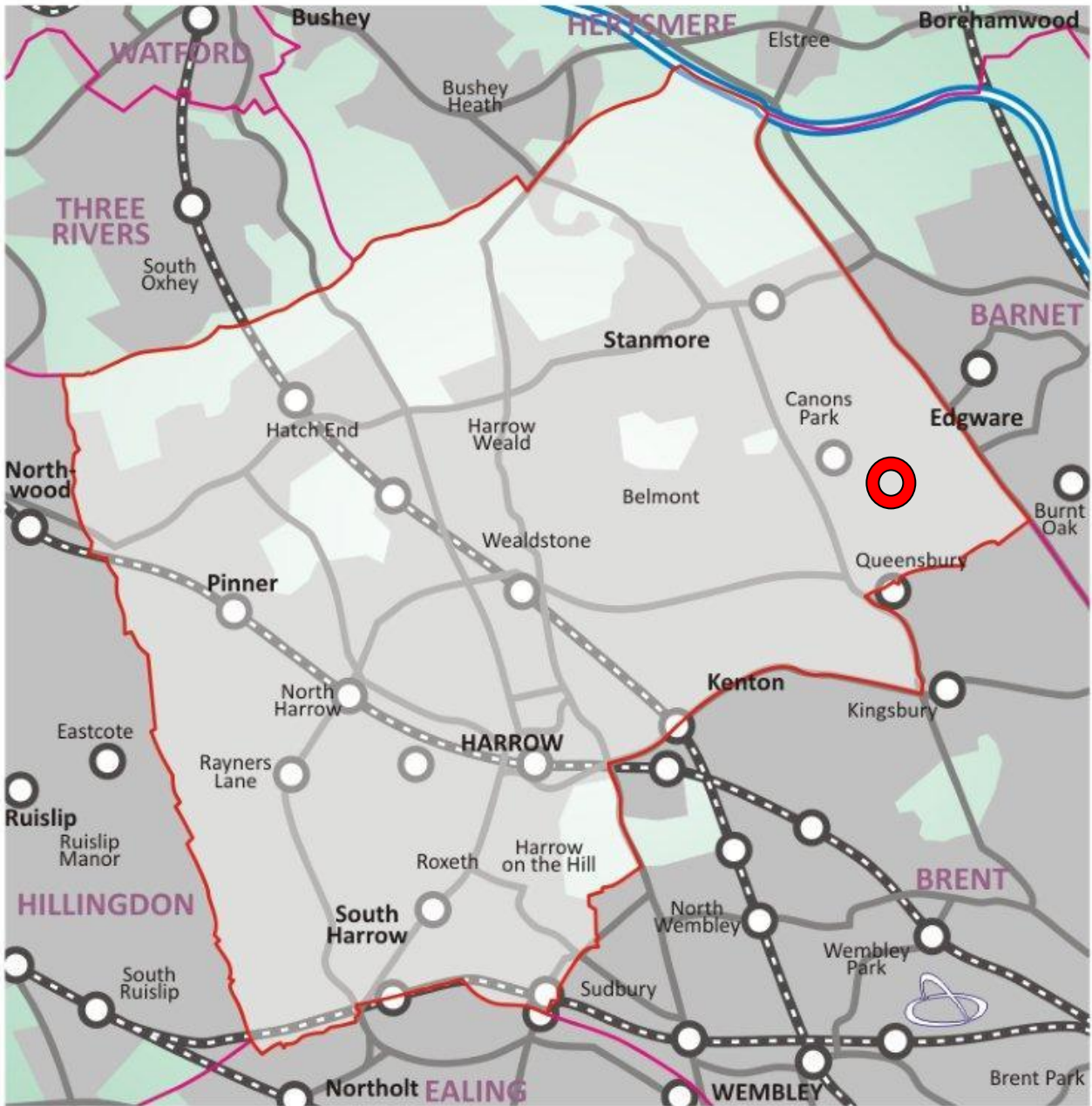


View from Pinner Road looking towards main entrance to Tesco and retail parade

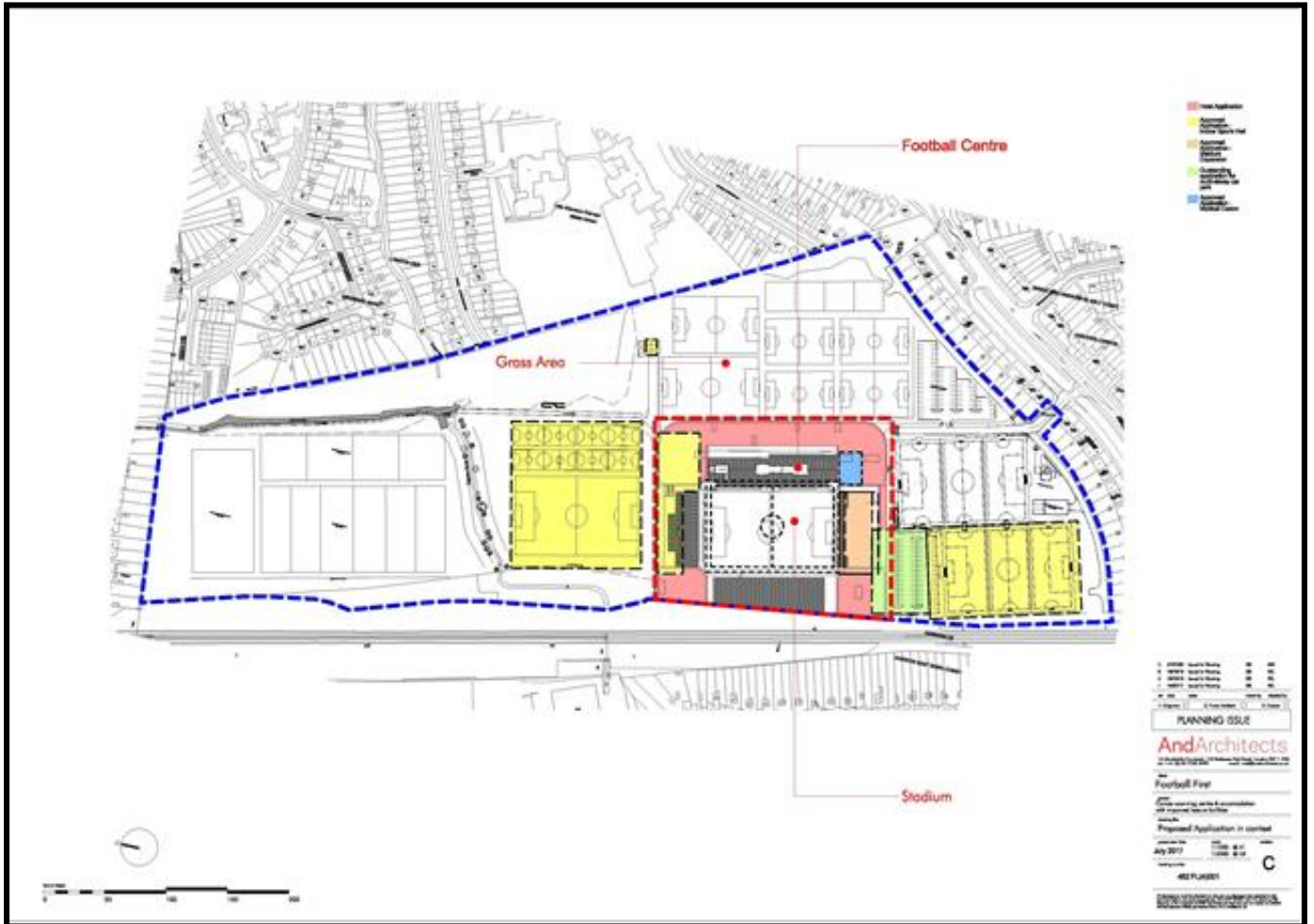


Nearby flatted development north west of the site fronting Pinner Road. Adrian Court (left) and Kotecha House (right)

 = application site



Prince Edward Playing Fields Camrose Avenue	P/1564/20
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1564/20
VALID DATE: 8th JUNE 2020
LOCATION: PRINCE EDWARD PLAYING FIELDS, CAMROSE AVENUE, EDGWARE (The HIVE FOOTBALL CENTRE)
WARD: HARROW WEALD
POSTCODE: HA8 6AG
APPLICANT: FOOTBALL FIRST LTD
AGENT: WSP INDIGO
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 7th SEPTEMBER 2020

PROPOSAL

Outline application for Access Only: Redevelopment to provide four storey building with basement comprising of sporting higher education facility, student accommodation, hotel, medical diagnostic centre; plant and associated works

RECOMMENDATION A

The Planning Committee is asked to:

Refuse the application for the following reasons:

- 1) The proposed uses comprising of a hotel, sporting higher education facility including student accommodation and medical diagnostics centre would give rise to inappropriate uses on the site which would be in direct conflict with the site's allocation for community outdoor sport development and by reason of the site's low accessibility, sitting outside of a town centre and insufficient evidence to demonstrate the need for the uses proposed, would give rise to an unsustainable development, contrary to the National Planning Policy Framework (2019), policies 3.16, 3.19 and 4.5 of The London Plan (2016), policies S5, E10G, SD7, S1 and S3B of The Draft London Plan - Intend to Publish (2019), core policies CS1 Z, F and L of the Harrow Core Strategy (2012), policies DM 34, DM 46 and DM 48B of the Harrow Development Management Policies Local Plan (2013) and Site MOS5 of the Harrow Site Allocations (2013).
- 2) The proposed development would result in a direct loss of protected designated open space and would not provide a use which is ancillary or

appropriate to the existing open space, contrary to the National Planning Policy Framework (2019), policy 7.18 of The London Plan (2016), policy G4 of The Draft London Plan - Intend to Publish (2019), core policy CS1 F of the Harrow Core Strategy (2012) and Policy DM18 of the Harrow Development Management Policies Local Plan (2013).

- 3) The proposed development, in the absence of a Transport Assessment and Travel Plan, fails to demonstrate the impacts of the development on the surrounding highway network, and to propose measures to promote sustainable travel modes and to reduce the effects of travel by car. Insufficient information has therefore been provided to demonstrate that the proposals would not 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 – Intend to Publish (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).
- 4) The proposed development, in the absence of a Preliminary Ecological Assessment and the site’s close proximity to the adjoining Borough Grade I Site of Importance for Nature Conservation and the River Brent, 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 - Intend to Publish (2019), and policies DM 48 A b, DM 20 and DM 21 of the Harrow Development Management Polices Local Plan (2013).
- 5) 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 Polices Local Plan (2013).
- 6) The proposed development, by reason of the indicated heights and conflicting floorspace figures proposed, would be likely to result in a harmful,

bulky and unduly dominant addition to the site which would significantly detract from the open character of the site and the surroundings, and would fail to respect the existing development on the site or contribute positively to the site's setting and the quality of the 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/D of the Harrow Development Management Policies Local Plan (2013).

- 7) The proposed development, by reason of the excessive amount of development proposed, the proposed uses and the absence of a Noise Assessment or Lighting Impact Assessment, would give rise to unacceptable harmful outlook and visual impacts, as well as potential unreasonable noise and disturbance impacts from the increased intensity of use of the site, to the detriment of the residential and visual amenities of the adjacent neighbouring occupiers, contrary to the National Planning Policy Framework (2019), policies 7.4 B, 7.6B and 7.15 of The London Plan (2016), policies D3, D13 and D14 of the Draft London Plan - Intend to Publish (2019) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).
- 8) 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 not 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 – Intend to Publish (2019) and policies DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATION

The proposed development is considered to be unacceptable in principle and is contrary to all the national, regional and local plan policies stated above.

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:	52, 788 sqm
GLA Community Infrastructure Levy (CIL):	£3,347,280 (excluding indexation)
Contribution (provisional):	
Local CIL requirement:	£3,068,340 (excluding indexation)

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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 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 relates to the area surrounding the main stadium stands. The proposed area to be infilled currently contains predominantly hard surface circulation space with some small areas of green landscape. The hard surface areas provide car parking and coach parking spaces, general access and circulation space and some single storey ancillary structures
- 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 application for Access Only for redevelopment to provide a four-storey building with basement, comprising of sporting higher education plant facility, student accommodation, hotel, medical diagnostic centre together with associated works
- 2.2 Indicative site plans, floorplans and elevations have been provided. The amount of floorspace proposed in the development is unclear as the Design and Access Statement outlines a figure of 45,990sqm whereas the application form provides a figure of 52,788sqm. The development is indicated to be four storeys in height with basement. However, not all of the development parameters have been specified, including maximum and minimum footprint or building height.
- 2.3 The proposed hotel would wrap around and infill the existing stadium stands. It is indicated that there would be circa 150 bedrooms of which 106 would be for conventional hotel use.
- 2.4 It is proposed that other rooms within the hotel would be dedicated for patients visiting the TIC Health and Imaging Centre (the applicant's health facility), which already exists on site. A new TIC cancer screening centre is also proposed as part of this application. It is outlined that the proposed rooms associated with the imaging centre would be larger, in order to accommodate families and in-room visits from medical practitioners if required. The Planning Statement notes that 96 medical bed spaces within the hotel would be provided for the screening centres which conflicts with the numbers of conventional hotel rooms outlined above.
- 2.5 In addition to the above, it is also proposed to provide student accommodation and teaching facilities for the University College of Football (UCFB). It is proposed that UCFB facilities would be provided as an extension to the west stand. The proposed facilities include the provision of 19 lecture rooms/auditoria for teaching students and 44 dormitories as onsite accommodation.
- 2.6 The proposal would include other ancillary facilities including a fitness suite, 25m swimming pool, and restaurant, bar area and enhanced conferencing facilities.

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, stand & clubhouse, floodlights to ground, artificial pitch & tennis courts, health & fitness facilities, parking, vehicular access from Camrose Avenue	Approved: 11 th April 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	Approved: 06 th November 2009

	<p>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 after the end of any match or event.'</p>	
P/2257/09	<p>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'.</p>	<p>Refused: 29th December 2009</p>
P/2912/09	<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'; variation of</p>	<p>Approved: 15th June 2010</p>

	<p>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 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>	
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</p>	Approved: 10 th September 2012

	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/2807/12	Non-material amendment to add a condition detailing approved plans to planning permission 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	Approved: 27 th November 2012
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 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	Approved: 20 th July 2015
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,	Refused: 23 rd June 2017 Appeal allowed Ref: app/m5450/W/ 17/ 3188361

	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 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/4134/19	Outline Application for all matters reserved: Construction of a five storey car park	Refused 30 th July 2020

4.0 **CONSULTATION**

4.1 A total of 2538 consultation letters were sent to neighbouring properties regarding this application.

4.2 The public consultation period expired on 13 August 2020. Total of 3 objections were received.

4.3 The proposal was advertised for the following reasons:

- Press Advert: Major Development /Departure from Development Plan Expiry: 06/008/2020
- Site Notice: Major Development /Departure from Development Plan Expiry: 20/08/2020

4.4 A summary of the neighbour consultation responses are set out below:

- The addition of a hotel would add to more traffic and parking issues
- There would be potential for additional noise from the hotel from functions and also of fire alarms and bugler alarms going off at night like it did in July.
- There will be more unnecessary people hanging around the area on match days with the hotel facilities – already there is drug taking and anti-social behaviour on match days.
- They already have a diagnostic facility and creating a bigger one will result in more parking issues.
- The owners of this site over the years have continued to add additional facilities and structures which have severely impacted upon residents living around the Hive.
- The Hive has enough facilities already and there is no justification to have these additional facilities when the surrounding infrastructure is already overused and inadequate.
- The application is an overdevelopment, a 200 room hotel is not necessary and would involve night time early hours noise and disturbance for nearby

residents who already suffer evening noise and light pollution when matches are played.

- Where are 200 cars going to be parked? How much more traffic will be involved?
- More building on a flood plain will lead to more chance of the nearby houses being flooded.

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
<p>Sport England:</p> <p>It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.</p> <p>Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy, which states:</p> <p>'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:</p> <ul style="list-style-type: none">• all or any part of a playing field, or• land which has been used as a playing field and remains undeveloped, or• land allocated for use as a playing field <p>unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'</p> <p>Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:</p> <p>https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy</p> <p>Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:</p> <p>'The proposed development affects only land incapable of forming part of a playing pitch and does not:</p> <ul style="list-style-type: none">• reduce the size of any playing pitch• result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);• reduce the sporting capacity of the playing field to accommodate playing

pitches or the capability to rotate or reposition playing pitches to maintain their quality;

- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.'

In assessing this application, I also consulted the Football Foundation on behalf of the FA. They confirmed that there does not appear to be any impact on football or existing funded facilities. The design is a wraparound construction with the building going around the stadium. This is being built on existing car parks / spare areas. It appears that they plan to construct a multi-storey car park to mitigate this loss. The FF on behalf of the FA do not object to the proposal.

This being the case, Sport England **does not wish to raise an objection** to this application.

Infrastructure Protection – TFL Engineering:

Though we have no objection in principle to the above planning application, there are a number of potential constraints on the redevelopment of a 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 effect on our 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 of the land.

Therefore we request that the grant of planning permission be subject to conditions.

Thames Water:

Waste Comments

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can

request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

There is no drainage details provided as part of this application and we would seek to understand the proposed points of connection to the public network and the proposed flow rates discharged into each. We would like to better understand how that compares to the existing site.

Environment Agency: The proposed development falls within flood zone 2, which is land being defined in the planning practice guidance as being at risk of flooding. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on lower risk development proposals. These comments replace direct case by case consultation with us. The proposal falls within this category. These standard comments are know as Flood Risk Standing Advice (FRSA).

Note to LPA:

As identified in your Strategic Flood Risk Assessment, part of the wider site is located within Flood zone 3b (functional floodplain). The development would not be appropriate in areas defined in Flood Zone 3b and we suggest this is recognised in the decision notice of any outline planning permission.

Greater London Archaeological Advisory Service: No objection, I conclude that the proposal is unlikely to have a significant effect on the heritage assets of archaeological interest.

Greater London Authority: Comments awaited.

LBH Road Network Management: This application at present does not really affect highways as access already exists and wide enough so no concerns from my end. Only thing they may need to do is speak to me about their travel plan.

LBH Highways Authority: Objection, I cannot properly assess this proposal due to insufficient information.

Individually, each of these uses have a significant impact potential therefore, it is essential that a full, Healthy Streets Transport Assessment and associated documents (eg travel plan, CLP etc) are submitted for consideration. I don't see how we can consider access on its own really because the arrangements might be acceptable subject to mitigation but details are needed in order to determine what mitigation would be required.

LBH Drainage Authority: We do object to the proposed development due to flood risk and an FRA is required to satisfy us that it can be safe with no increased risk to the neighbouring properties.

LBH Biodiversity: It is apparent that there has been no consideration of the mitigation hierarchy nor other biodiversity matters in connection with the scheme's design and - despite the previous applications for this site - the application form incorrectly claims that there are no features of biodiversity interest that might be affected within its vicinity.

No information has been presented in relation to

- (a) the potential impacts of the scheme for which outline permission and approval of access arrangements are sought on the (1) adjoining section of the Canon's Park and Stanmore Railway Embankments SINC, which is of Borough Grade 1 importance or (2) the River Brent which in addition to being an important blue-green corridor itself, connects with a number of wildlife sites downstream, including the Welsh Harp SSSI;
- (b) the cumulative impacts of this scheme and other previously permitted development;
- (c) the biodiversity gain that the scheme will need to deliver to address the policy requirements of the NPPF, London Plan and Harrow Core Strategy.

There is insufficient information to determine whether the proposal would be in conflict with local plan policy DM20 with regard to potential impacts on biodiversity conservation. Moreover, the applicant has neglected to address the requirements of local plan policy DM21 within their scheme.

Given the nature and scale of the proposal, it is suggested that the best course would be to advise withdrawal and resubmission once the above points have been addressed and that formal pre-application advice would be beneficial. As the application stands the only other option is refusal.

LBH Policy: The proposed developments, by reason of the range of uses, fail to demonstrate that they are ancillary to the existing outdoor sports use on the site. By reason of not being ancillary to the primary use of the site, it is considered that the applicant has failed to demonstrate that the uses would be within the community they intend to serve. By reason of this, the proposed medical facility and UCFB would fail to accord with policy DM46B of the HDMP (2013).

It is considered that in this instance, the principle of development on designated open space that is not ancillary and necessary to the functioning of the open space, resulting in a loss, in an area which there is an evidenced deficiency, is unable to be supported.

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, 4.5, 3.18
- The Draft London Plan 2019: G4, S4, S2, S5, H15, E10, S1, S3, SD7
- Harrow Core Strategy 2012: CS1 F, Z, L
- Harrow Development Management Policies Local Plan (2013):DM18, DM34 DM46 DM48, DM41
- 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 London Plan (2019) (Intend to Publish Version), specifically through Policy G4.

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

- 6.2.5 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.
- 6.2.6 At a London wide level, the draft 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.
- 6.2.7 When considering specific development proposals, the draft London Plan (2019) (Intend to Publish Version) sets out the following through Policy G4;
- Not result in the loss of protected open space
 - where possible create areas of publicly accessible open space, particularly in areas of deficiency.
- 6.2.8 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.
- 6.2.9 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 London Plan (2019) (Intend to Publish Version), The Harrow Core Strategy (2012) and also the Harrow Development Management Plan Local Policies (2013).
- 6.2.10 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. It is therefore clear that the proposed development would be erected on

designated open space. Furthermore, 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. In addition, the proposed development would not result in the creation of public open space, indeed it would result in a loss, in an area of an identified deficiency.

- 6.2.11 The development would have a substantial footprint within the site even though it intends to predominantly 'infill' the gaps between ends of each of the stands that form the stadium. It would also sit upon an internal road and some parking spaces. Whilst the applicant notes that these spaces are hard standing, and does not hold any public value, the LPA would disagree with this position. Firstly, the planning policy maps detail that the entire site is designated as open space. Regardless of what the use of the land is, it is nonetheless designated open space. The local plan (and policies) have been through an Examination in Public and were considered to be sound. Following on from this, and contrary to the applicant's position, the land that is to be built on, still holds public value. Specifically, the internal roadway directly supports the access to the sports facility and open space.
- 6.2.12 It is noted that the current site, where it is proposed to erect the proposed structure, is set out in tarmac and used as ancillary space to the existing facility. Whilst the area proposed to be developed is not greenspace, it still allows for access and the functioning of the remainder of the open space. Again, whilst the existing proposed development area is currently hardstanding, any upward extension above this space would result in the indefinite loss of this area, with no likelihood of any contribution to further open space of higher value. Given the considerations above in terms of the use, the proposed development would not constitute ancillary development that would be necessary to or would facilitate the proper functioning of the open space.
- 6.2.13 In conclusion, it is considered that in this instance, the principle of development on designated open space that is not ancillary and necessary to the functioning of the open space, resulting in a loss in an area which there is an evidenced deficiency cannot be supported.
- 6.2.14 Proposed Uses – Hotel, Education and Medical Diagnostics
- 6.2.15 Site Allocation MOS5
- 6.2.16 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.
- 6.2.17 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

6.2.18 The allocation for the site notes the existing use as The Hive Football Academy, and the allocation is for a Community outdoor sports use. By reason of this, any development on the site is required to be in compliance with the allocated use of the site. It is noted that the site allocation does not state any supporting land uses on this site.

6.2.19 With regard to the site allocation, what can be said from the outset is that the proposed hotel development is unlikely to constitute further outdoor sport development as may be required to enable the continued success of this important community facility. Firstly, the new hotel would not be ancillary to the sports use, by reason of the ability for this to serve a wider catchment than that which is provided for on the site. The applicant states that the proposed hotel would be '*required to serve The Hive London and will be ancillary to its use as a sporting and medical destination*'. However, it is clear that the application site is a sporting designation, insofar as the footballing use of the site. The site does not constitute a medical destination, and the proposed medical facility again would not constitute development that would be required to enable the continued success of the community facility. As the application currently stands, neither the proposed hotel nor the medical facility are consistent with the site allocation, and therefore are both unable to be supported. It is acknowledged that, the site already has an existing medical facility which currently provides an ancillary function to the existing use of the site, in helping to assist in sports injuries diagnostics. However, the planning statement notes the new expanded hotel facility would incorporate 96 medical rooms in association with the diagnostics centre which would be open to a wide range of patients. The expanded use and nature of the facility is clearly not ancillary to the use of the site.

6.2.20 Notwithstanding the above, the proposed hotel use is noted as being directly in conflict with national, regional and local policies, by reason of not being located within a town centre location. This matter has been attempted to be addressed by way of a sequential test, and will be considered later in this report.

6.2.21 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.

6.2.22 Higher Education Facility/Medical Facility

6.2.23 The development also seeks to incorporate a University College Football Business (UCFB) and associated student accommodation and a medical facility that specialises in cancer screening. The submitted information provides little justification for either of these uses in this location. Whilst the applicant notes a number of relevant policies, there is no analysis of the acceptability of these uses

- 6.2.24 The higher education facility would provide a campus for the University College of Football Business (UCFB), which would also allow for student accommodation for users of this facility to utilise. The UCFB offer both undergraduate and postgraduate courses in a range of subjects including football business and finance, sports journalism, coaching, management, sports law and events management. The UCFB has courses for television sports camera operators. The proposal would also seek to provide an E Sports Arena (Electronic Sports Arena).
- 6.2.25 The supporting information does not provide a comprehensive assessment of the proposed use and how this element would comply with the use of the site as a football academy. By reason of this, it is unclear as how this proposed use would be ancillary to the use of the site as a football facility, and whether or not it would be consistent with the allocation for the site. Whilst it is recognised that the proposed education facility would be a University College of Football, it is nonetheless an education facility rather than a community outdoor sports facility. Furthermore, it is not clear that such a use would constitute further outdoor sports development as may be required to enable the continued success of the important community facility.
- 6.2.26 The provision for student accommodation on site also forms a substantial part of this element of the proposal which again is not considered to be an ancillary element of the site's allocation. Both local plan policy (DM 46) and London Plan Policy (S3) outline that educational and new community facilities should be located in accessible locations or in town centres and the proposal would also be a conflict in this respect. The submitted information provides little justification for either of these uses in this location. Whilst the applicant notes a number of relevant policies, there is no analysis of the acceptability of these uses. Locally, Policy DM46B (New Community, Sport, and Education Facilities), will support facilities that are located within the community that they are intended to serve. With regard to the UCFB, it is not clear that players / users of The Hive are the intended users of the facility, and no evidence is submitted to demonstrate anything to the contrary. Again, as with the medical facility, this also is not evidenced and as such the proposed use in this location is considered to be inappropriate.
- 6.2.27 It is understood that the applicant seeks to consolidate a number of uses on the site, all of which are put forward by the applicant as being appropriate and complementary to each other. However, it is considered that each of the proposed uses would be inconsistent with the site allocation, and as such would not be required to enable the ongoing success of the outdoor sports facility. The proposed development, by reason of the range of uses, fail to demonstrate that they are ancillary to the existing outdoor sports use on the site and are considered to be an inappropriate location for such development.

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, D4, D9
- 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.

6.3.3 The proposed development is not in any way considered to be an ancillary development of the site's existing function. In addition, the application is not accompanied by a clearly defined development parameters plan. As discussed above, different figures are provided for the amount of proposed floorspace – the Design and Access Statement provides a figure of 45, 990 whereas, the application form provides a figure of 52, 788 sqm. Although the amount of floorspace proposed is substantial, there is a significant difference in the two figures provided. It is indicated that the building would be four storeys in height and would include a basement. The indicative elevations show the building would have a height of 29.7 metres, although this is not defined as the maximum height. The building is described as four storeys but with an indicative height of 29.7 metres which would mean each of the storeys would be significantly higher than a conventional storey with a floor to ceiling height of 3 metres. The proposals indicate the building would wrap around the existing stadium stands and would add substantially greater mass and bulk compared to the existing and emerging development on the application site. It is acknowledged that an academy building to the south of the stadium stands to a height of 18 metres has been approved and based on the indicative elevations, the proposal would be significantly taller than this and the height of the surrounding stands (e.g. west and east stands approximately 13 metres in height).

6.3.4 However, the minimum and maximum building parameters including footprint, height, length, width of the development have not been specified or been clearly defined. As such, in the absence of this information, the Local Planning Authority is unable to accurately assess the impact of the development on the character and appearance of the area. Notwithstanding this, based on the indicative

elevations, height and floorspace figures provided, it is considered that the overall amount of development would significantly detract from the open character of the site and the surroundings and would not be appropriate and would not contribute positively to the site's setting and quality of open space and surroundings.

6.3.5 In conclusion, it is considered that the indicated amount of development proposed, would have a detrimental impact on the character and appearance of the site and area and 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, 7.15
- The Draft London Plan Policy D3, D13, D14
- Harrow Development Management Policies 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. 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. To the east the closest residential dwellings are located in St David's Drive and are approximately 140 metres away and to the north east, the residential properties of Buckingham Gardens and Bransgrove Road are separated by a gap of some 170 metres.

6.4.3 The application is not accompanied by a daylight and sunlight assessment, clearly defined parameter plan or lighting assessment. As such an accurate assessment of the impact of the proposals cannot be made. Nevertheless, based on the amount of proposed development (floorspace 45, 990sqm) and indicative buildings heights at four storeys, the proposals would likely have a significant visual impact for residential dwelling surrounding the application site. Having regard to the distances outlined above, the visual impact would be most acute for the residential dwellings to the south along Aldridge Avenue. It is considered that the proposed development would appear dominant and overbearing and would be harmful to the outlook and visual amenities of these neighbouring occupiers. In addition, there are concerns with the proposed uses and the potential levels of light pollution for the residential dwellings. It is considered the proposals could be highly visually intrusive and harmful to outlook in this respect and in the absence of any supporting information to demonstrate otherwise, the proposal is considered to be unacceptable for this reason.

- 6.4.4 The London Plan (2019) advocates the Agent of Change principle in respect of all noise generating uses and activities. The proposed development is not accompanied by a noise assessment. It is acknowledged that the site already has banqueting facilities. However, these proposals would introduce expanded facilities including restaurants, bars and additional conferencing facilities which together with the proposed hotel and education facilities, would greatly intensify the existing uses on site and would have the potential to give rise to significantly greater levels of noise and general disturbance, particularly at unsocial hours for neighbouring occupiers. It is noted that the proposal includes 44 dormitories of student accommodation but the details of the potential number of people this could accommodate is unknown. Each individual dormitory could accommodate a large number of students with has the potential to add significantly to the cumulative impacts of overall site intensity.
- 6.4.5 In summary, it is considered that the nature of the uses, has the potential to generate significant levels of noise/general disturbance and additional night-time light pollution. Although a maximum building height has not been clearly defined, it is considered that the indicative four storey massing would appear unduly dominant and bulky to the detriment of the outlook of the residential properties in Aldridge Avenue and in combination with additional night-time light pollution, would have the potential to be highly visually intrusive for the surrounding neighbouring occupiers adjoining the wider Hive site.

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 Whitchurch 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 Whitchurch 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 existing on Camrose Avenue, to the south end of the site. Whitchurch 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.

6.5.5 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.'

6.5.6 The application is not accompanied by a Travel Assessment or a Travel Plan and therefore it has not been possible to undertake a detailed assessment of the proposals which could potentially, have both individual and cumulative significant detrimental impact on the surrounding highway network. The proposal is therefore contrary to the above mentioned 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 not accompanied by a Preliminary Ecological Assessment Having regard to the sites proximity to the adjoining Site of Importance for Nature Conservation, 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

No information has been presented in relation to the potential impacts of the scheme for which outline permission and approval of access arrangements are sought on the (1) adjoining section of the Canon's Park and Stanmore Railway Embankments SINC, which is of Borough Grade 1 importance or (2) the River Brent which in addition to being an important blue-green corridor itself, connects with a number of wildlife sites downstream, including the Welsh Harp SSSI; the cumulative impacts of this scheme and other previously permitted development; the biodiversity gain that the scheme will need to deliver to address the policy requirements of the NPPF, London Plan and Harrow Core Strategy.

6.6.4

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.

6.6.5

In conclusion, in the absence of an 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

6.6.6

As outlined in the London Plan and Draft London Plan – Intend to Publish 2019 (Policies 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.

6.6.7

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 application is not accompanied by an Air Quality Assessment, Travel Plan and Transport Assessment and therefore the potential impact on air quality are not known. 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 not accompanied by a Flood Risk Assessment. However, areas in close proximity 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 has objected to the proposed development as it cannot be certain the proposals would not adversely impact on existing drainage infrastructure. In the absence of a Flood Risk Assessment, the proposal 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.

6.7.5 In conclusion, the proposal, by reason of the absence of a 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 proposed uses would directly conflict with the site's allocation for community outdoor sports and would be inappropriate in terms of their siting with insufficient evidence provided to justify the uses proposed. The application fails to provide detailed assessments in relation to transport, noise, light pollution, flood risk, air quality, etc. As such, officers are unable to make a comprehensive assessment on some of the main material planning consideration of the application. The proposed development, fails to comply with the development plan for Harrow in relation to the proposed uses, matters of traffic and parking, biodiversity, flood risk, air quality, open space and impact on the character and appearance of the area including the 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
- 3.17 Health and Social Care Facilities
- 3.18 Education Facilities
- 3.19 Sports Facilities
- 4.5 London's visitor 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
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 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 D13 Agent of Change
- Policy D14 Noise
- Policy E10 Visitor Infrastructure
- Policy S1 Developing London's social infrastructure
- Policy S2 Health and social care facilities
- Policy S3 Education and childcare facilities
- Policy S4 Play and Informal Recreation
- Policy S5 Sports and Recreation Facilities

Policy SD6 Town Centres and High Streets
Policy SD7 Town centres: development principles and Development Plan Documents
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 34 Hotel and Tourism Development
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 (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 £3, 347 280. This amount excludes

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

3. 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 is: 3, 068, 340

This amount excludes 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.

4. Pre-application engagement

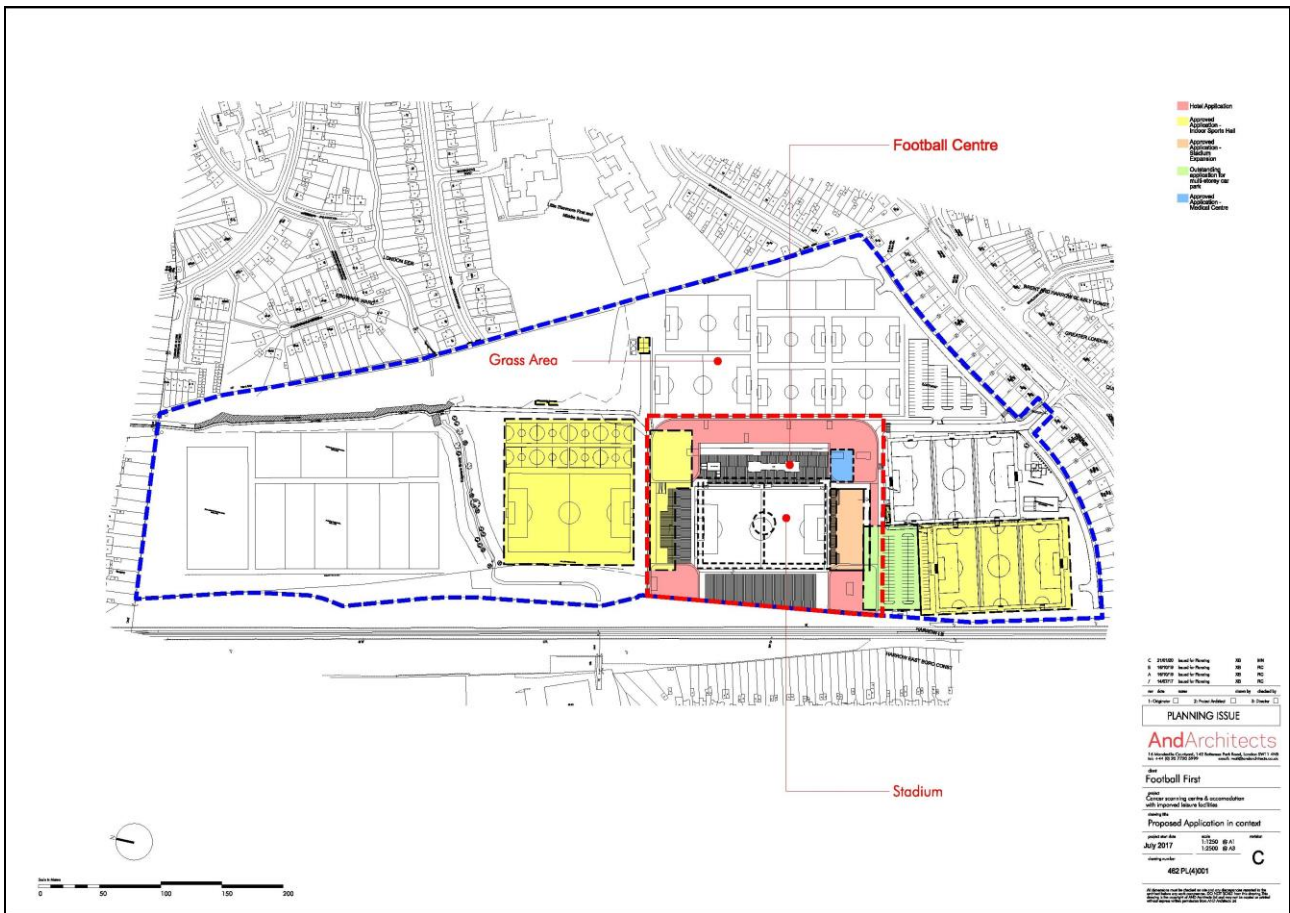
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

Plan List: 462 PL (4) 001 Rev C; Design and Access Statement (April 2020); Supporting Statement April 2020; 464 PL (4) 000; 462 PL (4) 001; 462 PL (4) 002; 462 PL (4) 010; 462/ PL (4) 011; 462 PL(4) 020; 462 PL(4) 001 Rev C; 462 PL (5) 101 Rev C; 462 PL (5) 102 Rev C; 462 PL (5) 103 Rev C; 462 PL (5) 104 Rev C; 462 PL (5) 105 Rev C; 462 PL (5) 106 Rev C; 462/PL(5)110 C Rev J; 462/PL (5) 11 C Rev H; 462/PL(5)112 C Rev B; 462/PL(5) 113 C Rev B; 462PL (5) 121 Rev B; 462 PL (5) 131 Rev A;

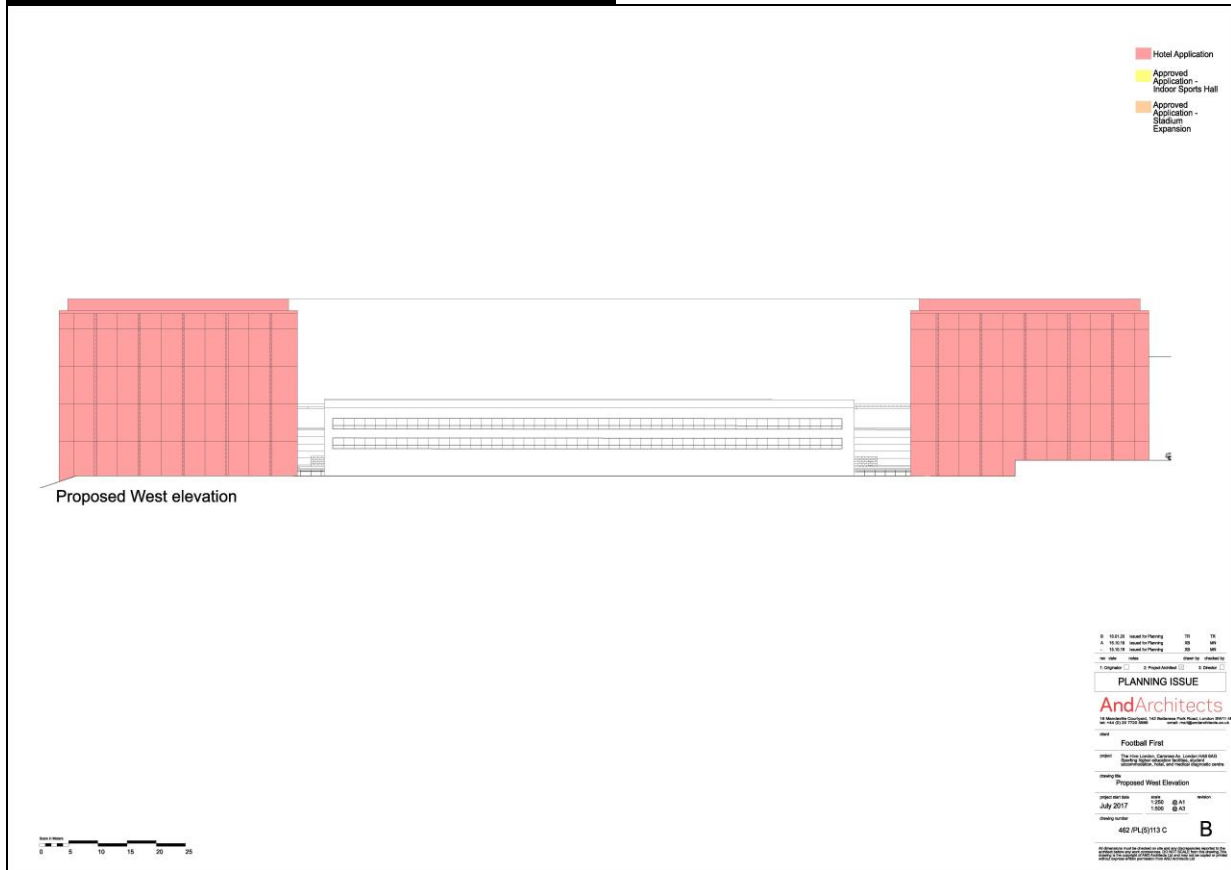
CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar 20.8.20
Corporate Director	High Peart pp Beverley Kuchar 20.8.20

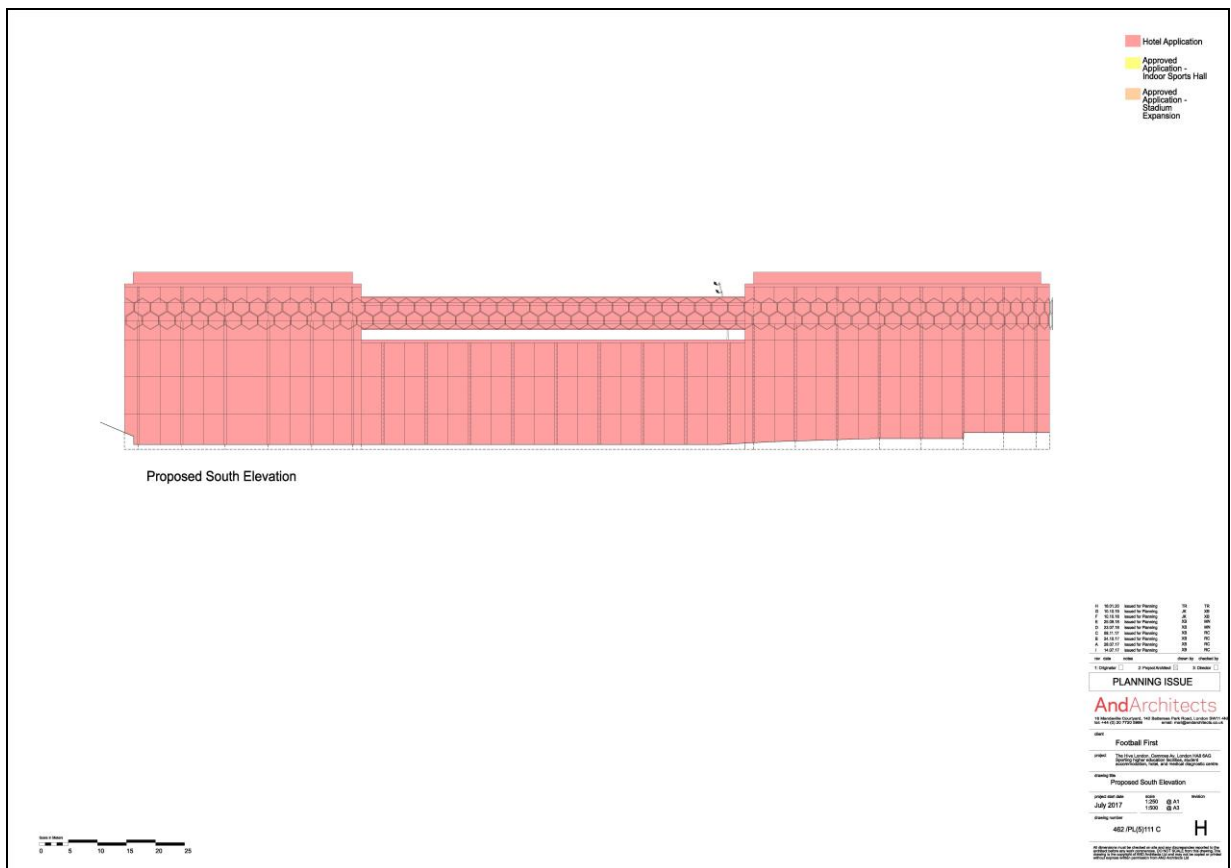
APPENDIX 2: SITE PLAN



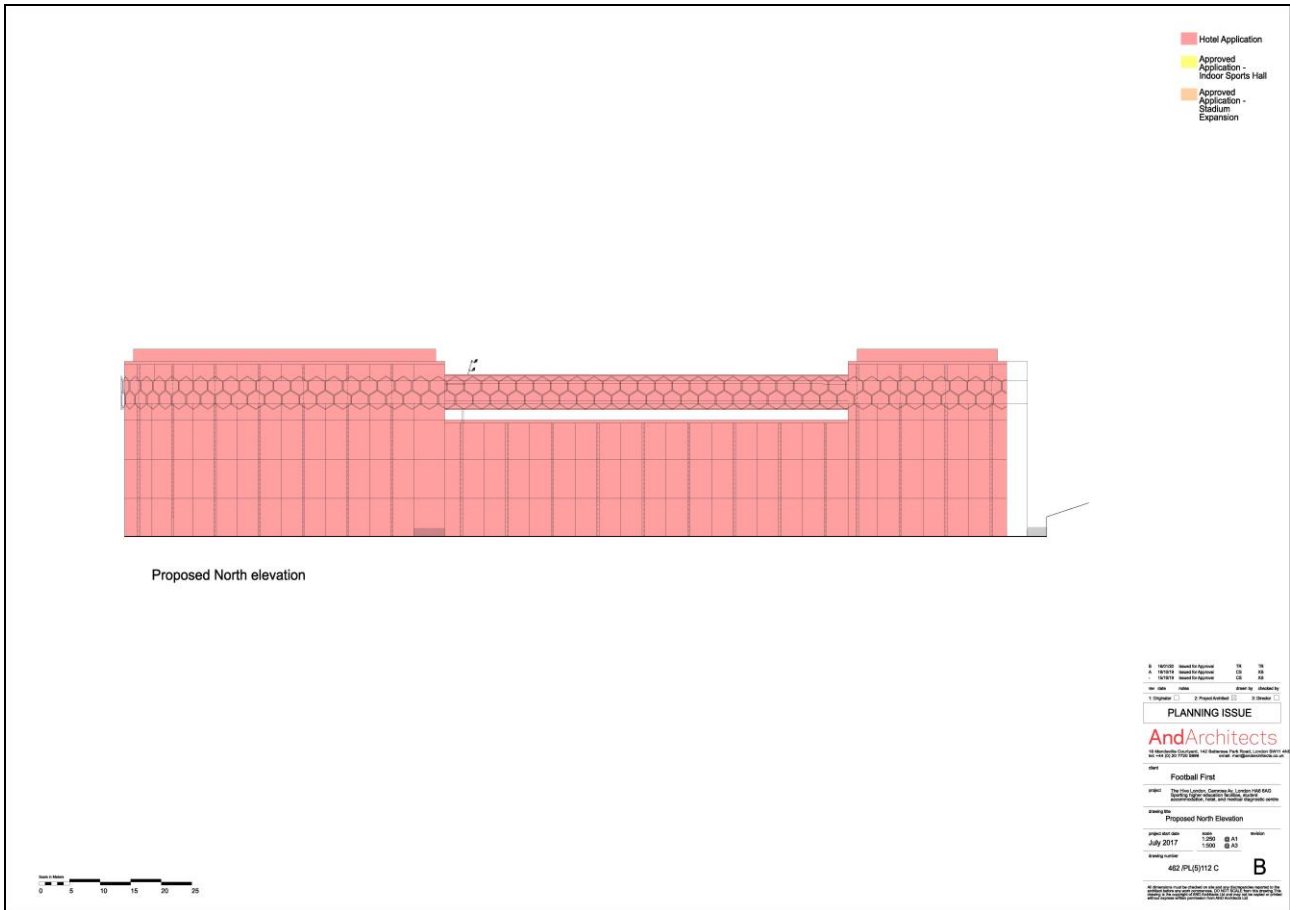
APPENDIX 3: PLANS AND ELEVATIONS



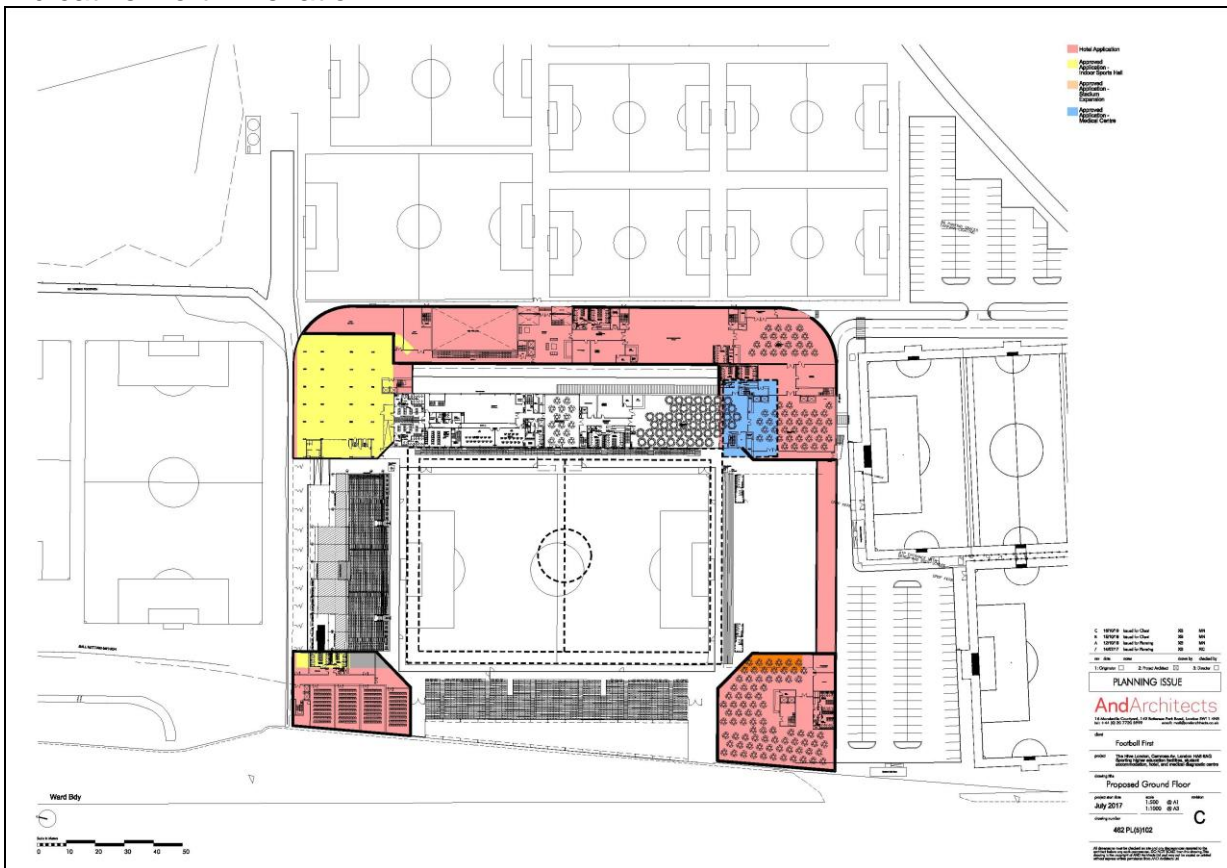
Indicative West Elevation



Indicative South Elevation

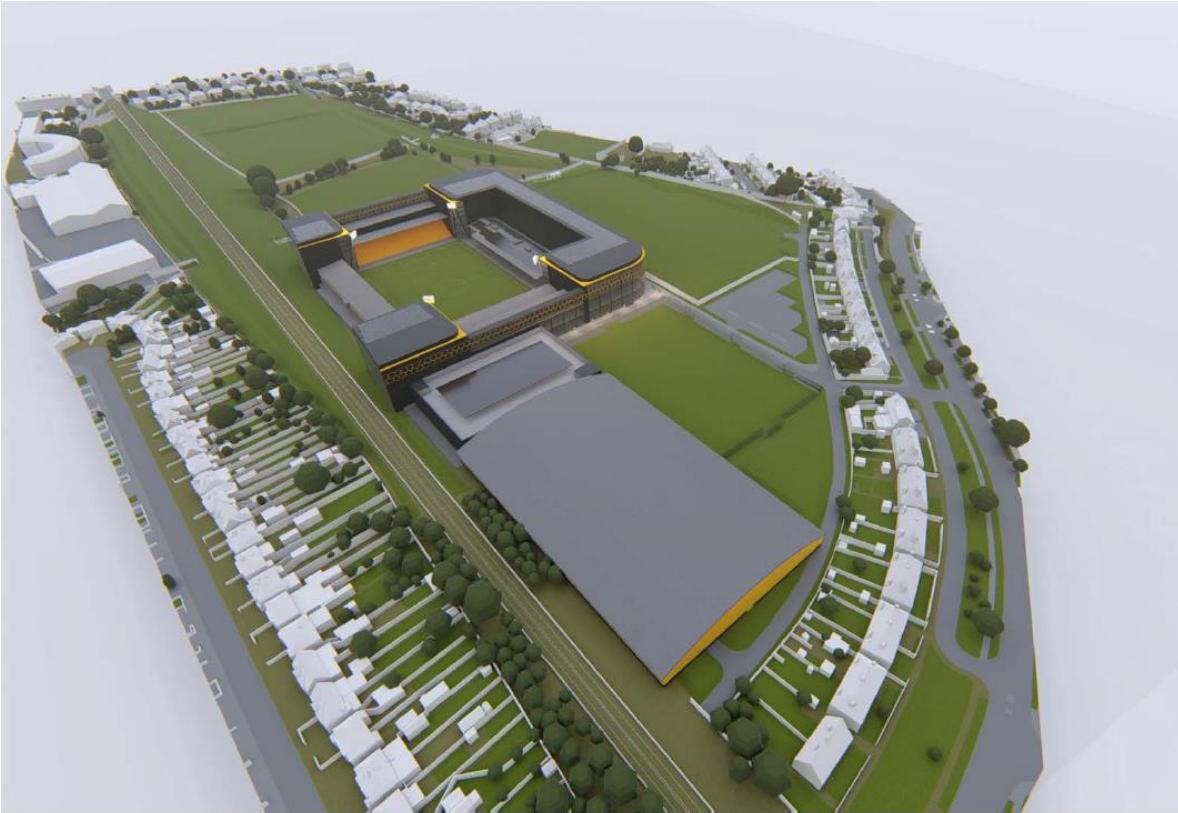


Indicative North Elevation



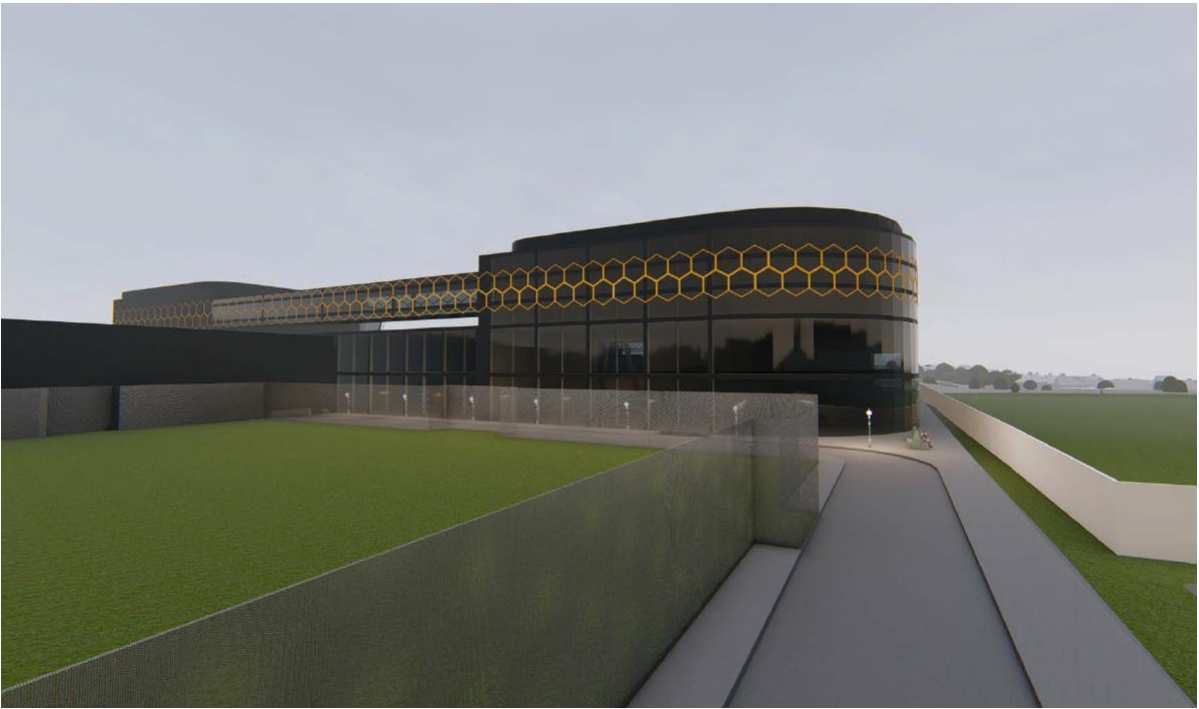
Indicative Ground Floor Plan

Indicative Images:



Due to the roof line level, the flood lighting is contained within the stadium, reducing the light pollution for the surrounding areas.

The increased surface area of the roof allows for a greater number of solar panels to be utilised, increasing the building energy efficiency.

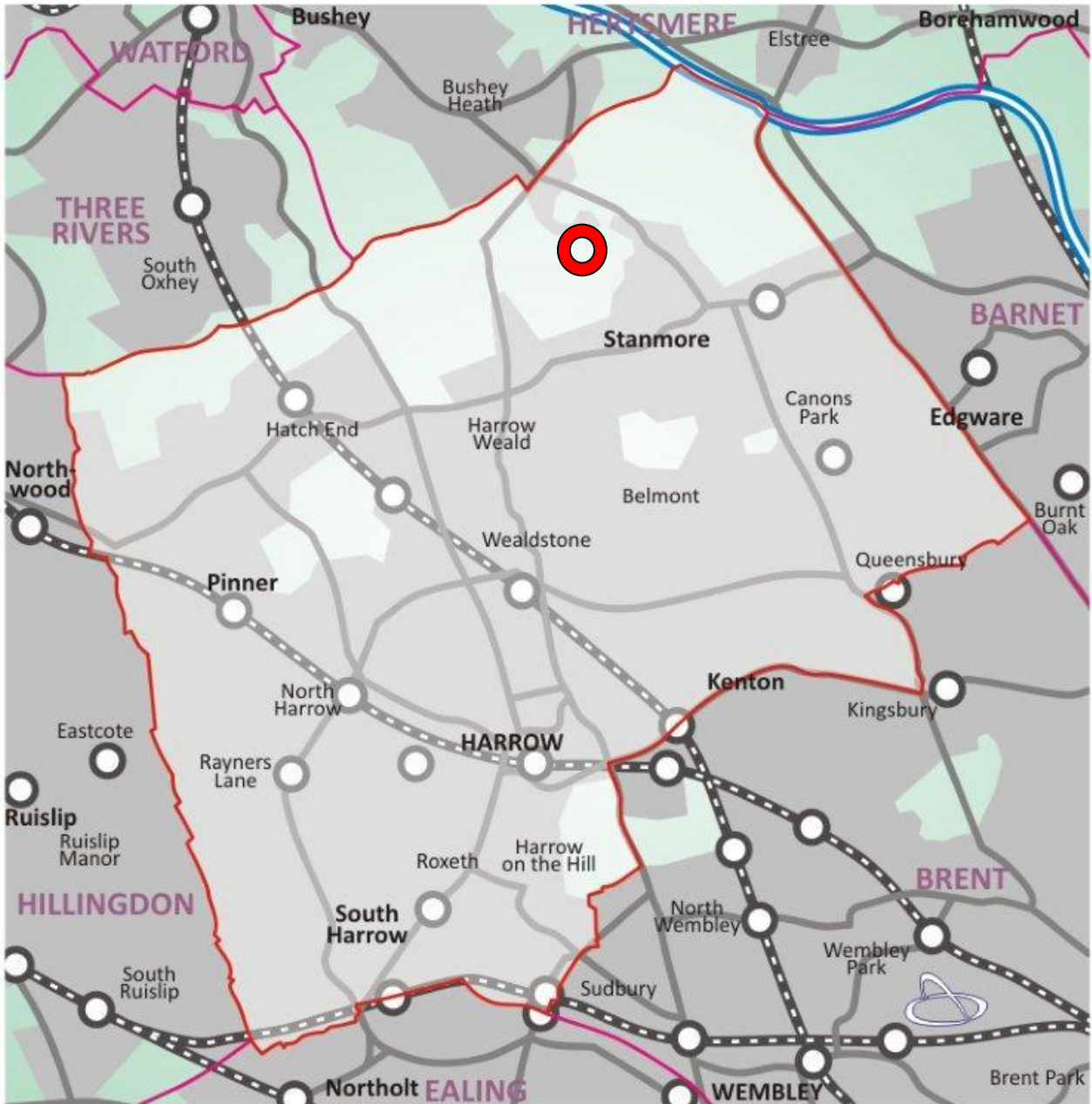


APPENDIX 3: SITE PHOTOS



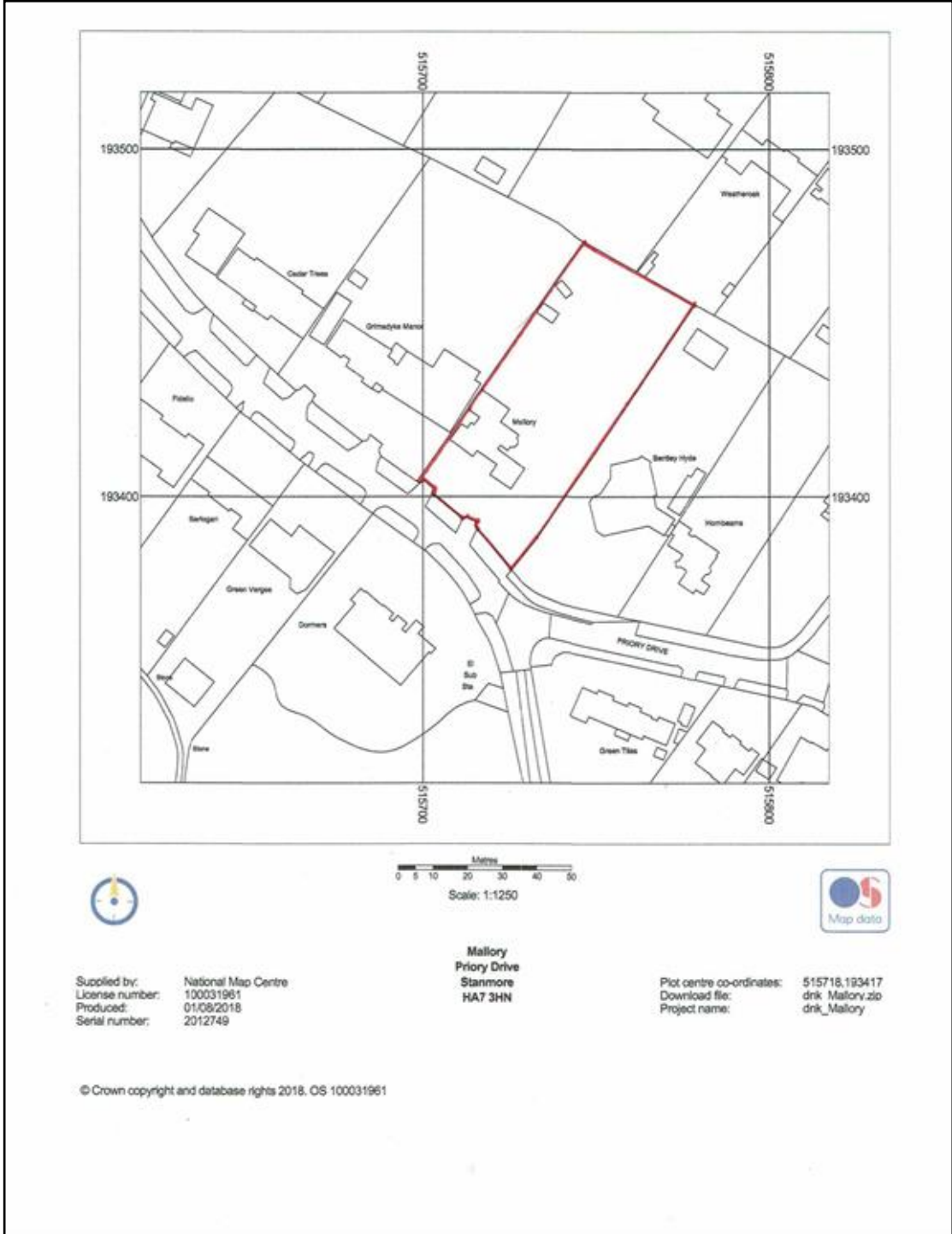
Agenda Item 3/02

 = application site



Mallory, Priory Drive, Stanmore

P/1463/20



LONDON BOROUGH OF HARROW PLANNING COMMITTEE

2nd September 2020

APPLICATION NUMBER: P/1463/20
VALIDATE DATE: 8TH JUNE 2020
LOCATION: MALLORY, PRIORY DRIVE, STANMORE
WARD: STANMORE PARK
POSTCODE: HA7 3HN
APPLICANT: MR VEENAY SHAH
AGENT: STUART CUNLIFFE
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 4TH SEPTEMBER 2020

PROPOSAL

Single storey outbuilding and linked garage in garden (retrospective)

RECOMMENDATION

The Planning Committee is asked to:

- 1) agree the reasons for refusal as set out in this report, and
- 2) refuse planning permission

REASON FOR THE RECOMMENDATIONS

1. The single storey outbuilding and linked garage, by reason of its scale, design, site coverage and the resultant increases in the floor area and footprint, results in a disproportionate addition to the original dwellinghouse, constitutes inappropriate development in the Green Belt and has a harmful impact on the openness and visual amenities of the Green Belt. The applicant has failed to satisfactorily demonstrate that very special circumstances exist to justify inappropriate development and that the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. 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 DM16 of the Harrow Development Management Policies Local Plan (2013).
2. The outbuilding, by reason of its siting, scale and design results in an obtrusive and incongruous form of development to the detriment of the character and appearance of the area and the host property, contrary to the high quality design aspirations of the

National Planning Policy Framework (2019), policy 7.6B of The London Plan (2016), Policy D3 of the draft London Plan - Intend to publish version (2019), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010)

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest. 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:	(E)21 Householder Development
Council Interest:	n/a
Net Additional Floorspace:	180m ²
GLA Community	
Infrastructure Levy (CIL):	£11,220
Local CIL requirement:	£29,661

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 is located on the northern side of Priory Drive. The replacement dwellinghouse granted planning permission (under planning application reference P/5568/15 and the subsequent variation of condition application P/1404/18) is currently being constructed on site. A large outbuilding has also been constructed on the site to the south-east of the replacement dwellinghouse
- 1.2 The site lies within the Green Belt and the Harrow Weald Ridge Area of Special Character. The wider site is covered by TPO 592 Priory Drive (No. 5) Stanmore
- 1.3 Priory Drive is characterised by detached dwellings, number of which have been substantially extended, set within large plots. Although the dwellings are of varying architectural styles, a number of dwellings feature front projecting end gables and feature staggered front and rear elevations.
- 1.4 The adjoining neighbouring dwelling to the west, Grimsdyke Manor has width of 48m and has been significantly extended in the past, including a substantial single storey side extension adjacent to the application site. The neighbouring dwelling to the east, Bentley Hyde is located 29m away from the existing eastern flank elevation of the subject dwelling.

2.0 PROPOSAL

- 2.1 The retrospective application relates to a single storey outbuilding which is located to the south-east of the replacement dwellinghouse. The external shell of the outbuilding has been constructed although it has not been finished internally. The submitted plans show that the outbuilding would be used as a triple garage, gym and gym studio, with associated shower and changing rooms.
- 2.2 The outbuilding has two crown roofs with a flat roof over the middle component linking the two part. The outbuilding has a maximum height of 4m and an eaves height of 2.5m.
- 2.3 Permitted development rights for outbuildings under Class E of the General Permitted Development Order were removed under condition 13 of application P/1404/18.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/5568/15	Redevelopment to provide a two storey replacement dwelling with habitable	Granted: 26/01/2016

	roofspace & basement; parking and landscaping	
P/2313/16	Certificate of lawful development (proposed): single storey outbuilding in rear garden	Granted: 08/07/2016
P/2314/16	Certificate of lawful development (proposed): detached triple garage at side	Granted: 08/07/2016
P/1404/18	Variation Of Condition 2 (Approved Plans) Attached To Planning Permission P/5568/15 Dated 26/01/2016 To Allow Amendments To The Internal Layout Revised Fenestration And Rooflight Details Removal Of Balcony Over Front Porch	Granted: 03/08/2018
P/1977/19	Variation of condition 2 (approved plans) attached to planning permission P/1404/18 dated 03/08/2018 to allow amendments to the design with a first floor side extension with roof modifications; front porch; alterations to fenestration to first floor	Refused: 2/06/2019 Appeal: Under consideration
P/5137/19	Variation Of Condition 2 (Approved Plans) Attached To Planning Permission P/1404/18 dated 03.08.2018 for variation of condition 2 (approved plans) attached to planning permission P/5568/15 Dated 26/01/2016 to allow the addition of a front porch with protruding canopy with stone columns and a flats roof and revised fenestration details	Granted: 14/02/2020
P/0444/20	Details pursuant to condition 13 (general permitted development) attached to planning permission p/1404/18 dated 3/8/2018 for variation of condition 2 (approved plans) attached to planning permission p/5568/15 dated 26/01/2016	Withdrawn
P/0443/20	Variation of condition 2 (approved plans) attached to planning permission p/1404/18 dated 03.08.2018 For variation of condition 2 (approved plans) attached to planning permission p/5568/15 dated 26/01/2016 to allow a first floor extension roof modification	Refused: 03/04/2020

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 6th July 2020.
- 4.2 No comments were submitted 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 Drainage Engineer The applicant should submit drainage details in line with our standard requirements. The applicant should submit Thames Water consent for receiving additional discharge from the new construction. No objection subject to conditions
The Gardens Trust 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
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): 7.16
- The Draft London Plan (2019): G2
- Harrow Core Strategy (2012): CS1F
- Harrow Development Management Policies (2013): DM16

6.2.2 The retrospective application is for a large detached outbuilding which has been constructed to the south-east of the replacement dwellinghouse. Certificate of Lawful Development applications were previously granted for a detached triple garage within a similar location to the existing outbuilding and for a large detached swimming pool. However, the Certificates of Lawful Development were issued with the former dwellinghouse still in situ, having the benefit of permitted development rights for outbuildings under Class E of the General Permitted Development Order (GPDO). It is noted that the shell of the outbuilding was constructed while the former dwellinghouse was still in place. However, the former dwellinghouse was demolished prior to the completion and use of the outbuilding for purposes incidental to the enjoyment of the occupiers of that dwellinghouse, as required by the GPDO.

6.2.3 Upon demolition of the former dwellinghouse and the commencement of engineering works relating to the approved planning permission of the

replacement dwellinghouse, the relevant planning conditions attached to the planning permission for the replacement dwellinghouse became binding. Notably, condition 13 of the variation of condition application (P1404/18) and condition 14 of the original permission (P/5568/15) restricted the construction of outbuildings under Class E of the General Permitted Development Order. Clearly, the semi-completed outbuilding was not intended to be or was actually used for a purpose incidental to the enjoyment of the occupiers of the former dwellinghouse in the way allowed for by the relevant legislation. Neither was the outbuilding capable of being constructed under permitted development when the new planning permission was implemented due to removal of permitted development rights. Finally, the outbuilding did not form part of the approved plans or layout for the planning permission of the replacement dwellinghouse. The outbuilding is therefore unauthorised and the subject application is to regularise the breach of planning.

- 6.2.4 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 145 that 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. It does however set out six exceptions to this, including:

the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
(bullet c of Paragraph 145)

- 6.2.5 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (Paragraph 144).
- 6.2.6 Case law has established that a domestic outbuilding may be regarded as an extension to a dwelling provided that it forms a 'normal domestic adjunct' (Sevenoaks DC v SSE and Dawes). The outbuilding, by reason of its proximity to the house and proposed use (as a triple garage and gym) would physically and functionally relate to the subject dwellinghouse and could therefore be considered to be a normal domestic adjunct.
- 6.2.7 The relevant test is therefore whether the extension or alteration of a building would result in disproportionate additions over and above the size of the original building (as set out in bullet point c of the exceptions in paragraph 145 of the NPPF). There is no definition of 'disproportionate additions' in the NPPF. However, case law has established that this size is the primary test. A numerical/technical and visual assessment is therefore required. Size can be assessed in a number of ways which includes matters of floor space, footprint, height, massing, volume, design and position on the plot. Any or a combination of such factors could contribute towards the extension or alteration of a building

resulting in disproportionate additions over and above the size of the original building. However, the courts have held that floorspace is an important indicator.

6.2.8 Planning permission was granted under reference P/5568/15 dated 26/01/2016 for the redevelopment of the site to provide a two storey replacement dwelling with habitable roofspace & basement; parking and landscaping. A section 73 application was thereafter submitted under planning reference P/1404/18 to vary the approved plans (condition 2) to allow amendments to the layout, including a revised footprint of the basement, ground floor and fenestration. A comparison between the footprint and floor area of the approved dwellinghouse being constructed (in accordance with the variation of condition application P/1404/18) compared to the resultant increased in the floor area and footprint as a result of the existing outbuilding is outlined in the table below:

	Approved Area of Replacement Dwellinghouse (Variation of condition application P/1404/18)	Existing Development (with outbuilding)	% Increase between original approved replacement dwellinghouse and existing with outbuilding
Footprint (m²)	222	405	82%
Floor Area (m²)	438	621	41%

6.2.9 As demonstrated in the above table, the existing outbuilding when considered as a normal domestic adjunct (i.e an extension to the subject dwellinghouse), would result in a footprint increase of 82% and a floor area increase of 41% beyond that of the approved replacement dwellinghouse. The outbuilding evidently represents a very substantial increase in the overall size of the original building and it cannot reasonably be considered on any view that the subject proposal does not result in a disproportionate addition over and above the size of the original replacement dwellinghouse that is being constructed on site. On this basis, the exception set out at paragraph 145(c) of the NPPF is not met. The proposal is therefore considered to be inappropriate development.

6.2.10 Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will only exist if the harm, by reason of inappropriateness, and any additional harm is clearly outweighed by other considerations. A Planning Statement has been submitted with the application which details why the application should be worthy of support. Although not explicitly referenced as very special circumstances (VSC), it is considered that some of the points made should be appropriately considered within this context and are detailed below:

VSC	Officer Comment
<i>The site has the benefit of extant certificate of lawfulness for a swimming pool and triple garage</i>	As detailed above, following the implementation of planning permission for the replacement dwellinghouse, the application site does not benefit from Permitted Development Rights for outbuildings under Class E of the General Permitted Development Order.
<i>The footprint of the subject outbuilding is less than that of the combined garage and swimming pool which were granted under the certificate of lawfulness applications</i>	As the site does not benefit from Permitted Development Rights, the site coverage of the existing outbuilding compared to those which were previously granted Certificate of Lawful Development Certificates does not constitute a fall-back position.
<i>The proposed development would meet Class E of the GPDO, Policy DM16 of the Harrow Development Management Plan Policies, Residential Design Guide and Garden Land Development SPD.</i>	The proposal has been considered in accordance with the relevant policies of the development plan. As detailed in the report, the proposal does not meet the relevant policies in relation to the principle of development or character considerations and therefore is not capable of officer support. Conformity with the GPDO is not material as the site does not benefit from permitted development rights.
<i>The built frontage would be consistent with the adjoining properties and the overall site coverage of development would be less than Bentley Hyde, Grimdsyke Manor and Cedar Trees</i>	It is acknowledged that some of the adjoining dwellinghouses have larger footprints/extensions than that being proposed. However, it is intrusive to note that many of the adjacent neighbouring plots are significantly wider than the subject site. Furthermore, many of the extensions were considered under former policies and not in accordance with the current development plan. No further details have been provided on the date at which the various extensions were granted or the circumstances of each particular case to demonstrate that they were allowed in accordance with the most up to date development plan and relevant/comparable to the subject scheme. The subject application has

	however been assessed on its own planning merits with regard to the specific context of the subject property and in accordance with the current development plan.
<i>Proposed building is required for a purpose incidental to the enjoyment of the dwellinghouse.</i>	It is acknowledged that the proposed outbuilding would be for a purpose incidental to the enjoyment of the dwellinghouse. However, the provision of a gym and associated facilities would be in the private interests of the occupiers and does not result in an over-riding public benefit. On balance, it is considered the provision of additional gym facilities / garage facilities would not clearly outweigh the harm identified to the Green Belt.

- 6.2.11 It is considered that the very special circumstances put forward by the applicant fail to clearly outweigh the harm to the Green Belt by reason of inappropriateness and there are no other material considerations that clearly outweigh the identified harm.
- 6.2.12 The National Planning Policy Framework (2019) makes it clear that an essential characteristic of Green Belts is their openness and permanence. Openness is not defined either within the Framework or in the development plan policies, but is taken to mean an absence of a building or development, and the extent to which a building or development may be seen from the public realm is not a decisive matter. The outbuilding is sited to the south-east of the replacement dwellinghouse and results in approximately 80% of the width of plot/frontage being developed. The overall site coverage and height of the garage with a predominantly hipped roof profile would serve to harmfully detract from the openness of the Green Belt.
- 6.2.13 For the reasons detailed above, it is considered that the harm caused by the inappropriateness of the development in the Green Belt and its effect on Openness, carries substantial weight. The applicant has failed to demonstrate that very special circumstances exist to justify inappropriate development and that the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. 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 DM16 of the Harrow Development Management Policies Local Plan (2013).

6.3 Character, Appearance and Heritage

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): D3
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1
- Residential Design Guide SPD (2010)

6.3.2 The outbuilding and linked garage has a combined footprint of approximately 180m² and results in almost 80% of the frontage of the application site being developed. Officers consider that the outbuilding, by reason of its scale, hipped roof design and siting, aligning with the frontage of the replacement dwellinghouse, results in an obtrusive and incongruous form of development to the detriment of the character and appearance of the subject property and the locality. While it is noted that a number of adjacent properties have benefited from extensions resulting in increased built frontage to the application site, these were assessed under previous planning policies.

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 (2019): D2, D4
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.4.2 Given the separation distance afforded between the proposed south-eastern flank wall and the adjacent shared boundary with the neighbouring dwellinghouse Bentley Hyde, the proposal does not have a detrimental impact on the residential amenities of those adjoining occupiers

6.5 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 Had the application been otherwise considered acceptable, it would have been expedient to attach conditions relating to surface and foul water disposal and surface water attenuation, to ensure the development complies with Policy 5.12 of the London Plan (2016) and Policy DM10 of the Harrow Development Management Policies Local Plan (2013).

7.0 CONCLUSION AND REASONS FOR REFUSAL

- 7.1 The single storey outbuilding and linked garage, by reason of its scale, design, site coverage and the resultant increases in the floor area and footprint, results in a disproportionate addition to the original dwellinghouse, constitutes inappropriate development in the Green Belt and has a harmful impact on the openness and visual amenities of the Green Belt. The applicant has failed to satisfactorily demonstrate that very special circumstances exist to justify inappropriate development and that the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. 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 DM16 of the Harrow Development Management Policies Local Plan (2013).
- 7.2 The outbuilding, by reason of its siting, scale and design results in an obtrusive and incongruous form of development to the detriment of the character and appearance of the area and the host property, contrary to the high quality design aspirations of the National Planning Policy Framework (2019), policy 7.6B of The London Plan (2016), Policy D3 of the draft London Plan - Intend to publish version (2019), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010)
- 7.3 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for refusal.

APPENDIX 1: Informatives

1. Planning Policies

National Planning Policy Framework (2019)

The London Plan (2016)

5.12, 7.4, 7.6, 7.16

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

D3, G2, SI13, T6.1

Harrow Core Strategy (2012)

CS1, CS7

Harrow Development Management Policies Local Plan (2013)

DM1, DM6, DM10, DM16,

Supplementary Planning Document: Residential Design Guide (2010)

2. Refuse without Pre-App

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 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 £11,220. 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

4 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 £29,661

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

PLAN NUMBERS

Site Location Plan, SH07.107 Rev A, SH07.201 Rev B, SH07.202 Rev A, SH07.205 Rev C, Planning Statement

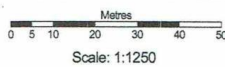
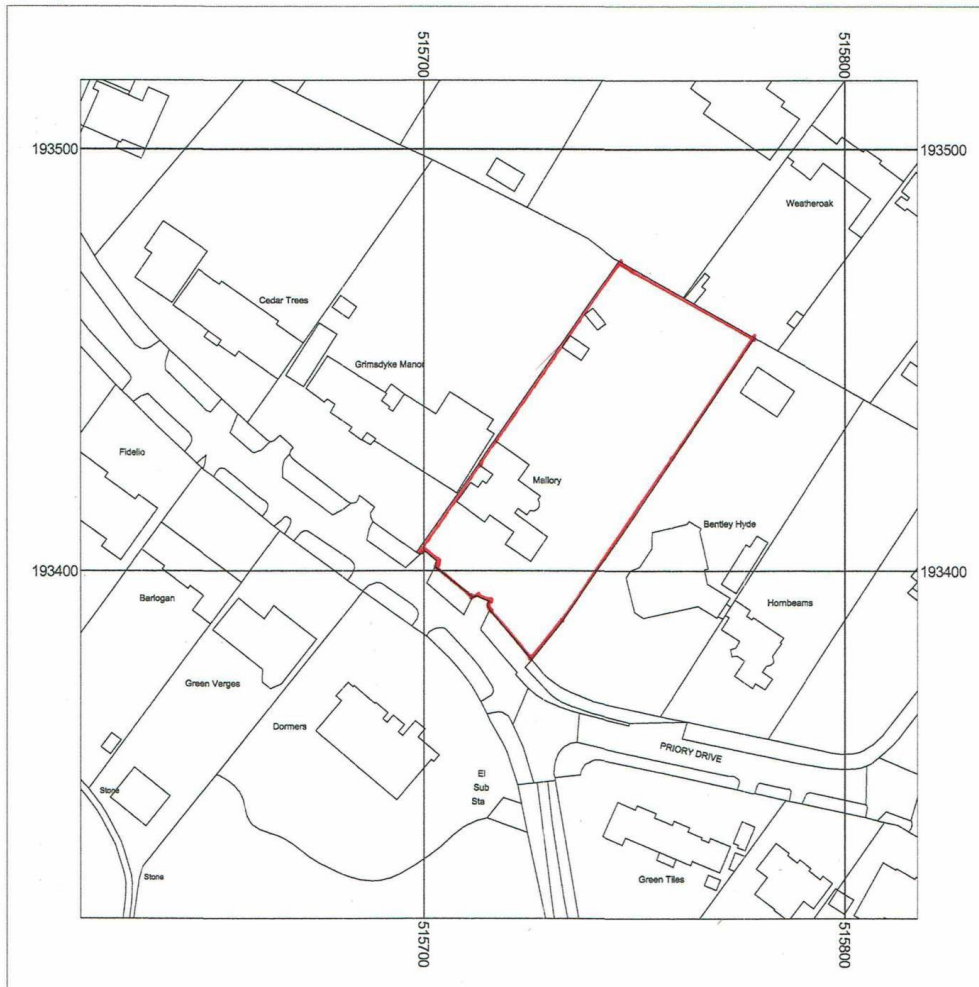
CHECKED

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar	20.8.20
Corporate Director	High Peart pp Paul Walker	20.8.20

APPENDIX 2: SITE PLAN



OS Plan B&W



Supplied by: National Map Centre
License number: 100031961
Produced: 01/08/2018
Serial number: 2012749

Mallery
Priory Drive
Stanmore
HA7 3HN

Plot centre co-ordinates: 515718, 193417
Download file: dnk_Mallery.zip
Project name: dnk_Mallery

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APPENDIX 3: SITE PHOTOGRAPHS





APPENDIX 4: PLANS AND ELEVATIONS

