

# Planning Committee AGENDA

**DATE: Wednesday 23 September 2020**

**TIME: 6.30 pm**

**VENUE: ONLINE – VIRTUAL MEETING**

**PLEASE NOTE: THERE WILL NOT BE A SITE VISIT FOR PLANNING COMMITTEE MEMBERS  
A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL BE COMMUNICATED IN DUE  
COURSE.**

## **MEMBERSHIP (Quorum 3)**

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**Chair:** Councillor Keith Ferry

### **Councillors:**

Ghazanfar Ali (VC)  
Simon Brown  
Sachin Shah

Marilyn Ashton  
Christopher Baxter  
Anjana Patel

### **Reserve Members:**

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- |                      |                     |
|----------------------|---------------------|
| 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](mailto: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](http://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: Tuesday 15 September 2020**

# AGENDA - PART I

## 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 7 - 18)

That the minutes of the meeting held on 2 September 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, 18 September 2020. Questions should be sent to [publicquestions@harrow.gov.uk](mailto: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

### 11. SECTION 1 - MAJOR APPLICATIONS

|     |  |             |  |                        |
|-----|--|-------------|--|------------------------|
| (a) | 1/01 HARROW VIEW EAST<br>PLOT C2B , P/2245/20            | MARLBOROUGH | GRANT SUBJECT<br>TO LEGAL<br>AGREEMENT &<br>COMPLETION OF<br>SECTION 106 | (Pages<br>19 - 62)     |
| (b) | 1/02 CENTRAL DEPOT<br>FORWARD DRIVE HA3<br>8NT P/2508/20 | KENTON WEST | GRANT  | (Pages<br>63 - 80)     |
| (c) | 1/03 33- 39 LOWLANDS<br>ROAD HA1 3AN P/1656/20           | GREENHILL   | GRANT SUBJECT<br>TO LEGAL<br>AGREEMENT &<br>COMPLETION OF<br>SECTION 106 | (Pages<br>81 -<br>144) |

### 12. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

|     |  |                       |       |                         |
|-----|--|-----------------------|-------|-------------------------|
| (a) | 2/01 WEST HOUSE<br>GALLERY CAFÉ, WEST<br>END LANE HA5 1AE<br>P/1292/20 | PINNER SOUTH          | GRANT | (Pages<br>145 -<br>172) |
| (b) | 2/02 GARAGES<br>ADJACENT, 12A<br>WOODRIDINGS CLOSE<br>P/1928/20        | HATCH END             | GRANT | (Pages<br>173 -<br>204) |
| (c) | 2/03 9 & 11 NEW ROAD<br>SUDBURY HILL HA1 3QJ<br>P/1571/20              | HARROW ON THE<br>HILL | GRANT | (Pages<br>205 -<br>238) |



(d) 2/04 97 WEST STREET HARROW ON THE GRANT  
HARROW HA1 3EL HILL  
P/1531/20

(Pages  
239 -  
254)

**13. ANY OTHER URGENT BUSINESS**

Which cannot otherwise be dealt with.

**AGENDA - PART II - NIL**

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# PLANNING COMMITTEE

## MINUTES

### 2 SEPTEMBER 2020

**Chair:** \* Councillor Keith Ferry

**Councillors:** \* Marilyn Ashton \* Simon Brown  
\* Peymana Assad (3) \* Anjana Patel  
\* Christopher Baxter \* Christine Robson (1)

\* Denotes Member present  
(3), (1) Denote category of Reserve Members

#### 389. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Peymana Assad

Councillor Sachin Shah

Councillor Christine Robson

#### 390. Right of Members to Speak

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

### 391. Declarations of Interest

**RESOLVED:** To note that:

1) the Declarations of Interests published in advance of the meeting on the Council's website were taken as read; and

2) the following interests were declared at the meeting:

a) Agenda Item 2/02, Pinner Park Primary School Melbourne Avenue Pinner HA5 5TJ - P/1614/20

Councillor Christine Robson declared a non-pecuniary interest in that she was the Portfolio Holder for Young People and Schools. She would remain in the meeting whilst the matter was considered and voted upon.

b) Agenda Item 2/04, Nower Hill High School, George V Avenue Pinner HA5 5RP - P/1190/20

Councillor Christine Robson declared a non-pecuniary interest in that she was the Portfolio Holder for Young People and Schools. She would remain in the meeting whilst the matter was considered and voted upon.

c) Agenda Item 3/02, Mallory, Priory Drive, Stanmore, HA7 3HN - P/1463/20

Councillor Marilyn Ashton declared a non-pecuniary interest in that she was acquainted with the applicant.

### 392. Minutes

**RESOLVED:** That the minutes of the meeting held on 22 July 2020 be taken as read and signed as a correct record.

### 393. Public Questions

**RESOLVED:** To note that no public questions were put.

### 394. Petitions

**RESOLVED:** To note that no petitions were received.

### 395. Deputations

**RESOLVED:** To note that no deputations were received.

### 396. References from Council and other Committees/Panels

**RESOLVED:** To note that there were none.

**397. Addendum**

**RESOLVED:** To accept the Addendum, and two Supplemental Addendums.

**398. 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 2/05, 2/08, 2/09, 3/01, and 3/02 on the list of planning applications.

**[Note: Planning application 3/02 was subsequently deferred, and representations were not received.]**

**RESOLVED ITEMS**

**399. 2/01 - Roger Bannister Sports Centre, Uxbridge Road Harrow Weald HA3 6SP - P/1776/20**

**PROPOSAL:** enlargement of vehicle access (retrospective) (as amended by the Addendum and Supplemental Addendum).

Councillor Marilyn Ashton proposed that planning permission be granted for 18 months. The motion was seconded, put to the vote, and agreed.

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, for 18 months, 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, for 18 months, was unanimous.*

**400. 2/02 - Pinner Park Primary School, Melbourne Avenue, Pinner HA5 5TJ - P/1614/20**

**PROPOSAL:** a single storey front and side extension to sports hall building (as amended by the Addendum).

The Committee resolved to accept 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.*

### **401. 2/03 - Street Record, Elizabeth Gardens, Stanmore HA7 4TE - P/2408/20**

**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 (as amended by the Addendum and Supplemental Addendum).

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) the proposed telecommunications mast, by reason of its excessive height and noticeable location, would be visually obtrusive in the street scene to the detriment of the visual amenities and character and appearance of the area contrary to Policy DM1 and DM49 of the Harrow Development Management Policies local plan 2013.

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

## **DECISION: GRANT**

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

*Councillors Assad, Brown, Ferry and Robson voted for the application.*

*Councillors Ashton and Patel voted against.*

*Councillor Baxter abstained from voting.*

**402. 2/04 - Nower Hill High School, George V Avenue, Pinner HA5 5RP - P/1190/20**

**PROPOSAL:** single storey front and side extension to sports hall building (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.

**DECISION: GRANT**

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

**403. 2/05 - 1 Canons Park Close, Donnefield Avenue, Edgware HA8 6RJ - P/1277/20**

**PROPOSAL:** creation of an additional floor to create 8 flats (8 x 1 bed); parking and cycle storage; refuse storage.

The Committee received written representation from Mr K R Chainani (objector). In the statement, which was read by Chair, the objector outlined his reasons for seeking refusal of the application.

The Committee resolved to approve the officer recommendation.

**RECOMMENDATION**

The Planning Committee is asked to:

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

**DECISION: GRANT**

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

**404. 2/06 - 350 High Road High Road, Harrow HA3 6HF - P/1069/20**

**PROPOSAL:** first floor rear extension; rear dormer; creation of 8 additional flats to first and second floors; external alterations.

Following a question from a Member, an officer advised that:

- the size of rooms in the flats conformed to the London Plan.

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 unanimous.*

#### **405. 2/07 - Hermitage Gate, Clamp Hill Stanmore HA7 3JP - 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 planning application was reported to the Planning Committee with a recommendation for refusal on 22 July 2020. However, Members resolved to be minded to grant planning permission. In accordance with the Protocol on Planning Committee Meetings (7.2), the application was deferred to the next meeting held on September 2020.

The Committee resolved to approve the officer recommendation.

### **RECOMMENDATION**

Should the Planning Committee still be minded to grant planning permission, the Committee was asked to:

- 1) agree conditions and grant the application subject to the conditions set out at Appendix 1 of the report.

### **DECISION: GRANT**

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

#### **406. 2/08 - 42 Roxeth Hill, Harrow HA2 0JW - P/1715/20**



**PROPOSAL:** single storey rear extension (demolition of conservatory) (as amended by the Addendum).

The Committee received representations from Tina Hussein (objector) and Mallika Vaja (applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

Councillor Marilyn Ashton proposed refusal on the following grounds:

- 1) the proposed extension, by reason of its height and scale, would appear visually obtrusive and would give rise to a loss of outlook and overbearing impact to the rear protected windows and amenity space of 44 Roxeth Hill, thereby doing harm to the amenities of the neighbouring property, contrary to policies, 7.4 and 7.6 of the London Plan 2016, D1 of the Draft London Plan 2019 and would not preserve or enhance the character and appearance of the Roxeth Hill Conservation Area, contrary to the Roxeth Hill Character Appraisal and Management Strategy.

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) 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 Assad, Brown, Ferry and Robson voted for the application.*

*Councillors Ashton, Baxter and Patel voted against.*

### **407. 2/09 - Land Rear of 259 Pinner Road, Harrow HA1 4HF - P/4355/19**

**PROPOSAL:** redevelopment to provide three storey building comprising of seven flats (6 x 2 bed; and 1 x 1 bed); bin and cycle stores (as amended by the Addendum).

The Committee received representations from Asif Mohammed (objector) and Sarah King (applicant). The Chair read the written statement from Asif Mohammed. Both objector and applicant outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee resolved to approve 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 the conditions in Appendix 1 of the report and the Addendum and 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 a legal agreement under section 106 of the Town and Country Planning Act 1990 and other powers with the following Heads of Terms:
  - a. development to be Resident Permit Restricted - with the exception of disabled persons, no resident of the development would obtain a Residents' Parking Permit within the Controlled Parking Zone;
  - b. an additional £1,500 contribution towards the cost of amending the traffic order; and
  - c. legal fees - payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if, 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 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 Council's aim to reduce reliance on the private motor car in sustainable locations. The proposal was 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).

## **DECISION: GRANT**

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

*Councillors Assad, Brown, Ferry and Robson voted for the application.*

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

**408. 3/01 - The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware HA8 6AG - P/1564/20**

**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 (as amended by the Addendum and Supplemental Addendum).

In accordance with the Protocol on Planning Committee Meetings (7.2), the Committee received representations from Mr Sean McGrath (for the applicant). He outlined reasons for seeking refusal of the officer recommendations, and subsequently requesting that the application be granted.

The Chair proposed that the Committee be minded to disagree with officer recommendations, and that the application be brought back to Committee for determination at a later date.

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

The Committee resolved to refuse the officer recommendations.

**RECOMMENDATION A**

The Planning Committee was 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 Policies 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 Policies 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).

#### **DECISION: MINDED TO 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 at a later date, was by the Chair’s Casting Vote.*

*Councillors Assad, Brown and Ferry voted for the application.*

*Councillors Ashton, Baxter and Patel voted against.*

*Councillor Robson abstained from voting on the application.*

*The Chair used his Casting Vote to be minded to grant the application.*

#### **409. 3/02 - Mallory, Priory Drive, Stanmore HA7 3HN - P/1463/20**

**PROPOSAL:** single storey outbuilding and linked garage in garden (retrospective).

The Chief Planning Officer requested that the item be deferred to allow for further consultation, following legal advice. The application would be brought back to Committee at a later date.

Councillor Ashton proposed that the application be determined at the meeting, instead of deferred.

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

The Committee resolved to accept the Interim Chief Planning Officer’s request.

**DECISION: DEFER**

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

*Councillors Assad, Brown, Ferry and Robson voted for the application to be deferred.*

*Councillors Ashton, Baxter and Patel voted against the application being deferred.*

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

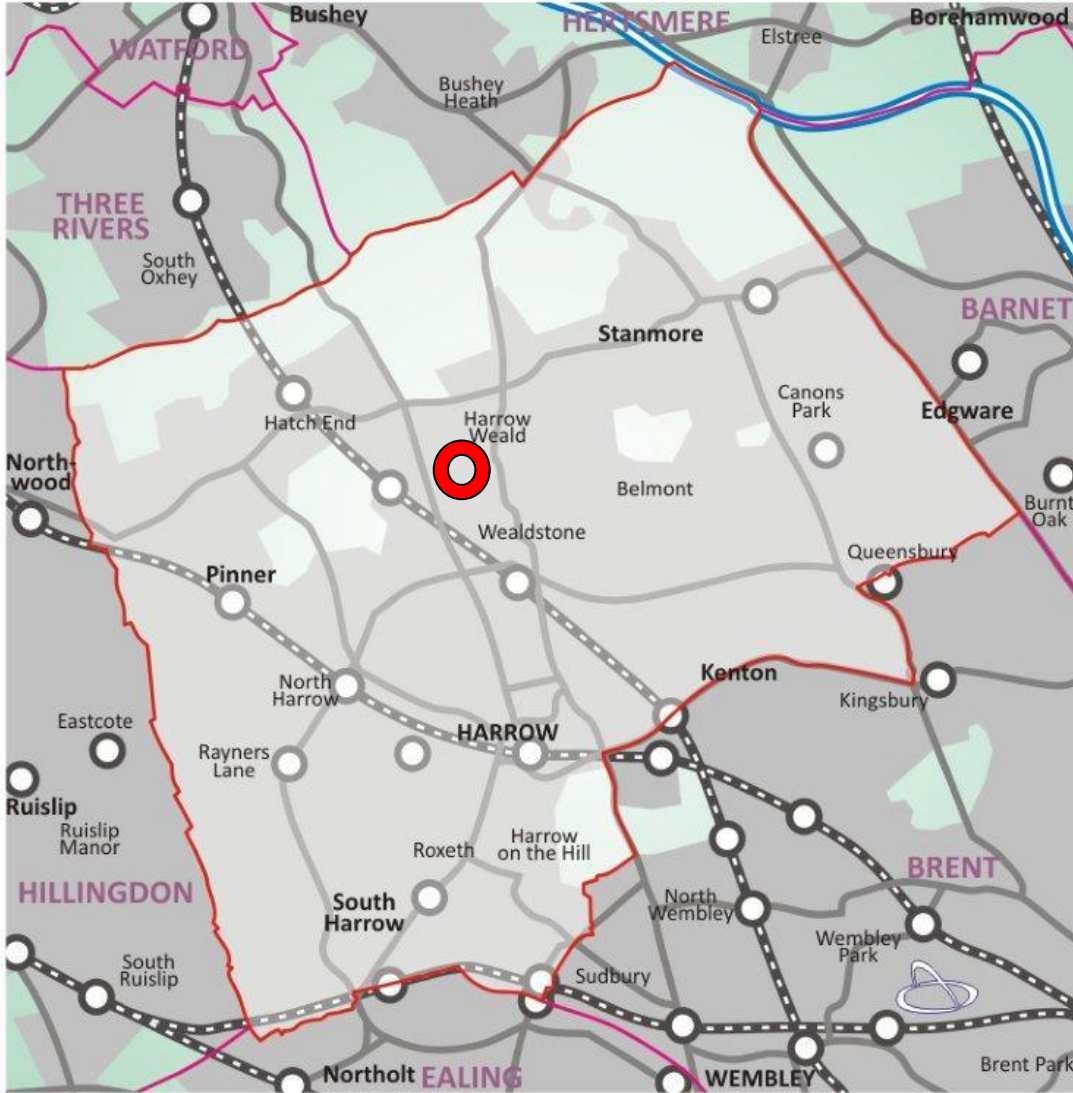
<https://www.harrow.gov.uk/virtualmeeting>.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.46 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair

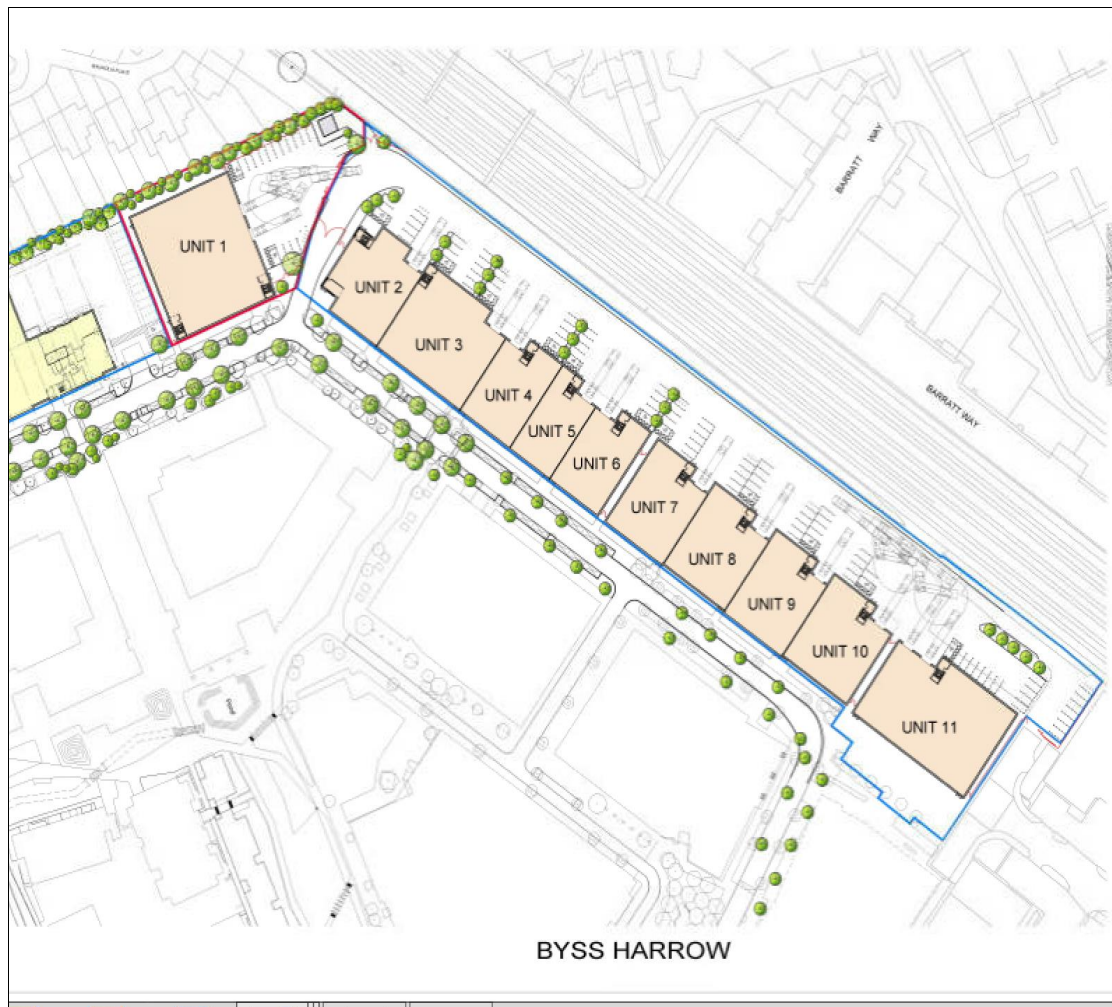
Agenda Item: 1/01

 = application site



|                                  |                  |
|----------------------------------|------------------|
| <b>HARROW VIEW EAST Plot C2B</b> | <b>P/2245/20</b> |
|----------------------------------|------------------|

# HARROW VIEW EAST Plot C2B





# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

**23<sup>rd</sup> September 2020**

**APPLICATION NUMBER:** P/2245/20  
**VALIDATE DATE:** 10/09/2019  
**LOCATION:** PLOT C2B (DEVELOPMENT ZONE C) OF HARROW VIEW EAST MASTERPLAN SITE HARROW VIEW EAST (FORMER KODAK FACTORY SITE) HEADSTONE DRIVE HARROW  
**WARD:** MARLBOROUGH  
**POSTCODE:** HA1 4TY  
**APPLICANT:** HARROW VIEW LLP - MR TOM OXLEY  
**AGENT:** DWD LLP  
**CASE OFFICER:** MATT KOLASZEWSKI  
**EXPIRY DATE:** 01<sup>st</sup> OCTOBER 2020

### PROPOSAL

Full planning application for the Construction of one industrial unit (Use Classes B1c and B8) and associated vehicle Access, Parking and landscaping

The Planning Committee is asked to:

### RECOMMENDATION A

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

#### **1. Highways and Parking Travel Plan**

- Submission of a travel plan based on the framework travel plan for each phase of development prior to occupation and to cover an initial monitoring period of 5 years
- Appointment of a travel plan co-ordinator.

#### **2. Employment and Training Plan**

- Payment of local Employment Contribution to the Council upon commencement of development and to be used towards

employment and training initiatives within the Council's administrative area.

- Submission of an employment, training and recruitment plan to the Council for its approval

### **3. Legal Costs and Monitoring Fee**

- Payment of section 106 monitoring fee upon completion of section 106 agreement (amount TBC)
- Payment of all reasonable legal fees upon completion of section 106 agreement

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 23rd December 2020 or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is recommended to delegate the decision to REFUSE planning permission to the Chief Planning Officer on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 3.11, 3.13, 5.2, 6.3, 7.4, 7.5 and 7.6 of The London Plan (2016), Core Strategy (2012) policy CS1, policies AAP3, AAP13 and AAP19 of the Harrow and Wealdstone Area Action Plan(2013) and policies DM1, DM2 DM42, DM43 and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations (2013).

## **REASON FOR THE RECOMMENDATIONS**

The principle of development on the former factory site has been established under outline planning application permission P/2165/15 which was approved by the Planning Committee in 2015. The outline permission was granted with all matters reserved for a comprehensive mixed use redevelopment of the Kodak Factory Site.

The proposed scheme seeks to provide new employment floorspace, which is considered a suitable use within the wider site. The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2019), the policies of The London Plan (2016), Harrow's Core Strategy (2012), the policies of the Harrow and Wealdstone Area Action Plan (2013) and the policies of the Harrow Development Management Policies Local Plan (2013), as well as to all relevant material considerations including the responses to consultation.

## **INFORMATION**

This application is reported to Planning Committee as it is a Major Development and therefore falls outside Schedule 1 of the Scheme of Delegation.

|   |   |
|---|---|
| Statutory Return Type:  | Large scale major development   |
| Council Interest:   | None  |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £6,659,820 (no social housing discount applied and would be payable on a phased basis)  |
| Local CIL requirement:  | £12,198,770 (no social housing discount applied and would be payable on a phased basis) |

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 Crime & Disorder Act**

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

## **1.0 SITE DESCRIPTION**

- 1.1 The land to which this application relates is outlined in red on the accompanying Site Location Plan, which extends to approximately 0.317 hectares (3,170m<sup>2</sup>) and includes the entirety of Plot C2b at Harrow View East. The blue line marks the additional area under the ownership of the Applicant at Harrow View East, which includes the entirety of both Development Plots C2 and D3. Plot C2b comprises the north-eastern corner of the wider Harrow View East masterplan area which, until recently, accommodated series of buildings that formed part of the former Kodak Factory complex.
- 1.2 However, these have now been demolished and the Application Site is now cleared. The Application Site is bordered by residential properties to the north (off Magnolia Place), Plot C2a to the west, and Plot D3 and a railway line to the east. As set out above, reserved matters applications have been submitted concurrently with this application for the construction of a new Big Yellow self-storage facility and flexible office space on Plot C2a and 10 speculatively designed employment units on Plot D3. To the south, and on the southern side of the new internal estate road ('Avenue North'), is an emerging residential neighbourhood that will be colloquially known as 'Eastman Village'.
- 1.3 The wider masterplan site was previously occupied by Kodak Factory which included a range of industrial, logistical and administrative office buildings including the main powerhouse chimney, which is the tallest structure on the site. The wider site is in the process of demolition works, with the exception of the main chimney which is to be retained and the administrative office.
- 1.4 The site lies within the wider Harrow and Wealdstone Opportunity Area, as defined in the London Plan and in terms of area is the largest strategic site in this designation. In addition, the site falls within the Wealdstone West sub area Site 2 (Kodak and Zoom Leisure). The site allocates a minimum output of 1,230 jobs and 985 new homes to be achieved through a comprehensive mixed use led redevelopment of the site.
- 1.5 The outline permission granted under P/2165/15 for the wider masterplan site secures the provision of up to 1,800 residential units a mix of uses comprising business and employment uses up to 32,360 sqm, senior living accommodation and assisted living care home up to 10,230 sqm, foodstore, flexible active uses (within Use classes A1-A5, B1a and D1) (up to 2,000 sqm), leisure and community uses, health centre, a primary school, energy centre together with new streets and other means of access and circulation; highway improvements; associated parking (including a multi-storey car park (Sui Generis use)(up to 8,900sqm)); re-profiling of site

levels; utilities diversions and connections; open space; landscaping and ancillary development including infrastructure, works and facilities.

- 1.6 The approved parameter plans for this new outline planning permission split the Kodak factory site into four zones (Zones A, B, C and D) and the Application Site sits within Zone C adjacent to the Development Zone D boundary, which is proposed to be amended via a separate non-material amendment application.
- 1.7 A non-material amendment application was also submitted concurrently with this application (and has been subsequently approved) , which seeks confirmation that the following is non-material: “Non-material amendments to outline planning permission P/2165/15 to amend the approved parameter plans and the wording in the Development Specification and Design Guidelines.”
- 1.8 Of relevance to Plot C2b, the non-material amendment application seeks to make the following changes to the approved parameter plans:
  - i. Development Plot C2 is proposed to be split into two plots (C2a and C2b) on the parameter plans. The extent of these plots is to reflect what would be the operational area of the aforementioned new Big Yellow self-storage facility on Plot C2a and Plot C2b, which is the subject of this application. This change is reflected on all four of the amended Parameter Plans; and
  - ii. The extent of Plot D3 is also proposed to be expanded to include a new access road to the rear service yard. This change is reflected on all four of the amended Parameter Plans;

## **2.0 PROPOSAL**

- 2.1 The proposed seeks full planning permission construction of one industrial unit (Use Classes B1c and B8) and associated vehicle access, parking and landscaping.
- 2.2 The Proposed Development comprises the construction of an employment building, colloquially known as ‘Unit 1’ to provide floorspace for either class B1c and/or B8 uses. This unit will provide 1,563m<sup>2</sup> of gross internal floor space (Use Class B1(c)/B8).
- 2.3 Unit 1 would be built on a speculative basis meaning that, at this stage, there is no confirmed tenant for this unit, however it is anticipated that there will be strong interest if approval is granted. Supporting this unit is provision of office floorspace at mezzanine level, which will be ancillary to the primary use of the building (either B1c/B8) and not a separate, dedicated office under use class B1(a).
- 2.4 It is acknowledged that the Outline Permission also allows other Class B1 uses on this plot, such as offices. However, the Applicant

is of the opinion that Harrow office occupiers are local in nature and tend to occupy smaller office floor plates (sub-5,000 sq. ft). This has led to a surplus of secondary office space in the town, which has subsequently been converted to residential use under permitted development rights or full planning applications (i.e. The Hub and Queens House). The Application Site is situated outside of the prime Harrow-on-the-Hill location and will therefore attract limited occupational demand. For this reason, the Applicant has decided to not apply for potential office use in the industrial unit.

2.5 The building will be a self contained employment unit with its own dedicated service yard. It's use will fall under class B1c and B8. The unit will be built to accommodate a range of potential occupiers. Unit 1 will benefit from its own dedicated and contained service yard. It will have a secure perimeter fence and gates allowing it to secure its yard independently of the rest of the employment units. Offices to the first floor mezzanine are positioned to the south to face the estate road and provide a more active frontage to the building. This is also the preference as to avoid office windows looking out onto residential properties. Vehicle parking will be provided throughout the site for employee parking. In terms of the quantities for employment unit 1 there are 18no. parking bays , of which 2 are to be accessible.. Cycle storage proposed is 1no. Sheffield style cycle shelters, capable of housing 8no. cycles.

2.6 The Proposed Development would accommodate between 24 and 30 FTE jobs. The reason for this range is the unknown nature of the final occupiers of this floorspace. The actual employment yield is likely to fall within this range.

**3.0 RELEVANT PLANNING HISTORY**

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

| Ref no.<br>Description   | Status and date of decision |
|--|-----------------------------|
| P/3405/11<br>Outline planning application for a comprehensive, phased, mixed use development of land at Harrow View and Headstone Drive, as set out in the Development Specification (March 2012). The development comprises the demolition of existing buildings and structures (with the exception of the chimney and part of powerhouse) and redevelopment of the site for a mix of uses comprising business and employment uses (within Use Classes B1(a), | Granted<br>21/12/2012       |

|   |                               |
|---|-------------------------------|
| <p>B1(b), B1(c), B2 and B8 - up to 35,975sqm); residential dwellings (within Use Class C3 - up to 985 units); student accommodation (Sui Generis use - up to 220 units); senior living accommodation (within Use Class C2); assisted living care home (within Use Class C2) (total C2 uses up to 9,300sqm); retail and restaurant uses (within Use Classes A1, A2, A3, A4 and A5 - up to 5,000sqm); commercial leisure uses (Use Class D2); community uses (Use Class D1); health centre (Use Class D1); a primary school (Use Class D1) (total D1/D2 uses up to 8,830sqm); energy centre (Sui Generis use - up to 4,500sqm); together with new streets and other means of access and circulation; highway improvements; associated parking; re-profiling of site levels; utilities diversions and connections; open space; landscaping and ancillary development including infrastructure, works and facilities.</p> |                               |
| <p>P/2182/15<br/>Modification to section 106 planning agreement relating to planning permission P/3405/11 dated 21 December 2012 as varied by a deed of variation dated 22 December 2014 to define and split the obligations between the East Land (Harrow View East) and West Land (Harrow View West)</p>  | <p>Approved<br/>9/12/2015</p> |
| <p>P/2165/15<br/>Outline planning application (all matters reserved) for a comprehensive, phased, mixed use development of land at Harrow View and Headstone Drive (known as Harrow View East), as set out in the Development Specification (September 2015). The development comprises the demolition of existing buildings and structures (with the exception of the chimney and part of powerhouse) and redevelopment of the site for a mix of uses comprising business and employment uses (within Use Classes B1(a), B1(b), B1(c), B2 and B8) (up to 32,360 sqm); residential dwellings (within Use Class C3) (up to 1800 units); senior living accommodation and assisted living care home (both within Use Class C2) (up to 10,230 sqm); foodstore (within Use Class A1) (up to 2,000sqm); Flexible active uses (within Use classes A1-A5, B1a</p>   | <p>Granted<br/>09/12/2015</p> |

|   |                                |
|---|--------------------------------|
| <p>and D1) (up to 2,000 sqm); leisure and community uses including commercial leisure uses (Use Class D2); Community uses (Use Class D1), health centre (Use Class D1); a primary school (Use Class D1) (total D1/D2 uses up to 9,730sqm); energy centre (Sui Generis use)( up to 600sqm) (including an interim energy centre in Phase C (up to 200sqm); together with new streets and other means of access and circulation; highway improvements; associated parking (including a multi-storey car park (Sui Generis use)(up to 8,900sqm)); re-profiling of site levels; utilities diversions and connections; open space; landscaping and ancillary development including infrastructure, works and facilities.</p>  |                                |
| <p>P/4367/17<br/>Non-Material Amendment To Planning Permission P/2165/15 Dated 09/12/2015 To Allow Changes To Access Points The Green Link Height Locations And Phasing Boundaries (Development Zones B, C and D only).</p>   | <p>Approved<br/>24/10/2017</p> |
| <p>P/5023/17<br/>Non-Material Amendment To Planning Permission P/2165/15 Dated 09/12/2015 To Allow Changes To Access Points The Green Link Height Locations And Phasing Boundaries (Development Zones B, C and D only)</p>  | <p>Approved<br/>20/12/2017</p> |
| <p>P/5079/17<br/>Approval of all reserved matters for development plot D7 and the Green Link of Development Zone D of the Harrow View East Masterplan and details pursuant to conditions 7(Urban Design Report), 8(Energy Strategy), 9(Ecology and Biodiversity Strategy), 11(Housing Schedule), 12(Daylight and Sunlight Assessment), 13(Surface Water Drainage Strategy), 14(Accessibility Strategy), 15(Lighting Strategy), 16(Refuse Strategy), 17(Noise and Vibration Strategy), 18(Arboricultural Strategy), 19(Landscaping), 20(Transport Strategy), 21(Levels), 22(Open Space Strategy) following outline planning permission granted under P/2165/15 dated 09.12.2015 for the comprehensive phased, mixed use development of land bounded by Harrow View and Headstone Drive (known as Harrow View East)</p> | <p>Approved<br/>02/02/2018</p> |



|  |                                |
|--|--------------------------------|
|  |                                |
| <p>P/5244/17<br/>Demolition of existing building surrounding factory chimney, retention of existing chimney and construction of a new building comprising an energy centre (Sui Generis) and a flexible community space (Use Class D1/D2)</p>  | <p>Granted<br/>05/02/2018</p>  |
| <p>P/3004/18<br/>Non-material amendment to planning permission P/2165/15 dated 9/12/2015 to correct factual inaccuracies associated with the approved parameter plans and enable non-material changes to the approved parameter plans (zonal boundaries, limits of deviation and building heights)</p>   | <p>Approved<br/>03/08/2018</p> |
| <p>P/3892/18<br/>Approval of all reserved matters for development Plots B1 and C1 and sections of the Green Link of Development Zones B and C of the Harrow View East Masterplan and details pursuant to Conditions 7 (Urban Design Report), 8 (Energy Strategy), 9 (Ecology and Biodiversity Strategy), 11 (Housing Schedule), 12 (Daylight and Sunlight Assessment), 13(Surface Water Drainage Strategy), 14 (Accessibility Strategy), 15 (Lighting Strategy), 16(Refuse Strategy), 17 (Noise and Vibration Strategy), 18 (Arboricultural Strategy), 19(Landscaping), 20 (Transport Strategy), 21 (Levels), 22 (Open Space Strategy) following outline planning permission granted under P/2165/15 dated 09.12.2015 for the comprehensive phased, mixed use development of land bounded by Harrow View and Headstone Drive (known as Harrow View East)</p> | <p>Approved<br/>06/12/2018</p> |

|  |   |
|--|---|
| P/2280/19<br>Non-Material Amendment To Outline Planning Permission P/2165/15 Dated 9.12.15 To Reword Condition 2 To Exclude Enabling Works   | Approved<br>14/06/2019                  |
| P/4046/18<br>Non-material amendment to reserved matters permission P/5079/17 dated 2/2/18 to enable amendments to approved reserved matters plans (FFLs for all blocks, window positions, window and door types, internal layout of homes, Block B gallery access, Block F1 communal entrance, perforated panels to the podium, boundary wall and re-location of existing substation)  | Approved<br>9/07/2019                   |
| P/3944/19<br>Full planning application for the development of Plots D1, D2, D4, D5 and D6 at Harrow View East (former Kodak Factory) for residential dwellings (use class C3 - including an Extra Care Facility), café/restaurant space (Use Class A3), flexible active uses (Uses Classes, A1, A2, B1(a) and D1); together with new roads and other means of access and circulation, associated car and cycle parking, open space, landscaping and ancillary development including all necessary infrastructure works | Granted subject to<br>S106<br>Agreement |
| P/0344/20<br>Non-material amendment to Reserved Matters permission P/3892/18 dated 6.12.18 to enable changes to the adopted road layout in Plot C1   | Approved<br>17/04/2020                  |

#### **4.0 CONSULTATION**

- 4.1 A Site Notice was erected on 09.07.2020 expiring on 06.08.2020.
- 4.2 Press Notice was advertised in the Harrow Times on the 16.07.2020 expiring on 13.08.2020.
- 4.3 The application was advertised as a major application.
- 4.4 A total of 1931 notification letters were sent to nearby properties regarding this application.
- 4.5 The public consultation period expired on 17.10.2019
- 4.6 Adjoining Properties

|   |      |
|---|------|
| Number of letters Sent  | 1931 |
| Number of Responses Received                                      | 9    |
| Number in Support   | 0    |
| Number of Objections  | 9    |
| Number of other Representations (neither objecting or supporting) | 0    |

4.7 9 objections were received from adjoining residents.

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

**Social-Economic**

- 24 hr operation will cause security problems

**Officer Comments:** *The applicant has engaged the Designing Out Crime Officer (DOCO) for Harrow in developing the proposed development. The DOCO has also been formally consulted on this application and does not raise any objection subject to ensuring appropriate surveillance and safety is incorporated as part of the detailed design. The development as discussed in the appraisal below would create a new neighbourhood to this section of Wealdstone and would bring forward new public realm and population to an area which is bleak and disused.*

*Both national and regional development plans direct new growth to previously developed land and encourage that where suitable densities should be maximised. Further justification is set out under the 'Principle of Development' section of the appraisal.*

**Character**

- Green Corridor is a gimmick as trees will take year to grown.

**Officer Comment:** *The impact on the character and townscape has been addressed under 'Character and Appearance' and 'Impact on Protected Views' sections of the appraisal below.*

**Overshadowing**

- The height and proximity (of Unit 1) near our boundary fence will cause significant overshadowing in the gardens.

- The unit will have major impact on sunlight in our garden.

**Officer Comment:** *impact on daylighting and overshadowing has been addressed under 'Residential Amenity' section of the appraisal below. This concludes that there would be no impact on*

*any properties adjoining the wider masterplan site in terms of overshadowing.*

**Traffic and Highways**

- Roads are unable to cope;
- Traffic is already unbearable.
- Traffic in industrial units which are right next to property boundaries;
- Noise from HGV Traffic
- Noise and traffic from construction work and vehicles

**Officer Comments:** *The impact on the surrounding highway in terms of congestion, parking, transport services and air pollution has been addressed under 'Traffic, Parking, Access, Servicing and Sustainable Transport' and 'Air Quality' sections of the appraisal below.*

**Other matters**

2. Placing local residents health at risk and highway safety
3. Use of hazardous materials
5. Increased noise and disturbance resulting from use
6. Loss of trees
7. Smells
8. Layout and density of building: when housing is an issue in the area, to waste land on industrial site is appalling.
9. Height of building will not fit with the local area

**Officer Comments:** *These comments are addressed within the report.*

4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

**LBH Environmental Health**

No comments received.

**LBH Drainage**

The Drainage Strategy submitted by the applicant 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](mailto:developer.services@thameswater.co.uk) or by phone: 0800 009 3921 or on Thames Water website [www.developerservices.co.uk](http://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.

- Please request the applicant to submit a section drawing of the storage tank with levels as we need to make sure that it is provided below the lowest point in the system.
- Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval.
- Please advise the applicant to contact vehicle crossing team on [VehicleCrossings@harrow.gov.uk](mailto:VehicleCrossings@harrow.gov.uk) regarding access arrangements.

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

#### **LBH Highways**

No objection subject to construction plan condition. The comments are reported in more detail in the highways section of this report.

#### **LBH Planning Policy**

No comments have been received thus far. Any comments received prior to the committee meeting will be reported in the addendum.

#### **LBH Design**

No Objection

#### **LBH Conservation Officer**

No comments. This is too far from any heritage assets to comment.

#### **LBH Landscape Architects**

No objection subject to appropriate landscape conditions.

#### **LBH Waste Officer**

No comments received

## **LBH Economic Development**

The Economic Development Team welcomes the development of the site for employment uses and the proposed 30 full time jobs related to the application.

1. As a major application, we will be seeking the following to be included in any s106 agreement:

- Construction Training – a requirement to produce a training and employment plan and a provide financial contribution
- Local Supplier targets

Further details are set out below.

2. The Economic Development team would also welcome working with and supporting the developer and end users of the building(s) through the services that it offers in relation to employment and training and business support.

### **Construction Training**

As a major application, Economic Development will be seeking construction employment opportunities on site in line with Policy E11 Skills And Opportunities For All of the London Plan.

This will be secured through

- (i) a training and employment plan that will be agreed between the council and the developer prior to start on site and
- (ii) a financial contribution towards the management and delivery of the construction training programme based on the build cost of the development. This is usually charged based on a formula of £2500 per £1m build cost.

The Training and Employment Plan will set out how outreach, initial assessment, job-search support, vocational training and job brokerage will be delivered to ensure residents benefit from the development. It will include:

- a) employment opportunities relating to the construction of the Development and details of sector delivery; this could include the number of apprenticeships provided on site, the number of local people employed on site and upskilling opportunities provided.
- b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
- c) the timings and arrangements for implementation of such initiatives and
- d) suitable mechanisms for the monitoring of the effectiveness of such initiatives

Monthly performance reports to the council's Economic Development Team will provide progress against the agreed

targets in the Training and Employment Plan.

The Economic Development Unit is able to provide further information and guidance to the applicant if required. However as guidance,

- the number of jobs to be created during the construction of the development may be calculated by construction weeks and divided by 52.

- the Planning Obligations SPD sets out a target of 1 apprentice per £3m spend.

The financial contribution will fund the delivery of the plan which will include a contribution to the salary costs for an Employment and Training Co-ordinator who will discharge the activities in the Plan.

#### Penalty Clauses

Any s106 agreement will include penalty clauses for non-compliance with the above. Non-compliance is failure to deliver the obligations in the section 106 Agreement, irrespective of whether

- a) the Agreement states that it will discharge the obligation

- b) the Developer has paid the council (Xcite) to employ a training and employment co-ordinator and beneficiary funds to discharge the obligations, but the developer's contractors fail to work with Xcite to provide skill, apprenticeship and employment opportunities.

HB Law has been working on relevant clauses.

#### Local Supplier Targets

To ensure local businesses benefit from the investment in the area, the Economic Development Team require that 15% of spend during the construction of the development is with suppliers in the council's administrative area. Full comments have been incorporated noted in the appraisal below

- 4.11 The comments of the consultees are addressed within the relevant sections of the assessment.

#### External Consultation

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

#### **Thames Water**

Water Comments

No water comments

Supplementary Comments

Thames Water do not have capacity for these plots or the wider Kodak Site development. Modelling is being undertaken by

Thames Water and the phasing of the Kodak Site shows there will be no occupation until September 2022. Thames Waters current program indicates that we will have completed reinforcement works for the whole of the Kodak Development site by the end of December 2021. As a result of this Thames Water do not raise any concerns. If the phasing plan we have been provided was to be incorrect or to change then Thames Water would need to be contacted and concerns would be raised as our program of works has been planned out and we only have capacity once the works are completed.

**Officer Comment:** *Noted. An informative would be attached advising the applicant of the above.*

**Health and Safety Executive**

No comments received.

**TfL Infrastructure**

No objection

**Design Out Crime Officer**

To follow

**Historic England (GLAAS)**

No comments received

**Historic England (Listed Buildings)**

No comments received

**Network Rail**

No comments received

**5.0 POLICIES**

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

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

5.2 The National Planning Policy Framework (NPPF) 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. The current NPPF was published in July 2018 and was updated in February 2019.

- 5.3 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].
- 5.4 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 (2017), 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.

## **6.0 ASSESSMENT**

- 6.1 The main issues are;

Principle of the Development  
Regeneration  
Environmental Impact Assessment  
Heritage and Impact on Protected Views  
Character and Appearance of the Area  
Residential Amenity, Quality, Noise and Accessibility  
Traffic, Parking, Access, Servicing and Sustainable Transport  
Development and Flood Risk  
Biodiversity  
Sustainability and Climate Change Mitigation  
Air Quality  
S.106 Obligations and Infrastructure

## **6.2 Principle of Development**

- 6.2.1 The relevant policies are:  
NPPF  
The London Plan: 2.13, 3.4 and 4.7B  
Harrow Development Management Local Policies: DM35  
Harrow and Wealdstone Area Action Plan: AAP3, AAP4 and AAP17  
Draft London Plan: GG2, SD7 and H1
- 6.2.2 The subject site is located within the “Heart of Harrow” which encompasses the two town centres of Harrow and Wealdstone, the Station Road corridor linking the two centres, and the industrial land and open spaces surrounding Wealdstone, including the Kodak site, Headstone Manor and the Harrow Leisure Centre.
- 6.2.3 The Heart of Harrow is designated as an Opportunity Area in the 2016 version of the London Plan and the outline permission granted under P/2165/15 was approved on the basis of this designation. The Opportunity Area designation is expected to contribute to the delivery of 3,000 jobs and a minimum of 2,800 new homes within the Area through higher density residential and mixed use development on key strategic sites.
- 6.2.4 The principle of redevelopment of the Kodak factory site has been long established through the approval of two outline permissions under refs: P/3405/11 and P/2165/15 for the comprehensive phased mixed redevelopment of the former factory site. As such, the principle of development on HVE Phase III is supported.
- 6.2.5 The wider masterplan site is identified as a development opportunity site in the AAP and falls within the Wealdstone West sub area Site 2. The site allocates a minimum output of 1,230 jobs and 985 new homes to be achieved through a comprehensive mixed use led redevelopment of the former factory site. The site allocation consolidates designated strategic industrial land (SIL) to the northern and eastern parts of the former factory site (identified as development plots C2 and D3 on the approved masterplan) and to the southern western corner of the site where the former Kodak administrative building remains (located on the southern half of development plot B1).
- 6.2.6 The approved masterplan plan under P/2165/15 divides the site into four different development zones, which are further split into development plots. Whilst the masterplan was granted outline permission with all matters reserved, there are certain parameters that are fixed under this outline permission, which includes the amount of open space to be provided, the heights of the buildings, access point and primarily route through the site. The parameter

plans also fixes the floor spaces for different uses to be provided within each development phase and the number of residential units.

- 6.2.7 The Application Site is located within Harrow View East, which is one of the largest regeneration areas in the Borough. There is an extant outline planning permission for Harrow View East and details pursuant to a number of conditions imposed on the Outline Permission have been approved as part of enabling works to clear and remediate the Application Site for its delivery. The principle of development has therefore been established by the Outline Permission.

### **6.3 Regeneration**

- 6.3.1 It is inevitable that the character of the area will significantly change through the intensive urbanisation of the area as a result of the high density of development. However, the increase in density in this location is vital to support the wider regeneration of Wealdstone Town Centre and its surrounding area through sustained economic growth and job creation.

- 6.3.2 As noted above, the subject site sits within the wider masterplan area and would support the wider aspirations of the masterplan site through delivering high quality development and mixed communities. The cumulative proposals delivered on this strategic site would not only in itself regenerate the immediate area, but would release essential contributions, already secured under the outline permission P/2165/15 to enable the Council to improve the surrounding public realm and the connectivity between the site and Wealdstone Town Centre, all of which are considered integral to ensure the successful regeneration of the local area.

### **6.4 Heritage and Impact on Protected Views**

- 6.4.1 The relevant policies are:  
NPPF: Chapters 12 and 16  
London Plan: 7.4, 7.6, 7.7 and 7.8  
Harrow Development Management Local Policies: DM1, DM3 and DM7  
Harrow and Wealdstone Area Action Plan: AAP3, AAP6 and AAP8  
Draft London Plan: D1
- 6.4.2 The height of the building is low and would not impact on any protected views.

### **6.5 Character and Appearance of the Area**

- 6.5.1 The relevant policies are:  
NPPF: Chapter 12  
London Plan: 7.4., 7.5, 7.6, 7.7 and 7.13

Harrow Development Management Local Policies: DM1, DM22, DM23 and DM45  
Harrow and Wealdstone Area Action Plan: AAP3, AAP4 and AAP6  
Draft London Plan: D1, D3 and D11

- 6.5.2 The surrounding area is mixed in character. To the south and west of the wider masterplan site the area is characterised by interwar residential development, largely two storeys, but interspersed with two to four storey high flatted developments. To the east of the site, the character is defined by commercial and industrial development. Buildings are low rise and range from one to three storeys in height. Further east and past the railway lines, the character is defined by Victorian and Edwardian residential terraces, two storeys high.
- 6.5.3 As noted above, within the wider character setting, the grounds of Headstone Manor with its number of Grade I and Grade II listed buildings and Scheduled Monument moat are located approximately 600m from the subject site.
- 6.5.4 The subject site is located within the wider Harrow View East masterplan site which until recently, was occupied by disused industrial buildings associated with its former by Kodak. The buildings and the chimney formed landmarks within the townscape due to their contrasting height and form. The former sports grounds is currently being redeveloped pursuant planning permission granted under outline application P/3405/11. The main factory site is also being redeveloped pursuant to outline permission granted under outline application P/2165/15.
- 6.5.5 Development proposals are required by policy to be of high-quality design, and need to reflect the surrounding local character and respect local patterns of development. The proposed development is the result of a design-led approach that has evolved holistically along with a proposed Big Yellow self-storage facility on Plot C2a and 10 speculative employment units on Plot D3. The evolution of the design has taken place through extensive discussions with the Borough's Design Officer.
- 6.5.6 The outline consent set a height parameter on the northern boundary of the site. The storage building design sits within this parameter. The composition of the west elevation on Harrow view however necessitated a taller elevation. Studies were carried out to determine the best way to resolve the height difference.
- 6.5.7 In general, the design has responded sensitively to the characteristics of the surrounding existing and emerging built environment. The layout of the proposal efficiently utilises the amount of land it requires in order to maximise the developable area.

- 6.5.8 The scale of the proposed unit has been chosen to reflect what is anticipated to be most attractive to the type of tenants sought. Originally, it was thought that the design of the building could comply with the approved height parameters of the Outline Permission but this would have resulted in a building that would not be suitable to the market. Notwithstanding, it is only part of the rear pitch of the building that slightly exceeds the approved height parameters. The rear of the roof on unit 1 will rise to a maximum of 2.9m above the 8m max parameter height. The eaves height as it adjoins the neighbouring residents' gardens complies with the parameters.
- 6.5.9 The rear of the roof has a Plot C2b, Harrow View East Planning Statement 28 shallow pitch and rises gradually meaning the exceedance of the parameter gradually rises up to a maximum of 2.9m at the pitch of the roof. Given the pitch rises gradually (2.9m over 14.8m), there will be no visual impact from the residential properties on Magnolia Place whose gardens are long. The external appearance of the proposed building has been designed to respond in a manner that is in keeping with the emerging commercial and residential context. This will therefore accord with Development Management Policies DM1 and DM3.

### **Landscaping**

- 6.5.10 As part of the outline planning application, East Architects worked with Outerspace to identify a strategy for the wider landscape and set out how the scheme should respond to its landscape context. The landscape strategy was based on the industrial history and promoted a landscape character that responds to the organic breaking down of forms. This combines well with the Outerspace 'human-nature' objective of supporting both mental and physical welfare and the connectivity to biodiversity.
- 6.5.11 This approach has been taken forward and further promoted within this application, creating a landscape scheme that helps to achieve a sense of belonging: to the place, the time and the community. The paving strategy similarly celebrates the building entrances with good quality slabs of a smooth surface. Adjacent strips of hard surfacing are paved with a more textured sett, whilst resin bound gravel is used to pave and highlight pedestrian routes along the rear of the buildings.
- 6.5.12 The Landscape Masterplan is divided into a series of sub-zones and the units 1 and 2 environs subzone contains a pivotal 'knuckle' space at the bend of the Primary Road. Comments from East Architects have been taken on board in the design of this area, together with the rear parking courtyard and the treatment of the boundary with the railway embankment.

- 6.5.13 The view through this space from the Primary Road towards the sub-station is seen to be key in the overall experience and so we are proposing a clump of trees to provide a feature terminating the view, framed by a specimen tree outside the Unit 1 entrance. Throughout the parking courtyard there are rows of tree planting to break up the space and provide a softening to the environment. These will furthermore provide seasonal interest. Along the boundary to the railway embankment we are providing an acoustic fence together with a clipped naturalistic hedge. This feature containing all the species of a hedge within the English countryside such as hawthorn, blackthorn, dog rose, honeysuckle and elder, will provide a great source of nectar, fruit and refuge for birds, bees, butterflies and other insects. Furthermore, bird boxes will be put on the fence elevation.
- 6.5.14 Overall, the landscaping strategy proposed would integrate with the wider masterplan site and would provide a high quality finish. The detailed landscaping strategy and detailed planting together with the maintenance and management plan will be secured by condition.

### **Conclusion**

- 6.5.15 In conclusion, the proposed development, subject to the imposition of appropriate conditions would achieve a high quality form of development which would be further enhanced by the landscaped strategy which will knit together with the wider masterplan. It is considered that the proposals would meet the high quality design and landscape aspirations in accordance with the policies.

## **6.6 Residential Amenity, Quality, Noise and Accessibility**

- 6.6.1 The relevant policies are:  
NPPF: Chapter 8  
London Plan: 3.5, 3.6, 3.7, 7.6 and 7.15  
Harrow Development Management Local Policies: DM1, DM2,  
Harrow and Wealdstone Area Action Plan: AAP3, AAP4 and AAP13  
Draft London Plan: D4, D5, D6 and D13

### *Impact of Development on Neighbouring Occupiers and Consented Scheme*

- 6.6.2 The ES accompanying this application provides an impact assessment on daylight, sunlight and overshadowing to in relation to the future occupiers of neighbouring consented scheme.
- 6.6.3 No. 9 Magnolia place is the closest residential property to the proposed scheme. The analysis shows that the proposed scheme has a lower development angle than the consented maximum parameter massing and that of the existing buildings pre-demolition.

Therefore, the impact on this property when compared with the parameter plan will be considerably less.

- 6.6.4 A detailed analysis has been undertaken which confirms that the reduction in VSC to all windows will be less than 2% and that the majority of windows will in fact experience gains in VSC of up to 2%. Furthermore, the retained VSC values are very good, many exceeding the 25% VSC target. Overall, the daylight impact on neighbouring properties as measured by both VSC and NSL will be negligible and compliant with the BRE guidelines. Similarly, the sunlight impact will be negligible, and all properties will retain sufficient sunlight amenity, achieving APSH values over double the suggested minimum.

#### *Noise*

- 6.6.5 Draft policy D13 of the London Plan relating to 'Agent of Change' requires that new noise and other nuisance-generating development proposed close to residential and other sensitive uses should put in place measure to mitigate and manage any impacts. This should be managed through good design mitigation during earlier design stages. Developments should be designed to ensure that established noise and other noise-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them. It is noted that the current proposal do not increase the quantum of floorspace. The main change is the slight increase in the height of a portion of the building above the maximum height parameters set at outline stage. Notwithstanding the above, the principle of these adjacent uses has already been accepted under the two previous outline permissions.

#### **Conclusion**

- 6.6.6 In conclusion, it is considered that the proposal would not result in any undue impacts on residential amenity, and thus would comply with the relevant policies.

#### **6.7 Traffic, Parking, Access, Servicing and Sustainable Transport**

- 6.7.1 The relevant policies are:  
NPPF: Chapter 9  
London Plan: 6.3, 6.9, 6.13,  
Harrow Development Management Local Policies: DM42, DM43 and DM44  
Harrow and Wealdstone Area Action Plan: AAP19 and AAP20  
Draft London Plan: H15, T2, T4, T6, T6.1, T6.3 and T6.5

## Transport Impact

- 6.7.2 The proposed development has been assessed against all modes of transports. The TS concludes that the uplift in trips generated by the development will have a relatively low impact on the local highway network.
- 6.7.3 The application was accompanied by a Transportation Statement, a Travel Plan, and a Delivery and Servicing Plan. Harrow's Highways officer has noted that the number of trips is likely to be lower than the forecasted amount, given the high levels of available public transportation, and so the proposal would be acceptable in these terms.
- 6.7.4 The proposal includes car parking which should comply with the maximum standards given in the draft London Plan. This use should be considered similar to office use therefore, the maximum number should not exceed 17 spaces but must include disabled bays and EV charging points in line with London Plan requirements. The ITP standards would require at least two disabled bays. Some further clarity on what the parking provision is intended for is required; is it operational, for staff, for visitors- can the quantum be reduced over time in line with travel planning measures? Electric vehicle charge points should be provided too, particularly for operational uses.
- 6.7.5 The proposed site layout is acceptable; it has been demonstrated that large HGV's can enter and exit in a forward gear whilst still allowing for car parking.
- 6.7.6 Cycle parking should be provided at a minimum of 7 long stay spaces and one short stay. The long stay spaces should be secure, sheltered and accessible (can be used by non-standard cycles). Details of the stores are required.
- 6.7.7 The trip generation assessment demonstrates that in comparison with the outline application predictions, this proposal is a reduction in expected trips. This is accepted as the proposed use tends to have less staff and trips are more likely to be outside of the peak network hours, particularly the AM period. The analysis doesn't tell us much about how people would travel in terms of modal splits as the data only includes vehicles. It is understood that people visiting a storage unit are most likely to travel by car but some may walk or use public transport and staff could certainly travel by sustainable means. We also have no information on HGV or commercial vehicle activity although the assessment does make it clear that it is expected. The travel plan will be reviewed separately by the Council's travel plan officer but at present with some detail missing, it is possible that it will need to be revised. The servicing and refuse management plan should also include more detail on numbers of vehicles expected,



frequency and how these could be minimised – this would help to better understand the potential impacts.

- 6.7.8 Construction logistics information is required for all details applications on this site – this information is necessary to understand how construction will be managed alongside the existing development work that is already taking place and how the impact will be minimised.

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

### **Conclusion**

- 6.7.9 In conclusion, it is considered that the proposed development, subject to the imposition of appropriate would have no adverse impact up parking or highway safety and consequently would give rise to no conflict with the policies stated under paragraph 6.9.1 above.

### **6.8 Development and Flood Risk**

- 6.8.1 The relevant policies are:  
NPPF: Chapter 14  
London Plan: 5.12 and 5.13  
Harrow Core Strategy: CS1 U  
Harrow Development Management Local Policies: DM9, DM10 and DM12  
Harrow and Wealdstone Area Action Plan: AAP9  
Draft London Plan: SI 12 and SI 13

#### **Flood Risk**

- 6.8.2 The applicant a Flood Risk Assessment (FRA) for this site. The entirety of the site and surrounding areas are shown to be within Flood Zone 1 i.e. land having a less than 1 in 1,000 annual probability of fluvial or tidal flooding. The FRA confirms that there is negligible risk of tidal flooding.
- 6.8.3 Wealdstone Brooke and Yeading Brook are located to the east and northwest of the site respectively. Based on the EA's Flood Risk from Surface Water mapping, the site is considered to be at low risk of fluvial flooding.
- 6.8.4 The EA's Surface Water Flood Risk mapping shows that majority of the site to be at 'low risk' of surface water flooding. However, there are some isolated areas of potential surface water flooding shown within the site. The FRA states that these areas are isolated and the proposed surface water drainage system will reduce the risk of such potential water flooding/ ponding. Further, the slight gradient across the site means that any overland flows will be directed from the site.

The FRA concludes that the site will be at low risk of surface water flooding. In addition, the FRA concludes that the site is at low risk of groundwater flooding. In order to afford the site additional protection from any potential 'residual' flood risk, finished floor levels will be set a minimum 'standard' of 0.15m above adjacent infrastructure thoroughfare levels.

6.8.5 The FRA has been reviewed by the Council's Drainage Authority and they have stated that The Drainage Strategy submitted by the applicant is acceptable, 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](mailto:developer.services@thameswater.co.uk) or by phone: 0800 009 3921 or on Thames Water website [www.developerservices.co.uk](http://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.
- Please request the applicant to submit a section drawing of the storage tank with levels as we need to make sure that it is provided below the lowest point in the system.
- Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval.
- Please advise the applicant to contact vehicle crossing team on [VehicleCrossings@harrow.gov.uk](mailto:VehicleCrossings@harrow.gov.uk) regarding access arrangements.

6.8.6 Subject to the above, the proposal therefore complies with the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policy CS1 of the Core Strategy (2012) and policies DM1, DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

## **6.10 Sustainability**

6.10.1 The relevant policies are:  
NPPF: Chapters 2 and 14  
London Plan: 5.1, 5.2, 5.3, 5.4A, 5.7, 5.9, 5.10, 5.11, 5.15, 5.18, 7.6 and 7.7  
Harrow Core Strategy: CS1 T  
Harrow Development Management Local Policies: DM1, DM12, DM13 and DM14  
Harrow and Wealdstone Area Action Plan: AAP4, AAP6 and AAP10  
Draft London Plan: D7, D8, G5, S1 2, S1 3, S1 4, S1 5 and S1 7

- 6.10.2 The relevant policies are 5.1, 5.2, 5.3, 5.4, 5.6, 5.7, and 5.9 of The London Plan (2016), SI 1, SI 2, SI 4, SI 5 of the Draft London Plan (2019), CS.1 and CS.2 of the Harrow Core Strategy (2012); AAP4 and AAP10 of the Harrow and Wealdstone Area Action Plan (2013) and policies DM12, DM13 and DM14 of the Development Management Policies Local Plan (2013).
- 6.10.3 All major applications are required to achieve a 35% reduction (on site) in carbon dioxide emissions over the Building Regulations 2013; and 0% overall. The applicant should follow the hierarchy and policy guidance within the Draft New London Plan (2019). In addition, Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.
- 6.10.4 Both an Energy Statement and a Sustainability Statement have been submitted with this application. The Energy Statement states that energy efficiency measures will be implemented to provide a carbon saving of 17% in comparison to the Target Emission Rate regulated emissions.
- 6.10.5 The energy efficiency measures include: good fabric insulation, improved air tightness, and low energy light fittings with photocell controls within the office spaces. The office spaces will be heated via an air to air heat pump and the development will be provided with approximately 200m<sup>2</sup> photovoltaic panels which when combined will reduce the emissions by 20 tonnes or a CO<sub>2</sub> reduction of 19% emissions reduction below the energy efficient model. The total CO<sub>2</sub> reduction based on regulated emissions will be 36%, which is in excess of the London Plan 35% CO<sub>2</sub> regulated emissions reduction target.
- 6.10.6 A BREEAM Water Compliance report accompanies this planning application and confirms that a 25% reduction in water consumption will be achieved, double that required for the Excellent rating.
- 6.10.7 As the submitted information demonstrates that the proposal should be capable of meeting the policy requirements noted above. The required sustainability measures are to be secured via a standard S.106 agreement.

## **6.11 S.106 Obligations and Infrastructure**

- 6.11.1 The heads of terms of the section 106 agreement have been set out above. These are considered necessary to make the application acceptable, in accordance with policies 3.11, 3.13, 5.2, 6.3, 7.4, 7.5

and 7.6 of The London Plan (2016), Core Strategy (2012) policy CS1, policies AAP3, AAP13 and AAP19 of the Harrow and Wealdstone Area Action Plan(2013) and policies DM1, DM2 DM42, DM43 and DM50 of the Harrow Development Management Polices Local Plan and the Supplementary Planning Document: Planning Obligations (2013).

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

7.1 The Proposed Development comprises the construction of an employment building, colloquially known as 'Unit 1' to provide floorspace for either class B1c and/or B8 uses. The building will be supported by a secure service yard, and car and cycle parking provision. Unit 1 has been designed in accordance with all of the relevant parameters and principles set out within the control documents pertaining to the Outline Permission, except for a small exceedance of the approved height parameter at the rear of the building. However, it is considered that there will be no adverse impacts of this exceedance on the adjoining residential properties to the north and there will be reduced impacts from this exceedance compared to the maximum scale and form of development allowed by the approved height parameters.

7.2 The Proposed Development does not conflict with the Outline Permission, and does not undermine or prejudice the overall delivery of the Harrow View East for the following reasons:

- The location of the Application Site reflects the Plot C2b boundary within the approved parameter plans;
- The proposed land uses and the quantum of floorspace are compatible with the allowed uses within Development Zone C of the Outline Permission; and
- The layout, scale, massing and external appearance of the Proposed Development has been designed to ensure that the delivery of Harrow View East is not undermined.

7.3 The Proposed Development also provides the following benefits for existing residents:

- The building is of high-quality design with a layout, scale, massing and external appearance that responds sensitively to the existing and emerging residential commercial built environments;
- The Proposed Development offers a high-quality landscape scheme that accords with the overall landscaping strategy for Harrow View East;
- The Proposed Development will provide a total number of 24-30 jobs;
- The amount of traffic that will be generated by the Proposed Development will be significantly less than the quantum of employment trips forecasted under the Outline Permission;

- The proposed building will be able to achieve a 36% reduction to the annual total carbon dioxide emissions (CO2) compared to the Building Regulations Part L 2013 baseline

7.4 The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

7.5 The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2019), the policies of The London Plan (2016), The Draft London Plan (2019), Harrow's Core Strategy (2012), the policies of the Harrow and Wealdstone Area Action Plan (2013) and the policies of the Harrow Development Management Policies Local Plan (2013), as well as to all relevant material considerations including the responses to consultation.

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

1. Time Limit 3 years - Full Permission

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

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

2. Approved Drawing and Documents

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

Site Location Plan – Unit 11

Site Plan – Unit 1

2181 – P22 – B

2181 – P23 – C

2181 – P24 – C

2181 – P25 – B

2181 – P26 – B

2181 – P27 – B

2181 – P28 – B

2181 – P29 – C

2181 – P59 – A

2181 – P61 – A

2181 – P64 – A

2181 – P66 –

Urban Design Report – Final

Landscape Strategy – Final

Daylight and Sunlight Assessment – Final

Biodiversity Enhancement Strategy – Unit 1 – Final

Biodiversity Statement – Unit 1 – Final

Sustainability Statement – Unit 1 – Final

Energy Assessment – Unit 1 – Final

Arboricultural Impact Assessment – Final

External Lighting Drawing – Final

Lighting Strategy – Final

Noise and Vibration Report – Final

Environmental Screening Opinion – Final

Servicing and Refuse Management Plan – Unit 1 – Final

Surface Water Management Plan – Unit 1 – Final

Transport Statement – Unit 1 – Final

Travel Plan – Unit 1 – Final

Office Market Statement – Unit 1 – Final

Planning Statement – Unit 1 – Final

SCI – Final

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

3. Materials (Pre-Commencement)

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted, provided at the application site, and approved in writing by, the local planning authority:

- a) External materials, including the proposed cladding and render
- b) Window / door detailing for the entire building, including cross-sections of the depth of the windows reveals at 1:20 or 1:50 scale
- c) Railings and rainwater goods
- d) Hard landscaping, which must be comprised of permeable paving

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

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

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

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

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

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed. To ensure that measures are agreed and in place to

manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

5. Construction Air Quality (Pre-commencement)

No development shall take place, including any works of demolition, until a scheme for air quality management plan for the construction phase of works has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail:

- a) Sensitivity of the area to air quality impacts arising from demolition and construction
- b) Assessment of risk for dust and other impacts affecting air quality from the proposed construction
- c) Site specific mitigation measures to address the identified risks
- d) Monitoring measures to be implemented

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

REASON: To ensure that the development would not worsen air quality in the local area, and to protect the health and welfare of local residents. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

6. Surface Water Drainage Strategy (Pre-Commencement)

No development shall take place other than works of demolition until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to the Local Planning Authority in writing and agreed. The submitted details shall include a Management Plan for disposal of ground water during construction phases, measures to prevent water pollution, full details of drainage layout including details of the outlet and cross section of proposed storage, any flow restrictions proposed, full details of SuDS including flood displacement storage levels for existing and lowered areas, and permeable paving/surfacing and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate run-off rates in this critical drainage area and to ensure that sustainable urban drainage measures are exploited..



7. Foul Water Drainage Strategy (Pre-Commencement)

No development shall take place other than works of demolition until a foul water drainage strategy, has been submitted to the Local Planning Authority in writing to be agreed. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development,

8. Amended Plans, Lighting and Cycle Parking Details (Pre-Commencement)

Notwithstanding the details shown on the approved plans, no development shall take place other than works of demolition until details until the following has been submitted to, and approved in writing by, the local planning authority:

- a) Amended plans of the proposed ground floor to show two access points for the retail space, consistent with plan nos. 041.PL2 and 043.PL2.
- b) Full details of the proposed cycle storage, which shall be secure and sheltered which shall be accessible to occupants of the development only
- c) Details of external lighting proposed for the rear service area.

The works shall be completed in accordance with the approved details before first occupation of the development and shall thereafter be retained.

REASON: To protect the privacy and amenities of neighbouring and future occupiers, and to ensure the satisfactory provision of safe and satisfactory cycle storage facilities for all the users of the site and in the interests of highway safety and sustainable transport t.

9. 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 enhance the appearance of the development and safeguard the character and appearance of the area.

10. Permitted Development

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (or any order

revoking or re-enacting that order with or without modification), no development which would otherwise fall within Schedule 2, Part 16, Class A of that order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.

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

11. Secure by Design Accreditation

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

12. Plant Machinery

The rating level of noise emitted from any plant, machinery and equipment on the site, shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation. Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to the Local Planning Authority in writing to be agreed be approved in writing by the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings.

13. Energy and Sustainability

The development shall be undertaken in accordance with the Energy & Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy & Sustainability Statement by Mecserve dated October 2018 [Ref P18-096, Issue No. 2], which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development.

14. Removal of PD Rights

The development hereby permitted shall be used for Class B1c/B8 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, Classes I, O and T shall take place, without the prior written permission of the Local Planning Authority.

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(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2019.

15. Energy and Sustainability

The development shall be undertaken in accordance with the Energy & Sustainability Statement. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy & Sustainability Statement by Mecserve dated October 2018 [Ref P18-096, Issue No. 2], which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development

## **Informatives**

1 **INFORMATIVE:**

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2019)

The London Plan (2016):

2.13; 2.15; 4.3; 4.7; 4.8; 4.12; 5.1; 5.2; 5.3; 5.4; 5.6; 5.7; 5.9; 5.10; 6.3; 6.9; 6.12; 6.13; 7.1; 7.2; 7.3; 7.4; 7.6; 8.2

Draft London Plan (2019):

GG1; GG2; GG5; GG6; SD1; SD6; SD7; D3; D4; D11; D12; G5; E1; E2; E11; SI 1; SI 2; SI 4; SI 5; T1; T2; T3; T4; T5; T6.2; T7; DF.1

Harrow Core Strategy (2012):

CS1; CS2

Harrow and Wealdstone Area Action Plan (2013)

AAP1; AAP4; AAP5; AAP6; AAP10; AAP16; AAP17; AAP19; AAP20

Development Management Policies Local Plan (2013):

DM1; DM2; DM3; DM4; DM12; DM13; DM14; DM18; DM32; DM35; DM36; DM42; DM43; DM44; DM45; DM50

2 **INFORMATIVE:**

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday

3 **INFORMATIVE:**

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering.  
Also available for download from the Portal website:  
<https://www.gov.uk/party-wall-etc-act-1996-guidance>

- 4 **INFORMATIVE:**  
**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 **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 £93,780.  
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://www.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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto:HarrowCIL@Harrow.gov.uk)

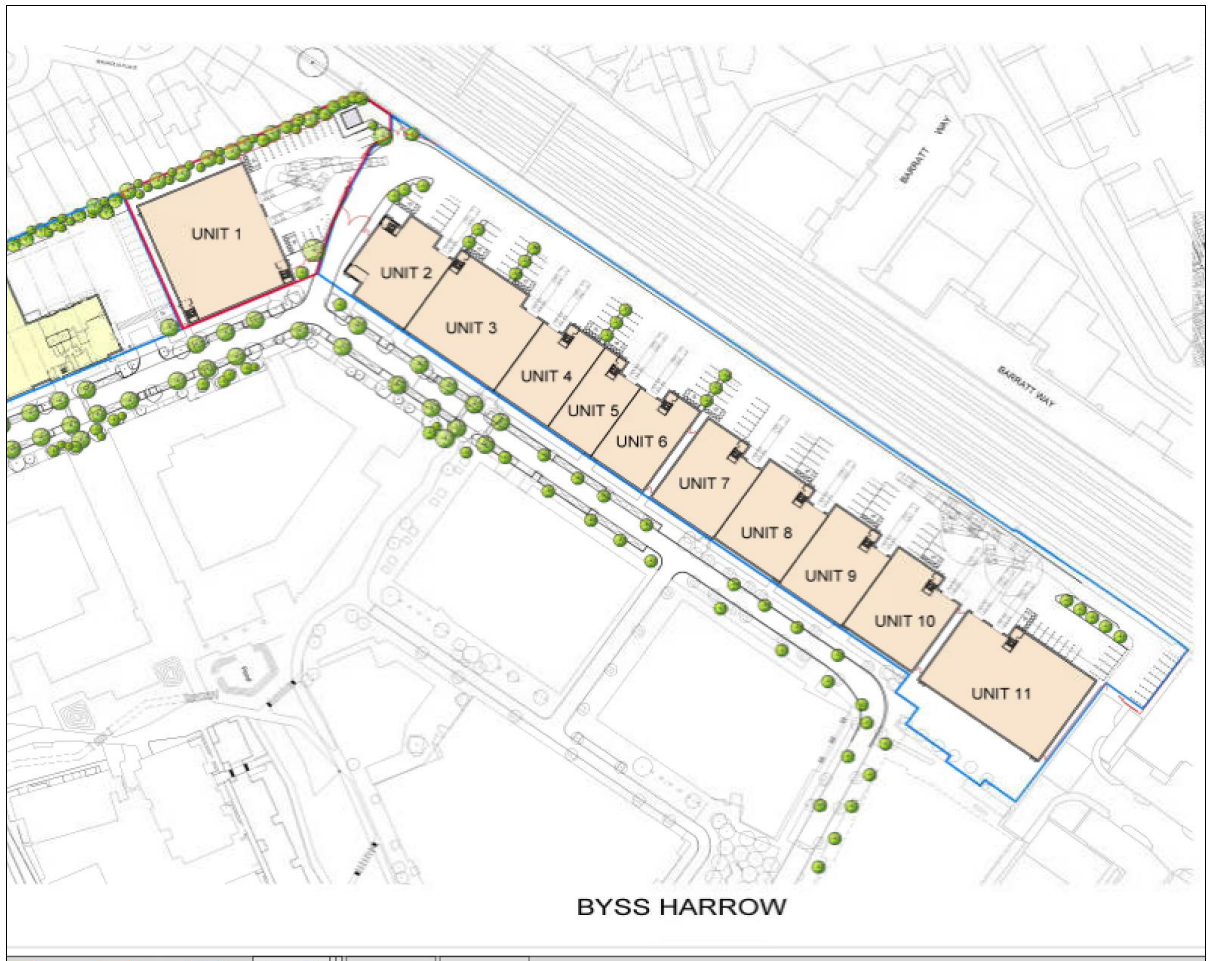
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

- 6    **INFORMATIVE:** 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 £0/sqm is £0.  
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/form_1_assumption_of_liability.pdf)  
[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)  
The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto:HarrowCIL@Harrow.gov.uk)  
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.
- 7    The applicant is advised to engage with the Designing Out Crime Officer at an early stage of the detailed design stage in respect of meeting the requirement of Secured by Design condition.
- 8    The applicant is advised Thames Water do not have capacity for these plots or the wider Kodak Site development. Modelling is being undertaken by Thames Water and the phasing of the Kodak Site shows there will be no occupation until September 2022. Thames Waters current program indicates that they will have completed reinforcement works for the whole of the Kodak Development site by the end of December 2021. As a result of this, Thames Water does not raise any concerns. However, if the phasing plan we have been provided was to be incorrect or to change then Thames Water would need to be contacted and concerns would be raised as our program of works has been planned out and we only have capacity once the works are completed.

**Checked**

|                                |   |
|--------------------------------|---|
| Interim Chief Planning Officer | Orla Murphy pp Beverley Kuchar<br>10.9.20 |
| Corporate Director             | Paul Walker 10.9.20                       |

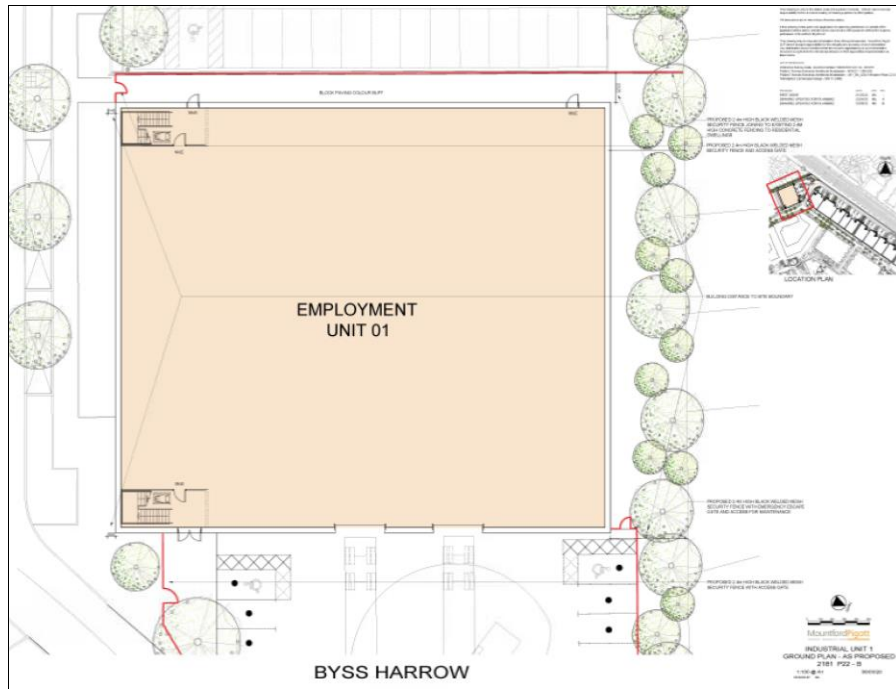
**APPENDIX 2: SITE PLAN**



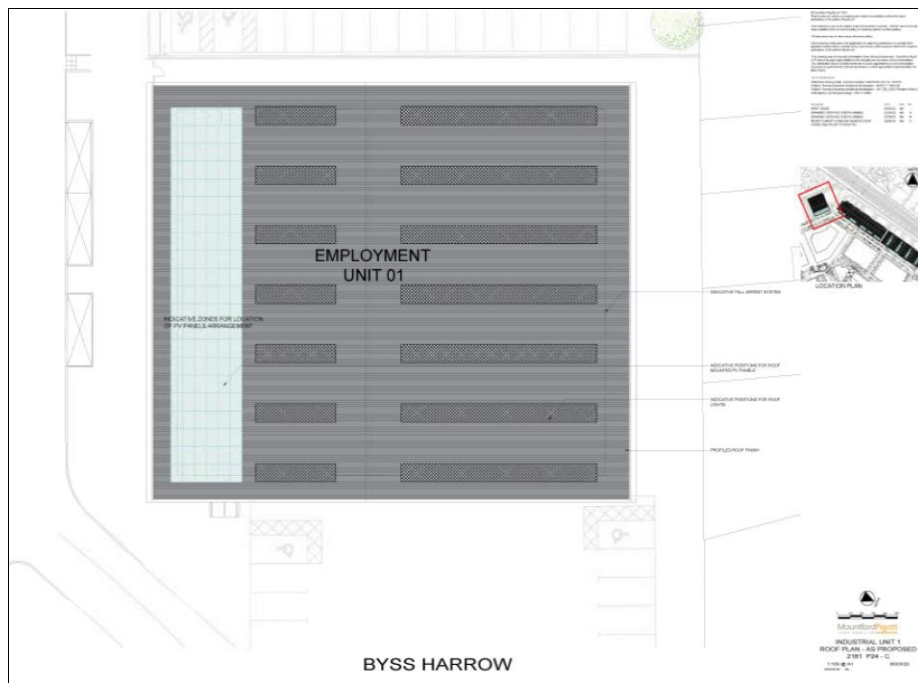


## **APPENDIX 3: PLANS AND ELEVATIONS**

### Ground floor plan



### Roof Plan



# Elevations 1

**WEST ELEVATION**  
1:50

**WEST ELEVATION WITHOUT TREES**  
1:50

**MATERIALS SCHEDULE**

- 1 Facing brick finish
- 2 Metal profile cladding - Vertically laid  
Colour: Dark Grey
- 3 Metal profile cladding - Vertically laid  
Colour: Light Grey
- 4 Finishing to structural openings. Colour to match adjacent cladding reveals
- 5 Coated aluminium double glazed windows  
Frame colour: Dark Grey
- 6 Metal sprayed panel. Lockered / slats  
Metallic Colour: Dark Copper
- 7 Rain water pipes. Colour: Dark Grey to match fenestration. (Paintwork shown indicatively)
- 8 Metal roller shutter door with vision panels  
Colour: Dark Copper
- 9 Metal profile vent Colour: Light Grey
- 10 Coated metal external gutter. Colour: Dark Grey
- 11 Coated metal personnel door. Colour: Dark Grey
- 12 Coated metal gate fascia cladding  
Colour: Dark Grey
- 13 Glazed canopy on stainless steel frame above entrance. Colour: Stainless steel and glazing
- 14 Coated aluminium double glazed door  
Frame colour: Dark Grey
- 15 Coated glazed outdoor wall system
- 16 Coated aluminium unit number. Colour: Dark Copper
- 17 2.4m high welded mesh security fence  
Colour: Black
- 18 Translucent panels (Metal or similar) for additional daylight
- 19 Profiled roof daylight for natural lighting

**LOCATION PLAN**

**INDUSTRIAL UNIT 1 - WEST ELEVATION - AS PROPOSED**  
2181 P28 - B  
1:50 @ A1  
MOUNTAIN PAPER

BYSS HARROW

# Elevations 2

**SOUTH ELEVATION**  
1:50

**SOUTH ELEVATION WITHOUT TREES**  
1:50

**MATERIALS SCHEDULE**

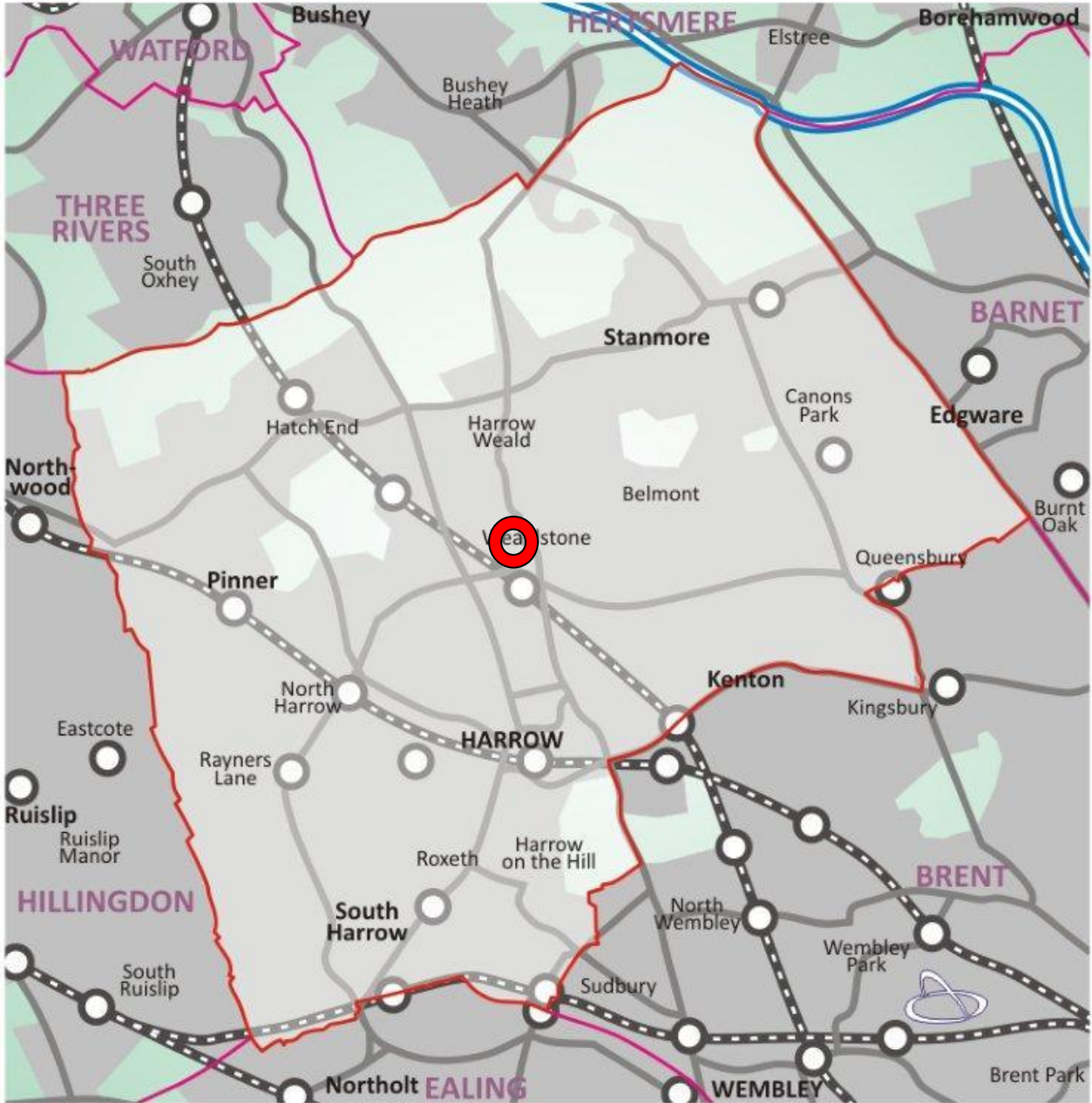
- 1 Facing brick finish
- 2 Metal profile cladding - Vertically laid  
Colour: Dark Grey
- 3 Metal profile cladding - Vertically laid  
Colour: Light Grey
- 4 Finishing to structural openings. Colour to match adjacent cladding reveals
- 5 Coated aluminium double glazed windows  
Frame colour: Dark Grey
- 6 Metal sprayed panel. Lockered / slats  
Metallic Colour: Dark Copper
- 7 Rain water pipes. Colour: Dark Grey to match fenestration. (Paintwork shown indicatively)
- 8 Metal roller shutter door with vision panels  
Colour: Dark Copper
- 9 Metal profile vent Colour: Light Grey
- 10 Coated metal external gutter. Colour: Dark Grey
- 11 Coated metal personnel door. Colour: Dark Grey
- 12 Coated metal gate fascia cladding  
Colour: Dark Grey
- 13 Glazed canopy on stainless steel frame above entrance. Colour: Stainless steel and glazing
- 14 Coated aluminium double glazed door  
Frame colour: Dark Grey
- 15 Coated glazed outdoor wall system
- 16 Coated aluminium unit number. Colour: Dark Copper
- 17 2.4m high welded mesh security fence  
Colour: Black
- 18 Translucent panels (Metal or similar) for additional daylight
- 19 Profiled roof daylight for natural lighting

**LOCATION PLAN**

**INDUSTRIAL UNIT 1 - SOUTH ELEVATION - AS PROPOSED**  
2181 P28 - B  
1:50 @ A1  
MOUNTAIN PAPER

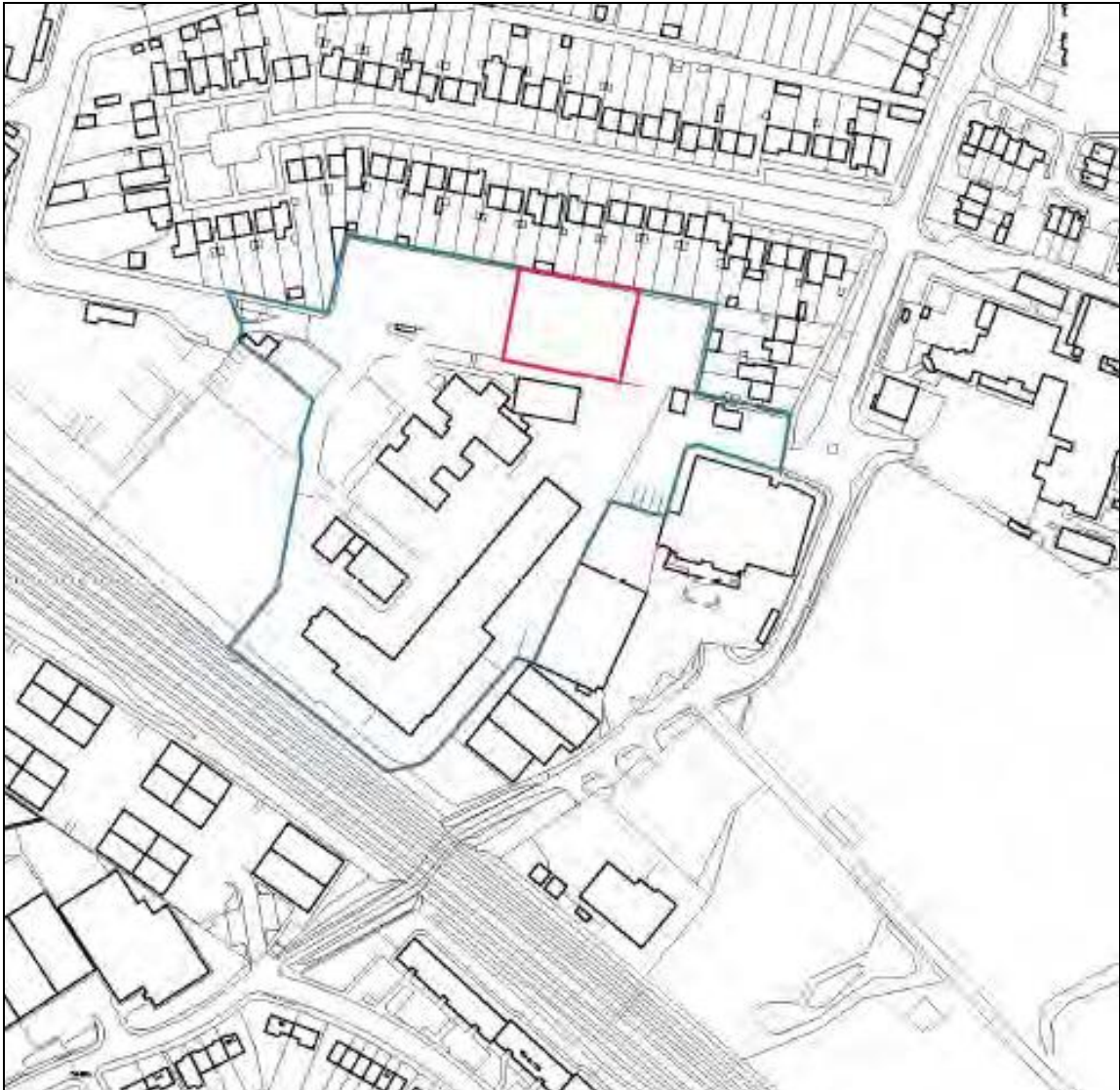
BYSS HARROW

 = application site



|                                    |                  |
|------------------------------------|------------------|
| <b>Central Depot Forward Drive</b> | <b>P/2508/20</b> |
|------------------------------------|------------------|





# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

23<sup>rd</sup> September 2020

**APPLICATION NUMBER:** P/2508/20  
**VALID DATE:** 20/08/2020  
**LOCATION:** CENTRAL DEPOT FORWARD DRIVE HARROW  
**WARD:** KENTON WEST  
**POSTCODE:** HA3 8NT  
**APPLICANT:** LONDON BOROUGH OF HARROW  
**AGENT:**  
**CASE OFFICER:** FAYE MCELWAIN  
**EXPIRY DATE:** 11/11/2020

### PROPOSAL

Retention of temporary modular buildings for use as two storey office accommodation to facilitate works to existing office accommodation on site.

### 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 aims to allow the temporary office building to remain for an additional 18 months, would not result in unreasonable harm to neighbouring residential amenities or the functioning of the site. The current application is required to permit the continued siting of the temporary office building which accommodates the workforce, to remain on site, whilst the redevelopment of the depot and associated car park is completed. It would then be required to be removed from the site.

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

### INFORMATION

This application is reported to Planning Committee as the development is on land owned or where an interest is held by the Council and it would constitute over

100 sqm of floor space and therefore falls outside Schedule 1 of the Scheme of Delegation.

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

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

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

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

### **1.0 SITE DESCRIPTION**

- 1.1. The application site comprises of a temporary office building located on the former car park within the central depot site owned by the London Borough Of Harrow. The wider site is occupied by various departments of Harrow Council.
- 1.2. The footprint of the temporary building is 828 sqm, with a width of 36m, depth of 24.8m and height of 6.6m. The building is constructed in steel faced composite panels with a steel framework. The external colour is a light grey colour.
- 1.3. The site is located within Harrow Civic Amenity Site, which is an allocated site as per policy Harrow Area Action Plan (AAP) (2013).
- 1.4. To the north of the immediate site are rear gardens of houses along Cullington Close. At present large minibuses park directly adjacent to the rear fences of

these neighbouring dwelling houses.

- 1.5 To the south of the larger site is a railway track serving the London Overground, and other mainline services.
- 1.6 The site is not located within a Critical Drainage Area or any type of higher risk flood zone and the site has been fully hard surfaced. Part of the wider site is located within Flood Zone 1, while outside the site, there is a small area within Flood Zone 3a which is at a higher risk flood zone.

## **2 PROPOSAL**

- 2.1 Planning Application No. P/3060/17 granted permission on the site for the construction of the temporary office building. Condition 1 of that permission was that the building would be removed within thirty months of the date of the decision (which expired on the 27<sup>th</sup> March 2020) and the building would be removed and the original car park layout shown on the existing plans would be reinstated.
- 2.2 The current application proposes that the building be allowed to remain in situ for a further eighteen months.

## **3.0 RELEVANT PLANNING HISTORY**

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

|                  |   |                    |
|------------------|---|--------------------|
| <b>P4251/18</b>  | Redevelopment to provide part single, part two and part five storey building with plant room on roof and part first floor mezzanine incorporating workshop (B1 light industrial), office (B1 use), warehouse (B8 use) and ancillary uses; multi storey car park and external car parking; bin store (demolition of existing buildings)  | Granted 18/09/2019 |
| <b>P/3060/17</b> | Installation of temporary modular buildings to create two storey office accommodation to facilitate works to existing office accommodation on site.   | Granted 26/09/2017 |
| <b>P/4767/17</b> | Redevelopment to provide part single, part two and part three storey building with plant room on roof and part first floor mezzanine incorporating workshop (B1 light industrial), office (B1 use), warehouse (B8 use) and ancillary uses; multi storey car park and external car parking; bin store (demolition of existing buildings) | Granted 26/03/2018 |

## 4.0 **CONSULTATION**

- 4.1 A total of 29 consultation letters were sent out to neighbouring properties regarding this application and a site notice was posted on the site.
- 4.2 The consultation expires on 17<sup>th</sup> September 2020. On the date of writing this report no responses have been received.
- 4.3 **Statutory and Non Statutory Consultation**
- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

| Consultee and Summary of Comments   |
|---|
| <p><u>LBH Drainage</u> - No comments</p> <p><u>LBH Highways</u> - The proposal to extend the period of time that temporary offices would be in place at this location is unlikely to result in a negative impact for the surrounding highway network as this will not affect the number or frequency of trips to and from the site. Highways have no objection.</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 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**

The main issues are;

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

### **6.1 Principle of Development**

6.1.1 The relevant policies are:

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

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

6.1.3 Due to the approval of the larger scheme, the construction programme has been altered and extended. In addition, time delays to delivery of the larger scheme have been exacerbated due to the Covid-19 Pandemic. Going forward, the restrictions on the construction industry as a result Covid-19 and the economic implications this has put on the industry as a whole is likely to put further constraints on the timescales for delivery of the re-development of the site. As a result, the temporary offices will be required for an additional period before the new offices will be ready

to accommodate the displaced staff. It is therefore considered appropriate and reasonable to grant planning permission to allow a further eighteen months to the permission of the temporary office building to allow minimal disruption to Council services and to facilitate the re-development of the site.

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

## **6.2 Character and Appearance of the Area**

6.2.1 The relevant policies are:

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

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

6.2.3 In respect of character and design therefore, the temporary building complies with the relevant policies.

## **6.3 Residential Amenity**

6.3.1 The relevant policies are:

- Policy 7.6B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2012)
- Policy DM1 of the Development Managements Local Plan (2013).

### Residential Amenity of neighbouring Occupiers

6.3.2 As with the previous application, the main amenity consideration relates to neighbours to the north of Cullington Close. The building is approximately 30m in width with a height of approximately 6.6m and is located to the south of these neighbouring dwellinghouses. It is accepted that the building is relatively large and imposing. However, it is of note that in the pre-existing situation, the site was used as a car park with minibuses that stood approximately 2.7m in height parked directly against the rear boundary of neighbouring houses, effectively forming a solid wall. While the current building is taller than the former buses, it is set approximately 5m

from the rear boundary, which mitigates the height to some extent. Furthermore, the houses have medium sized rear gardens to a depth of approximately 20m, leaving, 25m from the rear of the closest neighbouring houses, with the majority of houses facing the modular building at a distance of 30m from the rear elevations.

- 6.3.3 There are seven windows on the first floor of the building, measuring 1m in height and 60cm in width facing the neighbouring houses and gardens to the north on Cullington Close. These are obscure-glazed and were conditioned to be as such and opening at high level only on the previous approval. This is considered to be sufficient to ensure that there would not be an unacceptable impact on neighbouring occupiers in terms of loss of privacy and overlooking in accordance with policy DM1 of the Harrow Development Management Policies.
- 6.3.4 While there has been an increased use of the immediate site to some extent, the pre-existing vehicle use involved significant ingress and egress to this part of the site. The office use does not result in significant levels of noise or activity. The depot and some Harrow Council departments work outside normal office hours, so it is not considered appropriate to condition working hours. However, it is unlikely that the majority of the building would be in use outside normal office hours, or that there is significant noise or disruption associated with the building. On this basis it is considered the extension to the temporary permission would not harm neighbouring amenity in terms of the intensified use in accordance with the relevant policies.

## **6.4 Highways and Parking**

6.4.1 The relevant policies are:

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

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

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposal to extend the period of use for the temporary office building within the application site, can be justified due to the granting of the larger scheme and the current national situation and the desire to help facilitate the implementation of the main development. The building is an appropriate temporary use that does not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposal therefore accords 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) and the Harrow Area Action Plan Policy AAP21: Harrow Waste Management Site

## **APPENDIX 1: CONDITIONS AND INFORMATIVES**

### **Conditions**

1 Time Limit

The temporary office building hereby approved shall be removed and the land restored to its former condition on or before eighteen months of the date of this decision.

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

2 Drawing Condition

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

08285-08285-A-L-(00)-000 Revision A; 08285-08285-A-L-(00)-002 Revision B; 08285-08285-A-L-(00)-100 Revision B; 08285-08285-A-L-(00)-101 Revision A; 08285-08285-A-L-(00)-102 Revision A; 08285-08285-A-L-(00)-200 Revision A; 08285-08285-A-L-(00)-300; Stage 01 Report Design and Access Statement; Planning Statement.

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

3. Additional Windows

Notwithstanding those shown on the approved plans, no additional windows are permitted on the first floor of the northern elevation of the building. The first floor windows on the first floor northern elevation of the approved elevations shall be obscure-glazed as shown on the approved plans and non-opening below a height of 1.7m above ground level and shall be retained in that form.

REASON: To safeguard the amenity of nearby neighbouring residents.

### **INFORMATIVES:**

1. Policies

**The following policies are relevant to this decision:**

**National Planning Policy Framework (2019)**

**The London Plan (2016)**

6.13 Parking

7.4 Local Character

7.6 Architecture

**Intend to Publish Draft London Plan (2019):**

D1 London's form and characteristics

D2 Delivering good design  
T6 Car Parking  
**Harrow Core Strategy 2012**  
Core Policy CS 1 – Overarching Policy Objectives  
**Harrow Development Management Policies Local Plan (2013)**  
DM 1 – Achieving a High Standard of Development Policy  
DM 42 – Parking Standards

2 Pre-application engagement

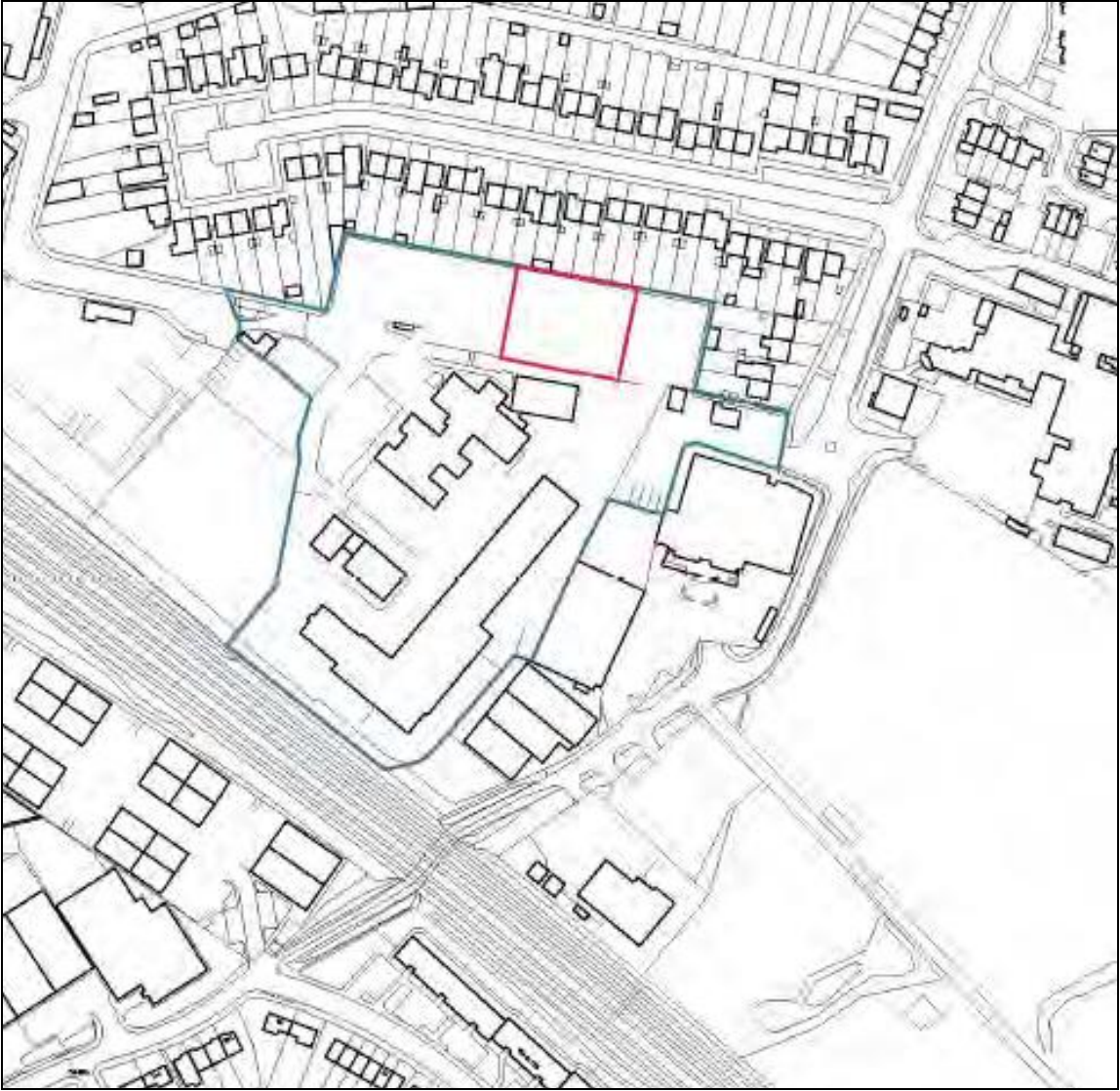
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

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

Checked

|                                |  |
|--------------------------------|--|
| Interim Chief Planning Officer | Orla Murphy pp Beverley Kuchar 10.9.20 |
| Corporate Director             | Paul Walker 10.9.20                    |

**APPENDIX 2: SITE PLAN**





**APPENDIX 3: PHOTOGRAPHS**

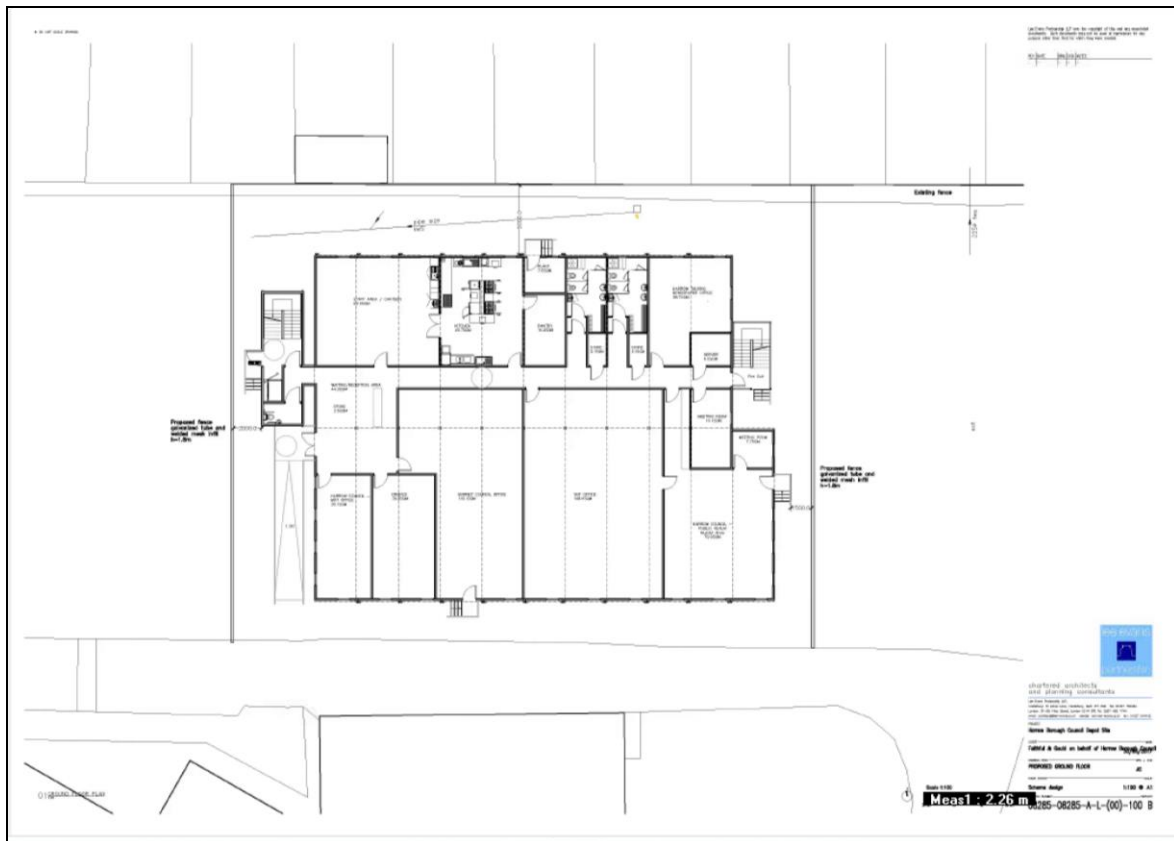
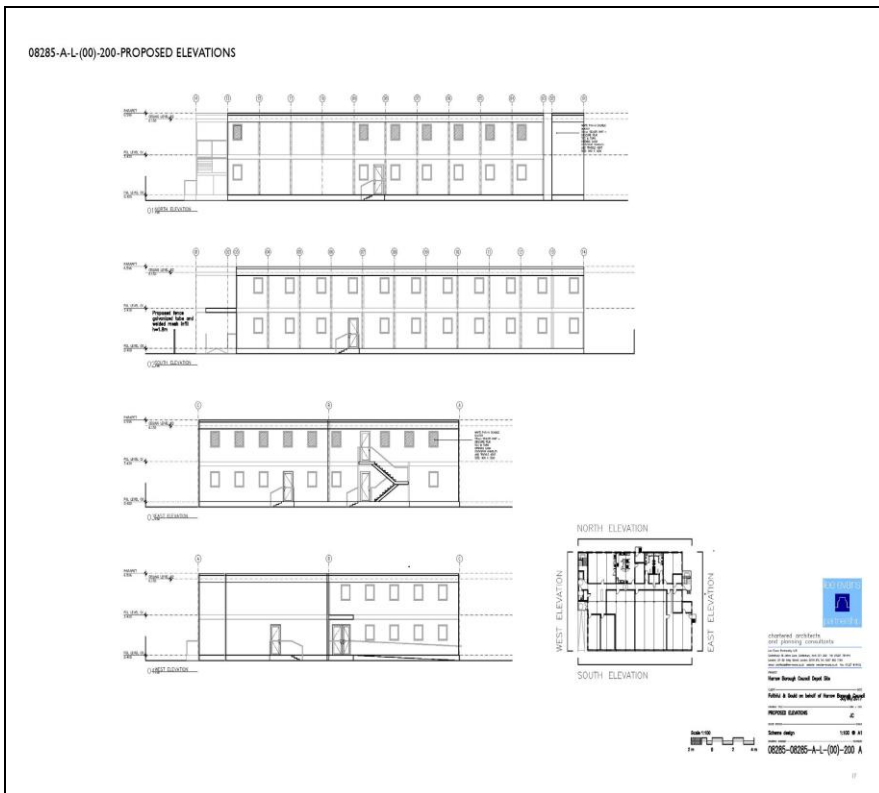








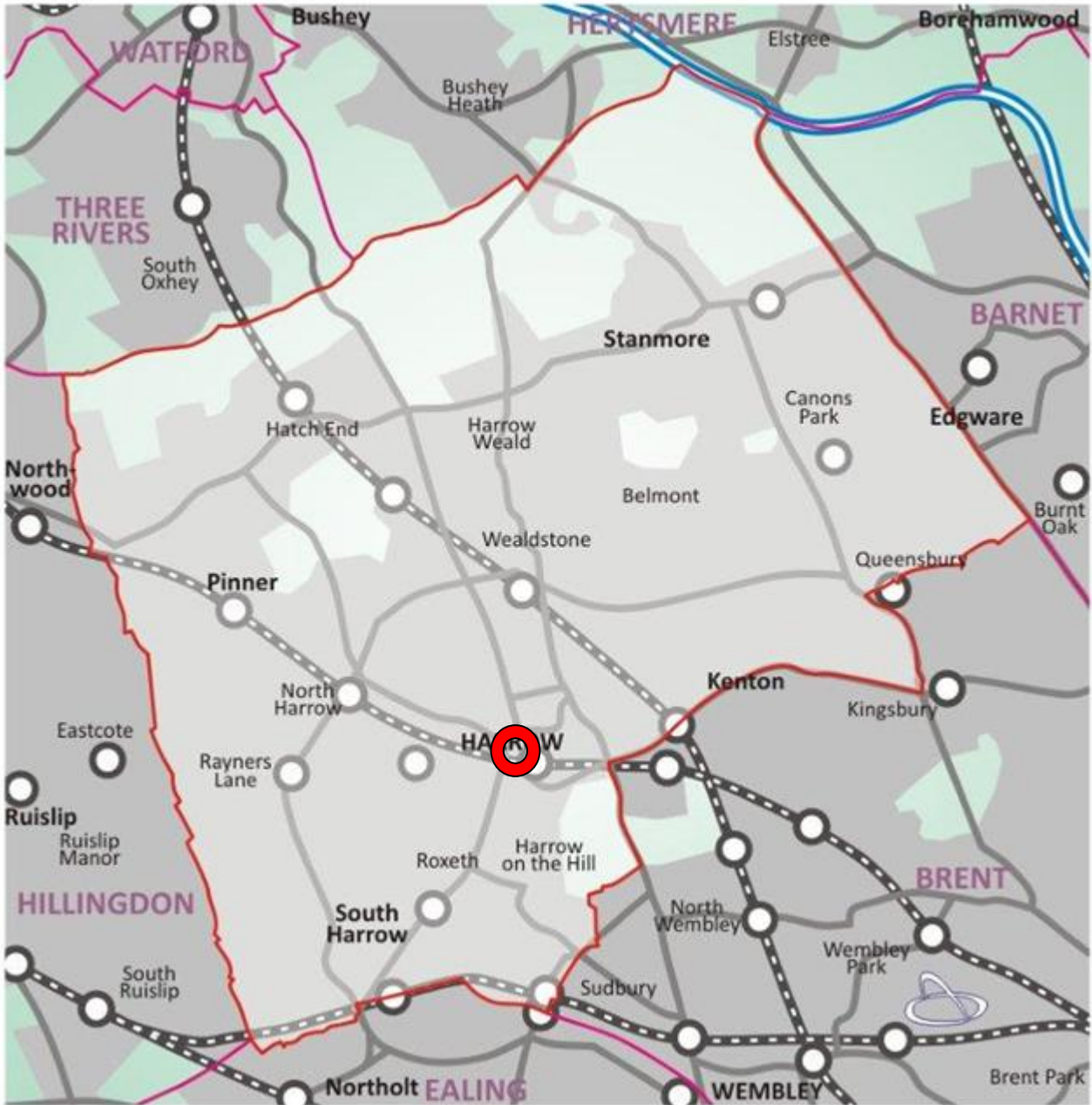
# APPENDIX 4 - PLANS AND ELEVATIONS



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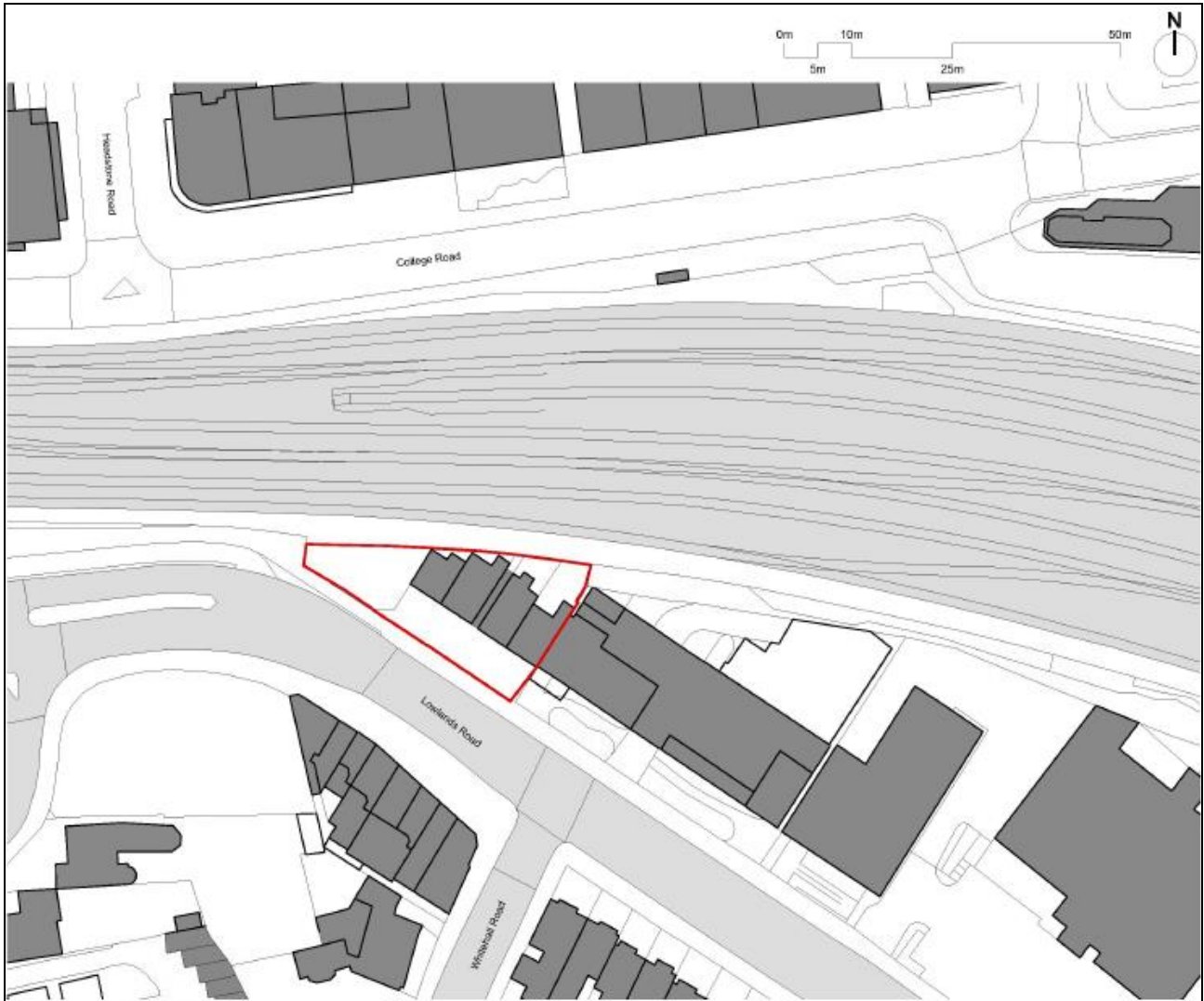


 = application site



|   |                  |
|---|------------------|
| <b>33-39 LOWLANDS ROAD, HARROW, HA1 3AN</b> | <b>P/1656/20</b> |
|---|------------------|

**33-39 LOWLANDS ROAD, HARROW, HA1 3AN**



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**23<sup>rd</sup> September 2020**

**APPLICATION NUMBER:** P/1656/20  
**VALID DATE:** 01/06/2020  
**LOCATION:** 33-39 LOWLANDS ROAD, HARROW  
**WARD:** GREENHILL  
**POSTCODE:** HA1 3AN  
**APPLICANT:** DEFINITION CAPITAL  
**AGENT:** Q SQUARE  
**CASE OFFICER:** KATIE PARKINS  
**EXPIRY DATE:** 31<sup>st</sup> OCTOBER 2020

**PROPOSAL**

Redevelopment to provide 9 storey building with basement level comprising of 104 co-living units (Use class Sui Generis) with communal living area; co-working space and cafe (Use Class E) to ground floor level; proposed vehicle access; hard and soft landscaping; bin and cycle stores; parking

**RECOMMENDATION**

The Planning Committee is asked to:

**RECOMMENDATION A**

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

## 1. Tenure and Management

- Tenure and Management Strategy

## 2. Affordable Housing Contribution and Viability Review

- Early Stage Review
- Commuted sum – £200,000
- To pay the affordable housing contribution prior to the commencement of development.

## 3. Highways

- 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.
- S278 - new/altered access to the highway
- Short stay cycle parking – supply and installation cost - £2,000

## 4. Travel Plans

- Travel Plan Bond (to be agreed with developer) will be required to secure the implementation of all measures specified in the Travel Plans.
- Travel Plan monitoring Fee - £5000 to cover a 5 year period, per Travel Plan.
- Travel plan survey – Surveys are to be conducted in year 1, 3 and 5 and interim progress reports in year 2 and 4 will be requested by agreement.
- Submit survey results annually with full review and update in years 3 and 5
- Travel Plan Co-ordinator to be in place 2 months prior to occupation.
- Monitoring of the plan is to take place following a baseline survey. Targets should be re-evaluated and agreed with Council Officers. Baseline survey scheduled to be detailed by agreement.

## 5. Employment and Training – Construction Employment

- The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan/ Local Labour Employment Strategy. The developer to implement the agreed Plan. The training and Employment plan will include:



- a) employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
  - b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
  - c) the timings and arrangements for implementation of such initiatives and
  - d) suitable mechanisms for the monitoring of the effectiveness of such initiatives
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
  - A financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is calculated using the formula: £2,500 per £1,000,000 build cost.

## 6. Carbon Offset

- £52,740 carbon offset payment prior to the commencement of development (circa 27 tonnes offset per annum)
- Submission of final 'As-Built' Part L calculations confirming the carbon reductions achieved on-site and those to be offset through monetary contributions to achieve zero carbon development for the residential element and a 35% reduction for the non-residential element. If additional carbon emissions need to be offset above that already paid (i.e. £48,540 or 27 tonnes per annum), an additional contribution will be calculated on the basis of £60 per additional tonne per year to be offset x 30 years i.e. £1800 per tonne) and payable within 1 month of notification of this amount by the LPA.

## 7. Legal Costs, Administration and Monitoring

- A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation.

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 21st December 2020, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 3.11, 3.13, 5.6, 5.12, 6.3, 7.4, 7.5, 7.6 and 7.7 of The London Plan (2016), Core Strategy (2012) policy CS1, policies DM 1, DM 2, DM 9, DM 13, DM 42, DM 43 and DM 50 of the Harrow Development Management, Polices Local Plan, policies AAP1, AAP4, AA6, AAP8,

AAP13, AAP19 and AAP20 of the Harrow and Wealdstone Area Action Plan (2013) and the Supplementary Planning Document: Planning Obligations (2013).

### **REASON FOR THE RECOMMENDATION**

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

### **INFORMATION**

This application is reported to Planning Committee as it would provide in excess of 3 new residential units. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

|   |  |
|---|--|
| Statutory Return Type:  | All other Largescale Major Development |
| Council Interest:   | None                                   |
| Net Floorspace:   | 3,609 sqm                              |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £216,540                               |
| Local CIL requirement:  | N.A                                    |

### **HUMAN RIGHTS ACT**

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

### **EQUALITIES**

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

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

### **S17 CRIME & DISORDER ACT**

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

development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

## **1. SITE DESCRIPTION**

- 1.1. The site occupies a triangular-shaped plot and has a prominent location when approaching the town centre from the south and Lowlands Road from the west. The site is also visible from College Road to the north, with the railway intervening.
- 1.2. The north side of Lowlands Road has an eclectic range of architectural styles, largely postmodern and of limited architectural quality, centred around office typologies.
- 1.3. The application site is within the setting of the Roxborough Park and the Grove Conservation Area and the locally listed group of buildings opposite 26 to 40 Lowlands Road. In addition, the site is located within a landmark viewing corridor from Old Redding viewpoint and within the wider setting consultation area of other protected views.

## **2. PROPOSAL**

- 2.1. The proposal is for the redevelopment of the existing site and the construction of a 9 storey building with basement to provide 104 co-living units (use class – sui generis) with communal living area. A co-living working space is proposed at ground floor level.
- 2.2. Three accessible parking spaces are proposed along with an internal cycle store and cycle store to the rear.
- 2.3. Refuse and recycling would be stored internally at ground floor level with a bin collection area to the front.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. N/A

## **4. CONSULTATION**

- 4.1. A total of 463 consultation letters were sent to neighbouring properties regarding this application.
- 4.2. A site notice was posted on 16th March 2020 and a Harrow Times advert was published on the 4<sup>th</sup> June 2020.
- 4.3. The overall public consultation period expired on the 29<sup>th</sup> June 2020. 3 objections were received and are summarised below.

**Character and appearance:**

- 9 stories tall, an enormous box of little or no architectural merit.
- Attempts to get as much on a small space as possible.
- It abuts the conservation area and is opposite locally listed buildings, how does it enhance the area.
- Given this application and the others in the adjoining buildings, the number of units must be approaching 500.

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

**Highways:**

- Insufficient parking, how can they enter and exit safely given the speed of traffic off the roundabout.
- How will rubbish be collected.
- Should be parking permit restricted.

*Officer response: The Council's Highways Officer has confirmed that given the as the existing site is not permit restricted and given that car ownership is fairly low with lower occupancy units, it is not considered that the development would cause on-street parking stress.*

**Housing Type/Quality**

- Co-living space is unsuitable in pandemic.
- Unhealthy crowded living.
- Encouraging transient living not conducive to the community.
- Rooms small in size.
- Communal space limited
- Anti-social issues.

*Officer response: Co-living housing is supported by The Draft London Plan (2019).*

4.4. 2 letters of support were received and are summarised below.

**Character and appearance:**

- Redeveloping it with a new building of good quality design will enhance the appearance of the area and create new housing near the station for people who cannot afford to purchase their own home in the town centre.
- I like the design, fantastic compared to what is there now and the co-working space and café is nice for the local community to use.
- The existing building is ugly and not fit for purpose.
- Doesn't fit in with the streetscene.
- The architecture is particularly attractive compared to what is there now.

- Will look good from the town centre.

*Officer response: Noted.*

**Housing Type/Quality**

- Co-living sounds like a great new concept where you have your own self-contained space but the opportunity to socialise with others.
- Great way to address the housing shortage.

*Officer response: Noted.*

4.5. Statutory and Non Statutory Consultation

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

| <b>Consultation Responses</b>  |
|--|
| <p><b>LBH Highways</b></p> <p>This proposal is within a PTAL 6A location meaning that access to public transport is considered to be excellent. The site is a short walk from Harrow on the Hill Underground Station which also gives access to Harrow Bus Station and the town centre shopping area. For those who do occasionally need to travel by car, residents will be able to access existing car club vehicles which are located in the surrounding area (Roxborough Road, College Road and Gayton Road). The proposed level of disabled parking provision is acceptable. The proposed level of cycle parking and storage is acceptable. An appropriate condition should be applied requiring details to be submitted for approval prior to occupation and should secure the implementation of the cycle storage and its permanent retention. The trip generation method is generally acceptable.</p> <p><b><u>Access and Servicing</u></b></p> <p>The proposal to close the existing accesses and provide a new access towards the north of site would mean that it is on a bend however, it is accepted that this position allows for good visibility in both directions. The proposed servicing arrangements have been determined based on the site being fairly constrained. Whilst on-street servicing is possible, a solution has been identified that would allow for some smaller vehicles to be able to use the under-croft facility.</p> <p><b><u>Outline Construction Logistics Plan</u></b></p> <p>A detailed CLP must be secured by pre-commencement condition and must follow TfL guidance. Application to discharge the condition should only take place when the main contractor has been selected to ensure that they are in agreement with the contents of the document.</p> |

### Delivery and Servicing Plan and Car Park Design and Management Plan

The details are acceptable however, the intention to provide a formal shared use bay presents issues. Whilst it is possible that residents would be out during the day time, a 12 hour period is perhaps a little too long to expect anyone to be out on a daily basis. The two needs conflict therefore it needs to be established what the primary use of the parking area is intended to be. Realistically, deliveries are most likely to be undertaken from the roadside at this location unless drivers are already aware that they can access the under-croft; the reception staff/concierge would need to be anticipating deliveries and would need to know whether the parking area is fully occupied or not in order to manage activity effectively. Although it would be preferable to have all deliveries off-street, the proposed arrangement may be confusing and could cause problems for disabled drivers. Due to the expected number of daily deliveries, it should be possible to manage the use of the car park area without the need for a dedicated loading bay, however, it may be more acceptable to have general deliveries attend on-street but trades (eg. service engineer) or planned longer duration deliveries could be managed within the car park area by prior agreement and only if the demand for disabled parking allows for it.

Further information is required as set out above however, should this proposal be recommended for approval, conditions, a legal agreement for parking permit restriction and a section 278 highways agreement may be required.

Following the submission of an amended Transport Assessment the Highways Officer confirmed that the submitted details are acceptable.

### Travel Plan

Use ONS or TRICS data to assess existing data from the locality or similar development else where. This will be reviewed following the baseline survey. Please update this within the travel plan. Travel Plan Co-ordinator should be appointed prior to occupation and details of this person to be provided to London Borough of Harrow. Please provide information of how/where residents and visitors can obtain cycle training. This should be in the welcome packs, on notice boards and website. Travel Plan monitoring fees to be secured by agreement. Amount to be detailed by agreement. In the event the Travel Plan is unable to meet targets, a remedial sum will be used to cover the cost of additional measures to support the achievement of targets. Remedial sum to be secured by agreement. Monitoring of the plan is to take place following a baseline survey. Targets should be re-evaluated and agreed with Council Officers. Baseline survey scheduled to be detailed by agreement. Surveys are to be conducted in year 1, 3 and 5 and interim progress reports in year 2 and 4 will be requested by agreement.

### **LBH Drainage**

The drainage strategy and Flood Risk Assessment submitted by the applicant is satisfactory, however some details are still required and can be conditioned.

### **LBH Vehicle Crossing Officer**

No objections to this proposal as there is already a dropped kerb in existence.

### **LBH Environmental Health**

There are concerns about the development but the following conditions should ameliorate the matters:

- 1) The development shall not begin until a scheme for the control of noise transmission to the adjoining dwellings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.
- 2) No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.
- 3) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:
  - a. A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
  - b. A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
  - c. A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
    - (i) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
    - (ii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be

submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

- 4) There shall be no delivery and the loading or unloading of goods outside the hours of 0800 and 2000, Monday to Friday, and between the hours of 0900 and 1300 on Saturdays. There shall be no deliveries on Sundays or Bank Holidays.
- 5) No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**LBH Waste Management Policy Officer**

No response received.

**LBH Planning Policy Officer**

No objection to the principle of development. The proposed methodology for the calculation of the affordable housing contribution is acceptable and as per what was previously

**LBH Conservation Officer**

This proposal is within the setting of the Roxborough Park and the Grove Conservation Area and the locally listed group of buildings opposite 26 to 40 Lowlands Road (attached). Lowlands Road is at the edge of the conservation area. There is a clear division between the relatively low density and historic development covering Harrow on the Hill on the conservation area side of Lowlands Road and the higher density, more modern and commercial development in the centre of Harrow.

The difference in height that is proposed would still be in keeping with levels along that side of the street (when taking account of the recent approval of permission next door and wider permissions approved in that area) and they would not harm the setting of the conservation area or any key views. The more urban character of the northern side of Lowlands Road would be maintained by the proposed design. There would be a connection to the character of Roxborough Park and the Grove Conservation Area given the design would pick up on the locally listed terrace.

Views looking towards the hill with this new building in the foreground are important and the one provided from Harrow Recreation Ground shows it would be below the treeline so it would preserve the setting of the Harrow on the Hill conservation areas.

**CAAC**

This constitutes over-development of a tight site with poor vehicle access onto Lowlands Road. The building is too high and will have an overbearing impact



upon the opposite residential conservation area. There is little or no amenity area which will increase the pressure upon the adjacent green open spaces of the Grove and Lowlands conservation areas. This is much too large – should not exceed its neighbour, Roxborough Heights, in height.

**LBH Urban Design Officer**

Commercial properties along the northside of Lowlands Road are of reduced massing to the proposed but still represent a street frontage of significant height. As such the proposed development must be considered within its immediate context and in this regard there is justification for a building of height which has regard for its setting and the neighbouring conservation area. Commercial properties along the northside of Lowlands Road are of reduced massing to the proposed but still represent a street frontage of significant height. As such the proposed development must be considered within its immediate context and in this regard there is justification for a building of height which has regard for its setting and the neighbouring conservation area.

**LBH Tree Officer**

No objection.

**LBH Biodiversity Officer**

Whereas there are some general suggestions within the PEA as to potential mitigation/enhancement there is no assessment of existing value against which to assess losses and gains. Without a clear commitment to specific details and provision for appropriate maintenance and management such suggestions have little weight and clearly there has been no consideration of biodiversity within the actual design.

The site is within an area of deficiency in access to nature and one where a number of relatively high density developments are proposed and it would be appropriate to expect that proposed biodiversity enhancements would be integrated across these schemes and that there be S106 contributions for the enhancement of accessible areas of nearby SINCS and strengthening the green corridors which link with these.

There is an apparent lack of any meaningful landscaping information. Whilst the proposed roof plan seems to indicate a 'green' roof of some form (in accordance with the Drainage Strategy)

**LBH Landscape Architect**

The detailed design needs to be high quality, with the use of high quality materials, appropriate for the location. The engagement of a Landscape Architect is recommended and could enable more successful use of the proposed spaces and the necessary required landscape details.

If you are minded to approve this application the following hard and soft landscape conditions, including the detail of the standard planning conditions, where noted below, would be required:

- Soft and Hard Landscaping to be Approved

- Boundary Treatment ( or can be included in d) above.
- Levels
- Landscaping Scheme – Proposed implementation and implementation programme, including a period of 5 year period for replacements of soft landscape
- Landscape Management Plan and Landscape Maintenance Plan
- External Lighting

**NHS Harrow**

No response received.

**Harrow Hill Trust**

No response received.

**Transport for London**

No objection.

- The development will be car-free except for blue badge spaces.
- The development proposes to provide 3 disabled parking bays which is in line with the ITP. Future provision must be provided on plan for a further 7% of spaces.
- The car parking should provide provisions for electric vehicle charging points in line with ITP Policy T6.
- The submission of a Delivery & Servicing Plan (DSP), Travel Plan (TP) and Construction Logistics Plan (CLP) should be in accordance with relevant TfL guidance, and be secured by appropriate s106 obligations/ conditions.
- A total of 112 cycle spaces are proposed within the basement level and 20 on ground level which is in line with ITP.

**London Underground Limited**

We request that the grant of planning permission be subject to conditions to secure the following:

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development for demolition, all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures- RAMS for all construction phases including demolition, excavation, foundation, basement and superstructure
- provide details on the use of tall plant/scaffolding including temporary works design and cat 3 check for scaffold
- accommodate the location of the existing London Underground structures - set back the new building by 3m from TfL Wall for the basement and ground floors
- there should be no opening windows or balconies facing the LU elevation
- demonstrate access to elevations of the building adjacent to the property

boundary with London Underground can be undertaken without recourse to entering our land during construction and for future maintenance

- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof- the proposal is for a 10 storey building with basement, this will potentially have an impact on the TfL wall and therefore LU will require a ground movement assessment to determine the impact and sub-sequential action such as monitoring or props depending on the results
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures
- consultation and prior approval for tree removal will be required as these works will most probably have to be completed during the Engineering Hours

### **Thames Water**

No objection to the proposed development with regards to surface and foul water network infrastructure capacity.

### **Network Rail**

No response received.

### **Ministry of Defence**

No objection subject to the following conditions:-

1. No development shall take place until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. In consultation with MOD, the Bird Hazard Management Plan shall include design measures to minimise any increase in the numbers of hazardous species (primarily large or flocking birds) as a result of the development proposed, in particular provisions to prevent gulls from breeding (using appropriate licensed means) on site should be provided. The development shall be carried out strictly in accordance with the details set out in the approved Bird Hazard Management Plan in perpetuity or until RAF Northolt is no longer operational.

Reason: To minimise the potential of the works approved to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the proximity of RAF Northolt.

2. Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the

site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

## 5. **POLICIES**

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'
- 5.2. The Government has issued the National Planning Policy Framework [NPPF 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. **ASSESSMENT**

6.1. The main issues are;

- Principle of Development
- Character and Appearance of the Area/Setting of Locally Listed Buildings and the Conservation Area
- Residential Amenity
- Affordable Housing
- Traffic, Safety and Parking
- Development and Flood Risk
- Biodiversity
- Energy & Sustainability
- Accessibility

### 6.2. **Principle of Development**

6.2.1. The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8
- The Draft London Plan (2019): D1,H1,H8, H16
- Harrow Core Strategy (2012): CS1
- Harrow and Wealdstone Area Action Plan (2013): AAP13
- Harrow Development Management Polices Local Plan (2013):DM1, DM31, DM32

6.2.2. Policy 3.3 of the London Plan seeks to increase housing supply in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Core Policy CS1(I) states that 'new residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs and to maintain mixed and sustainable communities'.

6.2.3. Policy AAP13 of the Harrow and Wealdstone Area Action Plan states that to ensure, mixed sustainable communities are created within the Heart of Harrow, proposals for residential development should provide a range of housing types.

6.2.4. The proposed development would feature 104 co-living units. The layout and management of co-living accommodation is unlike conventional housing and therefore does not fall within any Use Class (i.e is sui generis). There are no adopted planning policies which relate specifically to this type of housing. The draft London Plan (2019) however, does provide support for this type of accommodation under Policy H16 and sets out a prescriptive list of requirements that a proposal must achieve to be considered to fall within the definition of a large-scale purpose-built shared living scheme. On this basis, it would be instructive to frame the assessment of the proposed land use on the draft London Plan policy.

- 6.2.5. Policy H16 of The Draft London Plan (2019) recognises that large-scale shared living developments may provide a housing option for single person households who cannot or chose not to live in self-contained homes or HMOs. This type of accommodation is seen as providing an alternative to traditional flat shares and includes additional services and facilities, such as room cleaning, bed-linen, community facilities and concierge services.
- 6.2.6. Policy H16 states that large-scale purpose-built shared living development should meet the following criteria;
- It is of good quality and design
  - It contributes towards mixed and inclusive neighbourhoods
  - It is located in an area well-connected to local services and employment
  - It is under single management
  - Its units are all for rent with minimum tenancy lengths of no less than 3 months
  - Communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents and offer at least.
  - Convenient access to a communal kitchen
  - Outside communal amenity space
  - Internal communal amenity space
  - Laundry and drying facilities
  - Concierge
  - Bedding and linen changing/room cleaning services
  - Units provide adequate functional living space and layout and are not self-contained homes or capable of being used as self-contained homes.
  - Management Plan is provided
  - It delivers a cash in lieu contribution towards conventional C3 affordable housing
- 6.2.7. Definition Capital was founded in 2004 and is a property development and management company that specialises in delivering and operating high quality residential developments, including co-living schemes. The application is supported by a Management Plan which provides further details on the management of the building including the role of the onsite building management team, tenancy, co-living processes and access, facilities and construction management.
- 6.2.8. Whilst the application states that there would be a contribution of 104 co-living units, this does not correlate directly into 104 net additional units to the boroughs stock / housing delivery against the London Plan targets. Indeed, Policy H1 (Para 4.1.9) states that non self-contained communal accommodation should count towards meeting the housing targets on the basis of 1.8:1. Therefore, the proposal would have a net contribution towards the borough's housing target of circa 57 net additional units. Notwithstanding this, the proposal would make a modest contribution to the boroughs housing stocks.
- 6.2.9. It is noted that the existing residential uses on site would be lost, however they would be replaced on site by floorspace of a greater quantum than existing.

This would therefore be in compliance with Policy H8 (Loss of existing housing and estate redevelopment) of the draft New London plan (2019)(Intend to Publish Version). By reason of this, there is no objection to the redevelopment in terms of the residential floorspace. However, the existing application site has a number of employment uses on the site, specifically office (Use Class B1) and also a sandwich bar (Use Class A3), now in the new E class uses. Firstly, it is noted that there is no protection for the sandwich bar use within the development site, however, there is a resistance to the loss of office space. The application states that there is currently 146.9sqm of office space on the site, which would be lost by way of the application. Whilst it is not encouraged to lose office from the borough stocks, the proposed development would provide approximately 91sqm of employment floorspace, which would include a co-working area and also would include a café. Firstly, it is noted that there would only be a shortfall of approximately 50sqm of office space, and then would provide a co-working space that could be utilised as 'office type space'. Lastly, the applicant does provide evidence that the proposed development would provide a higher employment density within the site that currently exists. Therefore, whilst the proposed loss of office space is not encouraged, on balance the employment offer (and also other material planning merits of the scheme such as housing numbers) can be supported.

- 6.2.10. Officers consider that the proposed development would be a high quality scheme that would raise the standard of architecture in the area (detailed further in section 6.4 of the report). The proposed housing product would contribute towards a mixed community and is located in close proximity to the town centre and sustainable transport modes. Furthermore, the proposed scheme would provide a satisfactory quantum of internal and external amenity space and communal facilities for the future occupiers and the minimum tenancy lengths and management plan are to be secured through the Section 106 agreement. Officers consider that the proposed co-living accommodation would therefore satisfy the requirements as set out in policy H16 of the draft London Plan (2019).
- 6.2.11. The proposed co-living accommodation would meet an emerging need as supported within the draft London Plan and a planning obligation would ensure the development will be managed and maintained in a manner which would ensure the continued quality of the accommodation. The proposal would make a noteworthy contribution towards the wider policy and regeneration objectives of the Opportunity Area, including housing and employment. Having regard to compliance with these elements of the development plan, together with other consideration in this report with respect to design, amenity, infrastructure, servicing and highways; the principle of the development is supported by officers.
- 6.2.12. The proposed development complies with the National Planning Policy Framework (2019), policies 3.3 and 3.8 of The London Plan (2016), policies D1,H1,H8 and H16 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1, DM31 and DM35 of the Harrow Development Management Policies Local Plan (2013).

### 6.3. **Character and Appearance of the Area/Setting of Locally Listed Buildings and the Conservation Area**

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, D2, D3, HC1
- Harrow Core Strategy (2012): CS1
- Harrow and Wealdstone Area Action Plan (2013): AAP1, AAP4, AAP6
- Harrow Development Management Policies Local Plan (2013): DM1, DM3, DM6, DM7, DM22, DM23, DM45

Relevant Supplementary Documents

- Residential Design Guide (2010)
- Roxborough Park and the Grove Conservation Area Appraisal and Management Strategy
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

6.3.2. The site occupies a triangular-shaped plot and has a prominent location when approaching the town centre from the south and Lowlands Road from the west. The site is also visible from College Road to the north, with the railway intervening. The north side of Lowlands Road has an eclectic range of architectural styles, largely postmodern and of limited architectural quality, centred around office typologies.

6.3.3. This proposal is within the setting of the Roxborough Park and the Grove Conservation Area and the locally listed group of buildings opposite 26 to 40 Lowlands Road. The Harrow on The Hill Area of Special Character lies broadly to the south of the site. Roxborough Park and the Grove Conservation Area's special character and appearance is outlined by the Roxborough Park and the Grove Conservation Area Appraisal and Management Strategy which states: 'Roxborough Park and the Grove Conservation Area is an attractive combination of high quality historic architecture and important public green open spaces, including the Grove Open Space and Church Fields, that serve to emphasize its distinction from the surrounding more modern commercial development of Harrow town centre and the other higher density urban sprawl.' The Harrow on the Hill Conservation Areas are characterised by a large complex of historic buildings that are an extremely important part of Harrow's character and history. Harrow School Conservation Area covers most of the pinnacle of the hill and has a village character. The grade I listed St Mary's Church is contained within this area at the highest point and is surrounded by extensive greenery providing it with its integral semi-rural setting. This combination is visible in many surrounding views in Harrow. Modern development is set away from this and generally below the level of the treeline from most vantage points. There is a clear division between the relatively low density and historic development covering Harrow on the Hill on the



conservation area side of Lowlands Road and the higher density, more modern and commercial development in the centre of Harrow.

- 6.3.4. The proposed building has a stepped massing, from 7 floors adjacent to the neighbouring building located to the east, increasing to 9 floors, including the ground floor . The western corner of the building would have an undercroft area, providing access to the parking facilities. At ground floor level a co-working and café space would be created to provide an active frontage at ground floor level and would therefore continue to have a positive impact on the vitality and viability of the area. The activated ground floor functions have been orientated to the front of the site facing towards Lowlands Road, whilst the non-active and ancillary back of house spaces have been arranged to the rear, towards the railway. The building line of the undercroft parking area and the co-working space and café area would abut the public highway, and would step back towards the eastern corner to replicate the building line of the adjacent building to the east.
- 6.3.5. The proposal was presented to a DRP review panel who advised that the form of the proposal greatly affects and interrupts the established building line of Lowlands Road and appears bulky from the north. Concerns were raised with regards to its height and the number of units proposed. The panel advised that the site is small and inhospitable between a busy “A” road and rail and tube lines. The DRP also raised concerns with regards to the proposal dominating the single-storey locally listed building located on the southern side of Lowlands Road, opposite the application site.
- 6.3.6. Officers consider that the application site sits within a transitional, town centre location, with larger, commercial buildings located to the east and with the shopping parade and residential properties located to the south and therefore there is a distinct difference in the bulk and scale of existing and the proposed development in relation to the properties to the south. The existing three storey building is of a lower height and scale than the existing commercial buildings along the northern side of Lowlands Road and as such it is now an anomaly within the streetscene. It is noted that the site is located within the Metropolitan Town Centre and within an Opportunity Area. The Area Action Plan recognises that the town centre needs a dramatic uplift to its image and the area to the south of the railway should seek to establish a strong relationship with the town centre.
- 6.3.7. In 2015, the planning committee made a resolution to grant planning permission for a seven-storey building (P/4494/15) at the adjoining Nos 43-51 Lowlands Road (Intershop House). However, this application was subsequently refused as the S106 Agreement was not agreed and signed by both parties, to secure the necessary planning obligations. However, this remains a material planning consideration as the principle of a larger seven-storey building was considered to accord with the relevant development plan policies.
- 6.3.8. It is considered that the public highway provides a clear visual break between the two character areas, with larger scale to the north and lower scale to the south. Accordingly, it is considered that the proposed development, with regards to its size, scale and would have an appropriate relationship with the

lower scale properties to the south. It is therefore considered that given the sites context, the proposed increase in bulk and scale would be appropriate and would deliver a scale of development which is appropriate to its context and its town centre location. Furthermore, the form and footprint respond to the sites challenging and irregular shape. The Conservation Officer was consulted on the application and advised that the difference in height would still be in keeping along the northern side of Lowlands Road, given that there is a clear distinction between the relatively low density and historic character on the southern side of Lowlands Road and the higher density and urban character of the northern side.

- 6.3.9. Following discussions with the Urban Design Officer, the applicant submitted amended elevations to provide greater ground floor differentiation, to align and improve the proposed fenestration and horizontal banding to reduce the vertical emphasis and to provide further clarity on the proposed use of materials. The side elevation(west) and the rear elevation would be highly prominent when viewed from the west and the town centre. As such, these elevations have been designed and articulated to ensure they have a similar composition to the front elevation. The proposed development is of a distinctive, coherent and contemporary design which is responsive to its context and as such it would make a positive contribution to its immediate surroundings. The Urban Design Officer was consulted who confirmed that the proposed amendments are acceptable and raised no objection to the proposal.
- 6.3.10. Notwithstanding this, to ensure that high quality materials, windows, materials for frames and drainage pipes are used, a condition requiring details to be submitted to the LPA for review is recommended. This will also include details of the proposed window reveals to enhance and safeguard the character and appearance of the area.

#### *Impact on Protected Views*

- 6.3.11. The site is located within a landmark viewing corridor from Old Redding viewpoint and within the wider setting consultation area of other protected views. Policy DM 3 B of the Development Management Policies Local Plan (2013) states that development within the landmark viewing corridor should not exceed the threshold height (unless world class architecture/outstanding qualities) and that development within the wider setting consultation area should form an attractive element in its own right and preserve/enhance the viewers' ability to recognise and appreciate the landmark. Part G of the Policy calls for opportunities to create new local views to be exploited through the design and layout of new development. The application was accompanied by a Townscape and Visual Impact Assessment. The height of the proposed building would not exceed the maximum height allowed above ordinance datum within the main protected viewing corridor. Whilst noting that there will be a change within the townscape views, the changes to the landscape panorama associated with the form of development proposed would not erode the fundamental qualities of these views. The scale and development typologies would instead reflect the sites strategic location, within the Heart of Harrow AAP area. Furthermore, the Conservation Officer was consulted on this application and raised no objection to the proposal.

### *Landscaping*

- 6.3.12. The communal external amenity spaces have also been well designed and there are a number of different types of external, landscaped space proposed. In addition, the proposed green roof could provide greater ecological enhancements. The Landscape Architect was consulted on the proposal, and raised no objection to the proposed development, subject to conditions in relation to the submission of a landscape masterplan, including soft and hard landscaping, a landscape management and maintenance plan, details of the boundary treatments and levels. The appropriate conditions have been added accordingly to ensure that it delivers a space of quality that can be used and appreciated by residents.

### *Refuse and Servicing*

- 6.3.13. Policy DM45 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'.
- 6.3.14. A bin store is located internally at ground floor level and a refuse collection area is located to the front, which should be suitably screened to ensure it would not result in a detrimental impact to the appearance of the building and its surroundings. A condition is appropriate to ensure such refuse bins are provided prior to the first occupation of the units. An additional condition is recommended to ensure planting is provided to the front in order to screen the refuse collection area within the streetscene.
- 6.3.15. It is therefore considered that the proposed development would not result in a detrimental impact to the of the surrounding area, in accordance with the high quality design character and appearance aspirations of the National Planning Policy Framework (2019), policies 3.5, 7.4 and 7.6 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policies DM1, DM3 and DM6 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).
- 6.3.16. Based on the above, the proposed development complies with the National Planning Policy Framework (2019), policy 2.15, 7.4. 7.6, 7.8 of The London Plan (2016), policies D1, D2, D3 and HC1 of The Draft London Plan (2019), policies AAP1, AAP4 and AAP6 of the Harrow and Wealdstone Area Action Plan (2013), policy CS1 of the Core Strategy (2012) and policies DM1, DM7, DM22, DM23 and DM45 of the Development Management Policies Local Plan (2013).

## 6.4. **Residential Amenity**

- 6.4.1. The relevant policies are:

- The London Plan (2016): 7.6

- The Draft London Plan (2019): D1, D6, D14, H16
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM27

Relevant Supplementary Documents:

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

### Standard of Residential Accommodation

- 6.4.2. There are no specific adopted space standards for this type of housing product within the adopted development plan. Policy H16 of the draft London Plan (showing minor suggested changes) states that the private units within large-scale purpose-built shared living development should provide adequate functional layout.
- 6.4.3. Each unit and accessible unit would have a gross internal area of approximately 16sqm and 25sqm, respectively and a floor to ceiling height of 2.5m. The internal layout has been designed to accommodate a double bed, shower room and kitchenette and therefore the layout is considered to be functional and fit for purpose.



- 6.4.4. There are no windows proposed in the eastern flank wall. The proposed studios would have an outlook either to the north over the railway towards Harrow Town Centre, to the west or to the south facing towards the shopping parade on the southern side of Lowlands Road and over towards Harrow on The Hill. The proposed units would be single aspect, however 80% of windows have a southerly aspect. The application was accompanied by a Daylight and Sunlight Assessment which concluded that 94% (99 rooms) of all rooms achieve or surpass the Average Daylight Factor target. The BRE guide illustrates a good example of good layout design where only 20% of apartments have only north facing living room windows. With regards to the proposed development, 20% of studios would have only north facing living room windows and therefore the

proposed development satisfies the BRE direct sunlight to window requirements.

6.4.5. In terms of stacking, the studios at first floor level would be sited above the ground floor co-working/café and communal areas. Four studios at 6<sup>th</sup> floor level would be sited beneath the seventh floor roof terrace. The 1<sup>st</sup> – 6<sup>th</sup> floors are based on a typical floor plan and therefore there would be no conflict between the studios on these floors. The proposed building is a purpose-built new building, which would need to comply with building regulations with regards to sound insulation measures to ensure there would be no unacceptable noise transmission. Therefore, the proposed development is acceptable in this regard.

6.4.6. Given the generally smaller size of the private studio spaces within co-living schemes, the communal amenity spaces are important elements to ensure the quality of the overall residential amenity is acceptable.

6.4.7. The proposed development includes the provision of the following:

|                |                          |         |
|----------------|--------------------------|---------|
| Lower Ground 2 | Fitness room             | 46 sqm  |
|                | Screening Room           | 35 sqm  |
| Lower Ground   | Communal kitchen/diner   | 109 sqm |
|                | Laundry room             | 23 sqm  |
|                | Courtyard                | 25 sqm  |
| Ground Floor   | Co-working area and cafe | 91 sqm  |
| Seventh Floor  | Outdoor terrace          | 77 sqm  |
|                | Library                  | 35 sqm  |
| Eight Floor    | Residents lounge         | 73 sqm  |
|                | Outdoor terrace          | 22 sqm  |

6.4.8. The type, location and amount of communal amenity spaces have been designed to create a sense of community, to lower barriers to social interaction and to facilitate engagement between residents. The amenity spaces are of a size and quality to encourage their use and community engagement and they are considered to be proportionate given the number of studios within the building.

6.4.9. The application sites does occupy a small urban site which is bounded by a railway and an A road, which is not uncommon in urban areas. The application was supported by an Acoustic Assessment. The Environmental Health Department was consulted and raised no objection to the proposal, subject to conditions.

6.4.10. Overall, it is considered that the internal design quality of the proposed development is of an acceptable standard and will ensure a good standard of living environment for future residents

#### Impact on Residential Amenity

6.4.11. Given that the railway bounds the northern boundary of the site, the proposed development would not result in a detrimental impact to the amenities of

buildings located to the north, given their distance of approximately 52m and the intervening railway.

- 6.4.12. To the south of the application site is a parade of single storey shops and in addition, two-storey residential properties further along Lowlands Road. The proposed building is noted as maintaining a separation distance of 17m from the properties located towards the southwest, with an intervening public highway. Although the proposed building is higher than the existing building, it is noted that this relationship is representative of the commercial buildings located further to the east on Lowlands Road. Given the modest height of the proposed building in an urban setting, it is considered that this relationship is acceptable within an urban environment on the edge of a town centre.
- 6.4.13. Located to the east of the application property is No. 43-51 which is a 5 storey building, which has commercial on the ground floor and residential above. The proposed new build would be a further two storeys higher on this boundary than the existing building, adjacent to the party wall and stepping up a further two floors. The building line of the eastern corner of the building would respect that of the neighbouring building and as such the proposal would not interrupt a 45 degree splay taken from the front corner of the neighbouring property. Furthermore, no openings are proposed in the flank wall facing this building. As such would not unacceptably harm the amenities of the occupiers of these properties from a loss of light or daylight.
- 6.4.14. Overall, it is considered that given the size and scale of the proposed development and its relationship with neighbouring properties, it would not result in a detrimental impact to the residential and visual amenities of neighbouring properties.
- 6.4.15. The proposed development complies with the National Planning Policy Framework (2019), policy 7.6 of The London Plan (2016), policies H16, D1, D6 and D14 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1 and DM27 of the Harrow Development Management Policies Local Plan (2013).

## 6.5. **Affordable Housing**

6.5.1. The relevant policies are:

- The London Plan (2016): 3.12, 3.13
- The Draft London Plan (2019): H16
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM50

### Relevant Supplementary Documents

- Mayors Affordable Housing and Viability Supplementary Planning Guidance (2017)
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

- 6.5.2. Policy 3.12 of the London Plan requires councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. At the local level, overarching Policy CS1J of the Core Strategy (2012) sets a borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the borough and calls for the maximum reasonable amount to be provided on development sites.
- 6.5.3. The Housing SPG confirms that new large scale shared living housing should contribute the maximum reasonable amount of affordable housing it can, in line with London Plan policies 3.12 and 3.13, but does not set out how that affordable housing contribution should be provided.
- 6.5.4. Policy H16 of the Draft London Plan (showing minor suggested changes) states that large-scale purpose-built shared living must deliver a cash in lieu contribution towards conventional C3 affordable housing. Boroughs should this this contribution for the provision of new C3 off-site affordable housing as either;
- a) Upfront cash in lieu payment to the local authority; or
  - b) In perpetuity annual payment to the local authority
- In both cases, developments are expected to provide a contribution that is equivalent to 35 percent of the units, to be provided at a discount of 50 percent of the market rent.
- 6.5.5. The applicant has submitted a Financial Viability Assessment to demonstrate how much affordable housing the scheme can deliver. The submitted information has been independently reviewed by an independent viability consultant and tested to ensure that assumptions and with regard to affordable housing is the maximum reasonable affordable housing that can be made as part of the proposed scheme. The independent review of the viability assessment has concluded that the assumptions are broadly accurate and that the scheme cannot support an affordable housing contribution.
- 6.5.6. The applicant has calculated the future value that any late stage review could capture, subject to market performance, based on the GLA's late stage review formula. The methodology for the calculation of this offer was based on the viability inputs of the council's independent viability consultant including their opinion on rental growth over the theoretical development plan applying build cost inflation. Based on this, it was calculated that a late stage review could capture £138,000 in affordable housing contributions. The applicant has increased this offer to £200,00 on the basis that the late stage review clauses are not applied in order to reduce uncertainty and to assist the applicant in obtaining project financing. The Planning Policy Team Leader was consulted on this, and considers the methodology to be acceptable and is as per the methodology which was utilised for the determination of a previous co-living scheme – The Collective on Palmerston Road (P/2555/18). Taking into account that the applicant has proposed an offer which is likely to exceed any affordable housing contribution likely to be captured through a late stage review of a housing typology which is within an emerging market, it is considered to be

acceptable. Furthermore, it is considered that the applicant's financial contribution of £200,000 would assist the Council in delivering affordable housing within the borough and would assist in the delivery of mixed and balanced communities within the borough.

- 6.5.7. The Planning Obligations SPD (2013) seeks that for schemes that are below a policy compliant Affordable Housing offer, then a review mechanism ought to be applied. Whilst it is acknowledged that the proposed development is likely to be a single phased development, given the lifespan of the any permission (3 years), it is plausible that there could be a change in market circumstances prior to units being rented. Officers therefore consider that an early stage review mechanism should be employed to ensure that in the event that the commencement of the development is delayed, a viability reappraisal can be undertaken to capture any improvement in market conditions that will allow provision for affordable housing contributions to be sought as part of the development.
- 6.5.8. This approach is in line with Policy 3.12 of the London Plan. Officers also consider a late stage review would be appropriate so that the review can be based on values achieved and costs incurred and would accord with the guidance contained within the Mayor's Affordable Housing SPG (2017).
- 6.5.9. Officers are satisfied that the review mechanisms are required to ensure that the maximum reasonable level of affordable housing contribution is secured. The details of the review mechanism will be secured through a planning obligation in the S106 agreement.
- 6.5.10. Subject to the above conditions, the proposed development complies with the National Planning Policy Framework (2019), policies 3.12 and 3.13 of The London Plan (2016), policy H16 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1 and DM50 of the Harrow Development Management Policies Local Plan (2013).

## 6.6. **Traffic, Safety and Parking**

6.6.1. The relevant policies are:

- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42

6.6.2. This proposal is within a PTAL 6 and therefore access to public transport is excellent. There are bus stops, a rail and an underground station within a short walk and it is within walking distance to Harrow Town Centre.

### 6.6.3. Car and Cycle Parking

6.6.4. Policy T6.1 E of The Draft London Plan (2019) states - Large-scale purpose-built shared living, student accommodation and other sui generis residential



uses should be car-free. In accordance with policy T6.1 E the proposed development does not include any standard parking spaces and it would be car-free, to be secured through a S106 Agreement. The Highways Officer has advised that for those who do occasionally need to travel by car, residents will be able to access existing car club vehicles which are located in the surrounding area (Roxborough Road, College Road and Gayton Road). In addition, the proposal includes three accessible spaces at ground floor level, to be accessed via Lowlands Road, in accordance with policy T6.1 of The Draft London Plan (2019).

- 6.6.5. The proposal includes a total of 124 cycle parking spaces: 104 spaces at lower ground 2 level and 20 spaces to the rear of the site at ground floor level. The Highways Officer confirmed that the proposed level of cycle parking and storage is acceptable, however a condition is appropriate to ensure details are submitted to the Local Planning Authority for approval prior to occupation.

#### Access and Servicing

- 6.6.6. The proposed development includes the closure of the existing accesses and to provide a new access towards the north of site, which is on a bend however, the Highways Officer confirmed that this position allows for good visibility in both directions. Whilst this new access will be closer to the point where the cycle track exits the subway and joins the carriageway it is considered that the parking area use will be low.
- 6.6.7. The proposed servicing arrangements have been determined based on the site being fairly constrained. Whilst on-street servicing is possible, a solution has been identified that would allow for some smaller vehicles to be able to use the under-croft facility. The Highways Officer confirmed that a formalised shared disabled/loading bay is not necessary as it would be possible to allow vans to use the area for loading/unloading if managed appropriately without designating a specific bay for this use. Taking some of the servicing activity off-highway would help to minimise the potential impact however this should not compromise dedicated disabled parking.
- 6.6.8. The applicant submitted an amended Transport Assessment to provide further details on the routes to key destinations along with any identified recommendations. The Highways Officer reviewed the amended Transport Assessment and confirmed that it is acceptable and no objections were raised, subject to conditions. It is therefore considered that the proposed development would be acceptable in Highway terms and would accord with policies 6.3, 6.9B and 6.13 of The London Plan (2016), policies T5, T6, T6.1 of The Draft London Plan (2019) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

## 6.7. **Development and Flood Risk**

6.7.1. The relevant policies are:

- The London Plan (2016): 5.12, 5.13
- The Draft London Plan (2019): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM9, DM10

6.7.2. The application site is within surface water flood zone 3a and 3b. The application was accompanied by a Flood Risk Assessment . The Drainage Department was consulted who confirmed that the Flood Risk Assessment is satisfactory. The Drainage Engineer raised no objection to the proposed development subject to conditions to secure the submission of further detailed information.

6.7.3. Subject to the above, the proposal therefore complies with the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policy SI12 and SI13 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012) and policies DM1, DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

## 6.8. **Biodiversity**

6.8.1. The relevant policies are:

- The London Plan (2016): 7.19
- The Draft London Plan (2019): G9
- Harrow Core Strategy (2012):CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM20, DM21

6.8.2. The application was accompanied by a Biodiversity Report. The Biodiversity Officer was consulted on the proposal and raised no objection to the proposed redevelopment subject to conditions relating to the submission of a Biodiversity Management Plan, and the provision of a green roof, bat roosts, bird boxes and invertebrate shelters.

6.8.3. Subject to the above conditions, the proposed development complies with the National Planning Policy Framework (2019), policy 7.19 of The London Plan (2016), policy G9 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1, DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

## 6.9. **Energy and Sustainability**

6.9.1. The relevant policies are:

- The London Plan (2016): 5.2, 5.3, 5.15
- The Draft London Plan (2019): SI1, SI5
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM12, DM14

6.9.2. The application is accompanied by an Energy & Sustainability Statement which outlines a number of sustainability and carbon reduction proposals and is broadly considered to follow GLA guidance for such statements. In reducing carbon emissions, the energy statement follows the energy hierarchy by seeking to use less energy in the first instance (be lean), supplying energy efficiently (be clean) and finally using renewable energy (be green). By implementing the energy strategy as detailed in the Energy & Sustainability Statement, the carbon dioxide emissions for the development have been reduced by 40%. offset contribution will be required to fund carbon reduction measures elsewhere in the borough. This equates to a contribution of £52,740. Provided this contribution is secured through a section 106 contribution, the energy strategy is considered to meet relevant London Plan policies. In addition a condition requiring that the development is constructed and operated generally in accordance with the energy strategy submitted with the application has been added.

6.9.3. Subject to the above obligation and condition, the proposed development complies with the National Planning Policy Framework (2019), policies 5.2, 5.13 and 5.15 of The London Plan (2016), policy SI1 and SI5 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1, DM12 and DM14 of the Harrow Development Management Policies Local Plan (2013).

## 6.10. **Accessibility**

6.10.1. The relevant policies are:

- The London Plan (2016): 3.5, 7.2
- The Draft London Plan 2019: D5
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2

6.10.2. The proposed scheme would provide 104 co-living units out of which 13 would be designed as wheelchair accessible. This would equate to approximately 13% which would accord with London Plan Policy. There would be inclusive access across the site and three disabled parking spaces would be provided.

6.10.3.

- 6.10.4. Officers are satisfied that the proposals meet the development plan objectives in terms of accessibility and inclusive design and would contribute to the creation of a 'lifetime neighbourhood'. On this basis, it is considered that the proposal complies with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5 and 7.2 of The London Plan (2016), policy D5 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

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

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

1. Time Limit

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

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

2. Approved Drawing and Documents

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the following approved plans to show the redevelopment of the site to provide a 9 storey building with basement level comprising of 104 co-living units (Use class Sui Generis) with communal living area; co-working space and cafe (Use Class A3) to ground floor level; proposed vehicle access; hard and soft landscaping; bin and cycle stores; parking

Approved Plans:

LRH-ASA-XX-00-DR-A-0001 R3; LRH-ASA-XX-00-DR-A-0002 R3; LRH-ASA-XX-00-DR-A-0003 R3; LRH-ASA-XX-00-DR-A-0004 R3; LRH-ASA-XX-00-DR-A-0005 R4; LRH-ASA-XX-00-DR-A-0006 R3; LRH-ASA-XX-00-DR-A-0007 R3; LRH-ASA-XX-00-DR-A-0010 R1; LRH-ASA-XX-00-DR-A-200 P13; LRH-ASA-XX-00-DR-A-201 P13; LRH-ASA-XX-00-DR-A-202 P13; LRH-ASA-XX-00-DR-A-203 P13; LRH-ASA-XX-00-DR-A-204 P14; LRH-ASA-XX-00-DR-A-205 P13; LRH-ASA-XX-00-DR-A-206 P14; LRH-ASA-XX-00-DR-A-300 P4; LRH-ASA-XX-00-DR-A-301 P4; LRH-ASA-XX-00-DR-A-400 P5; LRH-ASA-XX-00-DR-A-401 P5; LRH-ASA-XX-00-DR-A-402 P5; LRH-ASA-XX-00-DR-A-403 P5;

Approved Documents:

Car Park Management Plan; Basement Impact Assessment; Air Quality Assessment; Construction Logistics Plan (outline); Design and Access Statement; Daylight and Sunlight Study (Within Development); Delivery and Servicing Management Plan; Foul and Surface Water Drainage Strategy; Ecological Desk Study; Energy & Sustainability Statement; Flood Risk Assessment; Phase 1 Geoenvironmental Desk Study; Acoustic Assessment Report; Planning Statement; Statement of Community Involvement; Site Waste Management Plan; (Built) Heritage, Townscape and Visual Impact Assessment; Transport Assessment; Framework Travel Plan; Arboricultural Survey and Impact Assessment; Co-Living Demand Study

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

3. Construction Logistics Plan - PRECOMMENCEMENT CONDITION

No development shall take place, including any works of demolition, until a Detailed Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by the Transport for London – [www.constructionlogisitcs.org](http://www.constructionlogisitcs.org). The Detailed Construction Logistics Plan shall provide for:

- (a) Parking of vehicles of site operatives/visitors;
- (b) HGV access to site – loading and unloading of plant and materials;
- (c) Number of HGV's anticipated;
- (d) Storage of plant and materials used in constructing the development;
- (e) Programme of work and phasing;
- (f) Site layout plan;
- (g) Highway condition (before, during, after);
- (h) Measures to control dust, vibration and dirt during demolition, earthworks and construction;
- (i) A scheme for recycling/disposing of waste resulting from demolition, earthworks and construction works;
- (j) Details showing the frontage/ the boundary of the site enclosed by site hoarding to a minimum height of 2 metres;
- (k) Details of cranes and other tall construction equipment (including obstacle lighting).

The development shall be carried out in accordance with the approved Detailed Construction 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 and to ensure that development does not adversely affect safety on the transport network.

4. Bird Hazard Management Plan - PRECOMMENCEMENT CONDITION

No development shall take place until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. In consultation with MOD, the Bird Hazard Management Plan shall include design measures to minimise any increase in the numbers of hazardous species (primarily large or flocking birds) as a result of the development proposed, in particular provisions to prevent gulls from breeding (using appropriate licensed means) on site should be provided. The development shall be carried out strictly in accordance with the details set out in the approved Bird Hazard Management Plan in perpetuity or until RAF Northolt is no longer operational.

Reason: To minimise the potential of the works approved to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the

proximity of RAF Northolt.

5. Cranes - PRECOMMENCEMENT CONDITION

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the local planning authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

6. Detailed Design and Method Statement – PRECOMMENCEMENT CONDITION

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development for demolition, all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures- RAMS for all construction phases including demolition, excavation, foundation, basement and superstructure
- provide details on the use of tall plant/scaffolding including temporary works design and cat 3 check for scaffold
- accommodate the location of the existing London Underground structures - set back the new building by 3m from TfL Wall for the basement and ground floors
- there should be no opening windows or balconies facing the LU elevation
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land during construction and for future maintenance
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodates ground movement arising from the construction to determine the impact and sub-sequential action such as monitoring or props depending on the results
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures
- provides details of consultation and the prior approval for tree removal

will be required as these works will most probably have to be completed during the Engineering Hours

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure.

7. Levels - PRECOMMENCEMENT CONDITION

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 road/highway(s), and any other changes proposed in the level of the site, 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.

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

8. Contamination - PRECOMMENCEMENT CONDITION

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

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

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



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

9. Foul Disposal

The development other than demolition works hereby permitted shall not commence until details of the works for the disposal of sewage to be provided on site have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

REASON: To ensure that there is adequate waste water infrastructure in place to serve the development and to ensure the separation of surface and foul water systems.

10. Surface Water Attenuation, Storage and Disposal

The development other than demolition works hereby permitted shall not commence until details for the works for the attenuation, storage and disposal of surface water to be provided on site have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

REASON: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems.

11. Fire Strategy

The development hereby approved shall not progress beyond damp proof course level until a Fire Statement produced by a third party suitably qualified assessor has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter unless otherwise agreed by the local planning authority or Fire Authority.

REASON: To ensure that the development proposals achieve the highest standard of fire safety.

12. Basement Protection

Notwithstanding the approved plans, the development other than demolition works, hereby permitted shall not commence until details for basement protection for ground water flooding, which would include waterproofing and water tanking details, have been submitted and approved by the Local

Planning Authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To build in resistance and resilience in managing, reducing and mitigating the effects of flood risk.

13. Permeable Paving

The development other than demolition works hereby permitted shall not commence until full details of the permeable paving and details relating to the long term maintenance and management of the on-site drainage are submitted to and approved in writing by the Local Planning Authority. Details thereby approved 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.

14. Noise and Vibration

The development other than demolition works hereby permitted shall not commence until a scheme which specifies the provision to be made for the control of noise (including noise from people emanating from the site) and vibration from the hereby approved cinema and café on the flats above and the neighbouring properties, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise and vibration limits and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be installed and shall be operational prior to the first occupation of the flats, or the commencement of the use of the cinema, whichever is the soonest, and shall be maintained in full compliance with the approved details and shall be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of neighbouring residents.

15. Materials

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

- (a) facing materials for the buildings, including roof;
- (b) windows including reveals;
- (c) doors;

- (d) balconies and terraces including privacy screens;
- (e) decking;
- (f) louvers;
- (g) boundary treatment including all pedestrian/ access gates;
- (h) Rainwater disposal systems (including downpipes) and soil stacks;
- (i) ground surfacing.

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

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

#### 16. External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, location, height type, direction of light sources, specification, elevations, light spillage and lighting levels. The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of quality.

#### 17. Water Consumption

The development hereby approved shall not progress beyond damp proof course level until a strategy for the efficient use of mains water within the residential parts of the development, pursuant to a water consumption limit of 105 litres per person per day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes efficient use of mains water.

#### 18. Boundary Treatment

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected has been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the

approved details prior to occupation, and shall thereafter be retained.

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

19. Soft and Hard Landscaping

Notwithstanding the approved details, the development hereby permitted shall not progress beyond basement level, until details of soft and hard landscaping for the site has been submitted to, and approved in writing by the Local Planning Authority which shall include:

a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating and so on. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

b) Green roofs, hard and soft landscape details and planting plans, the roofs terraces and courtyard and roof (if incorporated) at the lower ground, seventh and eighth floor and the roof area, including written specification of the planting, planting plans, details of the proposed irrigation or any watering system to be installed for regular watering in dry / drought conditions for the landscaped areas maintenance and proposed ongoing plant replacement, for any plant failures, during the lifetime of the built development;

c) Full scale metric cross sections and elevations for all communal open amenity spaces (at a scale of not less than 1:100).

d) Details of all furniture, boundary treatment, specification for supports and fixings for plants, landscape structures and any climbing plant frames, including proposed material and source / manufacturer, irrigation for planting and detailed drawings of such; for all communal areas, raised beds, furniture and bespoke furniture.

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity.

20. Landscape Management Plan

Notwithstanding the approved details, the development hereby permitted shall not progress beyond basement level, until a Landscape Management Plan and Landscape Maintenance Plan for the site has been submitted to, and approved in writing by the Local Planning Authority to ensure the future success of the development, which shall include long term design objectives, management responsibilities and maintenance schedules, including the lower ground level hard and soft landscape, outdoor terraces, green roofs and any biodiverse roofs and landscape structures for plant growth and a programme of maintenance including a calendar of routine physical tasks for all landscape areas / plant replacement for the life time of the development for landscape structures. The Landscape Maintenance Plan shall cover a 5 year period for the whole of the proposed development to ensure the future success of the development including all the hard and soft landscape.

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity.

21. Inclusive Access Strategy

The development hereby approved shall not progress beyond first floor level until an inclusive access strategy for the site has been submitted to, and agreed in writing by, the Local Planning Authority. The strategy shall:

- (a) demonstrate inclusive access within the proposed development including the cinema and cafe unit;
- (b) detail the arrangements for disabled residents' access to the disabled parking spaces and the access, and use of, waste and recycling facilities within the development.

The development shall be carried out in accordance with the approved details prior to the commencement of the use of the café or disabled parking spaces, whichever is the soonest and shall be retained as such thereafter.

Reason: To ensure that the development contributes to the achievement of a lifetime neighbourhood.

22. Biodiversity Management Plan

The development other than demolition works hereby permitted shall not commence until detailed proposals for ongoing management, monitoring and reporting of onsite biodiversity features, including details of how this will be funded in perpetuity have been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan shall include:

- (a) how these features will be managed and monitored to maintain and enhance their value, including any replacements during the establishment phase (to run for three years from the commencement of construction);
- (b) year by year schedule of the timing of operations and who has responsibility for these and for ensuring they are undertaken;
- (c) how the plan will be updated at 5 year intervals; and
- (d) how these operations will be funded over the lifetime of the new development, during and following construction.

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

Reason: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

23. Air Extraction System

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the air extraction system shall be implemented and maintained in full compliance with the approved details and shall be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of neighbouring resident.

24. Travel Plan

The development hereby permitted shall not be first occupied until there has been first submitted to, and approved in writing by, the local planning authority a revised Travel Plan to include TRICS data to assess existing data from the locality, targets to promote modal shift towards active travel. Details should include cycle trips associated with the development and details of how/where residents and visitors can obtain cycle training. The travel plan shall be implemented as agreed unless otherwise agreed in writing by the local planning authority.

REASON: To promote sustainable modes of travel for the future occupiers of the development.

25. Landscape Management and Maintenance Plan

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and

approved in writing by the Local Planning Authority, for all landscaped areas and any landscape structure for plant growth, other than privately owned domestic balconies/terraces. The Landscape Management and Maintenance Plan shall include:

- a) Landscape Management: long term design objectives incorporating the overall functional aesthetic objectives of the landscape scheme; management responsibilities; programme of works and monitoring procedures; and
- b) Landscape Maintenance: including routine physical tasks required to satisfy appropriate standards of aftercare and enable the design and implementation objectives to be achieved, for the first year of maintenance, years 2-5 and 6 years onwards: maintenance responsibilities; a schedule of maintenance operations (calendar of tasks) set out graphically and in writing.

The Landscape Management and Maintenance Plan shall be carried out in accordance with the approved details.

REASON: To ensure the future success of the development and to enhance the appearance of the development.

26. Communal Aerials

Prior to the first occupation of the residential units hereby permitted, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the residential units and shall be retained thereafter. No other television reception equipment shall be installed on the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces.

27. Secured by Design

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

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

28. Parking Design and Management Plan

The development hereby approved shall not be first occupied until a detailed parking design and management plan is submitted to and approved in writing by the Local Planning Authority to set out how parking will be allocated / controlled. The parking management plan shall set out details of disabled parking provision; active and passive electric vehicle charging points in accordance with London Plan standards. The arrangements so agreed shall be put in place prior to the first occupation of the units hereby approved and shall thereafter be retained.

To ensure appropriate parking provision in accordance with the National Planning Policy Framework (2019), Policy 6.13 of the London Plan (2016) and Policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

REASON: To ensure car parking provision is available for use by the occupants and visitors of the site.

29. Car Parking

The residential units hereby permitted shall not be occupied until three accessible parking spaces of a standard size have been clearly marked out on site, in accordance with the approved ground floor plan. Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure car parking provision is available for use by the occupants of the site.

30. Residential Cycle Parking

The residential units hereby permitted shall not be occupied until details for secured, sheltered and accessible storage for the provision of 124 cycle spaces have been submitted and approved in writing by the Local Planning Authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the occupation of the residential units, and shall thereafter be retained.

REASON: To ensure that cycle storage is available for use by the occupants of the site.



31. Bat Roosting/Hibernation Shelters

Prior to first occupation of the development hereby approved, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) 9 Schwegler 2FTR interconnecting bat tubes (or equivalent), placed in three groups of three, at heights of 3 and 5 storeys above ground level on the south aspect of the new building, away or otherwise sheltered from direct night time illumination.

The bat roosts shall be installed in accordance with the approved details, and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity.

32. Bird Boxes

Prior to first occupation of the development hereby approved, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) 5 double or treble cavity swift nest boxes (e.g. Schwegler 17B)
- (b) 3 house sparrow terraces (e.g. Schwegler 1SP)
- (c) 3 nesting cavities for starlings (e.g. Schwegler Brick Box Type 24 with the entrance cover removed/enlarged)
- (d) 1 kestrel nestbox (e.g. Schwegler Built-in Multi-system cavity with kestrel front panel)

The bird boxes shall be embedded within the fabric of the building, in locations that take account of each species preferences, on north or east building aspects. The bird boxes shall be installed in accordance with the approved details, and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity.

33. Invertebrate shelters

Prior to first occupation of the development hereby approved, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- *2+ cedar 'slab shelters to be constructed and fitted to the exterior on the south and east aspects, as follows: Sheets of (c. 2+ cm thick and c. W. 20+ x L. 30+ cm) untreated cedar board screwed to exterior wall on S aspect, with two 0.5-0.8 cm (by 2.5 x 2.5) 'lugs' at glued to the bottom on the wall side (to provide a slight offset from the wall which*

*will narrow toward the top. These will provide shelter for a range of other invertebrates.*

The invertebrate shelters shall be installed in accordance with the approved details, and shall be retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity.

34. Refuse Stores – Residential

The refuse store and refuse collection area as shown on the approved ground floor plan shall be provided prior to the first occupation of the flats and shall be thereafter retained.

REASON: To ensure satisfactory refuse stores are provided, which are accessible to refuse collectors.

35. Refuse Bin Storage

The refuse bins shall be stored at all times, other than on collection days, in the designated refuse collection area, as shown on the approved drawing plans.

REASON: To safeguard the appearance and character of the surrounding area, in accordance with policy 7.4.B of The London Plan (2016) and ensure a high standard of residential quality.

36. Permitted Development Restrictions – Communications

Notwithstanding the provisions of Part 16 (Communications) to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and replacing that Order with or without modification, no development that would otherwise be permitted by that part of the Order (or the equivalent provisions of any replacement Order) shall be carried out without planning permission having first been obtained by the Local Planning Authority.

REASON: To ensure that the architectural integrity of the building is not compromised.

37. Audio Visual Control

The development hereby approved shall not be occupied until: (i) an audio-visual access control system has been installed; or (ii) such alternative security measures have been installed that shall first have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall

be completed 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 residential quality for future occupiers of the development.

38. Noise and Vibration – Certification

Within three months following the completion of the installation of the noise and vibration mitigation measures (as per the approved details subject to condition 14 of this permission), the applicant shall submit written evidence to the Local Planning Authority to confirm that the works have been carried out and completed in accordance with the approved details, as per condition 10 of this permission.

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

39. Hours of Operation

The opening hours of the café shall be between:

- 09:00 hrs to 23:00 Sundays to Thursdays (inclusive) and public holidays and;
- 09:00hrs to 24:00 hrs on Fridays and Saturdays.

REASON: In order to safeguard the amenities of the residents.

40. Deliveries

There shall be no deliveries and the loading or unloading of goods outside the hours of 0800 and 2000, Monday to Friday, and between the hours of 0900 and 1300 on Saturdays. There shall be no deliveries on Sundays or Bank Holidays.

REASON: To safeguard the amenities of neighbouring properties within the locality.

41. Landscape Implementation

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

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

## **INFORMATIVES**

### 1. Relevant Policies

The following policies are relevant to this decision:

#### **National Planning Policy Framework (2019)**

##### **The London Plan (2016):**

2.15, 3.3, 3.4, 3.5C, 3.6, 6.7, 3.8, 3.9, 3.11, 3.12, 3.13, 4.12, 5.2, 5.3, 5.10, 5.11, 5.13, 5.14, 5.15, 5.21, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3B, 7.4B, 7.5, 7.6B, 7.7, 7.8, 7.13, 7.14, 7.15, 7.19, 7.21

##### **The Draft London Plan (2019):**

D1, D2, D3, D4, D5, D6, D7, D8, D9, D11, D12, D13, H1, H2, H5, H8, H12, H16, HC1, G5, G6, G7, SI1, SI2, SI3, SI5, SI8, SI13, T2, T3, T4, T5, T6, SD6, SD7

##### **Harrow Core Strategy (2012):**

CS1

##### **Harrow and Wealdstone Area Action Plan (2013)**

AAP1, AAP4, AA6, AAP8, AAP13, AAP19, AAP20

##### **Harrow Development Management Policies Local Plan (2013):**

DM1, DM2, DM3, DM6, DM7, DM9, DM10, DM12, DM13, DM14, DM15, DM20, DM21, DM22, DM23, DM27, DM28, DM31, DM32, DM35, DM40, DM41, DM42, DM43, DM44, DM45, DM50

##### **Supplementary Planning Documents:**

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

Supplementary Planning Document : Accessible Homes (2010)

Technical Housing Standard (2015) Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

Mayors Housing Supplementary Planning Guidance (2016)

Roxborough Park and the Grove Conservation Area Appraisal and Management Strategy (2008)

### 2. Pre-application engagement

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

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

### 3. Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a

refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £216,540

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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. 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.

#### 5. 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](mailto:communities@twoten.com)

6. 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.

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](mailto: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. 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](mailto:technicalservices@harrow.gov.uk) or on the following link.

[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

## 9. Thames Water Assets

The proposed development is located within 15m of Thames Water underground assets and as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary structures <https://developers/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

## 10. Ground Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. It is expected for the developer to demonstrate what measures will be undertaken to minimise ground water discharges not the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk).

## 11. 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.

## 12. 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.

13. 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](mailto:DOCOMailbox.NW@met.police.uk)

14. London Underground Infrastructure

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; scaffolding; security; boundary treatment; safety barriers; landscaping and lighting

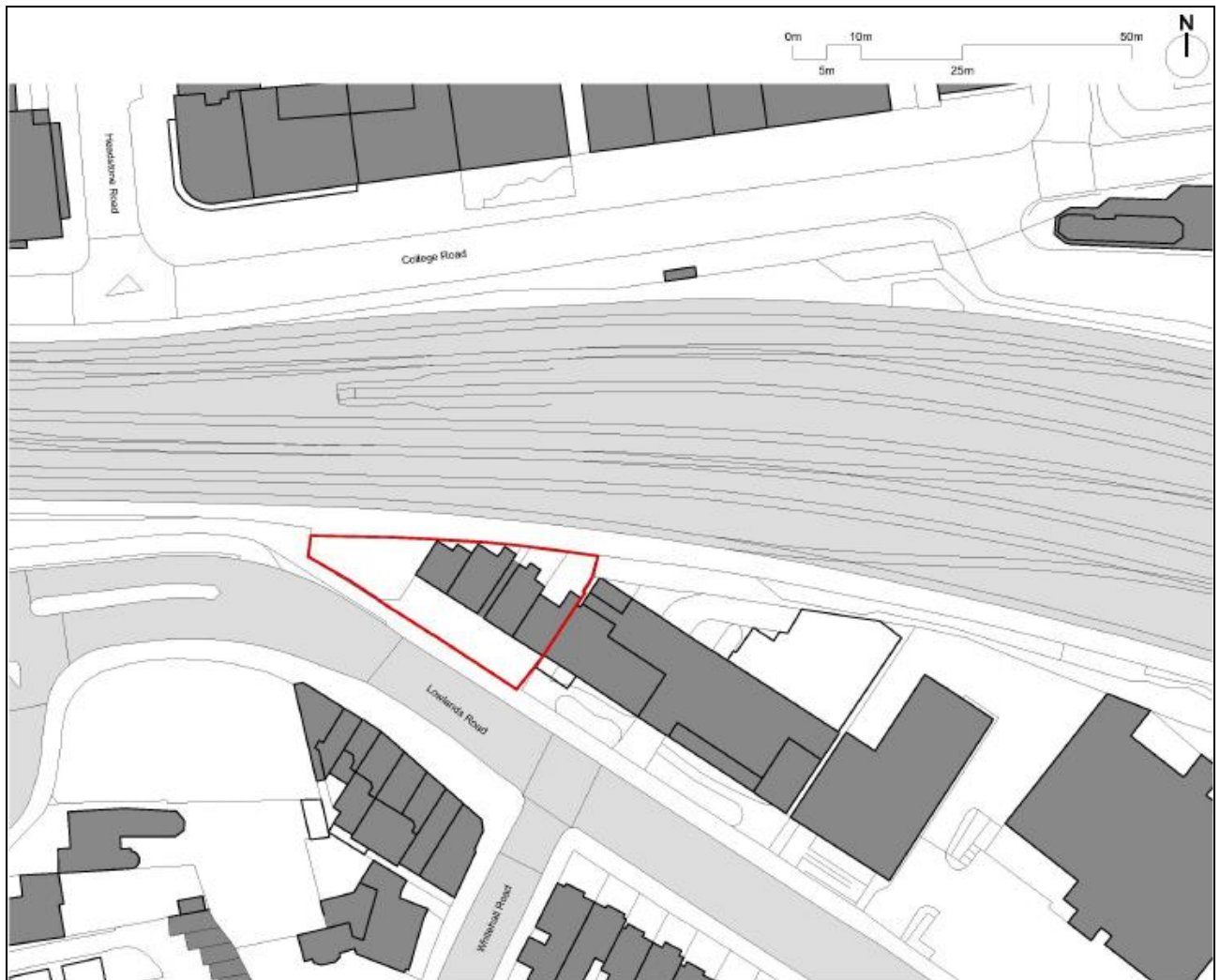
15. Network Management

The developer is urged to make early contact with Network Management in order to agree any temporary traffic management measures required; these should then be included in the detailed CLP for submission.

|                                |  |
|--------------------------------|--|
| Interim Chief Planning Officer | Orla Murphy pp Beverley Kuchar 11.9.20 |
| Corporate Director             | Paul Walker 11.9.20                    |



**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOS**





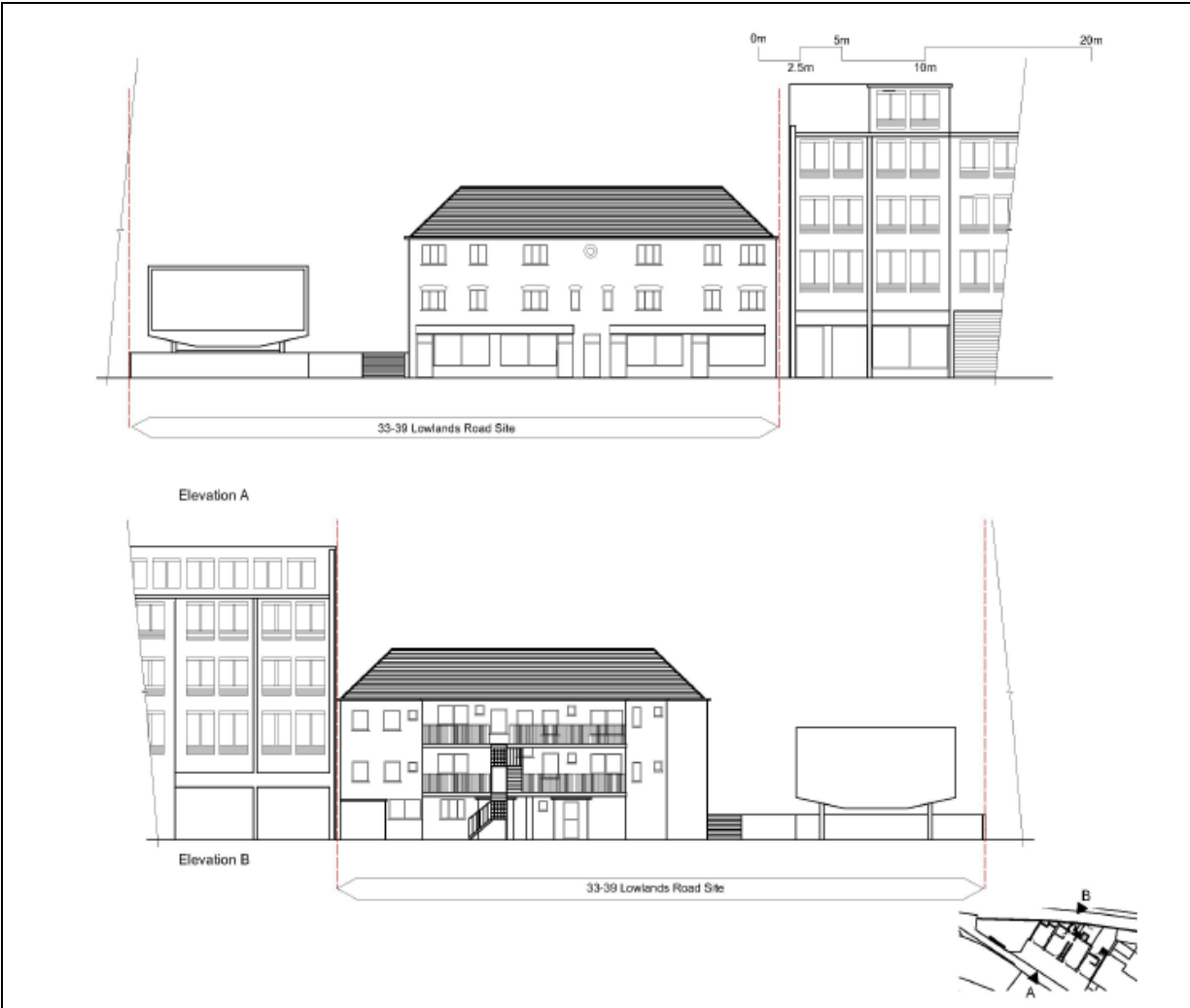


## **APPENDIX 4: PLANS AND ELEVATIONS**

### Existing Site Plan



Existing Front and Rear Elevations



Proposed 3D Visual (Front)





### Proposed Seventh Floor



### Proposed Eighth Floor

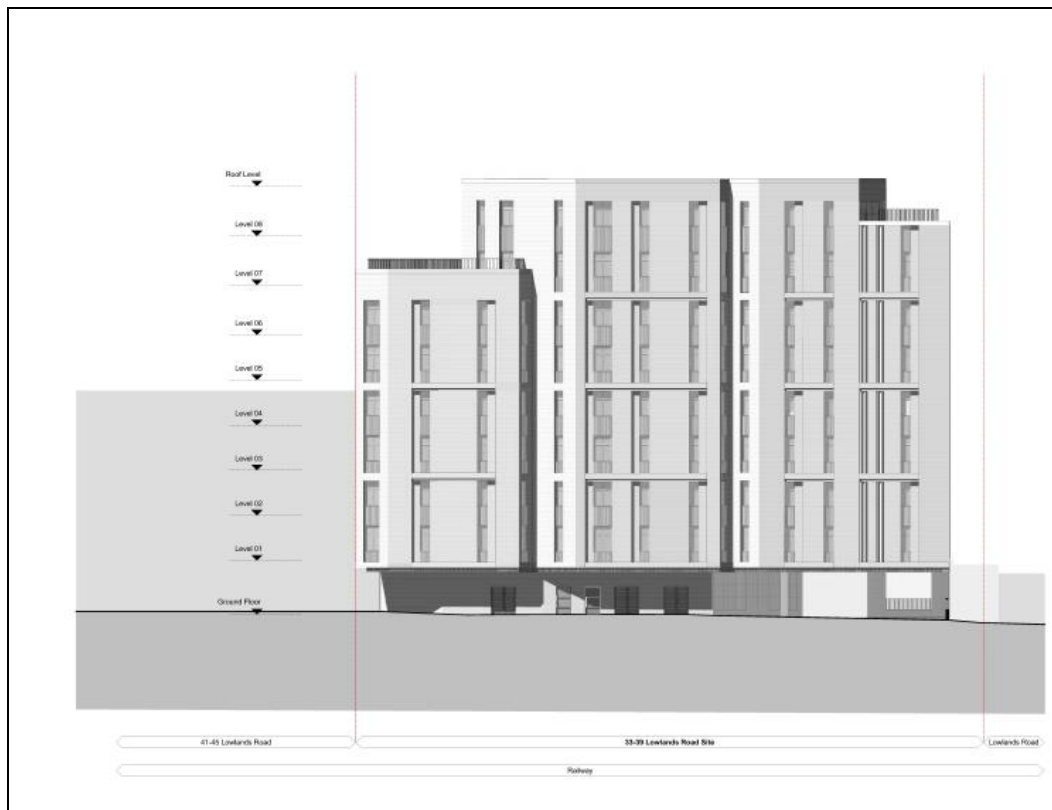




## Proposed South (Front) Elevation



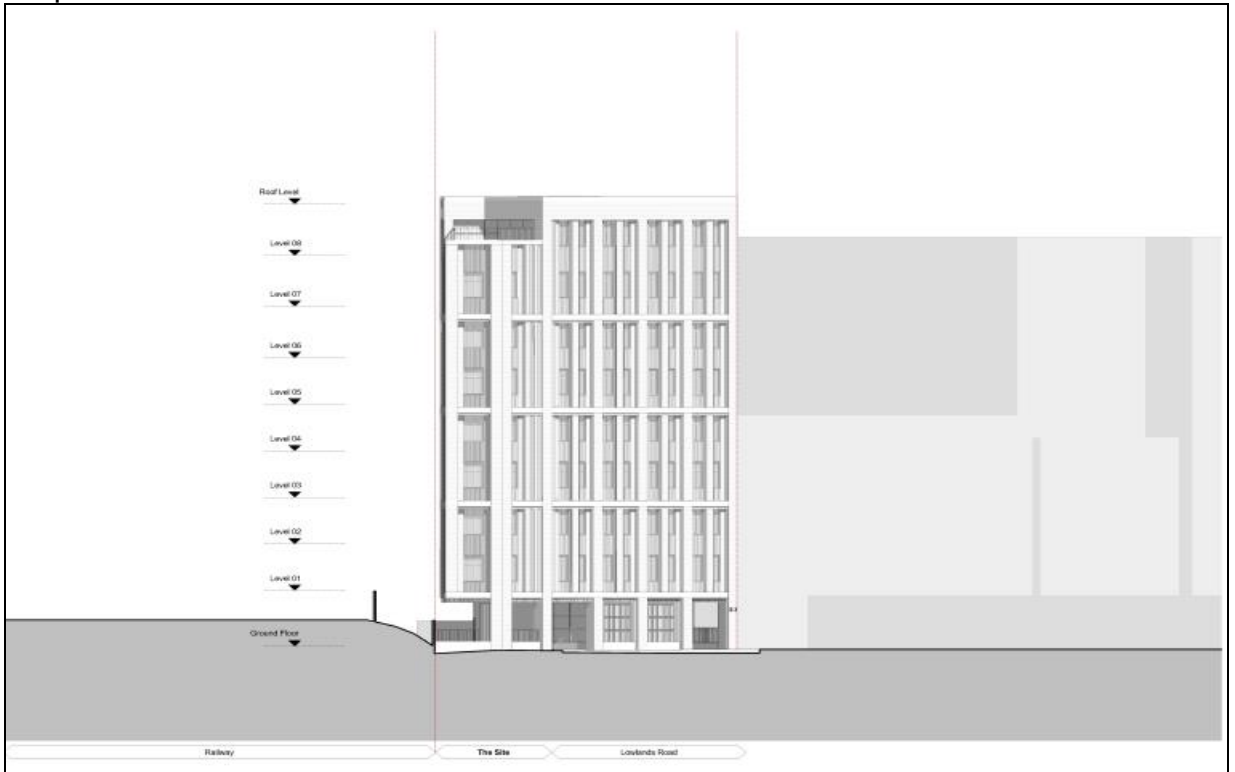
## Proposed North (Rear) Elevation



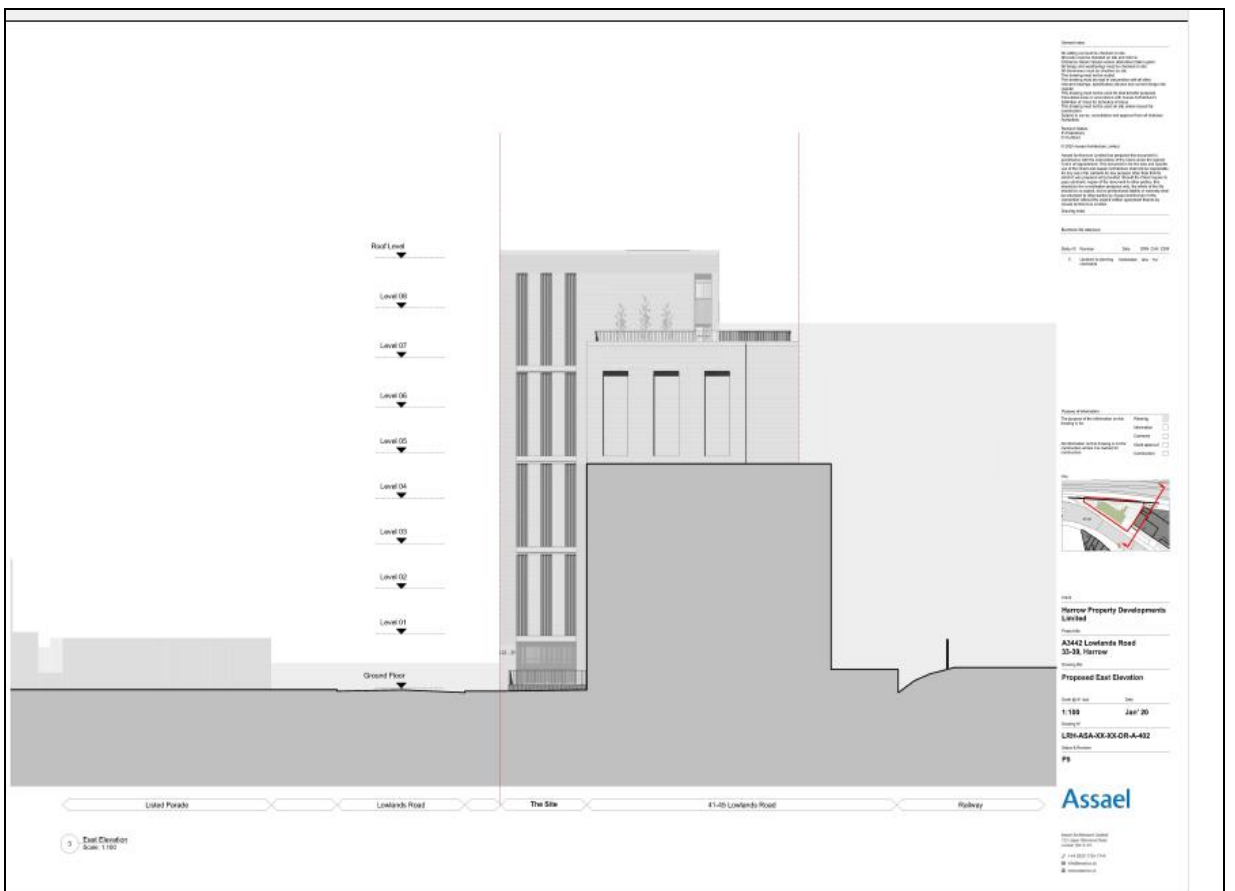
Proposed Section



## Proposed West Elevation

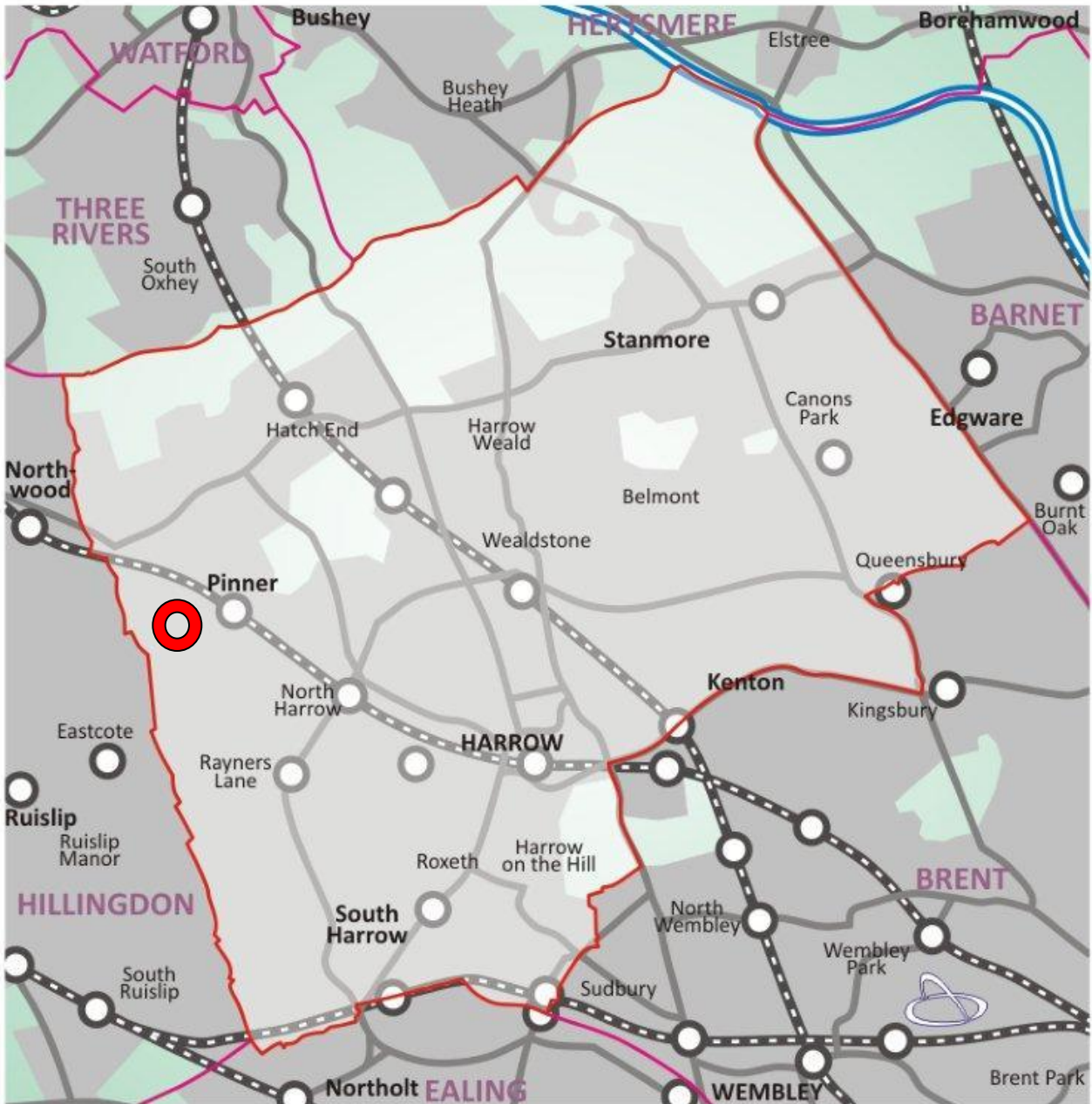


## Proposed East Elevation



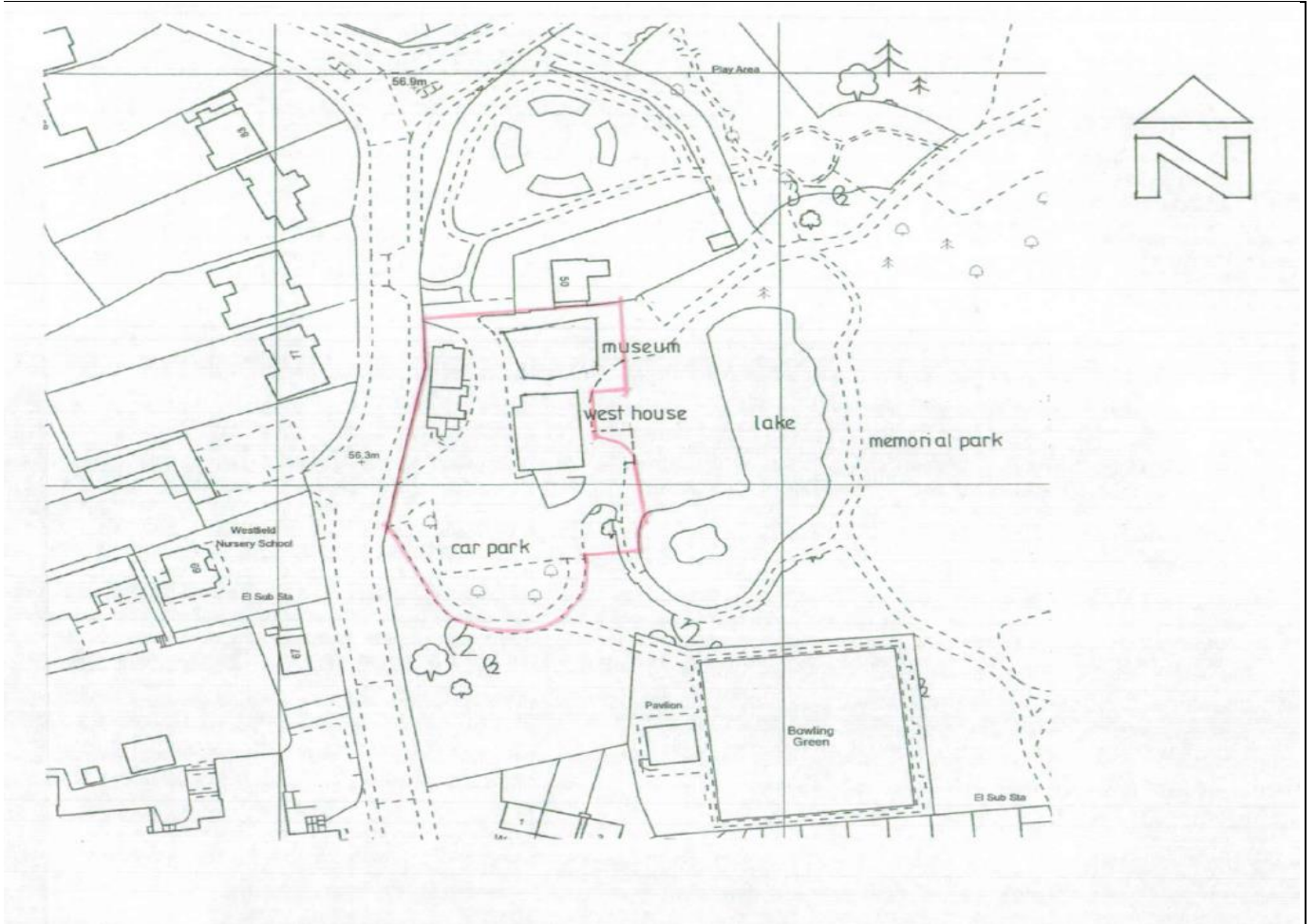
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 = application site



|  |                  |
|--|------------------|
| <b>West House Gallery Cafe, West End Lane, Pinner, HA5 1AE</b> | <b>P/1292/20</b> |
|--|------------------|

## WEST HOUSE GALLERY CAFE, WEST END LANE



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**23<sup>rd</sup> September 2020**

**APPLICATION NUMBER:** P/1292/20  
**VALID DATE:** 11<sup>TH</sup> MAY 2020  
**LOCATION:** WEST HOUSE GALLERY CAFÉ, WEST END LANE  
**WARD:** PINNER SOUTH  
**POSTCODE:** HA5 1AE  
**APPLICANT:** MR DAVID WRIGHT  
**AGENT:** ORCHARD ASSOCIATES  
**CASE OFFICER:** AADIL ESSA  
**EXPIRY DATE:** 6<sup>th</sup> JULY 2020  
(EXTENDED EXPIRY DATE 28<sup>th</sup> SEPTEMBER 2020)

**PROPOSAL**

Enlargement of terrace area to cafe and installation of perimeter timber post and railings.

**RECOMMENDATION**

The Planning Committee is asked to:

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

**REASON FOR THE RECOMMENDATION**

The proposed terrace extension would involve development on designated Open Space and as such would represent a departure from the development Plan. It is considered that the moderate environmental impact on the open space and the modest scale of the development would be offset by the high quality of design of the development proposed. The proposal to extend the terrace would have a positive impact on social and economic impacts in enhancing the quality and value of open space, enhancing cultural quality and access to culture in the area and potentially attracting tourism and investment to the locality.

## **INFORMATION**

This application is being reported to Planning Committee as Harrow Council are the landowner of the application site and the development would be located within a site which is greater than 0.1 hectares. The application also represents a departure from the development plan as the proposed development is on designated Open Space. The application is therefore referred to the Planning Committee as it is excluded by Category 1(h) of Part 1 and Proviso D of the Scheme of Delegation dated 12<sup>th</sup> December 2018 respectively. Furthermore, as in the opinion of the Interim Chief Planning Officer, the proposals are likely to be of significant public interest. The proposal therefore does not fall within any of the provisions set out at Paragraphs 1 (a) to 1 (g) of the Scheme of delegation dated 12<sup>th</sup> December 2018.

|                             |  |
|-----------------------------|--|
| Statutory Return Type:      | E18 Minor Development                          |
| Council Interest:           | Harrow Council are the Leaseholder of the land |
| Net additional Floorspace:  | 44.35sqm                                       |
| GLA Community               |  |
| Infrastructure Levy (CIL)   | N/A  |
| Contribution (provisional): |  |
| Local CIL requirement:      | N/A  |

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

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



## **1.0 SITE DESCRIPTION**

- 1.1 The subject site comprises the grounds of West House, a locally listed building, used currently as offices, a medical centre, café, and the surrounding car parking area and ancillary buildings.
- 1.2 The wider expanse of the Pinner Memorial Park, a locally listed garden, comprises of a bowling green and mature tree cover to the south, an ornamental lake and large expanses of open space to the east and north and a dwellinghouse, West House Lodge, immediately to the north of the site.
- 1.3 West End Lane is primarily characterised by residential development with generously sized detached buildings. West Lodge School is located further to the south.

## **2.0 PROPOSAL**

- 2.1 It is proposed to construct an extension to the existing terraced area adjacent to Daisy's Café within the ground floor of West House.
- 2.2 The proposed terraced area would measure 6.1m by 7.2m and would be bound by a low post and rail timber fence on the west, south and east side of the terrace.
- 2.3 The proposed post and rail timber fence would measure 1.35m and would rise to a maximum height of 1.7m owing to the change in natural ground level.
- 2.4 The external finish on the outbuilding would be rendered to match the main building.
- 2.5 The proposed terrace and wall would be located close to the trees of amenity value.

## **3.0 RELEVANT PLANNING HISTORY**

| <b>Ref no.</b> | <b>Description</b>   | <b>Status &amp; date of Decision</b> |
|----------------|--|--------------------------------------|
| P/2412/06      | Partial Demolition And Part Single And Part Two Storey Extension On South Side To Provide Café Exhibition And Function Rooms New Pitched Roof Incorporating Dormers Over The Building To Provide Office Accommodation At Loft Level And External Alterations | Granted:<br>03/11/2006               |
| P/1016/11      | Partial Demolition And Part Single And Part Two Storey Extension On South Side To Provide Cafe Exhibition And Function Rooms New Pitched Roof Incorporating Dormers Over The Building To Provide Office Accommodation At Loft Level And External Alterations | Granted:<br>21/06/2011               |

|   |   |                        |
|---|---|------------------------|
| P/2618/13   | New Two Storey Museum Building With Covered Link to Existing West House Building  | Granted:<br>18/10/2013 |
| P/1792/16   | Extension of Paved Terrace with Low Timber Post and Rail Fence  | Granted:<br>12/09/2016 |
| P/5747/17   | Single storey rear extension; canopy over terrace; extension to terrace and extended brick wall; re-location of bin storage; re-configuration and addition of two of parking bays | Granted:<br>01/06/2018 |
| P/5052/18   | Variation of condition 4 (hours of terrace use) attached to planning permission P/5747/17 dated 30/05/2018 to change the opening hours of the terraces                            | Refused:<br>07/01/2019 |
| <p>Reason for refusal:<br/> <i>The outdoor terrace subject to this application is presently restricted in its hours of use in order to prevent noise generation having a detrimental impact upon the residential amenity of neighbouring residents. It is considered that the increased hours of operation particularly at more unsociable hours would result in a significant increase in noise levels and disturbance from customers, which would be exasperated due to the close proximity to the neighbouring properties. The proposed variation in the opening hours would therefore result in a detrimental impact upon the amenities of neighbouring residents, contrary to policy 7.6B of the London Plan (2016) and policy DM1 of the Development Management Policies Local Plan (2013).</i></p> |   |                        |

#### 4.0 **CONSULTATION**

4.1 A Site Notice was erected on 1<sup>st</sup> September 2020, expiring on 22<sup>nd</sup> September 2020.

4.2 The application was advertised as a 'Departure from the Development Plan'

4.3 A total of 15 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 15<sup>th</sup> June 2020 and 8 objections were received and are summarised below.

- Commercial gain and not public benefit
- The development would spoil the ambience of the top end of the park.
- Would dominate the lake and interrupt the view from West End Lane.

*Officer response: The comments received are noted and the principles of the proposed terrace are discussed in the report below.*

- The terrace was constructed around the swamp tree, without planning approval and had an effect in restricting access.
- While retrospective planning permission was granted, the issue of the breach of the covenant and the violation of public open access was not addressed in reaching that decision.
- The car park was extended by removing the public open space without seeking planning consent.

*Officer response: Retrospective planning permission was approved for the terrace area around the swamp tree under planning reference P/1792/16. In relation to the covenants, Planning law does not allow the enforcement of covenants. Therefore a covenant is not a material planning consideration.*

*Planning permission for the addition of two parking spaces was approved under planning reference P/5747/17.*

- The application encroaches onto public open space.
- The development would impede views and detract from the park's ambience.

*Officers response: The impact of the existing terrace and proposed extension in terms of character, accessibility and impact on the open space are explored further within the report.*

#### 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><b>LBH Highways</b><br/>No objections to the proposal.</p>   |
| <p><b>LBH Conservation Officer</b><br/>The proposal would preserve the special interest and setting of both heritage assets. This is due to the large expanse of park that would remain and as this proposal would help ensure the ongoing viability of the locally listed West House gallery and café.</p> |
| <p><b>LBH Waste Management Policy Officer</b><br/>No comments received</p>  |
| <p><b>LBH Tree Officer</b><br/>No objections to the proposal.</p>   |
| <p><b>The Gardens Trust</b></p>   |

No comments received

**The Pinner Association**

The construction of a low post and rail timber fence around the north and east sides of the proposed extended terrace would have an enclosed appearance and would be a potential real or perceived obstruction to pedestrian use of the access path to Pinner Memorial Park from West End Lane and West Lodge School.

*Officers response: Addressed in section 6.6 of the report. Given the modest height of the post and rail timber fence, residential amenity would be maintained.*

**5.0 POLICIES**

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

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

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

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

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

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

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

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of Development
- Regeneration
- Character and Appearance of the Area and Impact of Development on 'Open Space' Locally Listed Buildings and Gardens
- Trees and Development
- Residential Amenity and Accessibility
- Development and Flood Risk
- Highways

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM18, DM46.

6.2.2 Pinner Memorial Park is designated as open space within the local plan. The open space has some built development on it at the western end including West House Lodge, a residential dwellinghouse and West House, a locally listed building. West House is currently used as café, office, medical centre and museum.

6.2.3 DM18 of the DMP expands on the policies of the LP recognising a deficiency in the availability of local open spaces and the fact that quantitative improvements are unlikely to come forward. Given the price of land in the area and other pressures on land, a strategy of quantitative retention and qualitative improvement to open spaces is the most appropriate approach for the area. Policy DM18 of the DMP also expands on the policies of the LP, recognising that the survival of local open space relies on the use and value attributed to them by the community and that qualitative improvements of Open Space can be realised through the provision of ancillary facilities. Policy DM46 of the DMP supports community facilities which are located in the areas which they are intended to serve, they are safe and accessible and would not result in adverse impacts on residential amenity.

6.2.4 The proposed terrace would be located on part of the lawn which serves West House. As the proposed extension to the terrace would be for a use which is clearly linked to an existing function of the Open Space, i.e. The café which serves the users of Pinner Memorial Park, it is considered that the proposal would constitute ancillary development of the Open Space that would potentially have positive impacts on the use and value attributed to this area of Open Space. The development should therefore be assessed against the criteria of policy DM18.C of the DMP which state that development will be supported where:

- a. it is necessary to or would facilitate the proper functioning of the open space;
- b. it is ancillary to the use(s) of the open space;
- c. it would be appropriate in scale;
- d. it would not detract from the open character of the site or surroundings;

- e. it would not be detrimental to any other function that the open space

The applicant has indicated that the proposed extension of the terraced area is required for the continued vitality of the café which serves Pinner Memorial Park. It has been pointed by means of an objection that the proposed terrace would restrict access and detract from other uses of the open space.

- 6.2.5 However, it is considered that the provision of a high quality, purpose built space attracts a greater number of persons to the park to enjoy the open qualities of the space and thereby facilitate the proper functioning of the space. Given the existing nature of the space in terms of its poor nature of muddy soil and worn grass it is considered that the proposed terrace would facilitate a better function of the open space. Furthermore, due to the nature of the existing space it is considered that this area is not contributing positively to the use of the open space. Overall, it is considered that the provision of a high quality, purpose-built space would attract a greater number of persons to the park to enjoy the open qualities of the space and thereby facilitate the proper functioning of the space. The proposal would have positive impacts on the vitality of the café which serves Pinner Memorial Park and the wider community. As such, it is considered that the proposal would accord with criteria a, b and e of policy DM18.C of the DMP.
- 6.2.6 Criteria c, d and f of policy DM18.C of the DMP will be considered in more detail in section 2 of the report below, where it considered that the proposal would be proportionate in scale and that, on balance, the high quality design of the development would outweigh the moderately adverse impacts on the open character of the site and its surroundings.
- 6.2.7 For these reasons, and noting the objections received it is considered that the principle of the existing and proposed use can be supported in this instance and development would accord with policy DM18 of the DMP.

### **6.3 Character and Appearance of the Area and Impact on Open Space, Locally Listed Buildings and Gardens**

- 6.3.1 The relevant policies are:
- Harrow Core Strategy 2012:CS1
  - Harrow Development Management Polices Local Plan (2013): DM1, DM7, DM18
  - The London Plan Policy 7.4B, 7.6B, 7.8C, 7.8D, 7.8E
  - The Draft London Plan Policy D1, HC1
- 6.3.2 Policy DM1 of the DMP requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This policy broadly reflect policies 7.4.B and 7.6.B of The London Plan 2016 and gives effect to policy CS1.B of the Harrow Core Strategy 2012, policies which seek to ensure that development respects local character and provide architecture of proportion, composition and scale that enhances the public realm. Criteria c, d, and f of policy DM18.C are also relevant to this application given the nature of the proposal within designated Open Space.

- 6.3.3 Policy CS1.D of the Harrow Core Strategy 2012 and policy DM7 of the DMP are also relevant given the location of the site within a locally listed historic garden and adjacent to the locally listed West House. These policies seek to ensure that the historic environment would not be compromised by development. The NPPF and policy 7.8.C/D/E of The London Plan 2016 set out similar aims.
- 6.3.4 The application site is partly defined by its open and spacious setting within the designated Open Space of Pinner Memorial Park but also within the more suburban environment of the locally listed West House and West End Lane and the dwellinghouse immediately to the north, West End Lodge.
- 6.3.5 It is considered that the scale and layout of the proposed extension to the terrace would successfully relate to the surrounding environment, whilst also ensuring that important views of the locally listed West House and the dwellinghouse are not adversely affected. Furthermore, due the low and open nature of the proposed timber post and rail fence, it is considered that views towards the locally listed building would not be unduly impacted.
- 6.3.6 The Council's Conservation Officer has commented on the application and considers that the development preserves the special interest and character of both heritage assets. It also helps ensure the ongoing vitality of both the museum and café.
- 6.3.7 Nonetheless, development on an area of land not previously built upon would have some impact on the open qualities of the space. The proposed terrace extension would contribute to the setting of the open space, albeit only moderately given the quality of the existing space which is predominately bare earth and the scale of the development proposed. It is considered that the loss of this space would have a moderately adverse impact on the open qualities of the Open Space. However, this loss would be outweighed by the public benefits of the proposed extended terrace.
- 6.3.8 It is proposed to use a similar permeable material to the existing terraced area and it is considered that this treatment would be suitable for the intended use. Notwithstanding this a condition is attached to this permission requiring the submission of materials for the terrace and the low post and rail fence to ensure the character of the area is maintained. Furthermore a condition has been attached to this permission requiring the paving materials to be of a permeable nature.
- 6.3.9 For these reasons, it is considered that the proposed development would accord with policies 7.4.B, 7.6.B and 7.8.C/D/E of the LP and policies DM1, DM7 and DM18 of the DMP, in providing high quality architecture that would enhance the visual and cultural qualities of the locality whilst respecting the scale and siting of the surrounding context.

## **6.4 Trees and Development**

6.4.1 The relevant policies are:

- Harrow Development Management Policies Local Plan (2013):DM20, DM22
- The London Plan Policy: 7.19, 7.21
- The Draft London Plan Policies: G6

6.4.2 The proposed extended terrace area would be sited close to two trees of significance adjacent to the eastern and northern edge of the proposed terraced area, a swamp cypress tree and a silver fir tree. The proposal would be close to these trees of amenity value and therefore it is vital that the health of the trees are not unduly impacted by the proposed hardstanding.

6.4.3 An arboricultural report and tree protection plan has been submitted as part of the application which sets out procedures for ensuring the protection of the adjacent trees during the construction phase.

6.4.4 The Council's Arboricultural Officer has reviewed the applications and is satisfied with the details covered in the arboricultural report. Furthermore, subject to the remediation measures suggested for the protection of these trees, considers that the proposed development does not have any adverse impact on the existing or future health or setting of those trees of amenity value on the site.

6.4.5 Subject to conditions, the development therefore accords with policy 7.19 and 7.21 of the LP and policies DM20 and DM22 of the DMP.

## **6.5 Residential Amenity and Accessibility**

6.5.1 The relevant policies are:

- Harrow Development Management Policies Local Plan (2013): DM1
- The London Plan Policy: 7.6B,
- The Draft London Plan Policy: D1

6.5.2 Policy 7.6.B of The London Plan (2016) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Policy DM1 of the DMP similarly seeks to ensure that the amenities and privacy of neighbouring occupiers is not adversely affect by development.

6.5.3 Given the nature of the development, the paved terrace would not impact on any of the adjacent properties in terms of residential amenity. Furthermore, the modest height of the post and rail timber fence surrounding the proposed terrace would ensure that neighbouring residential amenity is maintained.



- 6.5.4 Notwithstanding the above, it has been necessary to attach conditions to this permission restricting the times of use of the terrace and to prevent undue noise impacting on neighbouring residents.
- 6.5.5 Subject to these conditions, the development therefore accords with policy 7.6.B and policy DM1 of the DMP in ensuring that the amenities of the neighbouring occupiers are not adversely affected.
- 6.5.6 A number of objections have been raised in relation to access in front of West House. However, the proposed terrace would not infringe upon the existing pathway, as this would not alter as part of the proposal. Therefore it is considered that the existing terrace nor the proposal to extend the terrace would not unduly impact upon accessibility within the surrounding park.

## **6.6 Development and Flood Risk**

6.6.1 The relevant policies are:

- Harrow Development Management Policies Local Plan (2013): DM9
- The London Plan Policy: 5.12B, 5.12C, 5.12D
- The Draft London Plan Policy: SI12, SI13

6.6.2 The site is not located within a flood zone. However, given the potential for the site to result in higher levels of water discharge into the surrounding drains which could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. With regards to surface water run-off and surface water attenuation, it has been necessary to attach a condition to this permission. Subject to such condition the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D and policy DM9 of the DMP.

## **6.7 Highways**

6.7.1 It is considered that proposed development would not have an impact on parking and road safety. Furthermore, the Council's Highways Officer has raised no objections to the proposed development.

6.7.2 As such, the developments would accord with National Planning Policy, The London Plan policy 6.9 and 6.13 and policy DM42 of the DMP.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

7.1 As the proposals would involve development on designated Open Space, the proposal would represent a departure from the development plan. However, it is considered that the moderately adverse environmental impacts of development on Open Space would be offset by the high quality design of the proposed development. The extension of the terrace would have a positive impact on social and economic impacts in enhancing the quality and value of the Open Space, enhancing cultural quality and access to culture in the area and potentially attracting tourism and investment to the locality.

7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, it is considered that a departure from the development is justified in this instance and the 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 92 of the Town and Country Planning Act 1990.

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans:

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

3. Trees

The erection of fencing for the protection of any retained tree and the lopping of any trees shall be undertaken in accordance with the recommendations outlined in the approved Arboricultural Impact Assessment by Arbol Euroconsulting dated 8th June 2016 updated 27/05/2020 and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No works to trees, including their removal or lopping shall occur between the months of March to August (inclusive).

REASON: To safeguard any trees near the site of amenity value and mitigate the impact of development on local ecology and in the interests of site ecology.

4. Surface Water & Drainage

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk.

5. Hours of Use

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

8am – 9pm Monday – Sunday inclusive without the prior permission in writing by the local planning authority.

REASON: To safeguard the residential amenities of nearby residents.

6. Tables and Chairs

All tables, chairs and furniture relating to the use of the terrace shall be removed from the terrace and stored away when not in use (9pm – 8am the following day)

REASON: To ensure the openness of the site is retained when not in use.

7. Audible Noise

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

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

**INFORMATIVES:**

1. Policies

**The following policies are relevant to this decision:**

**National Planning Policy Framework (2019)**

**The London Plan 2016**

- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture

**Intend to Publish Draft London Plan (2019):**

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive Design
- SI12 Flood Risk Assessment
- SI13 Sustainable drainage
- G6 Biodiversity and Access to Nature
- T6 Car Parking

**Harrow Core Strategy 2012**

Core Policy CS 1 – Overarching Policy Objectives

**Harrow Development Management Policies Local Plan (2013)**

- DM 1 – Achieving a High Standard of Development Policy
- DM 9 - Managing Flood Risk Policy
- DM 10 – On Site Water Management and Surface Water Attenuation
- DM 42 – Parking Standards

2. Considerate Contractor Code of Practice

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

3. Party Wall Act:

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote Product code: 02 BR 00862 when ordering Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

4. Liability For Damage to Highway

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

5. Sustainable Drainage Systems

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

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing

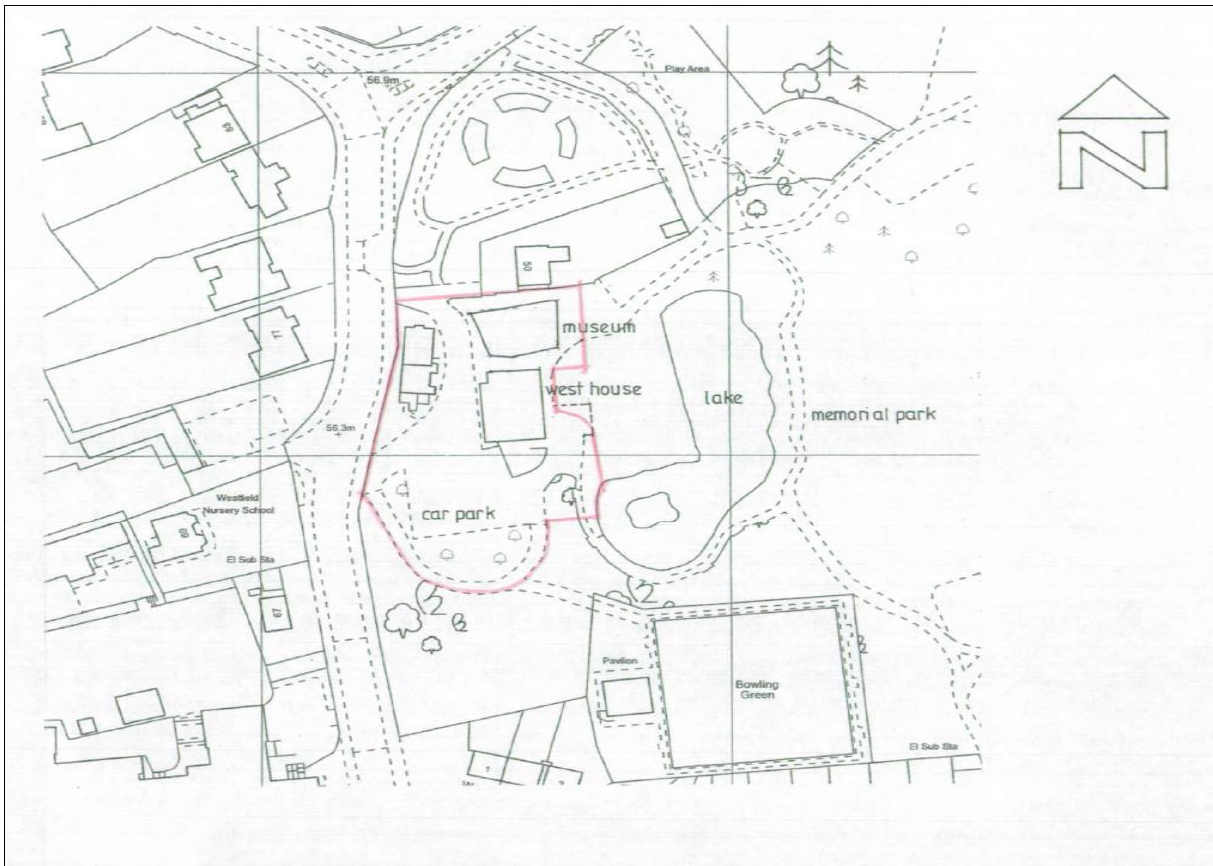
flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

Checked

|                                |  |
|--------------------------------|--|
| Interim Chief Planning Officer | Orla Murphy pp Beverley Kuchar 10.9.20 |
| Corporate Director             | Paul Walker 10.9.20                    |

**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOS**

Photo of existing terrace area





Site photo showing proposed site area

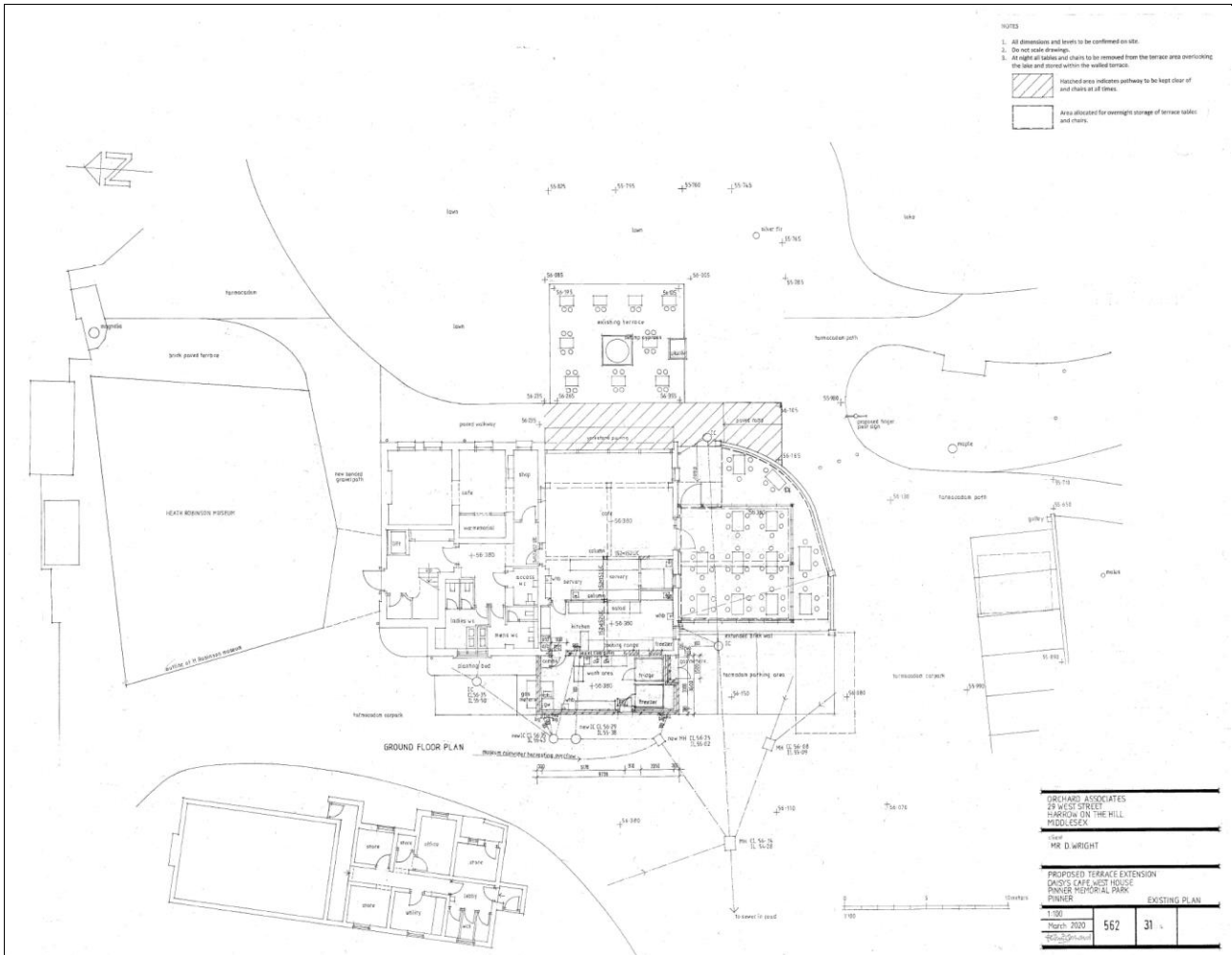


Photo showing existing terrace

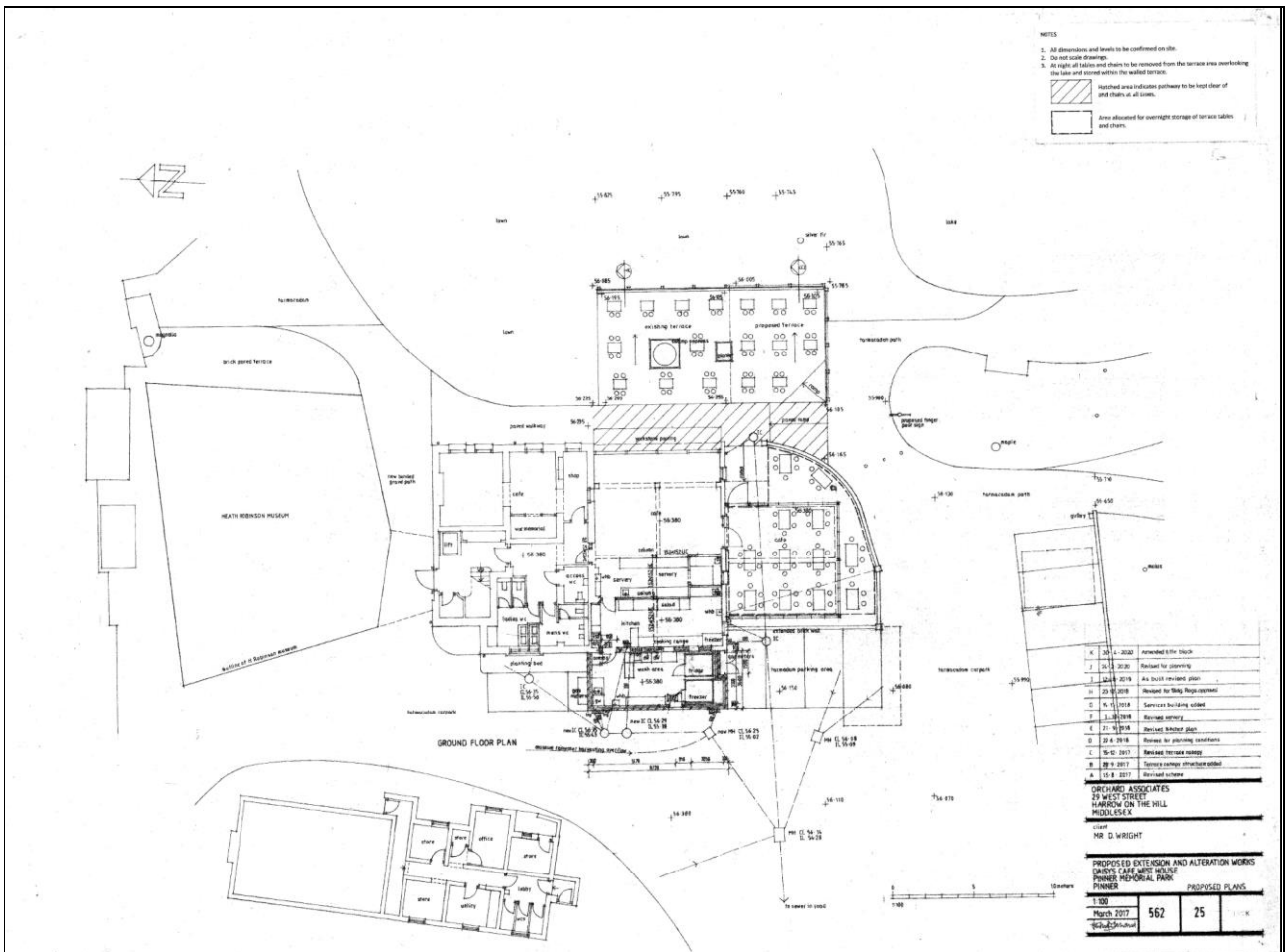


# APPENDIX 4: PLANS AND ELEVATIONS

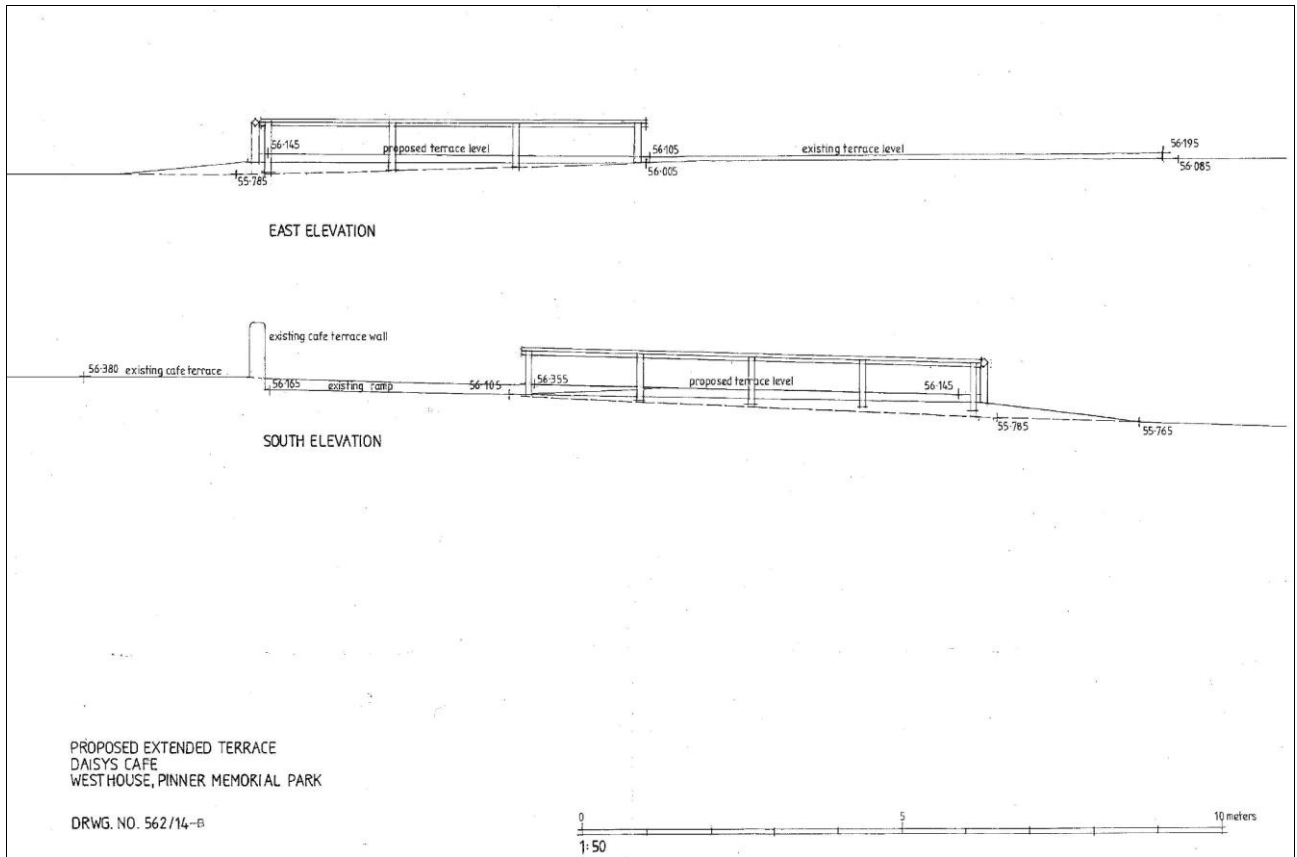
## Existing site block plan



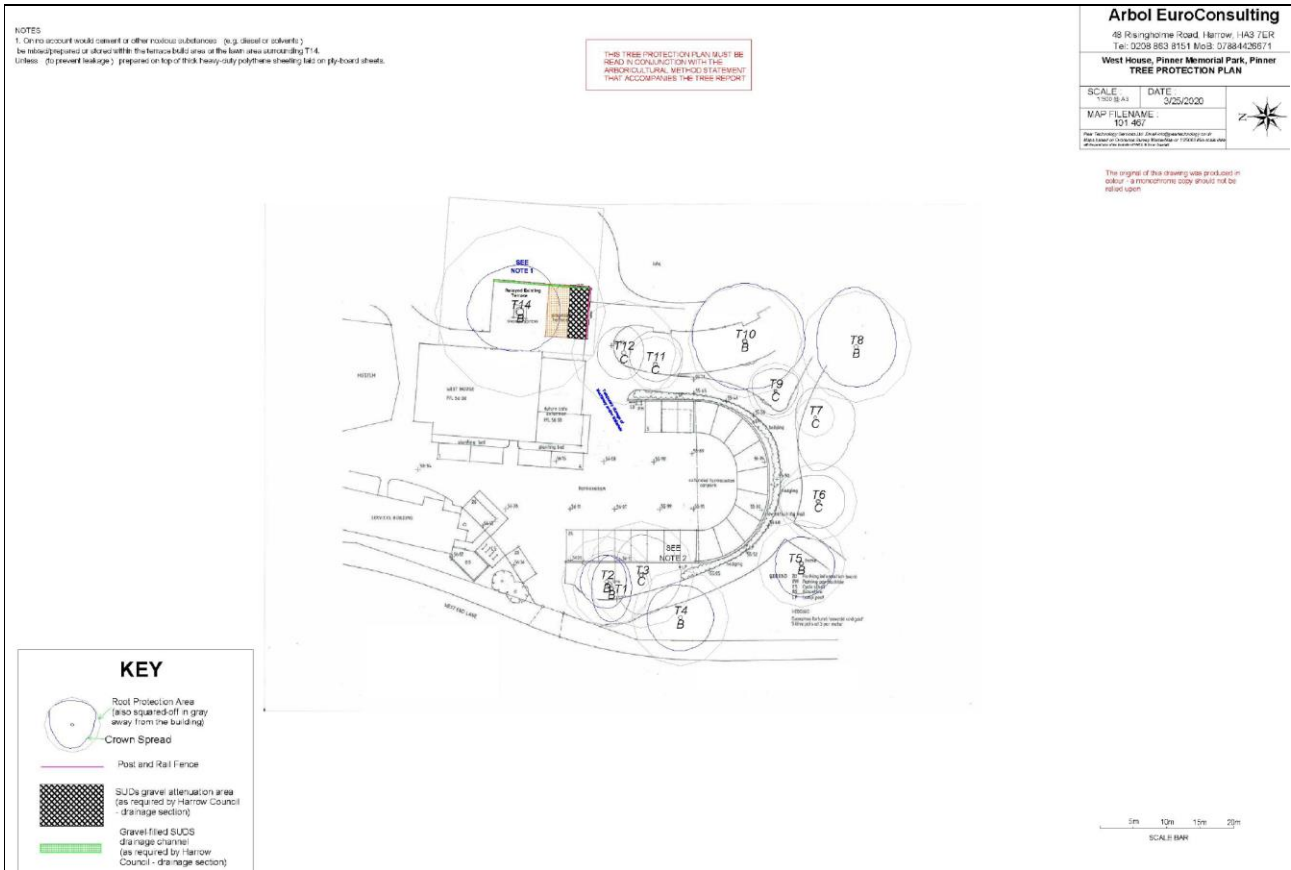
# Proposed site block plan



# Proposed elevation

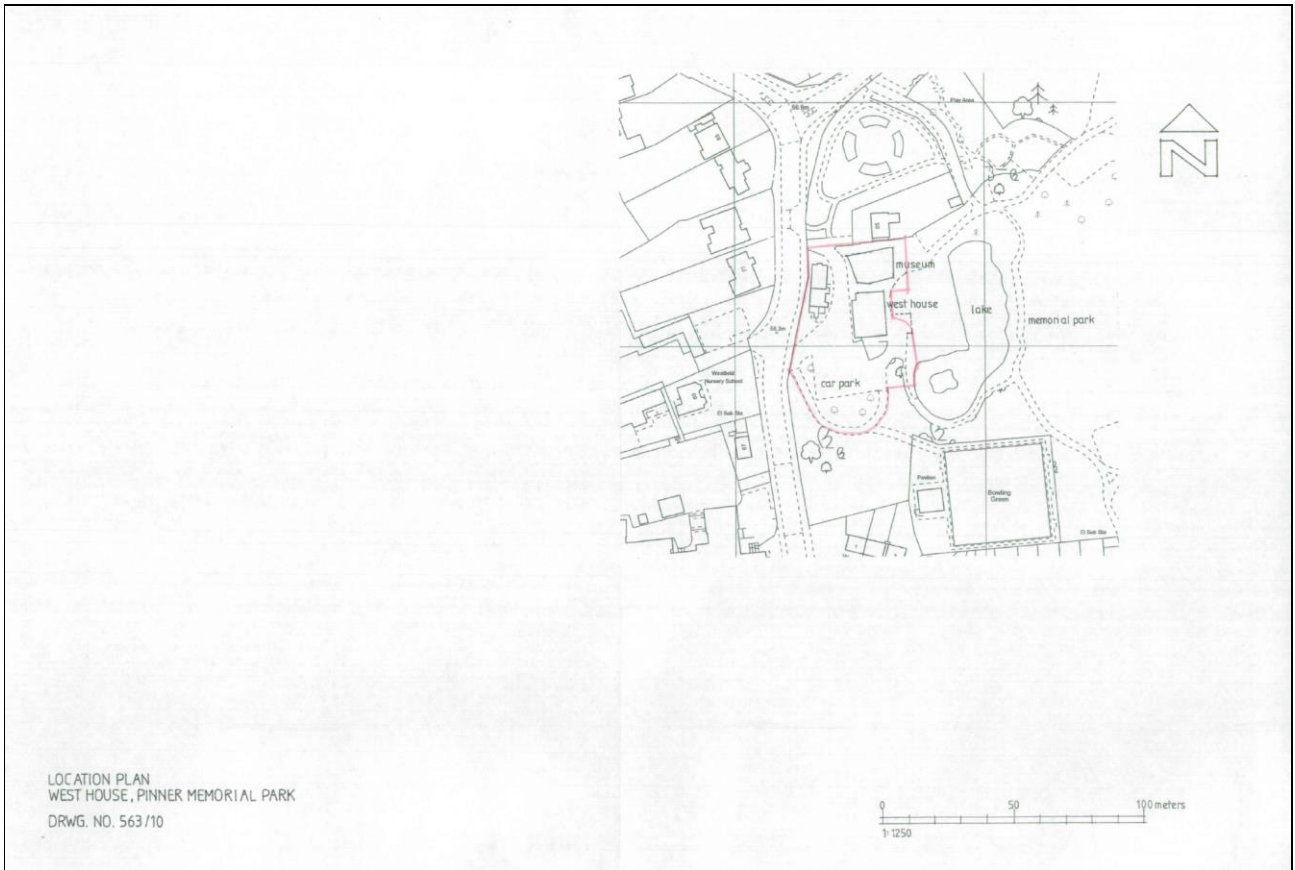


# Tree plan





# Location plan

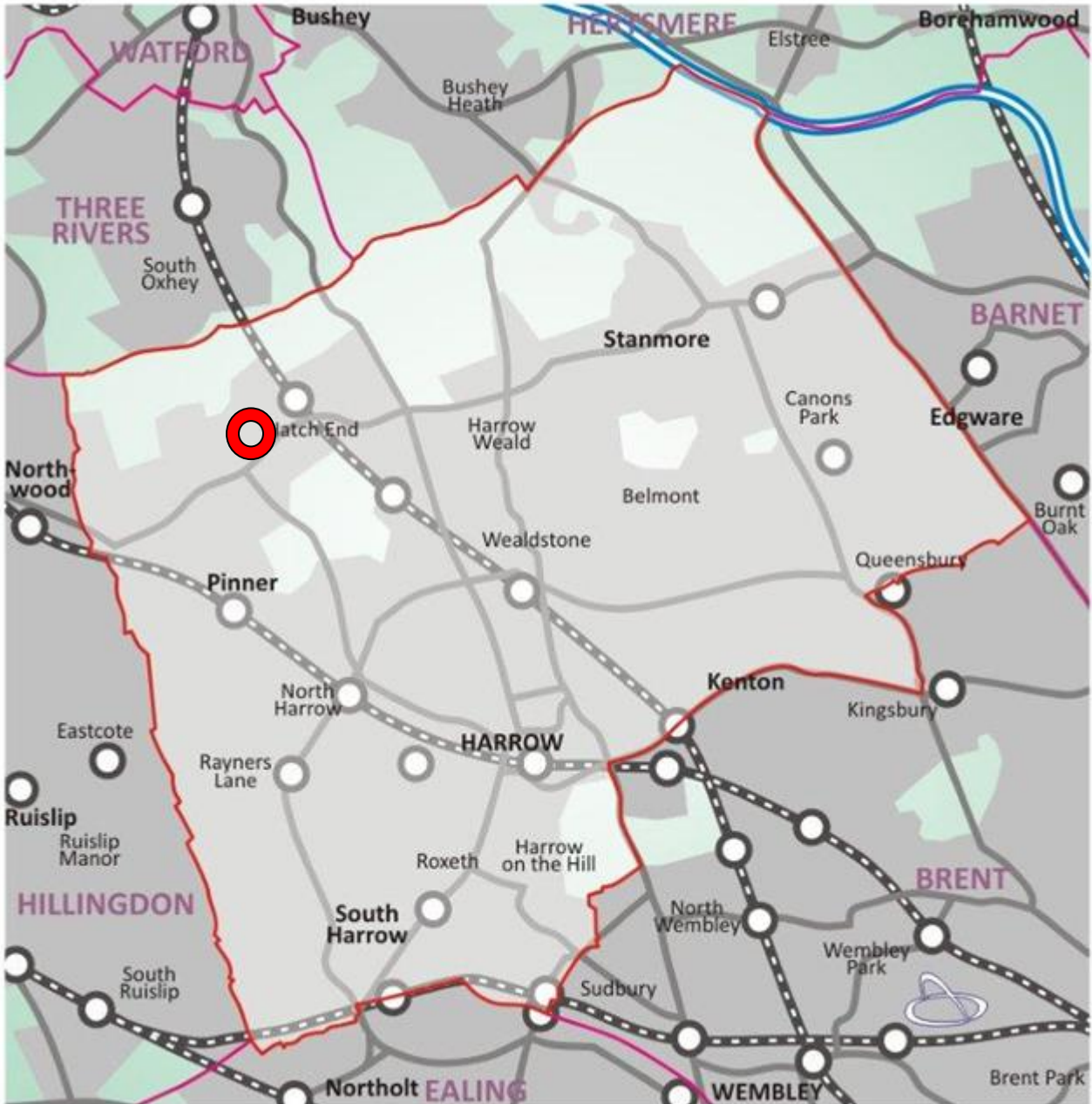


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Agenda Item : 2/02

 = application site



|   |                  |
|---|------------------|
| <b>Garages adjacent 12A Woodridings Close, Pinner</b> | <b>P/1928/20</b> |
|---|------------------|

# GARAGES ADJACENT 12A WOODRIDINGS CLOSE



## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

23<sup>rd</sup> September 2020

APPLICATION NUMBER: P/1928/20  
VALIDATE DATE: 30<sup>TH</sup> JUNE 2020  
LOCATION: GARAGES ADJACENT, 12A WOODRIDINGS CLOSE  
WARD: HATCH END  
POSTCODE: HA5 4RF  
APPLICANT: MRS GRETA MARSHALL  
AGENT: MR DAVID EWINS  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 20<sup>TH</sup> AUGUST 2020  
(EXTENDED 25<sup>TH</sup> SEPTEMBER 2020)

### **PROPOSAL**

Re-development to provide a two storey building for two flats (2x1 bedroom); private amenity space for each flat; parking; landscaping; boundary treatment; bin/cycle 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 land is not considered to be garden land. The proposal would not result in an inappropriate form of development that undermines the spatial strategy of the borough. Officers therefore support the principle of development.

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

### **INFORMATION**

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

|   |                               |
|---|-------------------------------|
| Statutory Return Type:  | Minor/Other                   |
| Council Interest:   | None                          |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £7,620                        |
| Local CIL requirement:  | 20,331 (including indexation) |

### **HUMAN RIGHTS ACT**

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

### **EQUALITIES**

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

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

### **S17 Crime & Disorder Act**

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

## **1.0 SITE DESCRIPTION**

- 1.1 The application site is a vacant land between existing flats and 5 lock up garages situated to the west of Woodridings Close. There are various sheds and a brick built garage on the land.
- 1.2 Woodridings Close, a cul-de-sac, is characterised by maisonettes to the west and semi-detached houses to the east.
- 1.3 The application site adjoins a two-storey maisonette, Nos. 11 and 12.
- 1.4 Site visit shows that the application land serves as amenity space for No. 12 but not attached to it.
- 1.5 The application site separates the row of five lock-up garages from residential buildings.
- 1.6 The subject site is not statutorily or locally listed, nor is it within a floodzone. It is however located on the periphery of the Pinnerwood Park Estate Conservation Area.
- 1.7 The site is adjacent to a section of the Grim's Ditch that is designated as a Scheduled Ancient Monument

## **2.0 PROPOSAL**

- 2.1 Planning application is sought for the erection of a two-storey residential building to provide two one bedroom two person flats involving demolition of existing single garage.
- 2.2 The proposed building would be relatively square-shaped measuring approximately 8.7m in depth and 8.1m in width. It would have a hipped roof with ridge height of approximately 8.64m.
- 2.3 To the front, the building would host entrance canopy and full height gabled bay.
- 2.4 The new building would be set along the shared boundary with Nos. 11 and 12, an average 4m from the rear boundary of houses on Hallam Gardens with its nearest point to that boundary set at approximately 2.6m; set between 1.6m and 4m from its northern boundary and approximately 5.8m from the edge of the public walk and highway.
- 2.5 The front garden would be hard surfaced. Refuse area, cycle storage and a parking space are proposed to the front.

### 3.0 RELEVANT PLANNING HISTORY

3.1 The relevant planning history is outlined in the table below:-

| Ref no.  | Description  | Status & date of decision |
|--|--|---------------------------|
| P/3163/19  | Re-Development To Provide A Two Storey Building With Habitable Roofspace For Two Flats (2X1 Bedroom); Private Amenity Space For Ground Floor Flat; Parking; Landscaping; Boundary Treatment; Bin/Cycle Storage                                       | Refused<br>09/09/2019     |
| <p>Reason for refusal:</p> <p>Sufficient information has not been submitted to enable a comprehensive assessment relating to the impact of the proposed development on neighbouring protected trees within the Pinnerwood Park Estate Conservation Area contrary to Policy 7.12 in the London Plan (2016) and Policy DM22 in the Harrow Development Management Policies Local Plan (2013)</p>  |  |                           |
| P/0947/18  | Re-development to provide a two storey building with habitable roofspace for two flats (1x1 bedroom and 1x2 bedroom); new vehicle access; private amenity space for ground floor flat; parking; landscaping; boundary treatment; bin / cycle storage | Refused<br>08/04/2018     |
| <p>Reasons for refusal:</p> <ol style="list-style-type: none"> <li data-bbox="261 1279 1410 1753">1. The proposal by reason of its siting, bulk, mass and limited circulation around the side and rear boundary would represent overdevelopment of the site, detrimental to the character and appearance of the area and would be unduly prominent and bulky in the street-scene and when viewed from the rear gardens of adjoining properties on Hallam Gardens. The proposal is therefore contrary to Policies 3.4, 7.4 and 7.6 of the London Plan (2016), Policy CS 1 of the Harrow Core Strategy (2012), Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010). The proposal would also fail to accord with the core principle set out the National Planning Policy Framework that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</li> <li data-bbox="261 1794 1410 2004">2. The communal garden arrangement of the proposed development would result in direct overlooking of the habitable room of the ground floor flat by future occupiers and visitors of the first resulting in an unacceptable loss of privacy to future occupants of the ground floor unit. As such, the proposed development will not provide a suitable, sustainable and quality living accommodation for its future occupants. The proposed development is</li> </ol> |  |                           |

therefore contrary to Policy 7.6 of London Plan (2016), Policies DM1 and DM27 C of Harrow Development Management Policies Local Plan (2013) and would fail to accord with the Council's Supplementary Design Guidance. This Policy, as supported by the Supplementary Design Guidance, requires the standard of design in all new development to be of a high quality. The proposal would also fail to accord with the core principle set out the National Planning Policy Framework that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings..

3. Sufficient information has not been submitted to enable a comprehensive assessment relating to the impact of the proposed development on neighbouring protected trees within the Pinnerwood Park Estate Conservation Area contrary to Policy 7.12 in the London Plan (2016) and Policy DM22 in the Harrow Development Management Policies Local Plan (2013)

#### **4.0 CONSULTATION**

- 4.1 A total of 13 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 28<sup>th</sup> July 2020.
- 4.2 15 objections were received from adjoining residents.
- 4.3 A summary of the responses received along with the Officer comments are set out below:

| Neighbour objections  |
|---|
| <p>The proposed development will have a detrimental impact on Woodridings Close as it will be built at the end of a row of 4 very attractive suburban two-storey semi-detached maisonettes. It will be out of keeping with its surrounding</p> <p>Officer Comment:<br/>Please see section 6.3 below.</p> <p>The garage to be demolished forms part of the boundary wall of our garden, which will be completely exposed as a result</p> <p>Officer comment:<br/>Not a material planning consideration.</p> <p>Our property and garden will be overlooked especially from the third floor accommodation, resulting in loss of privacy</p> <p>Officer comment:<br/>The proposal is two stories, overlooking concerns addressed in section 6.4 below</p> |

Due to the proximity of the application site to the conservation area, the proposed building by reason of its bulk and mass, will directly negatively impact the views from several properties in the Pinnerwood Park Estate Conservation Area

The proposal will result in loss of part of a major archaeological feature, Grim's Ditch (ref GL81), a Scheduled Ancient Monument

Officer comment:

Please see section 6.3.2 below

First floor rear windows will directly overlook our garden and home.

The proposal will block natural light to my property due to its closeness to my property and would devalue my property.

Officer comment:

Please see section 6.4 below

There is already a limited parking for the residents on the road and there are not sufficient parking spaces been catered for in the planning application

Officers comment:

Please see section 6.5 below.

The proposal will result in removal of some branches of the protected oak tree in the rear garden of 19 Hallam Garden

Officer comment:

Please see 6.3.11 below

- 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

Conservation Officer: -

This proposal is in the setting of the Pinnerwood Park Conservation Area. As long as materials and details were conditioned to be in keeping this proposal would preserve the setting of the conservation area.

CAAC

The property is close to the rear boundary and the first floor rear windows will overlook the properties in Hallam Gardens, which is in the Pinnerwood Park Conservation Area, thereby intruding on the privacy of the houses and gardens. It would have an overbearing impact. It is a very small plot and this would be cramped in. There is a need to keep the Conservation Area as having trees and space around it but this would not preserve that'.



Historic England: -  
See section 6.3 below

Conservation Officer:

This proposal is in the setting of the Pinnerwood Park Conservation Area. As long as materials and details were conditioned to be in keeping this proposal would preserve the setting of the conservation area.

Tree officer –

No objection subject to condition.

Drainage –

No objection subject to conditions.

## **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- ‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’
- 5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.
- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State, to determine whether he agrees with the revised Plan and 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 of the Area and adjoining Conservation Area and Scheduled Ancient Monument
- Residential Amenity for Future Occupiers
- Residential Amenity (Neighbouring Residents)
- Traffic, Parking and Drainage

## **6.2 Principle of Development**

6.2.1 The relevant policies are:

- The National Planning Policy Framework 2019
- The London Plan 2016: 7.4, 7.6
- Harrow's Core Strategy 2012: CS1B
- Harrow Garden Land Development SPD 2013

6.2.2 The site is within Pinner and Hatch End developed area which is designated in the Local Plan as a sustainable location to which development will be directed. In addition it is positioned just outside the district centre close to the station in a sustainable location. In principle, in land use terms, having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed development would constitute an increase in housing stock within the Borough and the development would therefore be acceptable in principle.

6.2.3 The application site is not designated as 'garden land' according to Council records. There is no record to show that the site once formed part of a curtilage of dwelling, and as such considered to be a brownfield land. Whilst it may be used as an amenity area for the occupiers of no 12, it has been confirmed by the occupants of this address that this is on an adhoc informal basis as they do not own this piece of land.

### **6.3 Character of the Area and Adjoining Conservation Area and Scheduled Ancient Monument**

6.3.1 The relevant policies and guidance documents are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.6
- The Draft London Plan 2019: D1; D4; HC1
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM7 DM16 DM23, DM45
- Pinnerwood Park Conservation Area Appraisal and Management Strategy
- Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets

#### Heritage Asset – Setting of a Conservation Area

6.3.2 The proposed development comprises the construction of a two-storey building to provide two flats, new vehicle access, private amenity space, parking, landscaping, boundary treatments and bin and cycle storage. The building would have a ridge height of approximately 8.5m with eaves level set at 5.35m.

6.3.2 This proposal is in the setting of the Pinnerwood Park Conservation Area. The special character and appearance of this conservation area is outlined by the Pinnerwood Park Conservation Area Appraisal and Management Strategy which states it relates to it being:

6.3.3 A combination of social, historical and architectural interest makes Pinnerwood Park Estate an important area to Harrow. The continuity of building type and materials in an interesting street layout is central to the area's character. As well as this, the good open and enclosed spaces, alongside a streetscape furnished with trees and grass verges, complements the architecture and gives way to a high quality of area, in line with the garden suburb ideal'.

6.3.4 The concerns of the CAAC are noted. The Council's Conservation Officer has raised no objection to the proposal given the modest overall scale.

#### Heritage Asset – Setting of Scheduled Ancient Monument

6.3.5 The National Planning Policy Framework (Section 12) and the London Plan (2016 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted the NPPF says that applicants should be required to record

and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

- 6.3.6 According to Historic England, .....“the proposed development is located immediately adjacent to a portion of a prehistoric land boundary known as the Grim's Ditch, which is designated as a Scheduled Monument. It comprises a linear earthwork which originally ran from west of Cuckoo Hill to Harrow Weald Common, with a possible easterly continuation in the Pear Wood earthwork. Later developments along the route have truncated or destroyed several parts of it. It consists of a large bank with a ditch on the south side and is thought to have been constructed in two phases. The bank was first built from quarried gravel, sand and clay. The ditch was then dug and some of the spoil deposited to the south. It is thought to be Iron Age in origin, although no conclusive dating evidence has been obtained by excavation. Documentary evidence shows that Grim's Ditch was certainly in existence by 1306. The portion closest to the application site runs for 322m NNE from Uxbridge Road to Grimsdyke Road, largely in the rear gardens of houses on Hallam Gardens. The proposed development is also located immediately adjacent to and east of the Pinnerwood Park Estate Conservation Area.”
- 6.3.7 The development will involve excavation of the ground in order to construct foundations for the new building and for the provision of new services. Some landscaping may also be necessary for the associated garden space.
- 6.3.8 Historic England has advised that the Grim's Ditch is protected as a Scheduled Monument under the 1979 Ancient Monuments and Archaeological Areas Act on account of its national importance and archaeological, historical and traditional interest. Any works within the designated area of the monument are subject to the requirement of Scheduled Monument Consent (SMC). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 makes it an overarching statutory duty for Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF notes that the significance of a heritage asset can be harmed or lost through alteration, destruction or development within its setting and that substantial harm to a designated heritage asset of the highest should be wholly exceptional. Additionally, Paragraph 139 notes that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments, should be considered subject to the policies for designated heritage assets. The monument is also included in the Heritage at Risk register.
- 6.3.9 In light of the site's location adjacent to a section of the Grim's Ditch that is designated as a scheduled monument and the relatively small scale of the development an archaeological watching brief during development would be appropriate to mitigate any archaeological impact. This will ensure that any archaeological remains are recorded prior to removal.

- 6.3.10 The Archaeology Advisor states that appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development is likely to cause some harm to archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. The archaeological interest should be conserved by attaching a condition. A condition to this effect would have been recommended to accord with stated national, London and local policies.

#### Landscaping

- 6.3.11 Nearly all properties on the side of street of the application site have soft landscaping in their frontage. The proposed layout plan shows mainly hardstanding in the frontage and grassed area to the rear. Whilst the proposed frontage layout is not typical of the streetscene, it is considered that had planning permission been recommended, a condition requiring submission of landscaping details to improve the visual amenity of the development would have been recommended as there is room for some form of soft landscaping on the frontage.

#### Trees

- 6.3.12 There are matured trees along the application boundary. The trees are located within the Pinnerwood Park Estate Conservation Area which by default are protected. The Council's tree officer has reviewed the submitted arboricultural report and found it to be sufficient to make a full assessment and has raised no objections regarding the level of works that would be required to the preserved Oak Tree. Therefore it is considered that the previous reason for refusal has been addressed, subject to safeguarding conditions.

#### Refuse

- 6.3.13 The submitted block plan shows refuse bin storage area to the front; two refuse bins each per flat. This is not in line with Council policy for flatted development which requires 3 bins per flat in this type of development. Notwithstanding the shortfall, it is considered that an acceptable refuse storage provision can be achieved by condition in the case where approval of the proposal is recommended.

### **6.4 Residential Amenity**

- 6.4.1 The relevant policies and guidance documents are:
- Harrow Core Strategy 2012:CS1
  - Harrow Development Management Policies Local Plan (2013):DM1, DM2; DM27
  - London Plan Policy (2016): 7.4
  - The Draft London Plan Policy (2019): D1, D6

#### Relevant Supplementary Documents

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

- 6.4.2 The proposed building would project forward of the main elevation of the maisonettes at Nos. 11 to 14 by approximately 700mm and be set approximately 2m from the flank of Nos. 11 and 12. The 2m gap serves as a walkway and access to No. 12, the first floor maisonette. This arrangement would result in an 8.6m high wall along the flank of these properties and with only 2m separation. The average gap between buildings on this side of the street is 4m. The proposed building would be built along the boundary with No. 12, which would be out of symmetry with the prevailing street layout. Whilst there are windows in the flank of these existing properties, these are either non-habitable room windows or secondary windows. Whilst the outlook from these windows will be restricted as a result, this is considered not to warrant a refusal of the scheme as light will be able to reach the rooms they serve with adequate outlook from the primary windows.
- 6.4.3 Though the introduction of a residential building on the application site would result in overlooking of the gardens of adjoining houses on Hallam Gardens, this will not be significantly different from the prevailing situation with regards to the orientation of 12 Woodridings Close and adjoining rear properties on Hallam Gardens.
- 6.4.4 Whilst the development will have some impact to these neighbouring properties, given the orientation of the existing and proposed houses and the distances and spacing between them together with their overall design, the proposal is considered to retain a reasonable level of privacy for the adjoining occupiers and considered to meet the design advice in the DMPD 2013, SPD 2010 and the NPPF in this regard.
- 6.4.5 The issue raised with regard to road congestion are considered under Traffic and Parking below.

#### Quality of Residential Accommodation for Future Occupiers

- 6.4.6 The proposal relates to two, one bedroom two person units. The GIA of the ground floor unit would be 57sqm and the first floor unit would be 60sqm which would comply with the minimum space standard of 50sqm. Each unit would have 0.85sqm of storage space which is considered acceptable.
- 6.4.7 The stacking arrangements would place habitable rooms above similar and the same would apply with the non-habitable rooms which would be acceptable.
- 6.4.8 Turning to the internal arrangement of the units and scale of the building in relation to the site area. The new building would have its left side flank set approximately along the boundary with Nos 11 and 12 with its rear wall set some 2.8m at its closest point to the rear boundary fence. Access to the rear amenity area would be via a 1.27m gap to the right boundary. Each flat would have access to a private garden, flat 1 would have a 30sqm garden to the rear

and flat 2 would have a 25sqm garden to the site. The size of the proposed gardens are considered acceptable. However as noted above the garden to flat 1 would be largely overshadowed by the preserved trees at the rear boundary. The submitted Tree report has been reviewed by the Tree Officer who has confirmed that subject to a condition requiring a site specific tree protection plan to be approved by the Local Planning Authority there would be an acceptable impact on the protected tree. Therefore on balance this is acceptable.

6.4.9 Taking account of the above, it is considered that the proposal would provide acceptable and sustainable living conditions for future occupiers. The proposal would therefore comply with Policy 7.6B of The London Plan (2016), the Mayor of London Housing Guide (2016), Policies DM1 and DM27 of the Development Management Policies Local Plan (2013), and adopted Supplementary Planning Document: Residential Design Guide (2010).

## **6.5 Traffic, Parking and Drainage**

6.5.1 The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM9; DM10; DM42
- London Plan 2016: 6.3, 6.9, 6.13
- The Draft London Plan 2019: T4, T5, T6

6.5.2 One parking space is provided on site. It is not considered that the proposal would result in unacceptable prejudice to highway safety and is considered acceptable and in accordance with Policies DM42 and DM43 of the Development Management Policies Local Plan (2013).

6.5.3 This proposal is within a PTAL 2 location meaning that access to public transport is considered to be poor. The level of parking proposed is acceptable in terms of current London Plan standards however there is little on-street parking available in this narrow cul-de-sac. Council records show car ownership in the ward the site is located to be high at 82.7% of households having access to a least one car. The Highways Authority have advised that for this reason, it may be more appropriate to provide one extra parking space on site if there is sufficient land available. Officers are of the view that an additional on-site parking space can provided but would have to be done in such a way not to further accentuate the cramped layout of the development.

6.5.4 2 secure cycle spaces would be required to serve all this units which would be provided on the forecourt. The Highways Authority has not raised any fundamental objection to the proposal but has suggested pre-commencement condition for a construction method statement.

### Waste and Servicing

- 6.5.5 Waste storage would be provided for the ground floor flat on the frontage of the property and at the side for the first floor flat
- 6.5.6 A side from this a condition is attached to this permission which requires the bins to be stored away, except on days of rubbish collection.

#### Drainage

- 6.5.7 The site is identified as a critical drainage area of Harrow and is within a flood zone. As the proposed development would not lead to an increase in impermeable surface area, no issues would arise in this respect. The Council's Drainage officers have not objected to the application, but have suggested conditions to deal with on-site drainage and water attenuation.
- 6.5.8 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

### **7.0 CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposed scheme seeks to provide two residential units. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of Policy 3.8 of the London Plan (2016). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.
- 7.2 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 Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site plan; 1428 01 Rev A; 1428 15 Rev A; 1428 04; 1428 16; 1428 17; 4428/0/18-2866; Design and Access Statement; Arboricultural Impact Assessment - Lockhart and Garratt Ref 20-3091 version 1; Heritage Statement

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

#### 3 Refuse and Waste

Notwithstanding the approved details, revised plans and elevation shall be submitted to and approved in writing by the Local Planning Authority detailing appropriate provision of refuse and recycling storage for each individual flat. The details shall be submitted, approved and implemented before first occupation of the development. 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 maintain the appearance of the development and safeguard the character and appearance of the area. The current requirements are that there is sufficient space for 3 wheelie bins per flat. The submitted information is inadequate in this regard.

#### 4 Accessibility

The proposal as approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), 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.

5 Surface Water Drainage and Attenuation

Notwithstanding the approved plans, prior to development beyond damp course proof level, details for a scheme for works for the disposal of surface water, surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

Reason: To ensure that adequate drainage facilities are provided.

6 Hard & Soft Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a details all boundaries treatments on the land. Details of the boundary treatments, shall be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained thereafter. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

7 Planting

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

8 Construction Method Statement

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

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) measures to control the emission of dust and dirt during construction

- v) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

9 Window Detail

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

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

10 Materials

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

- a: External appearance of the building
- b: Refuse and cycle storage area

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

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

11 Tree Protection

Prior to commencement of work site-specific tree protection plan and method statement based on the indicative details provided (Lockhard Garratt Impact Assessment 8 June 2020) and including

- a) Full specification for construction of any roads, parking areas, hard surfacing and driveways, to be constructed using 'no-dig' specification, including sections where relevant
- b) Tree protection during construction indicated on a TPP and construction activities clearly identified as prohibited (CEZ) in this area
- c) Details of site access, temporary parking, material storage, site hut / offices
- d) Details of facilitation pruning for working space in relation to the

TPO Oak (T8 of TPO No. 357)

- e) Details of arboricultural supervision / inspection at key stages; reporting of inspection / supervision

Shall be submitted to and approved by the local planning authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the preserved trees are protected during construction.

12 Written Scheme of Investigation (Scheduled Ancient Monument)

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included with the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objections, and

A: The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B: Where appropriate, details of a programme for delivering related positive public benefits

C: The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material, this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To protect the archaeological priority area in accordance with Policy DM7 of the Harrow Development Management Local Plan (2013).

13 Satellite Dishes

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase 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: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces.

14. Secure by Design

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

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

## **INFORMATIVES**

### 1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2019)

#### **The Draft London Plan 2019:**

Policy D1 London's form and characteristics  
Policy D3 Inclusive design  
Policy D4 Housing Quality and Standards  
Policy D5 Inclusive developemnt  
Policy D6 Housing quality and standards  
Policy D7 Accessible housing  
Policy D8 Public Realm  
Policy D11 Safety, security and resilience to emergency  
Policy H1 Increasing Housing Supply  
Policy H9 Ensuring the best use of stock  
Policy H10 Housing Size mix  
Policy S1 12 Flood Risk Management  
Policy T5 Cycling  
Policy T6.1 Residential Parking

#### **The London Plan (2016):**

3.4 Optimising Housing Potential  
3.5 Quality and Design of Housing Developments  
3.8 Housing Choice  
6.13C Parking  
7.1C Building London's Neighbourhoods  
7.16 Green Belt  
7.2 An Inclusive Environment  
7.21 Trees and Woodlands  
7.3 Designing Out Crime  
7.4 Local Character  
7.6 Architecture  
7.8 Herritage Assets and Archaeology

#### **Harrow Core Strategy 2012**

CS1 Overarching Policy

#### **Development Management Policies Local Plan 2013**

DM1 Achieving a High Standard of Development  
DM2 Achieving lifetime Neighbourhoods  
DM7 Heritage Assets  
DM22 Trees and Landscaping  
DM23 Streetside Gardens and Forecourt Greenery  
DM27 Amenity Space

DM42 Parking Standards  
DM45 Waste Management

### **Supplementary Planning Documents**

Mayor of London Housing Supplementary Planning Guidance (2016)  
Residential Design Guide Supplementary Planning Document (2010)  
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)  
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings  
Conservation Area Appraisal Management Strategy (2009) Pinnerwood Park Estate.

## 2 Pre-application engagement

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)  
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow has a pre-application advice service and actively encourages applicants to use this service.

## 3 Mayoral CIL

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £7,600

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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 £20,331

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](http://planningportal.co.uk) website where you can download the relevant CIL Forms.

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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](mailto: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 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 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](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

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.

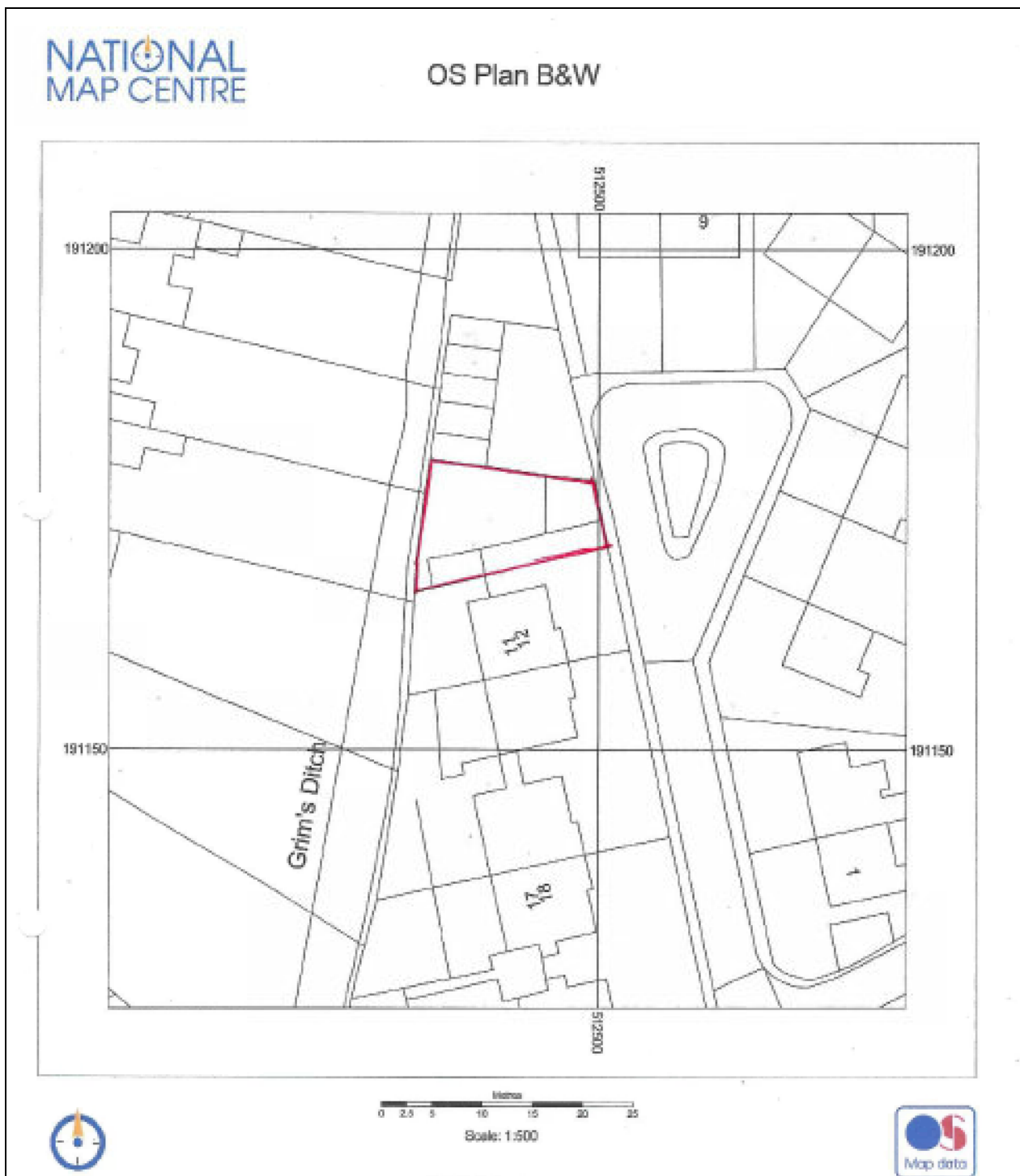
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc.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

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.  
[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**CHECKED**

|                                |   |
|--------------------------------|---|
| Interim Chief Planning Officer | Orla Murphy pp Beverley Kuchar<br>10.9.20 |
| Corporate Director             | Paul Walker 10.9.20                       |

**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOGRAPHS**













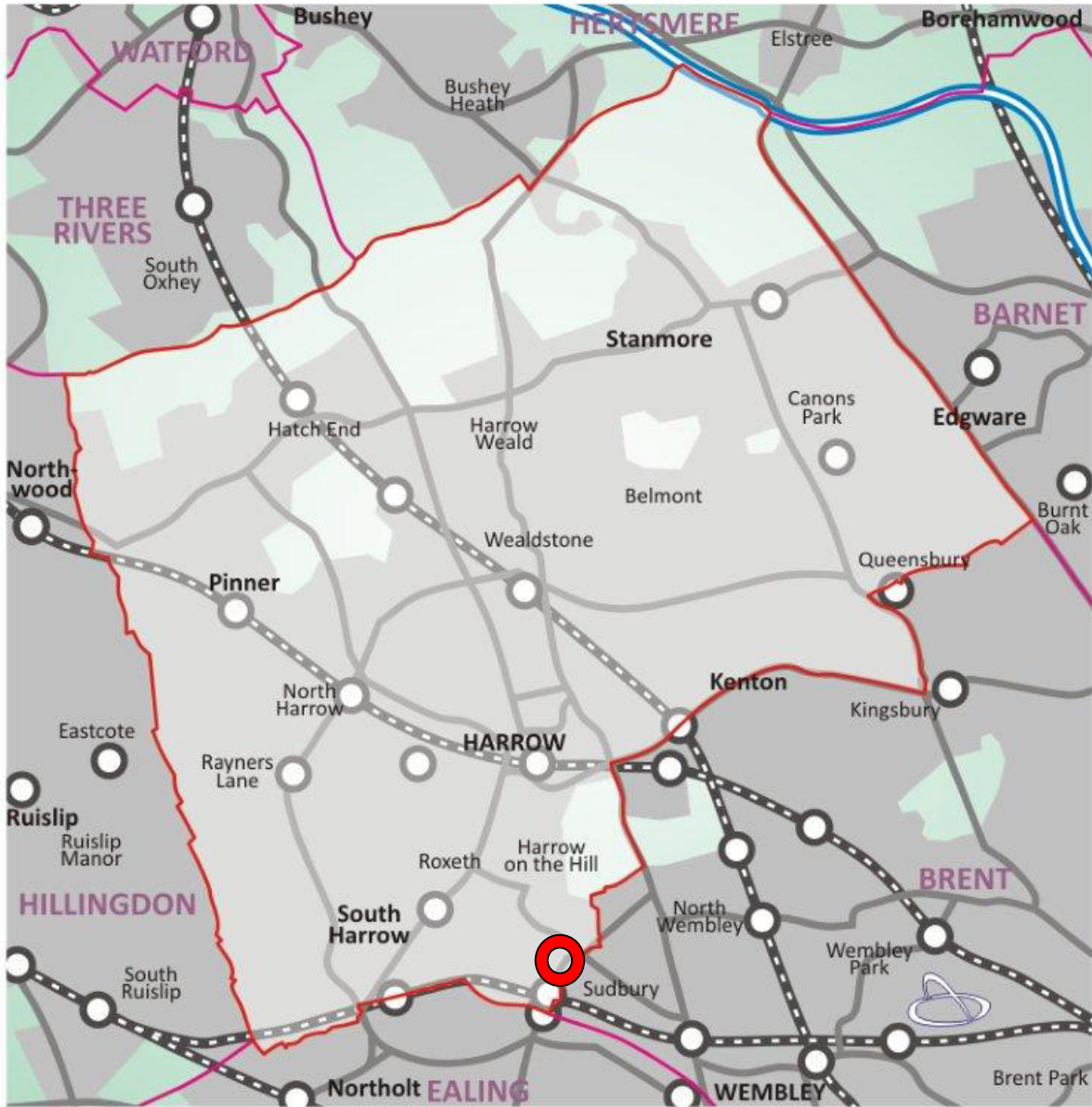






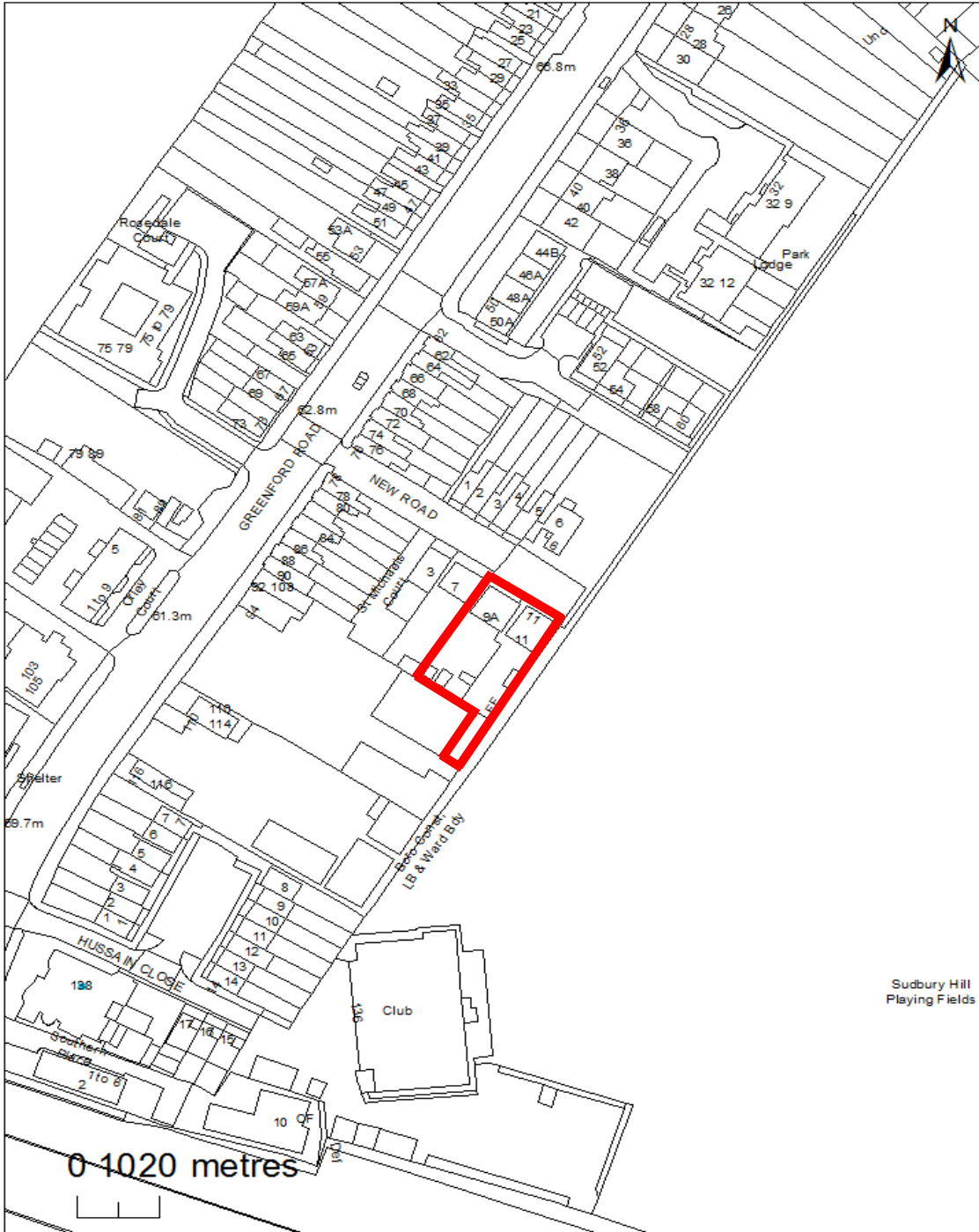
Agenda Item: 2/03

 = application site



|                         |           |
|-------------------------|-----------|
| 9 & 11 New Road, Harrow | P/2023/20 |
|-------------------------|-----------|

# 9 & 11 NEW ROAD, HARROW



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

23<sup>rd</sup> September 2020

APPLICATION NUMBER: P/2023/20  
VALIDATE DATE: 14<sup>TH</sup> JULY 2020  
LOCATION: 9 & 11 NEW ROAD, SUDBURY HILL, HARROW  
WARD: HARROW ON THE HILL  
POSTCODE: HA1 3QJ  
APPLICANT: HOWATH HOMES  
AGENT: PROGRESS PLANNING  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 26<sup>TH</sup> AUGUST 2020  
(EXTENDED 25<sup>TH</sup> SEPTEMBER 2020)

### **PROPOSAL**

Redevelopment to provide two storey building with habitable roofspace comprising of eight flats (4 x 1 bed and 4 x 2 bed); parking; landscaping; bin and cycle stores (demolition of existing dwellings)

### **RECOMMENDATION**

The Planning Committee is asked to:

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

### **REASON FOR THE RECOMMENDATIONS**

The proposed scheme seeks to provide 8 residential units. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

### **INFORMATION**

This application is reported to Planning Committee as the application results in the construction of more than two dwellings and therefore falls outside Schedule 1 of the Scheme of Delegation.

|   |                                   |
|---|-----------------------------------|
| Statutory Return Type:  | Minor/Other                       |
| Council Interest:   | None                              |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £35,460                           |
| Local CIL requirement:  | £93,583.48 (including indexation) |

### **HUMAN RIGHTS ACT**

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

### **EQUALITIES**

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

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

### **S17 Crime & Disorder Act**

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 This application relates to two properties located at the south-eastern end of New Road (no 9 & 11), currently occupied by two two-storey detached dwellings.
- 1.2 The existing dwellings on site consist of two-storey single family homes, with garages to one side of a 1930's/1940's character.
- 1.3 The application sites include generous rear gardens with mature vegetation to all boundaries.
- 1.4 No. 7 New Road to the south west is of a similar style to number 9 New Road and has an attached garage adjacent to the common boundary with no. 9
- 1.5 The rear boundary of no. 9 and 11 New Road adjoin the northern boundary of W. Hanson which is a builders merchants
- 1.6 There is a notable mixture of properties on New Road consisting of the 1980's style purpose built flats known as St. Michael's Court, and properties opposite which include a Victorian terrace (no's 1 to 5 New Road) and a metroland style detached bungalow (no. 6 New Road).
- 1.7 The south eastern boundary of the site adjoins Sudbury Hill Playing Fields which is designated as Metropolitan Open Land within the London Borough of Brent.
- 1.8 New Road is a private, un-adopted road which is accessed via Greenford Road.
- 1.9 The property is not located within a conservation area or within the setting of a listed building.

## **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the existing detached properties at no's 9 and 11 New Road and construct a two storey building which would consist of eight flats. Four x one bedroom on the ground floor and four x two bed duplex flats on the first floor/roof area.
- 2.2 The proposed terrace would be in a Victorian style with end gable roofs and would feature rear dormers to accommodate habitable roofspace. The maximum height of the proposed building would be 9.5m. Four parking space would be provided to the front of the property and 15 cycle spaces in the rear garden.
- 2.3 The dimensions of the proposed terraced development would be approximately 19.0m in width and 11.0m in depth adjacent to the common boundary with no. 7 New Road. There would be a separation distance of approx. 1.7m to the common boundary with no. 7.

2.4 It is proposed to provide a communal rear garden with each duplex flat on the upper floors having a private terrace.

### 3.0 RELEVANT PLANNING HISTORY

| Ref no.   | Description   | Status & date of decision |
|-----------|---|---------------------------|
| P/0488/20 | Redevelopment to provide two storey building with accommodation in roof to create nine flats (5 x 1 bed 3 x 2 bed and 1 x 1 bed); parking; amenity space; landscaping; refuse and cycle storage | Refused<br>06/04/2020     |

#### **Reasons for refusal**

- The proposed development by reason of poor detailing and proportion, excessive fenestration and lack of a coherent and clear design rationale would result in a an incongruous development that would fail to accord with the prevailing pattern of development within the immediate vicinity. The proposed development would therefore be harmful to the character and appearance of the streetscene and visual amenities of the area contrary to London Plan (2016) policies 7.4, and 7.6, policy CS1.B of the Harrow Core Strategy (2013), policy DM1 of the Harrow Development Management Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010)*
- The proposal, by reason of poor outlook for the bedrooms of Flats 1 and 2 by reason of proximity to the eastern boundary of the site and lack of daylight and outlook provision for Flats 8 and 9 would give rise to a substandard and poor quality accommodation to the detriment of the residential amenities of the future occupiers of the flats, contrary to National Planning Policy Framework (2019), policies 3.5C and 7.6B of The London Plan (2016), policy D6 of the Draft New London Plan (2019), policy CS1.K of the Harrow Core Strategy (2013) policy DM1of the Harrow Development Management Policies Local Plan (2013), the Mayor of London Housing Supplementary Planning Guidance (2016) and the adopted Supplementary Planning Document Residential Design Guide (2010).*
- The proposed development by reason of lack of appropriate private, usable amenity space for the proposed development would give rise to a substandard and poor quality accommodation to the detriment of the residential amenities of the future occupiers of the flats, contrary to policies 3.5C and 7.6B of The London Plan (2016), policy D6 of the Draft New London Plan (2019), policies DM1 and DM27 of the Harrow Development Management Policies Local Plan (2013), the Mayor of London Housing Supplementary Planning Guidance (2016) and the adopted Supplementary Planning Document Residential Design Guide (2010).*

4. *The cumulative impact of the excessive number of car parking spaces and poor quality and limited strips of landscaping to the front and side of the property would result in a frontage dominated by hardstanding to the detriment of the character and appearance of the property and the surrounding area, contrary to the National Planning Policy Framework (2019), Policy 7.4B of The London Plan (2016), policies D2 and D7 of the Draft New London Plan (2019), Core Policy CS1B of the Harrow Core Strategy (2012), Policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document Residential Design Guide (2010).*
5. *The proposal has failed to demonstrate that refuse storage would be satisfactorily provided within the site and would not cause detrimental harm by virtue of a cluttered forecourt to the detriment of the character and appearance of the street scene. As such the proposal would fail to accord with the National Planning Policy Framework (2019), Policies 3.5, 7.4 and 7.5 of The London Plan (2016), policies DM1 and DM45 of the Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).*
6. *The proposed development, would give rise to unfettered parking within the highway to the detriment of the safety and free flow of traffic on New Road and furthermore be harmful to the residential amenities of existing occupiers of New Road, contrary to policies DM1, DM2 and DM42 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010)*

|           |   |                       |
|-----------|---|-----------------------|
| P/4832/19 | Redevelopment to provide two storey building with accommodation in roof to create nine flats (6 x 1 bed and 3 x 2 bed); parking; amenity space; landscaping; refuse and cycle storage | Refused<br>13/01/2020 |
|-----------|---|-----------------------|

**Reasons for refusal:**

1. *The proposal, by reason of poor outlook for the bedroom of Flat 1 by reason of its narrow window cramped between the refuse and cycle store as well as lack of daylight and outlook to Flat 9 which faces the flank wall of No. 7 New Road and would be served by an obscurely glazed as well as lack of adequate storage for Flats 4, 5, 6 and 7 and lack of appropriate private amenity space for 7 of the units would give rise to a substandard and poor quality accommodation to the detriment of the residential amenities of the future occupiers of the flat, contrary to National Planning Policy Framework (2019), policies 3.5C and 7.6B of The London Plan (2016), D2, D3, D4, H12 of the Draft New London Plan (2019), policies DM1, DM26 and DM27 of the Harrow Development Management Policies Local Plan (2013), the Mayor of London Housing Supplementary Planning Guidance (2016) and the adopted Supplementary Planning Documents Residential Design Guide (2010).*

|           |  |                       |
|-----------|--|-----------------------|
|           | <p>2. <i>The cumulative impact of the excessive number of car parking spaces and poor quality and limited strips of landscaping to the front and side of the property would result in a frontage dominated by hardstanding to the detriment of the character and appearance of the property and the surrounding area, contrary to the National Planning Policy Framework (2019), Policy 7.4B of The London Plan (2016), policies D2 and D7 of the Draft New London Plan (2019), Core Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document Residential Design Guide (2010).</i></p> <p>3. <i>The proposal has failed to demonstrate that refuse storage would be satisfactorily provided within the site and would not cause detrimental harm by virtue of a cluttered forecourt to the detriment of the character and appearance of the host property and street scene. As such the proposal would fail to accord with the National Planning Policy Framework (2019), Policies 3.5, 7.4 and 7.5 of The London Plan (2016), policies D2, D3 of Draft New London Plan (2019), Policies DM1 and DM45 of the Development Management Policies (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).</i></p> <p>4. <i>The development would result in the impingement of the existing unadopted highway which would compromise highway safety and functionality of the development including the convenience and safety of traffic flow, servicing and pedestrian movement contrary to the National Planning Policy Framework (2019), Policies 6.4, 6.9, 6.13 of The London Plan (2016), policies T6, T6.1, T7 of the Draft New London Plan (2019), Policies DM1 and DM42 and DM44 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).</i></p> |                       |
| P/5803/16 | Redevelopment to provide a two storey building with habitable roofspace including rear dormers to create four terraced houses; associated parking landscaping and hardstanding.  | Granted<br>23/03/2017 |

#### **4.0 CONSULTATION**

- 4.1 A total of 19 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 11<sup>th</sup> August 2020.
- 4.2 No objections were received from adjoining residents.
- 4.3 A summary of the responses received along with the Officer comments are set out below:



- 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>LB Brent –</u><br/>The proposal is located next to Sudbury Hill Sports Ground and Elm court Allotments SINC Grade II. No Ecological Assessment that has been considered the potential impacts of the proposal upon the adjoining SINC land. As such, it has failed to demonstrate that the proposal would not have a harmful impact on the ecological value of the adjoining SINC land, contrary to policy CP18 of Brent’s Core Strategy 2010 and emerging policy BG11 of Brents draft Local Plan 2020.</p> <p>Officers Comments – The London Borough of Brent were consulted on the previous planning applications on this site and this was not raised as an issue. The most recent comments from Brent relating to P/0488/20 did not mention the SINC or ecological concerns. It would not be reasonable to introduce this as a concern now. Furthermore, as this allocation is outside of the jurisdiction of Harrow there is limited scope for Harrow to intervene. Relevant informatives have been added to inform the applicant of their responsibilities to ensure that protected species are safeguarded and appropriate conditions attached.</p> <p><u>Biodiversity Officer:</u><br/>Although the applicant responded incorrectly to the Section 12 form with regard to biodiversity features on adjoining land, the fact that Brent local wildlife site adjoins the eastern boundary of 11 New Road which forms part of the proposed development site still needs to be addressed.<br/>Options would appear to be we refuse on the basis of (a) insufficient evidence or (b) pause the application until a PEA and any follow up surveys have been completed.</p> <p>Officer Comments: A condition recommended to address the concerns raised on biodiversity and ecological matters</p> <p><u>LBH Drainage -</u><br/>No objection subject to conditions.</p> <p><u>LBH Highways –</u><br/>This proposal is within a PTAL 4 location meaning that access to public transport is considered to be good.</p> <p>The proposed car parking must be in line with the maximum levels specified by the Intend to Publish London Plan which allows for up to 0.5 spaces per dwelling in a PTAL 4 location. This means that only one parking space should be provided for this proposal. The proposed level of cycle parking is acceptable however the facilities need to be sheltered, secure and accessible. Vertical stands are generally not supported as they can be difficult to use and therefore do not promote cycling, particularly to those who may be inexperienced.</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 of the Area
- Residential Amenity
- Traffic and Parking
- Waste and Servicing
- Drainage

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- The National Planning Policy Framework 2019
- The London Plan 2016: 3.8, 7.4, 7.6
- Harrow's Core Strategy 2012: CS1.B

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 in the Borough, thereby complying with the housing growth objectives and policies of the Harrow Development Plan. The principle of development is therefore considered acceptable,

### **6.3 Character of the Area**

6.3.1 The relevant policies and guidance documents are:

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

#### Relevant Supplementary Documents

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

6.3.2 New Road is made up of 9 dwellinghouses and a building containing purpose built flats (St. Michael's Court). The architectural style of the area is mixed with the surrounding area including traditional detached / semi-detached dwellings at the south-eastern end and a row of small cottages on the northern side of the road. The properties include a maximum building height of two-storeys

with pitched roofs. While there is some presence of render within the existing buildings, the use of brickwork is predominant.

- 6.3.3 The size of the proposed building would be occupy a similar foot print to the existing detached houses at 9 and 11 New Road and that of the approved scheme P/5803/16. The proposed building would be of a terraced design similar to that at 1-5 New Road opposite. The height of the proposed terraced building would be approx. 9.5m which would be 1m above that of the neighbouring property at no. 7 New Road. It is considered that the proposed height and massing of the terraced building would not be unduly tall and would harmonise with the surrounding buildings within the streetscene.
- 6.3.4 The proposed terrace building would be of a suitable design reflecting the Victorian character of properties at 1-5 New Road, and those similar on the east side of Greenford Road. The proposed design is a relatively simple appearance but would provide a robust and cohesive finish to the building subject to appropriate detailing which will be secured by condition.
- 6.3.5 The applicant has indicated a simple palette of materials which is considered to be acceptable in principle. However, these would need to be provided to include details of all external materials, which would include bricks, roof tiles, windows, door, reveals and rainwater goods to ensure a sympathetic finish.
- 6.3.6 Overall, it is considered that the proposed terrace would be of a proportionate and appropriate scale for the surrounding streetscene. Furthermore, in reducing the scale, massing and simplifying the design the current proposal would successfully address reason for refusal 1 of of reference P/0488/20 in terms bulk, scale, massing and architectural design.

#### Landscaping

- 6.3.7 The existing two properties have a mixture of hard and soft landscaping to the front with the rear gardens made of soft landscaping with mature vegetation. The proposed redevelopment of the site would consist of a mixture of hard surface for parking and soft planting.
- 6.3.8 The Council's Landscape architect has not raised objections to the proposals subject to a landscaping strategy including details of the materials of the hard and soft landscaping together with planting schedules. This information would be secured by a condition.
- 6.3.9 Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2016), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

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

## 6.4 Residential Amenity

6.4.1 The relevant policies and guidance documents are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM2; DM27
- London Plan (2016): 7.4
- The Intend to Publish London Plan (2019): D1, D6

### Relevant Supplementary Documents

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

### Residential Amenity for Future Occupiers

6.4.2 The proposed development includes the following breakdown of residential units:

| Flat | Type            | Area (sq m) |
|------|-----------------|-------------|
| 1    | 1 bed, 2 person | 55.6        |
| 2    | 1 bed, 2 person | 52          |
| 3    | 1 bed, 2 person | 52          |
| 4    | 1 bed, 2 person | 52.6        |
| 5    | 2 bed, 4 person | 82.5        |
| 6    | 2 bed, 4 person | 89.5        |
| 7    | 2 bed, 4 person | 89.5        |
| 8    | 2 bed, 4 person | 73.6        |

6.4.3 The proposed flats in all instances exceed the required GIA for the occupancy levels proposed. Furthermore, the units demonstrate that a level of dedicated storage space for future occupiers which would accord with the minimum requirements for their respective occupancy levels. The proposed units are therefore considered to provide an adequate level of accommodation for future occupiers that would not be cramped or contrived.

6.4.4 The London Plan Housing Standards (March 2016) calls for a minimum floor to ceiling height of 2.5 metres across 75% if the GIA of a dwelling. The proposed plans (sections) indicate that the proposal would achieve a floor to ceiling height of 2.5m for the majority of the floors. There would be a 0.05m

shortfall for the proposed first floor. However, the shortfall here is considered to be minimal. Furthermore, the proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.

#### Daylight and Outlook

- 6.4.5 All units would be dual aspect, therefore it is considered that the proposed flats would have an acceptable amount of daylight and outlook with windows either facing towards the highway of New Road and to the rear garden areas. Therefore it is considered that reason no 2 of previous refusal P/0488/20 has been addressed with regard to poor outlook.

As such, it is considered that the proposed accommodation would provide acceptable living conditions in this regard.

#### Amenity Space

- 6.4.6 Each flat would be provided with a private terrace and use of the rear communal area which is considered acceptable. The flats on the ground floor would have a defensible space at the rear to protect the amenity of the occupiers. Therefore it is considered that reason No. 3 of previous refusal has been addressed with regard to amenity space.

#### Residential Amenity Neighbouring Occupiers

#### Impact on 7 New Road

- 6.4.7 The proposed development would result in a potential increase of 10 occupants which would materially increase the use profile of the existing site circumstances. However, given the mixed character of the surrounding area and also the location of the site in this busy suburban environment, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area. In this respect, any potential amenity impacts of the proposed development would be limited to the scale and siting of the proposed development.
- 6.4.8 The north west flank wall of proposed terraced building would be located to the south east of no. 7 New Road. The proposed terraced building would have a front building line which would sit 1.2m behind that of no. 7.
- 6.4.9 The proposal would marginally interrupt the 45 degree splay taken from No 7 New Road. However, it is considered that the small breach of the 45 degree code would not be significant and would result in a satisfactory impact on the occupant of no. 7 New Road. Furthermore the flank walls of the proposed development would have a sense of separation from the adjacent habitable windows at no. 7 due to the attached garage at this property and the fact that the proposed terraced building would be set off the common boundary with no.7 by approx. 1.7m.

- 6.4.10 Overall, it is considered that the proposed terraced building would have a satisfactory impact on the occupants of no. 7 New Road in terms of outlook, overshadowing and daylight. The proposed north west flank elevation would have three windows in total facing the common boundary with no. 7. It is noted that these windows would serve bathrooms and WC and subject to a condition requiring these windows to consist of obscurely glazed windows would ensure the privacy of the occupancy of no. 7 is maintained.
- 6.4.11 In addition to the above, it is proposed to include four rear dormers. It is considered that any views from the dormer windows would not lead to undue impacts in terms of overlooking. As any views from these windows would be at oblique angles over neighbouring gardens.
- 6.4.12 There are no residential properties to the north east or south east of the application site as such there would be no undue impacts in terms of amenities on those common boundaries as result of the proposed development.

## **6.5 Traffic, Parking and Drainage**

- 6.5.1 The relevant policies are:
- Harrow Core Strategy 2012:CS1
  - Harrow Development Management Polices Local Plan (2013):DM1, DM9; DM10; DM42
  - London Plan Policy 6.3, 6.9, 6.13
  - The Draft London Plan Policy T4, T5, T6
- 6.5.2 The proposed car parking must be in line with the maximum levels specified by the Intend to Publish London Plan which allows for up to 0.5 spaces per dwelling in a PTAL 4 location. The proposal seeks to provide 4 parking spaces which is considered to be acceptable.
- 6.5.3 In addition to the above, 15 secure and readily accessible cycle parking is provided in line with the The London Plan requirements. This has been provided on site in the rear garden and is therefore considered acceptable.

## **6.6 Waste and Servicing**

- 6.6.1 Waste storage would be provided to the rear of each of the four terraced dwellings. The waste collection would not differ to the existing system which exists for the properties on New Road.
- 6.6.2 A side from this a condition is attached to this permission which requires the bins to be stored away, except on days of rubbish collection.

## **6.7 Drainage**

- 6.7.1 The site is identified as a critical drainage area of Harrow and is within a flood zone. As the proposed development would not lead to an increase in impermeable surface area, no issues would arise in this respect. The Council's Drainage officers have not objected to the application, but have suggested conditions to deal with on-site drainage and water attenuation.
- 6.7.2 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposed scheme seeks to provide 8 residential units. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of Policy 3.8 of the London Plan (2016). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.
- 7.2 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 Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 3018.NEW.200 A; 3018.NEW.201 A; 3018.NEW.202 B; 3018.NEW.203 A; 3018.NEW.204 A; 3018.NEW.205; AALI-16-246-P07; L002 P1; L0003 P1; Tree protection plan; Arboricultural and Planning Integration Report (13<sup>th</sup> May 2020); Design and Access Statement; Transport Statement; AAL-16-246-P07;

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

3      Refuse and Waste

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 maintain the appearance of the development and safeguard the character and appearance of the area.

4      Accessibility

Plots 1 to 4, as indicated on plan number/s 3018.new.203 A hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), 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.

5      Surface Water Drainage and Attenuation

Notwithstanding the approved plans, prior to development beyond damp course proof level, details for a scheme for works for the disposal of surface water, surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to

be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

Reason: To ensure that adequate drainage facilities are provided.

6 Hard & Soft Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a details all boundaries treatments on the land. Details of the boundary treatments, shall be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained thereafter. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

7 Planting

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

8 Construction Method Statement

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

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) measures to control the emission of dust and dirt during construction
- v) a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

9 Window Detail

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

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

10 Materials

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

- a: External appearance of the building
- b: Refuse and cycle storage area
- c: Boundary treatment
- d: Ground treatment

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

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

11 Biodiversity

The development hereby permitted shall not commence until detailed proposals for ongoing management, monitoring and reporting of onsite biodiversity features, including details of how this will be funded in perpetuity have been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan shall include:

- (a) how these features will be managed and monitored to maintain and enhance their value, including any replacements during the establishment phase (to run for three years from the commencement of construction);
- (b) year by year schedule of the timing of operations and who has responsibility for these and for ensuring they are undertaken;
- (c) how the plan will be updated at 5 year intervals; and
- (d) how these operations will be funded over the lifetime of the new development, during and following construction.

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

Reason: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity within the site and surrounding area.

12 Satellite Dishes

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase 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: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces.

13 Secure by Design

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

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

## **INFORMATIVES**

### 1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2019)

#### **The Draft London Plan 2019:**

Policy GG1 Building strong and inclusive communities

Policy GG2 Making the best use of land

Policy GG3 Creating a healthy city

Policy GG4 Delivering the homes Londoners need

Policy D1 London's form and characteristics

Policy D3 Inclusive design

Policy D4 Housing Quality and Standards

Policy D5 Inclusive developemnt

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public Realm

Policy D11 Safety, security and resilience to emergency

Policy H1 Increasing Housing Supply

Policy H9 Ensuring the best use of stock

Policy H10 Housing Size mix

Policy S1 12 Flood Risk Management

Policy T5 Cycling

Policy T6.1 Residential Parking

#### **The London Plan (2016):**

2.13 Opportunity Areas and Intensification Areas

3.1 Ensuring Equal Life Chances for All

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

5.12 Flood Risk Management

5.13 Sustainable Drainage

6.3 Assessing Effects of Development on Transport Capacity

6.9 Cycling

6.10 Walking

6.12 Road Network Capacity

6.13 Parking

7.1 Building London's Neighbourhoods and Communities

7.2 In Inclusive Environment

7.3 Designing Out Crime

7.4 Local Character

7.5 Public Realm

7.6 Architecture

7.8 Heritage Assets and Archaeology

## **Harrow Core Strategy 2012**

CS1 Overarching Policy

## **Development Management Policies Local Plan 2013**

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM16 Maintaining the openness of the Green Belt & Metropolitan Open Land

DM42 Parking Standards

DM45 Waste Management

Supplementary Planning Documents

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

### 2 Pre-application engagement

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow has a pre-application advice service and actively encourages applicants to use this service.

### 3 Mayoral CIL

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £35,400

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

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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 £93,583.48

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](http://planningportal.co.uk) website where you can download the relevant CIL Forms.

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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](mailto: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 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 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](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

#### 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.

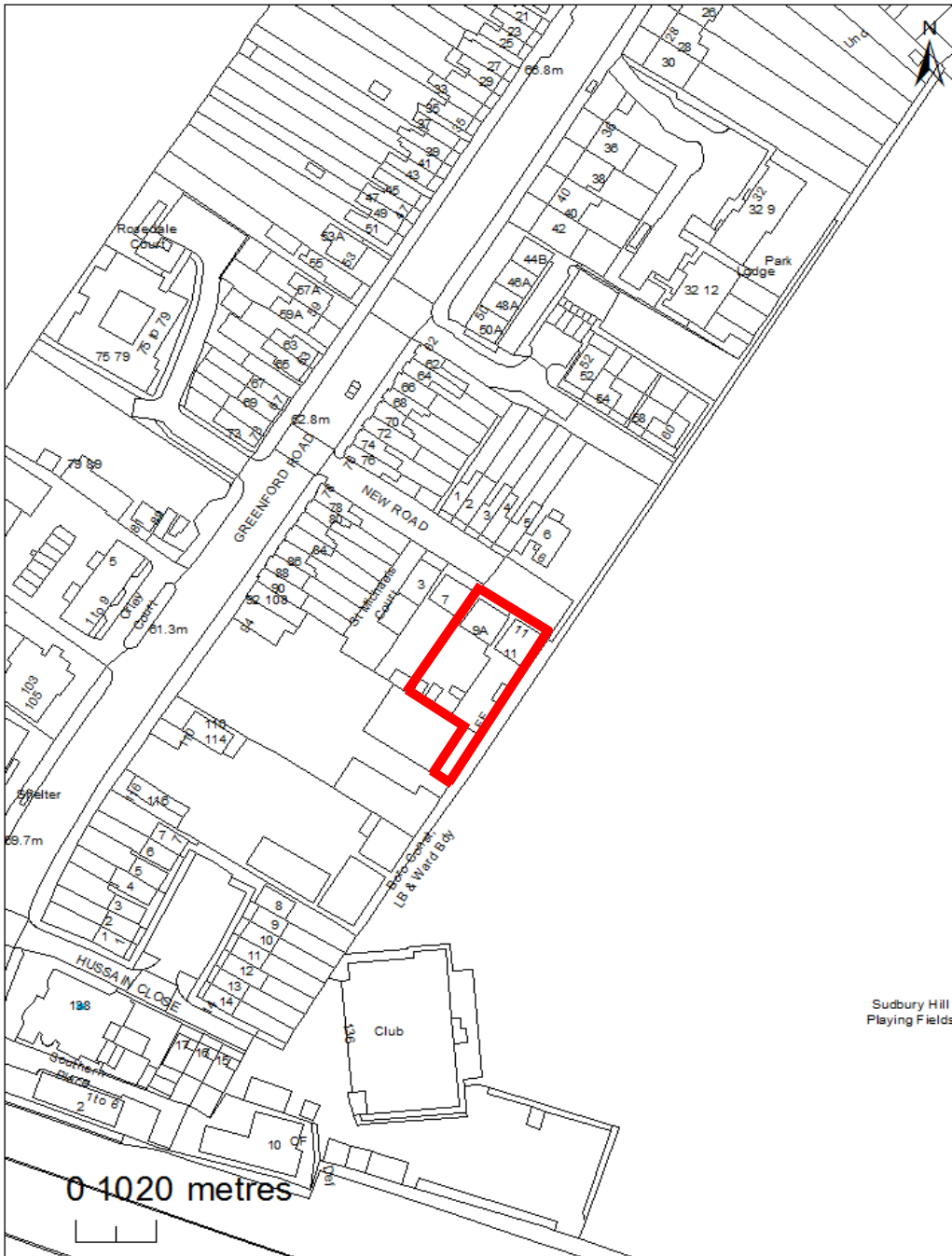
You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**CHECKED**

|                                |   |
|--------------------------------|---|
| Interim Chief Planning Officer | Orla Murphy pp Beverley Kuchar<br>10.9.20 |
| Corporate Director             | Paul Walker 10.9.20                       |

**APPENDIX 2: SITE PLAN**



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**APPENDIX 3: SITE PHOTOGRAPHS**







Rear Garden of no.9



Rear Elevation of no. 9



Rear of no. 7





Rear of garage adjacent to boundary with no.9



Rear of no. 11



Rear elevations of no. 9 and 11



Rear outbuilding at no. 11





Eastern boundary of no. 11



End of New Road

# APPENDIX 4: PLANS AND ELEVATIONS

**NORTH ELEVATION & STREET SCENE**

**WEST ELEVATION**

**SOUTH ELEVATION**

**EAST ELEVATION**

**SECTION A - A**

**GROUND FLOOR PLAN**

**FIRST FLOOR PLAN**

**SECOND FLOOR PLAN**

| SCHEDULE |         |      |       |
|----------|---------|------|-------|
| FLOOR    | No Beds | sq.m | sq.ft |
| 1        | 1       | 55.6 | 598   |
| 2        | 1       | 52   | 560   |
| 3        | 1       | 52   | 560   |
| 4        | 1       | 52.6 | 566   |
| 5        | 2       | 82.5 | 888   |
| 6        | 2       | 89.5 | 963   |
| 7        | 2       | 89.5 | 963   |
| 8        | 2       | 73.6 | 792   |

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| Rev | Date     | Reason for Issue | By | CHK |
|-----|----------|------------------|----|-----|
| A   | 03.06.20 | minor amendments | SA |     |

**PROGRESS PLANNING**  
 Progress Planning  
 Waterside House 23 Riverside Way  
 Luton LU2 9YC

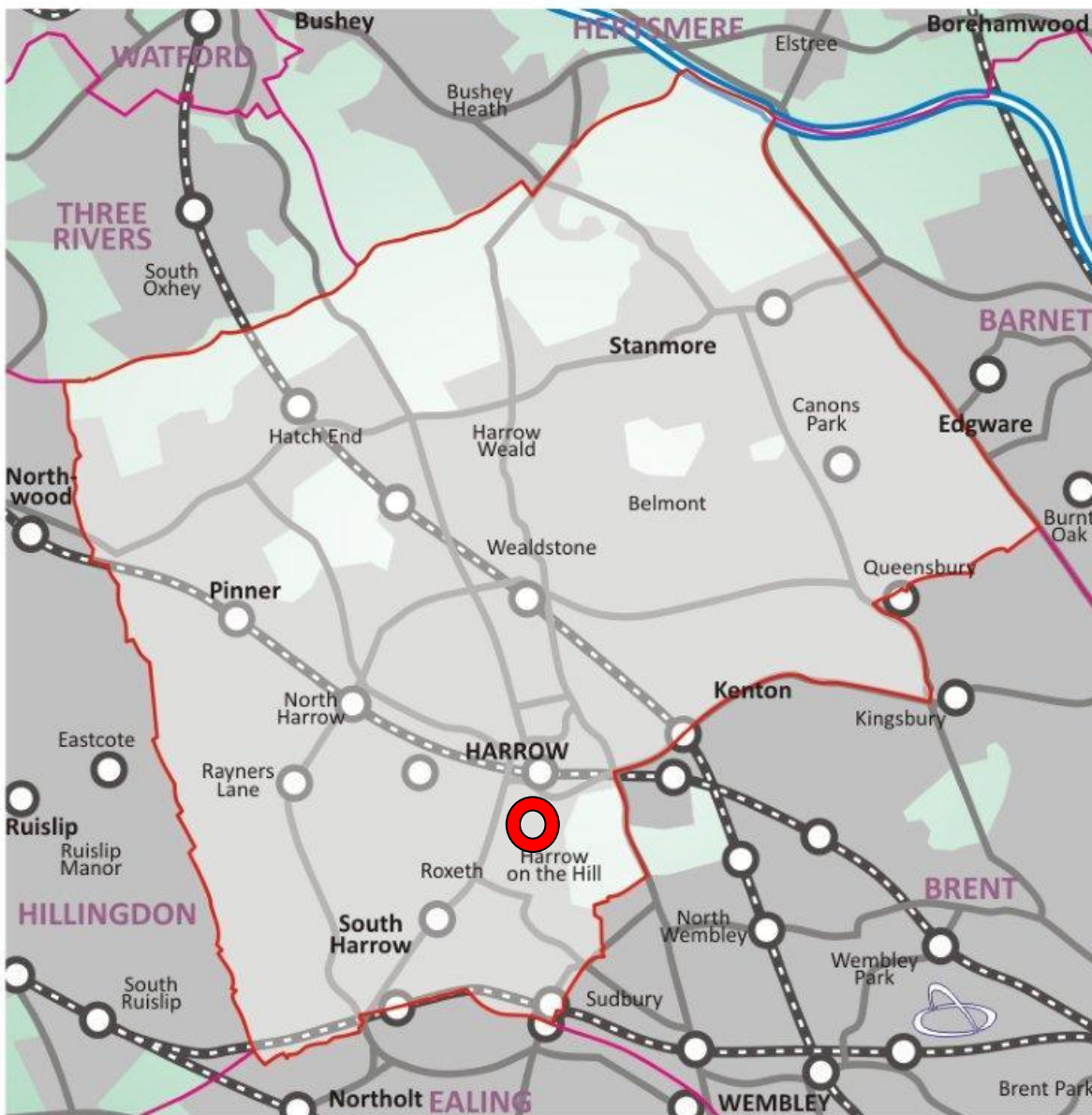
**Project Title:** 9 - 11 New Road, Sudbury Harrow  
**Project Number:** 3018  
**Date:** 02.06.2020

**Drawing Title:** Elevations, section and floor plans  
**Drawing Number:** 3018-NEW-203  
**Revision:** A

**Drawing Status:** Planning  
**Scale/North point:** 1:100 @ A1

Agenda Item: 2/04

 = application site



97 West Street, Harrow on the Hill, HA2 0JW

P/1531/20



97 WEST STREET, HARROW ON THE HILL



LOCATION PLAN 1:1250

**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**23rd September 2020**

**APPLICATION NUMBER:** P/1531/20  
**VALID DATE:** 7<sup>th</sup> JULY 2020  
**LOCATION:** 97 WEST STREET, HARROW  
**WARD:** HARROW ON THE HILL  
**POSTCODE:** HA1 3EL  
**APPLICANT:** FRESHBAY LIMITED  
**AGENT:** BUCKMASTER BATCUP ARCHITECTS LTD  
**CASE OFFICER:** BLYTHE SMITH  
**EXPIRY DATE:** 25<sup>th</sup> AUGUST 2020  
(EXTENDED 25<sup>th</sup> SEPTEMBER 2020)

**PROPOSAL**

Certificate of lawful development (proposed): use of dwelling house (class c3) as house in multiple occupation (HMO) for up to six persons with internal alterations.

**RECOMMENDATION**

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant the Certificate of Lawful Proposed Development

**REASON FOR THE RECOMMENDATION**

The proposed use of the dwellinghouse (use class C3) as a small house in multiple occupation for up to 6 persons (use class C4) would be within the tolerances of Schedule 2, Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. Planning permission is therefore not required,

## **INFORMATION**

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

|  |                          |
|--|--------------------------|
| Statutory Return Type:                   | (E)26 Lawful Development |
| Council Interest:                        | None                     |
| Net Additional Floorspace:               | None                     |
| GLA Community Infrastructure Levy (CIL): | N/A                      |
| Local CIL requirement:                   | N/A                      |

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

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

### **1.0 SITE DESCRIPTION**

- 1.1 The property is a substantial two storey end-of-terrace single family dwellinghouse located on the north side of West Street. No.95 is the adjoining neighbour to the east and the rear boundary adjoins No.43 Nelson Road.
- 1.2 The property is a locally listed building and located within the Harrow-on-the-Hill Village Conservation Area.
- 1.3 The site is located within a critical drainage zone

### **2.0 PROPOSAL**

- 2.1 The application proposes to convert the property to a 6 bedroom HMO with internal alterations. No external alterations or expansion of the basement level have been proposed.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 A summary of planning history is set out below:

| <b>Ref no.</b>  | <b>Description</b>   | <b>Status &amp; date of decision</b>   |
|-----------------|--|--|
| WEST/724/02/FUL | Single storey rear extension   | GRANTED 13 <sup>th</sup> February 2003 |
| P/349/04/CFU    | Provision of re-built boundary wall and formation of off-street parking area   | REFUSED 13 <sup>th</sup> April 2004    |
| P/1483/04/CFU   | Provision of re-built boundary wall and formation of off-street parking space (revised)  | REFUSED 20 <sup>th</sup> July 2004     |
| P/2877/13       | External alterations to existing rear extension to include new folding doors; new raised patio to rear extension with glass balustrade; replacement of existing timber fence fronting nelson rod with new boundary wall and access gate; replacement front door  | GRANTED 23 <sup>rd</sup> December 2013 |
| P/2409/14       | Alterations to raise roof pitch height at rear; creation of covered lightwell to basement; enlargement and increase in height of existing basement; repositioning of two rooflights and addition of one rooflight on rear roofslope; external alterations to existing rear extension to include new french doors; new raised patio to rear extension with glass balustrade; replacement of existing timber fence fronting nelson road, with new boundary wall and access gate; replacement front door and glazing at sides | GRANTED 10 <sup>th</sup> February 2015 |
| P/5144/19       | Change of use of dwellinghouse (class c3) to a nine room house of multiple occupation (sul generis); rear basement extension; external alterations.  | REFUSED 6 <sup>th</sup> February 2020  |

#### Reasons for refusal for application P/5144/19

1. The proposed change of use, extensions and alterations to the premises on this prominent corner location would result in the loss of original features and the traditional historic character of this locally listed building and result in unduly obtrusive and incongruous additions to the property which would be harmful to the visual amenities of the area. The proposal would therefore fail to preserve or enhance the character and appearance of the locally listed building and this part of the Harrow on the Hill Village Conservation Area, contrary to policies 7.4B, 7.6.B and 7.8 C & D of The London Plan (2016), core policies CS 1B and CS 1D of the Harrow Core Strategy (2012), policies DM1 and DM7 of the Development Management Policies Development Plan Document (2013) and adopted Supplementary Planning Document: Harrow on the Hill Conservation Areas and its Appendix H, Harrow on the Hill Village (2008).
2. The site is located in an area with a low public transport accessibility level and the proposal would increase the pressures of on street parking stress in an area that will not be possible to accommodate any extra vehicles in the immediate vicinity contrary to policy CS1S of the Harrow Core Strategy (2012) and policies DM30 and DM42 of the Development Management Policies Development Plan Document (2013).
3. The raised garden area, as a result of the proposed basement, by reason of its proximity to the rear boundary and elevated position would result in a loss of privacy to the detriment of the amenity of neighbouring residents in the adjoining house to the rear on Nelson Road contrary to policy 7.6B of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).
4. The proposed development, by reason of poor design, layout, resultant outlook and orientation of some of the single aspect units facing north, would provide a poor quality living arrangement to the detriment of the amenities of future occupiers of the proposed development, contrary to policy 7.6B of The London Plan (2016) and policies DM1 and DM30 of the Harrow Development Management Policies Local Plan (2013).

### 3.2 Pre-application Discussion

#### 3.2.1 Pre application advice was not sought.



#### **4.0 CONSULTATION**

4.1 Objections had been received however a consultation period is not required for a Certificate of Lawful Development. The purpose of this application is to determine if the proposal would be permitted development, not to assess the planning merits.

#### **4.2 Statutory and non-statutory consultation**

4.3 Advice was sought from the council's Heritage Officer and the Enforcement Team in regards to the existing Article 4 direction and a current enforcement case on the rear amenity space. No concerns were raised.

#### **5.0 POLICIES**

5.1 Not Applicable

#### **6.0 ASSESSMENT**

6.1 Schedule 2, Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended sets down the limitations of the permitted development right to move between a single family dwelling house under use class C3 and a small HMO use class C4 (small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom).

6.2 The legislation states that the development is not permitted if it would result in the use of the dwellinghouse as two or more separate dwellinghouses.

6.3 The submitted application form states that that the proposal is for a maximum of 6 persons. A review of the plans indicate six bedrooms, each with an ensuite. There are two communal kitchens, once in the basement area and one on the first floor.

6.4 The bedrooms are not therefore self-contained and therefore it is considered on the basis of the information submitted in the application that planning permission would not be required for this use.

#### **7.0 CONCLUSIONS AND REASONS FOR APPROVAL**

7.1 The proposal complies with the relevant limitations set out in Schedule 2, Part 3 Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. The proposal is therefore a lawful development and planning permission would not be required.

## **APPENIDIX 1: Plan INFORMATIVES**

**Plan nos:** site location plan; BBA 786.P.11; BBA 786.P.12; BBA 786.P.13; BBA 786.P.14

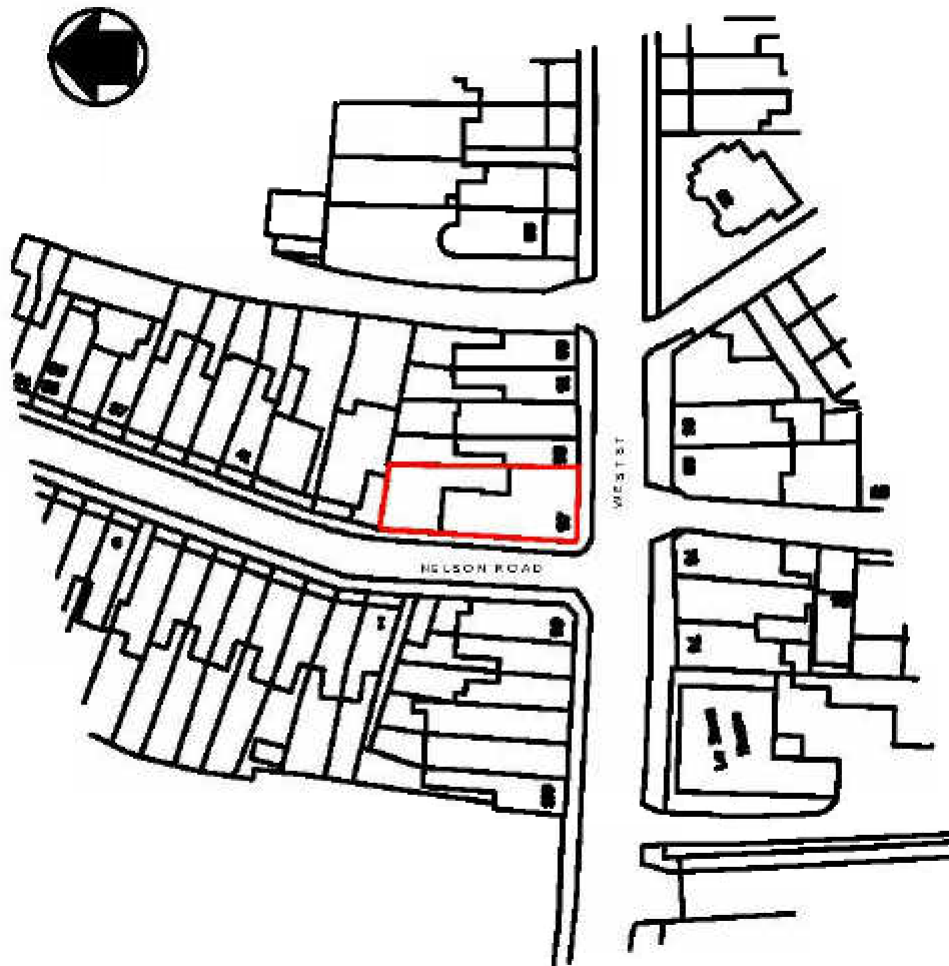
### **INFORMATIVES:**

1. The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:  
0800-1800 hours Monday - Friday (not including Bank Holidays)  
0800-1300 hours Saturday
  
2. The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
  1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building,and that work falls within the scope of the Act.  
Procedures under this Act are quite separate from the need for planning permission or building regulations approval.  
"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB  
Please quote Product code: 02 BR 00862 when ordering.  
Also available for download from the Portal website:  
<https://www.gov.uk/party-wall-etc-act-1996-guidance>
  
3. You should be aware that, whereas a planning permission is valid for three years, a Certificate is only valid for as long as the permitted development legislation that gave rise to the decision remains in place. This could mean that, if the legislation changes after the Certificate was determined, your proposals may no longer be permitted development. In this case this Certificate decision was based on the revised permitted development rights for householders that the Government brought into effect on 15 April 2015.  
For further advice on the current householder permitted development guidance an interactive guide is available on the Planning Portal on:  
<http://www.planningportal.gov.uk/permission/house>
  
4. 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](mailto: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<br>10.9.20 |
| Corporate Director             | Paul Walker 10.9.20                       |

**APPENDIX 2: LOCATION PLAN**



**LOCATION PLAN 1:1250**

**APPENDIX 3: SITE PHOTOGRAPHS**



*Figure 1 View of property*



*Figure 2 Side elevation of property*





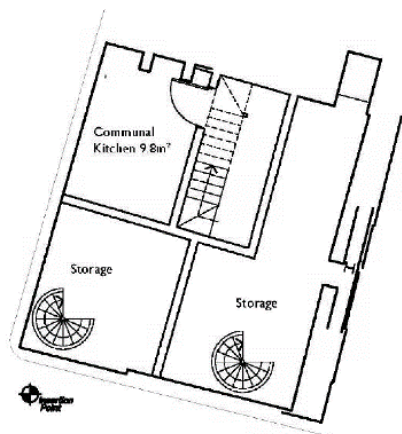
*Figure 3 Further side elevation of property*

## APPENDIX 4: PLANS AND ELEVATIONS



Figure 4 Existing Floor Plans





Proposed Basement Plans

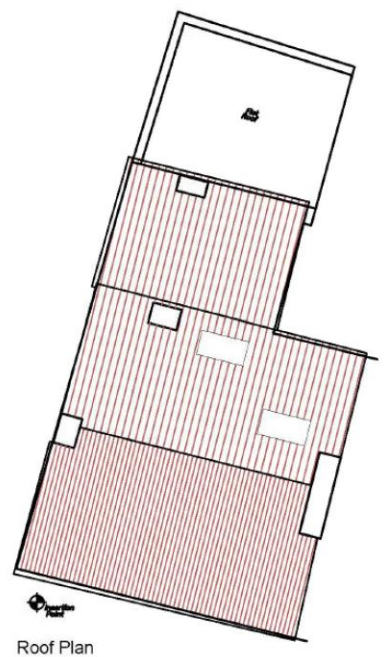
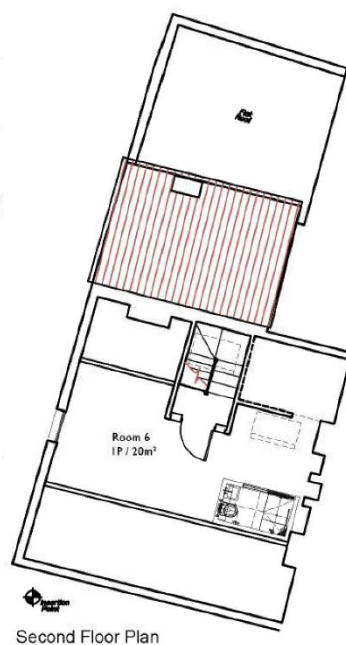
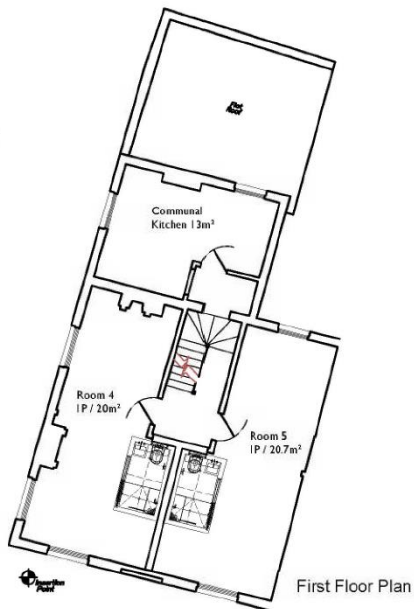
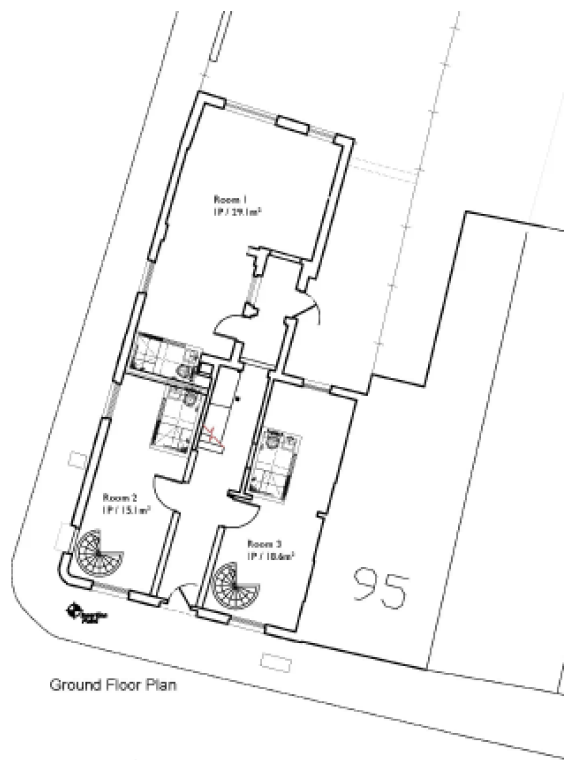


Figure 5 Proposed Floor Plans



*Figure 6 Elevations*