

# Planning Committee Agenda

**Date:** Wednesday 18 November 2020

**Time:** 6.30 pm

**Venue:** Virtual Meeting - Online

There will be no site visit for Planning Committee Members.

The date for the briefing for Planning Committee Members will be communicated in due course.

## Membership (Quorum 3)

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**Chair:** Councillor Keith Ferry

**Labour Councillors:** Ghazanfar Ali (VC)  
Simon Brown  
Sachin Shah

**Conservative Councillors:** Marilyn Ashton  
Christopher Baxter  
Anjana Patel

**Labour Reserve Members:**

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

**Conservative Reserve Members:**

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

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

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# **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 10 November 2020**



# Agenda - Part I

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

### 1. Attendance by Reserve Members

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

Reserve Members may attend meetings:-

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

### 2. Right of Members to Speak

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

### 3. Declarations of Interest

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

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

### 4. Minutes (Pages 11 - 18)

That the minutes of the meeting held on 14 October 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, 13 November 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 JOHN LYON SCHOOL, MIDDLE ROAD (P/1813/19)	HARROW ON THE HILL	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 19 - 52)
(b)	1/02 16-28 BONNERSFIELD LANE, HARROW (P/0768/20)	GREENHILL	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 53 - 116)
(c)	1/03 NORTH LONDON COLLEGIATE SCHOOL, EDGWARE (P/2488/20)	CANONS	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 117 - 210)

### 12. Section 2 - Other Applications recommended for Grant

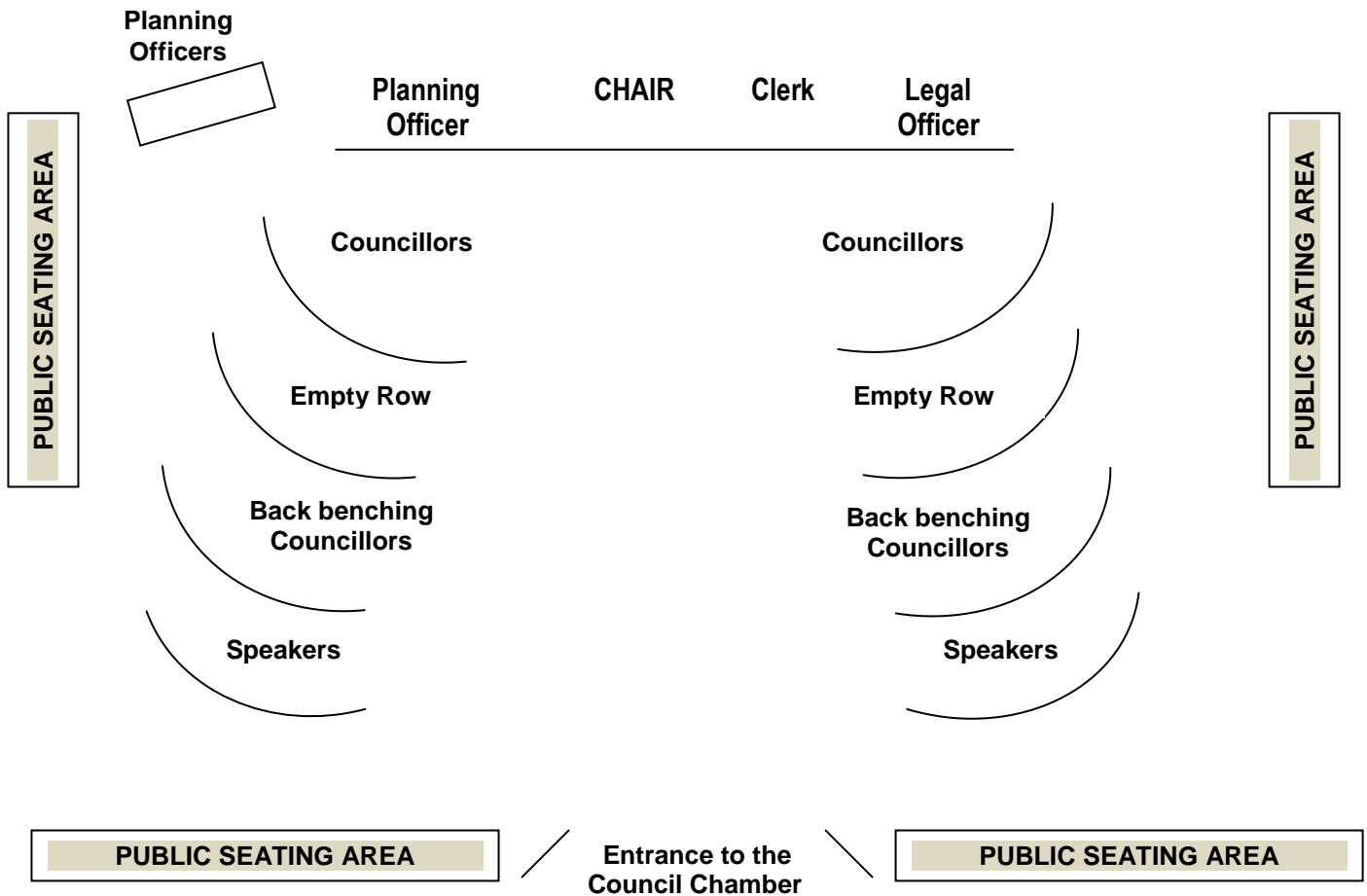
(a)	2/01 52 HIGH STREET, HARROW (P/2250/20)	HARROW ON THE HILL	GRANT	(Pages 211 - 228)
(b)	2/02 52 HIGH STREET, HARROW (P/1444/20)	HARROW ON THE HILL	GRANT	(Pages 229 - 248)
(c)	2/03 STANMORE HOUSE, 15- 19 CHURCH ROAD (P/2503/20)	STANMORE PARK	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 249 - 276)
(d)	2/04 2A TOWERS ROAD (P/2063/20)	HATCH END	GRANT	(Pages 277 - 310)
(e)	2/05 SHEPHERD CHURCHILL DINING HALL (P/1974/20)	HARROW ON THE HILL	GRANT	(Pages 311 - 344)

13. **Any Other Urgent Business**  
Which cannot otherwise be dealt with.

## **Agenda - Part II - NIL**

## GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

### Typical Planning Committee Layout for the Council Chamber



### Order of Committee Business

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

### Rights of Objectors & Applicants to Speak at Planning Committees

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

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

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

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

## **Addendum**

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

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

## **Decisions taken by the Planning Committee**

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

### **Refuse permission:**

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

### **Grant permission as recommended:**

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

### **Minded to grant permission contrary to officer's recommendation:**

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

### **Defer for a site visit:**

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

### **Defer for further information/to seek amendments:**

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



**Grant permission subject to a legal agreement:**

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

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

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# Planning Committee

## Minutes

### 14 October 2020

**Present:**

**Chair:** Councillor Ghazanfar Ali (Vice-Chair in the Chair)

**Councillors:** Marilyn Ashton Anjana Patel  
Christopher Baxter Kiran Ramchandani  
Simon Brown Sachin Shah

**Apologies received:** Keith Ferry

**427. Attendance by Reserve Members**

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

Ordinary Member

Reserve Member

Councillor Keith Ferry

Councillor Kiran Ramchandani

**428. 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.

**429. Declarations of Interest**

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

**430. Minutes**

**RESOLVED:** That the minutes of the meeting held on 23 September 2020 be taken as read and signed as a correct record.

**431. Public Questions**

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

**432. Petitions**

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

**433. Deputations**

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

**434. References from Council and other Committees/Panels**

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

**435. Addendum**

**RESOLVED:** To accept the Addendum and Supplemental Addendum.

**436. Representations on Planning Applications**

**RESOLVED:** To note that no representations on Planning Applications were received.

**Resolved Items**

**437. 1-01 16-28 Bonnersfield Lane P-0768-20**

**PROPOSAL:** redevelopment to provide a five storey building comprising of twenty two flats (Use class C3) and commercial unit to ground floor (Use class B1); six x three storey houses; landscaping; parking; bin and cycle stores; emergency vehicle access; associated works (demolition of existing buildings).

The Chief Planning Officer requested that the item be deferred as there had been a question raised on affordable housing, and Officers would need time to respond.

The application would be submitted to Committee at a later date.

**DECISION: DEFER**

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

**438. 1-02 North Side Car Park Greenhill Way P-1257-20**

**PROPOSAL:** redevelopment to create a part 3, part 4 and part 5 storey building to provide 89 co-living units with communal facilities; landscaping; parking; refuse and cycle storage (as amended by the Addendum).

Councillors Marilyn Ashton and Anjana Patel expressed their concerns on co-living models' suitability for Harrow, and whether they were genuinely affordable.

Following questions and comments from a Member on historical applications of the site, an officer advised that:

- a planning application was approved in 2008 but not implemented; it was not known why it had not been implemented;
- other planning applications were submitted in 2011 and 2012 but were refused; and
- two further applications were submitted in 2013 but were also refused.

The Committee resolved to accept officer recommendations.

The Planning Committee was asked to:

**RECOMMENDATION A**

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

**i) Tenure and Management**

- Tenure and Management Strategy.

**ii) Affordable Housing Contribution and Viability Review**

- Early Stage Review;
- Commuted Sum - £393,647;
- to pay the affordable housing contribution prior to the commencement of development.

### **iii) Carbon Offset**

- requiring payment of the carbon offset contribution (£65,672) prior to commencement of development;
- Post-construction assessment to determine if the proposed carbon;
- reductions have been achieved and whether an additional carbon offset;
- contribution (residential element) is required to offset any shortfall; and
- calculated at £1,800 per tonne of carbon.

### **iv) Energy Centre**

- Provision of a safeguarding route to connect to any future wider District Heat Network.

### **v) Highways and Parking**

#### **Travel Plan Monitoring**

- Baseline Survey to be completed within 6 months of agreement (exact options to be secured by agreement) and surveys to be conducted in year 1, 3 and 5 of the development, following the baseline survey;
- Submission of financial costs associated with the Travel Plan are to be provided by the developer;
- Submission of an updated Travel Plan based on the framework travel plan prior to occupation and to cover an initial monitoring period of 5 years;
- Travel Plan Monitoring fees/bond to be secured with the latter only to be used in the event of the development not meeting targets in year 5;
- Appointment of a travel plan co-ordinator.
- Highways Agreement;
- Section 278 Agreement - for removal of existing footway / kerb outside the Greenhill Road access and resurfacing as carriageway;
- Construction of new kerb and footway to adjoin the existing; and
- Improvements to vehicle and pedestrian access of Greenhill Road.

### **vi) 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.

#### **vii) Legal Costs and Monitoring Fee**

- Legal fees: 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; and
- Planning Administration Fee: Payment of £1580 administration fee for the monitoring and compliance of the legal agreement

### **RECOMMENDATION B**

That if the Section 106 Agreement was not completed by 15 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 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, 5.2, 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).

### **DECISION: GRANT**

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

Councillors Ali, Brown, Ramchandani and Shah voted for the application.

Councillors Ashton, Baxter and Patel abstained from voting.

#### **439. 2-01 Valleyfield, Mount Park Road P-1571-20**

**PROPOSAL:** single storey side/rear extension to garage and creation of first floor and conversion of garage to an additional (5 bed) dwelling; proposed vehicle access; bin and cycle stores; external alterations (demolition of two storey side extension, single storey rear extensions and sheds on existing dwellinghouse).

The Committee resolved to accept officer recommendations.

### **RECOMMENDATION**

The Planning Committee was asked to:

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

### **DECISION: GRANT**

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

#### **440. 2-02 115 Village Way P-2014-20**

**PROPOSAL:** conversion of single dwelling to two flats (2 x 2 bed); single and two storey rear extension; single storey rear extension; raised patio at rear; parking; separate amenity space; landscaping; bin / cycle storage; external alterations (demolition of garage and conservatory).

Following questions and comments from Councillors Marilyn Ashton and Anjana Patel on flooding, an officer advised that:

- the Council's Drainage Officer had assessed flooding on the development, and it would be secured by condition to mitigate any occurrences. This would be submitted to the applicant.

A Member was concerned about off-site parking in the flood-prone area. An officer advised that the western side, which had a sinkhole, would be protected, with no scope to develop there.



The Committee resolved to approve officer recommendations.

### **RECOMMENDATION**

The Planning Committee was asked to:

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

### **DECISION: GRANT**

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

Councillors Ali, Brown, Ramchandani and Shah voted for the application.

Councillors Ashton, Baxter and Patel abstained from voting.

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

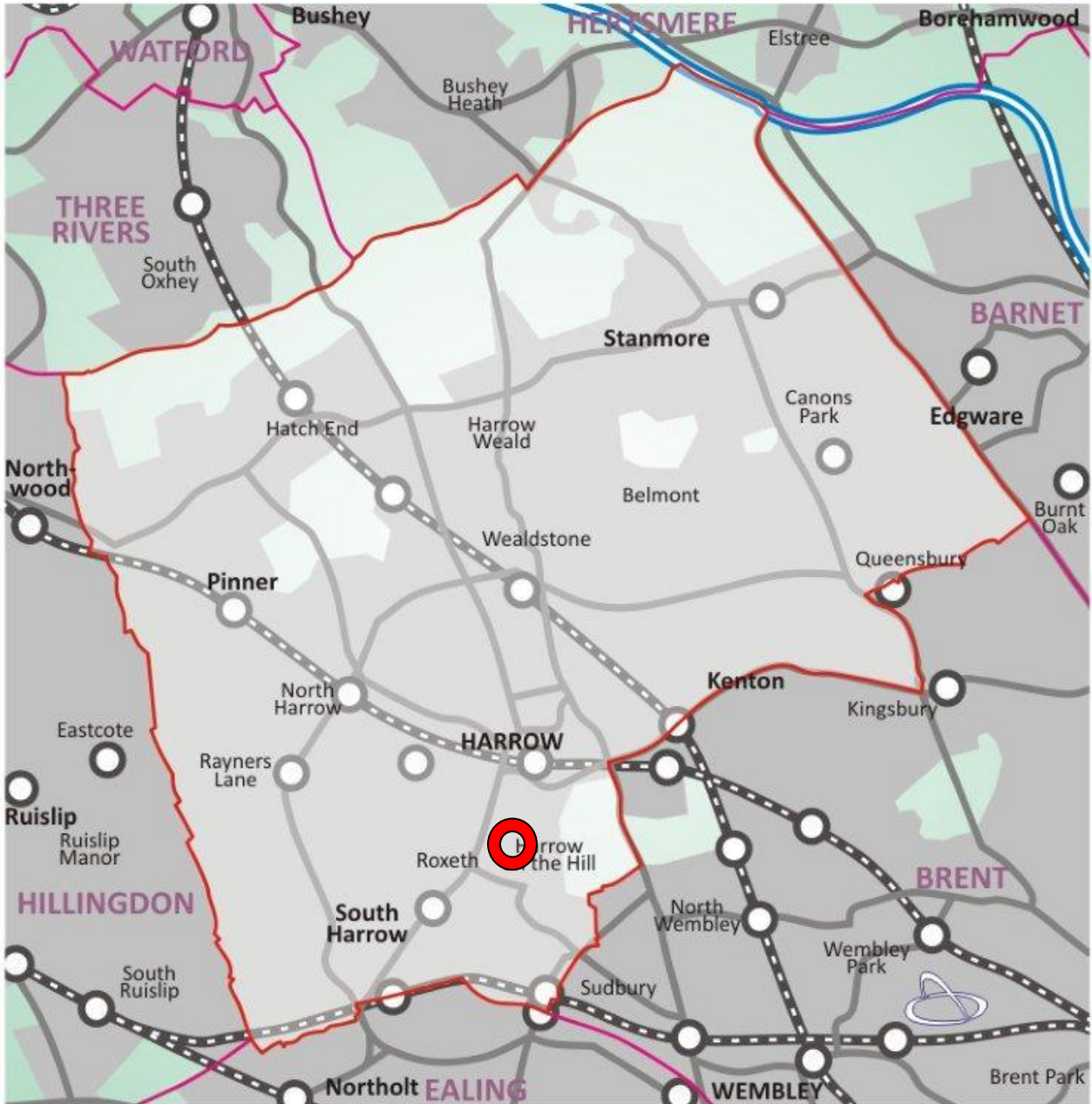
<https://www.harrow.gov.uk/virtualmeeting>

(Note: The meeting, having commenced at 6.30 pm, closed at 7.09 pm).

(Signed) Councillor Ghazanfar Ali  
Vice-Chair in the Chair

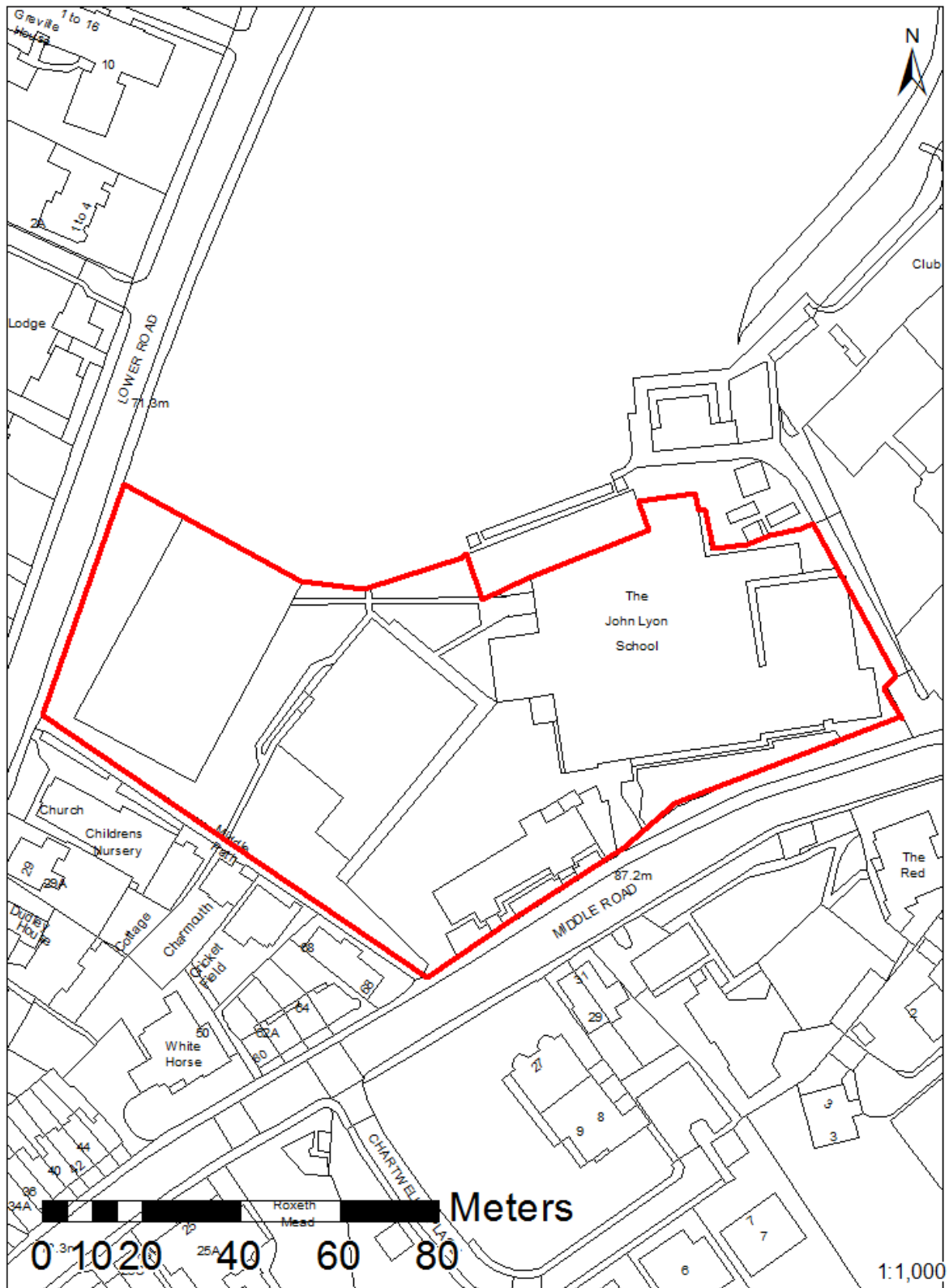
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 = application site



<b>John Lyon School Middle Road</b>	<b>P/1813/19</b>
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# John Lyon School, Middle Road



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

18th November 2020

**APPLICATION NUMBER:** P/1813/19  
**VALIDATE DATE:** 06<sup>th</sup> FEBRUARY 2019  
**LOCATION:** JOHN LYON SCHOOL,  
MIDDLE ROAD  
**WARD:** HARROW ON THE HILL  
**POSTCODE:** HA2 0HN  
**APPLICANT:** THE KEEPERS AND GOVERNORS OF THE  
POSSESSIONS REVENUES AND GOODS OF THE  
GREE GRAMMAR SCHOOL OF JOHN LYON  
**AGENT:** JTS PARTNERSHIP  
**CASE OFFICER:** CATRIONA COOKE  
**EXPIRY DATE:** 31st OCTOBER 2019

### PROPOSAL

Redevelopment to provide four storey teaching block with basement; hard and soft landscaping; parking (demolition of existing building).

### RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report,
- 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 modification of the Section 106 legal agreement (subject to planning application P/2504/19) 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.

## **RECOMMENDATION B**

That if, by 30th January 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation modification is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement), the development would be constructed on land outside of the development envelope in breach of the Section 106 and the development could give impacts to the character, appearance and openness of the conservation area in terms of site coverage

## **INFORMATION**

This application is reported to Planning Committee as it is a major application. 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.

This application was originally presented to the Planning Committee on 22nd January 2020 where the Members resolved to defer the application in order to allow further consideration of alternative sites for the proposed building. In September 2020 following consultation with the Local Planning Authority an alternative site study was submitted which considered five alternative sites. Officers have conducted a further round of consultation regarding the alternative sites study and assessed the submitted document and agree with the findings that the originally proposed building would be the most appropriate siting to meet the educational needs of the school with the least impact on the Conservation Area.

Statutory Return Type: E All largescale Major Developments  
Council Interest: None

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

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 Crime & Disorder Act**

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

## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises Oldfield House located on the top end of Middle Road at the junction with Crown Street.
- 1.2 The School provides secondary level education for boys between 11 to 18 years of age.
- 1.3 The site is bounded by residential development to the east, south and west and by Metropolitan Open Land to the North. There is a significant level change from Crown Street to Lower Road. The existing Oldfield House is sited to the front of the site and is largely obscured by a listed wall
- 1.4 The site is located within The Harrow on the Hill Village Conservation Area and within the setting of Roxeth Hill Conservation Area.

## **2.0 PROPOSAL**

- 2.1 Redevelopment to provide 4 storey teaching block with basement with a maximum height of 15m above ground level. The proposed building would be sited 7m away from the existing Oldfield House (which is to be demolished). The new building would occupy the same size footprint as the existing Oldfield House.
- 2.2 The proposed new building would provide a STEAM centre (Science, Technology, Economics, Art and Mathematics) with 5 General Classrooms, 2 Science and Technology Classrooms. 1 STEAM studio, 1 ICT Classrooms and 2 Art Studios.
- 2.3 The proposal includes excavation into the hill slope to allow a lower ground floor with access from the north. Landscaping to include provision of new informal play area on the site of the existing Oldfield House. New hard surfacing is proposed around the new Oldfield Building with improved step free access and informal seating. Nine trees are proposed to be removed with the addition of 25 new trees.

Summary Table setting out the main facts

<b>Education</b>		
No.of Pupils	Existing	600
	Proposed	No change
No of Staff	Proposed	No change
No of Classrooms/ teaching spaces	Existing	43
	Proposed	54



<b>Sustainability / Energy</b>	
BREEAM Rating	N/A
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	35.47% carbon reduction

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 The site has an extensive planning history. However, the following applications are most relevant to this current application:

Ref no.	Description	Status and date of decision
WEST/695/94/FUL	Part single storey, 2, 3 and 4 storey building to provide sports hall, swimming pool and library and ancillary areas alterations to existing building and parking.	Granted 26/06/95
P/3995/13	(Land Rear of 76 West Street, Harrow, Middlesex HA1 3HB) Use of vacant land at rear as car park (sui generis); new railings to front car park	Granted: 31-JUL-2014
P/4247/14	Modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement) to increase the number of pupils on roll from 525 to 710 (previously modified by deed of variation dated 24.09.2007 to 600 pupils) and to put in place a enhanced school	Refused 24/02/2015
Reason for Refusal		
<p>1. The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2011) and policy DM1 of the Harrow Development</p>		

Management Policies Local Plan (2013).		
P/1020/16	Modification to section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23rd June 1995 (principal agreement) to increase the number of pupils on roll from 525 to 710 (previously modified by deed of variation dated 24.09.2007 to 600 pupils): to put in place a enhanced school travel plan enforcement mechanism and stars performance measurement for travel plan	Refuse 25/05/2016  Appeal Dismissed
<p><u>Reason for refusal:</u></p> <p>1. The proposed modification to the principal Section 106 Agreement dated 23rd June 1995, as varied by the deed of variation dated 24th September 2007, relating to the limitations of students numbers, would result in an unacceptable level of noise, disturbance and traffic movements, to the detriment of the residential amenities in Middle Road, Lower Road, Byron Hill Road, Crown Street, Chartwell Place, Clonmel Close and surrounding areas, contrary to policy 7.15 of The London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).</p>		

#### **4.0 CONSULTATION**

- 4.1 A total of 177 consultation letters were sent to neighbouring properties regarding this application and site notices were put on lamp posts in the vicinity of the site and adverts were placed in local papers.
- 4.2 The overall public consultation period expired on 15/11/2019. 210 letters of objection for the application and 5 support letters were received. A further consultation was carried out on the revised "Alternative Sites Study" which expired on 29/11/2020 a further 40 letters of support were received. We have not received any objections, to date, regarding this second round of consultation.

4.3 A summary of the responses received are set out below:

Summary of Comments	Officer Comments
Concern with location of new building	Discussed at 7.3.9 below.
Concern that this will result in increased pupil number	The applicant has stated that there is no intention to increase pupil numbers. Notwithstanding the pupil numbers are an obligation under the S.106 and a separate application to increase numbers would need to be submitted and approved.
Agree with Harrow Hill Trust Comments	

4.4 Statutory and Non Statutory Consultation

4.5 The following consultations have been undertaken:

LBH Conservation Officer  
 LBH Drainage Engineer  
 LBH Vehicle Crossing Team  
 LBH Highways  
 LBH Arboricultural Officer  
 LBH Landscape Architect  
 LBH Education  
 LBH Economic Development  
 LBH Waste Management

Harrow Hill Trust  
 Historic England (ancient Monument)  
 Historic England  
 Pebwatch  
 Natural England  
 Campaign for a Better Harrow Environment

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

Consultee and Summary of Comments
<p><u>LBH Conservation Officer</u> The amended design is much improved and addresses previous comments, particularly if it can be ensured that the rendered CGI on page 2 of the heritage statement's addendum is accurate in showing vegetation screening to the south even during winter periods'</p> <p><i>Officer comment: Full assessment by the Conservation Officer is set out in the appraisal below.</i></p>
<p><u>LBH Drainage Engineer</u></p> <p>We can confirm that the Drainage Strategy provided in the Flood Risk Assessment submitted by the applicant is insufficient, surface water restrictions to Greenfield run off rates is required. However, this application can be conditioned with our standard pre commencement drainage conditions (attached) and the drainage details should be submitted in line with our standard drainage requirements letter. Please note that these conditions apply to hard play area and the new building.</p> <p>Basement protection details which includes waterproofing details are required (condition attached). Permeable paving should be used for parking area &amp; any proposed hardstanding. Full construction details of permeable paving should be submitted (condition attached).</p> <p><b>Please be informed that the requested details can be conditioned attached are our standard pre commencement drainage conditions/informative for your reference.</b></p> <p><i>Officer comment: Noted and conditions and informatives attached</i></p>
<p><u>LBH Vehicle Crossing Team</u> We have no concerns regarding the internal element of their works however with HGV movement of the existing crossing needs to be looked into and the traffic management in and out as it is one way with hgv's needs to be looked into but this may form part of their CLP and CMP probably to follow.</p> <p><i>Officer comment: Noted and will be conditioned under the CLP.</i></p>
<p><u>LBH Highways</u> No objection subject to condition requiring revised CLP.</p> <p><i>Officer comment: Noted and will be conditioned</i></p>

LBH Arboricultural Officer

The trees which are to be removed at largely C category so there are no objections to the proposals in principle provided the above discrepancy is cleared up and the tree protection measures are implemented exactly as per the recommendations

*Officer comment: Noted and appropriate condition is recommended.*

LBH Landscape Architect

Suggested conditions

Harrow Hill Trust: -

- We do not consider that consultation and community engagement has been properly carried out
- We consider the proposed building is not appropriately located. It blocks important views, is insensitive to the street scene of the Harrow on the Hill Village Conservation Area and is outside the envelope permitted by the section 106 order. It should instead occupy the position of the existing Oldfield House
- The height of the proposed building is totally inappropriate for the site. It will loom over the existing Crown Street wall and provide a much more dominant bulk to be seen from Byron Hill and Crown Street – and from Lower Road
- The scheme is contrary to the aims and ambitions of the Harrow on the Hill Village Conservation Area Management Plan and Appraisal.
- We do not believe special circumstances have been established for waiving compliance with the Conservation Area plan. The educational rationale is not proven nor confidently demonstrated.

*Officer comment: objections noted and discussed further in the appraisal below.*

Historic England

No objection subject to a condition to ensure that a Stage 1 written scheme of investigation (WSI) is submitted prior to demolition or development.

*Officer comment: Noted and appropriate condition is recommended.*

**5.0 POLICIES**

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

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

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Design, Heritage Assets, Character and Appearance of the Conservation Area
- Impact on Residential Amenity
- Impact on Metropolitan Open Land
- Trees and Landscaping
- Ecology and Biodiversity
- Archaeology
- Traffic Parking, Access and Servicing
- Drainage
- RAF Safeguarding Zone
- Energy and Sustainability
- Development and Flood Risk
- Statement of Community Involvement

## 6.2 Principle of Development

The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.16
- The Draft London Plan (2019): S3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1 and DM46

- 6.2.1 The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality build environment that reflect the community needs and support its health, social and cultural wellbeing. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.
- 6.2.2 Paragraph 94 of the NPPF states 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education'
- 6.2.3 Policy 3.16 of The London Plan (2016) seeks to ensure that development proposals which enhance social infrastructure, education and skills provision are supported. Policy 3.18C states 'Development proposals which enhance educations and skills provision will be supported, including new build, expansion of existing or changes of use to educational purposes. Part E of the policy states 'development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged. Draft London Plan (2019) Policy S3 seeks to ensure there is sufficient supply of good quality education to meet demand and offer educational choice.
- 6.2.4 Core policy CS1 of the Harrow Core Strategy (2012) states that: 'The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements'.
- 6.2.5 Policy DM46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and (c) would not result in any adverse impacts on residential amenity or highway safety. As the proposal relates to the replacement of existing educational floor space, criterion a)

is not applicable in this case, as the school would continue to serve the community that it is located in. Criterion d) and c) are addressed in the appraisal below.

- 6.2.6 The submitted planning statement and Education Rationale provides justification for the additional floor space proposed within the new building. The new building would provide a STEM (Science, Technology, Engineering, Art, Mathematics) Hub which cannot be facilitated within the existing school buildings. The Educational Rationale also details a number of issues within the existing school building with different departments sharing teaching spaces. The proposed new building would result in improved facilities within the main school enabling departments to function as hubs. It is noted that objections have been received regarding increasing pupil numbers. John Lyon school have confirmed that there are no current plans to increase pupil numbers. Notwithstanding this, should the school wish to increase the pupil numbers, this would require an amendment to the S.106 which does not form part of this application.
- 6.2.7 As noted above following the deferral from the 22<sup>nd</sup> January 2020, the applicants have submitted an Alternative Sites Study the document reviews five alternatives.

Option 1: relocation of current proposal on to the existing Oldfield House footprint. This proposal would result in a building 4.1m higher than the existing Oldfield House and would encroach on the parking spaces leading to a loss of approximately 4 parking spaces. It was considered that this proposal would have an unacceptable impact on the Conservation Area due to excessive height and bulk on the frontage of Crown Street.

Option 2: Siting as option 1 and creating a basement thereby reducing the height of the proposal to approximately 1m higher than the existing Oldfield House. It is considered that while this option would have been lower than Option 1 it would still have an unacceptable impact on the Conservation Area due to excessive height and bulk on the frontage on Crown Street.

Option 3: Two x two storey teaching blocks one sited on the original Oldfield House site and one further down the hill with a playspace between. This proposal would have resulted in a significant increase in the built envelope which would be contrary to the S.106 and would have an unacceptable impact on the openness of the site.

Option 4: Enlarged footprint 3 storey teaching block on existing Oldfield House site. This alternative would result in a 7.5m wider building and 1.63m higher than the existing Oldfield House. This would have significantly increased the built envelope which would be contrary to the S.106. Furthermore, as with Options 1 and 2 it is considered that this alternative would have had an unacceptable impact on the Conservation Area due to excessive height and bulk on the frontage of Crown Street.

Option 5: One central square teaching block and two smaller blocks. This would have significantly increased the built envelope which would be contrary to the S.106. Furthermore this proposal would have reduced the views from Crown Street.



It is considered that the above alternative sites, would have had a harmful impact on the Conservation Area and/or open space. Furthermore, all of the alternatives would have resulted in a loss of parking which would exacerbate the existing parking issues within the area and it is for these reasons these options were discounted.

### *S.106*

6.2.8 An application to modify the section 106 planning obligation relating to planning permission WEST/695/94/FUL dated 23<sup>rd</sup> June 1995 (principle agreement) to amend the building envelope to reflect extension permitted under application references P/2160/10 and P/3420/06 has been submitted alongside this application. Officers have no objections to this amendment subject to the Planning Committee resolving to grant planning permission for this application.

6.2.9 Having regard to the above policy considerations, the principle of development is considered to be acceptable by officers subject to amendments to the S.106 agreement to amend the build envelope.

### **6.3 Design, Heritage Assets and Character and Appearance of the Conservation Area**

The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B, 7.6B and 7.8C/D
- The Draft London Plan (2019): D1, D2, D3 and HC1
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM6, DM7 and DM46

6.3.1 Oldfield House is located in the Harrow on the Hill Village Conservation Area, with Roxeth Hill Conservation Area forming its western setting.

6.3.2 The proposal has evolved through the pre-application process being the subject of two Design Review Panels. The panel considered the massing concept of 'small house, big house' to be strong and a good way to break up the volume and the resulting shorter frontage of the building is more comfortable looking up the hill. The Panel were convinced by the overall design although considered the style should be made stronger whether it is 'flamboyant' or pared-back and ordered'. The submitted plans have addressed these comments with paired back and order facades.

6.3.3 The special character and appearance of the former conservation area is due to it being 'the historic core of the Hill, scattered with the area's earliest buildings. Its unique townscape comprises a historical settlement of considerable antiquity and visual quality, set along an irregular network of ancient highways, and bounded by open spaces [such as the Harrow school cricket fields], which serve to accentuate

its distinction from the surrounding London sprawl' (Harrow on the Hill Village CAAMS). It is of 'special interest for... obvious underlying landscape character' and 'its wealth of history and significant amount of listed buildings, as well as close historical associations with Harrow School' (Harrow on the Hill Village CAAMS).

- 6.3.4 Development is focused on the upper reaches of the hill in a close knit, ribbon-like form (principally Victorian and earlier buildings) facing the roads with open green space and established trees surrounding this development and sloping downwards. Thus there are good open views out from both Crown Street and Middle Road and up the hill from the cricket pitches/playing fields. There is limited screening in places provided by the Harrow School pavilion and established trees from Lower Road.
- 6.3.5 The 20th century and later development that has been built, whilst somewhat larger than the earlier buildings, preserves the setting of surrounding listed and locally listed buildings in key views into around and out from the site e.g. by following the topography of the land. This allows the overall picturesque, village character of the area to remain. Oldfield House is one example of a 20th century building that has an altogether recessive character in the conservation area given its design, siting, scale and plentiful surrounding greenery. Along Crown Street the site is set behind a historic wall and gate pier to the original Oldfield House. This forms the key part of views from Crown Street and Middle Road with the ridge of the existing Oldfield House only just being visible behind it.
- 6.3.6 The special character and appearance of the Roxeth Hill Conservation Area differs somewhat to Harrow on the Hill Village conservation area hence the separate designation. Most of John Lyon school, with its slightly larger institutional buildings, are sited at the top reaches of that conservation area, with its main school building just to the west of the site. The CAAMS summarises it as forming: 'one of the main approaches to the Hill from the south west. This 32 acre part of the western slope of Harrow on the Hill has an openly developed mainly residential, but also commercial and community character. The steeply sloping land throughout is the key defining feature'.
- 6.3.7 Paragraph 193 of the NPPF states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. It is considered that the proposal would result in less than significant harm to the adjoining heritage assets and Harrow on the Hill Village Conservation Area.
- 6.3.8 It is noted that objections have been received from neighbouring occupiers regarding the location of the proposed new building. However, as discussed earlier the educational need demonstrated would justify the introduction of a replacement building on the site. Given the additional floorspace required, it is considered that the siting of the building away from the street frontage would represent a less obtrusive form of development and would essentially appear as a continuation of the existing built form of the school. A building of this scale on the

street frontage would result in a building which would dominate the streetscene and fail to preserve or enhance the Conservation Area.

- 6.3.9 Overall, it is considered that on balance as detailed above John Lyon School have provided clear and convincing justification for the need for additional teaching accommodation and therefore the less than substantial harm to the Harrow Village Conservation Area can be justified.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

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

6.4.2 The proposed new building would be located in excess of 30m from the nearest residential property No. 60 Crown Street. Given this separation distance and that the proposed new building would be sited at an angle from the property there would be an acceptable impact on the amenities of this neighbouring property.

6.4.3 It is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. In accordance with London Plan Policy 7.6 and Development Management Local Plan Policy DM1,

## **6.5 Impact on Metropolitan Open Land**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.17
- The Draft London Plan (2019): G3
- Harrow Development Management Policies Local Plan (2013): DM16

6.5.2 The Harrow School Playing fields that adjoin the site approximately 25m from the site of the proposed building. Whilst the proposed building would be situated closer to the Metropolitan Open Land, given its repositioning along the Hill, it is considered that the proposal would be viewed within the context of the existing school buildings that currently frame this open space and therefore would not have a detrimental impact on the openness of the Metropolitan Open Land. In accordance with policy DM16 of the Development Management Local Plans Policy.

## **6.6 Trees and Landscaping**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.21
- The Draft London Plan (2019): G7
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM22

6.6.2 Nine Grade C trees are proposed to be removed to facilitate the development which will be replaced by twenty three new trees around the boundary of the site. The Council Arboriculturist raised no objection subject to conditions to ensure that the preserved trees are protected during construction. A condition has been recommended.

6.6.3 The proposal includes excavation into the hill slope to allow a lower ground floor with access from the north. The Landscaping includes provision of new informal play area on the site of the existing Oldfield House., new hardsurfacing is proposed around the new Oldfield Building with improved step free access and informal seating/spill out area. The proposed landscaping would improve the connectivity and circulation for the pupils and staff and allow for informal learning and social space. The landscape architect has raised no objections subject to conditions.

## **6.7 Ecology & Biodiversity**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19
- The Draft London Plan (2019): G6
- Harrow Development Management Policies Local Plan (2013): DM21

6.7.2 Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that “The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought”. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment.

6.7.3 The applicants have submitted a revised “Preliminary Ecological Appraisal Incorporating Bat Survey Inspection. At the time of writing this report the Council’s Biodiversity officer has yet to review the the revised document. Comments received and conditions recommended by the Biodiversity Officer will be reported by addendum.

## **6.8 Archaeology**

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.8
- The Draft London Plan (2019): HC1
- Harrow Development Management Policies Local Plan (2013): DM22

6.8.2 As discussed above it is considered that the applicant has provided clear and convincing justification to outweigh the less than substantial harm.

6.8.3 NPPF paragraph 189 states “applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. The application lies in an area of archaeological priory area: Historic Harrow. An archaeological desk based assessment has been submitted with the application which The Greater London Archaeological Advisory Service (GLAAS) have reviewed and have confirmed that the archaeological impact can be mitigated through a programme of archaeological planning condition. The suggested condition is recommended.

## **6.9 Traffic Parking, Access and Servicing**

6.9.1 The proposal would not increase pupil numbers and therefore it is considered that there would be no additional highway impact.

6.9.2 The Highways Authority has raised no objection subject to a condition requiring a revised construction logistics Plan.

## **6.10 Development and Flood Risk**

6.10.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.12,5.13
- The Draft London Plan (2019): SI13
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM10

- 6.10.2 The NPPF (2019) outlines the need to manage flood risk from all sources. Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Policy DM 9 states that “proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding and the design and layout of proposals must contribute to flood risk management and reduction” Further to this, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that “proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”.
- 6.10.3 The site is not within any floodzone. The Council’s drainage engineers have raised no objection, subject to the imposition of conditions, relating to surface water attenuation and storage works and details of disposal of sewage.
- 6.10.4 Subject to the above conditions, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2016) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy

## **6.11 RAF Safeguarding**

- 6.11.1 The site lies within the purple zone path for RAF Northolt. A consultation letter has been sent. No comments have been received.

## **6.12 Energy and Sustainability**

- 6.12.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.2, 5.3, 5.7
- The Draft London Plan (2019): SI13
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM12

- 6.12.2 The National Planning Policy Framework seeks to promote low carbon and renewable energy, including decentralised energy. This includes requiring local planning authorities to have a positive strategy to delivery low carbon and renewable energy infrastructure and for these matters to be considered as part of any planning application.

- 6.12.3 London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires new development to minimise carbon emissions in accordance with the energy hierarchy of be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy). The policy sets targets for carbon emission reductions; with residential development is expected to be zero carbon. 40% reduction required relative to the 2010 Building Regulations for both residential and non-residential development (this is equivalent to a 35% reduction over the more recent 2013 Building Regulations) is required to be achieved on site. The policy outlines that the remaining regulated carbon dioxide emissions, to 100%, are to be offset through a cash in lieu contribution to be ring fenced to secure the delivery of carbon dioxide savings elsewhere (in line with policy 5.2 E)
- 6.12.4 The National Planning Policy Framework seeks to achieve sustainable development. London Plan Policy 5.3 requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. It outlines broad considerations that developments should address, including minimising carbon emissions, avoiding overheating, making the efficient use of resources, minimising pollution and the generation of waste, avoiding the impacts from natural hazards, ensuring developments are comfortable and secure, using sustainable materials and promoting and protecting biodiversity and green infrastructure.
- 6.12.5 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%.
- 6.12.6 Harrow Local Plan policy largely cross-refers to the London Plan requirements with respect to carbon emissions [see Core Strategy Policy CS1 (T), Policies DM12 Sustainable Design and Layout, DM13 Decentralised Energy, and DM14 Renewable Energy Technology.7.12.6 The application is accompanied by an energy strategy. Through implementation of the three step energy hierarchy outlined in the London Plan (Be Lean, Be Clean, Be Green), the cumulative CO2 savings on the site are estimated to be 35.47% over Part L1A regulation baseline.
- 6.12.7 A condition is recommended to ensure that the proposals detailed in the energy and sustainability assessment are implemented. Subject to this and the above mentioned obligation, the scheme is considered to comply with the development plan polices outlined above and is acceptable in energy and sustainability terms

## **6.13 Statement of Community Involvement**

- 6.13.1 John Lyon School carried out a public consultation event on 9<sup>th</sup> January 2019. 35 people attended the consultation event. A statement of community Involvement was submitted with the application.

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

- 7.1 It is recognised that the proposal raises legitimate local concerns about the modification to the built envelope, impacts on the Conservation Area and its setting and impacts on the setting of the Listed buildings. Whilst noting the less than substantial harmful impact on the Conservation Area, the wider educational benefits to both John Lyon School and the wider community are considered to outweigh these concerns in this instance.
- 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

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

8871\_01; 630 301; 630 302; 630 04 A; 988B 1000 Rev B; 988B 1001 Rev H; 988 2014 Rev G; 988B 2015 Rev G; 988B 2016 Rev G; 988B 2017 Rev G; 988B 2018 Rev E; 988B 4001 Rev C; 988B 4002 Rev C; 988B 4011 Rev E; 988B 4012 Rev E; 988B 4013 Rev E; 988B 5001 Rev D; 988B 5002 Rev D; 988B 5011 Rev D; 988B 5012 Rev D

Drainage Strategy and SuDs statement; Flood Risk Assessment; Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (Dec 2018); 988B 1000; Design and Access Statement Revision B - 23rd October 2019; Energy Statement Revision 02; Statement of Community Involvement April 2019; New Oldfield – Educational Rationale; Addendum to Planning Statement including addendum to Educational Rationale; PL2068-03-ED-001-04- Landscape Proposal 23/10/2019; Archaeological Desk Based Assessment July 2019; Archaeological Desk Based Assessment: Alternative Sites Study

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

#### 3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above 150mm above ground level until details and samples of the materials to be used in the construction of the external surfaces noted (but not limited) below have been submitted, provided on-site and approved in writing by, the local planning authority:

- a) brickwork;
- b) all external openings;
- d) roofing materials; and
- e) all external paving materials

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..

4. Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to an 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: 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.

5. Landscaping

Notwithstanding the submitted Landscape Strategy and accompanying drawings, the development hereby approved shall not be first occupied until the following details have been submitted to, and agreed in writing by, the local planning authority:

- a) A scheme including a landscape masterplan for detailed hard and soft landscaping of the development, to include details of the planting, high quality hard surfacing and hard landscape materials, edgings, and including the bespoke seating and furniture, steps, ramps, earth regrading, tree pits and tree planting details, sports courts, car park and all landscape as set out in the landscape overviews, drawings and as detailed in the Landscape Proposals PL2068-03-ID-001-04 –LANDSCAPE PROPOSAL Oldfield House, Landscape Masterplan PL2068-03-GA-100 Rev 01, Landscape Hardworks Plan PL2068-03-GA-101Rev 01 , Landscape Soft works plan PL2068-03-GA-102 Rev 01, Section A A' plan PL2068-03-SK-400 Rev 01. The landscape masterplan is to be accurate and correlate with all the details, is to include the accurate location and spread of existing trees, shrubs and vegetation to be retained and proposed.

Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and a landscape implementation programme. Details of the grass and wild grass and flower planting.

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.

The hard and soft landscaping details shall demonstrate how the changes of levels would work between the various proposed spaces of sports courts, building, car park, footpaths and stepped seating / steps / ramps with full metric cross and long sections and elevations, (at a scale of not less than 1:100) and also to explain how the land levels change and the impact on the existing land and trees and shrubs to be retained. The sections shall demonstrate the proposed screening of the views of the building from Crown Street and from the cricket pitch to the north west and the additional proposed tree planting to screen the views.

- b) Details of minor artefacts and structures of all furniture, boundary treatment, play courts, specification for the proposed furniture (including proposed material and source) and detailed drawings of such; details in all external spaces including, steps, stepped seating, ramps, handrails, retaining walls and ballustrades, bespoke furniture and hard and soft detail of the reinforced grass.
- c) Details of lighting to all external spaces including locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels.

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

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

## 6. Landscaping 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, 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, to enhance the appearance of the development.

## 7. Landscape Management

The development hereby approved shall not be occupied until a scheme for the on-going management, management programme of works and maintenance of all

the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and landscape maintenance over a 5 year period and maintenance schedules (physical tasks) for all landscape areas, set out graphically and in writing, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance and ensure the future success of the development in accordance.

8. Levels

No development shall commence, other than works of demolition, until a detailed Levels Plan of the proposed ground level finished levels have been agreed in writing with the Local Planning Authority. This document needs to explain details of the levels of the building, car park, access road and footpaths in relation to the adjoining land and highways, and any other changes proposed in the levels of the site. Sufficient levels detail is required to understand the proposals in relation to the existing levels of the surrounding external wider site, outside the development site. The development shall be carried out in accordance with the details so agreed.

REASON: To safeguard the appearance and character of the and ensure the future success of the development.

9. Window Detail

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above 150mm above ground level until details of the window threshold details, including deep reveals and set backs have been submitted, provided on-site and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

10. Trees

No development shall take place, including any works of demolition, until a pre-commencement site meeting has been held between the site manager/foreman and the Local Planning Authority's tree officer, to agree that all protection measures have been installed in accordance with the approved tree protection plan. This includes ground protection (exact specifications to be confirmed) in relation to T16 and T20. Tree Officer can be contacted via email [rebecca.farrar@harrow.gov.uk](mailto:rebecca.farrar@harrow.gov.uk) to arrange

REASON: To ensure the protection of the retained trees on site.

11. Construction Logistics Plan

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.constructionlogistics.org](http://www.constructionlogistics.org). The Detailed Construction Logistics Plan shall provide for:

- a) Parking 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 and dirt during construction
- i) A scheme for recycling/disposing of waste resulting from demolition and construction works
- j) Details showing the frontage boundary of the site enclosed by site hoarding to a minimum height of 2m.
- k) Staff Travel Plan

The development shall be carried out in accordance with the approved Demolition and Construction Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority. The applicant is advised to liaise with highway Highway Network Management – email [NRSWA@harrow.gov.uk](mailto:NRSWA@harrow.gov.uk) prior to submission of Construction Logistics Plan.

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. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory method of construction is agreed prior to any works on site commencing.

12. Disposal of Surface Water/Surface Water Attenuation

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

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

13. Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided.

14. Permeable Paving

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on

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

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

15. Energy and Sustainability Statement

The development shall be undertaken in accordance with the approved Energy and 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 and Sustainability Statement (dated May 2019) which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development.

## **INFORMATIVES**

1. The following policies are relevant to this decision:

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

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

- 3.18 Education facilities
  - 5.2 Minimising Carbon Dioxide Emissions
  - 5.3 Sustainable Design and Construction
  - 5.7 Renewable Energy
  - 5.12 Flood risk management
  - 5.13 Sustainable drainage
  - 7.4B Local character
  - 7.6B Architecture
  - 7.8 Heritage Assets and Archaeology
  - 7.17 Metropolitan Open Land
  - 7.19 Biodiversity and access to nature
  - 7.21 Trees and Woodlands
- #### **The Draft London Plan (2019):**
- D1 London's form and characteristics
  - D2 Delivering good design
  - D3 Inclusive Design
  - G3 Metropolitan Open Land
  - G6 Biodiversity and access to nature
  - G7 Trees and Woodlands
  - HC1 Heritage conservation and growth
  - S3 Education and childcare facilities
  - SI12 Minimising greenhouse gas emissions
  - SI13 Sustainable drainage

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

- Core policy CS1.B
- Core policy CS1.D
- Core Policy CS1 K
- Core Policy CS1 T
- Core policy CS1.W

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

- DM1: Achieving a High Standard of Development
- DM7: Heritage Assets
- DM10: On Site Water Management and Surface Water Attenuation
- DM12: Sustainable Design and Layout
- DM10 On Site Water Management and Surface Water Attenuation
- DM16: Maintaining the openness of the Green Belt and Metropolitan Open Land
- DM20: Protection of Biodiversity and Access to Nature
- DM21: Enhancement of Biodiversity and Access to Nature
- DM22: Trees and Landscaping
- DM46: New Community and Educational Facilities
- DM47: Retention of Existing Community, Sport and Education Facilities.

## 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 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.

## 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 Thames Water Assets

The applicant can contact 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) for drainage connections consent.

## 6 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).

7 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.

8 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.

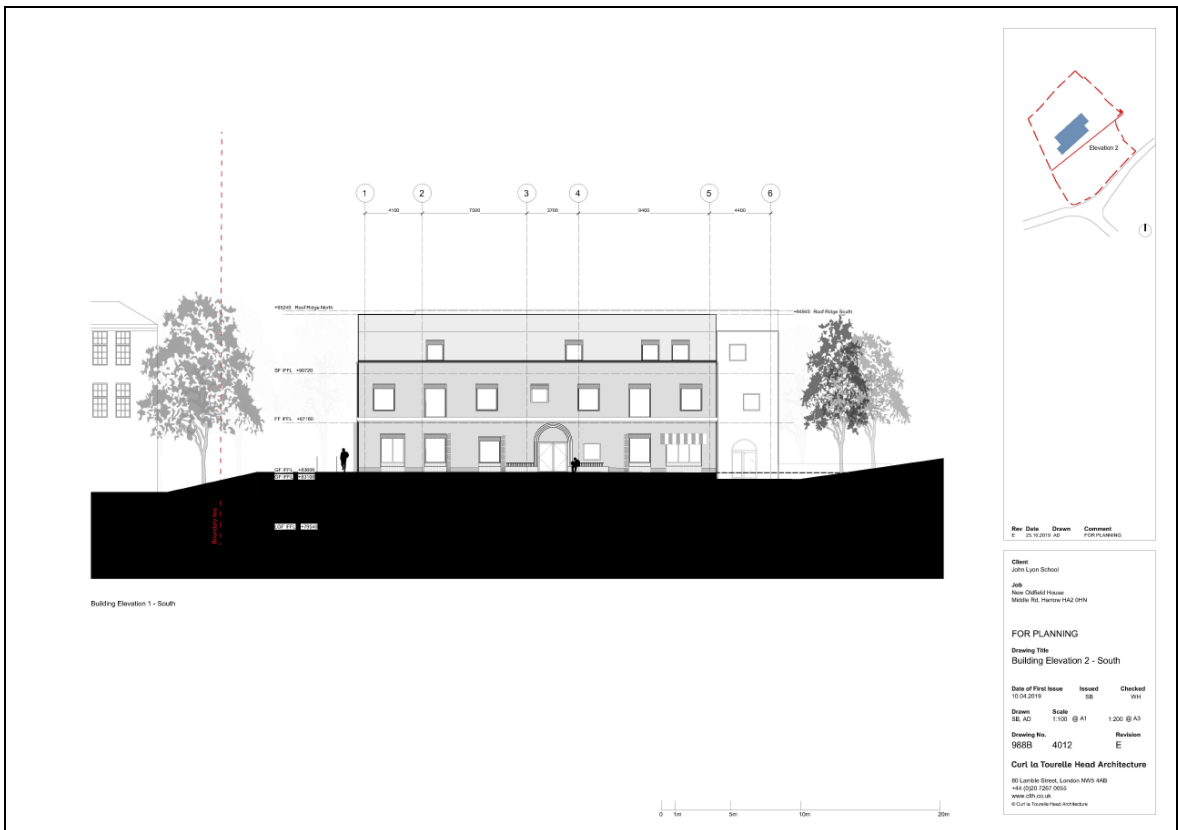
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

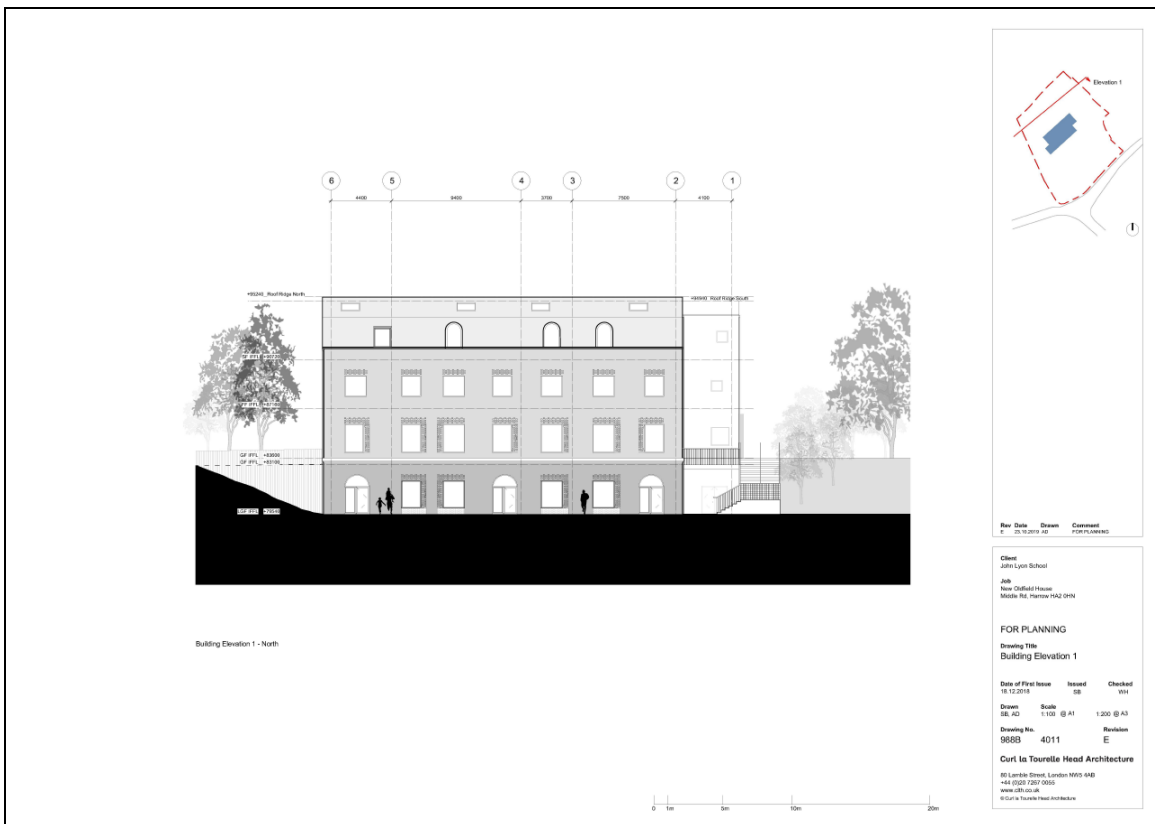
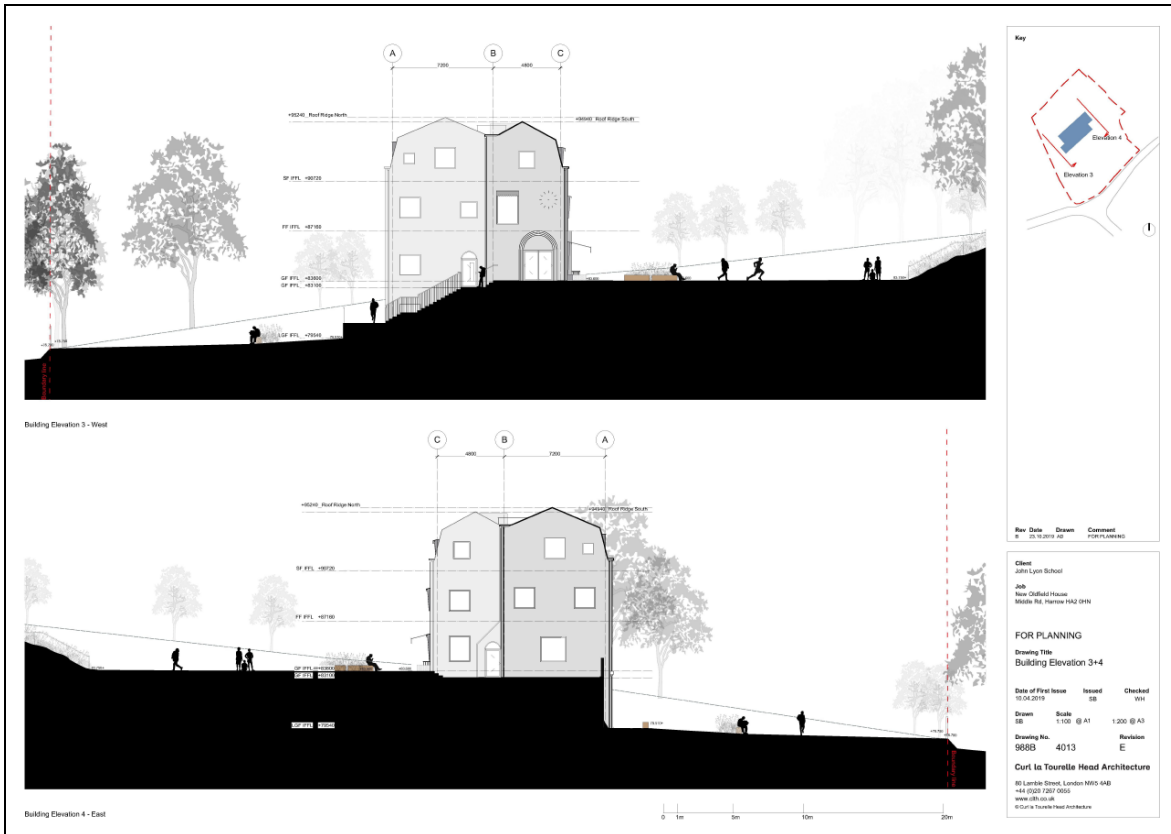
Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of 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.

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

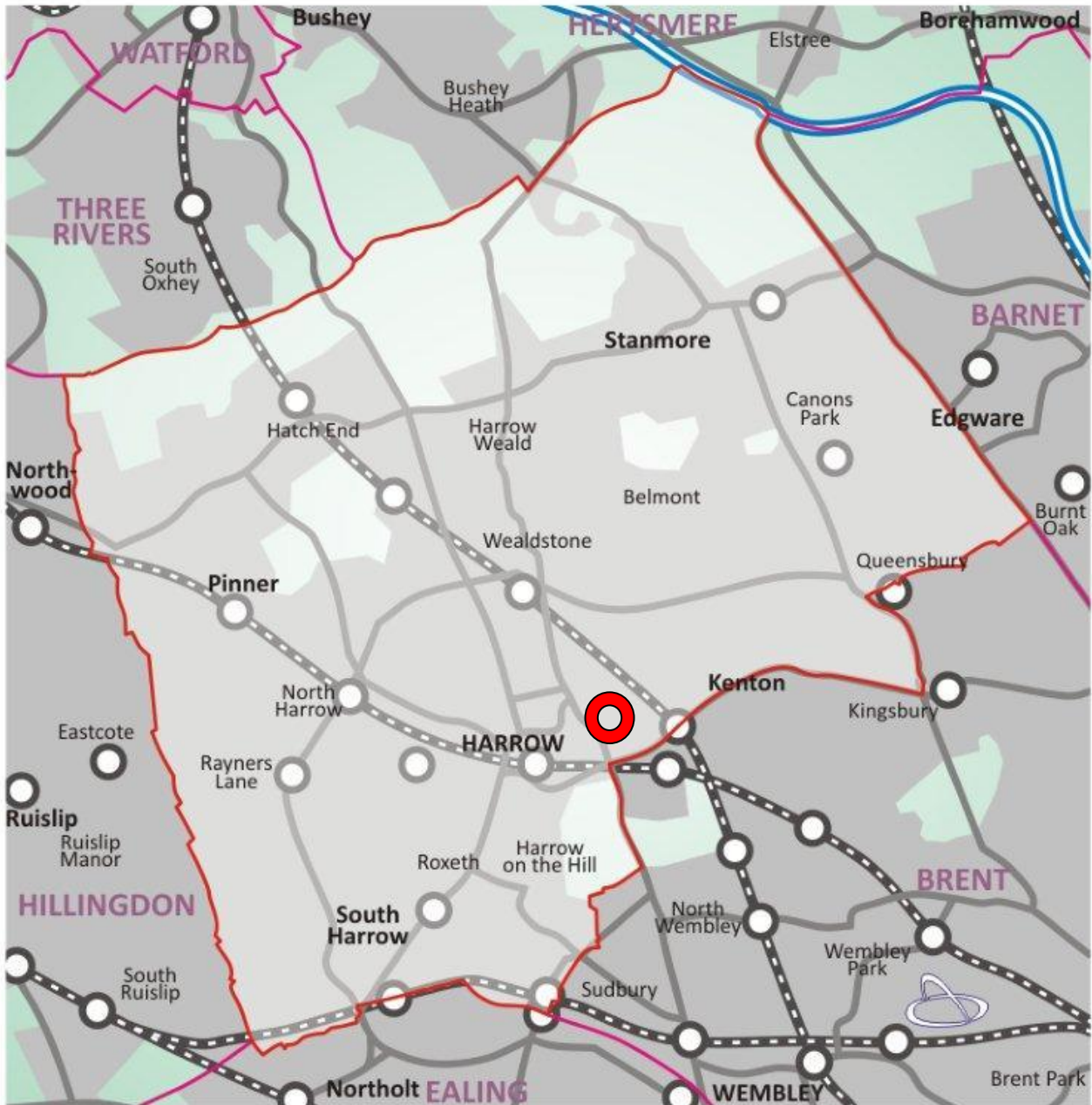
# APPENDIX 2 – PLANS AND ELEVATIONS





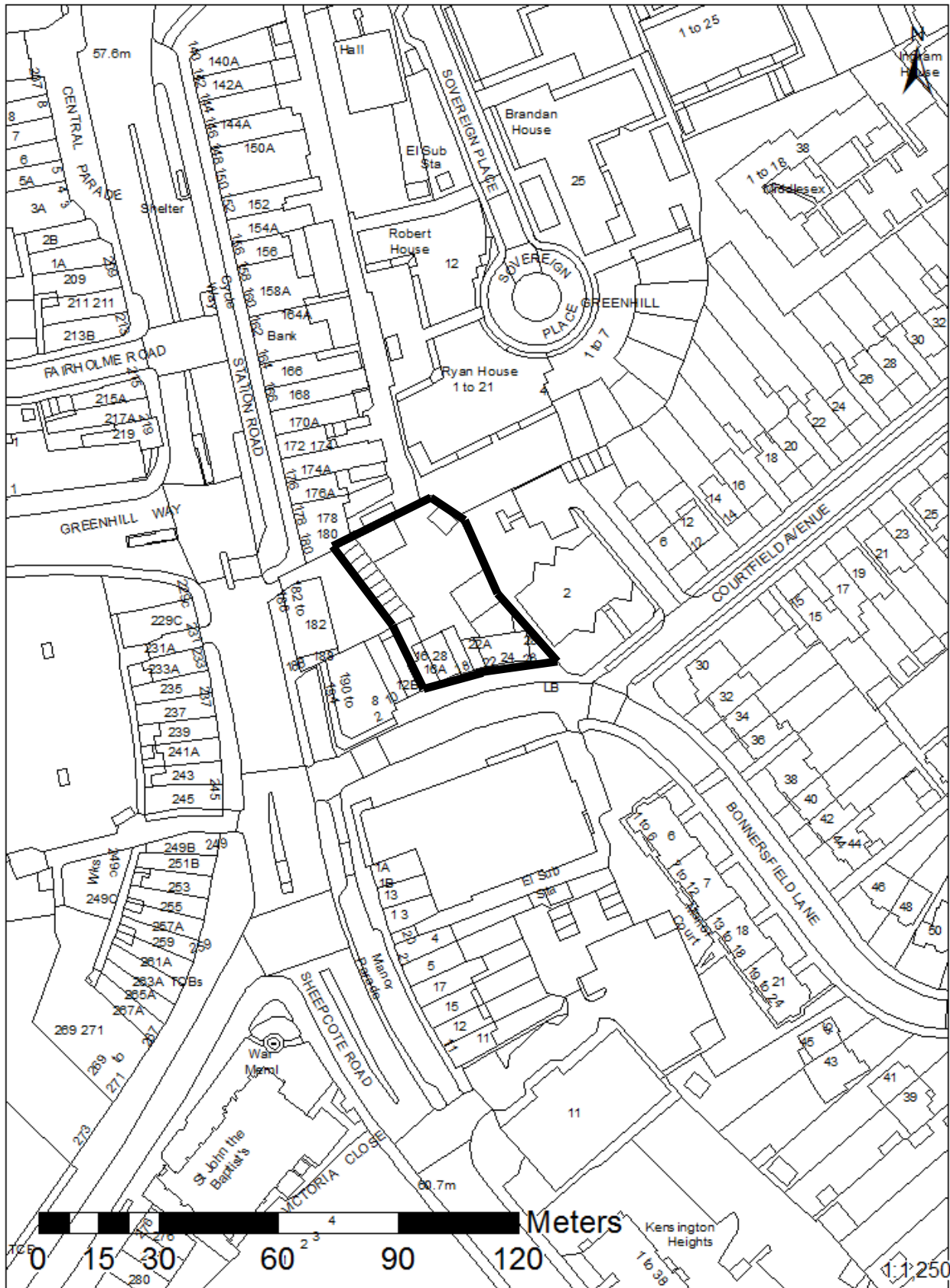


 = application site



<b>16-28 BONNERSFIELD LANE, HARROW</b>	<b>P/0768/20</b>
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**16-28 BONNERSFIELD LANE**



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

18<sup>th</sup> November 2020

APPLICATION NUMBER: P/0768/20  
VALIDATE DATE: 26<sup>th</sup> FEBRUARY 2020  
LOCATION: 16-28 BONNERSFIELD LANE, HARROW  
WARD: GREENHILL  
POSTCODE: HA1 2JT  
APPLICANT: C/O Agent  
AGENT: RPS  
CASE OFFICER: KIMRY SCHLACTER  
EXPIRY DATE: 30<sup>th</sup> JULY 2020 (EXTENDED EXPIRY DATE: 30<sup>th</sup> NOVEMBER 2020)

### PROPOSAL

Redevelopment to provide a five storey building comprising of twenty two flats (Use class C3) and commercial unit to ground floor (Use class B1); Six x three storey houses; landscaping; parking; bin and cycle stores; emergency vehicle access; associated works (demolition of existing buildings)

- 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:

#### Affordable Housing

- Early and late stage review of the development as per the Mayor's SPG.

#### Transport and Highways

##### *Travel Plan:*

- A revised travel plan shall be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing.
- A travel plan bond of £10,000 will be required to secure the implementation of all measures specified in the revised Travel Plan. In addition, a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site.
- Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which will be met by the developer.

##### *Resident Parking Permit Restrictions:*

- The development to be 'resident permit restricted' and the developer to ensure that:  
(i) all marketing/advertising material makes reference to the fact that; and (ii) all

lettings agreements contain a covenant to the effect that; future occupiers and tenants (other than those that are registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit.

- Amendment to the relevant Traffic Management Order (contribution of £1500)

#### *Contribution to Road Works*

- Contribution of a £10,000 to improvements along Manor Parade as part of a planned cycle scheme, to support sustainable travel modes for the increased number of residential units on site and car-free proposal. The scheme intends to improve the cycling and walking facilities in the area including the crossing at Sheepecote Road/Station Road. The improvements would assist with travel to and from the site as it will most likely involve crossing at this junction and will enable users to connect to further destinations.

### **Employment and Training**

- The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. 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
- A financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This is usually calculated using the formula: £2500 per £1m build cost.
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

### **Sustainability**

- A provision of carbon reduction on-site and payment of any off-set if zero carbon reduction is not achieved on-site, as determined by the final carbon reduction achieved on site as per Condition 25 of this permission. Based on the submitted Energy and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020], this is currently estimated at a financial contribution of  $(19.62 \times £60 \times 30 \text{ years}) = £35,316$  towards carbon offsetting measures.

### **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 and a further financial obligation (equivalent to 5% of the overall financial contribution) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.
- The Developer to be responsible for the Council's legal costs associated with the negotiation and preparation of the s.106 planning agreement and a further financial contribution to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms of the agreement.



## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 30th November 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, 5.2, 6.3, 6.9 and 6.10 of The London Plan (2016), Core Strategy (2012) policy CS1, Harrow 7 Wealdstone Area Action Plan AAP10, AAP13, AAP19 and AAP20, and policies DM1, DM12, DM42, DM43 and DM 50 of the Harrow Development Management Polices Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## **REASON FOR THE RECOMMENDATIONS**

The proposed scheme seeks to provide a total of 28 residential units with replacement commercial floorspace, which are considered suitable uses within a town centre and compatible within the site. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough. The layout of the site and provision of amenity space, waste management, and car parking and cycle storage has been satisfactorily addressed with amended plans.

## **INFORMATION**

This application is reported to Planning Committee as the proposed development creates more than three residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

This application was deferred at the request of Officers from the committee meeting on the 14<sup>th</sup> October 2020 in order to explore the affordable housing offer further. Officers have since given further consideration to the viability information, within the framework of the CIL regulations 2010 and the most up to date policy framework. Having undertaken this work, officers consider that the conclusions on affordable housing within the original report are correct and in line with the legislative and policy framework.

Statutory Return Type:	Major development
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£141,060
Local CIL requirement:	£344,556.81

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 Crime & Disorder Act**

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

### **1.0 SITE DESCRIPTION**

- 1.1 The site is located on the northern side of Bonnersfield Lane near the junction with Station Road. The site is located on an outward curve to the road, which connects Harrow town centre to a primarily residential area.
- 1.2 The site comprises a set of properties on the northern side of Bonnersfield Lane, which currently contain a mix of commercial and residential uses including an MOT and vehicle repairs centre, storage and car showroom, with the rear yard space forming part of the employment use. One house is located at no. 16 and three flats are on the upper floors of nos. 18-28.
- 1.3 The rear yard is accessed via an undercroft passage in the front curtilage and via an existing service road accessed from Elmgrove Road.
- 1.4 The site is within the Harrow and Wealdstone Opportunity Area and Harrow Town Centre, but outside the Primary Shopping centre.
- 1.5 The site is also across from a listed building (Granada Cinema now known as Gold's Gym, Grade II).
- 1.6 The site is located within the Protected Views Setting (yellow) corridor and an RAF Northolt Safeguarding zone which requires consultation for development that involves flying activities.
- 1.7 The site is located in a critical drainage area.

## 2.0 **PROPOSAL**

- 2.1 The application seeks full planning permission for redevelopment of the site to construct a 5-storey commercial and residential block at the front of the site, with 6 no. 3-storey mews houses in the rear.
- 2.2 The front of the building would be stepped to follow the flow of the curved street, with the five-storey sited along the front boundary. The main block of the development would have a maximum height of 15.4m; the mews houses would have a maximum height of 9m.
- 2.3 Primary access would be from Bonnersfield Lane for both the residential and commercial uses. A secondary access would be provided from the rear service road and would allow for emergency vehicle access. Deliveries and servicing including waste servicing would also be from Bonnersfield Lane.
- 2.4 The ground floor of the 5-storey building would comprise a B1 Use Class commercial space, divided into two units.
- 2.5 The proposed residential provision would be comprised of 22 no. flats on the upper floors of the 5-storey building, in addition to the 6 no. mews houses located in the rear of the site. Undercroft pedestrian access would connect the mews area with Bonnersfield Lane.
- 2.6 No car parking is proposed except for 1 no. disabled space; while a total of 52 long-stay and 8 short-stay cycle parking spaces would be provided.

## 3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
<u>Under 16 Bonnersfield Lane:</u>		
LBH/26782	Use of site for parking, display and sale of motor vehicles	Refused: 06/06/1985
LBH/27311	Change of use from residential to offices	Refused: 06/06/1985
<u>Under 18-28 Bonnersfield Lane:</u>		
LBH/9007/1	Demolition of existing premises & erection of 3-storied building to provide showroom & workshop w/2 floors of offices over 3-storied block of 9 flats with 9	Granted: 26/04/1974

	lock- up garages & car parking (outline)	
<u>Under 16-28 Bonnersfield Lane:</u>		
EAST/786/00/FUL	3/4 Storey building to provide 14 flats, access & parking (resident parking restricted)	Granted: 30/10/2000
P/2537/05/CRE	Renewal of permission EAST/786/00/FUL: 3/4 storey building to provide 14 flats, access and parking (resident permit restricted)	Granted: 08/12/2005
P/0769/20	Redevelopment to provide a part three/part five storey building with basement level comprising of commercial floorspace (Use class B1 and D1) and three X flats (Use class C3); bin and cycle stores; parking; landscaping; associated works (demolition of existing buildings) (This application is affecting setting of a Listed Building)	To be determined

#### **4.0 CONSULTATION**

- 4.1 A total of 203 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The initial public consultation period expired on 13<sup>th</sup> April 2020. Four (4) comments were received (summarised below). After the receipt of amended plans, a second consultation period was conducted and the overall consultation period expired 08<sup>th</sup> October 2020. At the time of writing this report, no further objections were received. Any further objections received will be reported to the committee via an addendum.
- 4.3 A summary of the matters of objection raised by surrounding property owners are below:

Neighbour objections	
i.	The rear service road to the rear has been neglected and urgently requires an upgrade; but unlike the concurrent application P/0769/20 there is no proposal to upgrade the service road, including for pedestrian access which would be used for large deliveries and

emergency access. Request that conditions be attached to ensure upgrading of this road; and that it should not be used for construction traffic.

- ii. Request clarification on rights of access for existing tenants and businesses; and whether parking restrictions / monitoring of illegal parking will come into effect.
- iii. Request clarification on access to service road for other users for waste servicing and emergency vehicles.
- iv. Existing issues with congestion and parking and associated pollution, which the development will exacerbate.  
*Addressed in Section 6.6*
- v. Prefer this proposal to concurrent application P/0769/20 as it is residential in nature. Brick finish preferable.
- vi. Scale of building will overshadow and engulf the listed "Grenada" building.
- vii. The development is in a residential area and too much for the area.  
*Addressed in Section 6.3*
- viii. Would result in an increase in noise for the surrounding residential area.
- ix. The five-storey building would result in overlooking of some properties (from the rear of the proposal).  
*Addressed in Section 6.5*
- x. Request for management of on-going fly tipping and vermin issues.  
*This matter lies under the purview of Environmental Health and is outside the purview of the local planning authority.*

#### 4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken, together with the responses received and officer comments:

#### **Planning Policy**

Whilst it is desirable to re-provide the industrial floorspace, it is also noted that the application site is located within the Harrow Metropolitan Town Centre. The replacement of the B2 in this case is not necessarily desired, given the town centre location of the site, and Use Class B2 is not identified as an appropriate town centre use (as per the NPPF 2019). Office space (Use Class B1a) is identified as an appropriate use within this location. However, the applicant has proposed a flexible use of either B1a/b/c. It is noted that B1b/c could be considered as an industrial use, and therefore would assist in mitigating the loss of the B2 floorspace. Whilst not explicitly identified as a town centre use, Use Class B1b/c are still employment generators which are not, by their very

nature, nuisance uses. In this specific case, whilst the application site is located within the designated town centre, it also immediately adjacent to the boundary and also residential uses. By reason of this, the replacement of the existing B2 use, with either B1a/b/c would be appropriate in this instance.

#### *Residential Replacement*

Currently, there are four residential dwellings located on the site. The draft New London Plan (2019) (Intend to Publish Version) make it clear by way of Policy H8A that any loss of existing housing should be replaced by new housing at existing of higher densities with at least the equivalent level of overall floorspace. It is noted that the proposed development would replace the quantum of housing substantially on the site, and therefore complies with this policy.

#### *Energy*

The proposed development is required to provide carbon savings in line with the new London Plan (2019) (Intend to Publish Version). The submitted energy statement makes reference to the latest London Plan, however only follows the London Plan (2016) policy. As such it sets out that the proposed development would provide a carbon saving of 35% on site. It is recommended that a condition be added to require a revised energy statement that is updated to reflect the draft New London Plan (Intend Publish Version) (2019). Whilst the submitted document is not in accordance with the up to date policy, this would not be a reasonable reason to refuse the scheme.

Subject to appropriate S.106 obligations and safeguarding conditions, the proposed development is able to be supported in principle.

#### **Housing**

No comments.

#### **LBH Urban Design Officer**

##### *Public Realm & Landscape*

- Concern as to the formulaic nature of the play space, with standard play equipment restricting a multiplicity of uses by different age groups and limiting the use of this space as recreation. High quality and flexible public realm play space such as schemes developed by muf architecture/art are recommended for these spaces.
- Cycle storage, refuse locations and planting strategy are well addressed.
- Use of permeable paving is welcomed and highly successful for mews elements.

##### *Orientation, Aspect & Internal Layout*

- Some concern as to the outlook for north-western mews units and northern ground floor windows. The narrow space behind units B2 and B3 should be serviceable, but it is welcome to see that these will have a gravel covering which limits plant growth.
- Concern with the internal layout of some apartment units, notably unit 02

with a high amount of internal corridor space and no natural light to kitchen. Incorporation of kitchen within living/dining space and relocation of bathroom to kitchen location is recommended.

- Concern regarding the inconsistency of internal layouts across apartments, with unit 01 having a rationalised and generous plan with a highly usable living/dining/kitchen layout, while units 02 and 03 have narrow living/dining/kitchen spaces.
- Mews units are generous and interesting with well-considered plans and generally, private amenity space is well-addressed across the scheme. Fourth floor units have well-considered internal layouts and amenity spaces.
- The rear of the apartment block makes limited use of the roof space of ground floor commercial units, with a staggered plan and elevation having limited spatial logic. Increased window sizes and private amenity spaces should be considered to maximise dual-aspect nature of rear units.

#### *Architectural Form, Composition & Materiality*

- Bonnersfield Lane street elevation is simple and well-considered with a complimentary choice of external materials. The use of white brick is considered and successful but could be bolder to emphasise the wall returns to frontage.
- Concern remains regarding the undercroft arched gating and its overall appropriateness and relationship to the rest of the development and front and rear elevations.
- Generally the design and external appearance of mews blocks is well-considered and the use of white brick welcome.
- There is concern as to the use of a frosted film on part of the return windows for street-facing units. The applicant is encouraged to develop a more architectural solution which retains full outlook from windows, such as louvres or a privacy screen, maintaining the dual aspect nature of these units.

#### **Economic Development**

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.

It's difficult to grasp the quantum of workspace being provided under the options, but our preference would be for the option providing the greatest employment space

## **LBH Highways**

### *Parking*

The proposal includes 1 disabled car parking space at the Bonnersfield Lane frontage. As the development is within a ptal 6a location, it should be car free apart from provision of disabled parking. The location of the disabled bay is not ideal for the mews houses as it is at the front of the site whilst they are at the rear.

To meet the requirements of Policy T6.5, the site should provide a maximum of 1 further disabled parking space (based on 1 space per 600sqm) for the commercial element. These bays must have active EV charging.

The residential element will require a restriction for residents from being able to purchase permits for the surrounding CPZ which will be achieved via s106 agreement and amendment to the relevant Traffic Management Order (contribution of £1500). This will help to encourage sustainable travel and reduce on-street parking demand.

### *Cycle Parking*

Details of the type of stands and storage can be secured by pre-occupation condition.

### *Site access*

servicing arrangements to load/unload from Bonnersfield Lane may be acceptable provided there are few daily visits.

### *Trip generation*

The high number of sustainable trips anticipated is achievable in this location as there are so many public transport options and little opportunity to park private cars easily.

### *Active Travel Zone assessment*

The healthy streets indicators are considered to be key to encouraging modal shift, therefore, improvements to provide the requirements of the indicators are thought to be needed specifically to achieve this goal. However, it is not necessary to revise this document.

### *Construction Management Plan*

A pre-commencement condition for a detailed CLP is required. The applicant is advised that should the proposal proceed, they are should liaise with Highway Network Management to discuss temporary traffic management arrangements and include details in the CLP.

### *Comments to revised details:*



2.1.3 – the requirements for parking are based on the ITP London Plan standards. The commercial and residential are required to provide car parking for disabled people where possible. The commercial disabled bay could be used by disabled staff, therefore it is more appropriate for this to be provided on-site rather than expect staff to park on-street as availability cannot be guaranteed. The site is just within the opportunity area therefore the rate of parking provision is up to 1 space per 600 sqm (GIA); based on the 235.6 sqm proposed, a single space is considered appropriate.

2.3.2 – the issue of waste collection needs to be reviewed by the waste team.

The trip generation comparison demonstrates that this proposal will almost double the total daily number of trips and if it is correct that the site is currently operating below capacity, the impact is likely to be more noticeable. The main increases are indicated to be in relation to pedestrian and public transport journeys which are not likely to adversely impact the highway but does mean that we need to be confident that good facilities are in place and will be going forward. As previously mentioned we do have a pedestrian and cycle scheme planned for this area which should help to achieve this.

#### **LBH Vehicle Crossing Officer**

There is a dropped kerb in existence which will in turn serve part of the bins store and be modified; and there is a requirement for a crossing for the disabled bay that needs to be applied for. They need to liaise with the Highways Authority before works commenced if granted.

#### **TfL**

Having assessed the proposals, TfL Spatial Planning has no specific comments to make on this planning application.

#### **Travel Planner**

The submitted Travel Plan would require revisions (details provided) however these could be conditioned.

#### **LBH Waste**

A few issues to raise. Including insufficient number/type of bins for flats and clarification required on some other details. The proposal is not considered adequate.

#### *Comment to revised plans:*

The collection points all look good and allows access from along Bonnersfield so we are happy with that.

The small bins for the households will be alternative weeks but the bulk bins will be weekly so all bulk will be out each week and the household will be

general one week and blue bins the following week. Although not mentioned earlier, there has been no allocation of bin space for food collections including caddies for the households, which would need to be provided. They wouldn't need a garden service if there are no private gardens.

For commercial use they've assumed they would need 4 small bins. Bin requirements for businesses depend on the type of business; however as this is for private collection that is not an issue for the Council.

Each week it would be necessary to have 6 bulk bins out and 6 x 240 litre bins out at one time; looking at both the plans and the reality of the road it does not appear there will be too many issues.

**LBH Landscape Architect**

Recommended Landscape Conditions provided.

**Aboricultural Officer:**

of natural screen they provide – and they're proposed for retention in any case No further comments and no conditions relating to tree protection will be required in this instance

**Biodiversity Officer**

The application(s) site is within a largely urban area in close proximity to a main shopping centre.

The closest SINC's are Harrow Cemetery (c. 1KM to the west) and the narrow green corridor of Bonnorsfield Lane (c. 480m to the ESE), both of which are of local importance and the much larger, Borough Grade I Harrow on the Hill (c. 625 m to the south) are far enough from the site not to be impacted by the construction and subsequent use of either development scheme, although it will be important to ensure that any CEMP takes account of the handling of waste and materials and the route by which these are transported.

As a result of the presence of the Harrow on the Hill SINC, the site lies just outside the edge of a major area in deficiency of access to wildlife but is in an area noticeably lacking in small pockets of open space. Any development on the site will need to help address this, whether by providing accessible green space within or in the near vicinity of the site and/or providing enhancement for biodiversity. This should be in line with addressing the requirements of the London Plan in accordance with the Mayor's Urban Greening Factor in which the provision of biodiversity gain should be emphasised.

I have reviewed the comments from the Landscape and Tree Officers and note that there is a general commonality of view respecting trees and other environmental landscaping elements, both at and above ground level

If, having weighed the available evidence, you are minded to recommend approval, recommended conditions are provided.

*Comments to supplementary info:*

The applicant's consultant has sought to employ the Biodiversity Metric 2.0 to undertake a before and after assessment of biodiversity value of the site, which concludes that the site currently has nil value.

However, it is up to the local planning authority to determine what will represent appropriate biodiversity enhancement and in cases where an already heavily developed site with no remaining biodiversity features the expectation of the Mayor of London and of the borough planning authority that a development will meet or exceed the requirements of the Mayor's Urban Greening Factor.

The development would likely need to provide a UGF of at least 0.4. This should also be implemented so as to maximise biodiversity benefits.

At the present time the applicant has failed to address these requirements. Accordingly, conditions have been set such that if the design is otherwise acceptable, they will not only be required to carry out the works to avoid/minimise impacts on biodiversity but to agree to measures that will satisfy the UGF and biodiversity requirements including rest/roost provision which also take account of the context of the site and the objectives of the Harrow BAP.

The agent's proposed changes to the conditions therefore won't be acceptable in relation to ensuring that the scheme will provide sustainable development.

**Conservation Officer**

This proposal is in the setting of the grade II listed former Granada Cinema.

The heritage statement particularly appendix E illustrates how this proposal would preserve the setting of the listed building. The proposal would be set away from the listed building, its height would sit neatly in the traditional residential scale of its immediate surroundings and its contemporary design would sit as a good quality addition to the street scene.

It would be important that notwithstanding the details provided, details are conditioned to ensure the proposal would preserve the setting of the listed building. Subject to the above the proposal would preserve the setting of the listed building.

**LBH Drainage**

No objections subject to conditions.

**Designing out Crime Officer:**

Given the location, serious consideration must be given to crime and anti-social behaviour around the proposed development site.

I would strongly advise that a Secured by Design accreditation be part of the planning conditions for this development. If planning permission is given for this development the developers should contact myself as soon as possible, in order to achieve a safe standard of security for the future residents, and achieve a secured by design accreditation.

**Thames Water**

No Comments Received

**MOD (Northolt Safeguarding)**

No Comments Received

**Environment Agency**

No Comments Received

**Natural England**

No Comments Received

**NHS Harrow**

No Comments Received

**Campaign for a Better Harrow Environment**

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 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 (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 and a summary within Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Character of the Area and Impact on Listed Building
- Residential Amenity for Future Occupiers
- Residential Amenity (Neighbouring Residents)
- Traffic, Parking and Servicing
- Sustainability, Drainage and Biodiversity

## 6.2 Principle of Development

### 6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 2.13, 3.3, 3.4, 3.8, 3.10, 3.12, 4.3, 4.4, 4.7
- The Draft London Plan (2019): GG1, GG2, GG4, GG5, SD1, SD6, SD7, H1, H2, H4, H5, H6, H7, H8, H10, E1, E2, E3, E4, E7, E11,
- Harrow & Wealdstone Area Action Plan (2013): AAP13, AAP15, AAP16, AAP18
- Harrow Core Strategy (2012): CS1, CS2
- Harrow Development Management Policies Local Plan (2013): DM31, DM32, DM35, DM38, DM40

#### Relevant Supplementary Documents

- Greater London Authority's Affordable Housing and Viability SPG (2017).

6.2.2 The existing property is comprised of a mix of uses, with the existing ground floor of the building and the service yard considered to comprise industrial land. The application site is situated within the Harrow town centre and the Harrow and Wealdstone Intensification Area, as set out in the Harrow Core Strategy (2012) and The London Plan (2016). Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy.

6.2.3 The existing building site contains, according to the submitted application form, 430.3sqm of B2 commercial space and sui generis car showroom, which would be replaced by 243sqm of B1 commercial space, as well as residential space. The proposal would result in the loss of all of the existing employment space under its current use class, and the existing 3 FTE jobs. The London Plan and new Draft London Plan require, in LB Harrow specifically, the retention of industrial land. The evidence base underpinning the London Plan (as well as the West London Economic Land Review 2019) indicates that LB Harrow is not in a position to lose any further industrial land from its stock. Although the proposal would provide 243sqm of the replacement employment floorspace (estimated to support a minimum of 4 FTE jobs), this is within a different Use Class. It is noted that B1 does include B1b/c which can be considered as light industrial.

6.2.4 The submitted economic statement states that there would not be a viable demand for the property as it currently stands, citing a number of reasons why. However, it is noted that the premise, including the two different use classes, are currently in operation. Nevertheless, the replacement of the B2 in this case is not necessarily desired, given the town centre location of the site (as per the NPPF 2019). Office space (Use Class B1a) is identified as an appropriate use within this location. The proposed flexible use could consist of either B1a/b/c. It is noted that B1b/c could be considered as an industrial use, and therefore

would assist in mitigating the loss of the B2 floorspace. Whilst not explicitly identified as a town centre use, Use Class B1b/c are still employment generators which are not, by their very nature, nuisance uses. In this respect, the proposal would be expected to comply with Policy D12 (Agent of Change) of the Draft London Plan. In this specific case, whilst the application site is located within the designated town centre, it also immediately adjacent to the boundary and also residential uses, as well as including residential uses within the development itself. By reason of this, the replacement of the existing B2 use, with either B1a/b/c would be appropriate and justifiable in this instance. In addition, as the proposal comprises a major development, the S106 would include a requirement to ensure construction employment opportunities for the local area, in compliance with London Plan and Draft London Plan policies.

### Housing Mix

- 6.2.5 The relevant policies are 3.5 and 3.8 of The London Plan (2016), Draft London Plan (2019), Harrow & Wealdstone Area Action Plan (2013), and DM24 of the Development Management Policies Local Plan (2013).
- 6.2.6 The proposal would result in the loss of the existing house and flats, totalling 229.5sqm. The draft New London Plan (2019) make it clear by way of Policy H8A (Loss of existing housing and estate redevelopment) that any loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. In this case, the proposal would result in a significant uplift in residential units and floorspace. Additionally, the site is located within the Harrow & Wealdstone Opportunity Area, which is where growth within the borough is directed. It is further noted that the proposal would include a good variety in terms of housing sizes. The increase in residential and residential mix proposed in this location can therefore be supported.
- 6.2.7 The application has been accompanied by a Financial Viability Assessment. Officers have reconsidered the information submitted in terms of the viability and still support the proposals as presented. The applicants have made a further submission to reinforce their position regarding this matter, pointing out that their proposal is supporting other financial contributions such as the CIL payment and other mitigation measures such as the £10,000 contribution to the local highway cycle network, carbon offsetting measures and employment and training. The conclusion of the applicant's Assessment is that the provision of affordable housing on site would render the development unviable. The applicant's FVA has been reviewed by an independent assessor, and, with minor adjustments to the details, the overall conclusion has been supported. An early and late stage review has been recommended, and this mechanism is included in the S106 Heads of Terms. Subject to such a clause within a S106 agreement to be attached to this permission, it is concluded that the proposal would comply with the relevant policies regarding affordable housing provision.
- 6.2.8 In summary, the proposal would result in the loss of existing industrial floorspace but would include a satisfactory quantum and type of new floorspace, appropriate to the town centre location. The residential floorspace would be amply replaced; and the applicant has provided robust evidence to

demonstrate that affordable housing would not be viable as part of this development. As such, the proposed development is considered acceptable in principle.

### **6.3 Character of the Area and Impact on Listed Building**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.1, 7.2, 7.3, 7.4, 7.6, 7.8
- The Draft London Plan (2019): GG3, D3, D4, D11, D13, HC1, HC3
- Harrow & Wealdstone Area Action Plan (2013): AAP1, AAP4, AAP5, AAP6, AAP7, AAP8
- Harrow Core Strategy (2012): CS1, CS2
- Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM3, DM7

Relevant Supplementary Documents

- Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets
- Supplementary Planning Document: Residential Design Guide (2010)

6.3.2 The application site is in the Harrow town centre, which is mixed in character. The site is visible in views from Station Road but is set a reasonable distance away from the junction so that it is not an immediate presence. Given its siting along the curve of the road, it is prominent once one rounds the corner and begins proceeding down Bonnersfield Lane; and it serves as a gateway leading into the residential area. Additionally, it is sited across from a Grade II listed building. Given the surrounding context, a contemporary approach to design is considered suitable.

#### Massing & Scale

6.3.3 The development would be composed of three buildings of distinct massing, one large building at the front along Bonnersfield Lane, and two smaller blocks at the rear of 3 no. mews houses each. The overall density of development and typology of housing would be appropriate for a town centre location. The mews have a tighter urban grain, with a square in the central space which connects the mews to each other as well as to the main building. The concertation of higher sections at the front and lower sections at the rear is suitable given the site context.

6.3.4 The frontage of the main building is stepped to respond to the curve of the road along which it sits and helps break up the massing along the front façade. This building, although 5 storeys in height, has a visible set-back on the top floor. The surrounding buildings along Station Road are up to four storeys in height, including the Grade II listed former Granada Cinema. To the east, Rothwell Court is 3 storeys high, while two-storey houses are sited further away. To the



north, Ryan House is 2-3 storeys high. Given this context, the proposed height, with set-back top floor, would be acceptable. It is noted the site is also located within the Protected views Setting (yellow) Corridor and an RAF Safeguarding zone. No objections have been received from MOD Northolt; and given the proposal's relative height to surrounding buildings and siting relative to key protected viewpoint locations, it is not considered that the proposal would negatively affect protected views. Taking these factors into account, it is considered that the proposal would also be consistent with policies DM3 and AAP6, relating to appropriate heights in the protected views corridors.

- 6.3.5 The smaller mews houses at the back are more consistent with the lower heights of surrounding buildings including Ryan House and the more residential character toward the north and east. Although the blocks are relatively close together, this is reflective of typical mews arrangements. Subject to considerations of residential amenity (as per below), the scale and massing of the development is broadly acceptable.

### Overall Design

- 6.3.6 The front elevation of the large building is simple and well-considered with a complimentary choice of external materials. The detailing at the front creates a clear distinction between the height of the commercial ground floor and the upper floor residential areas. The ground floor front façade is activated with large glazed windows serving the commercial units; while the proposed undercroft area provides a visual corridor connecting the front of the sit with the mews houses in addition to an active pedestrian pathway. This design is considered superior to the initial considered design which did not include an undercroft area. The undercroft is overlooked with natural surveillance during working hours by windows from Commercial Unit 1. Detailed patterns in the bricks increase the visual interest along all sides. From within the rear courtyard area, the rear of the main building includes some more recessed areas and balconies serving the upper floor flats, thus also creating good articulation and interest, with good levels of natural surveillance overlooking the courtyard.
- 6.3.7 Given the nature and character of mews housing types, more uniformity and a “flatter” frontage would be expected. The design and external appearance of mews blocks is well considered and the use of white brick again is welcome. The set-back third floor with balconies and the projecting bay windows provides a suitable level of definition and interest. The area around the front entrance of the mews has designed in defensible space which demarcates the entrance and semi-private space to the immediate front of each house, though pavement patterning and planters. The paved shared spaces of paving are considered successful in their design.
- 6.3.8 The shared area sited between the main block and the mews houses also includes soft landscaped areas to either side of the hard-surfaced central corridor. Although somewhat small, these areas are sufficiently large to serve as communal amenity and play space. Both the Design Advisor and the Landscape Architect expressed a desire to see improved and fuller details for the soft landscaped areas and play equipment. As the proposal would be

subject to conditions requiring complete details on hard and soft landscaping, this would be addressed.

- 6.3.9 The interior layout of the residential elements is considered below. Regarding the commercial units, the overall layouts of the units appear to be functional with suitable interior heights, and the applicant's revised information indicates that there would be some capacity for flexible arrangements and subdivision if required, with consideration given to the placement of windows to help facilitate this. Adequate space is provided for fascia signage at front.

#### Impact on Listed Building

- 6.3.10 The Grade II listed Granada Cinema building is directly opposite. A heritage statement has been submitted with the application. The Conservation Officer considered that the heritage statement adequately illustrates how this proposal would preserve the setting of the listed building, as it would be set away from the listed building, its height would sit neatly in the traditional residential scale of its immediate surroundings, and its contemporary design would sit as a good quality addition to the street scene. As such, the subject to a condition for materials details, the proposal would preserve the setting of the listed building in accordance with the provisions of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 6.3.11 In summary, the proposed revised design is considered to be appropriate for the proposed development, subject to a high standard of detailing and materials is required. Conditions are attached to this effect.

## **6.4 Residential Amenity for Future Occupiers**

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2 and 7.6
- The Draft London Plan (2019): D3, D4, D5, D6, D7, D11, D14, S4,
- Harrow & Wealdstone Area Action Plan (2013): AAP1, AAP4, AAP13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2, DM27, DM28

#### Relevant Supplementary Documents

- Mayor of London, Housing Supplementary Planning Guidance (March 2016)
- Mayor of London Play and Informal Recreation Supplementary Planning Guidance (September 2012)
- Supplementary Planning Document: Residential Design Guide (2010)
- Technical Housing Standards- nationally described space standards (2015)

- 6.4.2 The proposed 5 storey block would contain 14 no. 1-bed units and 8 no.2-bed units. In the rear of the site would be located 6 no. 3-storey, 3-bedroom/4-person mews houses. All of the flats and houses would meet the minimum require GIA as set out in the national and London Plan standards; as well as meeting the minimum standards for required private amenity space and internal purpose-built storage. One bedroom in Flat 19 is below the minimum room width for part of its length; however on balance this would be acceptable in light of the overall acceptability of this flat otherwise in terms of space standards and given that its circulation room and layout are not unreasonable. The floor to ceiling height on each floor of flats would be a minimum of 2.5 metres; while the mews houses would have less than 25% of floorspace under 2.5m, all in compliance with Draft London Plan standards.
- 6.4.3 It is noted that some of the flats and the houses have very good layout and circulating area; while a few of the flats do have somewhat narrow spaces and constrained layouts. Particular concern was raised with regard to the narrow living/dining/kitchen layouts of units 02/08/14 and 03/09/15 have narrow living/dining/kitchen space; and the high amount of internal corridor space and no natural light to the kitchen of units 02/08/14. Incorporation of kitchens within living/dining space and relocation of bathroom to kitchen location is recommended for units 02/08/14 to help address this. Whilst the narrowness of these rooms and the overall layout is recognised and is not ideal, they do meet the minimum widths set out for bedrooms in the nationally described space standards. In addition, units to the rear of the first floor could expand the size of the amenity areas to be more generous. Subject to a condition requiring the amendments of plans for units 02/08/14 to relocate the kitchen area to provide for natural light and increase the rear balcony areas for units 6 and 06, the internal layouts would, on balance be acceptable.
- 6.4.4 Floors 1-3 of the flats are identical in layout so the stacking is good. Between the third and fourth floors there are some overlaps between bedrooms and living areas, but stacking is largely good, and the development would be subject to Building Control Regulations. In addition, the Application has submitted a Noise Report. This report concludes that with suitable mitigation measures (double glazing and trickle ventilation to the front and sides of the larger building) the proposal would be acceptable with regard to noise for residential occupiers. A condition to ensure the implementation of the mitigations measures is recommended.
- 6.4.5 All habitable rooms for mews and flats are serviced with windows for a suitable outlook. The application has been accompanied by an Internal Daylight & Sunlight study, which indicates that the purposed development would meet the minimum requirements for BRE standards in terms of the Average Daylight Factor for a selection of the proposed residential units (both flats and mews house). The studio flats have only a small window on the flank, but are otherwise single aspect; however they do have a relatively large expanse of glazed patio door leading onto the private amenity space. Similarly, some of the front-facing flats are technically not single aspect due to slim windows on the side of the projecting sections; these are to be obscure glazed to reduce overlooking to neighbouring balconies. The design advisor has recommended a more architectural solution which retains full outlook from windows, such as

louvres or a privacy screen, maintaining the dual aspect nature of these units. This has also been included as part of the condition for amended plans.

- 6.4.6 The front facing windows on the mews houses have been designed to be staggered or angled to avoid mutual overlooking. The gap between the front elevations of the mews houses would be 8.5m; however it is noted that a vertical 45-degree angle taken from the bottom sill of any of the houses would not be interrupted by the opposing buildings. Similarly, the mews houses would not interrupt a vertical 45-degree angle taken from the bottom sill of the closest facing first floor flats, and so also meet the Council's 45-degree code in this respect. It is noted that the windows on the flanks of the mews houses do not serve habitable rooms, or in the case of unit A3, is a secondary window to a habitable room, and so it is not necessary for them to meet the 45-degree code. The windows on the flanks can be condition to be obscure glazed to protect the privacy of future occupiers. As all of these windows are secondary to their rooms they serve, this would not compromise outlook for future occupiers.
- 6.4.7 The layout of the communal internal areas of the main building are again constrained, but corridor widths have been increased to 1.2m, and most of the layout is acceptable. However, the "lobby" areas on the fourth floor in particular are constrained and one of the doors opens into the lift waiting area with less than 1m clearance. The lobby areas should therefore be amended, and this is included in the condition for amended plans. The core serves less than 8 units per floor and includes a lift and stairs. The main entrance for the flats is not located on the front elevation but rather within the undercroft area. Although this is less of a clear arrival point, it would be acceptable within the overall design of the ground floor and integration with the commercial space.
- 6.4.8 The proposal includes a large undercroft, which can give rise to Secure by Design issues if not well design and managed. The proposed ironmongery gates would help provide an adequate level of security, and the undercroft is overlooked by the office space. The proposal also includes several details including space for post boxes and secure entrance details; and defensive space for the mews houses. The Secure by Design officer has recommended a secure gate and adequate lighting for the undercroft, and a condition to ensure Secure by Design accreditation. Such a condition has been attached.
- 6.4.9 For all the reasons set out above, the proposed accommodation would be considered acceptable on balance, subject to appropriate conditions.

#### Landscaping and Play Space

- 6.4.10 The overall layout of the site and proportion of hard and soft landscaping is broadly acceptable, and the revised plans provided some improvements to these details. Although there is a limited amount of soft landscaping, the existing site is wholly hard surfaced so this does represent an improvement. The shared surface area which sits between the mews and also connects it with the main building is appropriate and successful. The narrow space behind units B2 and B3 is awkward, but should be serviceable, but it is welcome to see that these will have a gravel covering which limits plant growth. Further work is required to the full details of the hard and soft landscaping, including requested

changes by the Landscape Architect; however this would be dealt with through standard conditions attached to this permission.

- 6.4.11 Policy 3.6 of the London Plan requires that development proposals that include housing should make provision for play and informal recreation; Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation (2012) A total of approximately 60sqm (excluding hardstanding and borders) has been provided for children's play space, in two sections sited between the 5-storey building and the mews houses. The GLA's play space calculator indicates that, based on the proposed mix of units, 51.4sqm of play space should be provided, for an estimated average of 5.1 children, consistent with the information provided by the applicant. Further amendments and details to the play space and equipment has been requested. Subject to approval of details of the play space equipment and landscaping, the proposed provision would be satisfactory.
- 6.4.12 It is therefore considered that the proposed landscaping and play space would be satisfactory, subject to detailed considerations via appropriate conditions.

#### Accessibility

- 6.4.13 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016), seek to ensure that all new housing is built to 'Lifetime Homes' standards. This has been replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. Furthermore, The London Plan policy 7.2 and policies D5 and D7 of The Draft Loon Plan requires all future development to meet the highest standards of accessibility and inclusion.
- 6.4.14 One disabled parking space is included, which is addressed in more detail below. The proposal includes 3 no. flats intended to be wheelchair-ready units, which represent 10% of the units (although it is acknowledged this does not include any mews houses). The main 5-storey block has a lift. The proposal includes 3 no. flats intended to be wheelchair-ready units. The applicant's revised information indicates that the commercial units would have level access. Some other doorways for the main building and the mews houses all have small steps from street level for partial reasons, but these are minimal and building control regulations would ensure access would be wheelchair friendly for both residential and commercial uses. Although some of the flats have somewhat narrow rooms and corridors, the flats overall meet the required space standards. As such and given that the proposal would be subject to Building Regulations M4 (2), it is considered that the proposal would be capable of meeting the requirements.
- 6.4.15 Based on the above, the proposed development would be satisfactory in terms of accessibility, subject to compliance with Building Regulations M4 (2).

## 6.5 Residential Amenity (Neighbouring Residents)

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.6
- Harrow & Wealdstone Area Action Plan (2013): AAP18
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1

Relevant Supplementary Documents

- Supplementary Planning Document: Residential Design Guide (2010)

6.5.2 The proposed building would be immediately adjacent no. 14 (which appears to be in residential use), and 1.65m from flank of Rothwell Court (given that property's set-back from the boundary. Although the ground floor would project approximately 6m to the rear of both properties, the upper floors are set back and staggered to allow for more space with neighbouring properties. The mews houses would be sited immediately adjacent the rearmost part of Rothwell Court's communal amenity space, and part of the communal garden of Ryan House. The nearest point of Ryan House's rear elevation is approximately 9m distant. The mews houses would also be a minimum of 12m distance from the nearest rear elevation of the (primary) buildings fronting Station Road (excluding the adjoining garages).

6.5.3 The proposed development would reflect the existing mix of residential and commercial uses on site, and the proposed commercial uses on the ground floor would potentially be compatible with the surrounding residences. Given the mixed character of the surrounding area, the location of the site within the town centre and the scale of the proposal, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area.

6.5.4 Both of the proposed buildings would reasonably meet the vertical and horizontal 45-degree code from all neighbouring properties, in accord with the Residential Design Guide SPD. An external Daylight & Sunlight report was also submitted, which indicates that the proposal's impacts to daylight and sunlight on neighbouring properties are within acceptable levels, with the exception of one window, #8 (Adjacent ground floor of 14 Bonnersfield Lane). However, the impact to this window would be classified as "minor", as reductions in light would be within 20-35% of BRE values. Planning history indicates that the affected window for no. 14 is likely a bedroom (see ref: P1236/03/DFU). In addition, the proposed development would maintain a reasonable degree of openness in the central part of the plot, similar to the existing arrangement.

6.5.5 As a general guideline, back-to-back (or window-to-window) relationships between neighbouring residential properties, particularly above ground level, are normally acceptable at 20m distance; although there is flexibility to consider site circumstances and the specifics of how two buildings relate to each other.

The mews houses would be closer than this to the rear of Ryan House. However, the windows of the primary section of Ryan House (not counting the stairwell along the western side) would not align with the proposal, so residents of Ryan House would view the proposed development at an angle. In addition, the facing flank of the nearest mews house is 6.5m wide, with a significant open gap between the two sets of mews. For these reasons, the proposal would be acceptable in terms of sunlight/daylight and outlook for neighbouring occupiers. With regard to the rear of flats along Station Road, the gap with the development would be 12m. However, the flats would be site at first floor level and above, and as noted already, the proposal would meet the vertical 45-degree code from these windows. The area between the proposal and these neighbouring windows is comprised primarily of the shops' service yard and garages; while the existing site contains a high sheet-metal garage structure in part of the area where the closest of the mews would be sited. Given these factors, the proposal would not give rise to undue impacts on these flats.

6.5.6 All windows on the rear elevations of both sets of the mews houses would be obscure glazed, to avoid overlooking with neighbouring properties. The windows on the flank of Rothwell House appear not to be primary windows to habitable rooms, although this is not fully confirmed. On balance of probabilities, it is considered that the windows are not likely to be protected and the impacts to them would therefore be acceptable. Other windows of all neighbouring properties would not directly overlook or be overlooked by the proposal, other than by the balconies to the rear of the main building. The applicant has proposed privacy screens to prevent overlooking to the properties on either side from the flats. These can be conditioned. Although the proposed balconies would look towards the communal gardens and rear windows of Ryan House, these would be a minimum of 24m from the common boundary.

6.5.7 In conclusion, for these reasons and with consideration to the town centre location, and acceptable in terms of privacy and overlooking, sunlight/daylight and outlook for neighbouring occupiers.

## **6.6 Traffic, Parking and Servicing**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3 6.9, 6.12, 6.13
- The Draft London Plan (2019): D2, T1, T2, T4, T5, T6, T6.1, T6.2, T6.5, T7, T9
- Harrow & Wealdstone Area Action Plan (2013): AAP19, AAP20
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM42, DM43, DM44, DM45,

Relevant Supplementary Documents

- Supplementary Planning Document: Residential Design Guide (2010)

- 6.6.2 The application site is located within an area within a PTAL (Public transport Accessibility Level) area showing as 3 bordering on 6a. In the opinion of Harrow's Highways Authority, however, as this location is very close to the town centre and Harrow and Wealdstone Opportunity area and its excellent public transport opportunities, they would consider this in the context of the 6a rating and expect draft London Plan standards relating to the higher PTAL to be applied. The location of the development would be accessible for existing local amenities and public transport, and would provide additional accommodation in the area to support local shops and services. In addition, the development would have the potential to offer a greater range of accommodation to the town centre area.

#### Transportation Assessment and Travel Plan

- 6.6.3 The application is accompanied by a Healthy Streets Transport Assessment and Active Travel Zone assessment. As submitted, the documents were not considered satisfactory by the Highways officer; and the Transport Assessment methodology was incomplete. Subsequent supplementary information was submitted. Based on this, there would be an uplift in trips on site with the proposal, of almost double the total daily number of trips. The main increases are indicated to be in relation to pedestrian and public transport journeys which are not likely to adversely impact the highway; however it does mean that it is imperative to ensure adequate and good quality facilities are in place. For this reason, a contribution towards a planned pedestrian and cycle scheme for the area is recommended to be secured via a S106. The high number of sustainable trips anticipated is achievable in this location as there are so many public transport options and little opportunity to park private cars easily.
- 6.6.4 A Framework Travel Plan has been provided; however the details contained therein would require some amendments. Were the proposal otherwise acceptable, this could be dealt with via a condition and/or S106 to secure the revisions and ensure the details would be acceptable and the Travel Plan would be implemented on site with appropriate monitoring measures.
- 6.6.5 A Construction Management Plan was also provided. Again, this document would require revisions to be made acceptable. The Highways officer confirmed a pre-commencement condition would be sufficient. The applicant is also advised to liaise with Highway Network Management to discuss temporary traffic management arrangements and appropriate measure to reinstate dropped curbs as needed.

#### Access and Servicing

- 6.6.6 Access to the site would be altered, with an existing dropped curb at front and vehicular access to the service yard to be removed; and one disabled parking bay retained along the front curtilage with a new dropped curb. The existing access to the rear service road would be retained for emergency and ad-hoc use only. Primary servicing would be from the front, off Bonnersfield Lane. These arrangements are considered broadly acceptable by the Highways and Vehicle Crossing officers. Although a concurrent application proposed use of



the rear service road for a significant amount of traffic, this proposal includes very limited the use of the service road. For this reason, no improvements are proposed to the service road, while rights of access are outside the purview of planning.

- 6.6.7 The waste storage details have been revised and improved with the amended plans. These would now be reasonably sited for the use of future occupiers and businesses, and commercial and residential waste is kept separate. Commercial waste would be privately serviced. The residential waste would be collected from Bonnersfield Lane. A sufficient number of bins has been provided for recycling and general waste for the mews and flats, although the mews would operate on a different bin system than the flats. The mews houses would have waste and recycling collected on different days; this has been accounted for in the curb side spaces provided for leaving bins on collection days. However, a small amount of additional space would be required for food caddies and food waste. A condition or revised details for the bin collection layout is therefore attached.

#### Cycle and Car Parking

- 6.6.8 The amended proposal would include 8 short-stay cycle parking spaces for the whole of the development; and a total of 52 long-stay spaces. Four-long stay spaces would be allocated to the commercial use, 12 for the mews houses and 36 for the flats. The long-stay spaces for each category are separated from each other and all area secure and sheltered, with good access. The quantum of space complies with the Draft London Plan, however full details will be required and 5% of the long-stay provision must be accessible. Subject to full details to be considered by condition, this is satisfactory.
- 6.6.9 The proposal includes 1 blue badge size space, indicated for the residential use; but is otherwise car free. Given the site's town centre location a car-free development is considered appropriate; however the development would still need to ensure provision for the needs of the disabled, in accord with the requirements of Policy T6. As such, 1 no. disabled space is required for each of the residential and commercial, particularly where a site is to be redeveloped. The applicant has suggested that this requirement could be fulfilled through the use of existing on-street public parking; however the required provision is intended to be dedicated to the exclusive use of the development. Other alternatives have been discussed with the applicant and the Highways officer. It would not be feasible to convert an on-street space for the use of the development exclusively. Consideration has been given to potential revisions to the ground floor plan to accommodate the required provision. Although normally it would be required for the applicant to find such accommodation within the site itself, in this case it is acknowledged that the constraints of the site and the information provided for the purposes of the Financial Viability Assessment indicate that accommodating such a space would likely result in the loss of some of the proposed employment space, and/or would likely have a significant impact on the viability of the scheme. The loss of additional employment space would make the proposal less acceptable to the local planning authority in terms of the principle of the development; while the impact on viability could potentially result in the scheme as a whole becoming unviable. Therefore, although the

lack of provision would normally be considered unacceptable, in this case specifically and with regard to the site specific circumstances and weighing all matters in the planning balance, it is considered that the lack of disabled parking for the commercial element would not in itself be sufficient to justify refusal of the scheme.

6.6.10 In order to ensure the proposal would not result in additional pressure on the surrounding permit restricted parking spaces, the Council are seeking to restrict parking permits for future occupiers via a S106 agreement.

6.6.11 In summary, the proposed development would not unacceptably harm the safety and free flow of the highway subject to conditions and relevant terms of a S106 agreement; while the car parking arrangements would be insufficient to justify a refusal. The proposal is therefore, on balance, considered acceptable.

## **6.7 Sustainability, Drainage and Biodiversity**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.1, 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.13, 5.14
- The Draft London Plan (2019): GG6, G5, SI 1, SI 2, SI 3, SI 4, SI 5, SI 6, SI 7, SI 12, SI 13
- Harrow & Wealdstone Area Action Plan (2013): AAP10
- Harrow Core Strategy (2012): CS1, CS2
- Harrow Development Management Policies Local Plan (2013): DM10, DM13, DM14, DM22, DM23

Relevant Supplementary Documents

- Supplementary Planning Document: Residential Design Guide (2010)

### Trees and Biodiversity

6.7.2 Although there are no trees or significant vegetation within the site boundaries, there are trees immediately adjacent the boundary towards the rear and in the communal garden of Rothwell Court. The site, and the proposed development, would benefit from the visual amenity and screening provided by these neighbouring trees. As the mews houses would be sited in close proximity to these trees, a preliminary arboricultural report was requested and provided. This notes that many of the trees are likely self-seeded and potentially vulnerable to Ash dieback disease; and that given the extent of hard-surfacing on site (which would restrict root growth), it is unlikely that the proposed development would result in consequential direct impacts to adjoining trees. This has been reviewed by the Arboricultural officer, who is satisfied with the conclusion; and has not recommended conditions relating to tree protection will be required in this instance.

- 6.7.3 The site is located a minimum of approximately 480m from the nearest Site of Importance for Nature Conservation (SINC), and so the development would not result in impacts directly on any protected or designated areas. However, the potential for the presence of species of material consideration on site must be considered; and the emerging Draft London Plan requires development to ensure a net gain in biodiversity on site. A Preliminary Environmental Assessment (PEA) was submitted by the applicant. The Biodiversity Officer found that some of the submitted information was inadequate; however it was nevertheless considered to be sufficient of approval, subject to conditions for additional and revised information. Supplementary information was subsequently submitted and this information is in the process of being reviewed by the Biodiversity Officer; and any subsequent amendment to the condition required will be reported by addendum to the Committee.

#### Drainage

- 6.7.4 The site is located in a critical drainage area but not in any flood zones. The use of permeable paving is welcomed, and full details are conditioned. The proposal will introduce soft landscaping to the site, which will increase the potential resiliency of the site with regard to surface water drainage. In addition, Harrow Drainage Authority have requested conditions relating to surface and foul water drainage and emergency planning measures which have been duly attached.

#### Air Quality and Ground Contamination

- 6.7.5 The application has been accompanied by an Air Quality Assessment, which states that the projected increase in NO<sub>2</sub> and PM<sub>10</sub> would be less than 0.1µg/m<sup>3</sup> and within the air quality objectives and can be considered “air quality neutral”. Therefore, no mitigation would be required, other than dust management measures as part of a Construction and Logistics Plan.
- 6.7.6 The site has been assessed as having a low potential for contamination, as per the supporting preliminary ground investigation report. However, the report also states that a more intrusive investigation is necessary to quantify potential risks and remaining uncertainties that have been identified. Therefore, a pre-commencement condition is recommended for the submission of an investigation and risk assessment.

#### Energy and Sustainability

- 6.7.7 All major applications are required to achieve a 35% reduction (on site) in carbon dioxide emissions over the Building Regulations 2013; and 0% overall. Development should follow the hierarchy and policy guidance within the Draft New London Plan (2019). In addition, Policy 5.7 (Renewable Energy) of the current London Plan 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%.
- 6.7.8 The application has been accompanied by an Energy and Sustainability Statement. The proposed sustainability measures include photovoltaic panels

as a renewable energy source, combined with high energy efficiency standards in the built fabric, with a projected reduction of 40.62% in CO2 emission. The remainder of the balance would normally be sought as a carbon off-set payment. 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 S.106 agreement.

- 6.7.9 Given the relatively small scale of the development (for a major application) and recent developments in Mayor of London policies, it has been agreed that in these circumstances the provision of and/or safeguarding of a future connection to a CHP network would not be required.
- 6.7.10 Proposed Roof Plan proposes a flat roof with 44 no. PV panels. The PV's could be easily combined with a green roof in between the PV panels, to enhance the biodiversity of the local area and assist with climate change mitigation, temperature regulation. PV panels also indicated on roofs of mews houses. As per above, the combination of PV panels with biodiverse roofs are an appropriate enhancement for schemes such as this, and the full details can be conditions.
- 6.7.11 In summary, the proposal would not be considered to adversely impact adjoining trees; and biodiversity and drainage matters can be satisfactorily address through conditions. Sustainability measures and the required carbon off-set would be subject to a S106 agreement, but are otherwise satisfactory.

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

- 7.1 The proposed scheme for mixed commercial and residential development would contribute to a strategically important part of the housing stock of the borough within the Harrow and Wealdstone Opportunity Area. Furthermore, the proposed development would have a satisfactory impact on the character of the area and the setting of the listed building, the amenities of existing neighbouring occupiers, and of future occupiers of the development. Although the proposal would lack 1 no. disabled parking space, it would otherwise comply with the requirements for car and cycle parking and would not unduly impact the highways network.
- 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, this application is recommended for grant.

## **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 Drawings 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:

Air Quality Assessment report [dated February 2020, Ref: AQ\_assessment/2020/Bonnorsfield\_Harrow v.3]; Preliminary Investigations Report on contaminated land [ref: 18021/PIR\_R26\_rev1.02, dated February 2020]; Landscape Management and Maintenance Plan [Ref: MSG22713Man Rev B, dated February 2020]; Soft Landscape Specification [Ref: MSG22713Spec, dated February 2020]; Preliminary Ecological Appraisal [Ref: MSG22713\_PEAR Rev A, dated 12/02/2020]; Biodiversity Impact Calculator letter dated 24<sup>th</sup> August 202 with additional calculation charts; Flood Risk Assessment & SUDS Strategy Residential-led development [HLEF75706, 12 February 2020]; Economic Statement [dated 20<sup>th</sup> February 2020]; Internal Average Daylight Study – Option 1 Mixed Use Residential Scheme [dated 11.02.2020]; External Daylight Study – Option 1 Mixed Use Residential Scheme [dated 11.02.2020]; Archaeological Desk-based Assessment [Ref: RSP/26124 v3, dated 11 February 2020]; Built Heritage Statement [v 1.1, dated February 2020]; Planning Statement [v 1.0, dated February 2020]; Design & Access Statement [Revision dated 01/02/2020]; Supplementary Information Provided [dated 2 September 2020]; Statement of Community Involvement [dated February 2020]; Financial Viability Assessment [dated February 2020]; Financial Viability response letter dated 10 August 2020; Healthy Streets Transport Assessment for Residential-led Mixed Use Scheme [Job: 19262 Rev C, February 2020]; Healthy Streets Framework Construction Management Plan for Residential-Led Mixed-Use Scheme [Ref: 19262 Rev B, dated February 2020]; Framework Travel Plan [Job: 19262 Rev B, February 2020]; Energy and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020]; External/Internal Noise Report [ref: PWH/js/1437R/4697/Residential/Mixed Use/A, dated 19 February 2020]; Applicant's Response to Consultation Comments dated 28-Apr-20; 126/EX/001 Rev C; 126/EX/002 Rev C; 126/EX/100 Rev E; 126/EX/101 Rev E; 126/EX/102 Rev A; 126/EX/120 Rev A; 126/EX/121 Rev A; 074/PR/200 Rev AL; 074/PR/201 Rev W; 074/PR/202 Rev W; 074/PR/203 Rev W; 074/PR/204 Rev W; 074/PR/205 Rev R; 074/PR/209 Rev F; 074/PR/210 Rev D; 074/PR/214 Rev B; 074/PR/220 Rev P; 074/PR/221 Rev N; 074/PR/222 Rev L; 074/PR/241 Rev K; 074/PR/261 Rev G; 074/PR/262 Rev G;

074/PR/264 Rev B; 074/PR/265 Bedroom Corner Windows; MSG22713-11C; MSG22713-12B; MSG22713-50A;

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

### **Pre-Commencement Conditions**

#### **3. 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
- j) Air quality management measures in line with Air Quality Assessment report [dated February 2020, Ref: AQ\_assessment/2020/Bonnorsfield\_Harrow v.3];

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.

#### **4. Biodiversity Protection 1 (Pre-commencement)**

No site works, including demolition, shall commence until the following has been submitted, provided at the application site, and approved in writing by, the local planning authority:

- (a) an updated Construction Environment Management Plan (CEMP), to ensure the safeguarding of protected and priority species and to protect animal welfare and a Materials Management Plan (MMP) to ensure that there will be no impact on designated features for biodiversity in the wider area including the safe handling of contaminants and other harmful materials as may be present.

The works shall be completed in accordance with the approved details.

REASON: To ensure that the development makes appropriate provision for the protection of biodiversity.

## 5. Ground Contamination (Pre-commencement)

Notwithstanding the approved details, 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.

## **Demolition works only**

## 6. Biodiversity Protection 2

Prior to commencement of any construction works, other than works of demolition, the applicant will submit to the Council for approval in writing a fully detailed plan, complete with any necessary illustrations, elevations, plans and specifications, for

- (a) the avoidance and minimisation of and compensation for direct and indirect negative impacts and

- (b) the provision of biodiversity gain within the development, to encompass built structures and soft landscaping elements, including but not limited to the outline suggestions within the approved PEA.
- (c) the applicant or their consultants will provide to Greenspace Information for Greater London for their future use, in a format to be agree with Harrow Council, all species records (including recorder(s) names, scientific species name, abundance information, date, and full resolution location data etc.) and Phase 1/UKHab mapping information collected in support of this application.

This document, which should be prepared by a suitable qualified and experienced ecologist, shall take account of the context of the local area, the Harrow biodiversity action plan, and priority species found within the borough. It shall include shelter provision for bats, swifts, house sparrows and other urban/suburban bird species, as well as for invertebrates; the provision of green/blue roofs, sections of green wall and other 3D structures at ground and roof level, ensuring that landscaping elements maximise the benefits they provide for pollinators and other wildlife within or likely to be attracted to the local area as a result of improvements to green infrastructure via this and other development schemes. The document will include a time plan in order to ensure the effective incorporation of the identified measures within the overall delivery of the approved scheme in accordance with this and other conditions as may be set, and provide for monitoring or operations and outcomes as appropriate. The works shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development makes appropriate provision for the protection of biodiversity.

## 7. Levels

No site works or development shall commence (other than demolition works) until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed.

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. Surface Water Drainage Strategy

No development shall take place other than works of demolition until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to the Local Planning Authority in writing 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 greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited. To ensure that measures are agreed and development to manage and reduce surface water run-off.

#### 9. Foul Water Drainage Strategy

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

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, and to ensure that the development would be resistant and resilient to foul water flooding. To ensure that measures are agreed and put in place to dispose of foul water arising from the development.

#### 10. Landscaping

No development shall take place other than works of demolition until there has been submitted to, and approved by, the local planning authority, a landscape masterplan, hard and soft landscape details:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, green roofs, any living wall / climbing plant supports and, including the any raised planters, external seating, outside structures, tree pits, tree planting and support, growing medium, Strata cells under the hard surfacing, drainage, and so on.
- b) 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.
- c) Green roofs including written specification of the planting and the biodiverse roof detail, build-up of the material layers, including the drainage and planting substrate and schedules of plants, noting species, plant sizes or types (all at time of planting) proposed numbers / densities for the landscaped areas and maintenance.
- d) Details of PV panels to be installed on roofs
- e) The hard surfacing details shall include samples to show the texture, colour of the materials to be used and dimensions of the hard surfacing products and information about their sourcing/manufacturer.
- f) Full details of permeable paving for all hard landscaped areas
- g) Details of all furniture, boundary treatment, specification for any proposed supports and fixings for plants, including proposed material, source and irrigation for plants and detailed drawings of such; details of the communal area, any raised beds and any hard landscape elements or furniture.

- h) Details of the play equipment products and safety surfacing, including manufacturer and the setting out of the play equipment.
- i) Landscaping Scheme – Implementation and implementation programme, including a period of 5 year period for replacements of soft landscape; and
- j) Landscape Management Plan and Landscape Maintenance including long term design objectives, management responsibilities and maintenance schedules for all the communal landscape areas and communal garden.

The development shall be carried out in accordance with the details so agreed prior to the first occupation of the development 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.

## **Damp Proof Course**

### 11. 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 have been submitted, provided at the application site, and approved in writing by, the local planning authority:

- a) External finishing materials
- b) Window / door detailing including privacy screens
- c) Balcony / railing details including undercroft gate
- d) boundary treatment including all pedestrian/ access gates

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.

### 12. Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level 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. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed 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.

### 13. Cycle Parking Details

Notwithstanding the details shown on the approved drawing, the development hereby permitted shall not progress beyond damp proof course level until full details of the cycle parking spaces on the site have been submitted to the Local Planning Authority in writing to be agreed. The details shall include:

- a) A minimum total of 52 long stay and 8 short stay secure, sheltered long-stay cycle parking spaces, with sufficient numbers provided for each use implemented on site;
- b) At that least 5% of the long stay cycle parking spaces be designed for adopted/ cargo bikes in line with the LCDS

The cycle parking shall be implemented on site for the sole use of the development in accordance with the details so agreed and shall be retained for the lifetime of the development.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport.

### 14. Amended Plans

Notwithstanding the details shown on the approved drawing, the development hereby permitted shall not progress beyond damp proof course level until revised details of the proposal have been submitted to the Local Planning Authority in writing to be agreed. The revised details shall include:

- a) Amended layout to units 02, 08 and 14 to relocate the kitchen area to provide for natural light;
- b) Revised details to lobby areas to ensure clear and reasonable passage for all users and ensure doors do not obstruct or conflict with the use of lobbies and elevators;
- c) Details of the flank window treatments on units 01-03, 07-09, and 13-15;
- d) Obscure glazing on all southern flank windows to mews houses;
- e) Privacy screens to balconies on the rear of the main building;
- f) Revised details to bin collection areas to ensure space for food waste caddies in addition to waste and recycling bins

The approved details shall be implemented on site in accordance with the details so agreed and shall be retained for the lifetime of the development.

REASON: To ensure the satisfactory quality of accommodation for future occupiers, protection of the amenities neighbouring occupiers, and satisfactory servicing arrangements.

15. External Lighting

The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all external areas (including the undercroft area) within the site, including locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels has been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

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

16. Extraction Flues, Ventilation Systems, Rainwater Disposal

The development hereby approved shall not progress beyond damp proof course level until details of any extraction flues, ventilation systems, and rainwater disposal systems (including downpipes) have been submitted to and approved in writing by the Local Planning Authority. The application shall be implemented in full accordance with such details and be maintained thereafter. Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

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

17. Communal Television Equipment

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

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

**Pre-Occupation**

18. Revised Travel Plan

The development hereby permitted shall not be occupied until there has been first submitted to, and approved in writing by, the local planning authority a

revised full Travel Plan to include targets to promote model shift towards active travel. Details should include:

- a) Travel plan background and policies;
- b) Site Audit;
- c) Proposed development description;
- d) Clear objectives;
- e) Management – Provide a TPC in 3 months prior first occupation and contact details submitted to the council;
- f) A baseline survey should be undertaken within 6 months of first occupation of 75% of occupation, which ever come first;
- g) Targets should be in agreement with the council after the baseline survey;
- h) Measures – initiatives that will be introduced to achieve the targets;
- i) Funding – expression of commitment from the developer that the travel plan will be secured through its life;
- j) Monitoring and review – monitoring surveys should be undertaken at years 1, 3 and 5 and review reports submitted to the council within 1 month after the surveys; and
- k) A comprehensive action plan.

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

19. 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 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.

20. Noise Mitigation

The development hereby permitted shall not be occupied until mitigation measures for noise have been implemented on site, in accordance with the approved report External/Internal Noise Report [ref: PWH/js/1437R/4697/Residential/Mixed Use/A, dated 19 February 2020]. The sound insulation measures shall thereafter be retained.

REASON: To safeguard the amenities of the future occupiers of the flats from undue noise and vibration transmission.

21. Implementation of Hard and Soft Landscaping

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the final occupation of the residential parts of the buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow.

22. Landscape Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the hard and soft landscaping within the development, to include a landscape management plan for the whole of the proposed development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the ground level hard and soft landscape, green roofs and green living wall structure and pergola structures for plant growth and a programme of maintenance / plant replacement for the life time of the development specifically for the living walls structures / pergolas and green roofs, has been submitted to the Local Planning Authority in writing to be agreed,. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development. To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity within the Heart of Harrow.

23. Ecological Management Plan

The development hereby approved shall not progress beyond damp proof course level until detailed proposals for ongoing management, monitoring and reporting of onsite biodiversity features based on the format of the establishment phase plan, to cover a period of at least five years following the first occupation of the last completed residential building, and approved in writing by the Local Planning Authority. Between 6 and 3 months prior to the end of the first maintenance, management and monitoring plan period, the applicant, or whatever body then has responsibility for the development site, shall provide to the Council for approval in writing an update to the first management plan, to run for at least five years from the end date of the plan

which it replaces. 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.

24. Emergency Planning

The flats hereby approved shall not be first occupied until a document outlining Emergency Planning for future occupiers of the site has been submitted to, and agreed in writing by, the local planning authority. The development hereby approved shall be operated in accordance with the Plan so agreed, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure the safety of future occupiers on site.

### **Operational**

25. 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 and Sustainability Statement – Option 1 Mixed Use Residential-led Scheme [6788 Rev 3.0 dated 05.03.2020], 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 in accordance with the National Planning Policy Framework 2012 and local policies.

26. Part M Dwellings

A minimum of 10% of the units shall be built in accordance with Building Regulation standard M4(3) 'Wheelchair User Dwellings'. All other residential units in this development, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

REASON: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

27. Refuse Bins

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

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

28. Removal of Permitted Development Rights

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

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

29. 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

30. 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.

31. Commercial Use Restriction

The commercial premises on the ground floor shall be used for the purpose specified in the application (Use Class B1a/b/c) and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and to ensure that appropriate employment floorspace is provided in this location.

## **Informatives**

### 1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2019)

The London Plan (2016):

Policies 2.13, 3.3, 3.4, 3.5, 3.8, 3.10, 3.12, 3.14, 4.3, 4.4, 4.7, 4.12, 5.1, 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.13, 5.14, 6.3, 6.9, 6.12, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 8.2

Draft New London Plan (Intend to Publish Version December 2019):

Policies GG1, GG2, GG3, GG4, GG5, GG6, SD1, SD6, SD7, D2, D3, D4, D5, D6, D7, D11, D12, D13, D14, H1, H2, H4, H5, H6, H7, H8, H10, S4, E1, E2, E3, E4, E7, E11, HC1, HC3, G5, SI 1, SI 2, SI 3, SI 4, SI 5, SI 6, SI 7, SI 12, SI 13, T1, T2, T4, T5, T6, T6.1, T6.2, T6.5, T7, T9, DF1

Harrow Core Strategy (February 2012):

Core Policies CS1, CS2

Harrow & Wealdstone Area Action Plan (2013):

Policies AAP1, AAP4, AAP5, AAP6, AAP7, AAP8, AAP10, AAP13, AAP15, AAP16, AAP18, AAP19, AAP20

Harrow Development Management Policies (July 2013):

Policies DM1, DM2, DM3, DM7, DM10, DM13, DM14, DM22, DM23, DM24, DM27, DM28, DM31, DM32, DM35, DM38, DM40, DM42, DM43, DM44, DM45, DM50

Other Guidance:

Mayor of London, Housing Supplementary Planning Guidance (March 2016)

Mayor of London Play and Informal Recreation Supplementary Planning Guidance (September 2012)

Greater London Authority's Affordable Housing and Viability SPG (2017)

Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 2016)

Supplementary Planning Document: Residential Design Guide (2010)

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

Technical Housing Standards- nationally described space standards (2015)

### 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 £141,060

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 £344,556.81

This amount includes indexation which is 326/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development. You are advised to visit the planningportal website where you can download the relevant CIL Forms.

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/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. 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.

9. Construction Design Management Regulations

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

10. Run-off rates

The applicant is advised that the development is subject to a limitation on a discharge to no more than 5 l/s/ha from all impermeable areas, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be used for winter and summer. Please note that a value for UCWI of

150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 40% allowance for climate change. Proposals must comply with the councils Local Flood Risk Management Strategy.

11. Vehicle Crossing

The applicant is advised that the pre-existing vehicle crossing may require additional works to be brought back into use; and that any alterations to existing/pre-existing crossings will require separate agreement (s50 agreements) directly with Highway Network Management. Any new crossing construction should be constructed in line with Harrow's New Vehicle Crossing Policy, dated September 2017. A Temporary and/ or Permanent Traffic Order will be required. Please contact the Vehicle Crossings Team on [VehicleCrossings@harrow.gov.uk](mailto:VehicleCrossings@harrow.gov.uk) for further details/estimate.

12. 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)

13. Design out crime

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.

Checked

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

## APPENDIX 2: SITE PLAN



OS Map 1:1250

Existing Site Plan

## APPENDIX 3: SITE PHOTOGRAPHS



Front of site



Looking towards site from Station Road





With no. 10-14



With Roswell Court



**Service yard from front entrance**



**Looking to rear of existing property**



**Looking towards Ryan Court**



**Looking towards rear of shops /flats on Station Road**

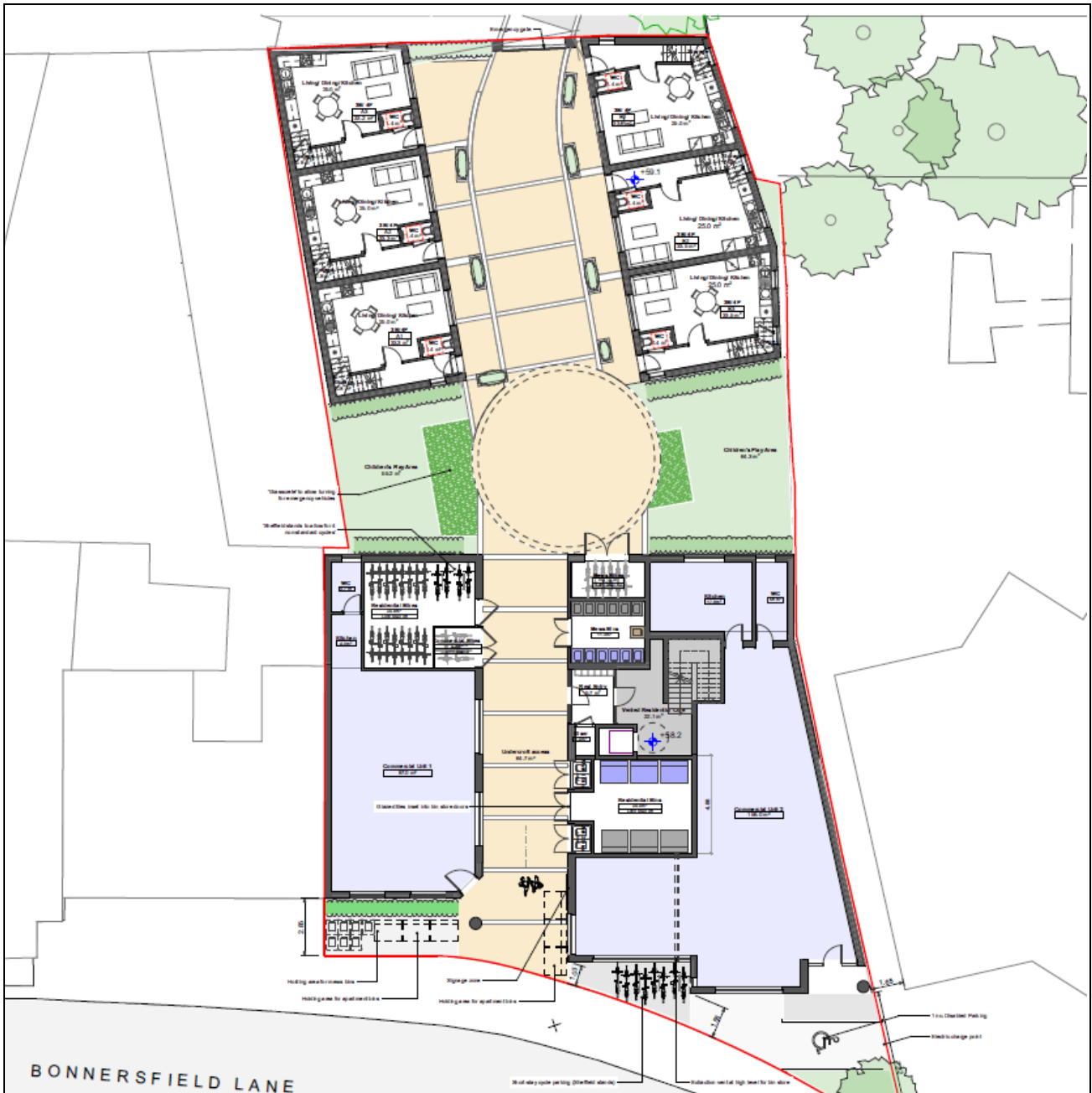


Rear of no. 14

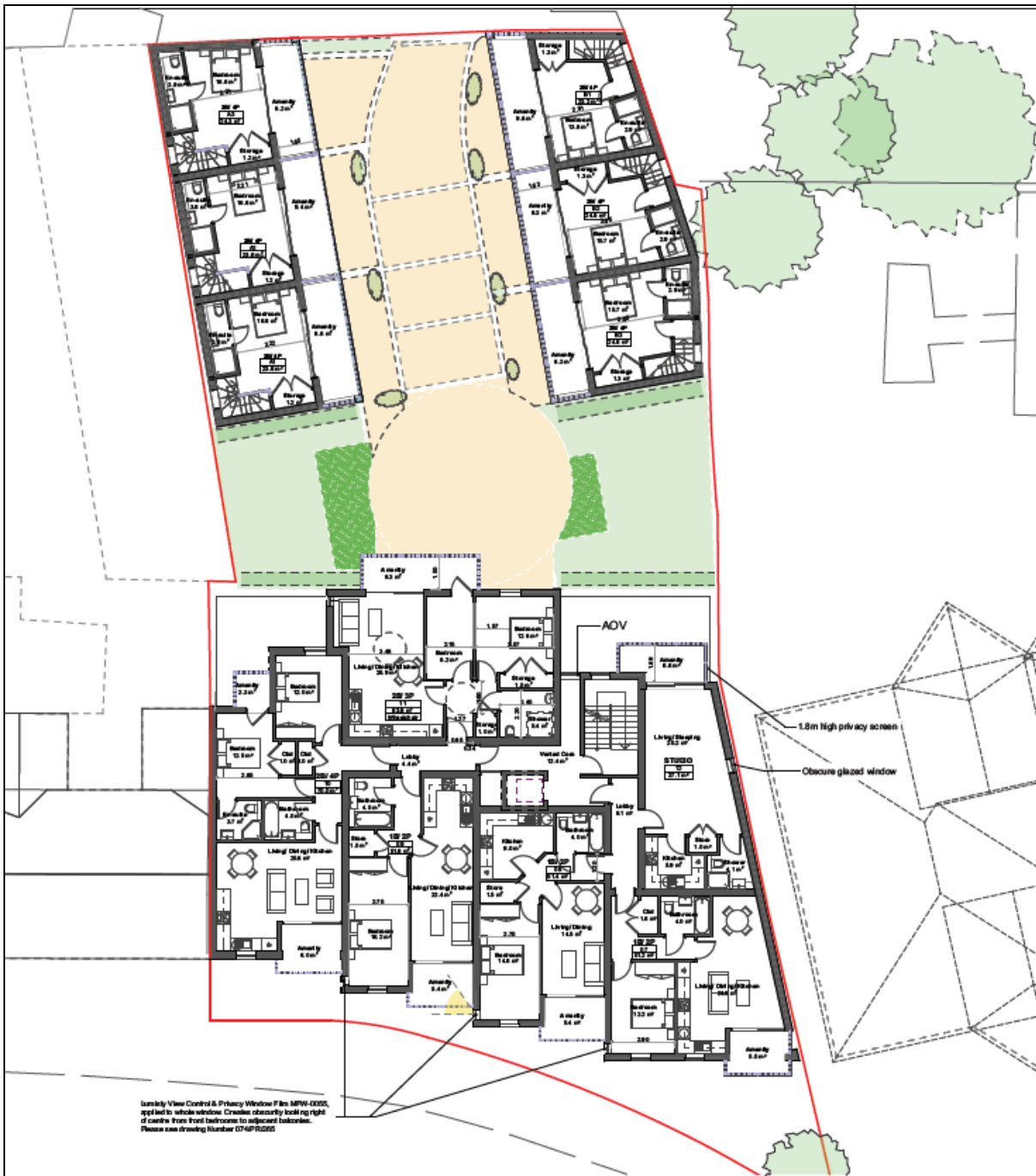


**Rear of Rothwell Court**

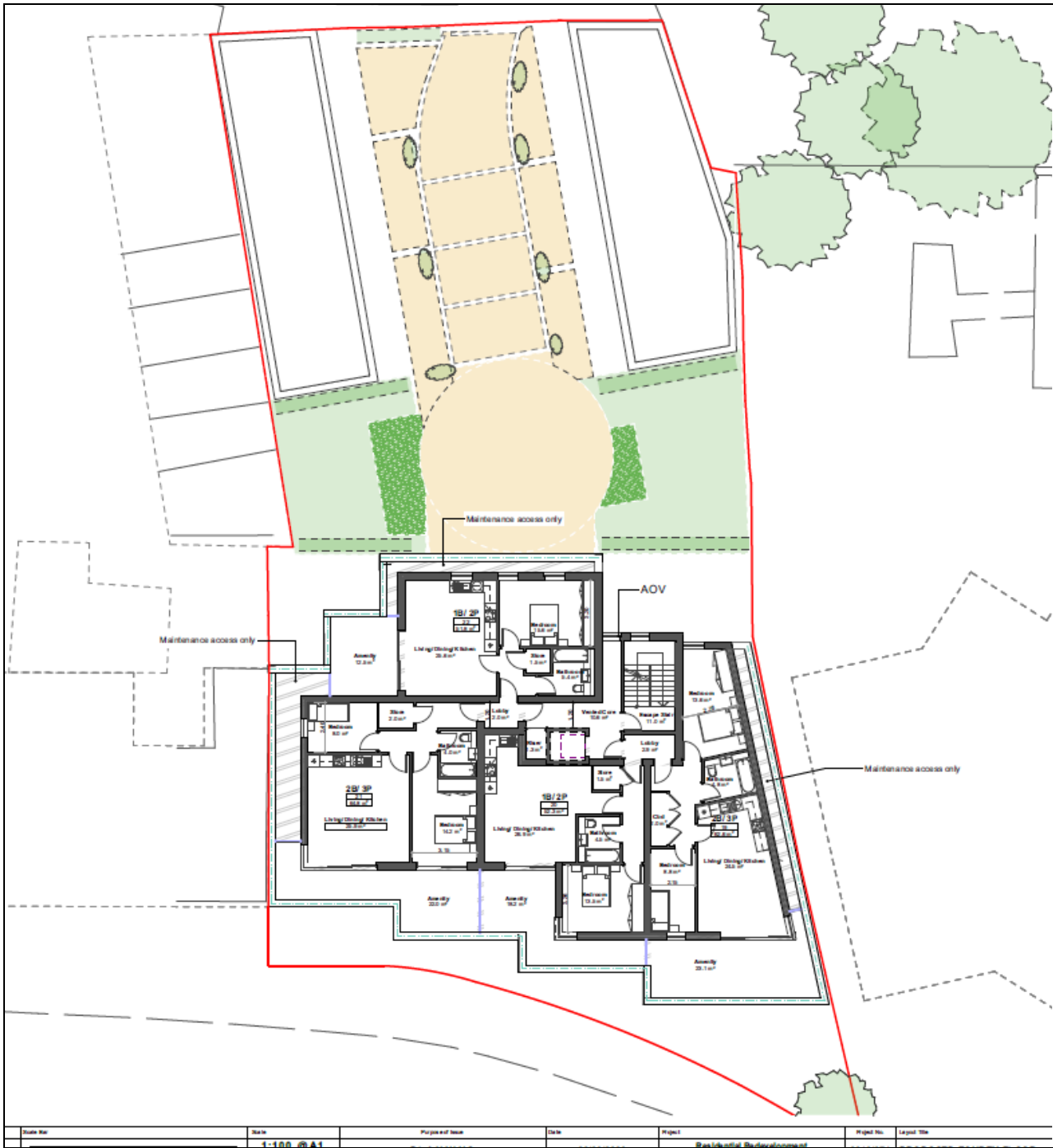
**APPENDIX 4: PLANS AND ELEVATIONS**



**Proposed Site and Ground Floor Plan**

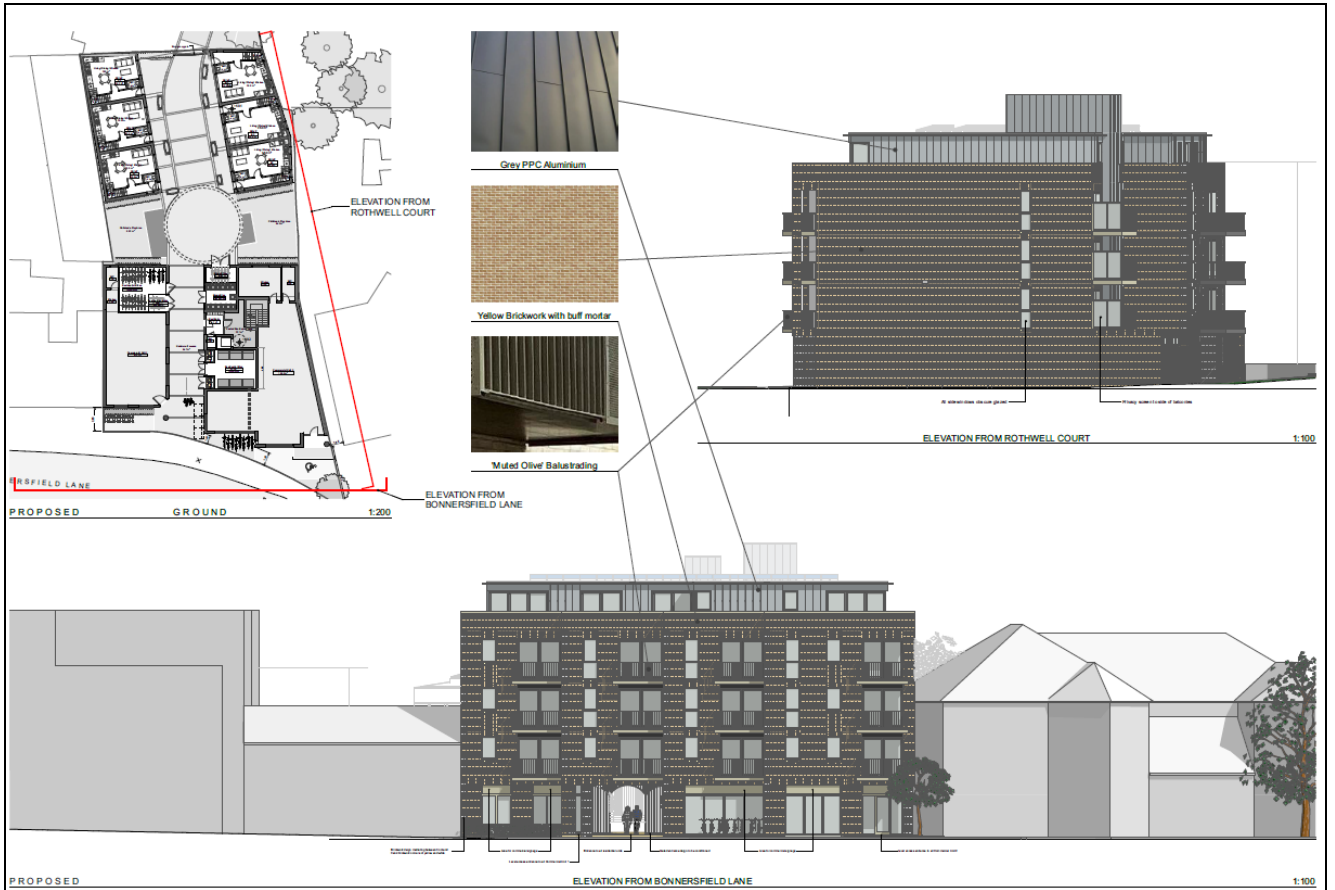


**Proposed Second Floor Plan (Floors 1-3 of apartments have same layout)**

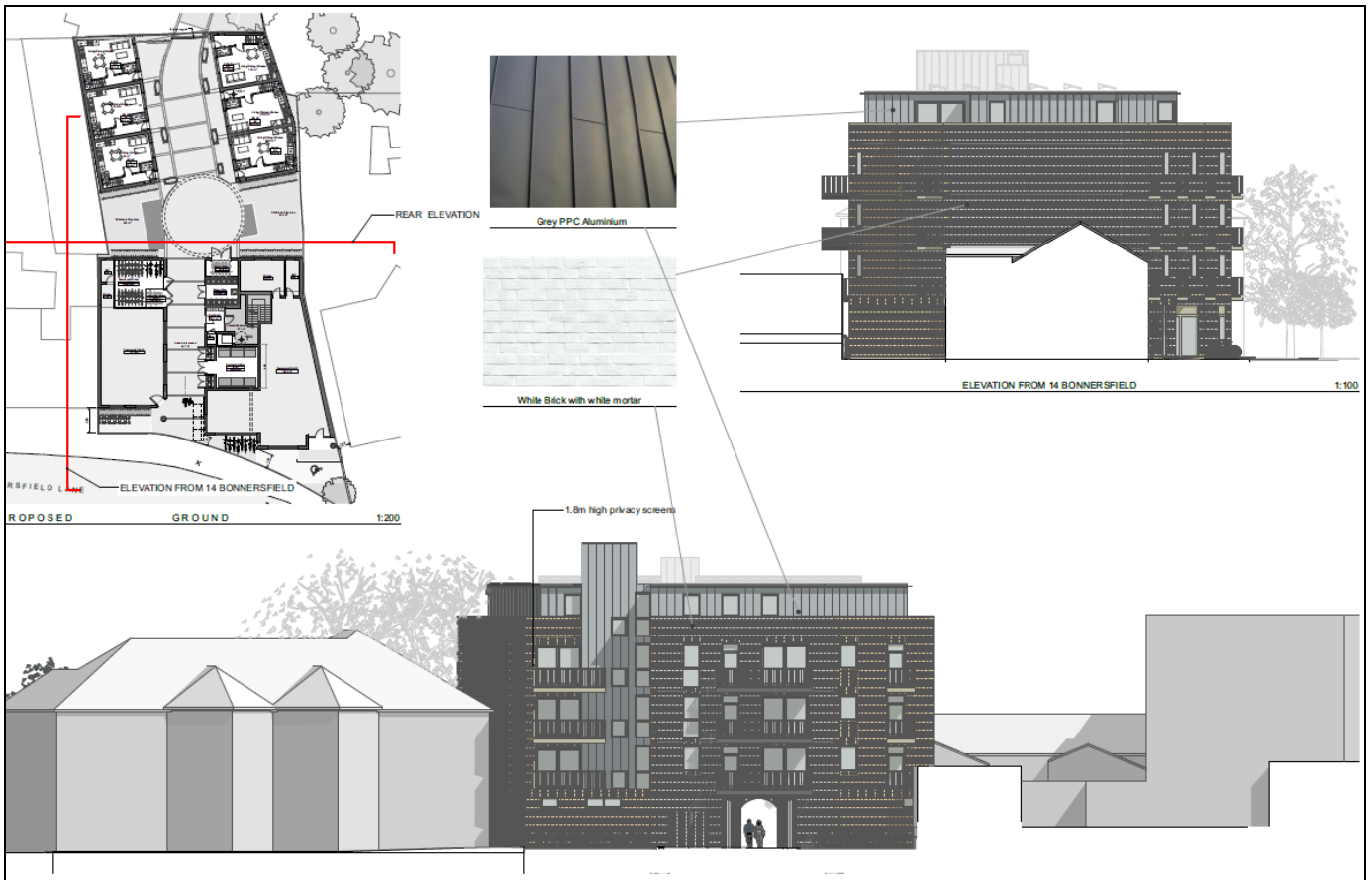


### Proposed Fourth Floor Plan

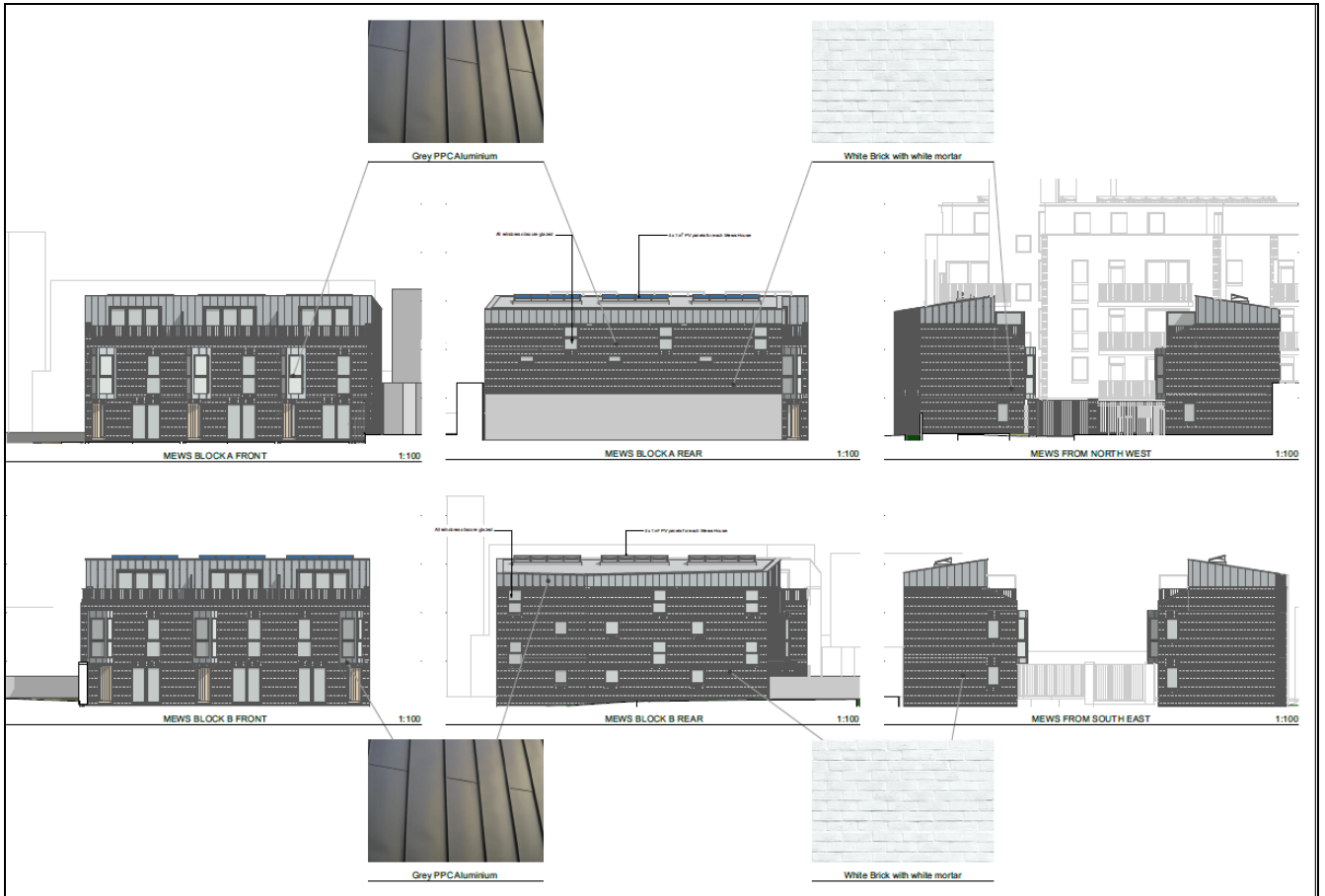




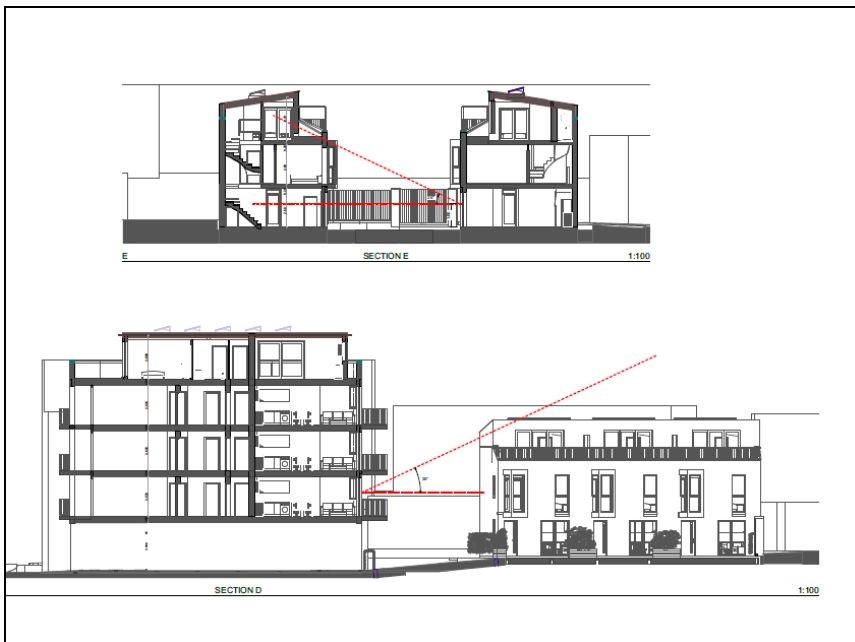
Front and side elevation proposed



**Rear and side elevation proposed**



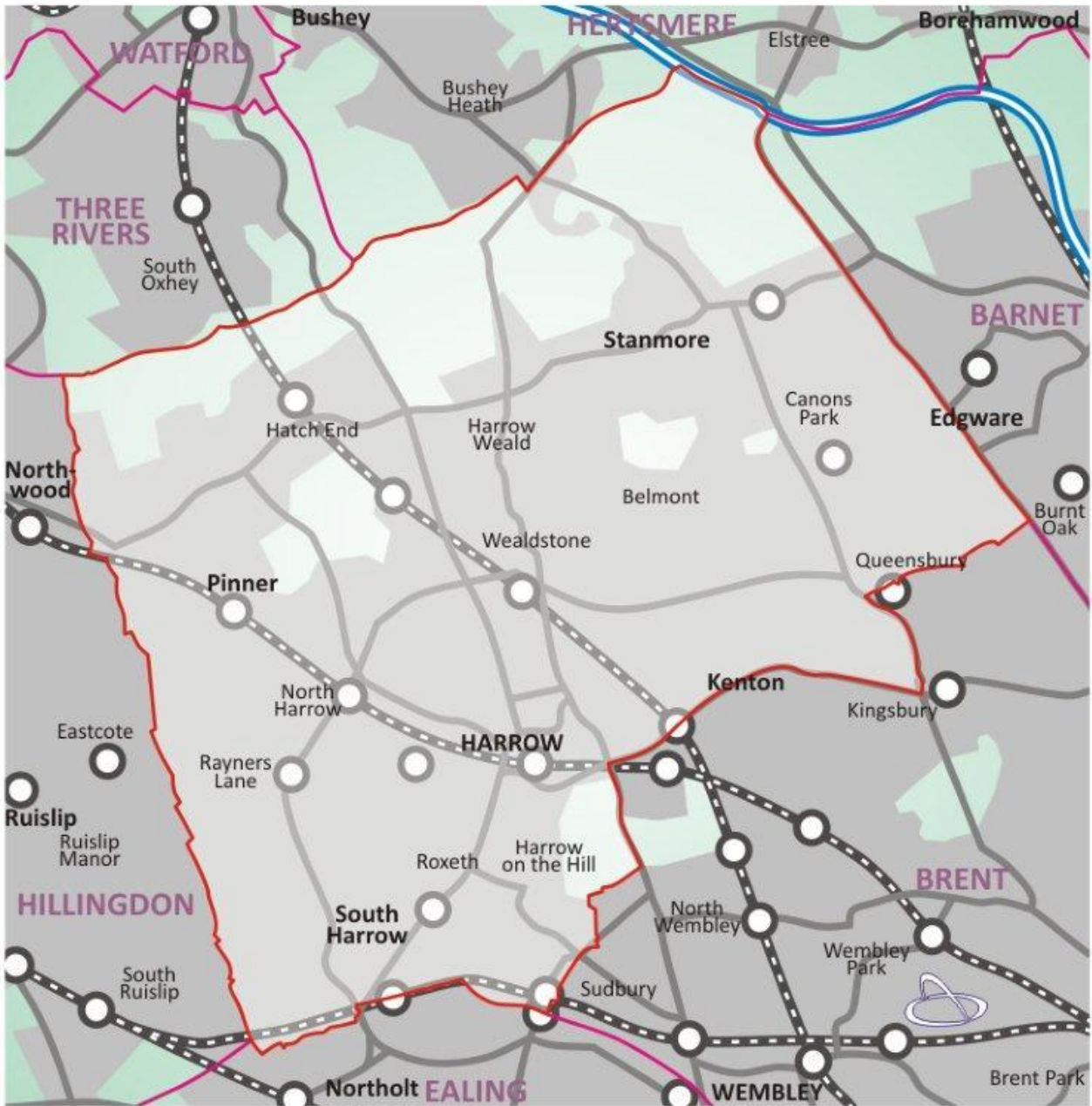
## Mews Elevations



Sections

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 = application site



<b>North London Collegiate School, Canons Drive, Edgware, HA8 7RG</b>	<b>P/2488/20</b>
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# NORTH LONDON COLLEGIATE SCHOOL, CANONS DRIVE, EDGWARE



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

18<sup>th</sup> November 2020

**APPLICATION NUMBER:** P/2488/20  
**VALID DATE:** 8<sup>th</sup> JULY 2020  
**LOCATION:** NORTH LONDON COLLEGIATE SCHOOL,  
EDGWARE, HA8 7RJ  
**WARD:** CANONS  
**POSTCODE:** HA8 7RG  
**APPLICANT:** MR CLARKSON  
**AGENT:** ICENI PROJECTS  
**CASE OFFICER:** NICOLA RANKIN  
**EXPIRY DATE:** 20<sup>th</sup> October 2020/Agreed Extended Expiry: 30<sup>th</sup>  
November 2020

### PROPOSAL

Hybrid (part full/part outline) application for the phased Masterplan to improve Education facilities (Use Class D1) including ancillary office space and sporting facilities; together with improvements to car and bus parking, internal road layout and landscaping and associated development.

Full planning application: Phase 1 comprising new education accommodation with ancillary office space up to two storeys in height (1727sqm Gross Internal Area of floorspace) (Use Class D1) incorporating the demolition of, alterations and adaptations to several existing buildings; installation of two tennis courts; alterations to internal car and bus parking, and road layout; and site wide improvements to landscaping and associated development.

Outline planning application for access: (All other matters reserved) Phases 2 and 3: Phase 2 comprises demolition and/or extension of existing buildings; construction of new education buildings up to three storeys in height; improvements to existing sports facilities; and associated alterations to internal car parking and road layout, and landscaping (3,420 sqm Gross Internal Area of floorspace). Phase 3 comprises demolition and construction of various education buildings ranging from two to four storeys in height; and associated alterations to internal car parking and road layout, and landscaping (2,025sqm Gross Internal Area of floorspace).

### RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval and the conditions as set out this report in appendix 1; and
- 2) refer this application to the Mayor of London (the GLA) as a Stage 2 referral; and

- 3) subject to the Mayor of London (or delegated authorised officer) advising that he is content to allow the Council to determine the case itself and does not wish to direct refusal, or to issue a direction under Article 7 that he does not wish to direct refusal, or to issue a direction under Article 7 that he is to act as the local planning authority for the purposes of determining the application, delegate authority to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the continued negotiation and completion of the modification to 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 modification to the Section 106 Agreement Heads of Terms would cover the following matters:

A deed of variation to Legal Agreement attached to planning permission P/0654/12 (Varied from EAST/446/94/FUL), dated 16<sup>th</sup> August 2012 to address the following matters:

- a) Community Use agreement to be agreed and implemented for each phase of the development
- b) All future development on the site must be undertaken in accordance with the approved parameters plans. The outline development hereby approved shall be begun no later than 2 years from the approval of the last Reserved Matter. The outline element must be completed within 5 years from the approval of the final reserved matters application.
- c) A financial contribution (to be agreed) towards off site carbon reductions
- d) 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 and a further financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

## **REASON FOR THE RECOMMENDATION**

The proposed education needs of the school and benefits of the proposal have been robustly demonstrated in the Education Needs Assessment. On balance, having regard to extent of harm through inappropriateness and the harm to openness within the context of the site as a whole, the education need and public benefits as a result of the proposed community use agreement, are considered to amount to 'Very Special Circumstances' which would justify the principle of the development with regard to MOL. Subject to conditions, the proposals would have an acceptable impact on the character and appearance of the area and would ensure high quality buildings are delivered. The masterplan would have an acceptable impact on the sites designated heritage assets. The proposal would not unduly impact on the amenities of neighbouring residents and would comply with all relevant policy considerations relating to heritage, highway safety, landscape tree protection, accessibility, ecology and biodiversity and sustainability.

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2016, the policies of the Draft London Plan



(2019), the Harrow Core Strategy and the Harrow Development Management policies Local Plan (listed in the Informatives), as well as to all relevant material considerations including any responses to consultation,

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed within 5 months (or such period as the Council may determine) of the date of the Committee decision on this application, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a Deed of Variation to the legal agreement attached to planning permission EAST/446/94/FUL, dated 9<sup>th</sup> September 1994 (principal agreement) to secure necessary agreement and commitments in relation to the development, would fail to mitigate the impact of the development on Metropolitan Open Land and designated heritage assets on the application site, contrary to the National Planning Policy Framework (2019), London Plan 2016 policies, 3.18, 3.19, 7.17, 7.8 C and D 8.2, Draft London Plan 2019 policies, HC1, D3, S1, S3, S5, G3 DF1, Harrow Core Strategy 2012 policies CS1 B, D, F, Z and Harrow Development Management Policies Local Plan (2013) policies DM7 DM16, DM 47, DM46, and DM50.

## **INFORMATION**

This application is reported to Planning Committee as it is a major development and therefore does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type: Major Development  
Council Interest: N/A  
Net additional Floorspace: Phase 1: 1727sqm, Phase 2:3420, Phase 3:  
2025sqm  
GLA Community  
Infrastructure Levy (CIL): £0 Exempt  
Contribution (provisional):  
Local CIL requirement: £0 Exempt

## **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 equality's obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equality's 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. The application has been referred to the Secure by Design Officer who has recommended a condition be attached to any future permission to ensure Secure by Design accreditation is achieved. Accordingly, a condition is attached for security matters to be addressed at each phase of the development to address the above policy requirements.

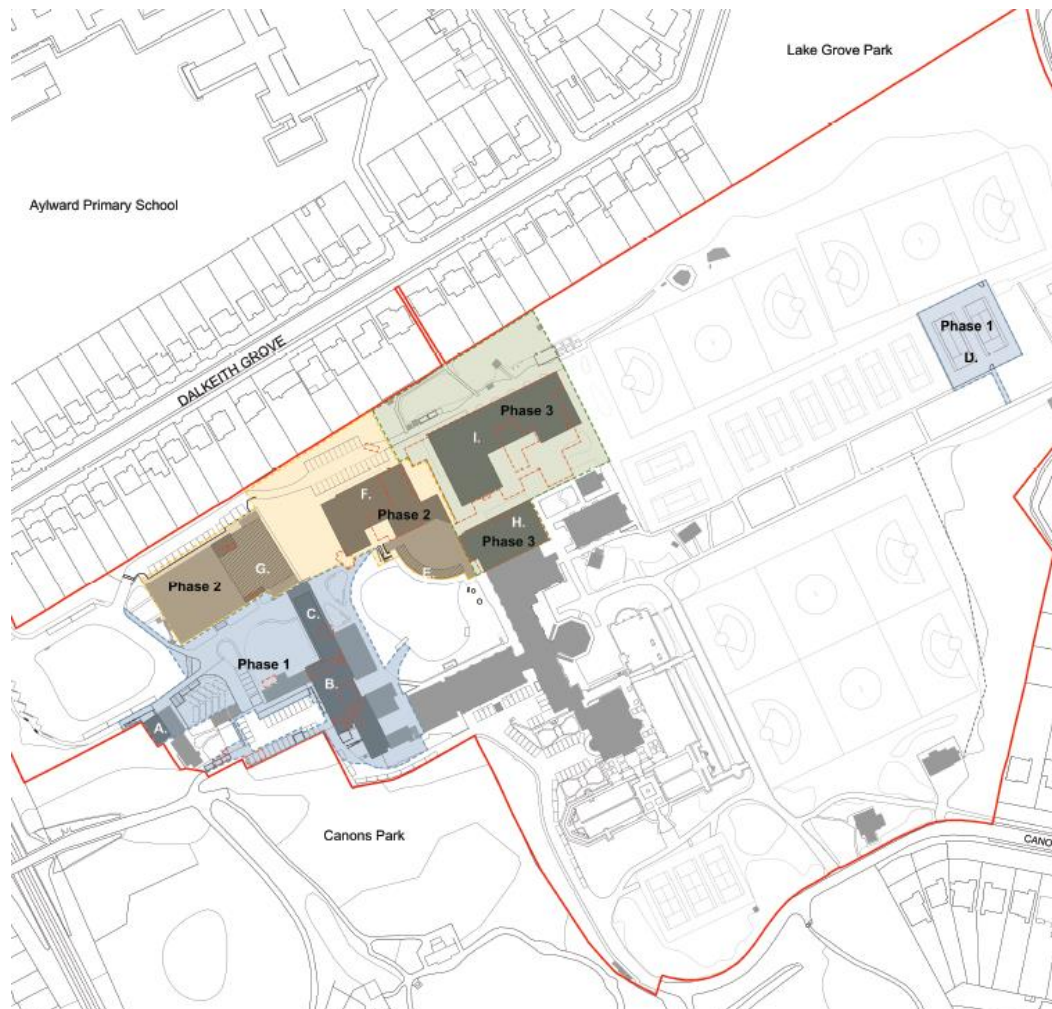
## **1.0 SITE DESCRIPTION**

- 1.1 The application site is situated within the North London Collegiate School, a private school for girls, located at the end of Canons Drive
- 1.2 North London Collegiate School (NLCS) occupies extensive grounds within Canons Park, an area designated as Metropolitan Open Land (MOL) and a Registered Historic Park and Garden. The school also falls within the Canons Park Estate Conservation Area.
- 1.3 The school occupies a variety of buildings on the site, including the Grade II listed mansion house, which is set within landscaped grounds to the south of the site and is visible in views from the adjacent Canons Park.
- 1.4 There are two Grade II listed buildings within the site including Canons House (the Mansion House) and the associated garden walls and terraces.
- 1.5 The other school buildings are of much later construction and are located to the north and north west of the mansion house, with playing fields located to the east and north east.
- 1.6 Overall, the site includes 19 key buildings, with a footprint of c. 10, 744m<sup>2</sup>, encompassing a gross internal floor area (GIFA) of 19, 105m<sup>2</sup>.
- 1.7 The site comprises buildings of mixed heights between one and four storeys. The Richardson building is the tallest at four storeys and plays a role as the academic centre of the Senior School and provides internal connections to neighbouring buildings. The heights of buildings decrease in scale as you expand away from the centre of the site towards the boundary.
- 1.8 The main vehicular access is from Dalkeith Grove, with a secondary entrance at the end of Canons Drive. The Dalkeith Grove entrance provides access to a central Loop Road for coach and mini-bus parking along with drop off/pick up areas for parents and parking for members accessing Canons Sports Centre. There is also a pedestrian footpath providing pedestrian access to the site. Further to the east along Dalkeith Grove is a pedestrian only access point, primarily used for access to the Junior School.
- 1.9 To the south of the site is Canons Park itself, an area of open space subject to the same designations, as well as being a Site of Importance for Nature Conservation.
- 1.10 To the west of the site is the Jubilee Line railway and abutting the north of the site are the rear boundaries of the residential properties on Dalkeith Grove.
- 1.11 To the east of the site are The Lake and the residential properties situated within the Conservation Area.
- 1.12 The NLCS is located on a fairly level site.

- 1.13 The majority of the site lies within flood zone 1. However, parts of the site are located within Harrow's surface water flood zone 3a and a Critical Drainage area.
- 1.14 In respect of pupil numbers at the site, NLCS currently has 1100 girls attending in total: 320 in the Junior School and 780 in the Senior School. The school has a planning cap of 1250 girls in total which was agreed under the Section 106 agreement attached to planning permission EAST/446/94/FUL. The school currently has 400 members of staff.

## **2.0 PROPOSAL**

- 2.1 The proposal seeks to secure planning permission for a comprehensive masterplan for the North London Collegiate School to be delivered over a series of three main phases. This proposal is brought forward under a hybrid planning application with full planning permission sought for phase one and outline planning permission sought for phases 2 and 3 with all matters reserved, except access.
- 2.2 The phasing of the masterplan comprises the following elements:
- Phase 1 (Full Permission) – Administration building, IDEADS Hub (Innovation, Design, Engineering, Art and Science), Tennis Courts and operations.
  - Phase 2 (Outline) Canons Sports Centre, Music and Drama/PAC building;
  - Phase 3 (Outline) – Junior School, Extension to Richardson Building
- 2.3 The diagram below depicts the proposed phases and their locations across the site:



2.4 The phase 1 buildings are located in the area to the west of the central pond that currently comprises a cluster of smaller buildings.

2.5 In summary phase 1 includes:

- Extension to the Tractor Barn (Building A)
- Construction of teaching accommodation – the IDEAS Hub (Building B)
- Construction of an Administration Building (Building C)
- Demolition of existing office accommodation
- Minor alterations to the Loop Road off Dalkeith Grove; and
- Expansion of Tennis Courts

2.6 The proposed administration building would be two storeys is located to the west of the pond and would be linked to the IDEAS hub to the south. The building would have a maximum height of 9.6 metres and an eaves height of 6.5 metres, matching the height of the adjacent Arts school building. The administration building will include the main school administration office, Finance, HR, Admissions and a new main school reception. It will have a new double volume glazed reception at the northern end. The IDEAS hub will facilitate the teaching of design and engineering technology (STEAM subjects) to be taught in a purpose-built facility and will include classrooms, workshops and display areas.

- 2.7 The new IDEAS hub and Administration building will be connected to the existing Maintenance barn and Art school with transparent glazed links. The maintenance barn will be converted into a sixth form studio
- 2.8 The construction of the IDEAS Hub requires the demolition of a number of smaller buildings including the current Bursary, and various temporary buildings used as administration offices.
- 2.9 The proposed extension to the Tractor Barn would be two storeys, matching the height and dual pitched roof design of the existing building and will provide an office and storage space relocated from the existing Maintenance Barn that will now become part of the IDEAS hub.
- 2.10 Two new tennis courts will be provided at the eastern end of the existing tennis courts.
- 2.11 Various landscaping enhancement will also be undertaken outside of the phase 1 boundary including additional tree planting, clearing and maintenance works.
- 2.12 Outline planning permission is sought for phase 2. This phase of the masterplan is focused on buildings towards the northern boundary of the site.
- 2.13 Phase 2 is summarised as follows:
- Demolition of the existing Music and Drama building
  - Construction of a new Music and Drama building (M&DB) connected to the north of the existing Performing Arts Centre (PAC)
  - A small infill at roof level of the PAC for additional teaching and rehearsal space
  - Minor alterations to the existing Canons Sports Centre including small infill extensions to the north and southern elevations and a first floor extension to the eastern elevation
  - General Landscaping to the area immediately surrounding the buildings as well as landscape ecology enhancements to the wider site.
- 2.14 The proposed new Music school building would be located behind the existing PAC as a three storey building replacing the current two storey building. Outline Plans show the building would have a maximum height of 12.5 metres (85.19m AOD).
- 2.15 The PAC infill extension at second floor level would form an extension of the existing sloping roof with a maximum height of 5.6 metres (84.30m AOD).
- 2.16 The Canons sports centre infill extension is indicated to mirror the massing of the existing Canons Sports Centre with the ridge and eaves height aligning with the existing.
- 2.17 Landscaping works include improvements to the woodlands along the northern and eastern boundaries, managing hedgerows along the northern boundary and improving grasslands adjacent to the woodland areas.

2.18 Outline planning permission is sought for phase 3 which is also focussed on buildings along the northern boundary.

2.19 Phase 3 is summarised as follows:

- Demolition of the existing Junior school and construction of a new Junior school.
- Demolition of the existing drama extension to the northern end of the Richardson building to provide additional classrooms and laboratories
- General landscaping to the area immediately surrounding the buildings.

2.20 The proposed junior school does not connect to any other existing buildings and stands on its own entity. It is indicated as a three storey mass with the option of a flat or pitched roof. This building would replace the existing single storey Junior school. The building would have a maximum height of 12.5 metres (85.19 metres AOD).

2.21 The proposed extension to the Richardson building would be four storeys and would have a flat roof to match the existing building. It would have a maximum height of 15.2 metres and would replace the existing 1.5 storey drama building.

#### Materials – Phase 1

2.22 The elevations of the phase 1 building will be comprised of bagged brickwork and clay roof tiles. A timber canopy walkway will wrap around the northern end of the building.

2.23 The proposed Tractor Barn extension reflects the existing barn materials with the use of red brick and dark timber.

#### Masterplan Design Code

2.24 Due to the varied nature of building types and materials at NLCS, the masterplan does not seek to impose a rigid style or code but serves as a guideline. It is proposed to develop the design code further at each stage.

2.25 The outline part of the hybrid application seeks approval for the parameter plans and the design code as a means of governing materiality of the design. If granted consent, any future reserved matters applications will have to conform to the parameters plan and design code.

2.26 Brick is proposed as the primary material for new building envelopes, but other materials will be considered where there is sufficient justification. The design code outlines the number of materials on each building will be kept limited to around three in order to ensure cohesion and legibility across the site.

2.27 In the case of the PAC building under phase 2, the existing materials will be followed, and the external walls will be mainly glazed to match the existing building

#### Landscaping

2.28 The Landscape masterplan for Phase 1 and the proposed view of the Administration/IDEAS hub from the west of the site is depicted in the image below.





- 2.29 Proposals include the newly landscaped areas around the new Administration and Ideas Hub Building and the pedestrian improvements to the entrance. Connections and access are improved and a relocated drop off zone and the new shared surface provides pedestrian priority over vehicles using the staff car park
- 2.30 In the wider context over the whole site, landscape improvements associated with future phases include improvements to the existing woodland with the additional creation of an educational tree trail, with a new and diverse selection of trees and enhancements to areas such as the pond and the meadow.

### 3.0 RELEVANT PLANNING HISTORY

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

Reference	Description	Decision
P/2191/20	EIA Screening Opinion to determine whether an Environmental Impact Assessment is required for development to improve Education facilities with ancillary office space (Class D1); improvements to parking and bus parking, internal road layout; Landscaping	EIA not Required 14-Jul-2020
P/4007/19	Replacement external fire escape staircase on south east elevation (retrospective)	Granted 12-Sep-2019
P/2147/18	Two storey infill extension; Installation of two additional condenser units on north elevation	Granted 3-Aug-2018
P/1559/15	Single storey extension to first school, staff room with associated external alterations	Granted 4-Jun-2015
P/0654/12	New Two Storey Building To Be Used For Indoor Activities To East Of Richardson Building; Associated Landscaping	Granted 16-Aug 2012
P/1467/10	Listed Building Consent: Demolition of two storey western wing of dining room/classroom block and construction of replacement four storey extension with dining accommodation on ground floor and classrooms and ancillary accommodation on upper floors; Increased adjacent hardsurfacing	Granted 15-Nov-2010
P/1460/10	Demolition of two storey western wing of dining room/classroom block and	Granted 15-Nov-2010

	construction of replacement four storey extension with dining accommodation on ground floor and classrooms and ancillary accommodation on upper floors; Increased adjacent hardsurfacing	
P/0633/09	Single storey detached pavilion adjacent to sports pitches	Granted 21 Nov-2009
P/259/05	4 single storey extensions to provide teaching and ancillary accommodation for first and junior schools	Granted 22-Apr-2005
P/0792/04/CFU	Two storey rear extension at either side of bursary office	Granted 24-May-2004
P/0785/03	Demolition of glazed link corridor and replacement with 4 storey extension to provide additional teaching and ancillary accommodation	Granted 4-Aug-2003
P/2030/03	Listed Building consent: new auditorium and foyer link between existing music school and drama studio	Granted 6-Nov-2001
P/2029/03	Conservation Area Consent: Demolition of cello room	Granted 06-11-2003
P/2028/3/CFU	3 storey auditorium with foyer, linked to music school and drama studio, relocation of cello room	Granted with accompanying legal agreement 05-Feb-2005
EAST/446/94/FUL	Single Storey Infants School building, Detached sick room accommodation and infill extension	Granted with accompanying legal 09-Sep-1994
EAST/45766/92/FUL	2 X Single storey extensions to junior school	Approved 12 January 1993
LBH/31415	Single storey junior extension	Approved 8 <sup>th</sup> January 1987

#### 4.0 **CONSULTATION**

- 4.1 A total of 270 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The public consultation period expired on 30<sup>th</sup> September 2020. A total of 3 objections were received.
- 4.3 The proposal was advertised for the following reasons:
- Press Advert: Major Development /Departure from Development Plan/Setting of a Listed Building/Character of Conservation Area Plan Expiry:1<sup>st</sup> October 2020
  - Site Notice: Major Development /Departure from Development Plan/Setting of a Listed Building/Character of Conservation Area Expiry:8<sup>th</sup> October 2020

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

Traffic and Parking

- The development will result in an increase in traffic along Canons Drive
- Unlike many schools in London, the school appears to lack an effective environmental policy, many pupils and parents drive to the school.
- Pollution caused by private cars and large delivery vehicles appears to be completely ignored in this conservation area.
  
- The school needs to better manage current and future traffic following the redevelopment.
- There should be a one way system for parental and construction traffic to enter from Dalkeith Grove and exit from Canons Drive to prevent gridlock now and in the future.
- The school does not have a proper travel policy and the increased capacity will put a lot of stress on Canons Drive traffic from deliveries, pupils and parent drop offs.

Character

- The proposed development would be unsympathetic and inappropriate
- The listed building and conservation area will be destroyed by modern buildings.

Amenity

- The development will cause disturbance over a 20 year period.
- I am concerned with the impact of the development on the living conditions of the neighbouring occupiers in Dalkeith Grove, in terms of light pollution, sense of enclosure, noise and privacy
- The elevations of buildings will overlook gardens on Dalkeith Grove and result in a loss of privacy, unless there is planned screening
- The proposed landscaping plans will result in a loss of trees which will result in a loss of privacy to the properties along Dalkeith Grove

Statutory and Non-Statutory Consultation

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

Consultee and Summary of Comments
<p><b>Greater London Authority:</b> Comments Awaited</p> <p><b>LBH Landscape Officer:</b></p> <ul style="list-style-type: none"><li>• The proposals for the phased redevelopment of the school including the grounds and sports facilities, incorporating the demolition of some existing buildings, construction of new buildings, reorganisation of parking and road layout and enhancement to the landscaping across the site have been the subject of pre application meetings. The discussions have resulted in some</li></ul>

design changes to the proposals and the development of a comprehensive landscape strategy and proposed general arrangement landscape masterplan for the Phase 1 planning application drawing number 566.PH1.03.001 and Zone of Intervention drawing number 566.02/004. The masterplan for Phases 2 and 3, in the Illustrative Landscape masterplan 566.02.005, for the outline planning application and Phase 1 is included within this, showing broad landscape proposals for the whole site. It is important to note the school grounds contain historic listed buildings and the grounds, together with the adjacent Canons Park are part of Grade II registered Park and Garden. The masterplan concept is based on retaining the romantic and informal character of the grounds and connecting disjointed areas by a unified landscape, increasing the value of habitats and biodiversity and enhancing the appearance of the landscape. As such landscape proposals that are in keeping with the character of the park, of high quality and design, providing enhancements are of importance.

#### Phase 1 and outline planning application

- The landscape strategy was informed by an early ecological assessment of the site as well as an arboricultural survey. Proposals include the newly landscaped areas around the new Administration and Ideas Hub Building and the pedestrian improvements to the entrance. Connections and access are improved and a relocated drop off zone and the new shared surface provides pedestrian priority over vehicles using the staff car park. The rationalisation of routes and proposed improvements work well, and the hard and soft landscape proposals can be covered by landscape conditions.
- In the wider context over the whole site, landscape improvements are welcomed in the existing woodland with the additional creation of an educational tree trail, with a new and diverse selection of trees and enhancements to areas such as the pond and the meadow.
- The proposed species selection and habitat creation, management enhancements of the existing habitats would provide some good improvements to the overall landscape and ecology of the school grounds whilst respecting the historic landscape features of Canons Park.
- These are shown in the longterm objectives and ecological principles. New planting areas will include additional areas of trees, shrubs and perennials and a new wildflower grassland. These will not only provide ecological and aesthetic landscape enhancement but add to the education resource for the school and would be a positive move. The management improvements and enhancements proposed for the existing woodland, pond and meadows would also be a welcome addition. I am unable to find specific detailed reference to the pond area in the overall longterm management and maintenance plan. A long term vision for the existing pond area would be required, over at least a 10 year period with proposed additional work. To ensure the pond area that forms the heart of the school grounds is retained as a semi natural area, in character as existing, providing a contemplative

atmosphere and focal point amongst the buildings.

- The vegetation aims to enrich existing habitats and certain sustainable plant communities. The proposals should aim to improve areas such as the pond (detail on how this is proposed, is required), woodland and meadows.
- In order to accommodate the proposed development, it is regrettable that 38 existing trees would have to be removed, (the majority 35 are lowest category C and 3 are B grade middle category. The loss would be mitigated by planting 63 semi mature specimen trees, in key locations through the site (policy DM20 protection of Biodiversity and Access to Nature)
- To the east of the site improvements to the existing woodland are proposed with a tree trail. Trees from over the world are selected to be planted. This will be an educational element for the students and is will also help to enhance the biodiversity of the flora and fauna – Policy DM21 Enhancement of Biodiversity and Access to Nature.

Full planning application: Phase 1.

- Includes the new buildings, reception/ administration offices, Ideas Hub, Tractor Barn extension and new tennis courts with buildings to be demolished, parking and circulation.
- The design, layout and landscape were discussed at pre application meetings and presented to the Design Review panel, three options were carefully considered, the design was reviewed and developed, considering tree loss, landscape and the pond, amongst other things. Concern was raised regarding the potential alteration and detrimental impact to the landscape character of the pond area.
- The proposed Ideas Hub and reception / admin building would change the character of the existing space by the removal of all the existing trees, trees mainly grouped together, and this is regrettable.

The loss of the prominent T18 mature Horse Chestnut tree (noted in the arboricultural report) is regrettable It cannot be retained due to the proposed buildings and hard surfacing works. The mixed group of trees to be removed due to the building works are graded as mostly low quality and value, however the trees form an attractive and meaningful group and the loss is regrettable. The plans to plant appropriate replacement trees in front of the building together with a site wide tree planting strategy to mitigate and compensate for the loss of existing trees, where it is necessary is welcomed.

- The new building closes off the space and prevents the visual permeability through to the pond area. There is a concern about the possible loss of the existing informal character and openness of the pond area, with its' charm and romantic nature, due to the enclosure of the space by the proposed New Ideas Hub building. The existing pond and surroundings are an important landscape feature. The illustrative view in the DAS (page 57) shows the intention for the pond to remain edged with reeds and its

appearance remains semi natural. It would be essential to retain the informal, semi natural and romantic character of the pond area and this needs to be reflected in the landscape design details, where naturalistic planting should be proposed. This requirement for the detail around the pond area should be included in the landscape planning conditions. The covered walkway allows a glimpse into the perennial planted area to the rear area behind the Ideas Hub and importantly enables a direct physical connection between the building and the gardens. This would provide an attractive and interesting view.

- A well designed, luxuriantly planted area of perennial planting and the retained existing Dawn Redwood and Red Oak set on the lawn area would create a very attractive, generous space and welcoming addition to the proposed new building entrance area. The view of the new garden is illustrated on page 75 in the DAS. Seating edging the raised planted area would be useful waiting area for the students. The seating adjacent to the lawn area provides a place to sit, relax, chat and enjoy the garden as well as an informal meeting space after school and for visitors to the sports hall. The paved areas approaching the entrance area and included in the shared pedestrian / vehicle surfacing are suitable spacious and generous for an arrival / departure space for the students. Drawing page 80 of DAS Volume 2. High quality design and detail of the entrance garden area and approach would be essential and could be covered by landscape conditions.
- The tree planting strategy and proposed trees have been selected which are appropriate to the available space and will form part of the visual amenity of the area and enhance the biodiversity of the area. 21 trees are proposed to be removed in Phase 1 and proposed planting to mitigate the loss is doubled, to 43 trees, some to be planted in the wider masterplan area.
- The proposed extensive areas of herbaceous planting, if well managed and maintained, would be a superb visual addition to the school ground, would enhance the biodiversity and make a substantial contribution to the urban greening factor figures.
- High quality hard surface materials are proposed along the entrance path to the Ideas Hub building and this is welcomed. The tegula block paving proposed for the shared surfacing, although not particularly high quality paving, would be visually in keeping with the proposed brick paving. Some of the hard surfacing would be a more basic, as tarmac, however, the most important garden entrance area would be high quality paving. A condition for the hard and soft landscape are required.
- SuDS strategy proposes permeable paving and swales, and the use of tree soil cells, by Green Blue Urban, to store water. This is for one tree in a hard surface area. The pond will provide all the necessary surface water attenuation. These SuDs proposals are welcomed.
- Four alternative site options were proposed for new tennis courts and Option 1 has been selected and would appear to be the most logical

solution, keeping all the tennis courts in context together in a line, the existing and proposed, rather than locating two additional courts elsewhere in the grounds. Level changes would require a retaining wall and a detailed method statement for the construction of the courts and footpath in the root protection area of a small part of an English oak T141 and the avenue lime trees, number T144. This can be covered by a tree condition, and the tree officer will be able to comment on this.

- The rain shelter and bike shed in images show proposed green roofs, which would enhance the biodiversity and character of the area, softening the appearance of the structures and be visually more appealing in the landscape. Further details are required and should be covered by a planning condition.
- It is unfortunate that the existing staff car park is retained and has limited softening and is largely an expanse of tarmac with parked cars, which would be visually unattractive in front of the new building. This can be seen in the image on page 56 of the DAS volume 2. Tree planting within the car park, between spaces would soften the frontage and provide a much more attractive setting for the building and outlook from the new building. Consideration should be given to improvements to the appearance of the expanse of tarmac, by the application of a surface dressing of tar and golden angular gravel aggregate. This would greatly enhance the appearance of the hard surfacing, in character with the new and older buildings and surrounding landscape.

#### Outline Landscape Masterplan

- The Landscape and Ecology Masterplan (LEMP) provides a vision for long term improvements to the wider grounds, including rebuilding the Music and Junior School. The changes to the existing landscape are limited to works within the zone of intervention, to the north of the site and the eastern boundary. The proposals for minor management works to the woodlands by selective removal of invasive vegetation and dominant non native species and planting of new trees and understorey vegetation is a welcome proposal.
- Phase 2 outline: The area around the Music and Junior School have proposed access changes, improvements to circulation and provide children's play and garden areas. The provision of outdoor classrooms, garden and a forest school would be an excellent and valuable educational resource.  
Phases 2 and 3: Proposed new and extended buildings, with new and extended buildings, new roads and car parking. The spaces between the buildings and the parking areas will be rationalised and improved and there would be opportunities to provide good or improved landscaped settings for the buildings and new and useful garden and play areas. The reserved matters should include Landscape conditions to ensure sufficient well-designed spaces and detailed, high quality landscaped areas in the school grounds.

- To the east of the site, it is mainly occupied by playing fields, with the retention of the historic landscape features, mature lime tree avenue and significant parkland trees. The only addition to this area would be the 2 new tennis courts, (Phase 1 full planning application).
- The long term management strategy is to maximise biodiversity at the same time retaining the landscape character. New planting is proposed to compensate for tree losses on the site. There are site wide tree planting proposals, with a broad range of species to be added in the areas of redevelopment and along the north and east boundaries. The diverse selection of new trees and some of the existing trees would provide a very useful educational resource, illustrating worldwide geographical distribution, species adaptation and evolution. 31 trees are proposed to be removed, with 63 new trees to be planted and this will provide welcome additions to the landscape.
- The Landscape and Ecology Management Plan (LEMP) specifies details for the long term management and maintenance of the existing and proposed planting, taking into account the aesthetics and ecological objectives. This would be a positive improvement for the future appearance, habitats and ecology of the school grounds.  
The maintenance schedules are specifically for Phase 1 of the application.
- A mixture of green and brown extensive biodiverse roofs are to be incorporated into the designs of the new buildings where possible. Living roofs are proposed to include a combination of green roofs – wildflowers and grasses and brown roofs – endemic species and space for self seeded plants. The biodiverse roofs are to incorporate PVs wherever possible. Green roofs are also to be incorporated into the cycle shelters (and rain shelter) as for Phase 1 and the outline application. The details of the biodiverse roofs should be included in the landscape planning conditions for reserved matters. The biodiverse roofs are good to include, and would add to the biodiversity of the local area.

### Ecology

- Recommends various ecological enhancements on the site for the benefit of the local biodiversity and this would be welcomed, with much greater detail to be provided within Phase 1 and the reserved matter conditions for Phases 2 and 3: The proposals provide enhancements to the overall school estate, including additional tree planting, new wildflower grassland and perennial planting together with biodiversity enhancements such as new roosting opportunities for bats and nesting habitats for birds, and recommendations for hedgehog domes, habitat piles and bees bricks to be incorporated in the proposed development. The pond area and detail must be included, as previously mentioned. The proposed ongoing management of the landscape will help to enhance and increase the value of the existing and proposed landscape, including trees and the various habitats on the site.



### Phase 1 full planning application– Ideas hub

The landscape strategy provides appropriate landscape and setting space around the buildings, whilst retaining, where appropriate and possible, the existing trees and landscape. The proposed hard and soft landscape for Phase 1 would need to be developed and detailed and in principle would satisfy Harrow Council Development Management Policy DM 22 Trees and Landscaping.

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:

- Landscaping to be Approved

The hard and soft landscape details are to include the following:

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. Include details of the tree pit, soil cells and tree fixing, details of the semi natural pond area new planting. 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 for the cycle stores and rain shelter, hard and soft landscape details including planting medium, buildup layers and planting plans and written specification of the planting and planting plans. Details of the 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 the communal 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, watering or irrigation system for planting and detailed drawings of such; for all communal amenity areas, raised beds, furniture and bespoke furniture.

- Hard landscape materials detail – this has been included in the condition above under a)

- Boundary Treatment (or can be included in d) above.

- Levels – a detailed Levels Plan of the proposed finished levels. This

document needs to fully explain details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways, and any other changes proposed in the levels of the site.

- 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 of the hard and soft landscaping within the development, to include a landscape management plan for the whole of the proposed development, including long term design objectives, management responsibilities and maintenance schedules, including the ground level hard and soft landscape, 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.

A long term Landscape Management Plan for the whole of the proposed development to ensure the future success of the development, including the long term aims and objectives for all the communal outdoor amenity spaces.

Note:

*A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.*

Landscape Maintenance over 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.

Note:

*Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, pergolas and plant supports, raised beds, green roofs, green living wall climbing structures, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks.*

*A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.*

- Lighting: details of the lighting of all external areas (including buildings) within the site, including locations, lighting design, lighting details, including bat friendly lighting, specification, elevations, light spillage and lighting levels.

Outline planning application for access, Phase 2 and 3:

The proposed masterplan for the whole site has been developed for a 10 year programme, with 3 phases of work and Phase 2 and 3 being the outline application.

No objections to the proposals in principle, subject to full landscape conditions details.

Conditions required for reserved matters.

**LBH Arboricultural Officer:** The proposals have been subject to previous pre-application discussions, for which an initial tree survey, tree constraints plan, impact assessment were provided. A revised version (carried out June 2020) is provided with the current application.

The proposed development regrettably will necessitate removal of total of 38 trees – comprising mainly ‘C’ retention category trees, but including 3 x ‘B’ grade trees. Most notable of these is T18 Horse Chestnut. This was discussed during preapplication discussions. The proximity of the proposed new building and the additional constraints posed by level changes, are such that the retention of T18 is not feasible or realistic.

2 x further ‘B’ grade trees require removal: T25 Sycamore which lies within the footprint of proposed classroom extension; and T94f Oak, which requires felling to facilitate the masterplan proposals

The remainder tree losses comprise ‘C’ category trees of relatively low quality. None are of outstanding quality as individuals, however the loss of several existing trees bordering the pond area, is regrettable and could alter the appearance / views into this part of the site

To mitigate the above tree losses, 63 new semi-mature trees are proposed across the site comprising a mixture of native / non-native species

**Woodland Planting:**

mix of native / non-native trees, semi-mature (20-25cm) are proposed, including replanting with resistant Elms, which is welcomed

No objections subject to conditions relating to tree protection and method statement based on finalised proposals and Arboricultural site supervision.

**LBH Conservation Officer:**

There has been extensive pre-application advice on the proposals and on the whole they are much improved and now either cause less than substantial harm and where they do not they preserve the above outlined character and appearance of the conservation area and the special interest and setting of the

listed buildings and registered park and garden.

To elaborate, it is positive that the scheme retains most outbuildings and all associated historically with the principal listed mansion and much of the soft landscaping is retained. Proposed links in the additions for the barn buildings and CDT and plant buildings are as minimal as possible in terms of creating openings into the buildings.

However, scale (height, length, and siting) of the administration building and Ideas Hub would cause harm to the heritage assets. This is due to its overall scale being out of keeping with the surrounding lowlevel grouping of former associated outbuildings with the mansion referenced in the CAAMS. It was recommended that any second storey to this new building is contained within roofspace in the design, to enable lowering of the overall height. It is understood though as the planning statement notes in table 3.2 that it is not usually possible to appreciate this as one whole on site. And that workability means the second floor could not be contained in the roof.

It was also recommended that the building be visually broken up by breaking up different parts into different buildings and at least amending the design so visually the parts appear more broken than they would currently. However, the response on this point is noted since a particular scale is necessary.

The proposed siting adjacent the pond would present an uncomfortable boxed in relationship with the pond requiring the removal of many trees and blocking open views through. The informal character of this space as part of the registered park and garden is important and this would harm that. It is understood though why the building could not be re-sited in the suggested location to the north and much glazing is included to try to mitigate this impact.

The tractor barn addition, whilst as large as the original barn would be set neatly to one side and retain as much historic fabric and character as possible.

In terms of phase 3 this 4 storey addition / 3 storey new build (buildings H and I) would be large but would be sited in less sensitive spaces. There would be some harmful impact as shown in view A in terms of impact on openness.

Despite the above harm there would be public benefits of keeping the school running which helps ensure the ongoing maintenance of the listed buildings and this part of the conservation area and registered park and garden.

However, there are issues with the scheme that need to be addressed/more information provided:

- 1) Landscaping

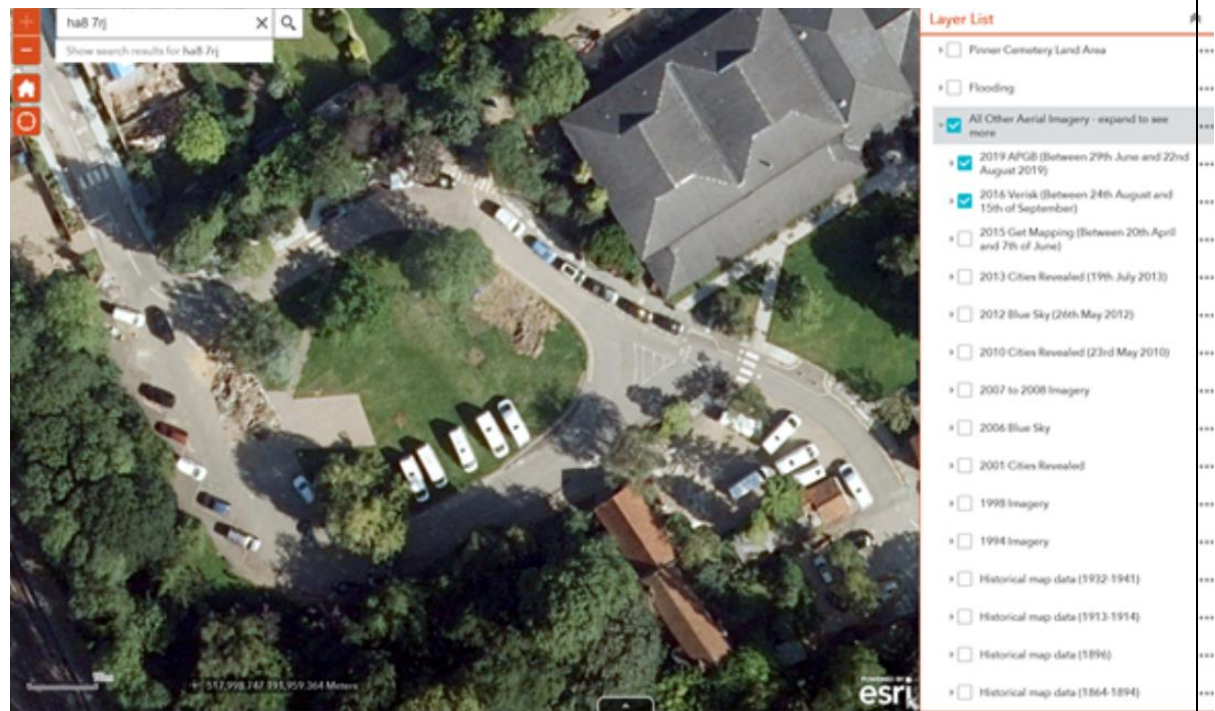
The existing landscape masterplan (drawing number 566.02.003) does not accurately reflect the current level of hardstanding and pillars around the central loop road in the school grounds running off Dalkeith Grove. The additional hardstanding requires planning permission, and this has not been sought or

granted. It is noted that this has been removed from the proposal (see page 24 of the planning statement) but the works have instead been carried out without permission and remain in place. Reference is made on page 33 of the planning statement that the changes were previously considered acceptable – however, this has not been the Council’s stance.

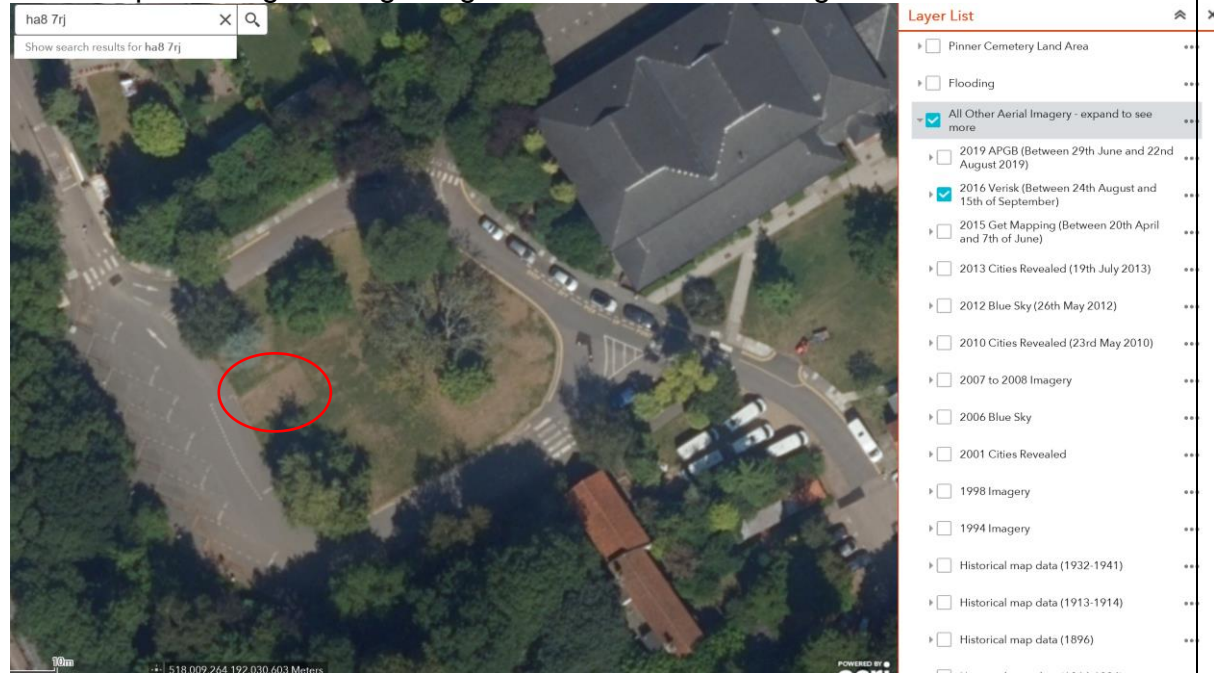
The following February 2020 image shows the additional timber pillars and hardstanding across the once green and open space:



2019 map showing some of the new hardstanding:



## 2016 map showing existing / original level of hardstanding:



Part of the area i.e. that part which is circled in red above, is shown as gravel on the existing landscaping plan but it is considered that this was worn grassland.

Page 38 of the Heritage Statement shows the hardstanding in the existing visual but grasses it over in the proposed – is the grass therefore proposed to be reinstated?

It needs to be ensured that this hardstanding is removed.

The 'open space – existing' plan (drawing number 566.03.001) includes outbuildings that do not benefit from planning permission but require it e.g. the following:



It is understood that the above one will be removed as part of the proposals but floor area calculations include reference to existing structures that do not benefit from permission required.

- 2) A fourth storey addition to the Richardson building in the location shown is accepted in principle. However, the proposed classroom extension and junior school building H with the four storey extension appears taller than the parapet of the Richardson extension. Also, the new building appears as tall as the 4 storey addition in view A. The outline for the Richardson building addition should be clarified/amended to ensure it would not be taller than the existing. The line showing the height of the new build in view A should be lowered so it is lower than the 4 storey level and no higher than 3 storey. Also, the design of these would need to be considered carefully to ensure it was as low as possible and recessive in character and design in this space. It needs to be ensured that this is a reserved matter that the Local Planning Authority have control over.
- 3) The works to the barn should be amended to better preserve heritage assets by reducing the scale of the rooflights and retaining the character of barn doors at the opening.
- 4) Clarity requested over proposal for CDT building and Plant building. Reference is made in places to their being retained as an open covered space but the demolition plans suggest more is being retained.
- 5) There is clear local interest to the Art Building – the windows on the west elevation should be retained to help retain its integrity. It is unclear why these are proposed for replacement.
- 6) More details for the proposed solar panels on western elevation.

- 7) Clarity over landscaping changes proposed around the tractor barn and cottages. As much soft landscaping as possible needs to be retained. This is historically important as a soft setting to these ancillary buildings to the listed mansion and as part of the registered park and garden.
- 8) Given the above outlined harm to heritage values, there should be more detail provided about restoration and upgrading to the ancillary outbuildings and cottages. Also, any landscape improvements should be ensured as part of the proposals to offset the harm caused by loss of greenery in this registered park and garden.

Subject to the above, the proposal is acceptable subject to details covered by a detailed application. Any decision would need the following informative:

1) Informative: Requirement for Listed Building Consent

As outlined above under the 'significance' heading, the farm outbuildings are curtilage listed so Listed Building Consent would be required for the works to these buildings. An informative needs to be added to any decision to state that Listed Building Consent is required for works to the CDT building, tractor barn, other barn, Canons cottages, plant room.

Relevant policy and guidance

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. The Barnwell Manor decision is of relevance in this respect. In accordance with section 72 of the Act 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area'.

NPPF paragraphs 192, 193, 194, 196, 200

London Plan policy 7.8 C and D

Harrow Core Strategy policy CS1

Development Management Policies Local Plan policy DM 7

Canons Park Conservation Area Appraisal and Management Strategy

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

**Conservation Area Advisory Committee:** The landscape strategy doesn't look bad. The development plan appears to be providing better open space between some of the school buildings. The masterplan for which outline approval is sought should be separated from the proposals where detailed approval is required.

**LBH Drainage Authority:**

Please request clarification from the applicant on the Flood Risk Assessment submitted.



- The applicant should submit details **in line with our Flood Risk Assessment requirements attached**. The applicant should submit drainage details **in line with our standard requirements attached**.
- Please remind them that surface water discharge from all new hardstanding and roof areas should be limited to no more than 5 l/s/ha and it seems like they are discharging more.
- Please request a plan drawing for each phase with catchment areas, discharge level, connection points and storage volumes calculated for each catchment clearly marked to enable us to check if enough volume of storage is proposed.
- Please remind the applicant that the required storage should be fully provided below the lowest point in the system.
- Please note that surface water discharge level into public sewers requires Thames Water consent.
- The applicant can contact 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 calculate if sufficient volume of storage within permeable paving for a new tennis court and hardstandings is proposed. Please note that min 250mm gravel layer is required.

**LBH Biodiversity Officer:** Awaiting comments.

**LBH Highways Authority:** This proposal seeks to replace existing buildings on site to provide better education facilities. The intention is not to increase pupil or staff numbers at this time although it is understood that the school has permission to increase the current pupil roll from 1100 to 1250.

It is not anticipated that the proposals will have any significant impact on the surrounding highway network going forward and any disruption brought about during construction would be temporary. Nevertheless, current transport policies seek to reduce car travel and encourage sustainable travel at every opportunity in order to improve the health and safety of the public and to create a better environment for people to move around in. In London, the Mayor's Transport Strategy aims for 80% of journeys to be undertaken by sustainable modes by 2041 which means that this proposal should be prioritising non-car travel by both staff and pupils where possible.

There are challenges for this particular school as it does not have a catchment area in the same regard as a mainstream state school meaning that a significant proportion of pupils travel from outside the local area. The school already has measures in place that reduce the number of cars visiting the site; the transport statement indicates that 67% of pupil journeys and 52% of staff journeys are made by sustainable modes. The school will need to continue with their efforts to encourage sustainable travel by both staff and pupils – this will be monitored through travel planning.

The number of solo pupils being driven to school is quite high and the travel plan

targets seek to reduce this, additionally, parents entering the site for drop off and pick up is also quite high. It is unusual in Harrow for parents to enter a school site for transporting children, however, it is accepted that this does help to reduce the amount of parking congestion around the outside of the school, particularly as there is another school along Dalkeith Grove which also generates a short term parking demand.

As there is a good percentage of staff living within 5 miles of the site, travel by sustainable modes is a realistic option – many could cycle, walk or uses public transport, if not every day, then for some of their journeys. It is important that this is encouraged by the school by identifying barriers and seeking ways to overcome them. The amount of on-site staff parking should be reduced in line with the Travel Plan intentions.

The proposed level of cycle parking falls below the Intend to Publish London Plan minimum requirements. The reasoning for this is understood however, the travel plan should include ways to increase cycle uptake and associated cycle parking provision on site going forward. As improvements to the cycle network throughout London are made, it is more likely that people in the future will choose cycling as a primary or more regular mode of travel and school age is a good opportunity for encouraging such behaviour.

On the basis that this proposal does not increase pupil or staff numbers it is unlikely that there would be any detrimental change to the operations of the surrounding highway network and the school commits to reducing car travel associated with the site, Highways have no objection.

The following should be secured by condition – travel plan, car park design and management plan and construction logistics plan (pre-commencement).

**LBH Vehicle Crossing Officer/Network Management:** As the existing footways and entrance/exit is not changing I have no objection to their application. However, conditions for a CLP/CMP would be required for management of their access in and out for HGV's

**LBH Environmental Health:** Awaiting Comments.

**LBH Education:** NLCS develop their site and increase their local schools and community access to the physical and education opportunities....it looks like a great opportunity for children and teachers to work together and to benefit from some of the resources that NLCS can offer

(p94-95) They are proposing to expand their partnerships with schools in north London, at least half of which it is hoped would be in the Borough of Harrow – focusing on Y3-7 (as a principle focus) and also on Y8-12 (to impact on students choosing career paths. – currently the only Harrow primary school listed is Aylward; what is the plan for expanding this offer and can we help in any way?

Their success criteria are below, but it's not quite clear to me what the overall numbers might be, e.g. on page 96 onwards, the masterplan includes workshops for Y5-6, with 14-16 pupils per workshop, but doesn't say how many workshop

they propose to run –

- The total number of students, staff and public visits.
- The proportion of evaluated activities that increase students' belief that they could work in STEAM industries.
- The number of workshops on offer focusing on aspects of design, technology, art, science and mathematics.
- The number of students engaged in projects, awards and competitions, such as CREST and Formula 1.
- The number and quality of partnerships with Junior and secondary schools, businesses and other organisations.

We would be keen that as many children as possible/reasonable are able to access these opportunities.

**Historic England:** On the basis of the information available to date, we do not wish to offer any comments.

**Designing Out Crime Officer:** I do think the development would benefit greatly from a Secured by Design input, and should be looking to achieve a Secured By Design award.

I strongly recommend that the developer or architects contact myself as soon as practical to discuss the various phases and look at phase one in more detail.

I would therefore seek to have a planning condition submitted where this development must achieve Secured by Design accreditation.

**MOD Safeguarding:** No objections.

**Environment Agency:** No response received.

**Sport England:** The proposed development does not fall within our statutory remit or non statutory remit, therefore Sport England have not provided a detailed response in this case.

**Canons Park Estate Association:** No response received.

**Canons Park Residents Association:** No response received.

**Stanmore and Harrow Historical Society:** No response received.

**Thames Water:** No response received.

**London Underground:** Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to railway infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:

- our right of support is not compromised

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

Therefore 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 all of the foundations have been submitted to and approved in writing by the local planning authority which:

- provide construction details on all structures close to LU infrastructure - Advise LU of any landscaping and road alterations alongside the railway boundary fence.
- The access road access road off Dalkeith Grove is parallel to the Jubilee Line and so LU would need confirmation if this access road will be used by construction vehicles and if it will be how will the applicant ensure contractors vehicles operate safely adjacent to the boundary, eg do not exceed site speed limits, prevention of breach of fence etc. during construction period
- provide details on the use of tall plant/scaffolding - Advise LU of any tall plant, e.g. piling rigs, Tower crane or mobile crane that when set up or in use have the potential in event of failure to collapse over the LU boundary. This will not be permitted and revised locations will need to be proposed with the agreement of the LU Engineer
- accommodate the location of the existing London Underground structures
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures - Will demolition muck away lorries use the same access road parallel to the Jubilee Line? If this is the case then we need to understand how these vehicle movements will be controlled to prevent breach of boundary fence or excessive dust. Furthermore bridge S18 which spans the Jubilee Line. We will need to understand proposed construction vehicle levels and loadings to ensure there is no overloading. Bridge S18 is a brick parapet structure and so will need to ensure there is no breach of the parapet from increased numbers of construction vehicles.
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted

which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

**Reason:** To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

We also ask that the following informative is added:

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

**The Garden Trust:** No Response 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 Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.
- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations,

and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of Development
- Character and Appearance of the Area and Impact on Heritage Assets
- Residential Amenity
- Traffic, Safety and Parking
- Biodiversity
- Air Quality, Contaminated Land and Health Impact
- Drainage and Flood Risk
- Energy and Sustainability
- Accessibility
- Equalities Implications
- S17 Crime & Disorder

## **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.18, 3.19, 7.17
- The Draft London Plan 2019: S1, S3, S5, G3
- Harrow Core Strategy 2012: CS1 F, Z
- Harrow Development Management Policies Local Plan (2013) DM16, DM 47, DM46, DM48

### **Background to Site Development and Masterplan**

6.2.2 North London Collegiate School was originally established on the site in the 1940s and since that time several large school buildings have been added to the site to the north and north west of the Grade II listed 'Mansion House' that is central to the site. In more recent times development of the school has been undertaken in an ad hoc manner. This form of development has resulted in many of the school administrative functions being scattered in portacabins throughout the grounds and there is no clearly identifiable entrance to the site.

6.2.3 The site is subject to a restricted 'building envelope', as set out in a section 106 agreement originally devised in the mid 1990s and subsequently varied to enable

the construction of recent developments. This building envelope therefore currently sets out the principle of the location of new buildings at the school. The section 106 agreement also set out a student cap of 1250 which was considered appropriate within the schools' educational development plans at that time.

- 6.2.4 The initial legal agreement which defined the building envelope within which all new development in the school and on the school grounds should take place was agreed under planning permission EAST/446/94/FUL. This envelope was then varied as part of planning permission P/0228/03/CFU for a three storey auditorium which proposed development that was largely outside of the building envelope by way of an exchange of lands in a "quid pro quo" arrangement. The built envelope was further varied by planning permission P/0633/09 which proposed a sports pavilion which was outside the envelope established under P/0228/03/CFU. The most recent variation of the building envelope was under planning application P/0654/12 for a new storey indoor activity building to the east of the Richardson building. (the existing building envelope is attached as part of the Design and Access Statement).
- 6.2.5 This application seeks to replace the historical development building envelope with a new masterplan in order to upgrade those parts of the school in need of upgrade over a 20-year period. The masterplan seeks to provide a co-ordinated approach to development across the site enabling the school to operate throughout the building phases and to secure the continued success of the school.
- 6.2.6 The Planning Statement sets out that there are currently 1,100 students on the school roll but with a significant waiting list for places at all levels. It is stated that although there may be some growth in student numbers in the Junior School, the School roll will remain below 1,1250 students – the maximum level previously agreed by the section 106 agreement in 1995.

#### Metropolitan Open Land (MOL)

- 6.2.7 The site lies within designated Metropolitan Open Land (MOL) where there is a presumption against built development in order to maintain the open character of these areas. In accordance with London Plan policy 7.17 and Draft London Plan Policy G3 MOL is afforded the same status and level of protection as Green Belt and should be protected from inappropriate development.
- 6.2.8 Chapter 13 of the NPPF is entitled 'Protecting Green Belt Land' and provides guidance on development proposals impacting Green Belt. Paragraph 133 states the fundamental characteristic of Green Belt is its openness and its permanence.
- 6.2.9 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances' (VSC). When determining applications, LPA's should ensure that substantial weight is given to any harm to the Green Belt; 'very special circumstances' will not exist unless the potential harm to the Green Belt

by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations.

### New Buildings

- 6.2.10 Paragraph 145 outlines that the construction of new buildings should be regarded as inappropriate development but gives some limited exceptions.
- 6.2.11 The proposals involve the redevelopment of some of the school grounds on site and extension to others, all within the existing school grounds and largely on the footprint of the existing buildings. As such consideration has been given to whether the development might meet the exception test under paragraph (g) of paragraph 145 of the NPPF.
- 6.2.12 It is acknowledged that the development would take place on previously developed land and is confined to the existing curtilage of built development. However, the development would clearly have a greater impact on the openness of MOL than the existing development by virtue of the increased height and massing of the proposed buildings as well as the siting of the IDEAS hub within a currently open area of the site. On this basis, the development would constitute inappropriate development of the MOL and therefore would only be acceptable should VSC exist to outweigh the harm to the MOL by reason of inappropriateness, or any other harm.

### Extent of harm

- 6.2.13 The scale of existing development on the site is extensive, comprising of a number of school buildings and a sports centre ranging in height from 1-4 storeys set within landscaped grounds. The built development is all clustered to the west of the site with playing pitches and tennis courts to the east. The school campus is also heavily screened from views outside the school grounds by existing trees and vegetation. The only clear view of the site is from Canons Park from which the Mansion House is visible and framed entirely by trees. There are no public rights of way across the site. As such, key views of the development agreed with the applicant are from within the site itself.
- 6.2.14 The total footprint of all buildings on the existing school campus amounts to 10,744 sqm. The proposed partial redevelopment of the campus would result in a total building footprint of 11,041 sqm, resulting in a net increase of or 3% of the existing footprint on site. When considered in the context of the wider site, the proposed built footprint amounts to just over 10% of the entire site with a 0.4% increase from the existing built footprint.
- 6.2.15 There would also be changes in respect of hard and soft landscape areas across the site. The amount of existing soft landscape across the site (72656sqm) would reduce to 69486, a reduction of 4.36%. The overall amount of hard surfacing increase across the site (including the proposed phase 1 tennis courts) would be from 24073 sqm to 26946 sqm an increase of 11.9%.



6.2.16 The development will be delivered in three main phases over a number of years, with the most critical needs being delivered in phase one. Importantly this will also help to ensure the school can remain operational. Nevertheless, it is recognised that the impacts on MOL will change over different stages of the masterplan. Each phase will be accompanied by demolition of existing buildings as shown within the Design and Access Statement. The planning documents provide detailed analysis of the buildings which are considered not fit for purpose, and this is discussed in more detail below. The impacts on MOL are detailed below over each phase of the development (Please note this includes only buildings within the proposed phases and does not include all existing buildings across the site which is accounted for in the figures quoted above):

	BUILDING / SPACE	Existing (sqm)	Proposed (sqm)	Difference (sqm)
Phase 1	Ideas Hub	0.0	714	714
	Administration	207.5	245.6	38.1
	Art/DT Area	386.7	518.7	132
	Maintenance buildings	297.0	249.0	-48.0
	Ancillary outhouses and sheds	39.5	0.0	-39.5
	<b>Subtotal Phase 1 (Buildings)</b>	<b>930.7</b>	<b>1,727.3</b>	<b>796.6</b>
	Hard landscaping (inc. Tennis Court)	2,412.0	3,725.0	1,313.0
	Soft Landscaping	3,503.0	1,455.0	-2,048.0
Phase 2	Canons Sports Centre & Swimming Pool	1,792.1	1,878.6	86.5
	Music & Drama School (inc. boathouse and PAC)	1,135.3	1,541.5	406.2
	Ancillary outhouses and sheds	19.4	0	-19.4
	<b>Subtotal Phase 2 (Buildings)</b>	<b>2,946.8</b>	<b>3,420.1</b>	<b>473.3</b>
		Hard landscaping	1,205.0	1,345.0
	Soft Landscaping	2,120.0	1,503.0	-617.0
Phase 3	Junior School	2,323.4	1,335.4	-988.0
	Richardson Classroom Extension	649.6	664.6	15.0
	Ancillary buildings (inc. Wendy House & sheds)	25.1	25.1	0.0
	<b>Subtotal Phase 3 (Buildings)</b>	<b>2,998.1</b>	<b>2,025.1</b>	<b>-973.0</b>
		Hard landscaping	1,106.0	2,432.0
	Soft Landscaping	2,017.0	1,665.0	-352.0
<b>Total Masterplan</b>		<b>6,875.6</b>	<b>7,172.5</b>	<b>296.9</b>

6.2.17 As can be seen from the table above, the footprint on MOL will decrease over time but initially there will be an increase in phase 1, particularly in terms of footprint impact. The changes in building footprint need to also be considered in relation to building scale and massing which is illustrated in the parameter plan below:



- 4 Storey Building
- 1 Storey infill to third storey
- 3 Storey Building
- 1 Storey infill to second storey
- 2 Storey Building
- 1 Storey Building
- Existing Buildings: Heights not altered
- Covered Outdoor Space
- Phase 1: Detailed Area
- Hybrid Planning Application Boundary

6.2.18 The phase 1 IDEAS/Administration hub would be a maximum of two storeys, in keeping within the existing built development in this part of the site. The scale of development within phases two and three would be between three and four storeys which is no higher than the maximum height of the existing built development and importantly would not exceed the height of the Grade II listed Mansion House. It is unlikely that the buildings would have any notable visual impacts beyond the site itself, except for some potential glimpses of buildings along the northern boundary of the site when viewed from the residential gardens along Dalkeith Grove. As such, any harm to the openness and permeance of the MOL would be limited to within the school grounds itself and not extend to the wider MOL to the south and east.

6.2.19 The application is accompanied by a views assessment which include wireline images and shaded blocks for phases two and three and more detailed CGI images for phase one. The views assessment demonstrates that the greatest impact is the proposed massing as viewed from the playing fields and to a lesser

extent from the farmyard and Dalkeith Grove views. The views to the west of the site demonstrate that existing buildings already restrict more open views to the east and the proposed buildings under phase one and two will not markedly worsen this situation. The views of phase one and two are more localised to within the existing built mass of the site.

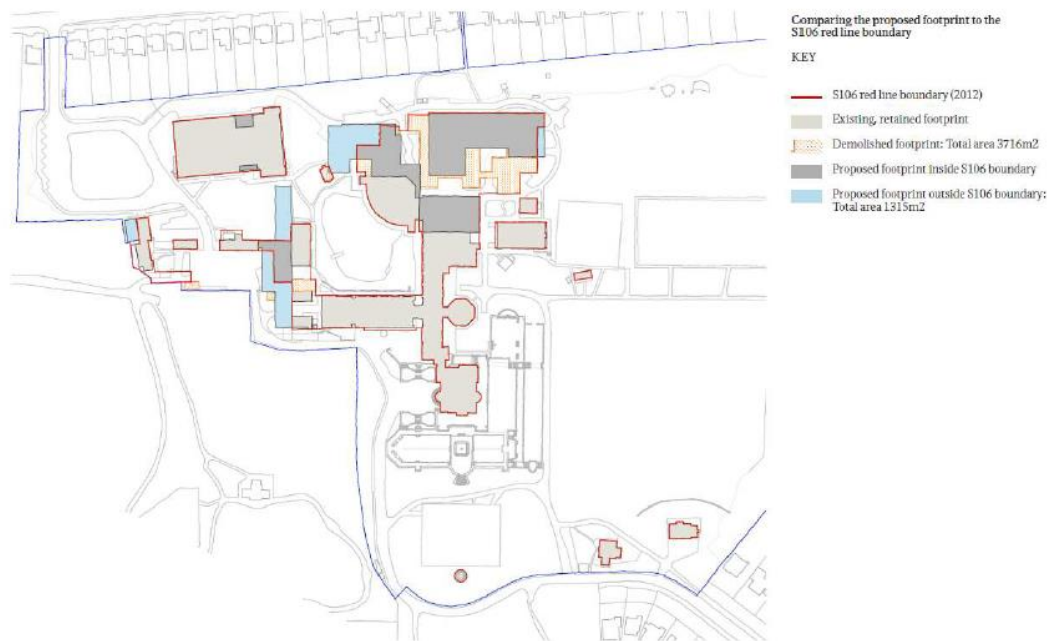
- 6.2.20 Phase one (Building C/B above) will have a notable impact in terms of footprint increase. However, it is considered its impact on the spatial and visual openness on the MOL is modest as a result of the buildings siting, height, design and materiality. The building would be sited within the existing building cluster. The proposed materials for this phase would also be complimentary to the surrounding structures, ensuring it would blend in and the visual impact on openness would be minimised.

#### Phases two and three

- 6.2.21 It is considered that the phase two buildings would have a limited impact on the spatial openness of the MOL. The proposed development would comprise infill extensions to the existing Sports Centre and PAC which would be designed to compliment the existing building in terms of their massing and materiality and would not give rise to any additional footprint. In respect of the proposed music school, this would be partially sited within the footprint of the existing building. The building would be part two, part three storey and would not be significantly higher than the existing structure. It is clustered closely to the existing built massing on the site and would not be visible from the more open areas to the east.
- 6.2.22 The existing buildings when viewed from the playing fields are generally well below the established tree line and therefore screened from view. The proposed junior school and classroom extensions would be significantly more prominent in views from the east as these buildings would increase in height from one to three and four storeys. The proposed massing would significantly interrupt what is currently a relatively unrestricted view to the west. As the proposed phase three buildings are in outline, the submitted views do not present a detailed design and appearance. Nevertheless, the application is accompanied by a design code which provides a palette of indicative materials. Brick is indicated to be the primary material for the building facades which is considered to be appropriate in relation to the existing context. Officers consider it would be important to achieve a more neutral appearance to minimise the impact of these buildings as far as possible. In respect of the outline elements of the proposal, the final selection of materials can be secured by condition for consideration at the reserved matters stage, should approval be granted.

#### Impact on Quality of MOL

- 6.2.23 The diagram below illustrates the extent of the proposed new buildings and extensions beyond the existing section 106 boundary.



- 6.2.24 This shows the proposed new building footprint outside of the 106 boundary would be located closely to the existing built development. The phase one and two buildings would be located in relatively concealed parts of the site. With the exception of part of the phase one building, phases two and three, are generally located in areas of existing hard standing and areas which do make a significant contribution to the conservation area, habitat value of the site or openness and the purpose of MOL.
- 6.2.25 Although there are a number of existing voids between the buildings, there are generally required to provide circulation space as well as openness and light into existing buildings. The masterplan proposals will result in an increase in voids between buildings, in particular between the proposed Junior School and classroom extension block. It is considered that this would result in some improvement to the openness in this part of the site in more localised rather than distance views. Nevertheless, the improved sense of openness at ground floor level/local views would be much reduced (as shown in the accompanying views assessment) as a result of the increase in height and massing.
- 6.2.26 Officers acknowledge that the proposed administration building would be located on an area of green space between the sports centre and maintenance barn which includes a number of high quality trees. Nevertheless, officers consider this location to be less harmful compared to alternative proposals put forward by the applicant (as detailed in the DAS) as it would retain the existing green space and sense of openness to the west of the site and would be more sensitive to the curtilage listed barn. The applicant also outlines that the positioning of the building here is also critical in improving the safeguarding arrangements for pupils and facilitating appropriate community access. Following site visits by officers, it is noted that the site legibility is relatively poor as there is no obvious entrance area and as such it is accepted that an identifiable and secure entrance would be beneficial to the site by providing an appropriate sense of arrival,

additional safeguarding for students/ staff and would help facilitate community access. Furthermore, this part of the site has no visual connection to the open MOL to the east.

### Sports Facilities and Other Forms of Development

- 6.2.27 In addition to proposed new buildings, the proposals also include other forms of development including hard and soft landscape works, amendments to the parking and internal road layout, boundary treatment and the provision of the tennis courts. Paragraph 146 of the NPPF allows for other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. The main five purposes are:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.2.28 Aside from the proposed tennis courts to the east within the playing fields, the proposals for the masterplan are focused on the existing group of buildings to the north and north west that are set away from open areas. The tennis courts by their nature are not considered to detract from the openness of the site and would be sited directly next to existing sports pitches. Notably, no lighting would be associated with the proposed tennis courts which would reduce their perceptibility within the site. As such, the proposals are not considered to give rise to urban sprawl. Furthermore, visibility or connection between the site and surrounding urban area is limited by the mature vegetation defining the boundaries. The proposals would not give rise to the merging of any towns. The site is long established educational site within an urban area and is not considered to be open countryside. Moreover, there are no historic towns near this site. For these reasons, it is considered that the proposals relating to other forms of development would not conflict with purposes a) to d) outlined in paragraph 133 of the NPPF and would preserve the openness of the MOL.
- 6.2.29 In respect of urban regeneration and recycling of derelict land, much of the development would be located on previously development land. It is acknowledged that the proposed tennis courts will contribute to the developed footprint of the site, resulting in the loss of greenfield land which is located on the other side of the site away from the previously developed area.
- 6.2.30 The applicant has undertaken various options for relocating the tennis courts to other previously developed parts of the site to reduce the impact on MOL. In the officer's opinion the proposed location is considered to be most appropriate and logical for a number of reasons. The proposed location would not impact on any existing trees or biodiversity value and would be sited next to the existing tennis courts, sports pitches with their associated fencing. The location would be the furthest away from the listed building with no visual impact on its setting and in officer's opinion will have a limited impact on openness of the site. However, as

there is some conflict with this purpose, the tennis courts would be considered inappropriate development and would require VSC to outweigh the identified harm, albeit this harm is considered to be low.

#### Alternative sites

- 6.2.31 The applicant has put forward a review of alternative sites for all or part of the proposals. Alternative sites for the proposed development have been considered in relation to the Harrow site Allocations DPD (2012) in respect of sites within 400 metres of the school. The alternative sites were assessed against a range of criteria including accessibility, availability, site constraints and size. The review adequately demonstrates that there are no sites available or suitable for the school to viably relocate some or all of the functions of the masterplan off site. Additionally, officers also recognise that a split campus would give rise to notable levels of disruption to the school which would be detrimental to the operation of the school and the delivery of education to pupils. Consideration has also been given to relocating the entire school to an alternative site outside of MOL. A similar review of allocated sites has been considered for this purpose, but no suitable sites have been identified. In officer's opinion, the entire relocation of the school within the context of the proposed masterplan would be a disproportionate response, significantly detrimental to the operation of the school. Overall officers accept the conclusions of the alternative sites review.

#### Conclusion

- 6.2.32 The application documents demonstrate that the extent of harm arising from the proposed new school buildings would be limited to the school grounds themselves. The applicant has sought to limit the impact of the proposals by focusing development within previously developed areas of the site. The phase one building would encroach most significantly onto MOL but nevertheless would remain fairly concealed from the more open areas of the site as would the phase two development. Phase three would have the greater impact in views from open playing fields due to the increased height and massing. Although it is noted this would be no higher than the adjacent buildings and impacts could be minimised through careful selection of more neutral materials. Moreover, the overall built footprint increase across the entire site is fairly modest at 297sqm increase compared to the existing built footprint.
- 6.2.33 Alternative locations across the site have been considered for the proposed tennis courts to limit the impact on MOL. In officer's opinion the proposed location is considered to be least harmful on the site due as a result of its siting next to existing sports pitches and fencing and its distance from surrounding heritage assets. This together with the absence of any floodlighting would ensure the tennis courts would have a minimal impact on MOL.
- 6.2.34 Overall, when the masterplan proposals are considered within the context of the whole site, they would not significantly deviate from its existing character. Nevertheless, the proposed development is inappropriate and would give rise to harm to the openness of the MOL. Substantial weight is attached to this harm. As such it must be considered whether this harm through inappropriateness and

harm to openness is clearly outweighed by other material planning considerations as discussed below.

### Very Special Circumstances (VSC)

#### Education Need

- 6.2.35 The applicant has provided a document setting out its case for the existence of very special circumstances.
- 6.2.36 Proposals for new educational facilities, particularly in areas of need are supported in policy 3.18 of the London Plan and policy S3 of the draft London Plan. Furthermore, paragraph 94 of the NPPF states that local planning authorities should give great weight to the need to create, expand alter schools through the preparations of plans and decisions on applications.
- 6.2.37 The school is subject to a maximum capacity of 1, 2500 students by virtue of the 1995 planning permission. This maximum capacity is not proposed to change as a result of the proposals. The applicant outlines that due to the physical constraints of the existing buildings, the school can only accommodate a maximum of 1100 students, whereas the proposals would enable the school to provide upto full capacity of places.
- 6.2.38 The Planning Statement accompanying the application sets out the vision and aim for the school through development of the masterplan as well as the shortcoming of the existing facilities that have arisen since the last masterplan was adopted in 1996. The applicant outlines that many of the school facilities are no longer fit for purpose or are nearing the end of their useful life. This includes the location, size and quality of many of the existing traditional classrooms as well as the specialized facilities for the sciences art and drama.
- 6.2.39 North London Collegiate school have emphasised that changes to the modern curriculum have seen a focus towards STEAM (Science, Technology, Engineering, Art, Mathematics) subjects that require specialist workshops. The applicant highlights that whilst many students study mathematics, science and art only 10% of leavers go onto study technical subjects at University (23% if medicine is included) and that students that do wish to pursue technical subjects in sixth form typically leave the school. It is considered by the applicant that this reflects the limited nature of design, technology and art facilities, insufficient laboratory space and a very traditional compartmentalised approach to the curriculum in these areas.
- 6.2.40 NLCS outline the need for the facilities has come about through the factors summarised below:
- A greater emphasis on cross-curricular teaching in the fields of science, technology, engineering, Art and Mathematics
  - A focus on preparing students for a broad range of future careers rather than just entry into the university of choice

- A focus for demand for more, smaller teaching groups resulting from a more diverse curriculum including both A-levels and the International Baccalaureate which requires more teaching space
- A steady growth in student numbers due to the school excellent academic success
- An increased need for technology to support learning
- The need to create a safe environment that supports student development.
- An increased demand for science laboratories to support the growth in the uptake of science subjects
- A stronger commitment to special education needs
- A student led demand for a greater variety of music ensemble work and an increase in instrumental teaching
- A significant growth in drama activities that involve a broader number of students.
- A growth in sporting diversity
- An increased curriculum focus on art, design and engineering
- A growth in the range and number of partnership activities.

6.2.41 Through the proposed masterplan the school have outlined it will encourage a collaborative approach across subjects and ultimately address the shortfalls in the school's physical infrastructure that are currently limiting the school to meet its educational vision and priorities.

6.2.42 Officer's have undertaken several site inspections to view the constraints of the site and its existing buildings. The application is also accompanied by a robust analysis of the shortcomings of the existing infrastructure within the supporting Education Needs Assessment. The need for additional space requirement and the future facilities that would be delivered as a result of the works are explicitly detailed. The phase one proposals are accompanied by detailed floorplans and layouts demonstrating how the space would relate to the proposed identified education needs. For phases two and three, the approximate amount of floorspace required to deliver the facilities are also detailed. The report also outlines the number of additional students that would benefit from the proposals.

6.2.43 The proposed IDEAS/Admin building is identified as a key priority to be delivered in phase one. The proposed IDEAS hub will enable all students at the school to develop in STEAM subjects by creating a flexible, dedicated space to explore the application of technology and problem based, creative and visual learning. There are currently no dedicated spaces for STEAM/innovation activities at the school. Moreover, the proposals would also help in addressing the government strategy in respect of the current gender gap in science and engineering subjects and help encourage more women into these fields for study and development of future careers. In officer's opinion, this is a significant benefit of the proposals.

6.2.44 The proposals also review the possibility of extending or adapting the existing buildings within their existing footprints in order to reduce the impacts on MOL. However, it is demonstrated that there is insufficient capacity to modify the existing buildings to provide all the identified needs. Whilst some buildings could be modified to provide new teaching spaces, this would in general negatively



impact on existing teaching delivery requirements. Moreover, it would not be desirable to increase the heights of the Richardson Building or existing teaching block due to their sensitivity to the Grade II listed Mansion House.

- 6.2.45 The identified needs and education benefits are extensive. The proposals will facilitate enhanced learning in science, design and technology and provide enhanced and increased teaching space for a greater number of students. Officers consider that the schools need for the additional facilities which would unlock the latent potential for 150 extra school places has been strongly demonstrated. As such, it is considered that substantial weight can be attributed to the educational need at the site.

#### Community Benefit

- 6.2.46 North London Collegiate school currently offer a range of activities to the local community including access to the Canons Sports Centre including the fitness suite, exercise classes, martial arts, dance, football and badminton and currently has 560 local members. NLCS have also developed partnerships with schools in the maintained and independent sectors including some Harrow schools (Bentley Wood, Sacred Heart) to benefit in activities and events run by the school including speakers and debates.
- 6.2.47 As part of the proposals, the applicant seeks to expand its existing commitment outlining that the development of the site will present new opportunities that allow for greater engagement with local schools in a wider range of subject areas as well as the ability to support teaching and learning. The school also proposes to increase the range of sporting facilities open to community use.
- 6.2.48 The application is accompanied by a community use Framework for phase one of the proposal and statements of intent for phases two and three which outline the types of activities and projects a Community Use Agreement could deliver. In respect of school partnerships this could include a range of activities including: increased provision of STEAM-orientated subject enrichment partnership days for local maintained schools; access for local students during term time to take part in Crest award and other similar schemes; holidays STEAM camps for local students giving access to Art, Design, Technology and Innovation workshops.
- 6.2.49 There is also a statement of intent in relation to the use of the facilities by the local community and how they could make use of the resources. Activities identified include evening classes run by school staff (such as science GCSE or booster courses for adult learners, coding classes with computing, Art, life drawing and pottery, craft or CAD based design skills); community engagement evenings (e.g. business networking, CV writing engagement events) and make space available for summer courses.
- 6.2.50 The school partnership proposals are strongly supported by Harrow's Education Department. Currently further clarification is sought from NLCS in relation to more specific details including the number of hours proposed for both education and community benefit per annum, and the number of students from Harrow schools which would benefit from these proposals. Additionally, more information

is sought in relation to the practical arrangements including how the proposal would be managed, promoted and whether there would be any fees involved.

- 6.2.51 The proposed community use agreement could be secured through section 106 agreement. The agreement would be phased to ensure that the Council remains protected should subsequent phases not be delivered. As such, if the remaining phases do not come forward, then mitigation measures are in place to satisfactorily mitigate the harm to the MOL.
- 6.2.52 When attributing weight to this benefit as a consideration in relation to the proposed inappropriate development on MOL, officers are mindful that the principle of securing community use of school facilities (including sports facilities) is generally required as a matter of course through the implementation of London Plan policy 3.18 and Policy S3 and S5 of the Draft London Plan (2019). However, the Council's education officer's have indicated the proposals could be significantly beneficial to local Harrow schools. Officers are of the view that the indicative proposed use arrangements do constitute a public benefit and the provision of such an agreement is strongly supported in line with London Plan Policy 3.18 and Policy S5 of the Draft London Plan. Discussion around the details of the community use agreement are ongoing can be secured before any planning permission is issued to ensure an acceptable level of community benefit is achieved.

#### Conclusion

- 6.2.53 The proposed education needs of the school and benefits of the proposal have been robustly demonstrated in the Education Needs Assessment. Having regard to extent of harm through inappropriateness and the harm to openness within the context of the site as a whole, the education need and public benefits as a result of the proposed community use agreement, are considered to amount to 'Very Special Circumstances' which would justify the principle of the development with regard to MOL.
- 6.2.54 In respect of the outline element of the proposal, the proposed development parameters are considered to acceptable and justified in principle. However, phases two and three would be subject to further detailed consideration in relation to scale, layout, landscape and appearance at the reserved matter stage to enable a fully comprehensive assessment in relation to MOL impacts. In particular, the applicant has identified, a wide range of future educational needs and floorspace requirements. Further assessment would be undertaken in relation to this at reserved matters stage to ensure the future proposals are consistent and appropriate in relation to the outlined requirements within the supporting Education Needs Assessment. Additionally, further detailed information would be required in respect of design and appearance to fully assess the impacts on MOL in this regard.
- 6.2.55 Finally, it would be important to ensure the proposed masterplan is incorporated into a revised section 106 agreement to ensure that all future development is undertaken in accordance with the proposals, to safeguard the MOL from any further development outside the agreed parameters. As such, this is

recommended in the Heads of Terms set out above. It is recognised that the applicant seeks a time period of 20 years to implement the masterplan. However, in officer's opinion this is an excessively long time for the implementation of a planning permission and therefore a time period of between 10 to 15 years is set out in the conditions below which is considered to be more appropriate. Should a longer time period be required, the applicant could seek to review this at the appropriate time.

### **6.3 Character and Appearance of the Area and Impact on Heritage Assets**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- The London Plan 2016: 7.4, 7.6, 7.8
- The Draft London Plan 2019: D1, D2, D3, D4, D12 HC1
- Harrow Core Strategy 2012: CS1 B, D
- Harrow Development Management Policies Local Plan (2013): DM1, DM6, DM 7
- Canons Park Conservation Area Appraisal and Management Strategy
- Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets

#### Impacts on Designated Heritage Assets

##### Significance

6.3.2 The site is within the Canons Park Conservation Area. The special character and appearance of the conservation area is outlined by the Canons Park Conservation Area Appraisal and Management Strategy which notes:

6.3.3 'The Canons Park Estate CA is an outstanding area given its special landscaping, openness, and good architecture. This is because it comprises a large part of the original Canons Park estate including the grade II listed mansion dating back to 1747 and surrounding landscaping. It has interesting histories attached to it, including associations with famous architects. The area includes a high quality formally planned Metroland estate in a largely 'Tudor revival' design and street layout within a green, sylvan setting that incorporates landscape features of the original estate, including two lakes, a historic avenue and abundant greenery. This landscaped setting lends a special soft, informal and in places, particularly along Canons Drive, a soft, verdant ambience. There is a good spacious and tranquil environment created by public and private open spaces and greenery. Similarly, adding to the area's importance is the range of key views towards landmark buildings, architectural qualities and across open greenery with tree avenues and picturesque ponds. It is the delicate balance of the above factors that achieves the area's special character'.

- 6.3.4 'The grounds of the NLCS create the impression of a country house estate given the mansion house, which forms the 'genius loci' of the CA, and the surrounding landscaped park and gardens'.
- 6.3.5 'All buildings in the school grounds respect the mansion house as the intended focal point. Any increase in number or height of these buildings would need to be carefully considered in terms of the impact on the intended focal point character of the mansion'.
- 6.3.6 'The area has the character of an estate developed over time given the varied ages and designs of the buildings. Designs of buildings in the school grounds vary from traditional to modern. The traditional buildings are often important as former ancillary buildings of the mansion e.g. former stables with large stable doors and haylofts. The modern and traditional buildings sit comfortably together because, with the exception of the mansion, buildings are usually of a modest scale, with traditional materials and simple architectural style'.
- 6.3.7 'To the north and west of the mansion house are a few former ancillary buildings to the mansion house largely former stables and barns. These are often single storey buildings (sometimes with a former hay loft) with large entrance doors (once the entrance for carriages/horses) and few window openings. These are constructed of brick and/timber and are of far more simple, less decorative design to the mansion house and its built landscape features'.
- 6.3.8 'Buildings within the grounds of the mansion do not exceed 3 stories (and usually do not exceed 2 stories) and are sited well away from key views towards it i.e. not to the south or east. This respects the dominant scale and siting of the mansion, and by not mimicking its grandeur, help retain the its intended landmark quality. Despite ad hoc additions, there is coherence to the architectural group as the new buildings are often of a simple and traditional style in keeping with the historic ancillary buildings to the mansion. Whilst some of the later buildings such as music school and junior school around the pond have a more modern, contemporary style they manage to retain the simple, elegance of earlier designs. Traditional materials such as glass and wood are used effectively including some decorative cast stone relief'.
- 6.3.9 The site is also located entirely within the grade II registered park and garden of Canons Park which has the mansion house as the centrepiece, with associated ancillary former cottages and farm buildings around it and plentiful landscaping.
- 6.3.10 The mansion is grade II listed and the list description includes:
- 6.3.11 'Mansion, later 1750s for Thomas Hallett, substantially remodelled in 1912 by C E Mallows for Sir Arthur Phillip du Cros, founder and president the Dunlop Rubber Company. Since 1929 the principal building at North London Collegiate School. The former Canons House, now the main building of North London Collegiate School, of C18 origin, remodelled in 1912 by C E Mallows, is listed at Grade II for the following principal reasons: Architectural interest: \* a mid- to later C18 mansion, on the site of the earlier C18 Canons Palace, remodelled by Mallows, reflecting in its plan and details the revivalist traditions favoured in the

early C20; \* high quality, enriched, Portland stone façades of the C18 and early C20; \* in the symmetrical C18 plan, and alterations to it, principally by Mallows, to create a new western approach, enlarged hall and internal sequence of rooms; \* fixtures and fittings include C18 chimneypieces and joinery, a monumental staircase, early C20 joinery in Jacobean and classical traditions, and an almost complete set of early C20, richly moulded cast iron windows, doors and their furniture. Historic interest: \* an important historic site, which has seen a sequence of major houses and their landscapes, by leading architects and designers for eminent clients. Group value: \* with Mallows' monumental terraced gardens (Grade II) and the registered landscape, Canons Park (Grade II)'.

- 6.3.12 The house is of interest then partly for its group value with the park which contains many smaller buildings associated with the former mansion, including the Art School and former farm buildings.
- 6.3.13 The smaller buildings in the grounds of the school were assessed for listing which excluded them for national listing in their own right but equally helped to identify their local significance outlined below. Notwithstanding the different opinion of the applicant, with the exception of the Art School whose post-1948 age meaning it cannot be curtilage listed, the others are considered by the Local Planning Authority to be curtilage listed given their layout, age and relationship past and present to the use of the listed mansion house. Legal advice sought by the Local Planning Authority confirmed this.

#### Art School:

- 6.3.14 'Drawing school, 1957, attributed to Sir Albert Richardson, in early C19, neoclassical manner. MATERIALS: a soft pink stock brick with masonry dressings and a hipped slate roof. Metal-framed casements. PLAN: symmetrically arranged on two storeys, with a central entrance in the main elevation, overlooking the pond. EXTERIOR: the central bay of the principal, east-facing elevation is framed by full-height pilasters, which are repeated in pilasters that are set in from the corners of the building and frame the window units, a device which is repeated across all elevations. This central bay has a pair of part-glazed doors in glazed margins, in a stone architrave with a wide segmental arch with a pronounced dropped keystone, and beneath a flat lintel. To each side, windows are in groups of five and slightly recessed between brick piers, with a continuous cill and moulded lintel, which echoes the bay rhythm. The windows have slender metal frames and are of two casement lights and a fixed overlight, with each section in equal proportion, echoing the Golden Section. On the first floor is a central tripartite window, flanked by similar groups of casements, repeating the rhythm of the floor below, but here with rendered piers. The upper floor fenestration is set directly below a moulded cornice and deep, oversailing and moulded eaves. The southern elevation, also facing towards the pond and circulation area, has a single central entrance flanked by similar casements, and a blind upper floor. The west, rear elevation repeats the rhythm and treatment of the main elevation in slightly simpler form, without the central entrance and with blind panels framing the central first floor window. The adjacent windows have been enlarged to accommodate fire exits'.

- 6.3.15 Historic England refer to Sir Albert Richardson in relation to the school as ‘The eminent architect A E Richardson (1880-1964) was first employed to design a new school hall and three-storey classroom block, attached to the northern end of the house and overlooking the pond to its north-west. In 1957 he designed the small freestanding Art School, also overlooking the pond’.

#### Farm buildings

- 6.3.16 ‘The barn and cottages survive from a larger farmstead or stable yard that presumably served the house, but does not appear to have been as grandiose as many home farms or stable yards, and was separate from the walled kitchen garden. It is depicted on the 1866 OS map with buildings lining a rectangular yard laid out on an east-west axis. The fabric of the barn suggests it may be of later C18 or early C19 origin, while the cottages appear to be mid-C19. In 1866 the southern cottage is already shown to have a porch, while the range to the north of the cottages projected further north and east than at present. The cottages and attached barn or store are recorded in a photograph from 1939 and have been altered post-war. Historic maps from 1866 record that the barn extended further west than at present, and was reduced in length after the Second World War. A rear extension or lean-to, present until 1914, was later replaced by the current, smaller flat-roofed extension. Other buildings shown on the C19 maps included the much-altered CDT building and the store immediately to the east of the cottages’.

#### Cottages:

- 6.3.17 ‘A pair of mid- to later C19 cottages and an attached cottage and storage to north. MATERIALS: red brown and red brick, painted brick, slate and pantile roofs, brick stacks. PLAN: the pair are of two storeys and symmetrical, each with a single bay to each side of a central entrance. Attached at the northern end is a deeper single-bay, two-storey store or living space, and beyond it a store, in unpainted brick. EXTERIOR: the cottages have uniform C20 six-over-six pane horned sashes under flat arches and on the upper floor set high, below the eaves. The southern cottage has a gabled brick porch and each has a late C20 panelled door. The cottages have been extended to the rear in the C20; at the rear each has tall grouped C19 stacks. The deeper range has a single bay in painted brick, with a framed and boarded door with a glazed panel beneath a segmental arch and a first floor timber casement. The lower ground floor beyond it is in later C18 or C19 brick with a door at each end and small inserted windows, while the upper floor is predominantly in C20 brick. The northern gable wall has been entirely rebuilt in the C20 and has a garage entrance. Both sections are under a shallow pantile roof’.
- 6.3.18 The terrace Screen walls, terraces, retaining walls, balustrades, garden steps and rotunda to former Canons House, now North London Collegiate School are all grade II listed in their own right.
- 6.3.19 The application is accompanied by a Heritage and View Impact Assessment (HVIA) which outlines how the proposals have guided the principles of the proposed development.

- 6.3.20 The proposed new development would be sited to the north and east of Canons House and terraced gardens at considerable distance and as such are visually separated. For example, the proposed Junior School would be separated by a distance of approximately 120 metres. The proposed teaching block extension (building H) and Music School would also be heavily obscured by the existing buildings which further restricts the impacts on the setting of listed heritage assets. The selected views demonstrate that the proposals would not be perceptibly visible in the background setting and as such are not considered to be detrimental to the setting of the listed building and garden terraces.
- 6.3.21 In general, it is considered that the proposed development would be focused in an area of the Conservation Area which is considered to be of lower significance. Notably it is highly screened as a result of existing buildings and vegetation around the site boundaries.
- 6.3.22 As outlined above, the smaller buildings in the grounds of the school were assessed for listing which excluded them for national listing in their own right but equally helped to identify their local significance outlined below. Notwithstanding the different opinion of the applicant, with the exception of the Art School whose post-1948 age meaning it cannot be curtilage listed, the others are considered by the Local Planning Authority to be curtilage listed given their layout, age and relationship past and present to the use of the listed mansion house. Legal advice sought by the Local Planning Authority confirmed this.
- 6.3.23 The proposals ensure the historic layout and group value of these buildings would be preserved (Maintenance Barn, Cottages, Tractor Shed and CDT building). As noted by the conservation officer, it is positive that the scheme retains most outbuildings and all associated historically with the principal listed mansion and much of the soft landscaping is retained. Proposed links in the additions for the barn buildings and CDT and plant buildings are as minimal as minimal as possible in terms of creating openings into the buildings.
- 6.3.24 The Council's conservation officer has raised some concerns with the proposed scale of the administration building and IDEAS hub which due to its scale would be out of keeping with the surrounding low level grouping of former buildings associated with the mansion house. However, further supporting information has been provided within the Design and Access Statement which shows this to be mitigated through its design and due to its siting amongst the other buildings which means it is not possible to appreciate it as one whole structure on site.
- 6.3.25 The proposals have sought to overcome concerns in relation to the narrow distance between the Sport Centre and Administration building by introducing a glazed visually permeable design which ensures pedestrian movement and views into the site are not overly restricted.
- 6.3.26 The tractor barn addition, whilst as large as the original barn would be set neatly to one side and retain as much historic fabric and character as possible.

- 6.3.27 The phase one and two buildings would have a reduced impact on the conservation area and registered park due to their concealed siting in the developed part of the site. The proposed three and four storey additions (Buildings H and I) proposed under phase 3 would have the potential to be large but would be sited in less sensitive spaces. Nevertheless, they could give rise to some harmful impacts on openness as shown by view in view A of the HVIA. As noted elsewhere in this report, the design of these buildings would need to be considered carefully to ensure they appear recessive in character and design in this space. As these buildings are in outline, officers are unable to make a comprehensive assessment of the impacts on openness, but this would be assessed in more detail at the reserved matters stage.
- 6.3.28 Despite the above harm, officers acknowledge that there would be public benefits of keeping the school running which helps ensure the ongoing maintenance of the listed buildings and this part of the conservation area and registered park and garden.
- 6.3.29 Overall, it is considered that the proposals either cause less than substantial harm and where they do not, they preserve the above outlined character and appearance of the conservation area and the special interest and setting of the listed buildings and registered park and garden. A robust case in terms of education need has been put forward by the applicant which is considered to have substantial weight in mitigating the harm identified. Moreover, additional public benefits can be secured for a community use agreement which is also attributed some weight in the overall planning balance.
- 6.3.30 At the time of writing, further clarification has been sought from the Conservation Officer as detailed in the above consultation responses. However, subject to clarification on these points and further detailed conditions, the proposal are considered to be acceptable.

#### Siting, Layout, Scale and Massing

##### Phase 1

- 6.3.31 The siting of the IDEAS/Administration building would preserve and reinforce the historic layout of the farmyard buildings. It is acknowledged that the proposed location would result in the loss of high-quality trees, nevertheless, this is justified by reducing harm to grouping of the farmyard buildings and by improving the overall legibility across the site. The applicant outlines that the intention is for Dalkeith Grove to become the main entrance for the school and will become the primary point of access for pupils arriving by bus. The proposed reception building would be clearly viewed and set back to create a welcoming landscaped setting and will greatly assist in students/pedestrians moving to and from the site. Moreover, it is considered that the loss of trees would be mitigated by the proposed landscape masterplan including the replanting of established trees.
- 6.3.32 Having regard to the education needs set out, the proposed two storey massing of the IDEAS/Administration building area consider to be acceptable and the proposed hipped roof would be complimentary to the surrounding buildings. The



bulk and massing of the building would be broken down as a result of its siting adjacent to the surrounding buildings and would therefore not appear as one large linear mass. Moreover, when the proposed scale is viewed within the wider context of the site including the nearby Canons Sports Centre and Richardson building, the proposed scale and mass is considered to be acceptable.

- 6.3.33 The phase one building is accompanied by detailed floorspace plans which reflect the identified accommodation needs set out within the Education Needs Assessment and the DAS and would help ensure the buildings longevity. The internal layout is considered to be well considered allowing for co-location of a variety of education needs across the STEAM curriculum.
- 6.3.34 As outlined, the proposed small extension to the tractor barn is considered to be acceptable as this would replicate the existing scale and building design.

### Phase Two and Three

- 6.3.35 The proposed buildings under phase two and three are in outline and will be subject to further detailed design secured by reserved matters conditions, should approval be granted. The outline proposals are accompanied by parameter plans which identify the building footprints as well as sections indicating the maximum heights. The siting of the phase two and three buildings would be towards the northern boundary away from the open playing fields to the east and from the principle heritage assets on the site. The siting of the buildings are an acceptable and appropriate response to the overall site constraints.
- 6.3.36 The proposals will result in the demolition of existing buildings and construction of buildings within a similar location with modest increase in footprint. These buildings would be located on areas of hardstanding away from the more sensitive parts of the site including the listed buildings and playing fields that have greater value to the MOL. The location of building is logical and allows for the co-location of related facilities such as music and drama.
- 6.3.37 New buildings within phase two and three will be no higher than the existing building cluster on site as demonstrated by the sections within the DAS and will not significantly increase beyond existing building footprints. When considered within the context of the existing cluster of buildings on the application site, the proposals are not considered to be disproportionate and would respect the existing, scale and massing. As such the principle of scale and massing is considered acceptable, but a comprehensive assessment will need to be made at the reserved matters stage.
- 6.3.38 Similarly, the Local Planning Authority are unable to make a comprehensive assessment in respect of the internal layout of the phase two and three buildings at the stage but this would be subject to further consideration at the reserved matters stage to ensure that the identified education needs are provided in a satisfactory form within the buildings.

### Design and Materials

- 6.3.39 The majority of existing buildings on site are constructed of brick. A red brick is often found in the original farmyard buildings and is replicated in the more recent sports centre. The Mansion House, made of Portland Stone, is also found in the new Teaching Block and Art building where accents of stone and render are used. It is considered that the Art building complements the Richardson Building with a lighter brick, which in turn complements the Mansion House.
- 6.3.40 The proposals have been subject to review by the Design Review Panel. In terms of the Administration Building and IDEAS hub they were supportive of the materiality, scale, massing and aesthetic of the proposed building, which they felt responded effectively to the needs and context of the school.
- 6.3.41 The proposed IDEAS hub and Administration building are proposed to be of bagged brickwork in a light render with clay tiles to the pitched roof. The proposed materials are intended to complement the Portland Stone of the Mansion House and the use of brick compliments the predominant use of brick across the site. The use of timber and glass are also considered to work well with the selected materials palette. The proposed materials and design of the building is considered to compliment the surrounding group of buildings and would result in a high quality appearance.
- 6.3.42 The proposed materials for the outline element (phases two and three) are set out in the Design Code with the Design and Access Statement. The main façade element for the outline elements is brick. The only exception would be the extension to the PAC building where the materials would match the existing materials of timber and glass. Other secondary materials such as stone and timber could also be considered but it is proposed that the material palette be limited to around three to ensure as much cohesion as possible with the other buildings across the site.
- 6.3.43 Given the sensitive nature of the site, conditions are recommended for details of materials through planning condition to ensure the high-quality appearance is delivered in relation to Phase 1. Should approval be granted, the design code will also be subject to a condition which will require future development under phases 2 and 3 to respect the approved code.
- 6.3.44 The application is accompanied by a Fire Strategy to ensure the materials and design are fit for purpose. The strategy concludes that the proposals, through design and appropriate mitigations with comply with the relevant building standards and is considered to be acceptable.
- 6.3.45 In conclusion, subject to securing an appropriate materials conditions to ensure a high-quality appearance, the phase one proposals are considered to be acceptable in relation to design, scale and massing. In respect of the outline elements, subject to a reserved matters conditions for a more comprehensive assessment relating to layout, scale, massing and appearance, the proposals are acceptable in principle and would respect the heritage and MOL designations of the site in accordance with the above outlined policies.

### Trees and Landscaping

- 6.3.46 The proposed landscape masterplan has been informed by a Tree Survey and Impact Assessment of the whole site. The majority of tree that will be impacted by the development are of low quality. In order to mitigate tree losses, 20 trees are proposed to be planted around the Ideas Hub. The later phases of the masterplan will involve the planting of a further 43 trees. Although the loss of trees across the site is regrettable, this has been balanced against the need to preserve heritage assets and openness of MOL as well as the other daintified public benefits that would arise the proposals as discussed above. Subject to securing, appropriate mitigation for landscaping and tree planting across the site in accordance with the proposed masterplan, this element of the proposal is acceptable.
- 6.3.47 In relation to phase one proposals include the newly landscaped areas around the new Administration and Ideas Hub Building and the pedestrian improvements to the entrance. Connections and access are improved and a relocated drop off zone and the new shared surface provides pedestrian priority over vehicles using the staff car park. The rationalisation of routes and proposed improvements work well in officer opinion, and the hard and soft landscape proposals can be covered by landscape conditions, should approval be granted. A well designed, luxuriantly planted area of perennial planting and the retained existing Dawn Redwood and Red Oak set on the lawn area would create a very attractive, generous space and welcoming addition to the proposed new building entrance area. The seating adjacent to the lawn area provides a place to sit, relax, chat and enjoy the garden as well as an informal meeting space after school and for visitors to the sports hall
- 6.3.48 In the wider context over the whole site, landscape improvements are welcomed in the existing woodland with the additional creation of an educational tree trail, with a new and diverse selection of trees and enhancements to areas such as the pond and the meadow.
- 6.3.49 The proposed species selection and habitat creation, management enhancements of the existing habitats would provide some good improvements to the overall landscape and ecology of the school grounds whilst respecting the historic landscape features of Canons Park.
- 6.3.50 The Council's landscape officer has raised some concerns with the closing off the area around the pond and loss of visually permeability through to this space. It is considered this may result in the possible loss of the existing informal character and openness of the pond area, with its' charm and romantic nature, due to the enclosure of the space by the proposed New Ideas Hub building. Officer's consider that the specific detail around the pond area can be secured by panning conditions.
- 6.3.51 The Landscape and Ecology Management Plan (LEMP) specifies details for the long term management and maintenance of the existing and proposed planting, taking into account the aesthetics and ecological objectives. This would be a positive improvement for the future appearance, habitats and ecology of the school grounds.

6.3.52 The Council Landscape officer and Arboricultural officer have raised no objection to the proposals subject to securing planning conditions for more detailed proposals. Subject to this proposed landscaping is very positive and will make a significant contribution to the enhancement of the site and its biodiversity value and will help to mitigate against the increases in hard standing across the site.

### **Residential Amenity**

6.3.53 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 7.6 B, 7.15
- The Draft London Plan Policy D3, D13, D14
- Harrow Development Management Policies Local Plan (2013):DM1,

### Residential Amenity of neighbouring Occupiers

6.3.54 The northern boundary of the site adjoins the residential gardens of properties along Dalkeith Grove. Towards the eastern boundary is a small group of properties located at the end of Canons Drive. It is noted that this group of properties is located some 140 metres away from the Mansion House where no development is proposed.

6.3.55 With regard to the phase one development, due to the height, siting and distance of this building (approximately 55 metres to the boundary) it would not give rise to any detrimental impacts on the residential amenities of the neighbouring occupiers in terms of daylight/sunlight or loss of outlook and privacy.

6.3.56 In the case of phases two and three, these buildings are located to the north of the site and closer to the neighbouring dwellings between No. 19 and 35 Dalkeith Grove. The Canons sports Centre is two storeys and the proposal would result in a first floor infill extension increasing the massing to part of the building also to two storeys. The scale of the proposal would have a modest width and would be sited at a distance of 40 metres from the nearest rear residential facade. The proposed Music school building (Building F) and Junior School building (Building I) would be three storeys. The Music school would be sited approximately 45 metres from the nearest rear residential facade and the proposed Junior school approximately 48 metres from the nearest rear residential facade. Notably there is existing dense woodland screening along the northern boundary which would be retained and further enhanced as part of the proposals. Taking account of these factors, officers do not consider that the proposals would give rise to any undue overbearing impacts in respect of the neighbouring occupiers in Dalkeith Grove. Moreover, it is unlikely to give rise to any overlooking issues, but this can be considered in more details at the reserved matters stage.

6.3.57 The application is accompanied by a Daylight and Sunlight Analysis in respect of the proposed massing of the building along the boundary. This sufficiently demonstrates that the heights of the proposed building will not result in any significant or unreasonable adverse impacts in this regard.

- 6.3.58 The applicant has submitted a Noise Impact Assessment in relation to phase 1. A noise survey was undertaken between 15<sup>th</sup> and 17<sup>th</sup> October which identifies the dominant source of noise for the site to be road traffic on Dalkeith Grove and trains on the nearby Jubilee Line. The nearest noise sensitive receivers is identified to be within the site itself, being staff accommodation cottages. The assessment identifies the location for plant and concludes that it will have a low impact. Officer's are satisfied with the conclusions of the report. Conditions are recommended to be secured for reserved matters applications for phases 2 and 3 in order to assess the designs of the buildings in relation to the nearest noise sensitive receptors at that time
- 6.3.59 Some representations have been received from residents expressing concerns with construction traffic impact and associated noise and disruption. However, it is considered this can be satisfactorily be mitigated through an appropriate condition to secure a construction management plan. Moreover, the development would be phased and the impacts would be temporary and spread over a number of years, further reducing the impacts for residents.
- 6.3.60 In conclusion, it is considered the proposals would be acceptable in relation to residential amenity and would comply with the above outlined policies.

## **6.4 Traffic and Parking**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 6.3, 6.10, 6.13
- The Draft London Plan 2019: T1, T2, T4, T6, T6.4, SI 17
- Mayor's Transport Strategy: Policy 1
- Harrow Core Strategy CS1 R
- Harrow Development Management Policies Local Plan (2013):DM42 and DM 43, DM45

### Access

6.4.2 The existing vehicular access points from Dalkeith Grove and Canons Drive will not be altered as part of this proposal. There is also no increase in student number beyond that already approved or employees. The proposals will facilitate the increase of students up to the agreed cap of 1250. Pedestrian access to the site will remain unchanged and will continue via Dalkeith Grove and Canons Drive.

### Car Parking

- 6.4.3 A total of 145 staff currently park at the site. In addition, there are 7 spaces for visitor parking and 3 spaces designated for disabled parking.
- 6.4.4 As part of the proposals, the drop off facility on the eastern edge of the loop road will be removed to remove the conflict between parents and school coaches at the start and end of the school day. In addition to this, two electric charging

points will be provided to the south of the loop road and there will be amendments to the parking layout adjacent to the maintenance barn in order to accommodate an air source heat pump to remove the unsafe parking spaces within the centre of the parking area, to enable additional landscaping and an improved pedestrian route through this part of the site. As a result of these changes there will be a net reduction in parking of 7 spaces, resulting in a maximum of 148 parking spaces across the site. There will also be minor changes to the internal road layout of parking spaces in order to accommodate the phase two and three proposals and this will be detailed in future reserved matters applications, secured by planning condition.

#### Cycle Parking and Sustainable Travel

- 6.4.5 The application is supported by a Travel Plan. There is currently limited cycle parking at the site with only 10 spaces. The supporting Transport Statement notes it would not be reasonable to increase this to current London plan Standards of 185 spaces due to the distance travelled by staff and pupils to the school which has a very wide catchment area. As such, in this case 68 spaces are proposed to encourage more local students and staff to cycle which is in line with BREEAM standards.
- 6.4.6 A large proportion of existing student travel to the site is by mini bus (55%). The greatest opportunity to reduce single occupancy car use is to shift journeys on to the school's extensive mini bus service which is the aim of the school to encourage more sustainable transport. Travel Plan objectives have been set so that 60% of staff and 76% of pupils will travel to the site by non-car modes within 5 years.

#### Refuse and Servicing

- 6.4.7 Bin stores for the whole site are located to the south of the CDT and plant rooms. This area will be redeveloped as part of the phase 1 proposals, however an area for recycling materials and waste storage will be re-provided in a similar location. The TS outlines that access for refuse vehicles will be improved by the layout changes to the staff car parking area. A detailed site waste management plan can be secured by condition. In terms of construction waste, a Construction Waste Management Plan can be secured by condition. Subject to these conditions, the proposals would be acceptable in this regard.
- 6.4.8 On the basis that this proposal does not increase pupil or staff numbers it is unlikely that there would be any detrimental change to the operations of the surrounding highway network and the school commits to reducing car travel associated with the site, the Council's Highways Authority have no objection, subject to securing conditions relating to the travel plan, car park design and management plan and construction logistics plan (pre-commencement). The proposals are therefore considered to be acceptable in compliance with the above stated policies.

## **6.5 Biodiversity**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 5.10, 5.11, 7.19, 7.14
- The Draft London Plan 2019: SI13, G5, G6, G7
- Harrow Core Strategy CS1 E
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM20, DM 21, DM 48
- Circular 06/05: biodiversity and geological conservation)

### Biodiversity

6.5.2 The site is in close proximity to the identified sites of nature conservation importance to the east and south of the proposed development. An ecological appraisal is submitted with the application including appropriate surveys for flora and fauna undertaken at various times in the past year.

6.5.3 Safeguards are set out within the appraisal to protect the ecologically important features of the site including the woodland and the pond. These features are incorporated into the Landscape Environment Management Pan to protect and enhance these features.

6.5.4 The survey identifies that the site contains suitable habitat for bats and building B8 contained evidence of bats roots. As such works to this building will require a licence from natural England and suitable mitigation measures. There was no other evidence of protected species in the site.

6.5.5 The report sets out a number of mitigation and enhancement features to ensure there is no harm arising during construction and the overall biodiversity y value of the site is enhanced. Enhancement proposals include new planting, bat and bird boxes, and habitat piles. The Landscape Environment and Management plan will help address and manage the long-term improvement and maintenance of the site.

6.5.6 Comments are currently awaited from the Council's biodiversity officer and further update on biodiversity will be reported via the committee addendum.

## **6.6 Air Quality, Contaminated Land and Health Impact**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan Policy 2016: 7.14
- The Draft London Plan 2019: SI1
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM15

### Air Quality

- 6.6.2 As outlined in the London Plan and Draft London Plan – Intend to Publish 2019 (Policies 7.14 and SI 1), all development proposals should minimise increased exposure to existing poor air quality and take steps to minimise the impacts through design solutions and promote greater use of sustainable transport modes through travel plans. As a minimum, development proposal should be air quality neutral.
- 6.6.3 The whole of the Borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO<sub>2</sub>) and particulates (PM<sub>10</sub>).
- 6.6.4 An Air Quality Assessment has been undertaken as part of the proposals. The proposals will not include any increase in vehicle movements and are located away from the local road network. As such, the report finds that there will be risk for staff, pupils or adjacent residents of exposure to poor air quality. Mitigation measures are set out for the construction phase including management of dust and the use of low emissions vehicle machinery. The incorporation of mitigation measures can be secured through planning conditions. Subject to this, the proposals are considered to be acceptable in relation to air quality impacts.

### Contaminated Land

- 6.6.5 A Contaminated Land assessment has been undertaken as part of the proposals. The report finds that some soil samples contained slightly elevated levels of arsenic and lead contamination, but it was concluded that long term remedial measures were not required but recommends the appropriate use of PPE during construction. Other contaminants including groundwater and gas were also assessed and it was found remedial measures would not be required. Comments have been sought from the Council Environmental Health team and this will be reported via the committee addendum.

### Health Impact

- 6.6.6 London Plan policy 3.2 and Draft London Plan Policy GG3 require health impacts of major development proposals to be taken into consideration. As such a Health Impact has been submitted with the application.
- 6.6.7 The report finds that the area is one of the least deprived in the country in terms of health and disability and the wider area is also well served in terms of community and social infrastructure as well as public transport options.
- 6.6.8 The proposals are not considered to give rise to any adverse health impacts as they would seek to improve the environment through enhanced biodiversity, encourage greater sustainable travel, promote social cohesion through community engagement and increase participation in sporting activities. –It is therefore the proposals would result in an improvement compared to the existing situation and there would be no detrimental impacts on the users of the site in relation to health.



## 6.7 Drainage and Flood Risk

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 5.12, 5.13
- The Draft London Plan 2019: SI 12 and SI13
- Harrow Core Strategy 2012: CS1T
- Harrow Development Management Polices Local Plan (2013):DM9, DM 10

6.7.2 The majority of the site lies within flood zone 1 and is therefore at low risk of flooding. There are some small areas of surface water flood zone across the site.

6.7.3 The application is accompanied by a Flood Risk Assessment which finds that flood risk from groundwater, surface water and overland flow are low with some smaller areas of medium risk to the south of the site.

6.7.4 The proposed drainage strategy includes a SUDs scheme that will reduce overall run off rates from the site. Surface water attenuation is proposed and will be provided in a number of ways for each phase of the masterplan. Phase 1 attenuation will be provided almost entirely by the existing pond. –However, it is also proposed to incorporate permeable paving/surfacing to area of hardscaping and the proposed tennis courts as well as a swale drain. Phases two and three will also provide similar methods of attenuation including permeable paving, attenuation tanks and swale drainage.

6.7.5 The application has been referred to the Council's drainage engineers who have requested further details including compensatory flood storage and information to demonstrate that the surface water discharge limitation rate of 5l/s/hah can be achieved in accordance with Harrow Drainage Authority requirements. Further comments and information on flood risk and drainage wll therefore be reported via the committee addendum.

## 6.8 Energy and Sustainability

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 5.1, 5.2, 5.3, 5.5 5.6 , 5.7, 5.8, 5.9, 5.10, 5.13
- The Draft London Plan 2019: SI2, SI13, SI4, SI7, SI8
- Harrow Core Strategy 2012: CS1U
- Harrow Development Management Polices Local Plan (2013):DM12, DM13, DM14

6.8.2 The application is accompanied by an energy strategy. –Through implementation of the three step energy hierarchy outlined in the London Plan ( Be Lean, Be Clean, Be Green), the cumulative CO2 savings on the site are estimated to be 36% over Part L regulation baseline.

- 6.8.3 A 100m<sup>2</sup> array of PV panels is required on the roof of the IDEAS/Administration building which will contribute of 16% carbon saving towards the overall reduction. The building will also incorporate passive design measures. It is proposed to optimize the building fabric and is estimated this will make a 15% reduction to the carbon savings through passive methods in accordance with policy SI2 of The London Plan (2013).
- 6.8.4 Natural ventilation is proposed for the summer months which will reduce the energy demands of the building. Summer heat gains will be reduced through the orientation of the building and the use of window shades and materiality. Air Source Heat Pumps are proposed for heating as the report identifies that there are no district heat networks in close proximity to the site.
- 6.8.5 Whilst 36% of savings will be achieved on site, the London plan requires major development proposals to be zero carbon. —This was adopted from 2016 onwards. The additional amount not provided on site can be provided as part of a carbon off set contribution.
- 6.8.6 The carbon off set contribution would be calculated as part of the Mayors sustainability SPD. The Major of London’s Carbon Offset Guidance 2019 outlines that the overall contribution should be calculated over 30 years, and to be charged at £95 per tonne. The applicant has not put forward any details of the carbon offset contribution and further information is sought which will be reported via the committee addendum. In order to ensure compliance, it is recommended to secure this financial contribution through a section 106 agreement which would apply to each phase of the development. The contribution would be used within the borough by the Council to by enhancing other community buildings or by improving infrastructure that would assist in reducing carbon outputs. Accordingly, subject to securing a planning obligation, it is considered that the proposed development would not conflict with the policies of the development plan.
- 6.8.7 The masterplan seeks to achieve an ‘excellent standard for BREEAM across the site. Specific details have been incorporated into the proposals for phase 1 with details for the latter phases submitted through future applications. This excellent standard for phase one will be achieved through a variety of measures including reduction of CO2 emissions through passive design, fabric of the building, and a passive heating and ventilation strategy; incorporating materials that have a low carbon impact as well as undertaking a Life Cycle Assessment throughout the design process to inform the decision making; reducing water consumption by 40% and enhancing the ecology of the site. The BREEAM excellent rating is strongly supported by officers.
- 6.8.8 At the time of writing comments are awaited from the Greater London Authority in relation to the sustainability and energy report and this will be reported via the addendum.

## 6.9 **Accessibility and Fire Safety**

6.9.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.2
- The Draft London Plan 2019: D3, D5, D11
- Harrow Development Management Policies Local Plan (2013):DM1, DM 2

6.9.2 The proposals have been designed to comply with Approved Document M of the Building Regulations. The Ideas Hub and Administration building will be fully accessible and will include two lift access and stair cores that meet part M of the Building Regulations. It is outlined that all external doors in the new and where possible existing buildings will be fully accessible and will have level thresholds. The internal layout is generous allowing for circulation of wheelchair users. Accessible WC will also be provided within the ground and first floor of the Ideas hub and on the ground floor of the Tractor building.

6.9.3 The application is accompanied by a fire strategy which has been undertaken in consultation with a qualified fire engineer. -The fire engineer has confirmed that the principles of fire tender access and escape from the building would meet the relevant building regulations Part B guidance.

6.9.4 In conclusion, the above information is considered to be satisfactory in demonstrating compliance with the relevant policies outlined above for the phase one proposals. Conditions are recommended to be secured for the detailed inclusive access and fire strategy for the phase 2 and 3 development and subject to this, the proposals are considered to be acceptable in this regard.

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

7.1 The proposed education needs of the school and benefits of the proposal have been robustly demonstrated in the Education Needs Assessment. On balance, having regard to extent of harm through inappropriateness and the harm to openness within the context of the site as a whole, the education need and public benefits as a result of the proposed community use agreement, are considered to amount to 'Very Special Circumstances' which would justify the principle of the development with regard to MOL.

7.2 In respect of the outline element of the proposal, the proposed development parameters are considered to be acceptable and justified in principle. However, phases two and three would be subject to further detailed consideration in relation to scale, layout, landscape and siting at the Reserved Matter stage to enable a comprehensive assessment in relation to MOL impacts.

7.3 The phase one proposals are considered to be of high quality design and layout and will provide facilities to deliver the teaching of STEAM subjects which will in turn benefit students at local Harrow schools and the wider community to make use of shared learning and the resources that can be delivered.

- 7.4 The proposals provide an appropriate response to the surrounding heritage assets and will not cause harm to the setting of the Grade II listed Mansion House or terraces. The less than substantial harm identified in relation to heritage assets is considered to be outweighed by the education need and community benefits of the proposal.
- 7.5 Additionally, it has been found that there would be no detrimental impacts on the amenity of neighbouring occupiers or any adverse highways impacts arising from the development. The development would result in landscape and ecological enhancements and would contribute towards the strategic objectives of reducing carbon reductions in the borough.

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

### **CONDITIONS**

#### **Conditions relating to the 'Full' element**

##### 1. Timing

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

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

##### 2. Approved Plans and Documents

Save where varied by other planning conditions comprising this permission and unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings and documents.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policies and policy DM 1 of the Local Plan (2013) and for the avoidance of doubt and in the interest of proper planning.

### **PRE-COMMECEMENT (INCLUDING DEMOLITION)**

##### 3. Demolition and Construction Logistics and Management Plan

No development shall take place, including any works of demolition, until a demolition and construction logistics plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) detailed timeline for the phases and implementation of the development
- b) The parking of vehicles of site operatives and visitors;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in construction the development;
- e) The erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- f) Wheel washing facilities;
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) Measures for the control and reduction of dust;
- i) Measures for the control and reduction of noise and vibration; and

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, in accordance with Local Plan Policies DM1 and DM43 and Policies 7.14 and 7.15 of the London Plan (2016) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016), this condition is a PRE-COMMENCEMENT condition.

#### 4. Construction and Site Waste Management Plan

No development shall take place, including any works of demolition, until a construction and site waste management plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved plan or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy (2012). To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

#### 5. Non-Road Mobile Machinery

The development shall not be commenced, including any works of demolition, until details have been submitted and approved in writing by the local planning authority for all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

REASON: To ensure that the development would not result in a deterioration of air quality in accordance with Policy 7.14 of the London Plan (2016) to ensure that suitable vehicles would be used during the construction process, this is a PRE-COMMENCEMENT CONDITION.

#### 6. Tree Protection

No development shall take place, including any works of demolition, until a Tree Protection Plan (TPP) and method statement (AMS) based on finalised proposals in respect of the existing trees to be retained on the site has been submitted to and approved in writing by the local planning authority. The details shall include:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification
- f) details of site access, material storage, site hut, temporary / contractor parking
- g) specification for scaffolding and ground protection within tree protection zones
- h) details of arboricultural supervision and inspection; reporting of inspection and supervision (clerk of works)

The development thereafter shall be implemented in strict accordance with the approved details.

REASON: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Local Plan Policy DM22 and Policy 7.21 of the London Plan (2016).

## 7. Infrastructure Protection

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations have been submitted to and approved in writing by the local planning authority which:

- provide construction details on all structures close to LU infrastructure - Advise LU of any landscaping and road alterations alongside the railway boundary fence.
- The access road access road off Dalkeith Grove is parallel to the Jubilee Line and so LU would need confirmation if this access road will be used by construction vehicles and if it will be how will the applicant ensure contractors vehicles operate safely adjacent to the boundary, eg do not exceed site speed limits, prevention of breach of fence etc. during construction period
- provide details on the use of tall plant/scaffolding - Advise LU of any tall plant, eg piling rigs, Tower crane or mobile crane that when set up or in use have the potential in event of failure to collapse over the LU boundary. This will not be permitted and revised locations will need to be proposed with the agreement of the LU Engineer
- accommodate the location of the existing London Underground structures
- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures - Will demolition muck away lorries use the same access road parallel to the Jubilee Line? If this is the case then we need to understand how these vehicle movements will be controlled to prevent breach of boundary fence or excessive dust. Furthermore bridge S18 which spans the Jubilee Line. We will need to understand proposed construction vehicle levels and loadings to ensure there is no overloading. Bridge S18 is a brick parapet structure and so will need to ensure there is no breach of the parapet from increased numbers of construction vehicles.

- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

### **NO COMMENCEMENT – APART FROM DEMOLITION**

#### **8. Surface Water Drainage**

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, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance.

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

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited, in accordance with London Policies 5.13 & 5.15 of the London Plan (2016) and Policy DM 10 of the Local Plan (2013). To ensure that measures are agreed and built-in to the development to manage and reduce surface water run-off, this condition is a PRE-COMMENCEMENT condition.

#### **9. Foul Water Drainage**

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. 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, in accordance with Policy 5.14 of the London Plan (2016) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy DM10 of the Local Plan (2013). To ensure that measures are agreed and put in place to dispose of foul water arising from the development, this condition is a PRE-COMMENCEMENT condition.



## 10. Levels

Notwithstanding the details shown on the drawings, no site works or development shall commence (other than demolition works) until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the 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 in accordance with Policies DM 1, DM 10 and DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

## 11. Car Park Management Plan

Prior to the commencement of the phase one development hereby approved, a Car Parking Design and Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall set out the following:

- a. Details of the parking design with reference to Transport for London Guidance on parking management and design
- b. Details of general spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces
- c. Mechanism for increasing the number of general spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
- d. Details of the allocation and management of the general and accessible car parking spaces.

The development shall be carried out and operated only in accordance with the plan so agreed.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 of the London Plan (2019) Intend to Publish. To ensure that appropriate car park design before development commences on site, this condition is a PRE-COMMENCEMENT condition.

## **NO DEVELOPMENT ABOVE GROUND FLOOR SLAB**

## 12. External Materials

Notwithstanding the details shown on the approved drawings, the phase one buildings hereby approved shall not progress beyond the ground floor slab level until samples of the materials to be used in the construction of the external surfaces noted below have

been submitted to, and agreed in writing by, the local planning authority:

- a) facing materials for the building;
- b) windows/doors for the building.
- c) 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 in accordance and safeguards the character and appearance of the designated heritage assets on the application site in accordance with Policies 7.6, 7.7 and 7.8 of the London Plan (2016) and Policies DM 1 and DM 7 of the Local Plan (2013).

### 13. Hard and Soft Landscaping

The phase one buildings hereby approved shall not progress beyond the ground floor slab level until a scheme for the hard and soft landscaping details for phase one has been submitted to, and agreed in writing by, the local planning authority. The hard and soft landscape details shall include the following:

- 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. Include details of the tree pit, soil cells and tree fixing, details of the semi natural pond area new planting. 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 for the cycle stores and rain shelter, hard and soft landscape details including planting medium, buildup layers and planting plans and written specification of the planting and planting plans. Details of the 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 the communal 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, watering or irrigation system for planting and detailed drawings of such; for all communal amenity areas, raised beds, furniture and bespoke furniture.

e) Details of Landscape enhancement to the pond.

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 makes provision for 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 in accordance with Local Plan Policies CS.1B, DM1, DM7 and Policy 7.4B and 7.8C/D of The London Plan (2016) and to ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance with Local Plan Policy DM 21.

#### 14. External Lighting

The Phase one buildings hereby approved shall not progress beyond the ground floor slab level until details of the lighting of all external areas (including buildings) relating to the phase one development has been submitted to, and agreed in writing by, the local planning authority

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

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of design quality in accordance with Local Plan Policy DM1 and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with Local Plan Policy DM 20.

### **PRIOR TO OCCUPATION**

#### 15. Secured by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted and approved in writing by the Local Planning Authority. 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, in accordance with Policies 7.3 and 7.13 of the London Plan (2016) and Policy DM2 of the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

#### 16. Soft Landscaping Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the hard and soft landscaping relating to the phase one development has been submitted and approved in writing by the Local Planning Authority. The details shall include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years, including the ground level hard and soft landscape, 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 development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity, in accordance with Policies DM21 and DM22, of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

#### 17. Travel Plan

Notwithstanding the approved plans and documents, the phase one buildings hereby approved shall not be occupied until a Travel Plan that sets out up-to-date travel surveys and measures to encourage greater use of sustainable transport modes, particularly cycling and walking has been submitted to the Local Planning Authority in writing to be agreed. The use of the application site shall only be operated in accordance with the agreed Travel Plan and the mitigation measures identified in the Travel Plan shall be implemented for the duration of the development.

REASON: To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with Local Plan Policy DM42 and Policies T4, T5 and T6 of the Draft London Plan Intend to Publish (2019).

#### 18. Cycle Parking

The phase one buildings hereby permitted shall not be occupied until details of the cycle parking spaces on the site have been submitted to and approved in writing by The Local Planning Authority. The cycle parking shall be implemented on site in accordance with the approved details and shall be retained for the lifetime of the development.

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

### **POST OCCUPATION**

#### 19. Energy and Sustainability

The development shall be undertaken in accordance with the approved Sustainability Statement and Energy Strategy. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the phase one development a post construction assessment shall be undertaken demonstrating

compliance with the approved Energy Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2012, policies 5.2.B/C/D/E of The London Plan (2016) and policies SI 2 and SI 3 of the Draft London Plan (2019) - Intend to Publish.

20. Arboricultural site supervision

The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the appointed arboricultural consultant.

Reason: In order to ensure compliance with the tree protection and arboricultural supervision details submitted pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with DM22 Trees & Landscaping

**COMPLIANCE**

21. Noise – Mechanical Plant

The rating level of noise emitted from any plant, machinery and equipment on the site, including within the approved electrical substation, shall be lower than the existing background level by at least 10 dB(A). 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 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, in accordance with Local Plan Policy DM1 and Policy 7.6 of the London Plan (2016).

22. Implementation of hard and soft Landscaping

All hard landscaping shall be carried out prior to the phase one buildings being brought in to use or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the buildings being brought in to use or the completion of

the development, whichever is the sooner.

Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity, in accordance with Policies DM22 and DM 21 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

### 23. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2016 and Policy DM 15 of the Harrow Development.

### 24. Protection for Breeding Birds

If the development hereby permitted commences during the bird breeding season (March to August) inclusive trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, time must be allowed for birds to fledge and the nest should not be disturbed during building works.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policies DM 21 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

### 25. Architecture Retention

The applicant shall use reasonable endeavours to ensure that the scheme Architects continue to be employed as the lead design architect until Practical Completion to produce all drawings in respect of all design and materials planning permission conditions including condition 12 and any non-material and minor amendments

changes which may have an impact on the planning permission drawings. Where necessary the Architects shall produce drawings of any necessary revisions. Where the Architect does not produce the drawings submitted in support of an application to discharge a condition or any revisions, the drawings should be endorsed and agreed by the scheme Architect before they are submitted to the Council for approval.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM1 of the Local Plan (2013).

## 26. Trees – Protective Fencing

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans 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.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected and in accordance with DM22 Trees & Landscaping

## **Conditions relating to the ‘Outline’ element**

### 1. Timing

Applications for approval of the Reserved Matters for the outline development hereby approved shall be made to the local planning authority before the expiration of 10 years from the date of this planning permission.

The outline development hereby approved shall be begun no later than 2 years from the approval of the last Reserved Matter.

The outline element must be completed within 5 years from the approval of the final reserved matters application.

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

### 2. All Matters Reserved

Approval of the details shown below (the Reserved Matters) for each phase of the development shall be obtained from the local planning authority in writing before any development is commenced:

- layout

- scale
- appearance
- landscaping

The development shall not be carried out otherwise than in accordance with the reserved matters thus approved.

REASON: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

### 3. Approved Plan and Documents

The development shall be carried out in accordance with the approved plans and documents: to follow

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

## **PRE-COMMECEMENT (INCLUDING DEMOLITION)**

### 4. Demolition and Construction Logistics Plan

No development shall take place for each of the phases of development, including any works of demolition, until a demolition and construction logistics plan for that phase of the development has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Storage of plant and materials used in construction the development;
- d) The erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) Wheel washing facilities;
- 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; and

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, in accordance with Local Plan Policies DM1 and DM43 and Policies 7.14 and 7.15 of the London Plan (2016) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016), this condition is a PRE-COMMENCEMENT condition.

### 5. Construction and Site Waste Management Plan



No development shall take place within each of the phases of development, including any works of demolition, until a construction and site waste management plan for that phase, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved plan or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy (2012). To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

#### 6. Non-Road Mobile Machinery

No development shall take place within each of the phases of development, including any works of demolition, including any works of demolition, until details have been submitted and approved in writing by the local planning authority for all Non-Road Mobile Machinery (NRMM) to be used on the development site for that phase of the development. All NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

REASON: To ensure that the development would not result in a deterioration of air quality in accordance with, Local Plan Policy DM1 and Policy 7.14 of the London Plan (2016) to ensure that suitable vehicles would be used during the construction process, this is a PRE-COMMENCEMENT CONDITION.

#### 7. Levels

Notwithstanding the details shown on the drawings, no site works or development shall commence (other than demolition works) for any phase of development until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site for that phase, 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 in accordance with policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that appropriate site levels are agreed before the superstructure commences on site, this condition is a

PRE-COMMENCEMENT condition.

## **ACCOMPANYING RESERVED MATTERS APPLICATIONS**

### 8. Energy and Sustainability Statement

Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and scale shall be accompanied by an Energy Statement to be agreed in writing by the Local Planning Authority. This will set out how energy use and carbon dioxide emissions are to be reduced in accordance with the London Plan energy hierarchy. It will include consideration of the following:

- a) How the development meets the required commitment to a reduction in Carbon Dioxide emissions in force at the time of the reserved matters submission through the Local (Development) Plan or associated SPD for the area.
- b) Connecting with a future District Heat Network
- c) incorporating onsite renewable energy technology
- d) how the building(s) relate(s) to the site-wide energy strategy;
- e) how the proposed building(s) have been designed to achieve a rating of BREEAM 'Excellent'

The building shall be constructed and operated only in accordance with an Energy Statement that has been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the building is designed to meet the highest possible environmental standards in accordance with Local Plan Policy DM14 and Policies 5.2, 5.6, 5.7 and 5.9 of the London Plan (2016).

### 9. Drainage

Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout and scale shall be accompanied by a surface water and foul water drainage strategy to be agreed in writing by the Local Planning Authority. This shall include details of works for the disposal of surface water, including surface water attenuation and storage works and measures to prevent water pollution and details of SuDS and their management and maintenance.

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

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited, in accordance with London Policies 5.13 & 5.15 of the London Plan (2015) and Policy DM 10 of the Local Plan (2013).

### 10. Design Guidelines

Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping shall be accompanied by a

Design Audit to be submitted and agreed in writing by the local planning authority. The Design Audit submitted shall set out (as appropriate) how the development in the reserved matter(s): Complies with approved "Design Guidelines and the approved Parameter Plans.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure good design and high quality architecture throughout the development in line with the principles set out in the approved Design Guidelines, including protection of Metropolitan Land openness and the character and appearance of the wider area, in line with the objectives of the National Planning Policy Framework, London Plan (2016) policies 7.3, 7.4, 7.6 and 7.19, Core Strategy (2012) policy CS1, Policies DM1, DM2 and DM12 of the Development Management Policies Local Plan.

#### 11. Landscape and Ecological Management Plan

Unless otherwise agreed in writing by the Local Planning Authority, applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping of the site shall be accompanied by a detailed Landscape, Ecology and Biodiversity Statement to be agreed in writing by the Local Planning Authority. The Landscape, Ecology and Biodiversity Statement shall explain:

(a) how the development accords with the submitted Framework Landscape and Ecological Management Plan (LEMP)

(b) how the development will incorporate new habitats, including bird boxes, bat roosts and other wildlife features including features related to the woodland, wildflower meadows, meadow and bulbs and perennials, shrubs and trees and the pond

(c) how the development will create wildlife habitats within the site, integrated into the detailed SUDS designs (i.e. standing and running water, grassland, log piles, green/brown roofs) and existing and replacement trees;

(d) the management arrangements for these features

The approved details shall be implemented prior to the occupation of the phase of the development to which the details relate.

REASON: To ensure that the development contributes to improving the Landscape, ecology and biodiversity of the area, in accordance with the National Planning Policy Framework, London Plan (2016) policy 7.19, Core Strategy (2012) policy CS1 and Policy DM21 of the Development Management Policies Local Plan.

#### 12. Lighting

Applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping shall be accompanied by a lighting strategy for all external areas (including buildings) relating to that phase of the development. The details shall be agreed in writing by, the local planning authority

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

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

with Local Plan Policy DM1 and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with Local Plan Policy DM 20.

### 13. Car Park Management Plan

Unless otherwise agreed in writing by the Local Planning Authority, applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping of the site shall be accompanied by a Car Parking Design and Management Plan to be agreed in writing by, the local planning authority. The plan shall set out the following:

- e. Details of the parking design with reference to Transport for London Guidance on parking management and design
- f. Details of general spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces
- g. Mechanism for increasing the number of general spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
- h. Details of the allocation and management of the general and accessible car parking spaces.

The development shall be carried out and operated only in accordance with the plan so agreed.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 of the London Plan (2019) Intend to Publish.

## **PRE-OCCUPATION**

### 14. Secure by Design

Prior to the first occupation of each phase of the development hereby approved, evidence of Secured by Design Certification shall be submitted and approved in writing by the Local Planning Authority. 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, in accordance with Policies 7.3 and 7.13 of the London Plan (2016) and Policy DM2 of the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

Unless otherwise agreed in writing by the Local Planning Authority, applications for approval of Reserved Matters submitted pursuant to this permission relating to layout, scale, appearance and landscaping of the site shall be accompanied by a lighting strategy.

## **COMPLIANCE**

### 15. Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2015 and Policy DM 15 of the Harrow Development.

## **INFORMATIVES:**

### 1. **POLICIES**

The following policies are relevant to this decision:

#### **National Planning Policy:**

National Planning Policy Framework (2019)

#### **2016 London Plan (consolidated with Alterations since 2011) (March 2016)**

Policy 1.1: Delivering the strategic vision and objectives for London

Policy 2.13: Opportunity Areas and Intensification Areas

Policy 2.15: Town centres

Policy 2.16: Strategic outer London development centres

Policy 3.1: Ensuring equal life chances for all

Policy 3.2: Improving health and addressing health inequalities

Policy 3.16: Protection and enhancement of social infrastructure

Policy 4.1: Developing London's economy

Policy 4.2: Offices

Policy 4.7: Retail and town centre development

Policy 4.8: Supporting a successful and diverse retail sector

Policy 4.9: Small shops

Policy 4.12: Improving opportunities for all

Policy 5.1: Climate change mitigation

Policy 5.2: Minimising carbon dioxide emissions

Policy 5.3: Sustainable design and construction

Policy 5.5: Decentralised energy networks

Policy 5.6: Decentralised energy in development proposals

Policy 5.7: Renewable energy

Policy 5.8: Innovative energy technologies

Policy 5.9: Overheating and cooling

Policy 5.10: Urban greening

Policy 5.11: Green roofs and development site environs

Policy 5.12: Flood risk management

Policy 5.13: Sustainable drainage

Policy 5.14: Water quality and wastewater Infrastructure

Policy 5.15: Water use and supplies

Policy 5.16: Waste self-sufficiency

Policy 5.17: Waste capacity

Policy 5.18: Construction, excavation and demolition waste

Policy 5.20: Aggregates

Policy 5.21: Contaminated land

Policy 6.1: Strategic approach

Policy 6.2: Providing public transport capacity and safeguarding land for transport

Policy 6.3: Assessing effects of development on transport capacity

Policy 6.7: Better streets and surface transport  
 Policy 6.9: Cycling  
 Policy 6.10: Walking  
 Policy 6.11: Smoothing traffic flow and tackling congestion  
 Policy 6.12: Road network capacity  
 Policy 6.13: Parking  
 Policy 7.1: Building London's neighbourhoods and communities  
 Policy 7.2: An inclusive environment  
 Policy 7.3: Designing out crime  
 Policy 7.4: Local character  
 Policy 7.5: Public realm  
 Policy 7.6: Architecture  
 Policy 7.7: Location and design of tall and large buildings  
 Policy 7.8: Heritage assets and archaeology  
 Policy 7.14: Improving air quality  
 Policy 7.14 Metropolitan Open Land  
 Policy 7.15: Reducing noise and enhancing soundscapes  
 Policy 7.18: Protecting local open space and addressing local deficiency  
 Policy 7.19: Biodiversity and access to nature  
 Policy 7.30: London's canals and other rivers and water spaces  
 Policy 8.1: Implementation  
 Policy 8.2: Planning obligations  
 Policy 8.3: Community infrastructure levy  
 Policy 8.4: Monitoring and review for London

**Draft London Plan 2019:**

Policy D1 London's form charter and capacity for growth  
 Policy D2 Infrastructure requirements for sustainable densities  
 Policy D3 Optimising site capacity through the design led approach  
 Policy D4 Delivering Good Design  
 Policy D12 Fire Safety  
 Policy D13 Agent of change  
 Policy D14 Noise  
 Policy S1 Developing London's social infrastructure  
 Policy S3 Education and Childcare facilities  
 Policy S5 Sport and recreation facilities  
 Policy HC1 Heritage conservation and growth  
 Policy G1 Green infrastructure  
 Policy G3 Metropolitan open land  
 Policy G5 Urban greening  
 Policy G6 Biodiversity and access to nature  
 Policy G7 Trees and woodlands  
 Policy SI1 Improving air quality  
 Policy SI2 Minimising greenhouse gas emissions  
 Policy SI3 Energy infrastructure  
 Policy SI4 Managing heat risk  
 Policy SI5 Water infrastructure  
 Policy SI7 Reducing waste and supporting the circular economy  
 Policy SI12 Flood risk management  
 Policy SI13 Sustainable drainage

Policy T1 Strategic approach to transport  
Policy T2 Healthy Streets  
Policy T3 Transport capacity, connectivity and safeguarding  
Policy T4 Assessing and mitigating transport impacts  
Policy T5 Cycling  
Policy T6 Car parking  
Policy T6.5 Non-residential disabled person parking  
Policy DF1 Delivery of the Plan and Planning Obligations

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

Core Policy CS1: Overarching Principles

### **Harrow Development Management Policies (July 2013)**

Policy DM 1 Achieving a High Standard of Development  
Policy DM 2 Achieving Lifetime Neighbourhoods  
Policy DM 3 Protected Views and Vistas  
Policy DM 6 Areas of Special Character  
Policy DM 7 Heritage Assets  
Policy DM 9 Managing Flood Risk  
Policy DM 10 On Site Water Management and Surface Water Attenuation  
Policy DM 12 Sustainable Design and Layout  
Policy DM 13 Decentralised Energy Systems  
Policy DM 14 Renewable Energy Technology  
Policy DM 15 Prevention and Remediation of Contaminated Land  
Policy DM 16 Maintaining the openness of the Green Belt and Metropolitan Open Land  
Policy DM 20 Protection of Biodiversity and Access to Nature  
Policy DM 21 Enhancement of Biodiversity and Access to Nature  
Policy DM 22 Trees and Landscaping  
Policy DM 23 Street side Greenness and Forecourt Greenery  
Policy DM 42 Parking Standards  
Policy DM 43 Transport Assessments and Travel Plans  
Policy DM 44 Servicing  
Policy DM 45 Waste Management  
Policy DM 46 New Community, Sport and Education Facilities  
Policy DM48 Enhancing outdoor sports facilities  
Policy DM 47 Retention of Existing Community, Sport and Education Facilities  
  
Policy DM 50 Planning Obligations

#### Other Guidance

Planning Obligations SPD (2013)  
Canons Park Conservation Area Appraisal and Management Strategy  
Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets

#### **Mayor of London Guidance**

The control of dust and emissions during construction and demolition (July 2014)  
Sustainable Design and Construction (April 2014)  
Access for All SPD (April 2006)



## 2. REQUIREMENT FOR LISTED BUILDING CONSENT

As outlined above under the 'significance' heading, the farm outbuildings are curtilage listed so Listed Building Consent would be required for the works to these buildings. Listed Building Consent is therefore required for works to the CDT building, tractor barn, other barn, Canons cottages, plant room.

## 3. INFORMATIVE: CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

## 4. INFORMATIVE: THE 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)

## 5. INFORMATIVE: IMPORTANT: COMPLIANCE WITH PLANNING CONDITIONS

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

You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the

development within the time permitted.

Beginning development in breach of a planning condition will invalidate your planning permission. If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

6. INFORMATIVE: 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

7. INFORMATIVE: PRE-APPLICATION ADVICE

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

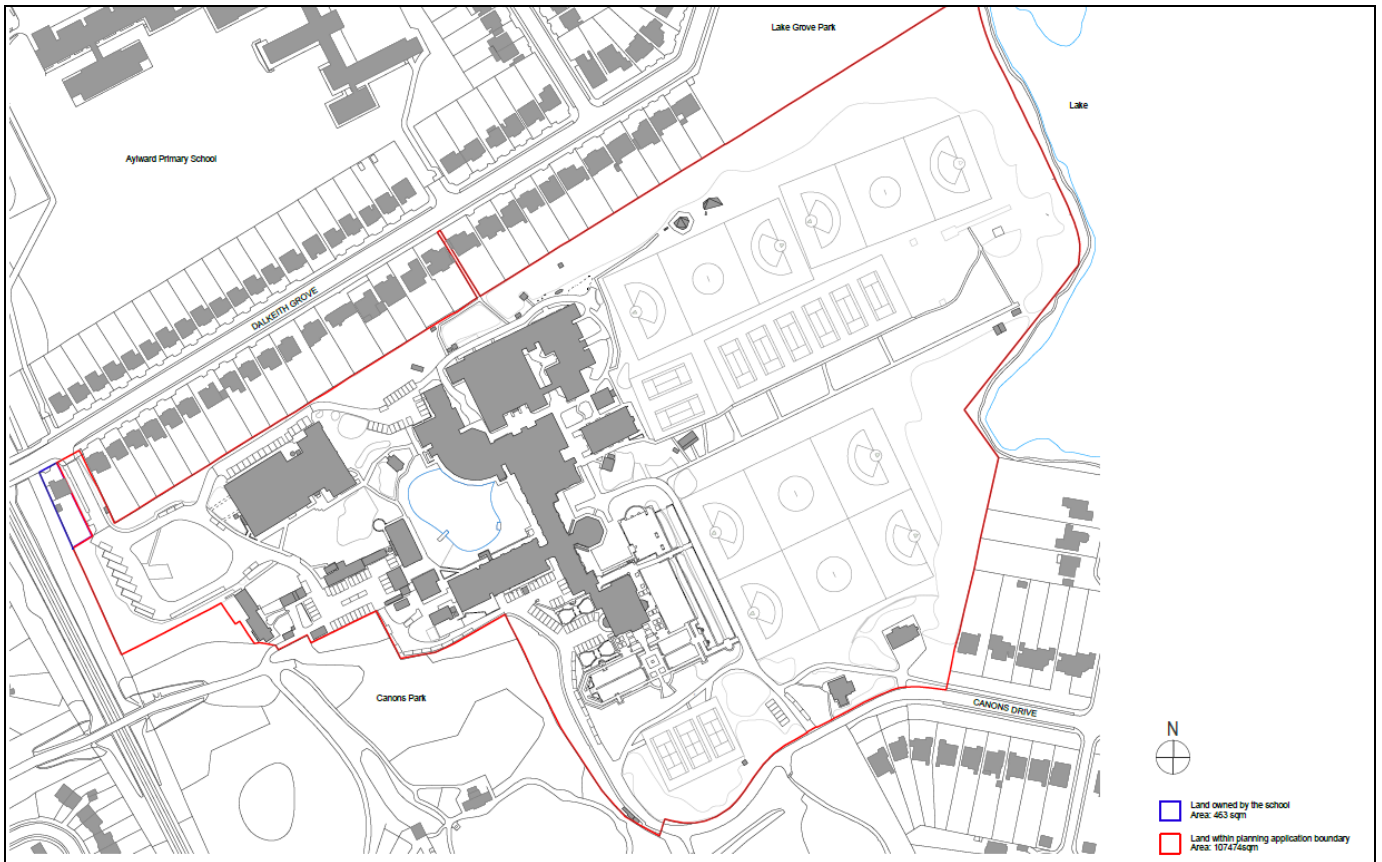
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

**Plan List: To Follow**

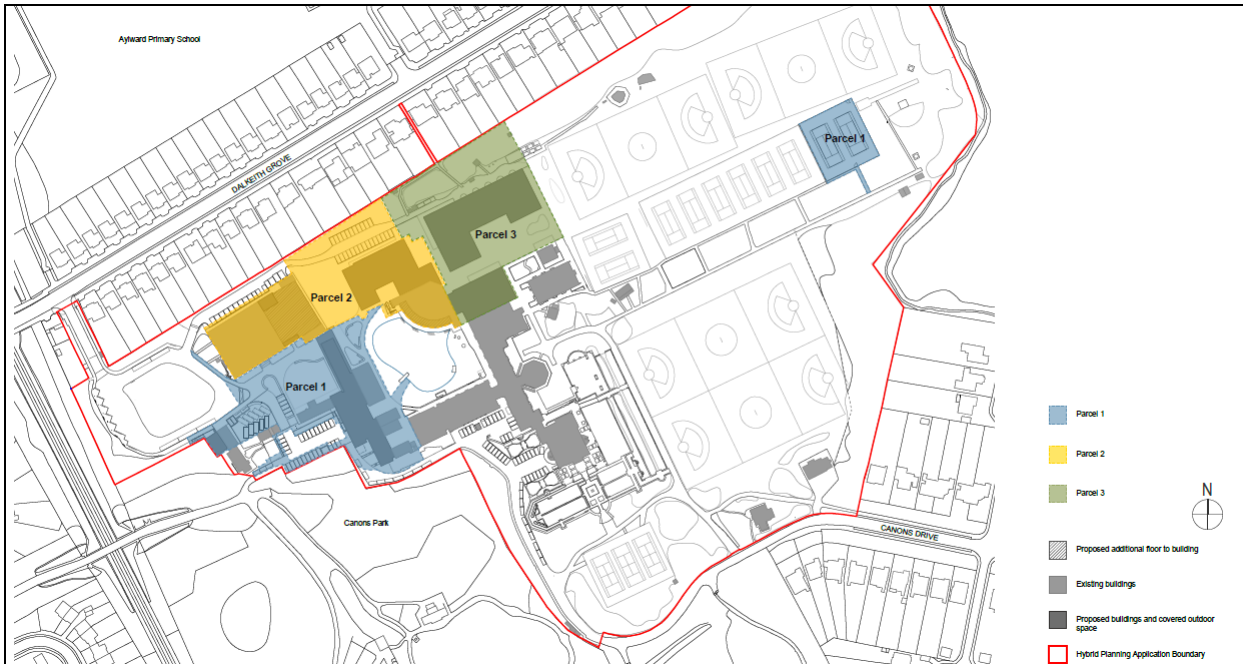
**CHECKED**

Interim Chief Planning Officer	Beverley Kuchar
Corporate Director	Paul Walker

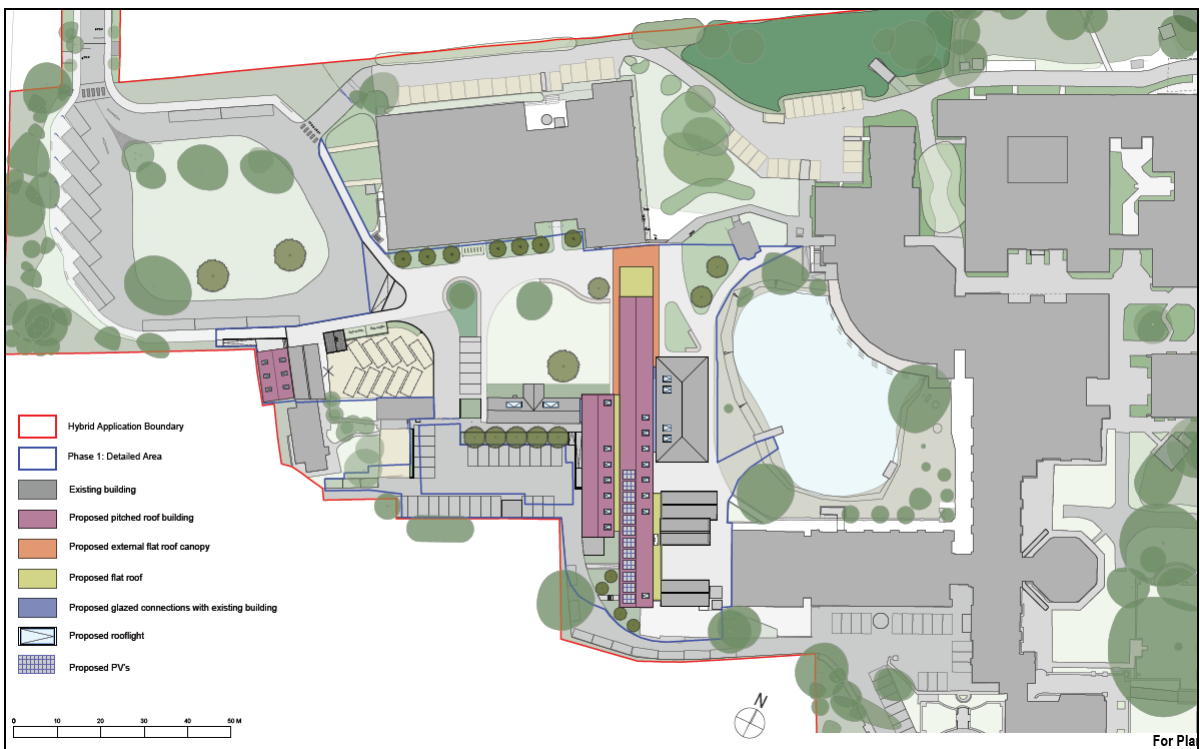
## APPENDIX 2: SITE PLAN



# APPENDIX 3: PLANS AND ELEVATIONS



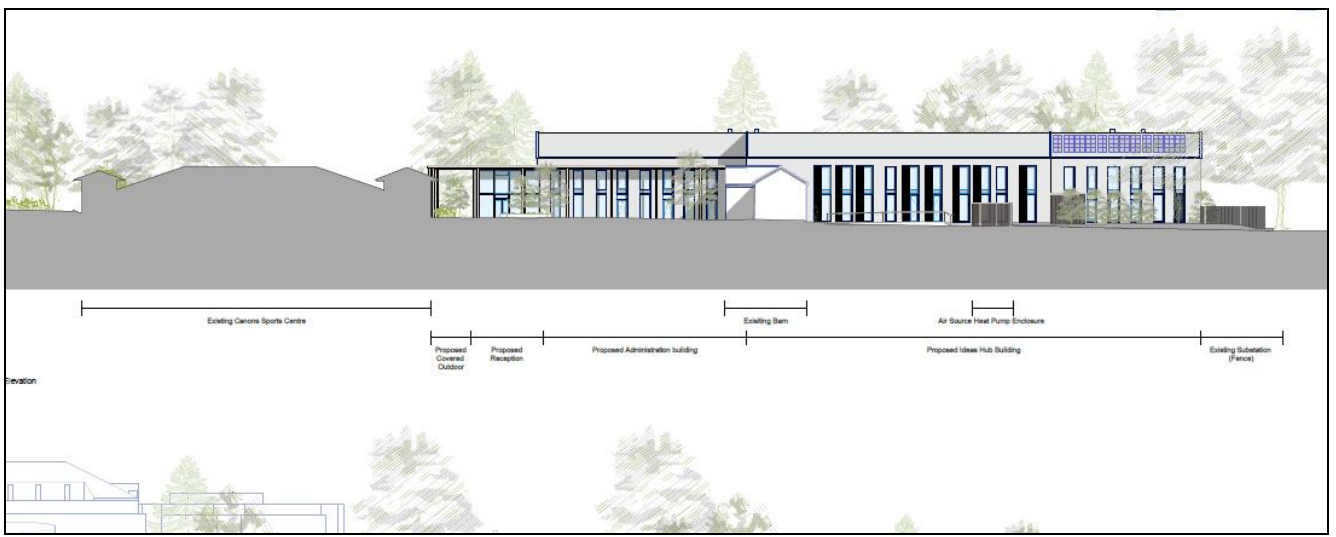
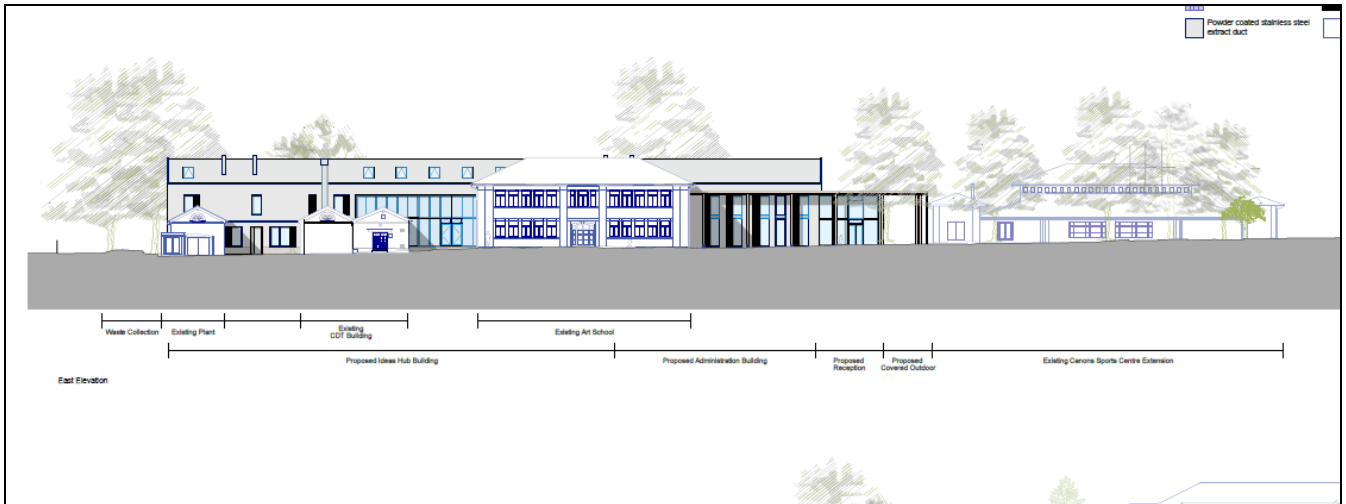
## Phasing Plan



## Roof Plan Phase 1



**Ground Floor Layout IDEAS hub and Administration building**



**Elevations of IDEA S hub and Administration building**



**Proposed Tractor Barn Extension**



**View of IDEAS/Administration building from the farmyard buildings**



**View from the pond**



**View from Dalkeith Grove entrance loop Road**



**APPENDIX 3: SITE PHOTOS**



The Barn



Canons Sports Centre



Music School



Art School



Richardson Building



Performing Arts Centre

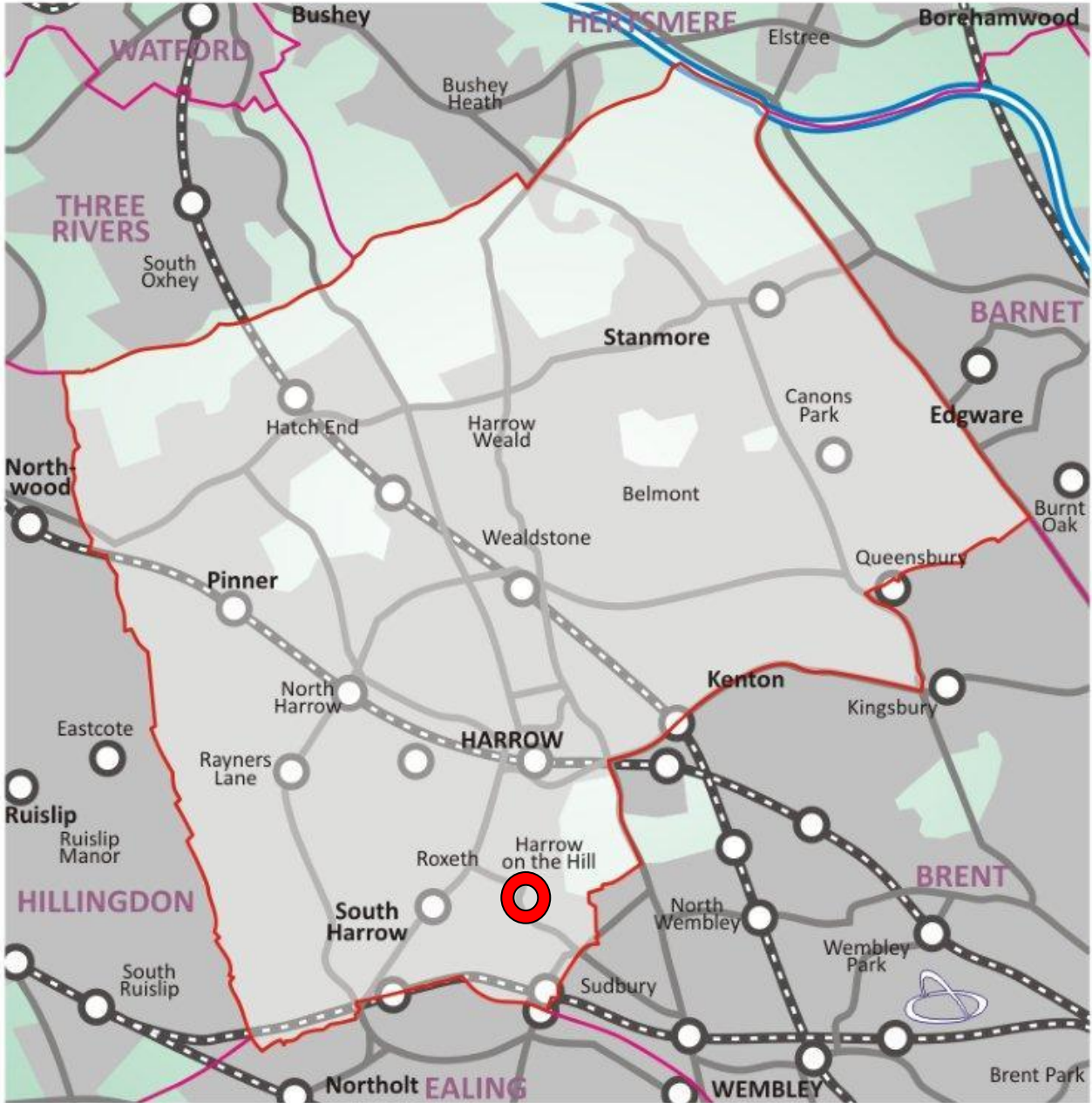


Mansion House

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Agenda Item 2/01

 = application site



<b>52 HIGH STREET, HARROW ON THE HILL</b>	<b>P/2250/20</b>
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# 52 HIGH STREET, HARROW ON THE HILL



## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

18<sup>th</sup> November 2020

**APPLICATION NUMBER:** P/2250/20  
**VALID DATE:** 4<sup>th</sup> AUGUST 2020  
**LOCATION:** 52 HIGH STREET, HARROW,  
HA1 3LL  
**WARD:** HARROW ON THE HILL  
**POSTCODE:** HA1 3LL  
**APPLICANT:** SOLUTIONS LIMITED  
**AGENT:** COLLINS & COWARD  
**CASE OFFICER:** LUCY HAILE  
**EXTENDED EXPIRY DATE:** 20<sup>TH</sup> OCTOBER 2020

#### PROPOSAL

Installation of five air conditioning units.

#### RECOMMENDATION

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out this report; and
- 2) grant Listed Building Consent subject to the Conditions listed in Appendix 1 of this report

#### REASON FOR THE RECOMMENDATIONS

This proposal preserves the special interest of the listed building.

#### INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a)-1(h) of the Scheme of Delegation dated 12<sup>th</sup> December 2018.

Statutory Return Type: 23  
Council Interest: None  
GLA Community Infrastructure Levy (CIL) Contribution (provisional): None  
Local CIL requirement: None

## **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 Listed Building Consent application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

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

## **S17 CRIME & DISORDER ACT**

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

## 1.0 SITE DESCRIPTION

- 1.1 The application site comprises the grade II listed 52 High Street.
- 1.2 52 High Street is sited in the Harrow on the Hill Village conservation area and is grade II listed. It became grade II listed on 22-Jun-1973.
- 1.3 The list description reads: 'Circa 1870, front by Habershon and Brook 1871 to probably C16 timber frame. Brick, with parti-coloured brick banding. Two-storeys. Two mullion and transome casements above contemporary shopfront. Gable with applied timbering and carved bargeboards. Slate roof'.
- 1.4 There is a single storey rear extension to the rear of the listed building.
- 1.5 The wall to the rear is likely to be curtilage listed grade II and is listed by attachment to the listed building.

## 2.0 PROPOSAL

- 2.1 The application proposes to move air conditioning units attached to a single storey rear extension and relocate them adjacent a curtilage listed boundary wall.

## 3.0 RELEVANT HISTORY

P/1444/20	Installation of five air conditioning units to the rear within enclosure	Parallel Planning Application Under Consideration
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## 4.0 CONSULTATION

- 4.1 The following groups were consulted and any response was due by 1st September 2020:

Harrow Hill Trust  
Ancient Monuments Society  
Council for British Archaeology  
Georgian Group  
Historic England  
London and Middlesex Archaeology Society  
Society for the Protection of Ancient Buildings  
Twentieth Century Society  
Victorian Society

- 4.2 Site Notice was erected on 6<sup>th</sup> August, expiring on 28<sup>th</sup> August.

4.3 Press Notice was advertised in the Harrow Times on the 6<sup>th</sup> August expiring on 28<sup>th</sup> August.

4.4 The application was advertised as extensions/alterations to a listed building.

4.5 A summary of the responses is set out below:

<b>Consultation Responses</b>
<p>Neighbour response</p> <ul style="list-style-type: none"><li>• Neighbours have not been consulted.</li></ul> <p>A second neighbour responded to state:</p> <ul style="list-style-type: none"><li>• No attempt was made to inform of the application P/1444/20, nor of a site meeting. I am over 90 years old.</li><li>• The building once stretched from 46-52 and was originally a major timber framed building much of which still exists.</li><li>• The inner wall of 54 has oak beams of the north-west end wall of the range.</li><li>• The narrow cul de sac formed by the building is the site of the proposed air conditioners which will blast droplet moisture into the atmosphere, inevitably on to my terrace. This is a major health hazard given Covid and generally.</li><li>• It should be refused.</li></ul> <p>A third neighbour responded to state:</p> <ul style="list-style-type: none"><li>• The units are unnecessary and are a health hazard.</li></ul> <p>Environmental Health responded to state:</p> <ul style="list-style-type: none"><li>• Happy with the idea of an enclosure and a timer to be fitted so that the units shut off in the evenings throughout the night.</li><li>• I can't see the finer detail on the noise report regards the acoustic enclosure.</li><li>• Any noise from the units should be 10dB below background level.</li><li>• With regards to Covid-19, the recommendation is that A/C units shouldn't be used at all unless it's the only form of ventilation, and then only if they have had regular maintenance and filter changes. Public Health should be able to provide you with more info and guidance around A/c units but at the current time our enforcement officers are advising them not to be used if possible.</li></ul>

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#### 4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken\*:

Historic England - GLAAS



#### 4.8 External Consultation

4.9 A summary of the consultation responses is set out in the Table below.

<b>Consultation Responses</b>
Historic England GLAAS team responded to state 'It is not considered necessary to consult them on the proposal'.

### 5.0 **POLICIES**

- 5.1 This proposal is to re-site five air conditioning units by removing them from the side wall of an extension where they were recently installed without Listed Building Consent and place them adjacent to a curtilage listed wall in the garden. The acceptability of the proposed works must be assessed against the need to preserve the special interest of the listed building, having particular regard to the National Planning Policy Framework (February 2019) paragraphs 190, 192, 193, 194, 196, 199, London Plan (March 2016) policy 7.8 D, Harrow Core Strategy (February 2012), Development Management Policy (May 2013) DM 7 part E, and guidance contained within the Planning Practice Guidance for Conserving and Enhancing the Historic Environment (updated 06/03/2014).
- 5.2 Paragraph 192 of the NPPF states 'local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the desirability of new development making a positive contribution to local character and distinctiveness'. Paragraph 193 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 194 states: 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. Paragraph 196 states: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. Paragraph 199 states: 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted'.
- 5.3 Similarly London Plan policy 7.8 D states 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to

their form, scale, materials and architectural detail' and Harrow Core Strategy policy CS1 part D which states 'Proposals that would harm the significance of heritage assets including their setting will be resisted. The enhancement of heritage assets will be supported and encouraged'. Development Management Policies Local Plan policy DM 7 part B, b states 'the impact of proposals affecting heritage assets will be assessed having regard to: b relevant issues of design, appearance and character, including proportion, scale, height, massing, historic fabric, use, features, location, relationship with adjacent assets, setting, layout, plan form' and DM7 part E which states: 'In addition to (A) and (B) above, when considering proposals affecting listed buildings and their setting, the Council will: a. pay special attention to the building's character and any features of special architectural or historic interest which it possesses, and the role of the building's setting in these regards'.

### Significance

- 5.4 The National Planning Policy Framework (NPPF) paragraph 190 states: 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.
- 5.5 In this case, its special interest is identified under the site description heading above although this is not exhaustive.

## **6.0 APPRAISAL**

- 6.1 The proposal would take the air conditioning units off the listed building that were installed without the required permissions. It would re-site them adjacent a curtilage listed wall but not attached to it. This would therefore not damage the listed wall and given scale and siting would appear neat and simple in appearance in keeping with its setting. It would still be attached to the principal listed building through the pipework. The amended proposal is for the cover to be of timber louvres which would be a traditional material.
- 6.2 This application only relates to external elements for these air conditioning units. As noted at pre-application stage:
- 'However, it is unclear how the new units in the listed building are/will be fixed along with the piping for this. It is possible that this would affect the special interest of the listed building and so would require listed building consent. We would need existing, pre-existing (if applicable) and proposed floor plans, elevations and sections as appropriate along with photos to help illustrate this proposal'.*
- 6.3 Therefore a suitable informative is included.

- 6.4 A neighbour's consultation response stated the public consultation was insufficient. However, statutory consultation process has been followed and they were able to respond to the public consultation.
- 6.5 Health concerns have been raised by two neighbours. Also Environmental Health responded to state that it is advised air conditioning units are not used at this time. However, health matters do not fall in the remit of Listed Building Consent application process which assesses proposals against the special interest of the listed building. The linked application for planning permission addresses this issue.
- 6.6 Subject to the above therefore the proposal would preserve the special interest of the listed building.

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

- 7.1 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, it is considered that subject to conditions, the proposal would be appropriate and necessary in order to preserve the special interest of the listed building as far as possible. Accordingly, this application is recommended for grant.

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### Conditions

#### 1 Timing

The works hereby approved shall be conducted within 6 months and retained as such thereafter.

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

#### 2 Approved Plans and documents

The proposal shall be carried out in line with the following approved plans and retained as such thereafter:

Plan Nos: L753-P(0)100; L753-P(0)001; L753-P(0)002; L753-P(0)101 REV 01; L753-P(0)200; L753-P(0)201 REV 01; L753-P(0)300 REV 01; Noise Impact Assessment Technical Report 33194-R1; Letter from agent dated 27th April 2020; Design and Access statement; Heritage statement;

#### 3 Precautions

Suitable precautions shall be taken to secure and protect interior and exterior features against accidental loss or damage during the building work hereby granted, and no such features may be disturbed or removed, temporarily or permanently, except as indicated on the approved drawings or with the prior approval in writing of the local planning authority.

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

#### 4 Finishes

All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any conditions(s) attached to this consent.

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

## **Informatives**

### 1 Policies

The following policies are relevant to this decision: -  
National Planning Policy Framework (2019)  
The London Plan (2016) policy 7.8  
Harrow Core Strategy (2012): policy CS 1  
Development Management Policies Local Plan (2013) policy DM 7

### 2 External works only

This proposal relates only to external works. It is unclear how the new units in the listed building are/will be fixed along with the piping for this. It is possible that this would affect the special interest of the listed building and so would require listed building consent. We would need existing, pre-existing (if applicable) and proposed floor plans, elevations and sections as appropriate along with photos to comment on the requirement for Listed Building Consent.

### 3 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

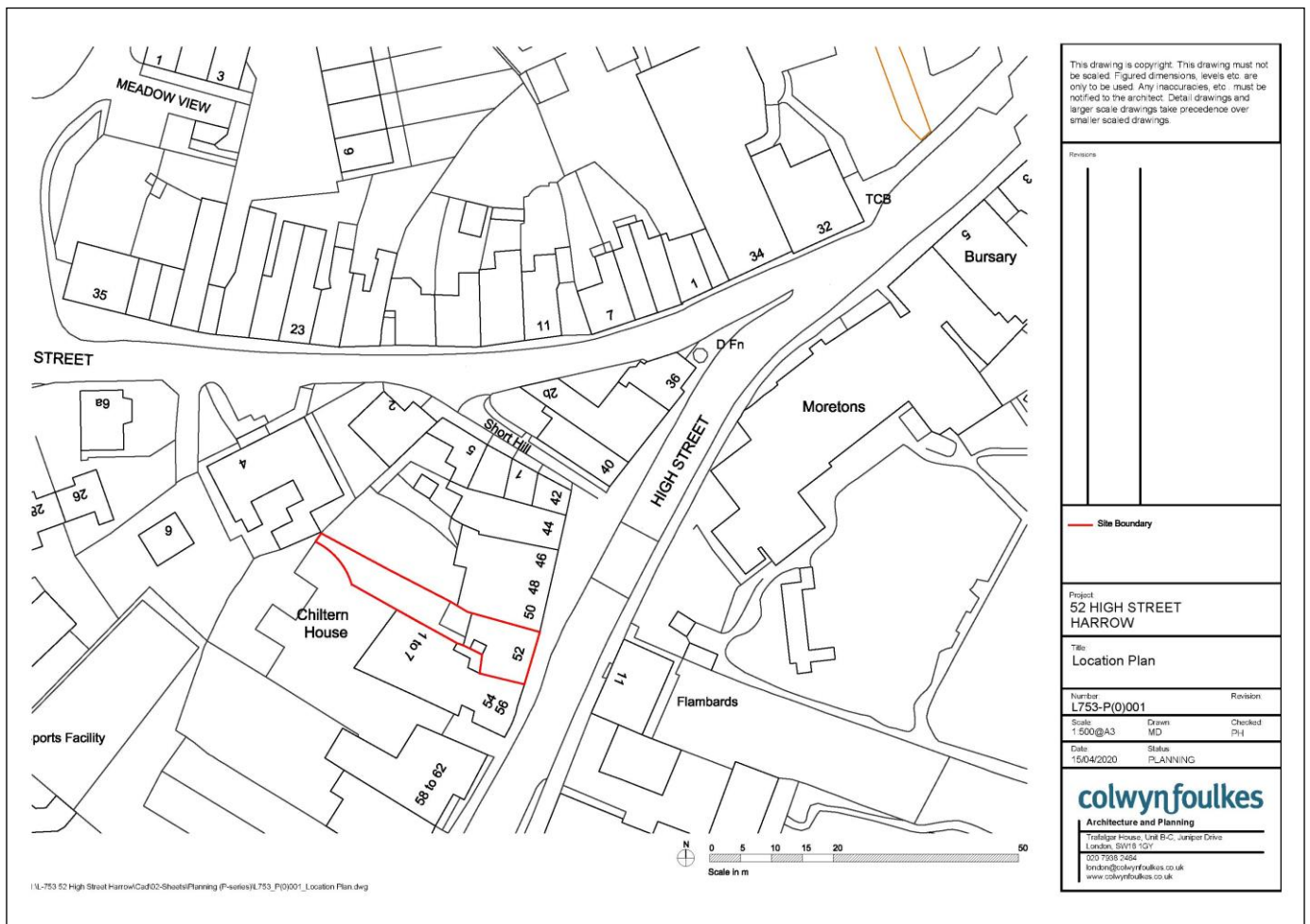
### COMPLIANCE WITH LISTED BUILDING CONDITIONS

- 4 **IMPORTANT:** Compliance with Listed Building Conditions Requiring Submission and Approval of Details Before Development Commences
- You will be in breach of listed building consent 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 listed building condition will invalidate your listed building consent.

## **CHECKED**

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

# APPENDIX 2: SITE PLAN



**APPENDIX 3: SITE PHOTOGRAPHS**



Rear elevation of the listed building with existing location of air conditioning units



Rear wall



Rear wall continued



# APPENDIX 4: PLANS AND ELEVATIONS

**Front Elevation**  
Scale 1:100

**Rear Elevation**  
Scale 1:100

**Side Elevation**  
Scale 1:100

0 500 1000 2000 5000 10000  
Scale in mm

This drawing is copyright. This drawing must not be scaled. Figure dimensions, levels etc. are only to be used. Any inaccuracies, etc. must be notified to the architect. Detail drawings and larger scale drawings take precedence over smaller scaled drawings.

Revision

Project:  
**52 HIGH STREET  
HARROW**

Title:  
**Existing Elevations**

Number	Revision
L753-P(0)200	

Scale	Drawn	Checked
1:100@A3	MD	PLA

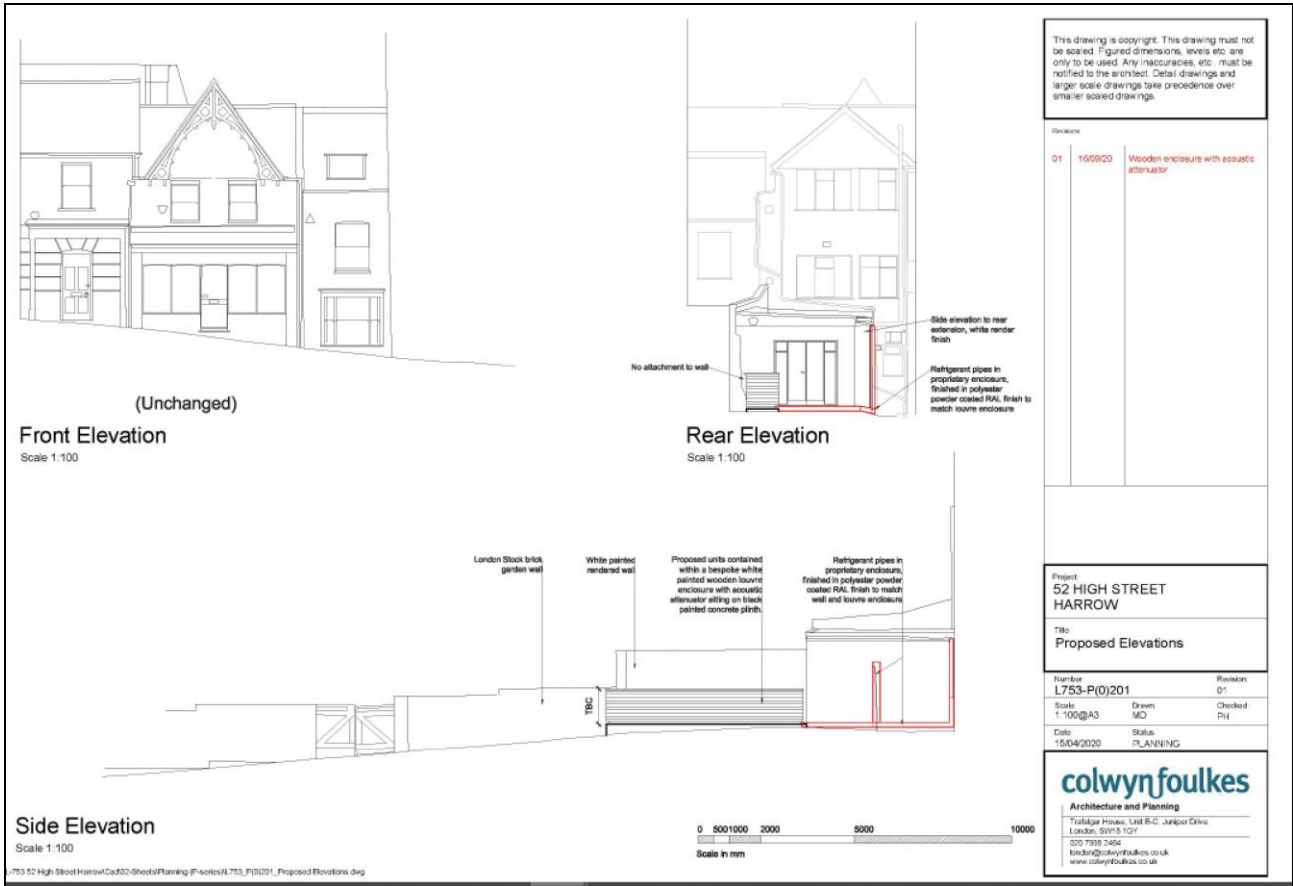
Date:  
15/04/2020

Status:  
PLANNING

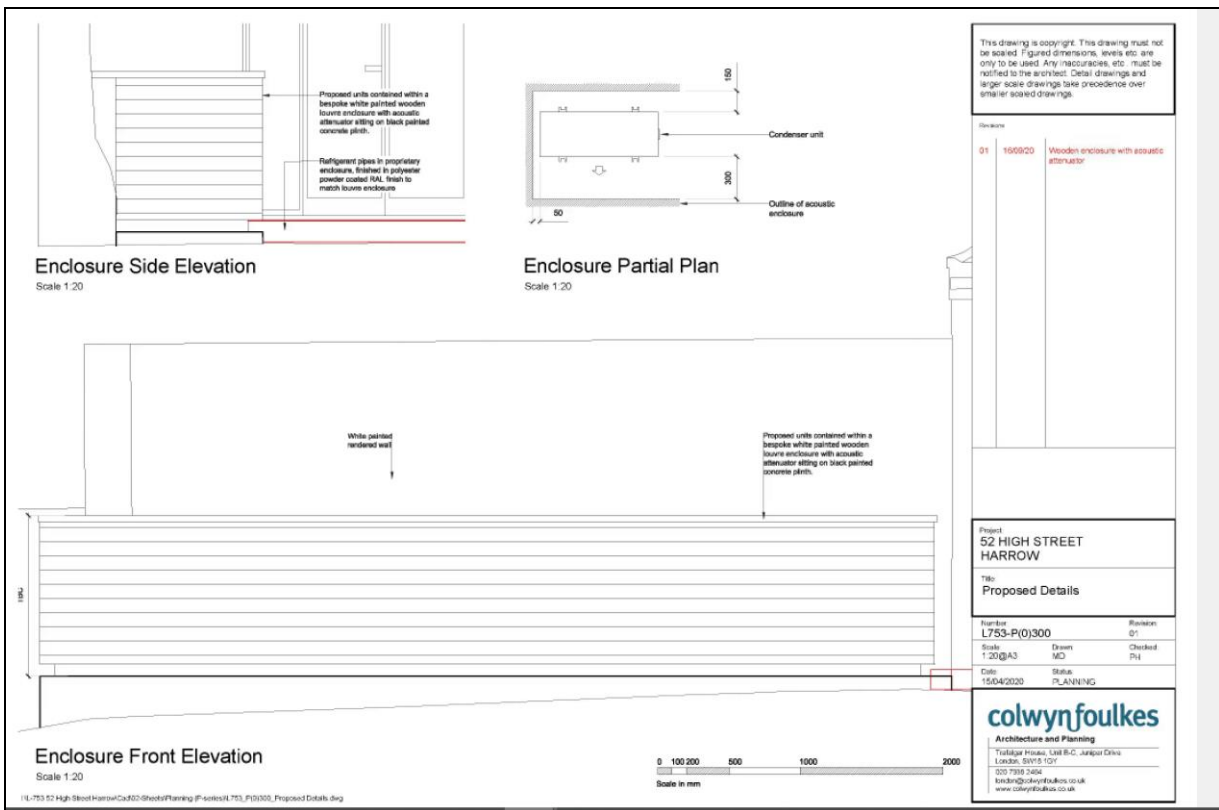
**colwynfoulkes**  
Architecture and Planning  
Tudor House, 114 B.C. Jasper Drive  
London, SW11 1DY  
020 7088 2484  
info@colwynfoulkes.co.uk  
www.colwynfoulkes.co.uk

© 52 High Street Harrow CA202 Sheets/Planning (P-scale) L753\_P(0)200\_Existing Elevations.dwg

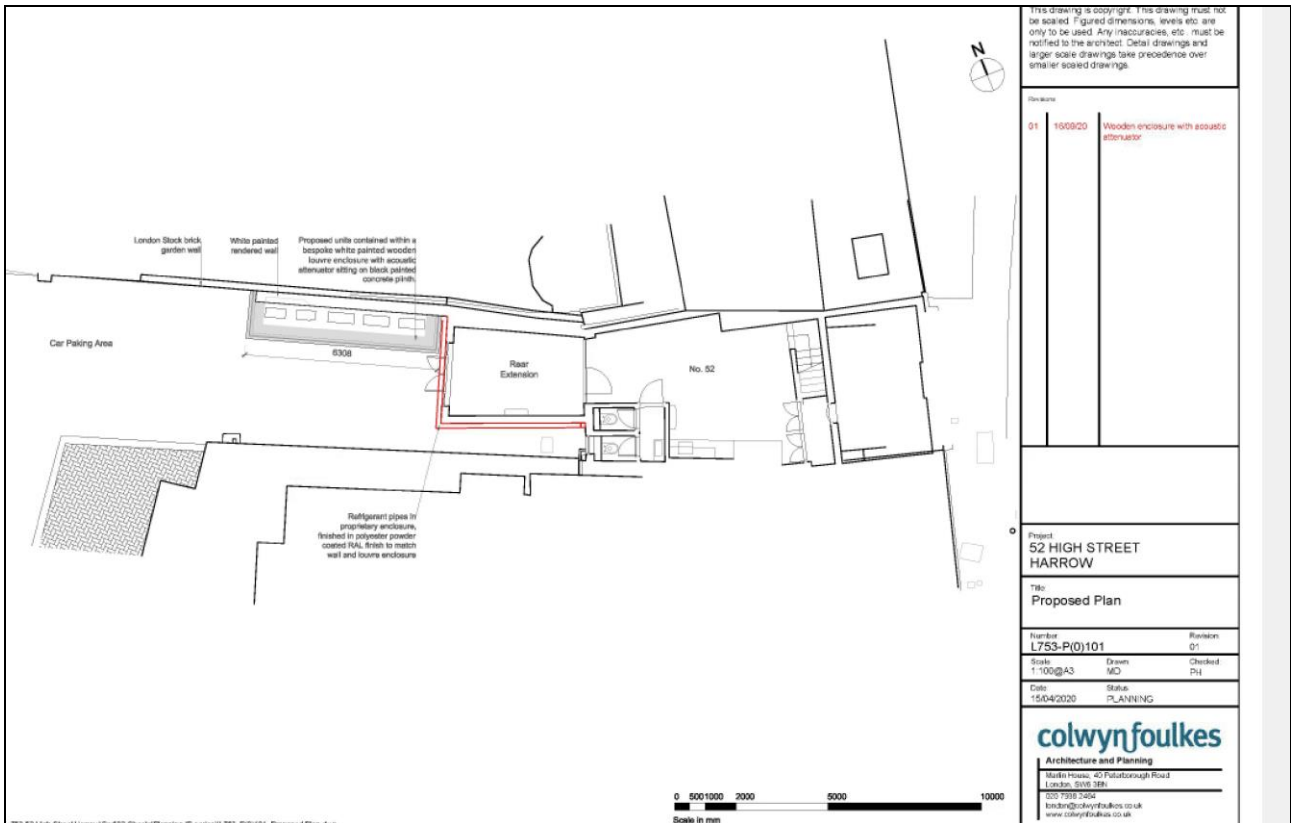
Existing elevations



## Proposed elevations



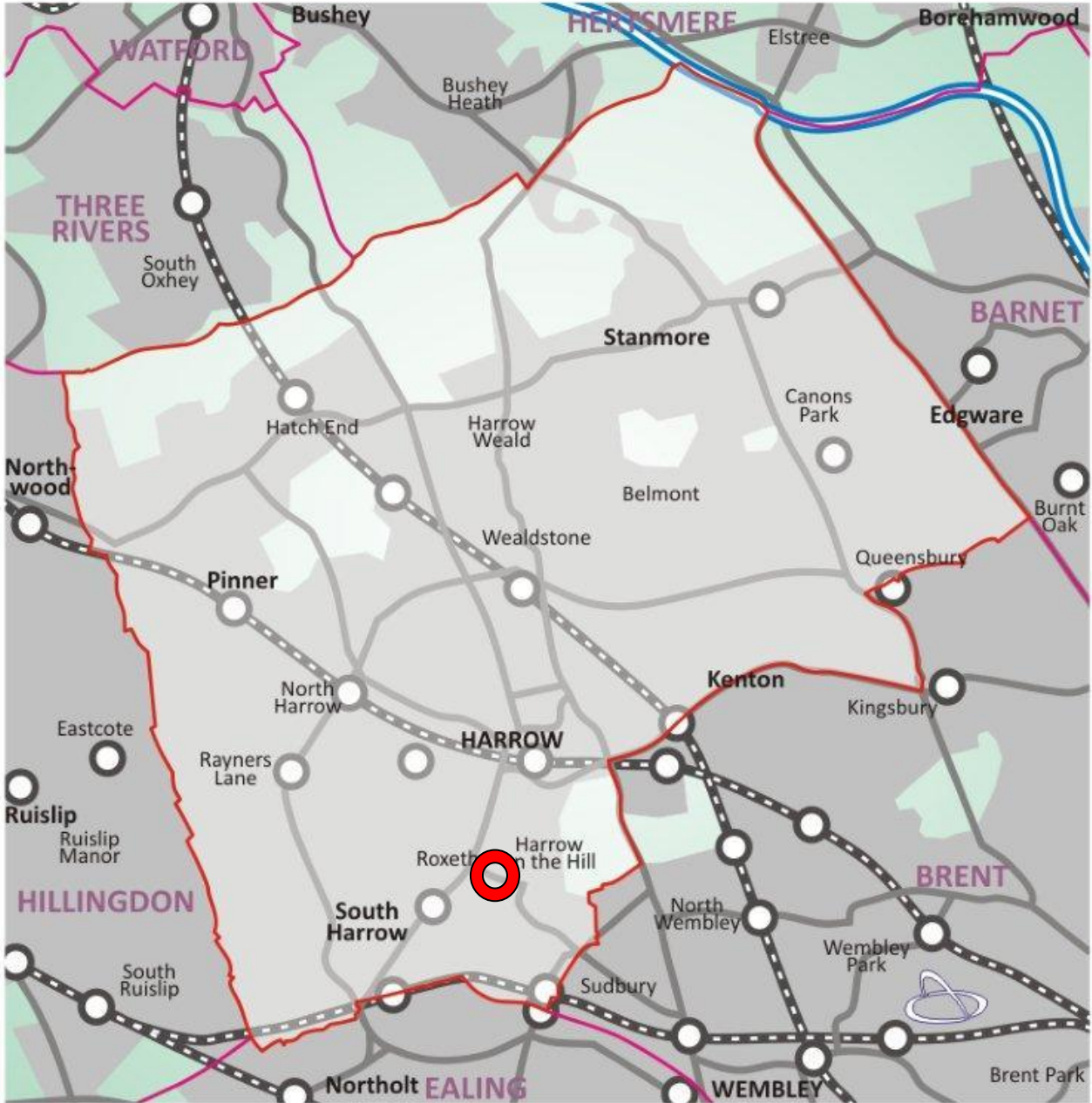
## Proposed details



Proposed floor plans

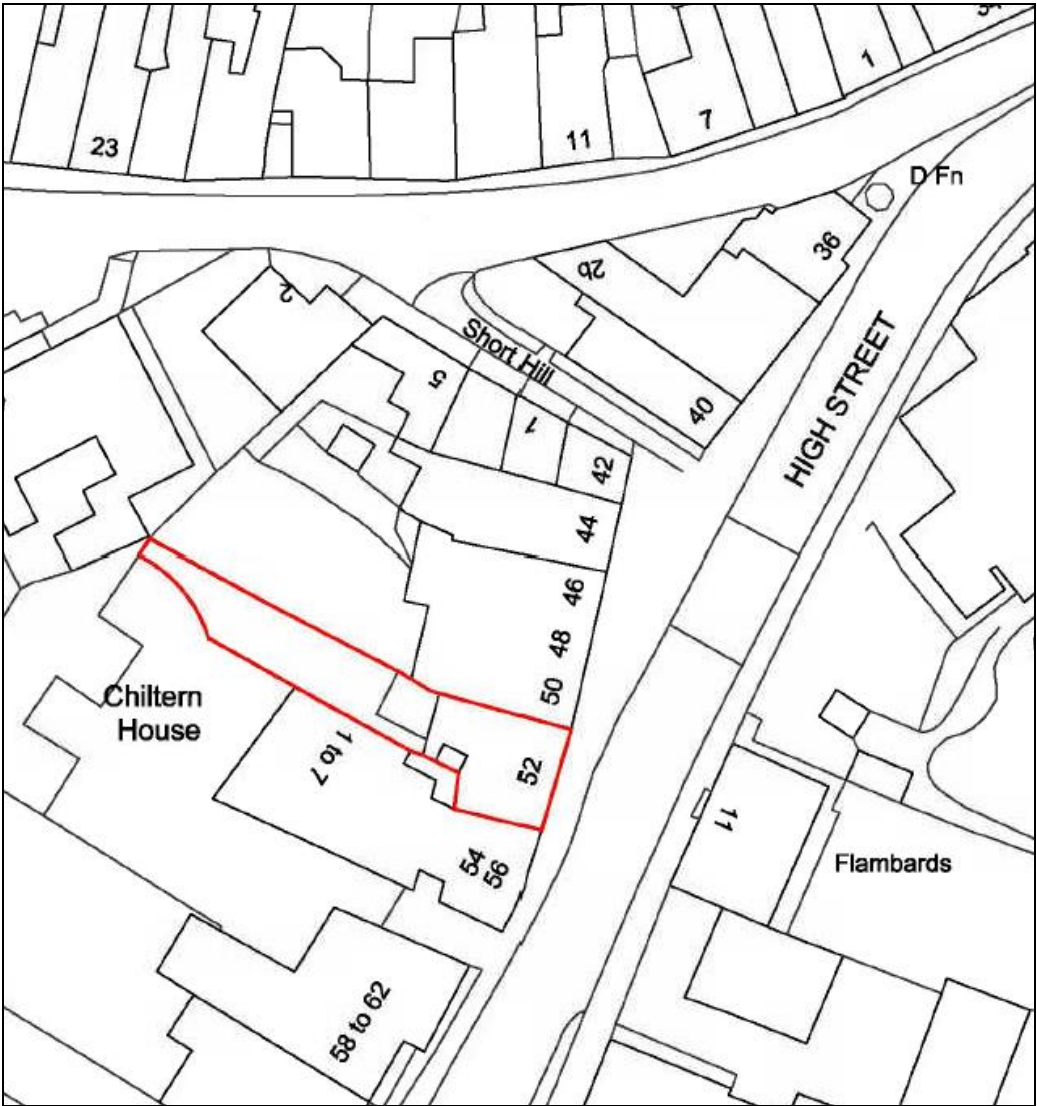
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 = application site



<b>52 HIGH STREET, HARROW ON THE HILL</b>	<b>P/1444/20</b>
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**52 HIGH STREET,**



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**18th November 2020**

**APPLICATION NUMBER:** P/1444/20

**VALID DATE:** 4th JUNE 2020

**LOCATION:** 52 HIGH STREET, HARROW, HA1 3LL

**WARD:** HARROW ON THE HILL

**POSTCODE:** HA1 3LL

**APPLICANT:** KP SOLUTIONS LIMITED

**AGENT:** COLLINS & COWARD

**CASE OFFICER:** BLYTHE SMITH

**EXPIRY DATE:** 4<sup>th</sup> AUGUST 2020

**PROPOSAL**

Installation of five air conditioning units to the rear within enclosure

**RECOMMENDATION**

The Planning Committee is asked to:

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

**REASON FOR THE RECOMMENDATION**

The proposal would result in an acceptable impact on the visual amenities of the property and surrounding area and would have an acceptable impact on the residential amenities of neighbours. The proposals would preserve the character and appearance of the conservation area. As such the proposal would accord with the NPPF (2019), Policies 7.4B, 7.6B, 7.8C and 7.8D of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version (2019), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Plan (2013), the Harrow Supplementary Planning Document: Residential Design Guide (2010) and the Harrow on the Hill Conservation Area Character Appraisal and Management Strategy.

## **INFORMATION**

This application is reported to Planning Committee at the request of a nominated member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a)-1(h) of the Scheme of Delegation dated 12<sup>th</sup> December 2018.

Statutory Return Type: (E)18 Minor Development  
Council Interest: None  
Net Additional Floorspace: N/A  
GLA Community  
Infrastructure Levy (CIL): N/A  
Local CIL requirement: N/A

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

In determining this 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 mid terraced two storey building. 52 High Street is sited in the Harrow on the Hill Village Conservation Area and is Grade II listed since 22-Jun-1973.
- 1.2 The property is currently in use as office space and located on the west side of High Street and benefits from a single storey rear extension to the rear of the listed building. The wall to the rear is likely to be curtilage listed grade II and is listed by attachment to the listed building.
- 1.3 The list description reads: 'Circa 1870, front by Habershon and Brook 1871 to probably C16 timber frame. Brick, with parti-coloured brick banding. Two-storeys. Two mullion and transome casements above contemporary shopfront. Gable with applied timbering and carved bargeboards. Slate roof'.
- 1.4 The property occupies a plot with No. 50 High Street to the north and Chiltern House to the south. The rear amenity space is open to the rear which faces the car parking for Chiltern House. The property's principal/front elevation faces east, on to High Street.
- 1.5 The property is not subject to an article 4 Direction.

## **2.0 PROPOSAL**

- 2.1 The application proposes the Installation of five air conditioning units to the rear within an enclosure.
- 2.2 The proposed enclosure would have a maximum height of 1.5m and a depth of 6.3m, it would be a white painted enclosure with acoustic mitigation.

## **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>
P/2250/20	Listed Building Consent: Installation of five air conditioning units	Currently under assessment

- 3.2 Pre-application Discussion
- 3.3 No Pre-application discussion.

## 4.0 **CONSULTATION**

- 4.1 A total of 12 consultation letters were sent to neighbouring properties regarding this application. The application was published in the Harrow Times and one site notice was placed in the local area in accordance with the regulations as this proposal is within a conservation area and the subject site is a statutory listed building. The minimum statutory consultation period expired on 7<sup>th</sup> July 2020. Six objections were received from the public consultation.
- 4.2 A summary of the responses received along with the officer comments are set out below:

### **Character and appearance:**

- The construction is unsightly

*Officer response: It is considered that the proposal would not detract from the character and appearance of the property and the area.*

### **Health Hazard/noise pollution:**

- The proposed air conditioning units will pose a health hazard to the local area and create noise pollution

*Officer response: Environmental health officer has been consulted and has raised no objection to the proposal subject to condition*

### **Reduction in property prices:**

- The proposed development would reduce the value of nearby properties

*Officer response: The valuation of properties is not a planning consideration*

### **Conservation area and listed building:**

- The development should not be allowed as it is not suited for a conservation area or the listed building

*Officer response: Conservation officer has been consulted and has raised no objection to the development*

#### 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.

Conservation Officer	<i>No Objections</i>
CAAC	<i>This is a Grade II Listed Building so any pipework or ductwork should be run within the building rather than externally.</i>
Environmental Health	<i>Happy with the idea of an enclosure and a timer to be fitted so that the units shut off in the evenings throughout the night.</i>  <i>Want any noise from the units to be 10dB below background level.</i>  <i>With regards to Covid-19, the recommendation is that A/C units shouldn't be used at all unless it's the only form of ventilation, and then only if they have had regular maintenance and filter changes. Public Health should be able to provide you with more info and guidance around A/c units.</i>  <i>Officer response: See section 6.4 below.</i>

#### 5.0 **POLICIES**

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

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

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

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

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Character and Appearance of the Conservation Area and Listed Building
- Residential Amenity
- Environmental Health

### **6.2 Character and Appearance of the Conservation Area and Listed Building**

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.3B, 7.4B, 7.6B, 7.8C and 7.8D
- The Draft London Plan Intend to Publish Version (2019): D4, HC1
- Harrow Core Strategy (2012): CS1D
- Harrow Development Management Policies (2013): DM1 and DM7
- Harrow Residential Design Guide SPD (2010)
- Harrow on the Hill Conservation Area Character Appraisal and Management Strategy

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

6.2.3 The proposed air-conditioning units and associated enclosure would only be visible from the rear of the property, which is open to the car park of the neighbouring flats otherwise this would not be visible from the public domain and would therefore not have a degree of impact on the street scene.

- 6.2.4 It is noted that objections have been received stating the proposal would be out of character for the area and the property.
- 6.2.5 The development has a maximum height of 1.5m and located adjacent to boundary wall of No. 50, this would not exceed above the boundary wall, and while the proposal extends for 6.3m this would not project beyond the rear elevations of the flats located to the south. Having regard to the site constraints, the proposed height is considered to be acceptable.

#### *Significance of Listed Building*

- 6.2.6 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 6.2.7 The National Planning Policy Framework (NPPF) paragraph 190 states: 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.
- 6.2.8 Harrow Council's Heritage Officer has reviewed the plans and considers the proposal to be acceptable. Separate Listed Building Consent has been applied for under application P/2250/20. In paragraph 6.1 of the Committee Report for the requisite Listed Building Consent application the Council's Heritage Officer states:
- "The proposal would take the air conditioning units off the listed building that were installed without the required permissions. It would re-site them adjacent a curtilage listed wall but not attached to it. This would therefore not damage the listed wall and given scale and siting would appear neat and simple in appearance in keeping with its setting. It would still be attached to the principal listed building through the pipework. The amended proposal is for the cover to be of timber louvres which would be a traditional material."*
- 6.2.9 The Conservation Area Advisory Committee was also consulted on the plans and have confirmed the proposals would be considered acceptable in relation to the Harrow on the Hill Conservation area. The CAAC stated that any pipework or ductwork should be run within the building rather than externally for design.
- 6.2.10 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the main house, the street scene and would preserve the character and appearance of the conservation area. There, the proposal would meet with the relevant policies and guidance listed above.

### **6.3 Residential Amenity**

6.3.1 The relevant policies and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.6B
- The Draft London Plan (Intend to Publish Version) (2019): D1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1
- Harrow Residential Design Guide SPD (2010)

6.3.2 The proposed development would not project beyond the rear elevation of Chiltern House to the south and has a maximum height of approximately 1.5m

6.3.3 It is noted that objections have been received regarding the development being unsightly

6.3.4 The enclosure would be located behind the applicant property and away from any neighbouring windows. Additionally, the proposed development would only be visible from a small section of the car parking area of Chiltern house and would not project above the northern boundary wall.

6.3.5 In conclusion, the proposal would not give rise to any adverse impact in terms of loss of outlook, sunlight or loss of privacy to neighbours.

### **6.4 Environmental Health**

6.4.1 The relevant policies and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.12
- The Draft London Plan (Intend to Publish Version) (2019): D14
- Harrow Development Management Policies (2013): DM1

6.4.2 The proposed structure has been evaluated by the Harrow environmental health officers who have stated that the proposal would not be considered unacceptable subject to conditions requiring *“any noise from the units to be 10dB below background level”*. This is recommended in a suitably worded condition.

6.4.3 Additionally the EHO has advised that the air conditioning units should not be used unless it is the only suitable form of ventilation in light of the recent COVID19 pandemic and then only if they have had regular maintenance and filter changes based on public health guidance. This response is noted, however issues to do with health concerns relating to this fall firmly outside of the remit of planning legislation and therefore this is not a material planning consideration.

6.4.4 In conclusion the proposal would not give rise to any adverse environmental health concerns, subject to this condition.

## **7.0 CONCLUSIONS AND REASONS FOR APPROVAL**

- 7.1 The proposal would result in an acceptable impact on the visual amenities of the property and surrounding area, would preserve the character and appearance of the conservation area and would have an acceptable impact on the residential amenities of neighbours. As such, the proposal would accord with the NPPF (2019), Policies 7.4B, 7.6B, 7.8C and 7.8D of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version (2019), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM10 of the Harrow Development Management Policies Plan (2013), the Harrow Supplementary Planning Document: Residential Design Guide (2010) and the Harrow on the Hill Conservation Area Appraisal and Management Strategy.

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

### **CONDITIONS:**

#### 1. Timing

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

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

#### 2. Approved plans and documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents: L753-P(0)100; L753-P(0)001; L753-P(0)002; L753-P(0)101 REV 01; L753-P(0)200; L753-P(0)201 REV 01; L753-P(0)300 REV 01; Noise Impact Assessment Technical Report 33194-R1; Letter from agent dated 27th April 2020; Design and Access statement; Heritage statement;

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

#### 3. Noise

The level of noise emitted from any the proposed air conditioning units shall be lower than the existing background level by at least 10dB. Noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with the latest British Standard 4142. 'Method for rating industrial noise affecting mixed residential and industrial area.'

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents.



## **INFORMATIVES:**

1. The following policies are relevant to this decision:

### **The National Planning Policy Framework 2019**

### **The London Plan 2016**

7.4B, 7.6B, 7.8C, 7.8D

### **Draft London Plan Intend to Publish Version 2019**

D1, D4, D6, D14, HC1

### **The Harrow Core Strategy 2012**

CS1.B and CS1.D

### **Harrow Development Management Policies Local Plan 2013**

DM1, DM7, DM10

### **Relevant Supplementary Planning Document**

Supplementary Planning Document: Residential Design Guide (2010)

Harrow on the Hill Conservation Area Character Appraisal and Management Strategy

2. Considerate Contractor code of practice

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

3. Party Wall Act

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

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

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

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

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

5. Sustainable Urban Drainage

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

The applicant can contact Harrow Drainage Section for further information.

5. 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.

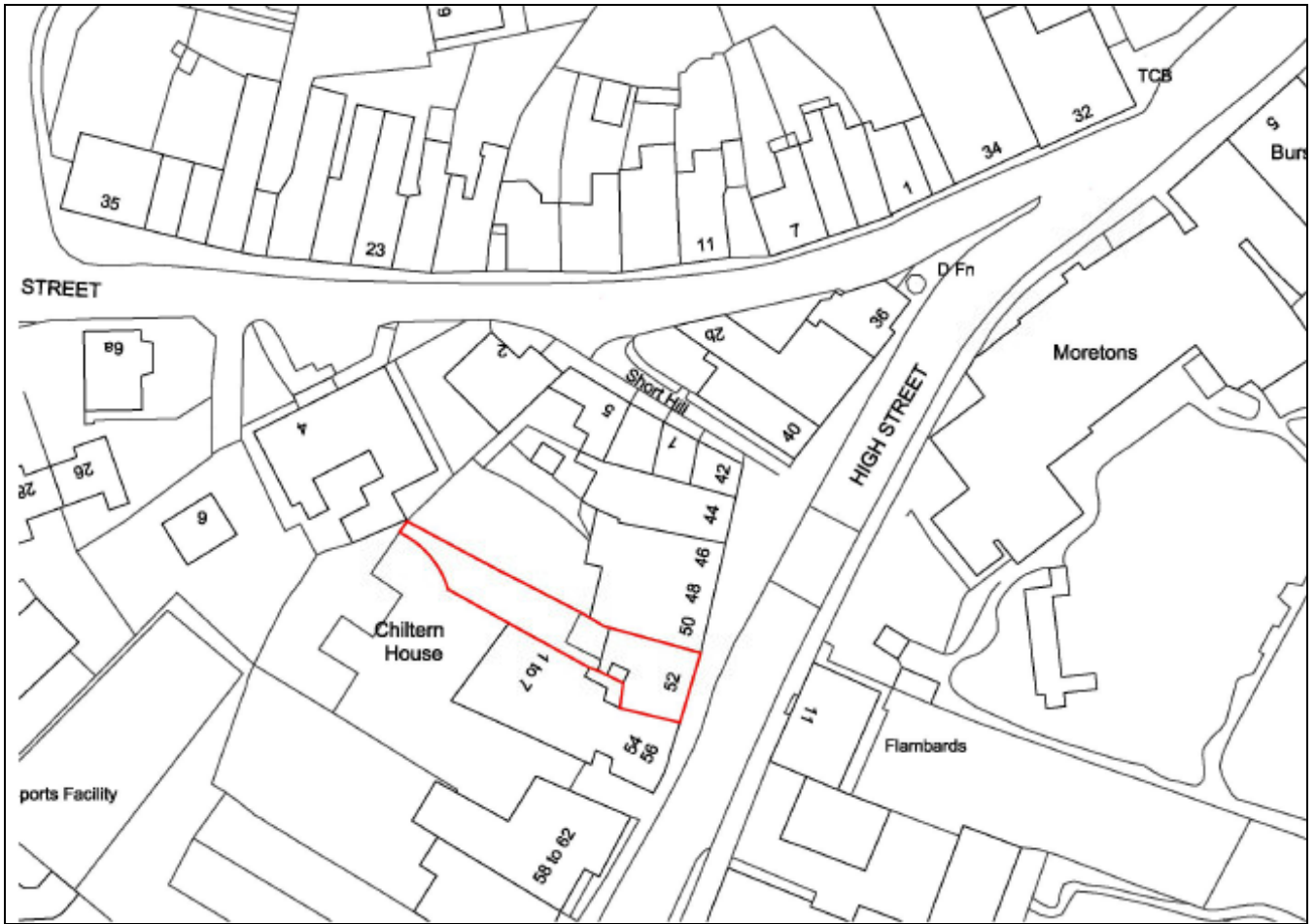
6. Air Conditioning Units

The applicant is advised the air conditioning units should only be used if there is no other form of ventilation for the property, and only if they have had regular maintenance and filter changes based on public health guidance in relation to the recent COVID19 pandemic. If you require further assistance regarding this matter please contact [environmental.health@harrow.gov.uk](mailto:environmental.health@harrow.gov.uk)

**CHECKED**

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

**APPENDIX 2: LOCATION PLAN**



**APPENDIX 3: SITE PHOTOGRAPHS**

**Figure 1 Existing Front elevation**



**Figure 2 Towards the rear elevation and rear extension**

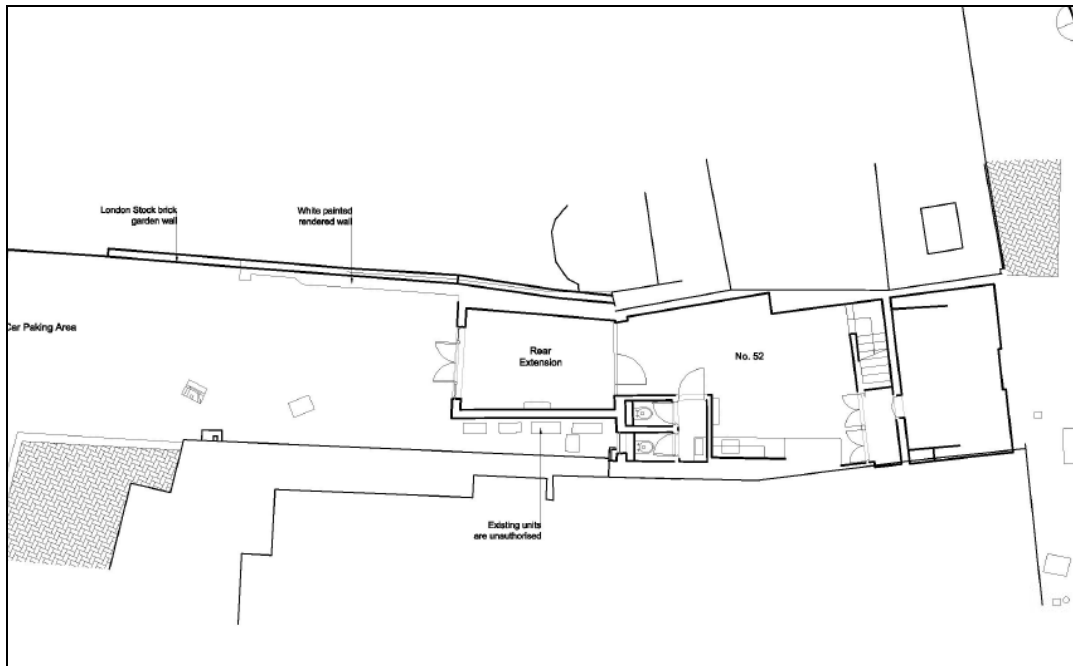


**Figure 3 Wall adjacent to No. 50 High Street**



# APPENDIX 4: PLANS AND ELEVATIONS

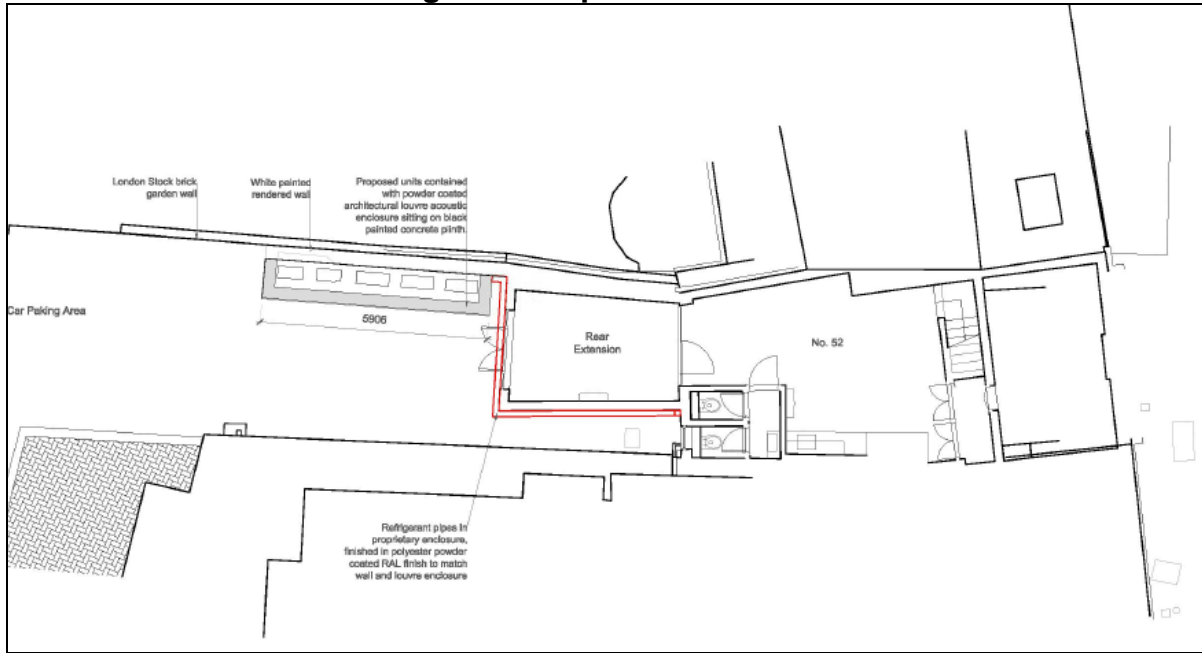
## Figure 4 Existing Site Plan



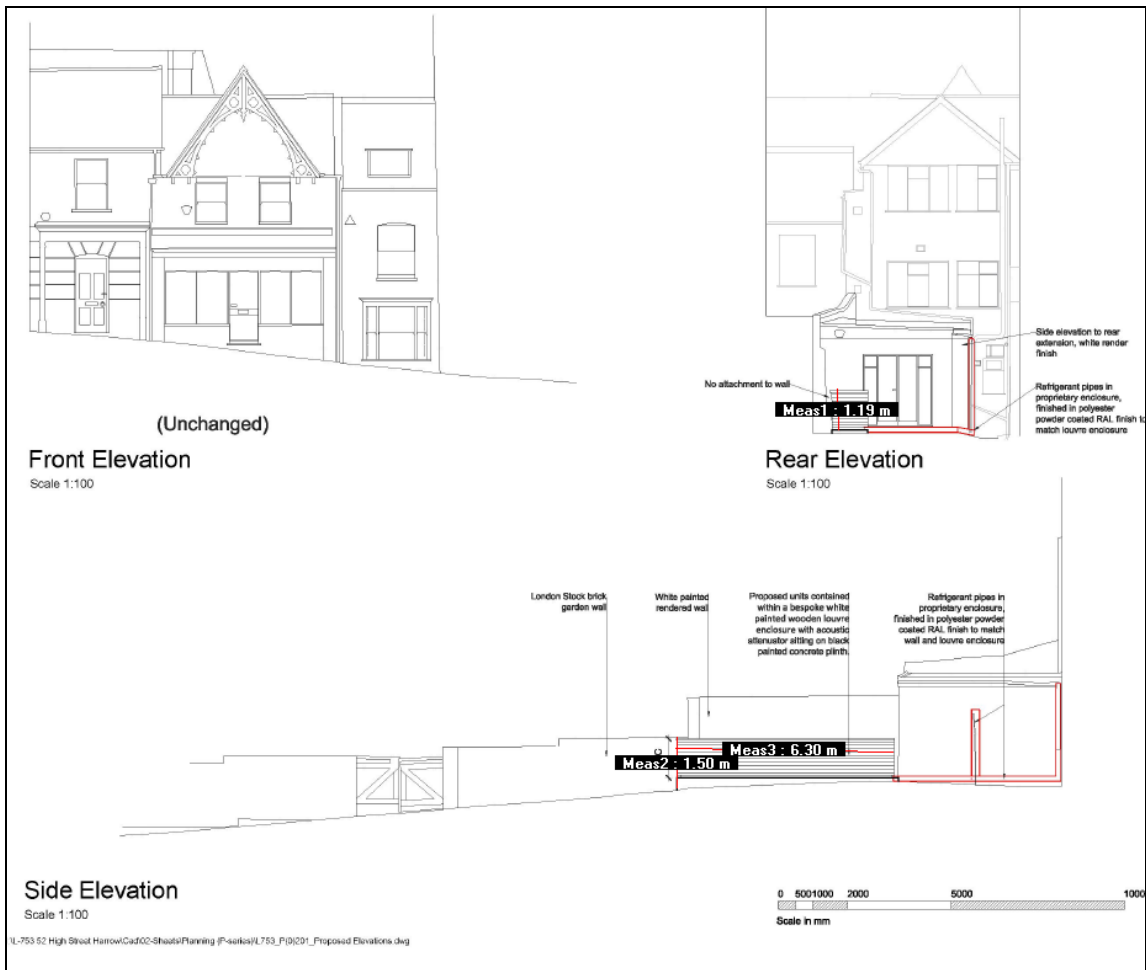
## Figure 5 Existing Elevations



**Figure 6 Proposed Site Plan**

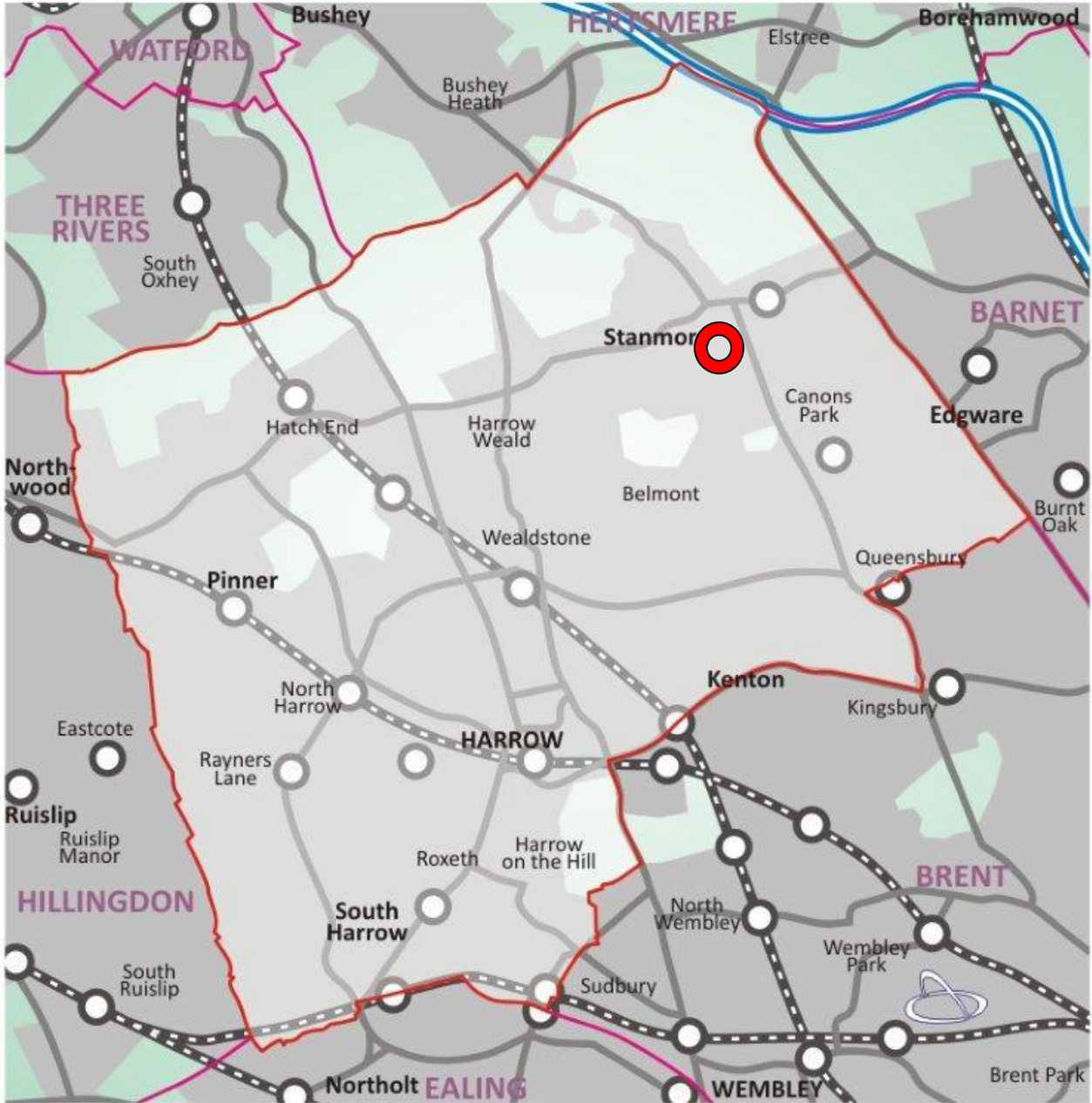


**Figure 7 Proposed Elevations**






 = application site




<b>STANMORE HOUSE 15- 19 CHURCH ROAD</b>	<b>P/2503/20</b>
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# STANMORE HOUSE 15- 19 CHURCH ROAD




 2nd Floor  
 15-19 Church Road  
 Stanmore  
 Gloucestershire GL8 4AB  
 T: 01286 4774  
 F: 01286 4775  
 E: info@jaspar.co.uk

  
 0 50m

Date	Description	Drawn

All drawings are made to be checked on site by the contractor and any responsibility of the planning and environmental authorities shall be the responsibility of the contractor.  
 The drawings are the property of the contractor and any use of the drawings for any other purpose without the written consent of the contractor is prohibited.  
 The contractor shall be responsible for the accuracy of the drawings and any errors shall be the responsibility of the contractor.

**PROJECT:**  
 STANMORE HOUSE,  
 15-19 Church Road,  
 Stanmore,  
 GL8 4AB

**DRAWING:**  
 Site Location Plan

DRAWN	CHECKED	DATE	STATUS	REVISION
PS	GDMS	09/05/20	ISSUED	

**SCALE:** DRAWING: 1:1250 @ A3  
**DATE:** 09/05/20

## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

18<sup>th</sup> November 2020

**APPLICATION NUMBER:** P/2503/20  
**VALID DATE:** 28<sup>th</sup> MAY 2020  
**LOCATION:** STANMORE HOUSE 15-19 CHURCH ROAD  
STANMORE  
**WARD:** STANMORE PARK  
**POSTCODE:** HA7 4AR  
**APPLICANT:** BENCAMERON LTD  
**AGENT:** JASPAR MANAGEMENT LTD  
**CASE OFFICER:** FAYE MCELWAIN  
**EXPIRY DATE:** 16<sup>th</sup> SEPTEMBER 2020  
(EXTENDED EXPIRY DATE 30<sup>TH</sup> NOVEMBER 2020)

#### PROPOSAL

Change of Use of First And Second Floor Offices To Eight Flats (2 X 2 Bed And 6 X 1 Bed); Bin Store

#### RECOMMENDATION A

The Planning Committee is asked to:

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:

#### Heads of Terms for the Legal Agreement

- i) Restriction of parking permits for future occupiers.
- ii) £1500 to amend the relevant traffic order
- iii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
- iv) Monitoring Officer's fees.

## **RECOMMENDATION B**

That if, by 18<sup>th</sup> February 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission for the following reason:

The proposed development, in the absence of a legal agreement to provide appropriate mitigation measures to ensure the development would not exacerbate on street parking as a result of the proposed development, would fail to comply with the requirements of policy 6.9 of The London Plan 2016, Policy T6 of the Draft London Plan Intend to Publish Version (2019), Policy DM42 and DM50 of the Harrow Development Management Policies Local Plan (2013), and policy CS1.R of the Harrow Core Strategy 2012.

## **REASON FOR THE RECOMMENDATION**

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

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

## **INFORMATION**

This application is reported to Planning Committee as the development would result in the conversion of a building resulting in more than six residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(18). Minor Development, All Other Development
Council Interest:	None
Floorspace proposed for change of use:	587 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£ 35,220
Local CIL requirement (provisional):	£ 93,108

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

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

## **1.0 SITE DESCRIPTION**

- 1.1. The subject property is a four storey building on north-west side of Church Road; within the Stanmore district centre and primary shopping area. The ground floor of the building comprises a secondary shopping frontage.
- 1.2. The ground floor of the building comprises of commercial premises under use Class E, in office use. The first and second floors are offices with existing residential flats on the third floor.
- 1.3. The pedestrian access to the upper floors is via a communal entrance from Church Road (with level threshold; an alleyway at the side of the building leads to a surface car park at rear with access from Ray Gardens. Within the building, access to the upper floors is by stairs and lifts
- 1.4. The site has a public transport accessibility level (PTAL) of 2.
- 1.5. The subject building is in the setting of the grade II listed Regents House which is directly adjacent to the building to the west. The list description for the listed building reads:  

‘Attributed to circa 1680; front circa 1780 small 2-storey house. Red brick. Two windows and 3-light sash windows with glazing bars (mid one blind). Central doorcase with broken pediment. Parapet hides irregular roofs, suggestive of successive building periods. Rear wing Victorian’
- 1.6. The site is within fluvial flood zone 1 and a critical drainage area.

## **2.0 PROPOSAL**

- 2.1 The application proposes to change the use of first and second floor offices to residential (Class C3) to provide 8 self-contained flats.
- 2.2 The housing mix for this proposal consists of 4 flats on the first floor and 4 flats on the second floor
- 2.3 The flats on the first floor consist of 1 x 2 bedroom 3 persons flats and 3 x 1 bedroom 2 persons flats.
- 2.4 The second floor flats would consist of 3 x 1 bedroom 2 persons flats and 1 x 2 bedroom 3 persons flat
- 2.5 External alterations include the removal of the rear fire exit stairs and a new façade upgrade to part of the rear elevation which consists of a graphite grey render.
- 2.6 Parking space for 11 cycles are proposed to the rear of the building  
One Blue Badge parking space is provided in the adjacent car park to the rear

### 3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
P/0506/14	Conversion of Offices (Class B1a) on the Third Floor to Three Self-Contained Flats (Class C3) (prior approval of transport & highways impacts of the development, and of contamination risks and flooding risks on the site)	Granted – 07/04/2014
P/3477/14	Erection of a third floor front extension and alterations to the windows in the third floor front elevation ( <i>under no. 15 Church Road</i> )	Refused – 08/01/2015
P/4351/16	Conversion of Offices (Class B1a) on the First and Second Floors to 8 Self-Contained Flats (Class C3) (Prior approval of transport & highways impacts of the development, contamination risks and flooding risks on the site, and impacts of noise from commercial premises on the intended occupiers of the development)	Refused – 27/10/2016 1.
<p><i>Reason for Refusal:</i></p> <p>1. <i>The proposal, by reason of the omission of parking provision for persons with disability, and in light of the fact that the street fronting the site is part of the Strategic Road Network, would fail to provide satisfactory accessible transportation and parking provision, and would be likely to result in detrimental highways and traffic impacts, and would therefore be contrary to Policy 6.13 (D) of The London Plan, and Policy DM42 of Harrow's Development Management Policies Local Plan (2013).</i></p>		

P/0379/18 -	Redevelopment to provide two storey building with accommodation in roof to create 8 flats; underground parking to accommodate 12 parking spaces; bin and cycle stores	Granted – 25/04/2018
P/1852/19/PRIOR	Change of use of first and second floor offices (Class B1A) to 4 self-contained flats (Class C3) Prior Approval of Transport & Highways Impacts Of The Development, Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development	Granted 17/06/2020
P/1853/19/PRIOR	Change Of Use Of First And Second Floor Offices (Class B1A) To 8 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises	Granted 17/06/2020

#### 4.0 CONSULTATION

- 4.1 A total of sixteen notifications were sent to neighbours of surrounding properties and a site notice was put on the site and a newspaper advert published advertising that the proposal would be within the setting of a listed building. The overall expiry date was 24<sup>th</sup> September 2020.
- 4.2 No objections were received in relation to the proposal.
- 4.3 Statutory and Non-Statutory Consultation
- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.



## Consultee and Summary of Comments

### LBH Drainage -

The information is satisfactory. No further comments.

LBH Highways – This isn't too dissimilar from the 2019 proposal and as such, unlikely to result in harm for the surrounding highway network.

Store for cycles would be needed.

A permit restriction should be secured by legal agreement to aid the car free intentions and to minimise on-street parking in this town centre location.

Highways have no objection.

LBH Conservation - The proposal would preserve the setting of the listed building. This is due to the reasonably minor and subtle nature of the proposal.

## 5.0 **POLICIES**

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

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

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

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

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

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

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

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Character and Appearance of the Area/Setting of Listed Building
- Residential Amenity
- Transport and Highways
- Development and Flood Risk
- Accessibility
- Conclusion

## **6.2 Principle of Development**

The relevant policies are:

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

6.2.1 The site has prior approval for the change of use of the first floor to eight flats and therefore the principle of residential development, and specifically for eight flats, on the site has been firmly established.

6.2.3 There would be no loss of retail as a result of the proposal. The proposed site is in a sustainable location and the conversion to flats would be acceptable in this area.

6.2.4 As such, the conversion of the property is considered to be acceptable in principle, in accordance with the relevant policies subject to acceptable details.

## **6.3 Character and Appearance of the Area/Setting of Listed Building**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- Policies 7.4B, 7.8 C and D of the London Plan (2016)
- CS1 of the Harrow Core Strategy (2014)
- Policies D1, D4 and HC1 of the Draft London Plan Intend to Publish (2019).
- Policies DM1 and DM7 of the Development Management Local Plan (2013).

6.3.2 The proposal is in the setting of the grade II listed Regents House. It is not proposed to alter the appearance of the front elevation. The removal of the rear stairs and the changes to the material on part of the rear façade are considered to be minimal and to not considerably effect the character of the building, the surrounding area or the setting of the listed building. Therefore, the proposal would preserve the setting of the listed building in accordance with the provisions of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990

6.3.3 There is no objection from the Council's conservation officer regarding the proposed external changes and there would not be a significant impact on the setting of the listed building.

6.3.4 Therefore in respect of character and design the scheme complies with the relevant policies

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- Policy 7.6B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2014)
- Policies DM1, DM26 and DM27 of the Development Managements Local Plan (2013).

### Residential Amenity of Neighbouring Occupiers

6.4.2 The office block the subject of this application is situated within a district centre where there are commercial premises present including shops, restaurants, pubs and community/educational uses. Church Road is part of the strategic road network and is a therefore busy roadway.

6.4.3 A Noise Survey and Report dated March 2019 has been submitted as part of this application and had previously been reviewed by Harrow Environmental Health officers. The report includes specifications for proposed types of glazing, which are considered suitable and would help mitigate noise, however it is considered necessary to include mechanical ventilation (MVHR) to avoid the benefit provided by the windows being negated by the need to keep them open for ventilation purposes. A condition requiring a noise insulation plan for the dwellings, demonstrating compliance with the standards required by the noise assessment, to be submitted to and agreed by the local planning authority before developments

commences, is recommended in order to ensure there wouldn't be a negative impact on amenity.

- 6.4.4 Subject to such a condition, the proposal would be considered acceptable in terms of noise impacts in accordance with the relevant policies.

#### Residential Amenity of Future Occupiers

- 6.4.5 All of the proposed flats exceed the minimum floor space as set out in the London plan and are acceptable in this regard. All the main habitable rooms have an outlook either to the front or to the rear of the building which is appropriate in terms of outlook and light availability.
- 6.4.6 All the flats have a floor to ceiling height of 2.5m which is sufficient and in accordance with the guidance set out in the London Plan to ensure suitable ventilation and avoids over-cramped accommodation.
- 6.4.7 No amenity space is provided for the flats. Although the London Plan specifies that 5sqm is required, given that prior approval has been granted for eight flats without any amenity space provided and the location and nature of the units proposed.
- 6.4.8 The bedrooms and living areas are generally aligned above one another. Building regulations would require appropriate acoustic treatment to reduce the transmission of noise therefore the stacking is considered to be acceptable.

### **6.5 Highways and Parking**

- 6.5.1 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 Intend to Publish (2019)
- Policy CS1 R of the Harrow CS (2012)
- Policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

- 6.5.2 Other than one blue badge parking space at the rear, no parking is proposed with the development. Although the site's PTAL rating is somewhat low at 2, the site is located in the Stanmore district centre and is located close to London Underground services and bus services. It therefore benefits from access to local services and shopping and public transportation. Both TfL and Harrow's Highway Authority have supported the principle of a car-free development on this site which led to the prior approval applications being granted on the site.

- 6.5.3 In order to support car-free development, the Highways Authority has recommended that the site should be permit restricted via legal agreement. This has been outlined in the Heads of Terms.

- 6.5.4 The accompanying documentation shows or states that 13 secure cycle spaces would be provided requiring secure cycle storage within the rear car park which is appropriate provision to serve the development. Full details of the refuse and cycle storage have been secured by way of condition.
- 6.5.5 Subject to the above conditions it is considered that the proposal complies with the relevant policies in regard to transport and highways.

## **6.6 Development and Flooding**

- 6.6.1 A Flood Risk Assessment (FRA) has been submitted with the application. The FRA concludes that the building is within flood zone 1 and that no mitigation measures are therefore required.
- 6.6.2 The Council's drainage engineer has assessed the FRA and it is considered that flooding risks at the site are acceptable. Standard informatives regarding surface water and foul water details have been attached.

## **6.7 Accessibility**

- 6.7.1 The relevant policies are:
- Policies 3.5 and 3.8 of the London Plan (2016)
  - Policy DM2 of the Harrow Development Management Local Plan (2013) and
  - Policy CS1 K of the Core Strategy (2012).
- 6.7.2 It is acknowledged that as the flats are at the upper the upper floors the flats may not be accessible to all and that this is not always possible for converted buildings. A condition of approval will ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers, given the constraints of the site.
- 6.7.3 Accordingly, subject to compliance with this condition, it is considered that the proposed accommodation would be satisfactory and as such would comply with the relevant policies.

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

- 7.1 The proposed development does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan (2016) and policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

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

### **Conditions**

#### 1. Timing

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

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

#### 2. Approved Drawing and Documents

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

JM 029 PL 0001; JM 029 PL 0002; JM 029 PL 0100; JM 029 PL 0101; JM 029 PL 0102; JM 029 PL 0102; JM 029 PL 0104; JM 029 PL 0200 (Existing); JM 029 PL 0200 (Proposed); JM 029 PL 0300; JM 029 PL 1100; JM 029 PL 1101; JM 029 PL 1102; JM 029 PL 1103; JM 029 PL 0300; JM 029 PL 1300  
Environmental Noise Survey and Noise Impact Assessment Report March 2019; Design and Access Statement Version 01; Planning Statement July 2020; Flood Risk Report (HLEF 77509/001R; Transport Report Note July 2020; Site Environmental Risk Assessment March 2019.

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

#### 3. Materials

The development hereby permitted shall not be occupied until samples of the material to be used on the external surface of the rear elevation have been submitted to, and approved in writing by, the local planning authority:

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

#### 4. Refuse storage

Prior to the first occupation of the development hereby approved, details of the refuse storage to serve the flats shall be submitted to, and approved in writing by, the local planning authority. The refuse storage shall be carried out in accordance with the approved details prior to the occupation of the flats and shall thereafter be retained.

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

5. Accessibility

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

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

6. Change of Use

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

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

7. Cycle Parking Details

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

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport.

8. Noise Requirements

The flats hereby approved shall not be first occupied until a noise insulation plan for the dwellings (including building, glazing and means of ventilation) demonstrating compliance with the standards required by the noise assessment, has been submitted to, and agreed in writing by, the local planning authority.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents.

9. Construction Logistics Plan

Works pursuant to implementing the conversion to flats hereby approved shall not commence until a Construction Logistics Plan has been submitted to, and agreed in writing by, the local planning authority. The CLP should include information regarding the construction of the proposed development, including how construction materials and plant will be delivered to the site, how they will be stored and what measures will be put in place to mitigate the impact of the proposed development's construction on the local road network. The works shall be carried out in accordance with the Plan so agreed, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To accommodate the efficient delivery of goods and supplies and to ensure that the development does not adversely affect the free flow and safety of traffic on the transport network. To ensure that measures are agreed and in place to manage the transport impacts during the construction phase of the development, this condition is a PRE-COMMENCEMENT condition.

10. 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 to be agreed in writing, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented 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. The following policies are relevant to this decision:

**National Planning Policy Framework (2019)**

**The London Plan (2016):**

3.3 Increasing Housing Supply

3.5C: Quality and design of housing developments

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.3B Designing out crime

7.4B Local character

7.6B Architecture

7.8C Heritage Assets and Archaeology

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

D1 London's form, characteristic and capacity for growth

D3 Optimising site capacity by the design led approach

D4 Delivering Good Design

T5 Cycling



T6 Car parking  
HC1 Heritage Conservation and Growth

**Harrow Core Strategy (2012):**

Core policy CS1.B

Core policy CS1.D

Core Policy CS1 K

Core policy CS1.W

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

DM1: Achieving a High Standard of Development

DM2: Achieving Lifetime Neighbourhoods

DM7: Heritage Assets

DM10: On Site Water Management and Surface Water Attenuation

DM 24: Housing Mix

DM 26 Conversion of Houses and Other Residential Premises

DM27: Amenity space

DM 42: Parking Standards

DM45: Waste Management

**Supplementary Planning Documents:**

Supplementary Planning Document Residential Design Guide (2010)

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

Mayor of London Housing SPG (2016)

2 Pre-application engagement

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

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

3 Mayoral CIL

INFORMATIVE: Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £35,220

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 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 £93,108

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.

#### 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 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.

## 9 Street Numbering

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

All new developments, subdivision 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)

## 12 Surface Water Drainage

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

## 13 Sustainable Drainage Systems

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

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

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

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

where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information

14. Designing Out Crime

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

Checked

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

# APPENDIX 2 SITE PLAN



1 SITE LOCATION PLAN  
1:1250 @ A3

**JASPAR**  
 2nd Floor  
 15, 19 Church Road  
 Stanmore House  
 Wokingham RG40 3AB  
 T: 01256 45722  
 F: 01256 45723  
 E: info@jaspargroup.co.uk

0 50m

No.	Description	Date

All drawings are made to the scale of 1:1250 unless otherwise stated. The drawings are intended for use as a guide only and are not to be used for construction purposes. The drawings are the property of JASPAR and shall remain the property of JASPAR. No part of the drawings shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of JASPAR.

**PROJECT:**  
 STANMORE HOUSE  
 15-19 Church Road,  
 Wokingham,  
 RG40 3AB

**DRAWING:**  
 15-19 Church Road Plan

DATE	NO.	DATE	STATUS	REVISION

**SCALE:** DRAWING: 1:1250 @ A3  
 ARCH: PL 1001

## APPENDIX 3: PHOTOGRAPHS



Front Elevation



Relationship with listed building



Rear elevation

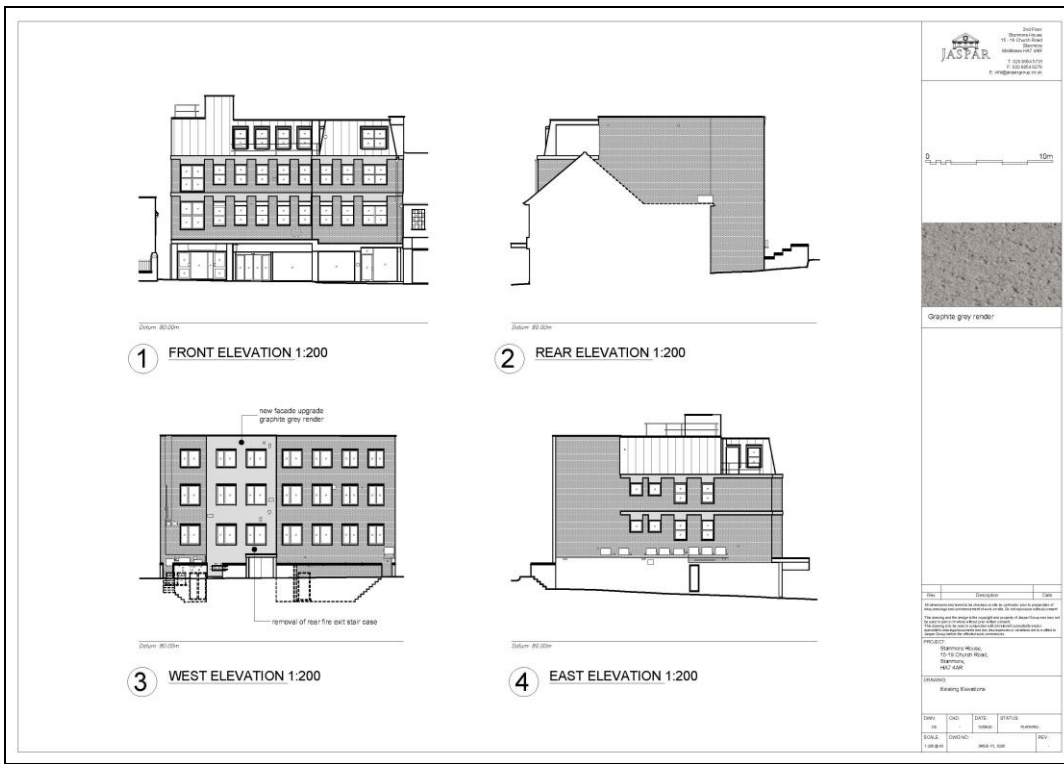




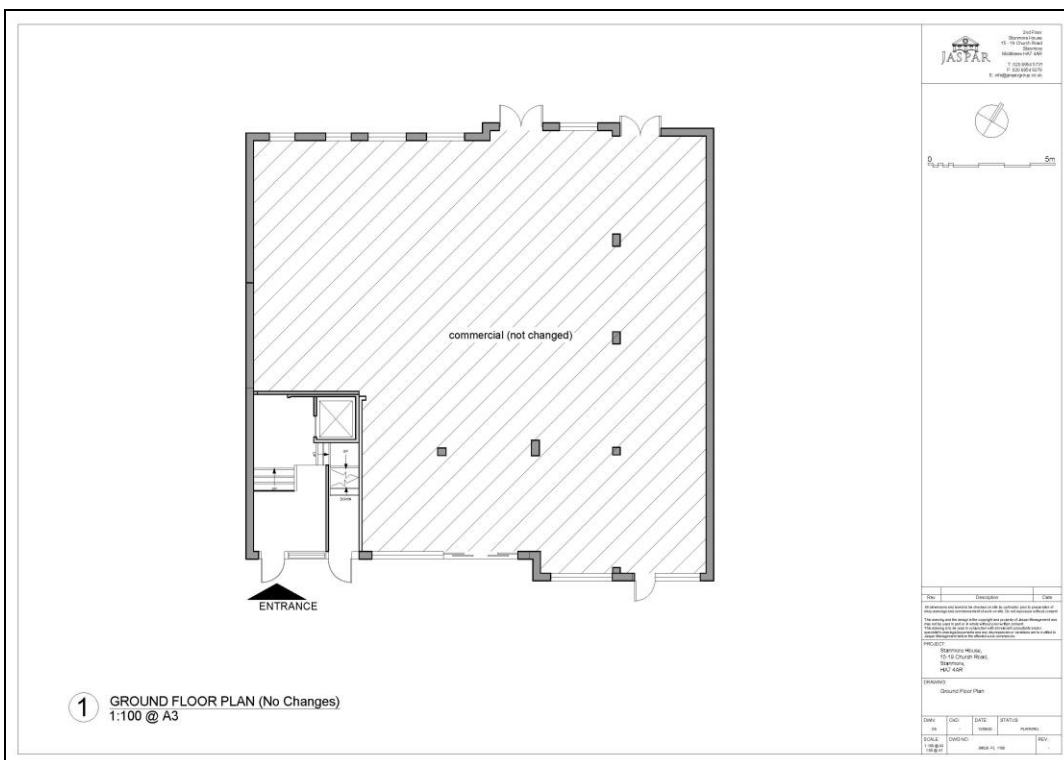


Rear elevation

# APPENDIX 4 – PLANS



## Proposed Elevations



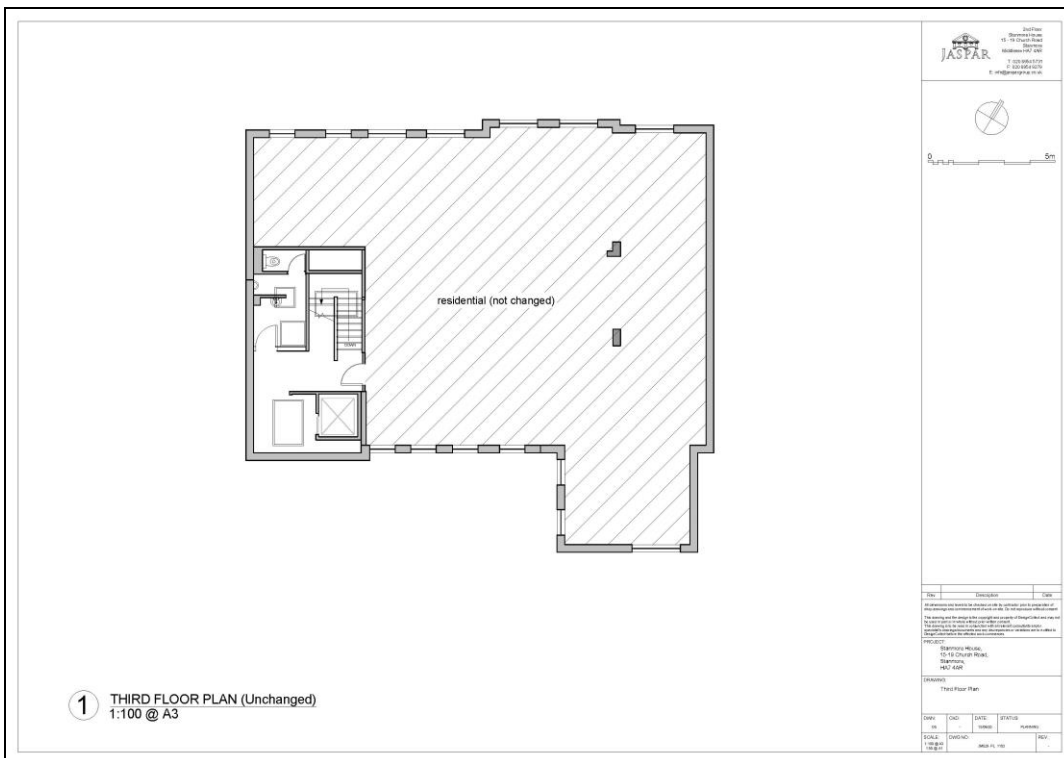
## Proposed Ground Floor



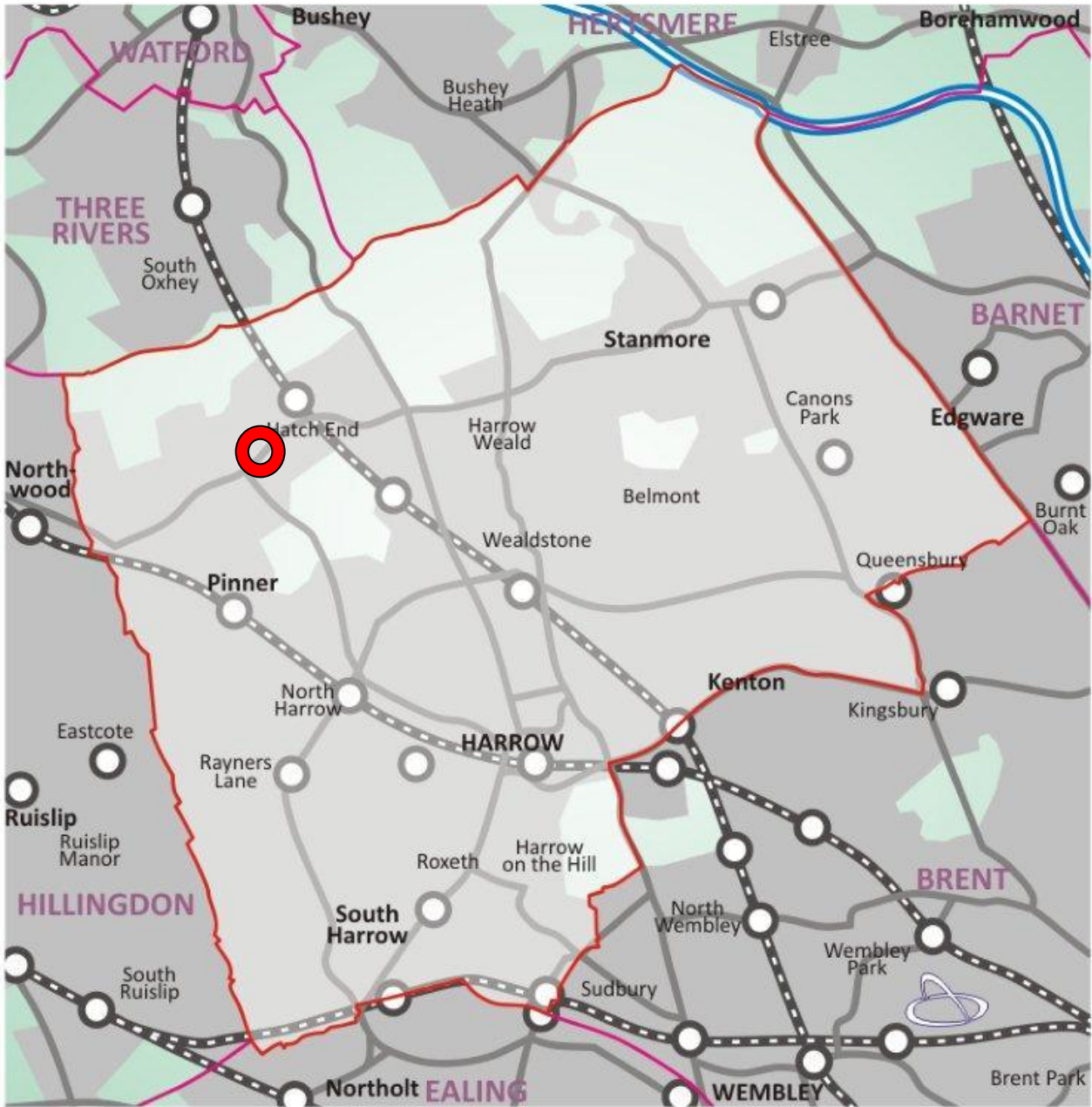
## Proposed First Floor



## Proposed Second Floor



 = application site



<b>2A TOWERS ROAD, PINNER, HA5 4SJ</b>	<b>P/2063/20</b>
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# 2A TOWERS ROAD



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**18<sup>th</sup> November 2020**

**APPLICATION NUMBER:** P/2063/20  
**VALID DATE:** 18<sup>TH</sup> JUNE 2020  
**LOCATION:** 2A TOWERS ROAD  
**WARD:** HATCH END  
**POSTCODE:** HA5 4SJ  
**APPLICANT:** MR S HUSSAIN  
**AGENT:** ROBINSON ESCOTT PLANNING  
**CASE OFFICER:** SHAMAL LONDON  
**EXPIRY DATE:** 13<sup>th</sup> AUGUST 2020  
**EXTENSION OF TIME:** 19<sup>TH</sup> NOVEMBER 2020

**PROPOSAL**

Redevelopment To Provide One Pair Of Two Storey Semi Detached Dwellings With Habitable Roofspaces (2 X 5 Bed); Parking; Bin And Cycle Stores; Separate Amenity Space (Demolition Of Existing Dwelling)

**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 principle of development is considered acceptable. The proposal would support the spatial strategy of the borough by contributing to the housing stock and the development would have an acceptable impact upon the character and appearance of the area and the residential amenities of surrounding neighbouring properties. 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:	(E)13 Minor Development
Council Interest:	None
Net Additional Floorspace:	270.15sqm
GLA	Community
Infrastructure Levy (CIL):	£16,209
Local CIL requirement:	£32,812.56

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

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



## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises of a detached dwellinghouse, located on the eastern side of Towers Road.
- 1.2 The area is made of a varied character and appearance of dwellings set back from Towers Road. The dwelling is served by a generous rear garden.
- 1.3 The host dwelling features a single storey side extension and an attached garage located along the southern flank. There is an opening at first floor and a grass verge to the front which partly buffers the dwelling from the streetscene.
- 1.4 Neighbouring dwelling to the north no. 2 Towers Road is a detached dwelling it has been extended by way of a two-storey rear extension.
- 1.5 Neighbouring to the south are Nos. 502-498 which front Uxbridge Road. Neighbouring to the rear is No. 496 Uxbridge Road.
- 1.7 The subject property is located within a critical drainage area and is not located within a Conservation Area.
- 1.8 The application site has a low PTAL rating of 1B with 6B being the best and 1a being the lowest.

## **2.0 PROPOSAL**

- 2.1 Planning application is sought for the redevelopment of the existing detached family dwellinghouse to provide a pair of two storey semi-detached dwellings with habitable roof space. Both dwellings would have five bedrooms each. Plot 1 would include an integral garage and parking would be provided on the forecourt for up to 2 cars per dwelling. Bins and cycle storage and sperate amenity space to the rear.
- 2.2 The proposed replacement pair of dwellings would occupy a slightly larger footprint in comparison to the existing. The pair of semis would appear as one detached dwellinghouse which is considered to be a key feature within the streetscene. Both dwellings would have a width of 7 metres at first and ground floor.
- 2.3 Plot number 2 would have an exposed wall of 2 metres to the rear as it would sit deeper within its plot in comparison to plot number 1.
- 2.4 The proposal has been revised during the course of the application for the door to be removed from the flank elevation and repositioned along the front elevation. Also for the internal configuration be altered for better outlook to the master bedrooms.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 A summary of planning history is set out below:

Ref no.	Description	Status & date of decision
HAR/1805/A	ERECTION OF DETACHED HOUSE AND GARAGE	Grant 12/06/1965
LBH/25228	SINGLE STOREY FRONT EXTENSION	Grant 13/04/1984

### 4.0 **CONSULTATION**

4.1 A total of 6 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 29th July 2020. Following the revisions to the scheme further consultation letters were sent and this re-consultation period expired on 8th October 2020.

4.2 Sixteen objections were received from the public consultation in total.

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

#### **Character and Appearance and Residential Amenity Impact**

- Development will affect the look of the road this is one of the finer roads in Harrow.
- Development is not sympathetic to the character nor appearance of the area. NPPF states development would be refused if impact to the highways would be unacceptable in regard of safety. Having two dwellings will be dangerous as the plot sits close to a bend. Danger will be higher at demolition and construction stage.
- Two semi's would be out of keeping with wider appearance of detached.
- From the look of the plans this will most likely be an HMO. This would set an unwanted precedent within the street.
- The precedent will lead more people to do the same and ruin the appearance and character of the area.
- Introducing flats would reduce the value of the properties within the area.
- Overdevelopment of the site.
- Residents will lose the privilege of living on a road with only detached dwellings.

#### *Officer response:*

*These comments have been addressed within section 6.3 and 6.4 of the officer's report.*

*It is noted the area is predominantly occupied by detached dwellings, while the proposal is for two semis, from the streetscene the dwellings would read as a single detached property. Furthermore, the scheme has been designed to mimic the appearance of a detached dwelling as such adheres to the grain of development within the area.*

*In regard to the development setting a precedent for future residents to do the same, each application is assessed on its own merit and as such the LPA does not consider there to be a precedent in planning.*

*It is noted that reference has been made about the development being used as an HMO. The applicant has made an application for two semi detached dwellings as such the LPA has applied the test to the character and appearance and the principle of development accordingly. It is also considered appropriate to restrict permitted development allowing the change of use from a dwellinghouse use class C3 to a HMO (use class C4) to overcome this concern.*

*The LPA acknowledges it is likely that up to a maximum of 18 people would occupy the two dwellings. Whilst this would substantially increase the number of occupiers from the existing level, it is considered that the number of bedrooms proposed, and the number of occupiers would be generally similar with other two storey dwellings in the locality. This would equate to 9 individuals per dwelling which is acceptable. On this basis, it is considered that the proposal would have no adverse impact upon the amenities of neighbouring occupiers in terms of noise and disturbance.*

#### **Traffic and Parking**

- Reduction in off-street parking area the council has limited the number of parking in area this will result in parking overspill in Towers Road.
- Development will lead to large lorries being parked during the works.
- Parking issues would be exacerbated as 502 rents out rooms.
- Development will result in 20 individuals with cars and bikes Towers road is already used as a cut through.
- Safety concern, there would be insufficient space to do a three-point Turn to the front of this property.
- There are old people and people walking pets along the street this would rise safety concerns. How can the council guarantee that the applicant would not operate vehicles out in forward gear. There has been issues for years with a lack of parking for applicants along Towers Road and not being able to park our own cars.

*Officer response:*

*These comments have been addressed within section 6.4 of the officer's report.*

*In regard to the level of Heavy Trucks the Highways Officer did not raise any concerns in regard to this as it would not result in a level of detriment to the highway. The safety of the development in regard to the Highway has been adequately assessed under section 6.5 of the officer's report.*

*Furthermore, the number of car parking spaces provided are sufficient and have adhered to the recommendation of Regional Planning Policy (The London Plan 2016). The development would in fact result in an over provision of car parking*

*spaces of the Intend to Publish (ITP) London Plan (2019) notes a total of 1.5 parking spaces should be provided in area of this PTAL rating. The development would provide a total of 2 car parking spaces per dwelling.*

4.4 Statutory and non-statutory consultation

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

Consultee and Summary of Comments
<p><u>Landscape Architect</u></p> <p>If you are minded to approve this application <u>the following hard and soft landscape conditions would be required:</u></p> <ol style="list-style-type: none"><li>1. Landscaping to be Approved. A landscape masterplan, hard and soft landscape details Soft landscape works to include:<ul style="list-style-type: none"><li>- Planting plans (at a scale not less than 1:100)</li><li>- Schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities</li><li>- Written specification of planting and cultivation works to be undertaken</li><li>- A landscape implementation programme</li></ul></li><li>2. Boundary Treatment</li><li>3. Levels</li><li>4. Landscaping Scheme – Proposed implementation and implementation programme, including a period of 5 year period for replacements of soft landscape</li><li>5. Secure and screened bin and bike storage.</li></ol> <p><u>Highways</u> The proposal doesn't present any highways concerns however, parking numbers should be reduced; the Intend to Publish London Plan allows up to 1.5 spaces per dwelling in this PTAL 1b location – two spaces for each house would be acceptable considering the high car ownership levels in Hatch End and the large family homes proposed.</p> <p>Able to identify cycle parking for only one of the houses; a minimum of two spaces for each must be provided.</p> <p><u>Drainage</u> No objection subject to conditions</p>

Hatch End Association

No comments received

Waste Management

No objection

Historic England

No objection raised

## **5.0 POLICIES**

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

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

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

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

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

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

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity
- Traffic, Parking and Drainage
- Arboricultural Impact

### **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
- The Intend to Publish London Plan (2019): H1
- Harrow Development Management Policies (2013): DM1
- Harrow's Core Strategy 2012: CS1

6.2.2 National Planning Policy Framework (2019), The London Plan (2016), Intend to Publish London Plan (2019) The Harrow Core Strategy (2012) and the Development Management Policies Local Plan (2013) all seek to increase housing supply locally, regionally and nationally, and promote the provision of high quality mix of housing. Policy 3.8 of The London Plan (2016) encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. This policy requires consideration to be given to the accessibility of the site to services and amenities.

6.2.3 Policy CS1.A of Harrow's Core Strategy (2012) undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites. Policy CS1.B of the Core Strategy resists development on garden sites, recognising the propensity for such proposals to lead to unmanaged, incremental growth that undermines the spatial strategy. It also resists proposals that would harm the character of suburban areas.

6.2.4 The Council has developed Supplementary Planning Document (SPD): Garden Land development, which was subject to public consultation and adopted on 11 April (2013). Paragraph 3.1 of the Garden Land Development SPD (2013) provides definition of what is garden land development:

- a. gardens of houses;
- b. gardens of properties converted to flats and purpose-built maisonettes;
- c. communal gardens to blocks of flats;
- d. communal or 'open plan' garden areas serving multiple dwellings;
- e. any land that formed part of a garden but which has been legally and/or physically severed from the donor property(ies); and
- f. land functionally related to a residential garden (or gardens) and used solely to provide residential amenity but not forming the curtilage of the dwellinghouse.

6.2.5 The Garden Land SPD provides clarity at paragraph 3.1 on 'what is garden land' and in the context of this application, confirms that 'garden land' includes "gardens of houses". However, it recognises that it would be perverse to ignore the appropriate enlargement potential of dwellings. To address this matter, the SPD allows for any enlargement in footprint that is equivalent to whichever is the larger of either:

- the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or
- the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.

6.2.6 The proposal would replace an existing dwellinghouse with a marginally greater footprint. The existing dwelling has a ground floor footprint measuring approximately 70 sqm, and could be extended with a full width, 4.0m deep extension and a side extension under Permitted Development. Further to this the footprint for a side to rear infill extension has been accounted for, as it could potentially be granted under planning permission subject to the consideration of prevailing site circumstances and relevant development plan policies and guidance at the time of submission. The existing footprint in conjunction with the footprint of extensions that could be given planning permission would amount to 150sqm. The scheme proposes the addition of two dwellings each measuring approximately 79.50sqm resulting in an additional footprint of approximately 159sqm. It is acknowledged the additional footprint would exceed 'over and above' that which would be granted planning permission by approximately 9sqm, however in this instance the Local Planning Authority would not deem this minimal additional footprint to warrant refusal or an in principle objection in regard to garden land development as it would not result in an unacceptable loss of green open garden space.

6.2.7 In this instance, the demolition of the existing dwelling and the provision of two dwellings on the site is therefore acceptable in principle.

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

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B, 7.6B
- The Intend to Publish London Plan (2019): D1, D4
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM1, DM22, DM23, DM45

6.3.2 Policy DM1 of the DMP gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted. The Council has adopted a Supplementary Planning

Document (SPD) on Residential Design (2010), which gives design guidance. Substantial weight is accorded to the SPD as a material planning consideration.

- 6.3.3 The proposal would replace an existing dwellinghouse, albeit with a slightly greater footprint. It is acknowledged that the area is predominantly characterised by detached dwellings with driveways. As such in order to remain in line with the character and appearance of the area it is noted the applicant has ensured the appearance of the semi-detached pairs would appear as a single detached dwelling with a shared forecourt. Thus, the appearance would be in keeping with the grain and common pattern of development within the locality. While the two dwellings would function as a pair of semi-detached dwellings its impact on the streetscape would be acceptable. The LPA acknowledged this was a concern as stated in the objections received, however for the reasons outline within the this section and the body of the report it is not considered that the development would result in undue unacceptable detriment to the character and appearance of the area.
- 6.3.4. The proposed dwellings would exhibit an asymmetrical form, with a gable frontage and hipped roofs. The facades would comprise of a traditional simplified palette of materials made up of brick and render with contemporary cladding in the centre of the building. This is considered to relate positively to the suburban grain of the surrounding area. The two units would have a modern plan layout on the ground floor with five bedrooms one of which would be located within the roof served by rear dormers. The dormer windows located have been designed to ensure the properties appear as two storey units when viewed from the public realm. The installation of the two rear dormer windows within the rear roofslope would be visually contained within its roofslope adhering to paragraph 6.70 of the Residential Design Guide (2010). The front door to Plot 1 has since been revised, relocated from the side to be placed along the front elevation of that dwelling, but positioned on the flank wall of the porch to this dwelling so as to maintain an appearance of a single entrance from the streetscene.
- 6.3.5 It is noted the that the dwellings would be larger in footprint than the existing dwellinghouse thus the additional footprint would reduce the available amenity for each dwelling. The extension to the roof is restricted as the development would already consist a deep and wide roof form as such any further extension to the roof could give rise unacceptable impacts on the character of the area and the approved dwellings. Considering this, a condition is attached to remove permitted development rights therefore restricting the amount of site coverage and size of dwelling in relation to the size of the plot in aid of safeguarding the character of the area.

### Refuse

- 6.3.6 The submitted site block plan shows a refuse bin storage area within the rear garden of each respective unit; two refuse bins are illustrated for each dwelling. The Council's policy would require three bins per dwelling in this type of development. Notwithstanding this, it is considered that acceptable refuse storage provision can be achieved. The bin storage should be secure and screened with hard surface to access. A condition has been attached for this revised information to be provided prior to occupation.



## Landscaping

- 6.3.7 As per DMP Policy DM23 the provision of substantial hard surfacing of forecourts and front gardens should respect the character of the area where appropriate and incorporate a scheme of soft landscaping. The applicant proposes insufficient soft landscaping along the frontages of Plots 1 and 2, the space is dominated by hard surfacing and carparking spaces, which would be out of keeping with the character of the area. Considering this, the subject site should be revised to be softened with greenery, including a defensible space in front adjacent to the buildings and much wider expanses of soft landscape, to provide acceptable street scene impact which would enhance the biodiversity of the area.
- 6.3.8 Following a review by the Landscape Architect, a condition has been attached for further information to be secured by way of condition to ensure an appropriate setting for the development.
- 6.3.9 In summary, the proposal layout would meet the requirements for good quality living standards for the future occupiers, subject to conditions the proposal is therefore considered to have an acceptable impact on the character and appearance of the main house and the street scene and would meet with the design aspirations of the NPPF (2019), Policies 7.4B and 7.6B of the London Plan (2016), and Policies D1 and D4 of the Draft London Plan Intend to Publish Version (2019).

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.6B
- The Intend to Publish London Plan (2019): D6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents:

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

## Neighbouring Residents

### Impact on No. 2

- 6.4.2 The scale and layout of the proposed dwellinghouses are considered to have an acceptable relationship with this adjoining neighbour, in terms of light, outlook and overshadowing. Plot 1 would be the closest dwelling to this neighbour. This dwelling proposes additional windows to the ground and first floor flank. Measured from the plans submitted plot 1 would be located approximately 7 metres from this neighbouring dwelling and separated by a garage located along the shared flank. All proposed windows along the ground floor flank would be buffered from view by this neighbouring garage. The first-floor windows along the flank would be located along the mid-point of this plot and would serve a bathroom and bedroom. The

bathroom window is annotated to be obscure glazed and would serve a non-habitable room. The second window would be a secondary window to serve bedroom 2 and is also shown to be obscure glazed. Furthermore, the windows would be sited approximately 7 metres from the flank wall of No.2. Considering these points, the windows are not proposed to result in any unacceptable impact on the residential amenity of No. 2. Moreover, windows located along the flank would be subject to a condition ensuring they were obscure glazed and non-opening.

6.4.3 This neighbouring dwelling is orientated at an angled nature to the host dwelling and is sited further within its plot in comparison to the host plot. As such, the proposed would not interrupt the 45-degree code from the rear wall of this neighbouring dwelling.

6.4.3 Considering the above and subject to conditions, the development would not harm the living conditions at this property in terms of loss of light, outlook and sense of enclosure.

#### Impact on Nos. 496-502 Uxbridge Road

6.4.4 The proposal would be approximately 20m from the rear elevations of these neighbouring dwellings. It is considered that at such a distance, the proposal would not harm living conditions at these properties in terms of loss of light, outlook, nor give rise to a sense of enclosure. The windows located along the flank of plot 2 would be in the direction of these neighbouring dwellings, however at this distance they would not result in unacceptable detriment to their residential amenities. Further these windows located along the flank would be subject to a condition ensuring they were obscure glazed and non-opening.

6.4.5 It is acknowledged that it is likely that up to a maximum of 18 people would occupy the two dwellings, 9 occupants each. Whilst this would substantially increase the number of occupiers from the existing level, it is considered that the number of bedrooms proposed, and the number of occupiers would be generally similar with other two storey dwellings in the locality. On this basis, it is considered that the proposal would have no adverse impact upon the amenities of neighbouring occupiers in terms of noise and disturbance. To ensure that the dwellings are not used as HMO's a condition is necessary to restrict permitted development, this is to safeguard the amenity of neighbouring occupiers against unacceptable levels of disturbance and prevent the over-intensive use of the site.

#### Impact on Future occupiers

6.4.6 Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people's needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD and within policy D6 of the Draft London Plan (2019). This is also supported by policy DM1 of the DMP.

- 6.4.7 The proposed development would result in two five-bedroom, nine person dwellinghouses over three storeys, which requires a minimum of 138 sqm of habitable floor space. The proposed floor space amounts to 176 sqm which exceeds the minimum requirement.
- 6.4.8 From the section drawings provided, it is demonstrated that floor to ceiling heights would be met in line with the London Plan 2016 standards and at least 75% of the upper floor would amount to habitable floor space at the outlined height. Further, the provision of storage for each unit would exceed the minimum standards as outlined by the London space standards.
- 6.4.9 All habitable rooms would be provided with a good level of outlook, access to daylight and privacy and would result in a good quality of internal accommodation.

#### Outdoor Amenity Space

- 6.4.10 It is noted that Policy DM27 of the DMP and paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space. In the case of town centre locations, alternative forms of outdoor amenity such as balconies should be explored.
- 6.4.11 The proposal has shown the provision of a private amenity space for the proposed dwellinghouses. The existing garden would be subdivided to provide each dwelling with private garden space which is considered to be of sufficient size to meet the needs of future occupiers. On this basis, the proposal is considered to be acceptable with regards to the above policy.
- 6.4.12 In summary, it is considered that the proposed development would have no undue unacceptable detrimental impact upon the residential amenities of the future occupiers of the site or that of the adjoining neighbouring site and therefore the proposal is considered to be acceptable with regards to the above stated policies.

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

- 6.5.1 The relevant policies are:
- National Planning Policy Framework (2019)
  - The London Plan (2016): 6.9, 6.12. 6.13
  - The Intend to Publish London Plan (2019): SI13, T4, T5, T6
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Policies (2013): DM10, DM42
- 6.5.2 The London Plan policy 6.13 (2016) and the adopted Core Strategy (2012) encourage and advocate sustainable modes of travel and requires that each development should be assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided etc. CS1.S discourages over-development of sites with a low public transport accessibility.
- 6.5.3 Policy DM42 states that proposals that would be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.

- 6.5.4 Parking would be provided along the forecourt. As such, it is considered that the proposal would provide sufficient car parking for the proposed number of units and would result in no adverse impact on existing parking pressures along the street. In addition, the Council's highway officer has been consulted and raises no objections as the development would not present undue negative impact on the highways. It is noted the development would result in an over provision of car parking spaces as Policy T6.1 of the Intend to Publish London Plan (2019) states 1.5 spaces per dwelling should be provided in an outer London location with this PTAL rating (1B). However, two proposed spaces for each unit would be acceptable considering the high car ownership levels in Hatch End and the large family homes proposed.
- 6.5.5 Cycle storage would be provided within the rear garden. Table 6.3 of The London Plan sets out the required standards for cycle parking, of 1 space per 1-bed or studio unit, and 2 spaces per all other dwellings. The highways officer has identified cycle parking for only one dwelling was provided, a minimum of two spaces for each unit must be provided. Further detail on cycle storage has been secured by way of a condition.
- 6.6.6 It is therefore considered that subject to a condition for additional details, the development would not result in unreasonable harm to the safety and free flow of the highway safety and convenience and would therefore accord with policies DM26 and DM42 of the DMP (2013).

#### Drainage

- 6.6.7 The site is identified as a critical drainage area of Harrow and is not 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.
- 6.6.8 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

### **6.6 Arboriculture Impact**

- 6.6.1 The scheme proposes the loss of trees along the rear to accommodate the development. There is no objection to the loss of these trees as they are not protected by a Tree Preservation Order or by virtue of them being sited within a conservation area. However, as part of any development proposal, officers consider that it would be appropriate to attach a condition that would secure appropriate replacement to enhance the development.

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

- 7.1 The proposed scheme seeks to provide two residential dwellings. 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, completed and retained in accordance with the following approved plans and document Schedule of application documents: Design and Access Statement; Proposed 3D streetscene; PSD-HUS-P001C; PSD-HUS-P002; PSD-HUS-P003A

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

#### 3. Levels

Notwithstanding the details shown on the approved plans, the development hereby approved, including demolition works, shall not commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Full details of the levels of the building, forecourt, and rear garden area in relation to the existing and adjoining land and highway(s), and any other changes proposed in the levels of the site

The proposed details shall therefore be implemented in accordance with the approved plans and retained as such thereafter. This is a PRE-COMMENCEMENT condition.

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

#### 4. Drainage 1

No development shall take place other than works of demolition until details of works for the disposal of sewage has been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as approved and thereafter be retained.

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

5. Drainage 2

No development shall take place other than works of demolition until details of works for the disposal of surface water, surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The submitted details shall include 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 adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

6. Refuse and Cycle Storage

Notwithstanding the approved plans the development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority the proposed elevation details of the refuse and cycle stores together with the details of the proposed external materials. The development shall be carried out in accordance with the details as so agreed prior to the first occupation of the development and shall be retained thereafter. A minimum of two cycle stores and three wheelie bins must be provided for each dwelling.

REASON: To ensure that the refuse bins do not have an unacceptable impact on the character and appearance of the streetscene and to ensure that the proposed refuse and cycles storage are acceptable in terms of their appearance. The current requirements are that there is sufficient space for 2 cycle store and 3 wheelie bins per dwelling.

7. Hard and Soft Landscaping

Notwithstanding the approved plans the development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for the whole site. Soft landscaping plans shall include planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken schedule of plants, noting species, plant sizes, plant containers (all at time of plating) and proposed numbers/densities, a landscape implementation programme. Hard landscape works shall include details of the boundary treatment and ground surfacing. The development shall be carried out in accordance with the details as so agreed prior to the first occupation of the development.

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

8. Materials

The development of the dwellinghouses hereby permitted shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces of the new dwelling have been submitted to,

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

REASON: To safeguard the character and appearance of the locality. To ensure that measures are agreed and in place to safeguard the character and appearance of the locality during the construction phase of the development so that the development is completed in accordance with approved details.

9. Refuse Bins

The refuse bins shall be stored at all times, other than on collection days, within the designated refuse storage areas.

REASON: To ensure adequate collection without prejudice to the enjoyment by neighbouring occupiers of their properties.

10. Boundary Treatment

The proposed 1.8m high boundary treatment between the rear gardens of the dwellings shall be implemented on site prior to the dwellings being first occupied and retained in that form thereafter.

REASON: To safeguard the amenities of future occupiers of both dwellings.

11. 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.

12. Permitted Development Rights

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

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



13. Permitted Development Restriction

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

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

14. Windows 1

No windows or doors, other than those shown on the approved plans shall be installed in the side elevations of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents.

15. Obscure Glazing

The window(s) in the flank elevation(s) of the proposed development shall:

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

REASON: To safeguard the residential amenities of neighbouring residents.

16. 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.

17. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority to be agreed in writing, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented 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 are relevant to this decision:**

**The National Planning Policy Framework 2019**

**The London Plan 2016:**

3.5, 3.8, 6.9, 6.12, 6.13, 7.3, 7.4, 7.6, 5.12, 5.13

**The Draft London Plan 2019:**

D1, D2, D4, D6, D7, SI12, SI13, T5, T6, T6.1, D7

**The Harrow Core Strategy 2012:**

CS1

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM2, DM9, DM10, DM22, DM23, DM26, DM27, DM42, DM45

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Garden Land Development (2013)

The London Plan Housing Supplementary Planning Guidance (2016)

Technical Housing Standard (2015)

### 2. Considerate Contractor code of practice

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

### 3. Party Wall Act

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

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

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

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

Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail:

[Ucommunities@twoten.comU4T](mailto:Ucommunities@twoten.comU4T)

4. Pre-application engagement

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

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

5. Sustainable Urban Drainage

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

The applicant can contact Harrow Drainage Section for further information.

6. Surface and foul water connections

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

7. Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to [nrswa@harrow.gov.uk](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. 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 additional discharge from the proposed development. The Thames Water confirmation letter should be submitted.

9. 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 £32,812.56

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](http://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

10. 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 £24,156  
This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).  
The CIL Liability is payable upon the commencement of development.  
You are advised to visit the planningportal website where you can download the relevant CIL Forms.  
Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .  
[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/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
11. INFORMATIVE: A minimum number of two cycle parking spaces should be provided within the rear garden of each proposed dwelling. The cycle and refuse storage should be stored within the rear garden of each respective dwelling.

**CHECKED**

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

**APPENDIX 2: LOCATION PLAN**



**APPENDIX 3: SITE PHOTOGRAPHS**



**Front elevation**



**Side elevation**







**Streetscene/Neighbouring dwellings**



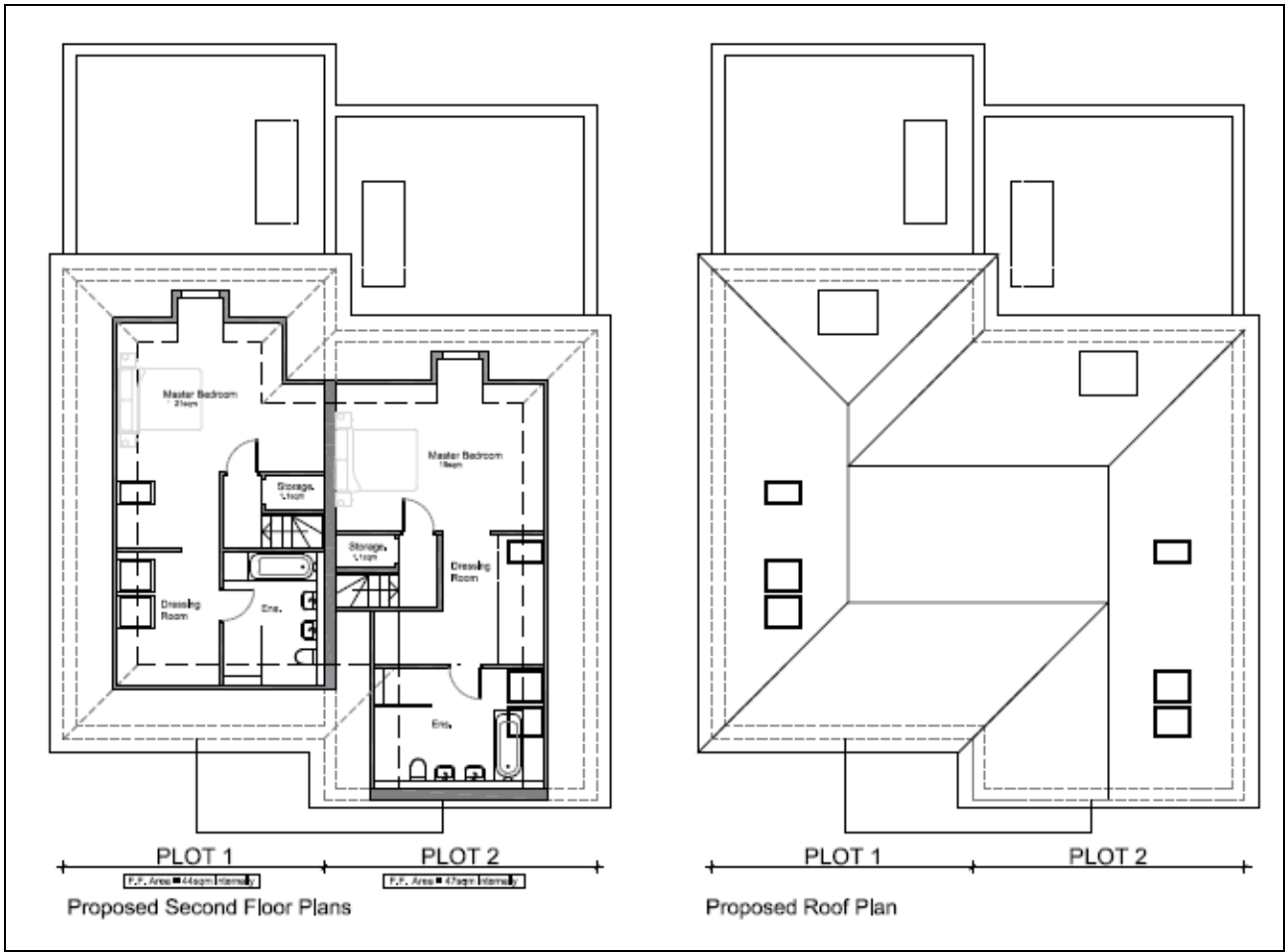
**Rear garden**

**APPENDIX 4: PLANS AND ELEVATIONS**

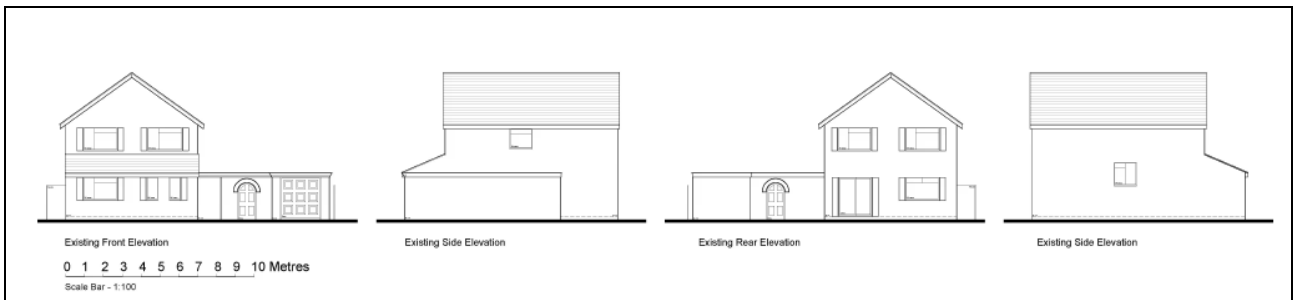


**Existing floor plans**

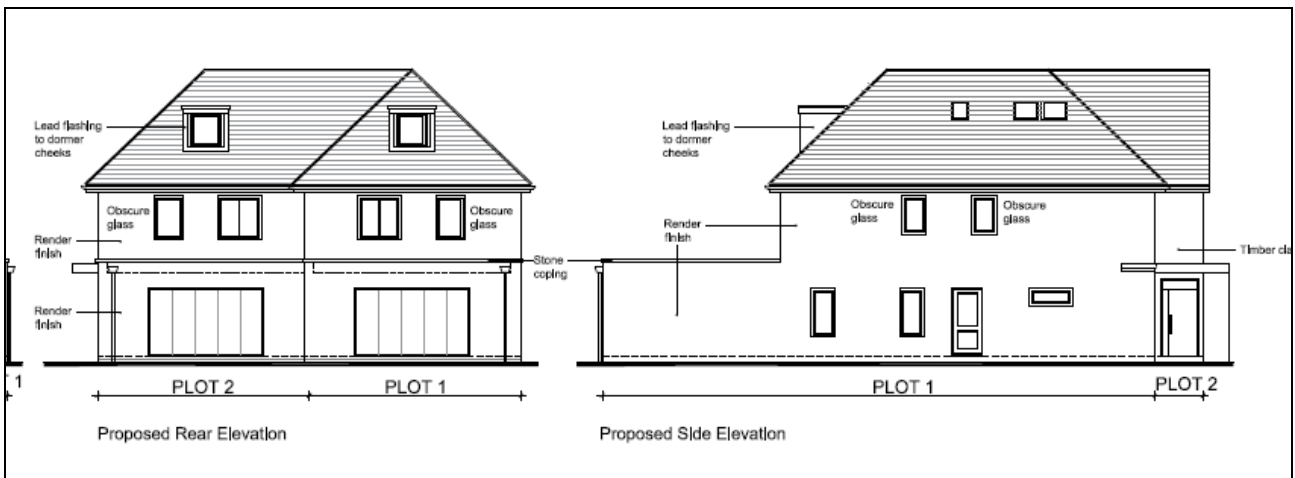
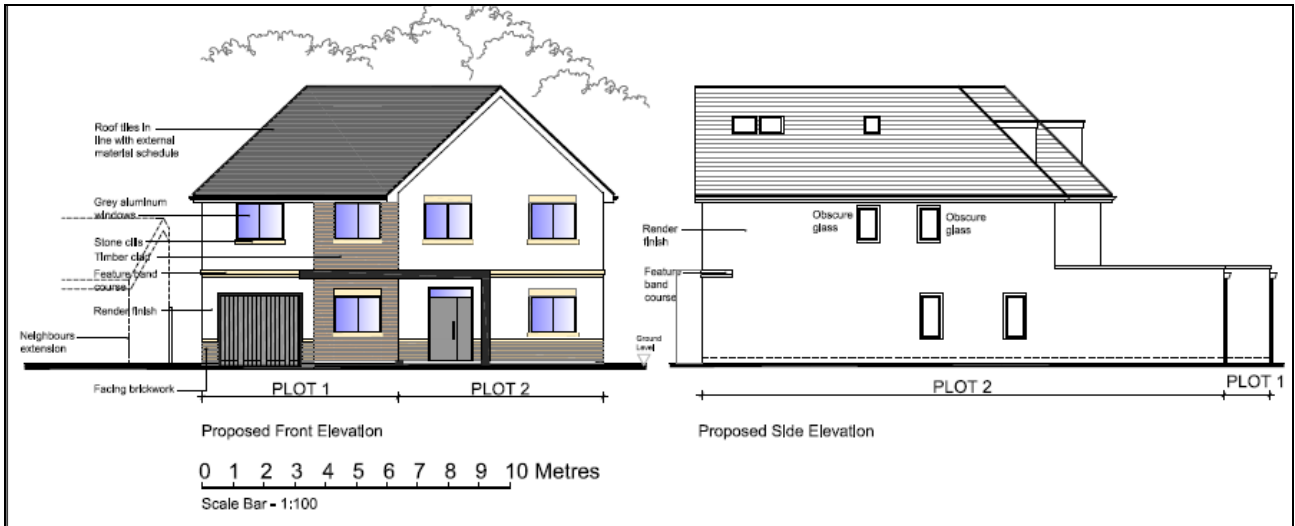




**Proposed floor plans**



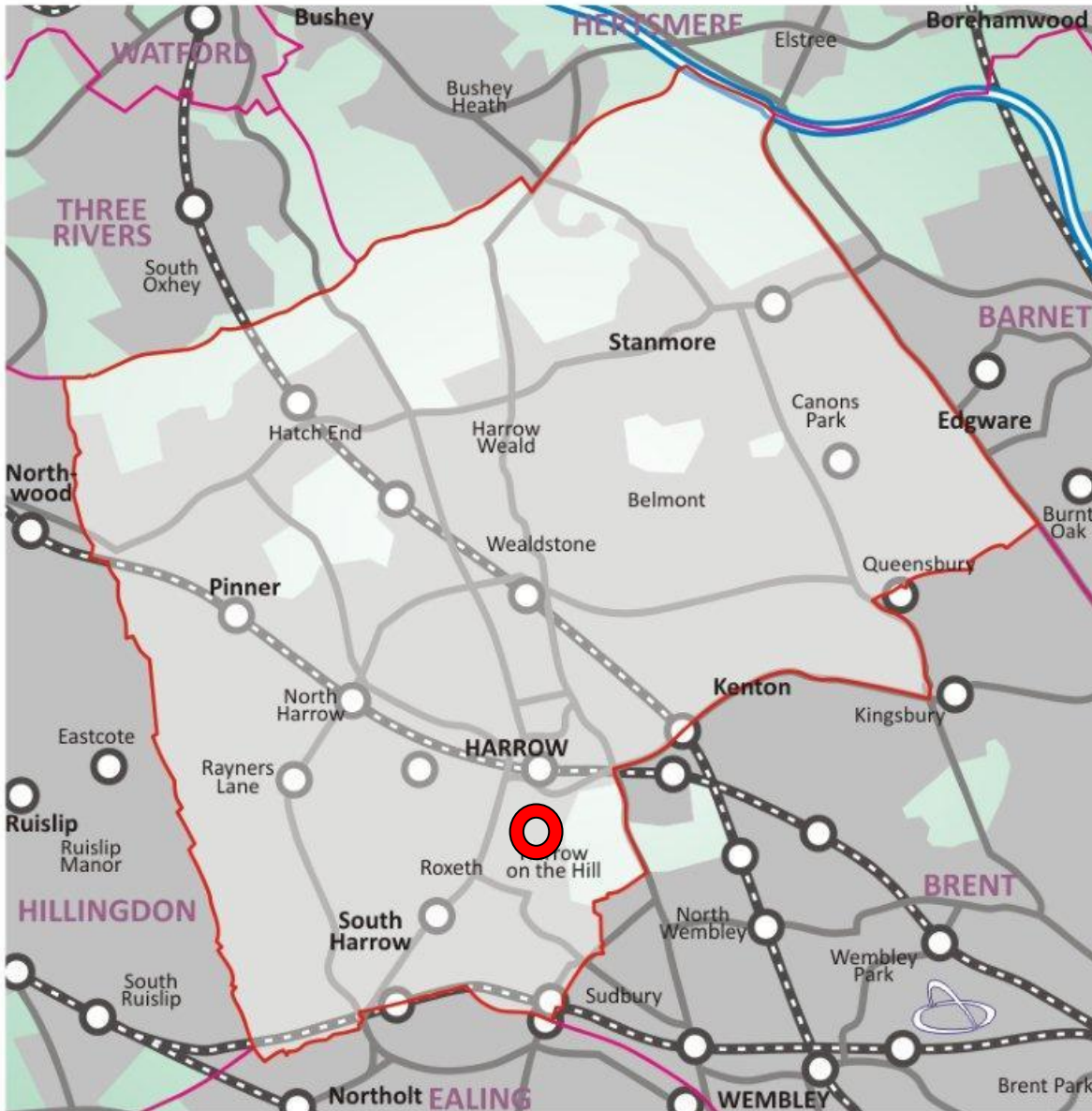
**Existing Elevations**



## Proposed Elevations

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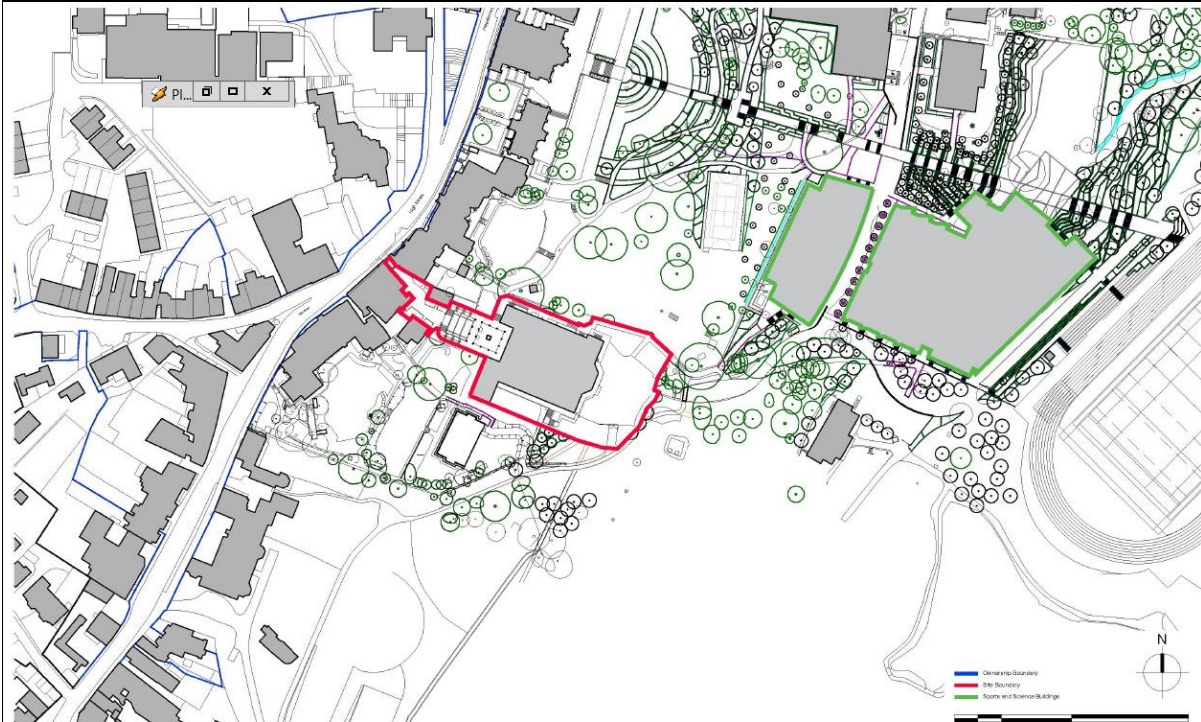
 = application site



**SHEPHERD CHURCHILL DINING HALL**

**P/1974/20**

# SHEPHERD CHURCHILL DINING HALL





## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

18<sup>th</sup> November 2020

**APPLICATION NUMBER:** P/1974/20  
**VALID DATE:** 30<sup>th</sup> JULY 2020  
**LOCATION:** SHEPHERD CHURCHILL DINING HALL  
**WARD:** HARROW ON THE HILL  
**POSTCODE:** HA1 3HT  
**APPLICANT:** MR WAYNE SIMPSON  
**AGENT:** RIVINGTON STREET STUDIO  
**CASE OFFICER:** KATIE PARKINS  
**EXPIRY DATE:** 8<sup>th</sup> SEPTEMBER 2020  
(EXTENDED EXPIRY DATE 23<sup>rd</sup> NOVEMBER 2020)

### PROPOSAL

Second floor front extension; two storey side extension comprising of lift shaft and staircase; first floor rear extension; creation of mezzanine floor; first floor terrace; replacement roof; hard and soft landscaping; additional parking

### 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 development is of an appropriate design, size and scale and would have an acceptable impact on the character and appearance of the existing building, to the character, setting and appearance of the neighbouring listed buildings and to the Harrow School Conservation Area. Furthermore, due to the siting of the proposed development it would not result in a detrimental impact to residential amenities.

### INFORMATION

This application is reported to Planning Committee as it would provide over 400 sqm of floorspace. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	E.18 Minor Development
Council Interest:	None
Net Additional Floorspace:	975 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N.A
Local CIL requirement:	N.A

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. 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 proposal is sited in the Harrow School and Harrow on the Hill Village Conservation Area and partly in the setting of the grade II registered park and garden of Harrow Park. The special interest of these conservation areas is outlined by their respective Conservation Area Appraisals and Management Strategies. A key part of this is the school buildings which form an exceptionally picturesque and important ground.
- 1.2. Shepherd Churchill Dining Hall was completed in 1976 and is located to the west of the High Street, behind The Bursary and The Head Masters. There is a service yard located to the rear off the site, accessed via Football Lane.
- 1.3. The site is located within an Archaeological Priority Area and an Area of Special Character. Furthermore, it is located within a critical drainage area. Metropolitan Open Land is located to the rear of the site.
- 1.4. There is a significant decrease in ground level from the High Street to the west.

## **2.0 PROPOSAL**

- 2.1. The application proposes:
  - Second floor front extension;
  - Two storey side extension comprising of lift shaft and staircase; first floor rear extension;
  - Creation of mezzanine floor;
  - First floor terrace;
  - Replacement roof;
  - Hard and soft landscaping; and
  - Alterations to the car park.
- 2.2. The proposal would result in the loss of five parking spaces to the rear of the building. Seven spaces would be retained, including one accessible parking space.
- 2.3. Refuse and recycling would be stored internally at Level 0, towards the rear of the site.

### 3.0 RELEVANT PLANNING HISTORY

P/3814/17	Construction Of A Multi-Use Games Area (Muga) With Perimeter Fencing And Associated Access Paths And Landscaping; Re-Configuration And Fencing To The Existing Dining Hall Service Yard	Granted: 07/02/2018
P/2625/10	Single Storey Extension to South of Dining Hall and New Disabled Access and Hoist For Access to Top Floor	Granted: 30/12/2010
LBH/34227	Enclosure of Belvedere Tower to Extend Dining Room	Granted: 17 Dec 1987
P/2524/04/DFU	Timber enclosure, housing freezer unit at lower ground floor, alterations to hardsurfacing and access	Granted: 8 Nov 2004
WEST/1045/01	Certificate of lawful existing development: occasional use of the Shepherd Churchill room and Old Harrovian room for conducting of wedding ceremonies.	Granted: 8 Feb 2002
LBH/10448	Erection of new dining hall for school	Granted: Nov 1974

### 4.0 CONSULTATION

- 4.1. A total of 5 consultation letters were sent to neighbouring properties regarding this application.
- 4.2. A site notice was displayed on the 6<sup>th</sup> August 2020 and a Harrow Times and Harrow Observer adverts were published on the 6<sup>th</sup> August 2020.
- 4.3. The overall public consultation period expired on the 27<sup>th</sup> August 2020. No letters of objection or support were received.

**4.4. Statutory and Non-Statutory Consultation**

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

<b>Consultation Responses</b>
<p><b>LBH Highways</b></p> <p>This proposal does not present concerns in terms of highways impact as although a reduction in parking space, as this is used by staff, the Harrow school site has sufficient parking to accommodate those who would be displaced as a result of this development.</p> <p>The swept path drawings indicate that for smaller vehicles the revised layout does not present any issues however, for larger vehicles the manoeuvring space is tight. It would be helpful to identify how safe manoeuvring will take place – will there be a person on-site trained to assist with reversing? If this area is also used by pedestrians, conflict must be minimised. This information along with any other requests for details on how the car park is to operate should be provided within a parking design and management plan which should be secured by condition.</p> <p>The submitted outline construction logistics plan is generally acceptable; a detailed CLP should be submitted prior to commencement and must be written in line with TfL/CLOCS guidance.</p>
<p><b>LBH Drainage</b></p> <p>No objection, subject to conditions relating to foul water disposal, surface water disposal and attenuation.</p>
<p><b>LBH Conservation Officer</b></p> <p>The two storey extension to the east side would be modest in relation to the existing building and would still follow the way the building is built into the land. The same would be true of the lift addition. There would be the loss of the decorative balcony and pergola and its replacement with something more modern with the glazed finish but the overall character of the building would remain particularly given the horizontal emphasis would remain with the design proposed. It would be brighter given the additional glazing but the lower level would be screened and marked up images indicate the change in brightness would not be obtrusive in views from the registered park and garden into the conservation areas.</p> <p>It is proposed that the pitched roof would be re-clad in zinc providing a more modern character but the traditional profile would stay and the clock tower would remain as existing. However, the existing tiled roof references the hill, as noted in the heritage statement, and it is unclear what clear and convincing justification there is for its replacement to lose that connection. The tiled roof should therefore stay unless this justification can be provided.</p> <p>Positively, the service area at level 0 would be screened by planting in a manner than originally marked the park boundary. This, or green walls, should be ensured</p>

by condition to limit the impact of this proposal on the registered park and garden and character and appearance of the conservation areas given the vast associated increase in glazing.

There is currently limited visual relationship between this building and surrounding listed buildings given scale and siting and so the changes would have limited impact on the setting of the listed buildings.

The single storey front extension would be lightweight and open-up views into and through the entrance and so would be appropriate.

Summary of recommendations:

- 1) Pitched roof should remain as tiled rather than zinc clad unless clear and convincing justification can be provided.
- 2) More soft landscaping should be included, and the screening boundary proposed should be conditioned.

**LBH Principal Landscape Architect**

The proposed natural Yorkstone paving would be preferable, it would be timeless and long lasting, unlike the alternative precast concrete paving. The precast concrete paving would be more fussy in appearance, and although granite aggregate is included in the mix, it is predominantly concrete paving, which wouldn't last as long and the appearance would deteriorate, over time. The Yorkstone would be in keeping with the character of the historic buildings and Conservation Area.

Cedar – for entrance area – shown as *Cedrus atlantica* 'Fastigata' on an image, but on the tree planting plan, 4.8 in the DAS, *Cedrus atlantica* 'Glauca' (probably an error) – the latter would be an inappropriate choice, since it would grow into an enormous and spreading tree.

The proposed entrance square outside the dining room would provide an appropriate space for gathering for functions. The proposed yew hedging would define the space and provide much needed enclosure to define the space and create a more intimate feel. It is regrettable that the existing most attractive Lutyens style pergola with wisteria, has to be removed, as a result of the redevelopment of the space with new steps and lift and the realigned building entrance. The retained existing entrance columns provide a vertical feature, close down the feeling of the more expansive paved open space and create a sense of arrival. On balance the space would be interesting, attractive and at the same time functional enabling high numbers of boys to easily pass through the space, to the dining room.

The loss of the soft landscaped grassed courtyard area is regrettable, however transforming the space into varied and more flexible hard surfaced areas to enable use for a range of events in a more wide ranging weather conditions makes sense. The space would become more practical for use by a large number of students and staff. The area would be softened by the planters, to break up the spaces. The paving of the courtyard area would not be visible and it wouldn't impact on the setting of the building.

The hard and soft landscape proposals would be acceptable and would comply with DM 23 Trees and Landscaping. Further details would be required which could be covered by planning conditions.

5 low to average grade trees are proposed to be removed and replaced by 19 trees. Some of the proposed trees, such as the maples would be small trees, at maturity or controlled in size, due to the compact width of the proposed Cedars. There would be sufficient trees to mitigate the tree loss, and the proposed method statement and tree protection proposals, in the tree report should be adhered to. Conditions required include hard and soft landscaping, levels, landscape management and maintenance.

#### **LBH Tree Officer**

The proposals would require removal of 5 x low/average quality trees: 19 replacement trees are proposed to mitigate this. The submitted report, method statement and tree protection measures are acceptable and should minimise potential disruption to existing retained trees if implemented exactly as detailed and with appropriate arboricultural supervision. No objection subject to conditions in relation protective fencing, a pre-commencement meeting, site supervision and completion.

#### **Conservation Area Advisory Committee**

The landscaping as seen from below looks all right, especially if the School follows the recommendations on regular consultation set out in the landscape report. It is not possible to work out satisfactorily what the garden will look like, when seen from Obadiah Slope. The design is not sympathetic to the existing design which was rightly praised when originally built and as such does not enhance the conservation area. The current building is listed as positive in the character assessment of the conservation area document. The D&A fails (p4) to mention and hence to address DM6 the Area of Special Character. The current building has a decorative pavilion style with decorative balustrades whereas the new design is more that of an office building, as shown clearly by p42 of the Design & Access Statement (D&A). The lack of greenery is disappointing both with the entrance approach way (shown clearly on p41 of the D&A) and the new construction. It would seem to be a missed opportunity to use green walls for the Level 0 and to the Northern elevation of the extension (external covered escape p31 of the D&A). These would be better visually, and environmentally (cooling and air quality) and green walls and roofs are promoted in the NPPF004 Reference ID: 8-004-20190721. Such treatment would also better blend with the Listed Harrow Park, whereas the current plan is detrimental to the edge of Harrow Park. The removal of the water feature (which is to be “not reprovided”) will be deleterious; all that is said against it is that it “has provided significant maintenance implications”. Improvements by all means, removal, no. And the design of the current building is definitely superior to that which is proposed to replace it. We object.

#### **Harrow Hill Trust**

Design is not sympathetic which was praised when built when originally built. Does not enhance the conservation area, should be refused. Current building is of a decorative pavilion style with decorative balustrades, the new design is more of an office building. Lack of greenery is disappointing, both with the entrance approach

and the new construction. Missed opportunity – green walls and roofs. Current design is detrimental to the eds of Harrow Park.

**Pebwatch**

No response received.

**The Garden Trust**

No response received.

**Historic England**

No comment.

**Historic England (Ancient Monuments)**

No response received.

**Historic England (Archaeology)**

No response received.

**Environment Agency**

No response received.

**Thames Water**

If the developer follows the sequential approach to the disposal of surface water there is no objection. With regards to the waste water network and sewage treatment works infrastructure capacity, there is no objection based on the information provided.

**5.0 POLICIES**

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

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

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

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

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



- 5.5.** The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6.** The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1

## **6.0 ASSESSMENT**

- 6.1.** The main issues are

- Openness of the Metropolitan Open Land
- Character and Appearance of the Area/Setting of Locally Listed Buildings and the Conservation Area/Area of Special Character
- Residential Amenity
- Impact on Trees
- Traffic, Safety and Parking
- Development and Flood Risk
- Trees
- Accessibility

### **6.2. Openness of the Metropolitan Open Land**

- 6.2.1.** The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.12
- The Draft London Plan (2019): G3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM17

- 6.2.2.** Part of the rear and side boundary of the site adjoins the boundary of Metropolitan Open Land. The Draft London Plan (2019) recognises that Metropolitan Open Land is afforded the same status and level of protection as Green Belt. The proposed development, as detailed further below is considered to be of an appropriate size and scale and has been designed to ensure it would not result in a detrimental impact to the character and setting of heritage assets. The proposed development would not result in a detrimental impact to the function or openness of the Metropolitan Open Land and therefore the proposal is considered to be acceptable in this regard.

- 6.2.3.** The proposed development complies with the National Planning Policy Framework (2019), policy 3.12 of The London Plan (2016), policy G3 of The Draft London Plan

(2019), policy CS1 of the Core Strategy (2012) and policies DM1 and DM17 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/Area of Special Character**

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): D3, D4, D5, HC1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM3, DM6, DM7, DM22, DM23, DM45

#### Relevant Supplementary Documents

- Harrow on the Hill Village Conservation Area Appraisal and Management Strategy (2008)
- Harrow School Village Conservation Area Appraisal and Management Strategy (2008)

6.3.2. This proposal is sited in the Harrow School and Harrow on the Hill Village Conservation Area and partly in the setting of the grade II registered park and garden of Harrow Park. The special interest of these conservation areas is outlined by their respective Conservation Area Appraisals and Management Strategies. A key part of this is the school buildings which form an exceptionally picturesque and important ground.

6.3.3. The Conservation Officer has confirmed “The dining hall has architectural interest as it is well-designed in its setting to neatly follow the slope of the hill (with its lower two levels cut into the hillside and the main approach from the High Street down the Obadiah Slope, so as not to appear obtrusive. There is historic interest. The building was designed by Dennis Lennon and Partners, a notable firm with Dennis Lennon significantly contributing to the 1951 Festival of Britain.”

6.3.4. Viewed from the High Street and Obadiah Slope the Dining Hall presents as a single storey building with three steeply pitched, clay tiled roofs surmounted by a clock tower and two ventilation turrets. Viewed from the sloping hillside to the south-east, the dining hall presents as a two storey flat roofed structure in buff brickwork with a neat terrace. Viewed across the open land to the north-east the Senior Common room with pitched roofs is visible so the dining hall presents as a three storey structure. The brick enclosure to the service stair on the north-east corner of the building is also visible in the view.

6.3.5. The building and its grounds fit in well with surrounding traditional buildings and the greenery of the hill. The building is noted as making a positive contribution to the Harrow on the Hill Village conservation area in the Harrow on the Hill Village Conservation Area Appraisal and Management Strategy. The clay tiled roof references the other traditional buildings in the conservation area and the decorative pavilion is traditional in character. In 1979 the building won a Civic Trust Award for

the way it 'fully exploits the magnificent site which falls steeply and enjoys a superb view. Both the external and internal treatment is handled with great assurance and skill, the whole complex providing an enjoyable, architectural experience'.

- 6.3.6. Due to the changes in ground level, the existing entrance is located on the second floor. A single storey extension is proposed to the front to enlarge the existing entrance hall, however it would not project any further beyond the existing front building line, and would be set beneath the existing pitched roof, which is proposed to be replaced. Internal alterations are proposed to the entrance hall including a new lift shaft, alterations to the staircase and new storerooms. The single storey front extension would be lightweight and with open-up views into and through the entrance and is a modest, sympathetic extension which would respect the character and appearance of the original building.
- 6.3.7. It is noted that this area has a heavy footfall with the dining area serving approximately 3,500 meals a day. It is therefore considered that extensive hard surfacing to the front of the building is required to ensure the dining hall functions appropriately and safely. However, as detailed below, it is considered there are opportunities to improve the landscape setting of the building. Therefore, subject to a soft and hard landscaping condition, the proposed works to the front of the building are considered to be acceptable.
- 6.3.8. The dining hall on level 1 would be extended and the service area beneath the extension on level 0 would be enclosed. At ground floor level, it would maintain its appearance of a service yard, however at first floor level it would maintain its horizontal emphasis with vertical glazing to respect the existing fenestration and a bris soleil. It would be set beneath the second floor and therefore the original pitched roof and clock tower would still be visible from the rear. The existing decorative balcony and pergola would be replaced with a modern glazed finish, but the overall character of the building would remain, given the horizontal emphasis of the proposed extension. It would be brighter given the additional glazing, but the lower level would be screened and marked up images indicate the change in brightness would not be obtrusive in views from the registered park and garden into the conservation areas. The traditional profile would be retained and the clock tower would remain as existing. It would adjoin a two-storey side extension on the northeast corner comprising an external covered escape stair and a new lift. The new stair and lift would provide access to all 3 floors.
- 6.3.9. The plant deck over the existing 'dish wash' on the southern elevation would be screened with a bespoke metal mesh with panel cladding. A new terrace would be created to the south, to serve the main dining hall along with a replacement fire escape stair. The existing metal balustrade would be replaced with a bespoke 'woven-straw' pattern in a warm bronze finish. Further details in relation to the balustrade are required, and this would be secured via a condition.
- 6.3.10. The proposed extensions respect the size and scale of the original building and would not appear discordant. Furthermore, the proposed extensions would facilitate an improvement to the function and servicing of the dining hall and its accessibility, as discussed further below. Following extensive discussions and in accordance with the advice received from the Conservation Officer, the agent confirmed that at the time of writing this report, amended drawings would be submitted to remove the

proposed zinc metal roof from the proposal. As such, the roof would have a clay tile, as per the existing roof. This will be addressed in an addendum to this report.

- 6.3.11. The site is within an archaeological priority area. Historic England - Archaeological Advisory Services department was consulted however at the time of writing this report no response was received. The proposal is therefore considered to be acceptable with regards to archaeology.

*Impact to the Setting of Listed Buildings.*

- 6.3.12. The host building is located approximately 36m from the listed buildings along The High Street. Furthermore, there is a significant decrease in ground level to the west, thereby reducing the prominence of the host building. There is currently limited visual relationship between this building and surrounding listed buildings given its scale and siting. The Conservation Officer therefore confirmed that the proposed development would have limited impact on the setting of the listed buildings. The proposal is therefore acceptable taking into account the regard to the provisions of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990

*Landscaping*

- 6.3.13. The proposed development includes alterations to the existing entrance square to, amongst other things, provide DDA compliant step and a stepped area for outside lessons.
- 6.3.14. The Council's Principal Landscape Architect was consulted on the proposal who confirmed that the proposed natural Yorkstone paving would be timeless and long lasting and would be in keeping with the character of the historic buildings and the Conservation Area. The proposed entrance square outside the dining room would provide an appropriate space for gathering for functions. The proposed yew hedging would define the space and provide much needed enclosure to define the space and create a more intimate feel. It is regrettable that the existing most attractive Lutyens style pergola with wisteria has to be removed, as a result of the redevelopment of the space with new steps and lift and the realigned building entrance. However, the retained entrance columns provides a vertical feature and the proposal would create a sense of arrival. On balance, the space would be interesting, attractive and at the same time functional as it would enable a high number of pupils and staff to easily pass through the space, to the dining room.
- 6.3.15. There is an existing courtyard at Level 2 which is grassed. It has been confirmed that this roof leaks, is difficult to maintain and is no longer fit for purpose. It is proposed to replace the grass with hardstanding along with planters. Whilst the loss of the soft landscaped grassed courtyard area is regrettable, however transforming the space into flexible hard surfaced areas would enable its use for a range of events in wide ranging weather conditions. The space would become more practical for use by a large number of students and staff and would be softened by the planters, to break up the spaces. The paving of the courtyard area would not be visible from ground level and therefore it wouldn't impact on the setting of the building.

- 6.3.16. Subject to a soft landscaping scheme to ensure an appropriate landscape setting for the internal courtyard, the proposed landscaping plans would provide an attractive and functioning series of spaces for pupils, staff and other guests.

#### *Refuse and Servicing*

- 6.3.17. As per the existing Level 0 plan, there is no dedicated space internally for refuse storage. During the site visit it was noted that bins were located externally to the rear of the building, which appeared unsightly. As per the proposed Level 0 plan, there is sufficient space within the enclosed Yard for a food disposal system and bin stores. It is therefore considered that the proposed development, including internal refuse storage would result in an improvement to the appearance of the area, and views towards the building from the adjacent park.

#### Conclusion

- 6.3.18. The proposed development, due to its design, size and scale would be a subservient addition and would not result in a detrimental impact to the strategic value of the area of special character. The proposal would respect the character and setting of the Harrow School Conservation Area and the Area of Special Character. Furthermore, the Conservation Officer raised no objection to the proposed development, subject to conditions in relation to materials. The proposed development therefore complies with the National Planning Policy Framework (2019), policies 7.4, 7.6 and 7.8 of the London Plan (2016), policy CS1.B of The Harrow Core Strategy (2012), policies DM1, DM22, DM23 and DM45 of the Harrow Development Management Policies Local Plan (2013), the Harrow School Conservation Area Appraisal (2008) and the Harrow School Conservation Area Management Study (2008).

### **6.4. Residential Amenity**

- 6.4.1. The relevant policies are:

- 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

- 6.4.2. Due to the size and siting of the proposed extensions, the proposal would not result in a detrimental impact to the amenities of neighbouring residents.

- 6.4.3. The proposed development complies with the National Planning Policy Framework (2019), policy 7.6 of The London Plan (2016), policy D1 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012) and policy DM1 of the Harrow Development Management Policies Local Plan (2013)

### **6.5. Impact on Trees**

- 6.5.1. The relevant policies are:

- The London Plan (2016): 7.21
- The Draft London Plan (2019): G7
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM22

6.5.2. The application was accompanied by a Tree Report. 5 low to average grade trees are proposed to be removed and replaced by 19 trees. The Council's Principal Landscape Architect has confirmed that some of the proposed trees, such as the maples would be small trees, at maturity or controlled in size, due to the compact width of the proposed Cedars, however, there would be sufficient trees to mitigate the tree loss. The Council's Tree Officer was consulted who raised no objection to the proposal subject to conditions to ensure the development is implemented in accordance with the submitted method statement and tree protection measures.

6.5.3. The proposed development complies with the National Planning Policy Framework (2019), policy 7.21 of The London Plan (2016), policy G7 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012), policies DM1 and DM22 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): 6.9, 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. The application site has a PTAL rating of 1a and therefore access to public transport is poor. However, there are bus stops, a rail and an underground station within a short walk and it is within walking distance to Harrow Town Centre.

### Car and Cycle Parking

- 6.6.3. There is an existing car park to the rear of the building, adjacent to the service area. The proposed extensions and reconfiguration of the building would result in the loss of five parking spaces. The Highways Department raised no objection to the loss of parking as Harrow school site has sufficient parking to accommodate those who would be displaced as a result of this development. It would also be appropriate for the school to take steps to encourage staff to travel by sustainable modes where possible through the implementation of a travel plan.

### Access and Servicing

- 6.6.4. Swept path diagrams have been submitted to demonstrate manoeuvring to the rear of the site. The Highways Officer confirmed that “the swept path drawings indicate that for smaller vehicles the revised layout does not present any issues however, for larger vehicles the manoeuvring space is tight. It would seem more appropriate to design a layout that can comfortably accommodate turning for the largest of vehicles, even if these are infrequent otherwise, there may be problems with leaving the servicing yard. The drawings state that for an articulated lorry to turn, the car park would need to be empty but it would seem that the car park is likely to be full throughout the day and although it is mentioned that the parking would need to be managed, there is no explanation as to how this would be done. It may not be possible to manoeuvre a car out of the way of a lorry once it has made its way into the servicing yard as there is no spare space. It would also be helpful to identify how safe manoeuvring will take place – will there be a person on-site trained to assist with reversing? If this area is also used by pedestrians, conflict must be minimised. This information along with any other requests for details on how the car park is to operate should be provided within a parking design and management plan which should be secured by condition”.
- 6.6.5. In accordance with the advice received by the Highways Officer, one dedicated accessible parking space is proposed.
- 6.6.6. An outline Construction Logistics Plan was submitted with the application. The Highways Officer confirmed that it is generally acceptable, however a detailed CLP should be submitted prior to commencement and must be written in line with TfL/CLOCS guidance. As there are proposals to alter the road layout at Watford Road in relation to works at Northwick Park Hospital, it may be necessary to establish that this will still be possible or provide an alternative access route”.
- 6.6.7. It is therefore considered that subject too the above conditions in relation to a Parking Design and Management Plan and a Construction Logistics Plan, the proposed development would be acceptable in Highway terms and would accord with policies 6.9 and 6.13 of The London Plan (2016), policies T4, T5 and T6 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): 5.13
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1.U
- Harrow Development Management Policies Local Plan (2013): DM1, DM10

6.7.2. The application site is located within a critical drainage area. The Drainage Department was consulted who raised no objection to the proposed development, subject to conditions in relation foul water disposal, surface disposal and attenuation.

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

## **6.8. Accessibility**

6.8.1. The relevant policies are:

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

6.8.2. The proposed development would enable an improvement to accessibility than what currently exists. DDA compliant steps would be provided to access the building, along with a lift access and the provision of an accessible parking space. 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), policy 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 is of a high-quality design and is of a size and scale which relates to the proportions, scale and appearance of the original building. The proposed development would not result in a detrimental impact to the character, appearance and setting of the neighbouring listed buildings, or to the Harrow School Conservation Area or Area of Special Character. Furthermore, the proposed development would not result in a detrimental impact to the openness of the adjacent Metropolitan Open Land.
- 7.2.** The recommendation to approve planning permission has been taken having regard to the National Planning Policy Framework (2019), the policies and proposals in The London Plan (2016), the Draft London Plan (2019), the Harrow Core Strategy (2012) and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

## **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

0502 PL1; 0503 PL1; 1010 PL1; 1011 PL1; 1012 PL1; 1013 PL1; 1050 PL1; 1051 PL1; 1052 PL1; 1053 PL1; 1076 PL1; 1077 PL1; 1100 PL1; 1101 PL1; 1102 PL1; 1103 PL1; 1150 PL1; 1151 PL1; 1152 PL1; 1153 PL1; 8000 PL1; 8002 PL1; 8004 PL1; 8006 PL1; 8008 PL1; 80110 PL1; 1209 PL1; 1210 PL1; 1211 PL1; 1212 PL1; 1213 PL1; 1250 PL1; 1251 PL1; 1320 PL1; 1321 PL1; 1322 PL1; 1323 PL1; 1401 PL1; 1402 PL1; 1403 PL1; 1404 PL1; 1451 PL1; 1452 PL1; 1453 PL1; 2831 PL1; 2832 PL1; 2833 PL1; 2835 PL1; 2836 PL1; 8001 PL1; 8003 PL1; 8005 PL1; 8007 PL1; 8009 PL1; 8011 PL1; Design and Access Statement; Archaeological Evaluation Report; Preliminary Ecological Assessment; Conservation Planning Report; Technical Note (Transport); Phase II Arboricultural Impact Assessment; Civil Engineering Drainage Strategy.

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.constructionlogistics.org](http://www.constructionlogistics.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; and
- (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. 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.

5. Foul Disposal

The development hereby permitted shall not progress beyond damp proof course level 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.

6. Surface Water Attenuation, Storage and Disposal

The development hereby permitted shall not progress beyond damp proof course level 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.

7. 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 and bris soleil;

- (b) windows including reveals;
- (c) doors;
- (d) Terraces including balustrade;
- (e) boundary treatment including any pedestrian/ access gates;
- (f) Rainwater disposal systems (including downpipes) and soil stacks; and
- (g) 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.

#### 8. External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of the external courtyard, terrace area, car park/service yard 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.

#### 9. Soft and Hard Landscaping

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of soft and hard landscaping for the site including details of the planting, hard surfacing materials, raised planters and external seating etc has been submitted to, and approved in writing by the Local Planning Authority which shall include:

- a) 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;
- b) Details of all furniture and bespoke furniture, boundary treatment, plant containers, raised planters, specification for supports and fixings for plants, landscape structures and any climbing plant frames, including proposed material and source / manufacturer, watering system for the planting and detailed drawings of such; for all external areas;
- c) Full scale metric cross sections and elevations for the entrance area and square (at a scale of not less than 1:100);
- d) Hard landscape materials; and
- e) Landscape Management and Maintenance Plan of the hard and soft landscaping within the development, to include a landscape management plan for the whole of the proposed development,

including long term design objectives, management responsibilities and maintenance schedules, including the hard and soft landscape and a programme of maintenance including a calendar of routine physical tasks for all landscape areas / plant replacement.

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.

10. 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.

11. Trees

The development hereby implemented shall be carried out in accordance with the Arboricultural Method Statement & Tree Protection Plan (ArbolEuro AMS and TPP dated 11.06.2020 ref.101489). The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans 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.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected.

12. Arboricultural Site Supervision (Completion)

The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through

contemporaneous supervision and monitoring of the tree protection throughout construction by the appointed arboricultural consultant.

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

13. Parking Design and Management Plan

The development hereby approved shall not progress beyond damp proof course level 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 operational use of the car park and servicing areas and shall thereafter be maintained.

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.

14. Car and Cycle Parking

The development hereby permitted shall not be completed until the car parking spaces (of a standard size) have been clearly marked out on site and the cycle spaces provided, in accordance with the approved Level 0 plan and shall be retained thereafter. Such parking spaces shall not be used for any purposes other than for the parking of motor vehicles 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.

15. 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.

## **INFORMATIVES**

### 1. Relevant Policies

The following policies are relevant to this decision:

**National Planning Policy Framework (2019)**

**The London Plan (2016):** 3.12, 5.13, 6.9, 6.13, 7.2, 7.4, 7.6, 7.8

**The Draft London Plan (2019):** G3, D1, D3, D4, D5, HC1, T4, T5, T6, SI13,

**Harrow Core Strategy (2012):** CS1

**Harrow Development Management Policies Local Plan (2013):** DM1, DM2, DM3, DM6, DM7, DM10, DM17, DM22, DM23, DM42, DM45

**Supplementary Planning Documents:**

Harrow on the Hill Village Conservation Area Appraisal and Management Strategy (2008)

Harrow School Village 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. Considerate Contractor Code of Practice

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

### 4. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>  
Tel: 0870 1226 236 Fax: 0870 1226 237  
Textphone: 0870 1207 405  
E-mail: [communities@twoten.com](mailto:communities@twoten.com)

5. 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.

6. 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.

7. Landscape Management and Maintenance Plan

A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity. A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.

Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, pergolas and plant supports, raised beds, green roofs, green living wall climbing structures, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks. Landscape Maintenance is for a 5



year period to ensure the future success of the development including all the hard and soft landscape.

## 8. 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.

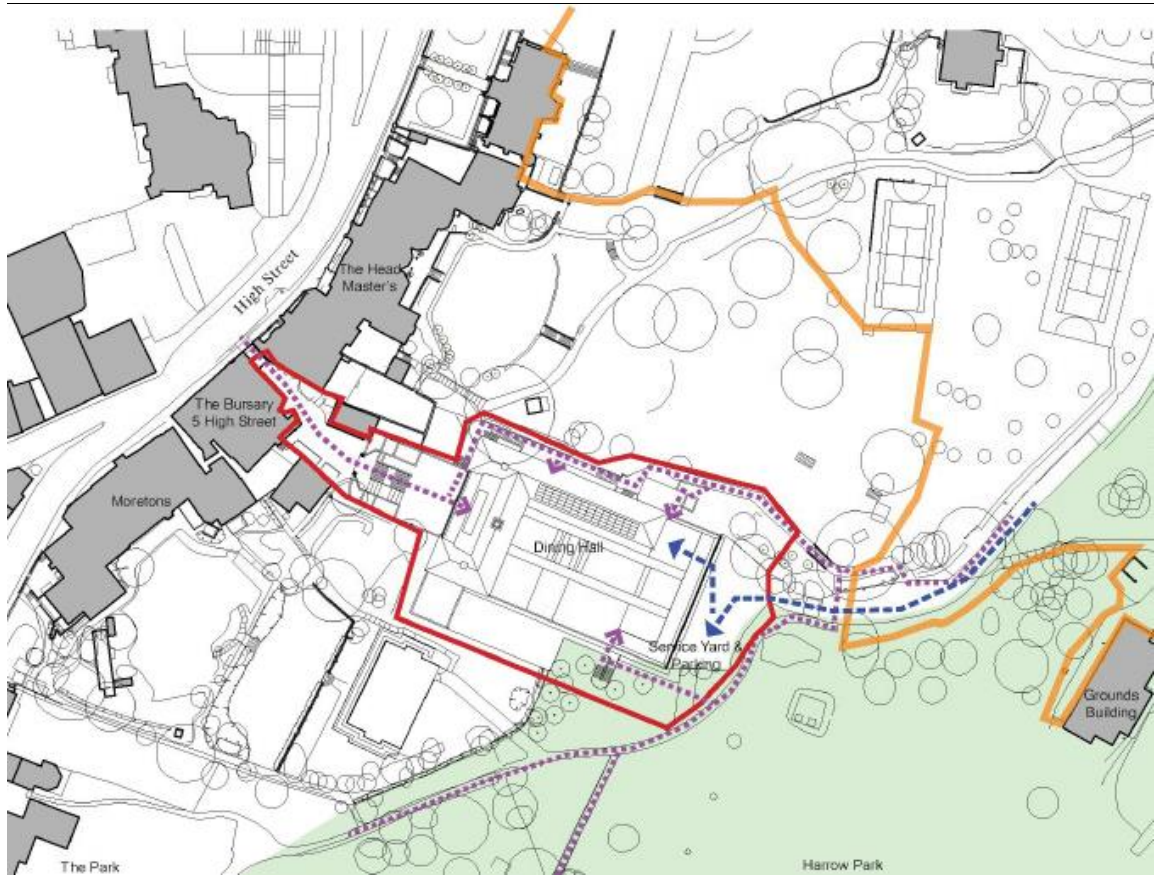
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

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.

Interim Chief Planning Officer	Beverley Kuchar 5.11.2020
Corporate Director	Paul Walker 5.11.2020

## APPENDIX 2: SITE PLAN

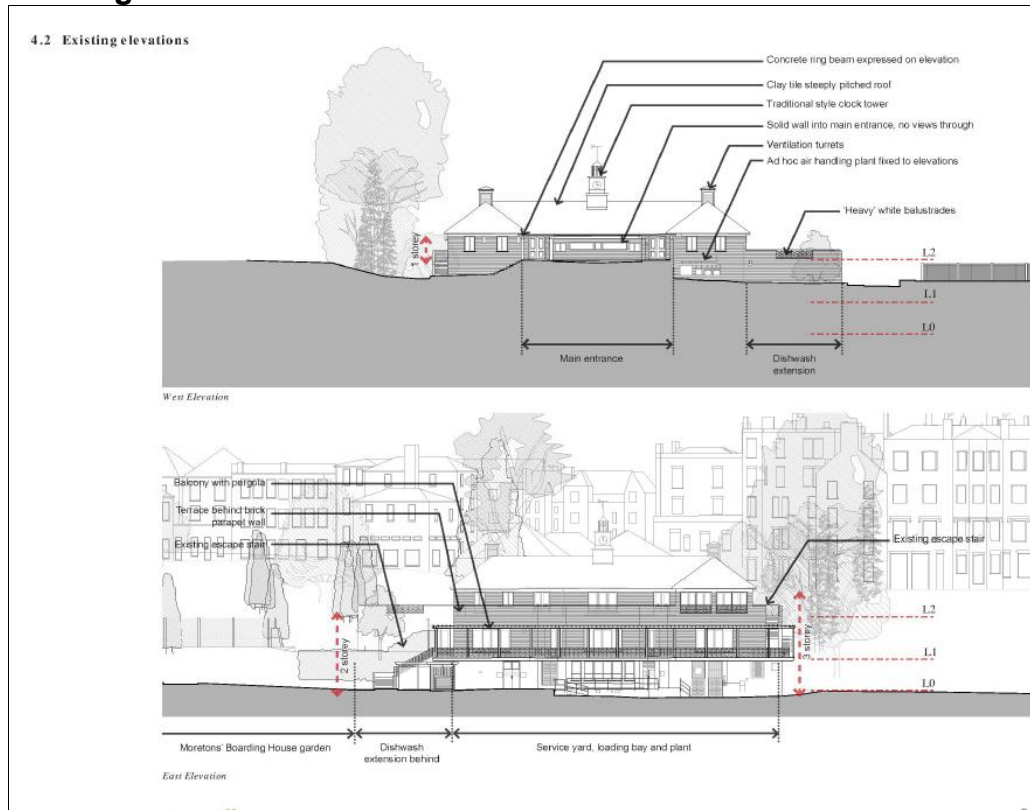


**APPENDIX 3: SITE PHOTOS**

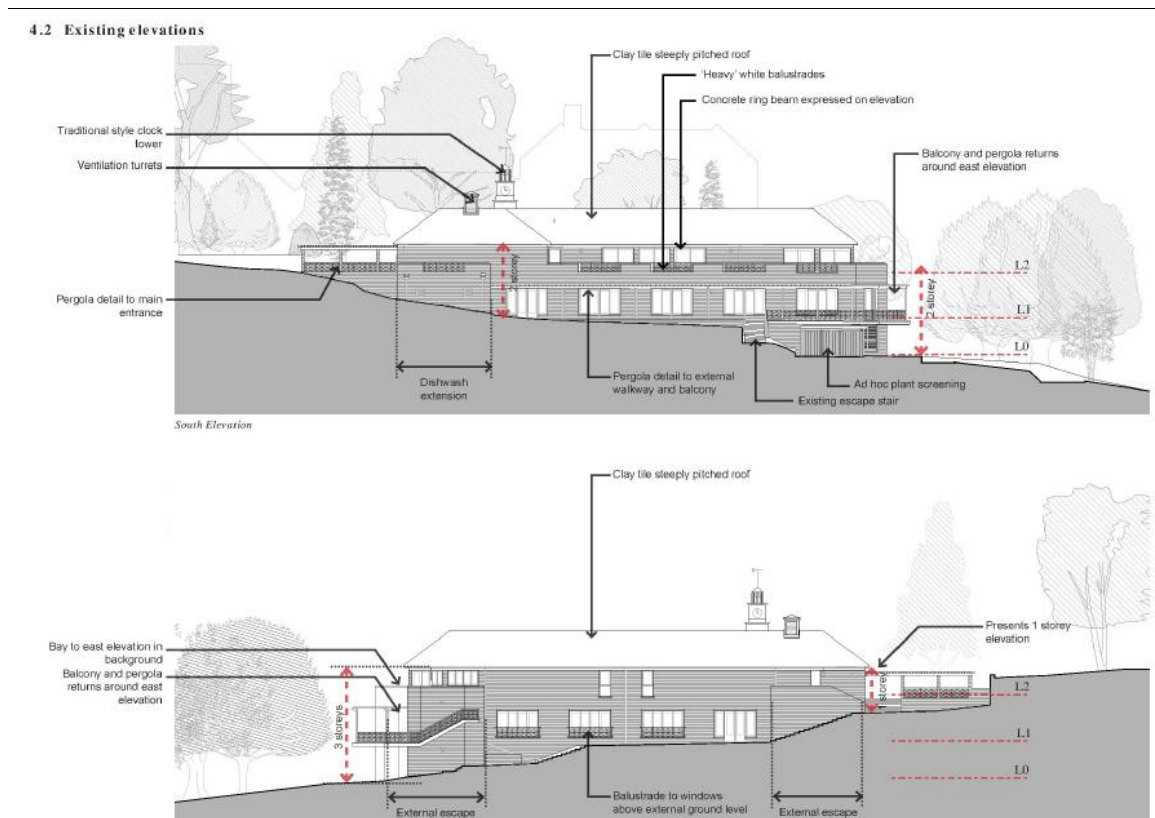


# APPENDIX 4: PLANS AND ELEVATIONS

## Existing Front and Rear Elevations

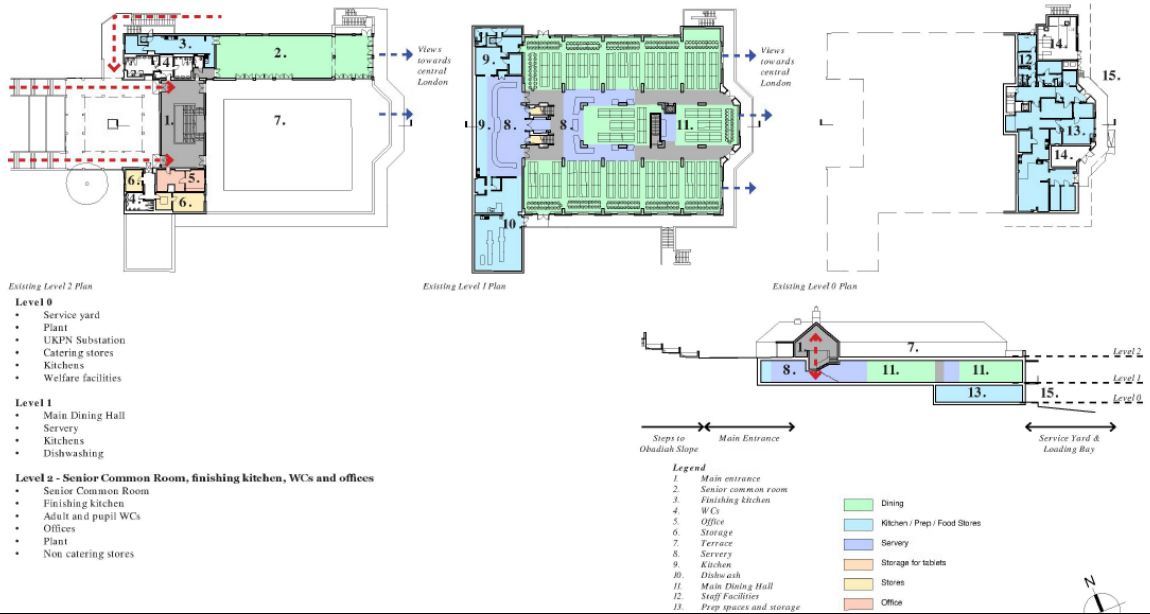


## Existing Side Elevations



## Existing Floor Plans - Level 0, 1 & 2

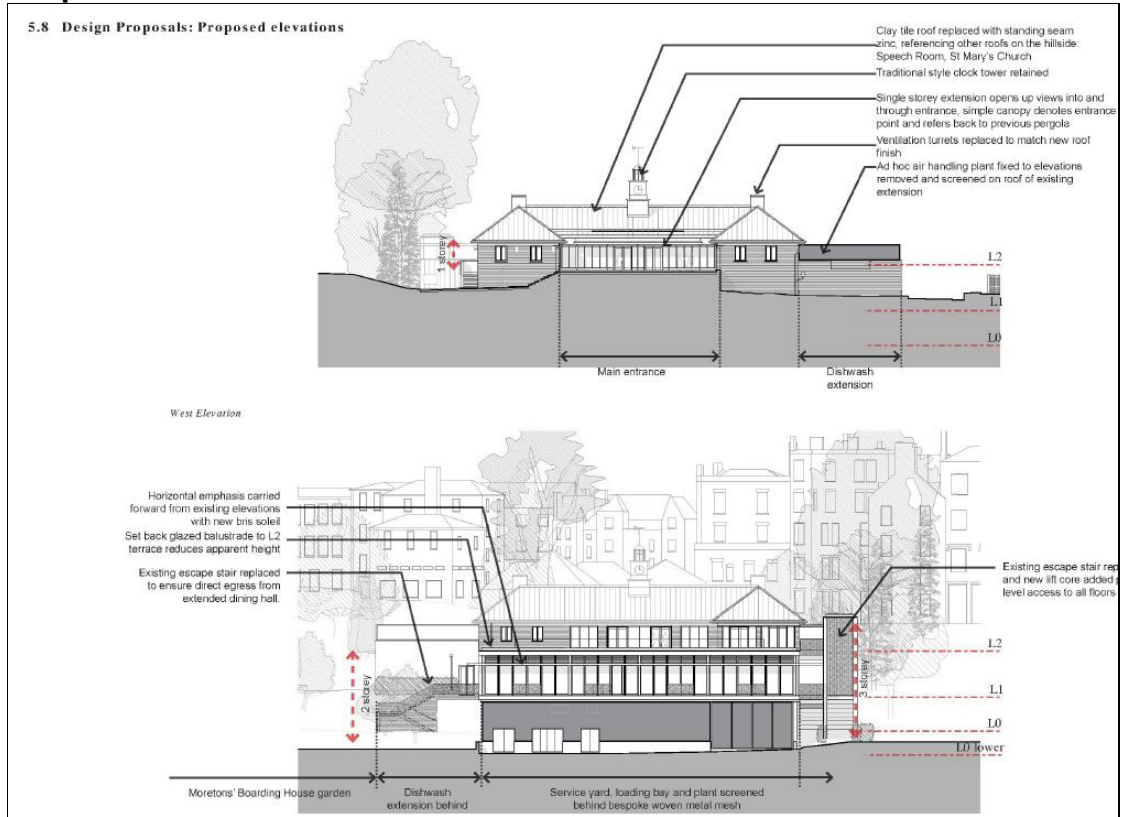
### 4.6 Building Arrangement



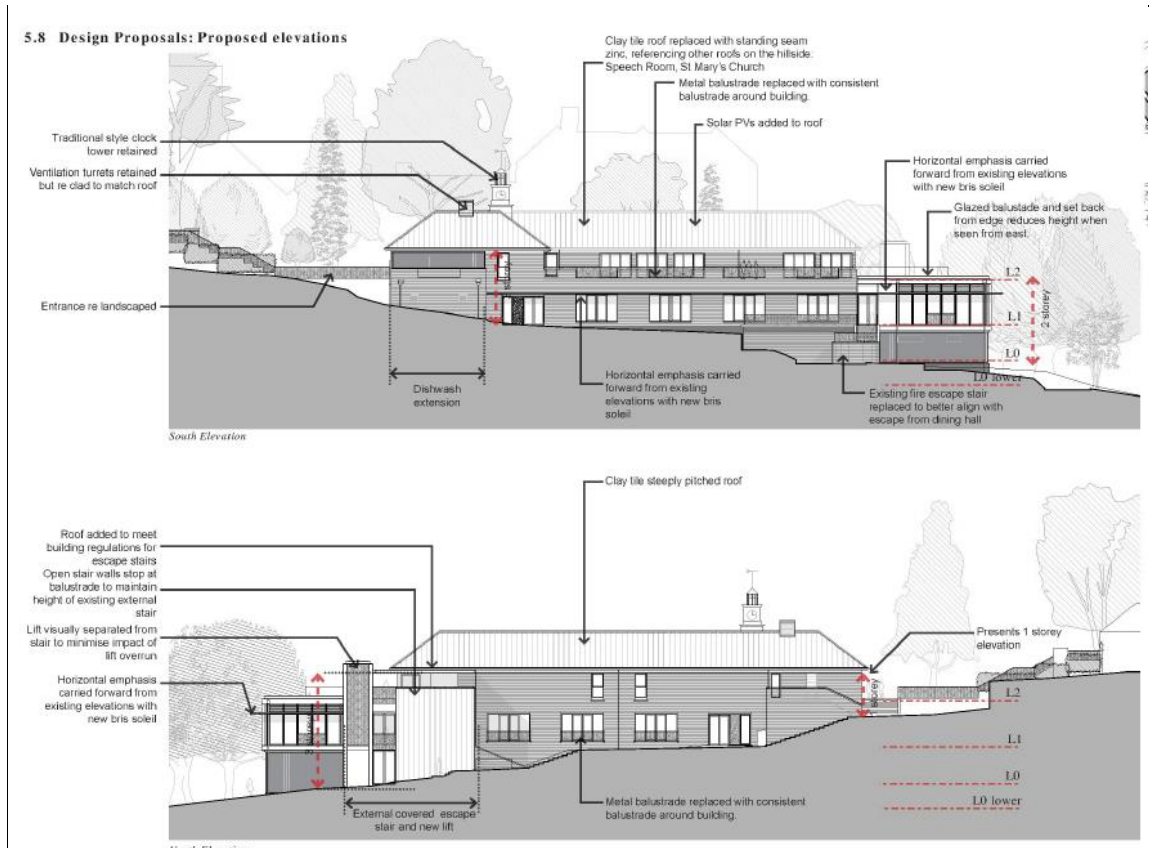
## Proposed Site Plan / Landscaping Plan



# Proposed Front and Rear Elevation



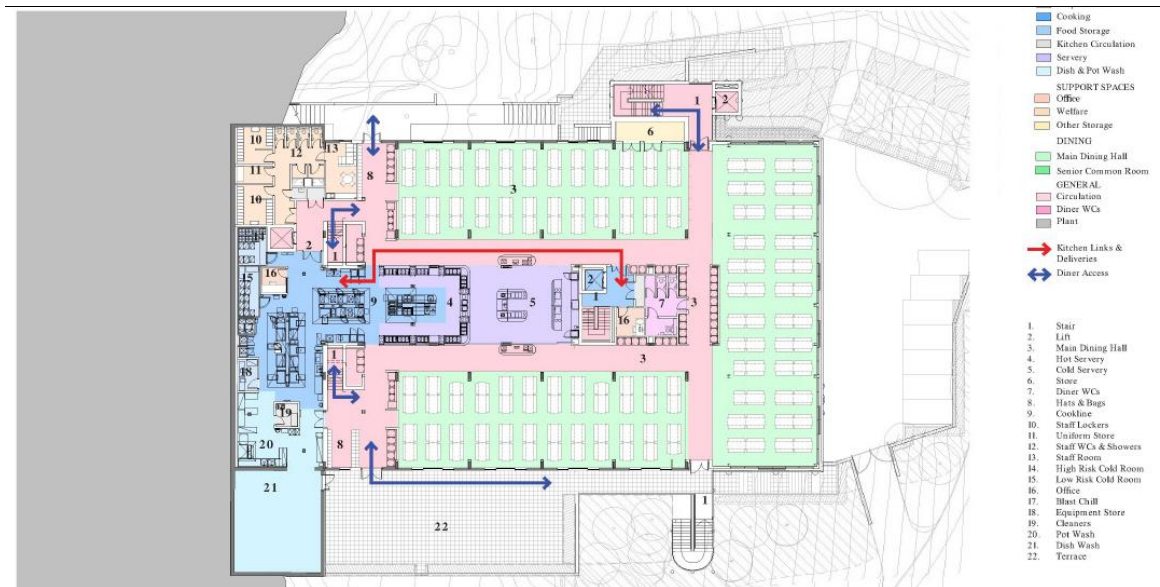
# Proposed Side Elevations



## Proposed Level 0 Floor Plan



## Proposed Level 1 Floor Plan



# Proposed Level 2 Floor Plan

