

Planning Committee Agenda

Date: Wednesday 9 December 2020

Time: 6.30 pm

Venue: Virtual Meeting - Online

There will be no site visit for Planning Committee Members.

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

Membership (Quorum 3)

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
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Scan this code for the electronic agenda:



Useful Information

Meeting details

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

Filming / recording of meetings

Please note that proceedings at this meeting may be recorded or filmed. If you choose to attend, you will be deemed to have consented to being recorded and/or filmed.

The recording will be made available on the Council website following the meeting.

Agenda publication date: Tuesday 1 December 2020.

Agenda - Part I

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

1. Attendance by Reserve Members

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

Reserve Members may attend meetings:-

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

2. Right of Members to Speak

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

3. Declarations of Interest

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

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

4. Minutes (Pages 11 - 22)

That the minutes of the meeting held on 18 November 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, 4 December 2020.

Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

6. Petitions

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

7. **Deputations**

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

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

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

- (a) Reference from the Council Meeting held on 26 November 2020 - Petitions (To Follow)

9. **Addendum** (To Follow)

10. **Representations on Planning Applications**

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

Planning Applications Received

Report of the Divisional Director, Planning - circulated separately.

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

11. Section 1 - Major Applications

- | | | | | |
|-----|---|--------|------------------------------------|------------------|
| (a) | 1/01 CANONS PARK STATION CAR PARK (P/0858/20) | CANONS | GRANT - SUBJECT TO LEGAL AGREEMENT | (Pages 23 - 152) |
|-----|---|--------|------------------------------------|------------------|

12. Section 2 - Other Applications recommended for Grant

- | | | | | |
|-----|--|---------------|-------|-------------------|
| (a) | 2/01 LAND SOUTH OF ANMER LODGE (P/3109/20) | STANMORE PARK | GRANT | (Pages 153 - 192) |
| (b) | 2/02 5 WELLINGTON AVENUE (P/2515/20) | HATCH END | GRANT | (Pages 193 - 232) |
| (c) | 2/03 3 LYNCROFT AVENUE (P/2173/20) | PINNER SOUTH | GRANT | (Pages 233 - 262) |
| (d) | 2/04 25 ABERCORN ROAD (P/2947/20) | BELMONT | GRANT | (Pages 263 - 296) |

- | | | | | |
|-----|--|--------------|-------|-------------------------|
| (e) | 2/05 15 ELMS ROAD
(P/3177/20) | HARROW WEALD | GRANT | (Pages
297 -
326) |
| (f) | 2/06 10 CHRISTCHURCH
AVENUE (P/2631/20) | KENTON WEST | GRANT | |

13. Section 3 - Other Applications recommended for Refusal

- | | | | | |
|-----|---|--------------|--------|-------------------------|
| (a) | 3/01 PRINCE EDWARD
PLAYING FIELDS
(P/1564/20) | QUEENSBURY | REFUSE | (Pages
327 -
402) |
| (b) | 3/02 AYMAN LODGE
(P/3181/20) | HARROW WEALD | REFUSE | (Pages
403 -
440) |

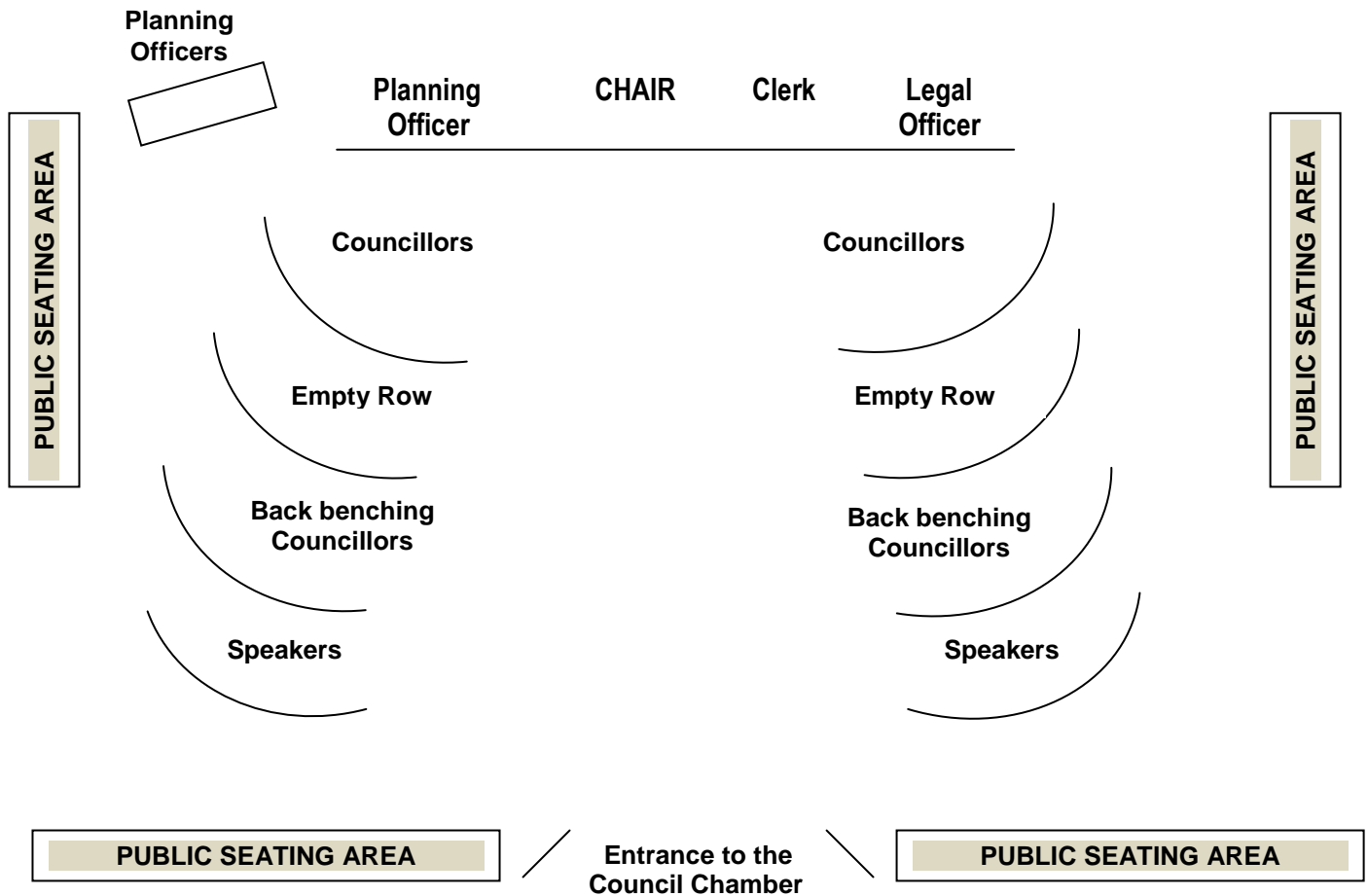
15. **Any Other Urgent Business**
Which cannot otherwise be dealt with.

Agenda - Part II - NIL

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GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

Typical Planning Committee Layout for the Council Chamber



Order of Committee Business

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

Rights of Objectors & Applicants to Speak at Planning Committees

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

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

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

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

Addendum

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

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

Decisions taken by the Planning Committee

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

Refuse permission:

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

Grant permission as recommended:

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

Minded to grant permission contrary to officer's recommendation:

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

Defer for a site visit:

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

Defer for further information/to seek amendments:

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

Grant permission subject to a legal agreement:

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

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

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Planning Committee

Minutes

18 November 2020

Present:

Chair: Councillor Keith Ferry

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

Apologies received: Ghazanfar Ali

441. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Kiran Ramchandani

442. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1 of Part 4B of the Constitution, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda item indicated:

Councillor

Planning Application

Dan Anderson

1/01, John Lyon School, Middle Road
(P/1813/19)

Sarah Butterworth

2/01, 52 High Street, Harrow (P/2250/20)

and 2/02, 52 High Street, Harrow
(P/1444/20)

Stephen Greek

1/01, John Lyon School, Middle Road
(P/1813/19)

443. 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.

444. Minutes

RESOLVED: That, the minutes of the meeting held on 14 October 2020 be taken as read and signed as a correct record subject to the insertion of the following sentence: "*Councillors Marilyn Ashton and Anjana Patel expressed their concerns on co-living models' suitability for Harrow, that this could result in the development being converted into an HMO and whether they were genuinely affordable,* " in place of "Councillors Marilyn Ashton and Anjana Patel expressed their concerns on co-living models' suitability for Harrow, and whether they were genuinely affordable".

This was in relation to Application 1-02 North Side Car Park Greenhill Way (P/1257/20), Minute Number 438.

445. Public Questions

RESOLVED: To note that no public questions were received.

446. Petitions

RESOLVED: To note the receipt of a petition from residents in relation to Agenda Item 1/01, John Lyon School Middle Road (P/1813/19), which was read by the Chair and its comments noted in the discussion that ensued.

447. Deputations

RESOLVED: That there were no deputations notified.

448. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

449. Addendum

RESOLVED: To accept the Addendum and Supplemental Addendum.

450. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of Agenda Items 1/01, 1/03, 2/01 and 2/02 on the list of planning applications.

Resolved Items

451. 1/01 John Lyon School, Middle Road (P/1813/19)

PROPOSAL: redevelopment to provide four storey teaching block with basement; hard and soft landscaping; parking (demolition of existing building) (as amended by the Addendum).

The Committee received representations from Ashley Vickers (Objector) and James Govier (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee also received representations from Councillor Dan Anderson and Councillor Stephen Greek, who both urged the Committee to refuse the application.

Councillor Marilyn Ashton proposed refusal for the following reasons:

- 1) the proposal, by reason of excessive scale and inappropriate siting, would do harm to the local character of the area and would not preserve or enhance the character and appearance of the Conservation Area, contrary to policies DM1, DM6, DM7 and DM46 of the local plan, CS18, CS10 and CS3A of the Core Strategy and 7.4, 7.6 and 7.8 of the London Plan (2016) and D1, D2 and HC1 of the Draft London Plan (2019).

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

The Committee resolved to refuse officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the 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 the report) or the legal agreement.

RECOMMENDATION B

That, if by 30 January 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation modification was 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 23 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.

DECISION: REFUSE

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

Councillors Ashton, Baxter, Brown, Patel, Ramchandani and Shah voted against the application.

Councillor Ferry abstained from voting.

452. 1/02 16-28 Bonnersfield Lane, Harrow (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) (as amended by the Addendum).

The Committee resolved to approve the officer recommendations.

RECOMMENDATION A

The Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to the planning conditions (set out in Appendix 1 of the report to the committee and as amended in the Addendum) and subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling legislation and issue of the planning permission and subject to minor amendments to the planning 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 Sheepcote 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:
 - employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
 - the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;

- the timings and arrangements for implementation of such initiatives and
 - 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:

- 1) 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 Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

DECISION: GRANT

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

453. 1/03 North London Collegiate School, Edgware P/2488/20)

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) (as amended by the Addendum).

The Committee received representations from Varsha Patel (Objector) and Gill Eaton (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

Councillor Marilyn Ashton proposed deferral.

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

The Committee resolved to approve the officer recommendation.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) the reasons for approval and the conditions as set out the report in appendix 1 as amended in the Addendum and subject to the comments from the GLA under stage 1 of the referral process and any additional conditions and section 106 obligations that may be required through this consultation; 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 was content to allow the Council to determine the case itself and did not wish to direct refusal, or to issue a direction under Article 7 that he did not wish to direct refusal, or to issue a direction under Article 7 that he was 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 16th August 2012 to address the following matters:

- a) Community Use agreement to be agreed and implemented for each phase of the development
- b) the existing red line restrictive building envelope to be removed
- c) replaced with the revised proposed parameter plans
- d) 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.
- e) A financial contribution (to be agreed) towards off site carbon reductions
- f) 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.

Councillors Ashton, Baxter and Patel abstained from voting on the basis that there was a link between the expansion of the facilities and the increase by 150 of the pupil numbers, thereby worsening the already difficult traffic problems both in Dalkeith Grove and Canons Drive.

DECISION: GRANT

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

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

Councillors Ashton, Baxter and Patel abstained from voting.

454. 2/01 52 High Street, Harrow (P/2250/20)

PROPOSAL: installation of five air conditioning units.

The Committee received representations from Councillor Sarah Butterworth and Ian Coward (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee resolved to approve the officer recommendation.

RECOMMENDATION

The Planning Committee was asked to:

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

DECISION: GRANT

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

455. 2/02 52 High Street, Harrow (P/1444/20)

PROPOSAL: installation of five air conditioning units to the rear within enclosure.

The Committee received representations from Councillor Sarah Butterworth and Ian Coward (Agent for Applicant). Both speakers outlined their reasons for seeking refusal, and approval, of the application, respectively.

The Committee resolved to approve the officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

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

DECISION: GRANT

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

456. 2/03 Stanmore House, 15- 19 Church Road (P/2503/20)

PROPOSAL: change of use of first and second floor offices to eight flats (2 x 2 Bed and 6 x 1 bed); and bin store (as amended by the Addendum).

The Committee resolved to accept officer recommendations.

RECOMMENDATION A

The Planning Committee was asked to:

- 1) grant planning permission subject to the planning conditions set out in Appendix 1 and the Addendum authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the legal agreement under section 106 of the Town and Country Planning Act 1990 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:
- 2)

Heads of Terms for the Legal Agreement

- a. Restriction of parking permits for future occupiers;
- b. £1500 to amend the relevant traffic order;
- c. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- d. Monitoring Officer's fees.

RECOMMENDATION B

That, if by 18 February 2021 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation was not completed, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission for the following reason:

- 1) 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.

DECISION: GRANT

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

457. 2/04 2A Towers Road (P/2063/20)

PROPOSAL: redevelopment to provide one pair of two storey semi-detached dwellings with habitable roofspaces (2 x 5 Bed); parking; bin and cycle stores; and separate amenity space (demolition of existing dwelling) (as amended by the Addendum).

Councillor Marilyn Ashton proposed refusal for the following reasons:

- 1) the development would be out of character in a road of detached single dwelling houses, would result in an increase of the footprint of the original dwelling house and would be detrimental to the residential amenities and character within the road, contrary to policies CS1 of the core Strategy, 7.4 London Plan (2016), D1 of the draft London Plan (2019) and to the Harrow's Residential Design Guide SPD in relation to garden development.

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

The Committee resolved to approve officer recommendations.

RECOMMENDATION

The Planning Committee was 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 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 Brown, Ferry, Ramchandani and Shah voted for the application.

Councillors Ashton, Baxter and Patel voted against.

458. 2/05 Shepherd Churchill Dining Hall (P/1974/20)

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.

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 as amended by the Addendum of this report.

DECISION: GRANT

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

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

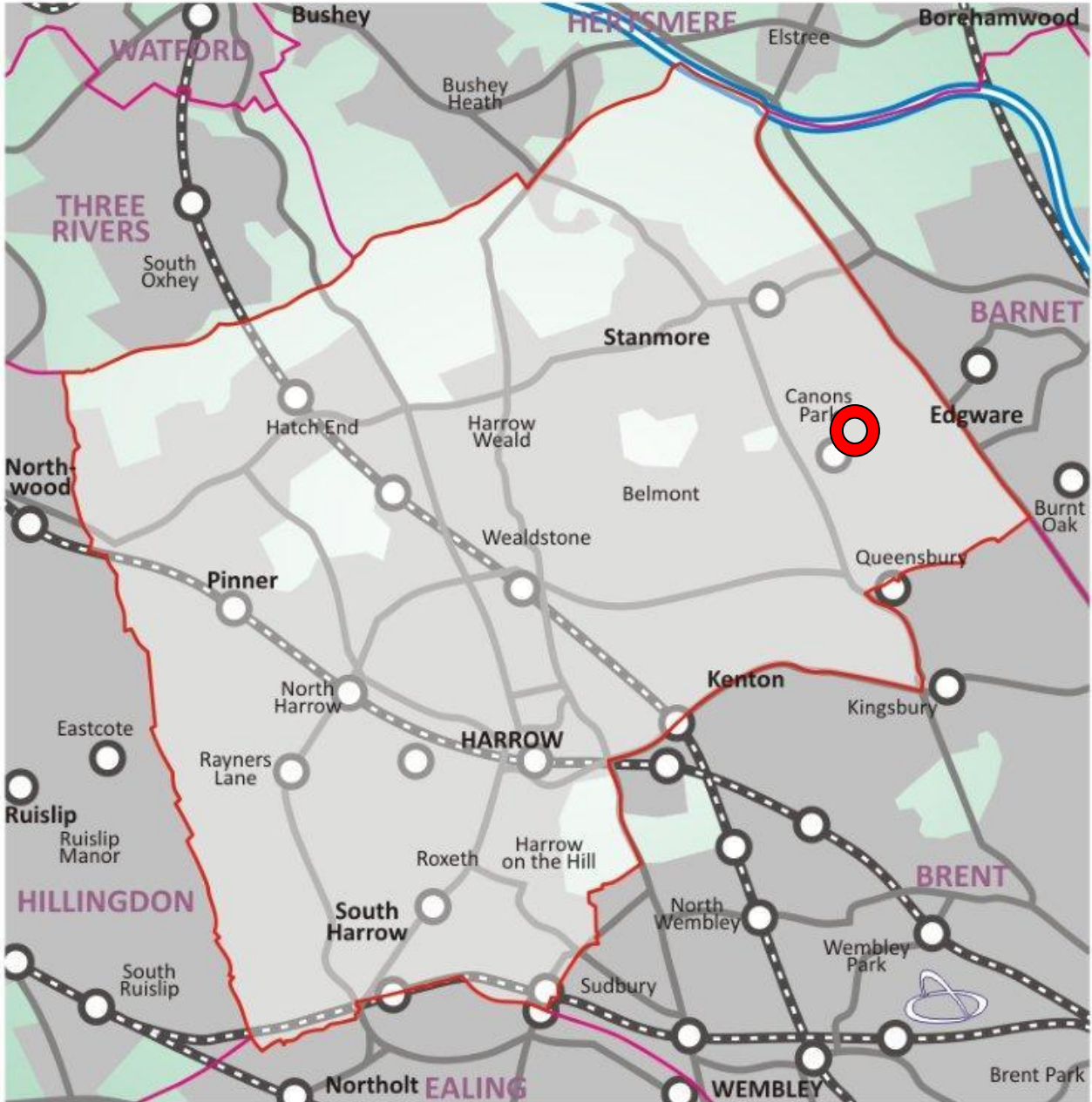
<https://www.harrow.gov.uk/virtualmeeting>.

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

(Signed) Councillor Keith Ferry
Chair

Agenda Item: 1/01

 = application site



CANONS PARK STATION CAR PARK, DONNEFIELD AVE	P/0858/20
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CANONS PARK STATION CAR PARK



**LONDON BOROUGH OF HARROW
PLANNING COMMITTEE**

9th December 2020

APPLICATION NUMBER: P/0858/20
VALID DATE: 04/03/2020
LOCATION: CANONS PARK STATION CAR PARK,
DONNEFIELD AVENUE
WARD: CANONS
POSTCODE: HA8 6RL
APPLICANT: CATALYST HOUSING LIMITED AND TRANSPORT FOR
LONDON (TfL)
AGENT: CBRE LTD
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 31st MARCH 2021

PROPOSAL

Redevelopment of existing car park to provide new residential accommodation (Use Class C3) and Sui Generis unit at ground floor and public car park along with associated works

RECOMMENDATION A

The Planning Committee is asked to:

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

Affordable Housing and Wheelchair Homes

- The following affordable housing to be provided on site:

Affordable Rent

- 2 x 2 bed, 3 person units (provided as wheelchair adapted units)
- 9 x 2 bed, 4 person units
- 11 x 3 bed, 5 person units

Shared Ownership

- 48 x 1 bed, 2 person units
 - 44 x 2 bed, 4 person units
 - 4 x 3 bed, 5 person units
- Cascade mechanism to ensure each Shared Ownership Unit shall be marketed for first sale exclusively to Harrow residents and those working within the Borough for no less than 3 months with an income cap for eligible purchasers. Thereafter, a further minimum 3 months marketing for sale exclusively at the relevant caps to West London residents.

Transport and Highways

- A contribution for further parking surveys to be carried out prior to occupation and post occupation of the 100th flat and a commitment to funding the study and implementation of CPZ measures should specific interventions be identified. The financial contribution shall be capped at £50,000.
- 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 sales and lettings agreements contain a covenant to the effect that; future owners, 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.
- A commitment that the developer will investigate to the Council's satisfaction and if appropriate, make reasonable endeavours to implement a car club scheme at the site throughout the life of the development
- A Station Travel Plan to be submitted to the Council prior to commencement of development. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site
- A revised Residential Travel Plan to be submitted to the Council prior to the first occupation of the building. A travel plan bond (to be agreed with the Council) will be required to secure the implementation of all measures specified in the revised Travel Plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site
- A financial contribution of £25,000 for improvements to the Jubilee Cycle Network
- The developer to enter into a Section 278 agreement to facilitate alterations to Donnefield Avenue. A £5,000 contribution is required for order-making

Children and Young People's Play space

- A financial contribution (to be agreed with the Council) to fund off-site provision (including enhancements to existing provision where appropriate) of play space and equipment

Heritage

- A financial contribution of £10,000 for the repair of the 18th Century Grade II Listed Memorial Garden Walls within Canons Park

Biodiversity Enhancement and Management

- The developer shall submit a Biodiversity Enhancement and Management Plan (BEMP) and any monetary contributions for offsite works dependent on the impact, mitigation and net gains required as set out in the BEMP.

Carbon Offset

- A financial contribution prior to commencement of the development for the shortfall in on-site carbon reductions required to achieve net zero carbon in line with the GLA rates (to be determined based on a revised energy strategy that reflects a more detailed assessment). Verification of post-completion or final on-site emissions will inform any further offset contribution that may be required.

Design Review and Design Code

- An undertaking by the developer to the existing architect (or one of equivalent standard) until the development is completed; or, the submission of a Design Code for approval by the Council that details the quality of the external materials of the finished development and other design parameters

Employment and Training

- A financial contribution to be paid by the developer to fund local employment and training programmes and the submission of a Training and Recruitment Plan
- The developer to use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

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 (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 31 March 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 Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

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 3.6, 3.11, 5.2, 6.3, 6.13 and 8.2 of the London Plan (2016), Policies D4, H4, S4, SI2, T4, T6, T6.1 and DF1 of the draft London Plan– intend to publish version (2019), Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM43, DM50, of the Harrow Development Management Policies Local Plan (2013), harrow planning obligations SPD

REASON FOR THE RECOMMENDATIONS

The Canons Park Station Car Park is allocated for residential development with the retention of appropriate station car parking, under Site H17 in the Local Plan. The provision of housing on the site is consistent with the Development Plan's broader objective to meet development needs on previously developed land, and to do so in sustainable locations, without resorting to development on greenfield and garden land.

The proposal would deliver 118 units of housing, all of which would be affordable-tenure. The delivery of 22 family sized London Affordable Rent units would meet the priority need within the Borough, while the 96 Shared Ownership units would provide a genuinely affordable housing option for residents in Harrow. The proposal would therefore contribute to the achievement of local policies, the strategic level need for new (affordable) homes for London and the Government's policy objective of boosting significantly the supply of homes.

The proposal has been conceived through a design-led approach that has sought to optimise development on this accessible, brownfield site. Officers recognise the proposal would introduce a development of contrasting scale and height that would contribute to a change in townscape character. However, as set out in the report, various experts in the design field have considered the scheme and have not raised any fundamental objections to the massing or design. Officers are mindful of this expert advice and consider that the proposed buildings would respond to the challenging constraints of the site and optimise the capacity of the site for development. The proposed development would therefore achieve a high standard of design and layout and would deliver an inclusive, attractive, well-designed and accessible public realm that supports the objectives of lifetime neighbourhoods.

The northern tip of the application site lies within the Canons Park Estate Conservation Area. The application site is also within the setting of Canons Park, a Grade II listed

Registered Park and Garden. Officers recognise that while many key features contributing to the significance of Canons Park and the Conservation Area would remain, including verdant views from key viewpoints and individually listed heritage assets, the proposal would nonetheless have a 'less than substantial' harmful impact on the setting of the heritage assets. As set out in the report, officers consider that the public benefits of the scheme outweigh the harm to the designated heritage assets. The balance as set out in Paragraph 196 of the National Planning Policy Framework therefore weighs in favour of the proposals.

The traffic and transport impacts of the development have been appraised by the applicant and are set out in the submitted Transport Assessment. Council Officers have scrutinised the Assessment and concluded that a reduction in the station car parking, car free approach for the residential component and highway works can be accepted, provided suitable mitigation measures are introduced. A package of mitigation measures have been provided to contribute to the modal shift and sustainable travel alternatives, and would be secured through s106 obligations and planning conditions. While many residents have expressed concern at the loss of station car parking and the resulting impacts on traffic and parking in the locality, Officers are satisfied that the transport impacts of the development would be appropriately mitigated. The proposal would therefore align with the strategic and local transport policies as set out in the development plan.

A range of potential environmental effects have been appraised. The proposal would incorporate measures that would help adapt with and manage the impacts of climate change, the environment and biodiversity. Where parts of the proposal would require further mitigation and enhancements, including those needed to secure optimal living conditions for future occupiers and to safeguard the environment during construction and upon occupation, these would be secured through a range of recommended s106 obligations and conditions of planning permission.

The concerns of residents, amenity associations and neighbouring interests are all acknowledged. The report does identify impacts of the proposed development on the amenity of neighbouring occupiers and the on the setting of the designated heritage assets. However, as set out in the report, Officers consider that the material considerations and benefits in favour of the proposal would outweigh the harm.

To conclude, Officers consider that, subject to s106 obligations and planning conditions, the proposed development is acceptable and worthy of support. In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to the completion of a satisfactory section 106 Planning Obligation, Officers recommended that the application is approved without delay.

INFORMATION

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

Statutory Return Type:	Largescale Major Dwelling Development
Council Interest:	n/a
Net Additional Floorspace:	10,577m ²
GLA Community Infrastructure Levy (CIL):	£51,000
Local CIL requirement:	n/a

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

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

1.0 SITE DESCRIPTION

- 1.1 The application site currently comprises a 162-space public car park (approximately 0.4ha) located on the western side of Donnefield Avenue. The car park is owned by Transport for London (TfL) and provides commuter car parking for the adjacent Canons Park Underground Station. Also included within the site boundary is the Donnefield Avenue carriageway and the pedestrian footway on the western part of the road.
- 1.2 The application site is adjoined to the south by British Emergency Ambulance Response Service (Bears) Centre and beyond this, Canons Park Underground Station. A steep railway embankment and the Jubilee railway line borders the application site to the west. The land to the south and west of the application site is also owned by TfL.
- 1.3 The eastern side of Donnefield Avenue features two detached buildings which are part 2 and part 3 storeys in height and consist of twenty flats respectively. 1-20 Canons Park Close is located opposite to the southern part of the application site and has extant planning permission for the creation of an additional floor (planning reference P/1277/20). 21-40 Canons Park Close is located opposite the northern part of the application site. Also, on the eastern side of Donnefield Avenue is the access to Arnold House School Playing Fields, Acorn Tennis Club and Lupton Bowls club, which is located between the two flatted blocks. To the north of 21-40 Canons Park is the End House, a residential family dwellinghouse.
- 1.4 The application site adjoins Canons Park to the north. Canons Park is a grade II listed Historic Park and Garden and is also designated as Metropolitan Open Land. The northern edge of the application site also falls within the boundary of the Canons Park Estate Conservation Area. Wyel Lodge, a former police office that has been converted back to a residential family dwellinghouse and is located within Canons Park, adjoins the application site immediately to the north.
- 1.5 The application site is located within Environment Agency Flood Zone 1, with a part of the north-western tip of the site falling within Surface Water Flood Zone 3a. Canons Park and the railway embankment which adjoins the west of the application site are designated as a Site of Importance for Nature Conservation (SINC).
- 1.6 The subject site has been allocated for housing (Site H17) in the Harrow Council Site Allocations Local Plan (2013).
- 1.7 The application site has a public transport accessibility level (PTAL) of 3, and is therefore considered to have a good level of access to public transport.

2.0 PROPOSAL

- 2.1 Full planning permission is sought for the redevelopment of the application site to provide 118 residential units (Use Class C3) across three, 7 storey buildings. The proposal would re-provide 60 commuter car parking spaces in addition to a new TfL Cycle Hub.
- 2.2 Building A would be located towards the southern end of the site. The proposed southern flank elevation would be sited approximately 1.5m away from that respective shared boundary. The building would have a maximum depth of 14.5m and a width of 43m. The TfL Cycle Hub would be provided within the southern part of the ground floor. The rest of the ground floor would comprise the entrance lobby, designated cycle and refuse storage for the proposed flats and rooms with servicing/utility provision functions. A total of 22 residential units would be provided within the upper floors. The proposed sixth floor would be recessed with the front elevation incorporating a 2m set-back, while the southern elevation would incorporate 5.8m set back.
- 2.3 Building B would be located centrally within the site and would have a maximum depth of 19.5m and a width of 42m. A separation distance of 13m would be afforded between the proposed southern elevation and building A. The ground floor would have a reduced depth of 8m and would provide an entrance lobby, refuse and cycle storage and two residential units. Beyond this to the rear of the ground floor would be the replacement station car park within a part undercroft. A total of 48 residential units would be provided within this building. The proposed front elevation of the sixth floor would be set-back by 2.5m.
- 2.4 Building C would be located at the northern part of the application site and is identical to building B in relation to its proportions, layout and provision of undercroft parking at ground floor level. There would be a separation distance of approximately 9m between the southern elevation and building B which serves as the access route into the car park, while the proposed northern flank elevation would be sited 10m away from the shared boundary with Wyel Lodge and Canons Park to the north. Building C would also provide a total of 48 residential
- 2.5 The proposed residential units would comprise of the following mix:
- 48 x 1 bed, 2 person units
 - 2 x 2 bed, 3 person units
 - 53 x 2 bed, 4 person units
 - 15 x 3 bed, 5 person units
- 2.6 With regards to the proposed housing tenure, all the proposed residential units would be affordable. A total of 22 units would be London Affordable Rent (equating to 29%) while 96 units would Shared Ownership Units (equating to 71%).

- 2.7 A total of 18 units would be wheelchair user dwellings, while the remaining units would all be ‘accessible and adaptable dwellings’.
- 2.8 The proposal would re-provide 60 public commuter parking spaces for Canons Park Station, including 6 wheelchair accessible spaces. The TfL Cycle Hub would provide 71 cycle parking spaces for commuters and the general public to use.
- 2.9 The proposed residential development would be ‘car-free’ and would therefore provide four blue-badge parking bays on implementation and a further eight spaces passive spaces identified for future use should the demand arise. The proposal also provides 212 cycle parking spaces for the future occupiers.
- 2.10 In relation to landscaping and public realm, a community garden would be provided between Buildings A and B, and a pocket garden between Building C and the northern boundary of the application site. The public realm improvements within Donnefield Avenue are aligned to the TfL Healthy Streets guidance including street furniture and soft landscaping. Additional planting is also proposed to the west of the site adjacent to the railway embankment. Improvements to Donnefield Avenue include; highway and pavements re-surfacing, western pavement widening to provide a 2.3m wide pavement and two new highway widenings will be introduced to the eastern side to allow for vehicular passing points and to be used for deliveries and waste collection.
- 2.11 The following amendments have been made to the proposal during the course of the application:
- Removal of the protruding balcony and the Juliette balconies on the northern elevation of Building C facing Canons Park
 - Omission of the ‘play on the way’ proposed along Donnefield Avenue
 - Removal of the raised-table adjacent to the entrance of Canons Park

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
HAR/14793	Provision of car park	Grant 31/12/1958
LBH/24650	Extension to station car park	Grant 02/02/1984

4.0 CONSULTATION

- 4.1 A total of 2,297 consultation letters were sent to neighbouring properties regarding this application. The letters were sent on Tuesday 9th June 2020 and

residents were provided with a minimum 6 week period of consultation in which to provide a response.

- 4.2 A total of 10 site notices were placed adjacent to the application site, the main entrances to Canons Park, the Underground Station and the Whitchurch Lane commercial parade on 11th June 2020. The application was also advertised in the local press on 11th June 2020. The application was advertised as a major development, Impact on Setting of a Conservation Area, Setting of a Listed Park and Garden and a Departure from the Development Plan.
- 4.3 A total of 610 neighbour representations have been received. Of these, 603 have raised an objection to the application and 7 have provided support for the proposal. A summary of the responses received are set out below. All material planning/relevant matters have been addressed within report. Other matters raised are not material planning considerations/not relevant to the proposed development.
- 4.4 Furthermore, a petition comprising 2,522 signatures has been submitted in objection to the proposal. The petition has been submitted on the basis that the: *'bulky over-intensive and overbearing proposal is totally out of character with the surrounding suburban area, goes against / contravenes Local, London and National planning policies and will have a devastating and detrimental effect on the views across the Grade 2 listed registered Canons Park. The loss of 100 commuter parking spaces will have a major effect on the locality especially on local and Wembley event days, problems that will be compounded by the application for development of Stanmore Station Car Park'*

Summary of Comments on original consultation

Character and Design

Out of character; scale and height unprecedented; overbearing; overdevelopment; blight on the landscape; out of keeping; high density; over-intensive use; out of character with suburban style homes; bulky; obtrusive; precedent for future height of development; dominating; invasive development; green belt area treated liked a London Zone 1; uninspiring building; unappealing design with zero character; people pay high prices and enjoy living here due to suburban feel of the area; undesirable use of land; incongruous to area; high rise buildings taking over place of housing; loosing character of neighbourhood; 4 fold increase in inhabitants within cul-de-sac and not acceptable on density grounds; nearest building of a similar height is at least 2 miles away; Stanmore and canons park being inundated with buildings of flats; building is only a few meters from the pavement producing the effect of a continuous brick cliff; will look like crowded inner city London; over-subscribed with apartment buildings; out of keeping with surrounding 1930s estate; will dwarf other properties; inner city building design in suburban area; intrude on the skyline; prison like; development should fit-in with the local area; design is bland; heaving mass of redbrick with a small set-back from the narrow pavement.

Heritage / Canons Park

Eyesore from Canons Park; Canons Park will be congested and not enjoyable for residents; increased footfall at Canons Park would negatively impact environment; loss of views to grade II listed park; few green spaces left; St Lawrence's Church should not be overlooked; would be visible from most of the park and a more sensitive and respectful solution must be found; excess noise and pollution detrimental to Canons Park; westward view from park will be ruined; development will spoil views; will destroy landscape of Canons Park; too much noise and anti-social behaviour adjacent to historic park; canons park important for mental well-being and health; will completely change character of park and views; keep the park a sacred place for personal enjoyment and renewal; overcrowding; overlooking will detract from enjoyment of park; pedestrian access to park compromised by movement of gate for parking so close to the park; will be an act of vandalism perpetrated on a site of national heritage; loss of historic 18th century landscape; pandemic has taught us we need green spaces and unobstructed views; would be sacrilege if the funding and effort to resurrect the sites historical layout and views is ruined by these 7-storey modern buildings; loss of vistas to two 18th century grade 2 listed buildings as seen from canons park; increased parking on roads in the conservation area; canons park will have its value and beauty reduced by the insensitive development; devastating impact on the heritage of canons park; historic sight lines will be overpowered;

Residential Amenity

Neighbouring Occupiers

Loss of daylight and sunlight; noise and disturbances to existing residents; blight outlook; noise and disruption during construction; not enough amenity space; health and safety at risk with pollution and traffic; overlooking and height may impinge on privacy; loss of quality of life; loss of privacy; front facing units with recessed balconies would prejudice the future development potential or no.21-40 Canons Park Close;

Future Occupiers

Noise pollution for future occupiers; small flat sizes; poor view from flats facing platform; noise impact of 24 hour service on weekend; overlooked by users of the station; health risk due to beak dust from trains; size of individual units will lead to mental health problems; communal amenity noise pollution will require windows to always be closed; space is insufficient; limited and unrealistic amenity space with pocket gardens;

Highways and Transport

Station Car Park

Commuter parking spaces needed; car park used on match days for Wembley and the Hive; cheaper to park at station and use underground than commute from outside London Underground stations; car parking at station already at capacity; commuter car parking essential for commuters; safer to use car park than public transport at night; outer edge of London so commuters should be parking here and commuting into London; already station car park cannot meet demand; parking at station vital to allow juggling work, school and home duties;

by reducing car parking at the start of the Jubilee line, commuters will not be able to commute; will force people to drive into London; once lost the parking spaces will never be replaced; station car parking is also in short supply like affordable housing; how will losing 60 parking spaces benefit the 1.68 million users of Canons Park station every year; no station car park during construction; people bringing children in pushchairs/wheelchairs to Canons Park will not have a space for the car; loss of parking spaces will disproportionately affect vulnerable, disabled and frail; how can people use the station if they cannot park cars; Arnold house school's playing field is opposite and parents park in the car park and road while children come in coaches; acorn tennis club and Lupton bowling club opposite and not everyone lives locally so rely on local parking;

Public/Sustainable Transport

Will add to the capacity on trains; public transport is still inadequate so cannot compensate for lost car parking; roads not safe for cycling; commuters in business attire cannot cycle; difficult for anyone who doesn't have means except a car to access station; consider elderly and disabled who do not have an option for public transport to station; buses already overcrowded; women put at more risk during night time without nearby parking; dangerous overcrowding at tube station; public transport will become more crowded; more parking would encourage more use of the station; cycle tracks should be introduced and segregated from pedestrians; should include step-free access at the station; is an overflow car park to Wembley stadium on event days; cycling to station may prove unsuitable; jubilee line has more connections to other trainlines; people cannot afford to take car into London with increased congestion charge; increased cycling or walking does not take into account demographics of area; not safe to walk through the park at night to get to station; relying on people to walk or cycle is unreliable when the weather is inclement; essential that people can get into London quickly; pedestrians at risk by swarms of cyclists;

Traffic and Parking

Area will be overcrowded with vehicles; more congestion in area; more pressure for parking on side streets; will cause too much traffic; ambulance crew from BEARS already park within side roads as there is no other place to park; existing residents forced out due to congestion and parking constraints; area is over-run with cars and living here is a nightmare; battleground for parking; loss of parking permits for local residents; need more parking; Canons Park Estate side roads ruined by parking; reducing spaces will not reduce parking needs; intensive use of Donnefield Avenue which is a small and narrow road; increased volume of traffic; no traffic calming measures established or planned; majority of existing residents have two cars; access to driveways blocked due to existing parking issues; increased traffic will lead to road traffic accidents and delays; shortage of parking for the tennis club; Whitchurch lane already gridlocked; severe tail backs on Whitchurch lane; surrounding roads will see an increase of illegal parking; no provision for increased traffic on match days; nowhere else for commuters to park and would clog surrounding streets

Car Free Proposal

how will the car free use be controlled; residents would still use cars; cannot guarantee buyers wont have cars; no way to enforce car free; to think people will not have cars is naive; lack of parking spaces for visitors of the future occupiers; schemes to reduce car parking in the area have not worked;

Other

Would be better for a multi-storey car park on the site; no offer for step-fee access to station; safety of children accessing the park; access to schools and recreation grounds will become dangerous for pedestrians; speeding drivers; increased likelihood of accidents; vehicle and delivery van location not provided; road is narrow leaving little space for traffic congestion; visibility when turning and access for emergency vehicles already challenging; underground parking could be provided; pressure on road space for deliveries will be intolerable; more on street parking a hazard for emergency vehicles; junction is an accident hotspot; no one can be sure about the long term consequences for the use of private transport as a result of Covid-19; many large delivery vans parked in the local area at night so would be better for these to be allowed to park in the station car park at night;

Local Infrastructure and Services

health, shopping facilities, transport, schooling are strained; amenities and shops not designed to support an influx of families; ability for social infrastructure to support such a large development should be considered; pressure on local services around; lack of local infrastructure and services; no consideration on impact of local services (schools, doctors and amenities); local services will not be able to accommodate increase in population; overwhelmed; increase pressure on public services; water and drainage capacity is inappropriate for the development; further pressure on Council to provide street cleaning and landscape maintenance; schools oversubscribed; disadvantage long-established businesses at canons park station due to higher operating costs

Housing

Need to build more houses with gardens; Harrow could release other brownfield sites or green belt; already enough flats and houses; affordable housing should also include houses and not just flats; flats will be bought and let out and be over-occupied; already have Stanmore Place so don't need another large development in the area; no new housing is needed; housing not the only important factor; more sympathetic proposals for affordable housing previously turned down; told flats would be used by hospital workers but public transport connections to hospital are not good; bigger plots are available to build rather than a cramped and dense development; should focus on abandoned buildings and unused land; affordable housing to who?; new houses should be built outside borough; building A is affordable rent and building B/C is shared ownership which suggests 'poor doors'; why build more flats when there are empty buildings and offices in harrow; properties built are not affordable housing; most units are shared ownership the contracts of which are notoriously burdensome; why so few 3 bedroom units as it is difficult for large families for

find affordable housing accommodation; just pushing for highest number of housing units; only 33% of units are for social rent; most houses in the area are multi-occupancy

Environment, Sustainability and Ecology

Increased pollution; water supplies are stretched; pollution will impact health; BEARS ambulance centre will be affected and should be consulted; destruction and depletion of green areas and activities such as bird watching which takes place will be sorely affected; destroying environment by building too much; loss of wildlife; impact on drainage; removal of trees; increased risk of flooding; loss of trees and natural habitats will endanger the sensitivity of the site;

Other

Will increase crime and antisocial behaviour; Harrow is being overpopulated; will not benefit people of Harrow; negative impact on property value; put Harrow residents first before greedy profit; majority of people in locality against the development; money grabbing venture; access for construction traffic will be difficult; building could cause damage to adjacent buildings and railway line; impact on subsidence to surrounding properties; risk of fire; will aggravate rather than enhance social cohesion; TfL losing asset that generates regular revenue for one-off benefit; increase in population will require more employment in locality and jobs for all the new residents; development serves commercial and not community interests; gentrify other places outside London; public land should not be sold off; hooligans loitering around station on Wembley event days; application by London Labour Mayor is vendetta against Harrow East residents who have consistently voted conservative; financial benefits of proposal should be scrutinised to ensure motive is not profit. TfL and Harrow Council should not profit from building on this site; Stanmore Place development already caused a major negative impact; forcing people to seriously consider moving out of the area; many developments in the area granted are much larger than planned; strained relationships might occur between new and existing residents; quick profiteering and long-term misery for the majority of residents;

Comments in Support

Should build taller so we can have integrated shopping and residential complex with access to platforms; should use space above railway more; affordable accommodation in short supply, cycle hub is a good idea, improving streetscene to park entrance, will help local businesses; urgent need of more housing; TfL in need of funding; need more affordable housing;

4.5 Statutory and Non-Statutory Consultation

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

Consultee and Summary of Comments

LBH Planning Policy

Principle of Development

The Land at Canons Park Station is allocated within the Site Allocations Local Plan (2013). Specifically, the allocation of this site notes that it is appropriate for partial redevelopment of the site for residential purposes. Furthermore, it notes that any redevelopment of the site must retain an adequate car parking provision, to continue to meet demand generated by commuters and in connection with major events in Wembley stadium. The site allocation sets out an indicative figure of 17 homes, which is set out against half of the site being redeveloped for housing. The current application for Canons Park Station proposes 118 units for the site, which is significantly higher than that envisioned under the site allocation. However, it is firstly noted that the figure of 17 units is specifically identified in the Site Allocations Local Plan as being 'indicative', and therefore any increase in numbers of units above this could still be considered acceptable. The primary balance against the quantum of housing in terms of the site allocation lies with ensuring an appropriate quantum of car parking being re-provided. Accordingly, and notwithstanding the substantial increase in housing units over and above that identified within the site allocation, residential development is acceptable. The acceptability of the quantum will be considered against all other material planning considerations.

Alongside the proposed residential development of the site, it is also proposed to provide on the ground floor of proposed building A, a Cycle Hub (Use Class Sui Generis). This is proposed to be 99sqm in size, and provide 71 cycle spaces for commuters and the general public. The use of part of this building to provide for a cycle hub is considered to be an appropriate use. A cycle hub would provide for facilitates that would assist in commuters arriving at the underground station by way of a sustainable mode of transport, rather than reliance on the private motor vehicle. This would assist in achieving the Mayor of London's aspiration for a modal shift to more sustainable transport typologies.

The principle of development at the site is therefore acceptable.

Affordable Housing Provision

Policy H5 of the draft New London Plan (2019)(Intend to Public Version) sets out the thresholds for major residential applications where a contribution of affordable housing is required. The application proposed 118 units and is located on public sector land, and therefore is required to make a contribution, and also at a minimum threshold of 50% (by reason of being public land). It is noted that the development proposes to offer 100% of the residential units as an affordable tenure product. By reason of offering more than the 50% (in this

instance), there is the opportunity to follow the fast track route, which allows applications to not be subject to an appraisal in relation to the Financial Viability of scheme. In measuring the percentage of affordable housing on a scheme, this shall be measured by habitable rooms. This ensures that a range of homes are able to be delivered, including larger, family-sized homes.

Policy H5D states that 'Developments which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor where relevant'. The application proposes 100% affordable units. Given that the proposed development would provide 100% affordable housing, it could be argued that a Financial Viability Assessment is unlikely to be beneficial in this instance. Indeed if one were to be submitted and a surplus was found to be present in the scheme, it would be unreasonable to expect the applicant to provide more than 100% affordable housing. However, Policy H5D is clear that an offer of more than 75% affordable housing must have an agreed tenure mix with the borough (in this instance).

Policy H6 (Affordable Housing Tenure) of the draft new London Plan (Intend to Publish Version) (2019), sets out how affordable housing should be split when a residential application is required to provide it. Under Policy H6A:

- 1) a minimum of 30 per cent low cost rented homes, as either London Affordable Rent (LAR) or Social Rent, allocated according to need and for Londoners on low incomes
- 2) a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership
- 3) the remaining 40 per cent to be determined by the borough as low cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need.

Following on from above, paragraph 4.6.2 of the draft London Plan (2019)(Intend to Publish Version) recognises that most need is located within the social rent & London Affordable Rent given the need. The Local evidence base for housing type is detailed most recently within the West London and Harrow Strategic Housing Market Assessments (2018).

The London Borough of Harrow Core Strategy (2012) sets out that for housing proposals that trigger the requirement to provide affordable housing, these should provide the maximum reasonable, with a borough wide target of 40%. This goes onto state that the provision should also be split 60% in favour of London Affordable rent, and 40% as an intermediate product (i.e. shared ownership). The higher percentage of London Affordable Rent is a reflection of the evidenced need to provide a typology that directly assists in alleviating homelessness, whereas intermediate products do not provide this to such an extent. With regard to the Core Strategy policy requirement for 40% affordable housing, the proposed development would provide this, and within that, a policy compliant split of 60% London Affordable Rent and 40% of Shared Ownership.

As noted above, the proposed development proposes a 100% affordable housing scheme, with a total of 22 units as London Affordable Rent (to reflect the minimum Core Strategy requirement), and the remaining 96 offered as Shared Ownership (of which only circa 15 units are required to meet the Core Strategy policy requirement). By habitable room, this equates to 29% LAR and 71% S/O across this scheme.

It is therefore disappointing that the applicant in providing their affordable housing offer, has acknowledged the situation that Harrow is in with regard to its housing stock, and the pressures faced in terms of delivering affordable homes to alleviate homelessness / people in temporary accommodation, and then proposed an overwhelming quantum of an affordable tenure that is not the evidenced need and does little to address the housing pressures they have specifically identified.

Genuinely Affordable Product

It is also important that these tenures are 'genuinely affordable'. The draft New London Plan (2019) (Intend to Publish Version) across each of its Affordable Housing Policies, state that the Mayor will seek genuinely affordable housing to be delivered. In terms of the London Affordable Rent, the applicant has stated that this would be let in accordance with the GLA's definition / rent levels. All service charges will be in addition to the rent. This approach is considered to be appropriate.

The Shared Ownership offer, which makes up the majority of the housing quantum, is proposed to be brought forward in line with GLA guidance. Specifically, this is stated as being affordable to households with an income of up to £90,000. The applicant does go onto state that there will be a cascade mechanism within the S.106 agreement (in the event that the scheme is approved), that will ensure for the 3 months that units would be offered exclusively to Harrow residents at locally agreed income threshold caps. This approach is encouraged. Specifically, the LPA has sought detail from the applicant to demonstrate that the Shared Ownership products being offered are genuinely affordable to Harrow residents (based on an average Harrow household income at Borough and Ward Level).

In the event that planning permission is recommended for approval, it is recommended that a hierarchy obligation be secured to ensure that housing is offered to Harrow residents first, and also are offered at capped household income levels dependent on the size of the units but for at least the 1 and 2 bed Shared Ownership units, at income levels below the Mayor's London-wide cap of £90,000 per year (as set out in the GLA Annual Monitoring Report). Following this, it should be released to West London (WLA boroughs), and then to wider London. Once released to West London and London wide, this will be at the GLA cap.

Conclusion

The proposed development would provide a comprehensive re-development of the site, which is acceptable in principle and welcomed. Furthermore, the

proposal would offer 118 units, all of which would be offered as affordable housing, which again, in principle would be acceptable.

Response to additional information provided during the applications:

- Within 3-bed SO, rent set at 1.8% (below the Mayor's cap of 2.75%) to make these units affordable at an income cap of £74,500. This is positive and its good they've committed to it in material forming part of the application. However, it only relates to a small number of units within the policy compliant offer as the voluntary SO is 1 and 2 bed
- Cascade mechanism broadly reflects other schemes. Eligibility criteria should include those working in Harrow.
- If weight given, then voluntary SO would need to be secured in S106 and any change from this should be presented back to Planning Committee.
- Their example of SO at Burnt Oak suggests local demand (40% of sales) and that upper incomes were £64k. Purchasers had a range of ages but mostly 25-50 yrs.
- An average Harrow household should be able to afford a one bed flat. Two incomes or a high-earning single income would be required for two and three beds.

Energy and Sustainability

The applicant has submitted an energy statement prepared by Couch Perry Wilkes, dated 24 February 2020. The energy strategy broadly follows the energy hierarchy as required in the current and 'Intend to Publish' versions of the London Plan.

The overarching target for development in the Intend to Publish version of the London Plan is 'zero carbon', with this preferably achieved on site (where this cannot be achieved, an offset contribution may be made to the Council to undertake carbon emissions reductions elsewhere in the borough). The strategy indicates that the development will achieve overall on-site carbon reductions of 48%, which is in excess of the minimum 35% required under the London Plan. The remaining 65 tonnes of carbon will be offset at the current GLA rate of £1,800 per tonne (£60 per tonne / year x 30 years), equating to a contribution of circa £117,000 (note: once the Intend to Publish version of the London Plan is finally published, a higher rate will apply). These measures / outcomes are supported.

In terms of a communal heat network, in this particular instance (having regard to the specific development, site and location) we can accept omission of a district energy network plant room given that there is relatively low likelihood of a wider district heat network coming forward in the foreseeable future in the absence of other major development opportunities within the immediate area and the potential impact that such plant room provision would have on the footprint and bulk of the development (with potential for further impact on biodiversity and built conservation etc).

The details should be addressed through an updated energy strategy. A pre-commencement condition will need to be applied to any permission requiring the

submission of a revised energy strategy that takes into account the more detailed assessment / design of the proposed ASHP system. A pre-commencement condition is considered necessary as the detailed design of the ASHP will influence the detailed design of the rest of the scheme, including potentially at foundations / lower level stages.

Any S106 agreement should include payment of the offset contribution prior to commencement of the development (based on a revised energy strategy that reflects the more detailed assessment / design of the proposed ASHP) and the verification of final carbon emissions / further offset contribution secured post-completion if actual / final on-site emissions exceed that assumed in the original offset contribution calculation. The agreement should also reflect the Mayor's 'Be Seen' requirements.

LBH Conservation Officer

Significance

The proposal is in the setting of the Canons Park Conservation Area and the grade II listed registered park and garden. This is a link to the list description: <https://historicengland.org.uk/listing/the-list/list-entry/1001394>. The Canons Park Conservation Area Appraisal and Management Strategy (CAAMS) states: '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'.

The NPPF defines the 'Setting of a heritage asset' as: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

There is a sense of isolation within much of the park from built up surroundings as there are reasonably open surroundings with surrounding development where present being low rise.

Appraisal

NPPF paragraph 200 states: 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably

The proposed new buildings would be visible in open views from the parkland. It is the feeling of seclusion and openness in the park that provides the conservation area and registered park and garden with a large part of its special character and appearance as noted in the CAAMS. The proposal would greatly undermine this character given the height proposed and its proximity to these

designated heritage assets as well as the large amount of glazing and balconies (Juliet and full balconies) facing the park. It would also be lit up at night.

A map showing the zone of visibility would be helpful to show clearly the impact that this would have on the park. It is noted by the supporting documents that this would not be visible as far north as the walled garden which is good but it seems it would be evident further south.

In addition, viewpoint 6 in Canons Park shows the impact on the two storey house, The Lodge in Canons Park, at the entrance of the park, just beyond the end of Donnefield Avenue. The lodge is 17 metres away from the seven storey Building C. The Lodge was designed as small scale property, ensuring that the overwhelming openness and greenery of the conservation area remains part of the special interest of the registered park and garden and character and appearance of the conservation area. In recognition of the importance of this multiple article 4 directions have been added to this property to ensure that additions require planning permission so they can be managed to ensure that they do not overwhelm it and undermine these key characteristics of the heritage designations.

The scale of the effect of the proposed new build in its setting is noted as 'large' in the Townscape Appraisal. The cross section in the Design and Access statement shows the proximity of The Lodge. Building C is too close to be screened and there is no space for 'buffer' planting. It would not be possible to provide meaningful soft landscape to screen or soften the view of the building.

The cross section (extract from the visual appraisal) shows the height and nearness of the building Building C in relation to The Lodge, and insufficient separation or space to provide a soft landscape 'buffer' or break up the view.

View 5 – the proposed development will be clearly visible from the listed Canons Park and The Lodge and will have a 'large' impact on the overall sense and atmosphere of 'openness and greenery' within the park. There is insufficient space within the development to provide softening or screening of this view.

View - 3 shows a similar impact on openness, greenery and the present relative sense of isolation from built up surroundings, from this viewpoint in the conservation area and registered park and garden.

In line with the NPPF paragraph 193, 194 and 196 any harm would need clear and convincing justification including consideration of public benefits and great weight needs to be given to an asset's conservation.

It is only a reduction in height that could alleviate/ remove the harm significantly, particularly to the building nearest the park. This is recommended. However, otherwise amending the design to omit the balconies/reducing glazing facing the park would help, as would reducing the amount of glazing facing it.

It is noted that there are public benefits to be weighed up against the harm but this should only enter the weighing up process if the design cannot be amended to avoid the harm but allow for the same benefits.

LBH Highways

Station Car Park

Canons Park Station is positioned off the B461, Whitchurch Avenue. This location is easily accessible for people travelling by car from the local area and areas north of London. The station is close to the end of the Jubilee line.

The proposal seeks to reduce the capacity of the existing car park by 63% from 162 spaces to 60. This would result in a daily am and pm peak hour reduction of 200 two-way car trips. The car park is very well used, the submitted details show full occupancy on weekdays for the majority of the traditional working day.

The Transport Assessment includes a study of where people are travelling from which shows that 33% of drivers using the car park live within 2km of the station and a further 45% live within 5km. 41% of those surveyed indicated that they would consider cycling if facilities were improved at the station.

This does suggest that there is a significant number of people currently driving to the station that could potentially travel using a more active mode. To enable modal shift, it would be necessary to provide more than cycle storage; route planning, cycle training and cycle hire may increase the likelihood of people actually making a change.

The public transport accessibility level (PTAL) is rated as 4 at the station however it varies between 2 and 3 in the immediate vicinity. It would be fair to consider that public transport options are moderate at this location – three regular bus routes and the Jubilee line underground service. There are existing on-carriageway marked advisory cycle lanes along Whitchurch Lane.

A reduction in car park capacity may lead to overspill parking on-street however, there are existing parking restrictions in the roads around Canons Park station which seem to be working effectively as has been demonstrated by the parking surveys presented in the Transport Assessment. It is possible that outside of the hours of restriction, roads may begin to experience more parking demand, therefore it would be appropriate to monitor the situation with a view to increasing on-street parking controls as necessary. Funding for the monitoring and management of the Station Travel Plan will be secured via S106 Agreement, and will be for a period up to 12 months after the scheme is complete. A financial contribution of £25,000 is required for improvements to the Jubilee Cycle Network and £5,000 for work-orders related to the S278.

A reduction in public car parking can be accepted provided suitable mitigation measures are introduced.

Residential Development

Accessibility

The site is within a short walk of a local parade of shops, open space and bus stops. Edgware town centre can be reached by a short bus ride or is within walking and cycling distance for those who wish to travel more actively. Edgware is a busy metropolitan centre with access to Northern line Underground services and a bus station.

Whitchurch Lane has sufficient footway widths often with grass verges and street trees. There are on-carriageway cycle lanes and nearby is a connection to the Jubilee cycle route which follows the route of the Jubilee line through quieter streets.

The proposal includes alterations to the highway in Donnefield Avenue to improve the pedestrian experience leading to Canon's Park.

These measures look aesthetically pleasing however are not completely practical for this location. The reduction in car parking will mean that fewer cars will be parked on-site however, the road is a cul-de-sac meaning that every vehicle makes two trips and has to turn around. We do not know what the current daily traffic flows are in this location but the choice of materials and layout need to be safe and able to withstand turning manoeuvres by all types of vehicle; resin and building paving are not suitable. Raised tables are not considered necessary for this route as these are usually used at junctions and in places where speeds need to be reduced.

The intention to make this route more attractive is understood however, play equipment on a footway is not something that would normally form part of the adopted highway for safety and maintenance reasons. If the applicant wishes to dedicate any land as highway this will need to meet the requirements of the Highway Adoption Policy and would be subject to legal agreement.

A Road Safety Audit is included in the Transport Assessment. Four problems were identified in relation to the design of Donnefield Avenue; the layout and size of spaces in the public car park, access to the cycle hub, carriageway width and large vehicles overrunning on-street parking spaces. The design responses are accepted.

The recommendations in the ATZ route assessment have been noted; should the application be granted, these will be put forward to ward members for further consideration with a view to implementing those measures considered most appropriate.

Car Parking

The proposal is presented as a car free development and as such will only provide disabled parking spaces in accordance with Intend to Publish London Plan standards.

During the pre-application process Highways raised concerns about the suitability of the site for a car free proposal and the Transport Assessment includes a study in response. The location is rated as PTAL 3 - moderate.

Large scale, car-free developments are usually best suited to high PTAL locations where public transport facilities are excellent and there are multiple conveniences within the immediate or near surroundings.

Whilst this location has access to buses and the tube network, the nearest town is a 15-20 minute walk away.

The supplied study gives statistical details on the likelihood of people to own cars and travel by car when living in car free developments and looks at the potential for sustainable trips in PTAL 3 locations however, this does not mean that people will not own and drive cars regardless. It is clear that there is likely to be a reduction in car ownership in comparison to a development where maximum levels of parking are provided but not without some residents still keeping cars.

The parking surveys supplied indicate that there is on-street capacity in the local area which may actually counteract the car-free intentions as many of the existing parking restrictions do not operate overnight or at the weekend meaning that residents of this development would be able to work around the hours of operation.

It would be more appropriate to provide a car-lite scheme where some parking is provided for the new residents and monitor the on-street situation with a view to altering the existing hours of operation if demand for parking increases following occupation of the development. This would mean that car free living could still be expected from most residents but for those that would benefit from affordable housing but still need to rely on a private car (eg. a community midwife, health visitor or night-shift worker) there would still be some provision.

The aspiration to provide car-free developments in Harrow is supported in suitable locations but it is considered that this large scale proposal combined with a reduction in public car parking may result in overspill on-street parking which would be detrimental to the surrounding highway network without appropriate mitigation. For this reason it would be necessary to monitor on-street parking in the area surrounding the development before and after occupation to determine whether alterations to the CPZ hours are required. A contribution to fund the assessment and possible alterations will be required.

Cycle Parking

Cycle parking is to be provided in line with Intend to Publish London Plan requirements. The location for short stay cycle parking needs to be clarified as the Transport Assessment doesn't specify a location instead seeking for this to be subject to condition yet the Landscaping Strategy states that it will be on-street. Spaces should be provided within the curtilage of the development, off the public highway. A suitable condition should be added seeking details of the

stores, their locations and securing cycle parking in perpetuity.

The cycle hub is welcomed but should be supported by further measures to persuade commuters to cycle.

Trip Generation

The trip generation methodology was previously agreed however the redistributed modal splits are heavily weighted towards underground trips but following the events of the COVID 19 pandemic this year, it is possible that more people will continue to work from home at a higher rate than previously seen which may result in a reduction in daily tube travel. As the development is intended to be car free it can still be assumed that the majority of trips will be made by other sustainable modes in any case.

The number of daily peak hour trips generated by the public car park would reduce by 200 if the car park capacity is reduced as proposed. This would have the benefit of improving the local environment and encouraging more sustainable travel to and from the station.

Being car free, the residential element would generate very few car journeys. Public transport use would increase, however the TA includes an assessment of public transport impact that shows that there is sufficient capacity on buses and tube trains at this location

Delivery and Servicing

It is understood that deliveries and servicing would take place on the highway as there is insufficient room within the development site to accommodate this activity. The anticipated 13 deliveries per day is an increase on what currently takes place in Donnefield Avenue. Whilst this isn't a significant number of journeys, as the road is a cul-de-sac it does mean that these vehicles have to enter, turn around and exit. These manoeuvres will be in addition to the trips generated by the existing properties along the road and as online commerce increases, the number of delivery trips may also increase too. There is some concern about how this would impact on the pedestrian and cycle environment for Donnefield Avenue.

DSP Monitoring – the delivery monitoring survey schedule along with details of the person responsible for monitoring should be included alongside the Travel Plan requirements that will be secured via s106 agreement. A detailed Delivery and Servicing plan should be secured by condition.

Construction Logistics Plan

The outline plan provided is acceptable and a detailed plan should be secured by pre-commencement condition. The plan must follow TfL guidance and should only be submitted when the contractor has been appointed and all required details are known. It is advised that early engagement with the Council is recommended in relation to traffic management at this location and discussions should be held prior to submission of the detailed CLP should permission be granted.

Parking Design and Management Plan

The proposed management method for the residential disabled parking would see the removal of up to 12 further spaces from the public car park should demand for the residential spaces exceed the initial provision. As the public car park is already being reduced significantly, a further reduction would leave only 42 standard parking spaces. This could result in overspill parking when the existing waiting restrictions are not operating in the evenings and at the weekends.

The residential disabled bays also need to meet electric vehicle charging requirements, therefore one space must have active provision and the remaining, passive. In relation to cycle parking security it does seem odd to not provide CCTV coverage of the residential store if it is being installed elsewhere. This would help to reassure residents which in turn encourages cycling.

Conclusion

The proposal to redevelop Canons Park Station car park to a residential development of 118 dwellings and a 60 space public car park has been considered as set out above. In terms of highways impact, the proposed development is expected to result in a reduction in car trips and an increase in trips by other modes. The principle of a residential development is feasible for this site however a large scale, car free scheme combined with a reduction in public car parking is considered unsuitable for the location as it is likely to result in harm for the surrounding highway network due to insufficient mitigation measures.

Response to Transport Assessment Addendum

I am generally satisfied; they have provided the information that we asked for and additional mitigation measures include the Station Travel Plan and contribution for survey and implementation of works for the CPZ.

LBH Travel Planner

There are good measures included in the Travel Plan. We would like to see the following measures/ additions included:

- Make all printed material to be made available electronically
- Commitment to providing adult cycle training (this is listed but under 'promoting cyclist and pedestrian training) Please include separately as it will be clear you aim to provide/support cycle training for all residents
- A link to Harrow Council's website, which will have details of local events such as the Harrow marathon.
- Commit to investigating incentives through operators such as discount for residents and workers in the commercial unit. The Welcome pack should be made available electronically

In relation to the action plan a copy of the Residential Travel Pack should be submitted to Harrow Council for approval prior to occupation. The Travel Plan Coordinator timescales need to be updated as noted above.

For monitoring and review, surveys should be conducted on the anniversary of the baseline. Interim reports to be submitted to Harrow Council in years 2 and 4, which will demonstrate what progress has been made in the previous 12 months

Travel Plan monitoring fees to be secured by agreement. Amount to be detailed by agreement. In the event the Travel Plan is unable to meet targets, a remedial sum will be used to cover the cost of additional measures to support the achievement of targets. Remedial sum to be secured by agreement. A Review is to be submitted within 2 months of completion of baseline survey.

LBH Drainage Engineer

The submitted Flood Risk Assessment with the Drainage Strategy is acceptable. No objections subject to conditions for foul and surface water disposal, surface water attenuation and permeable paving in accordance with the standard submission requirements.

LBH Housing Enabling

Provides 100% affordable housing in the following mix:

Tenure	1b2p	2b4p	3b5p	4b6p	Total units	Total Habitable Rooms
London Affordable Rent	0	11	11	0	22	99
Shared Ownership	48	44 (3p)	4	0	96	248
Total	48	55	15	0	118	347

In terms of the policy compliant 40% element of the scheme, the 99 London Affordable Rent habitable rooms represent 71% of the policy compliant offer (47% by unit), which is acceptable on a habitable room basis. However, overall this scheme proposes 71% shared ownership by habitable room (81% by unit) and comments on this are given below. Regarding, the bed size mix of the policy compliant element, the provision of 2b4p and 3b5p London Affordable Rent units for family housing is welcomed.

The London Affordable Rent accessible unit provision to be 10% of the total LAR units proposed, so that is acceptable. The Proposed units are stated to be in compliance with National and London Plan space standards. The schemes are described as being tenure blind, and as providing policy compliant wheelchair user parking and private amenity space for all units, which is welcomed. The rented units will be let at London Affordable Rent levels, excluding service charges, which is in accordance with GLA policy

However, whilst the scheme provides 100% affordable housing, the applicant acknowledges that Harrow has a small housing stock and very high demand for housing from homeless households, home seekers and tenants waiting for alternative accommodation (i.e those in need of London Affordable Rented

housing). It is therefore regrettable that additional London Affordable Rent homes are not proposed, over and above those within the 40% policy compliant element.

LBH Environmental Health

Sound reduction of 24dB(A) recommended but no detail has been provided as to how it meets this. Conditions suggested in relation to noise and contamination.

LBH Design Officer

Context and Vision

The proposed buildings have a complimentary relationship with the neighbouring low-rise mansion buildings to the east of Donnefield Avenue. Accessibility is highly considered, as is legibility throughout the site and internal spaces. The scheme has potential to frame the southern entrance to Canons Park in a welcoming and materially rich way. New planting and residential frontages to Donnefield Avenue are welcomed and increase passive surveillance, creating a more pleasant pedestrian environment. Existing mature trees to the north of Donnefield Avenue should be retained wherever possible. The relationship of the site to Canons Park should be celebrated and taken as an opportunity to increase site greening and biodiversity, acting as an extension to the park itself. The inclusion of a community garden is welcomed and should include growing space. A pocket park at the site's northern boundary balances this provision. There is potential for growing space to be incorporated at the front of the site.

Accessibility is thoroughly considered in relation to circulation within homes, general arrangements and communal spaces. Active frontages to Donnefield Avenue are highly welcome and will increase the feeling of safety and usability for pedestrians. The majority of units have either a primarily eastern or western aspect, with corresponding amenity spaces. This approach is welcomed and it is noted that no units are north-aspect only. High quality entrance lobbies with rich tiling and terrazzo elements are provided, which enliven shared spaces. The materiality of buildings sits well beside the open space of Canons Park, providing a rich architectural boundary to the copse elements of the park. Material treatment is generally well considered and the inclusion of curved elements to balustrades and entrances is welcomed and should be increased.

Front elevations are partially successful, with limited rhythm and alignment of façade elements. The specified material palette must be sufficiently different from both Rayners Lane and Stanmore sites, the current palette is presently very similar.

LBH Landscape Officer

The proposed development scheme has been the subject of several pre-application meetings, including design workshops with redesign of various parts of the masterplan and various iterations of the scheme with some improvements. The proposed change of access for the crane and relocation of the commuter car park entrance towards the centre of the site, between

buildings B and C were positive moves reducing the traffic driving to the end of the road adjacent to Canons Park. A space for a pocket park was created. The site is boarded by a Site of Importance for Nature Conservation – (SINC area to the west, designated as Grade II site of Borough Importance for Nature Conservation) and to the north, the approach is in the setting of Canons Park Conservation Area and the grade II listed registered park and garden. The development proposals have evolved over time and the Design Review Panel were consulted and have made substantial contributions to the design process.

The proposed development site is highly constricted, narrow, linear and tapering in shape, with a large space to the west/ northwest of the site in the car park, needing to remain open and accessible to a TfL crane vehicle, requiring a significant amount of open space to turn. This car park space area cannot be soft landscaped and therefore visual softening and a landscape setting for the back of the flats Buildings B and C would be difficult. There are very limited opportunities for creating attractive, accessible, sustainable and generous communal amenity spaces, for the benefit of residents.

The Proposed rain gardens would be welcomed as long as there is sufficient space and the location appropriate. The concept of creating interest and incidental play along the street and a social street for residents with an enhanced approach to Canons Park could be an interesting proposal, subject to space availability for the various elements, activities and safety. However, the narrow strips of planting along Donnefield Avenue are likely to be unrealistic and trampled as a result of the play and pedestrian access.

Reservations remain as to how robust the planting will be in the small spaces and the vulnerability to trampling, dogs and people, however the planting beds could remain in the proposals. As a suggestion, there could perhaps be an agreement that if the planting was insufficiently robust to withstand the intensity of use in the area and failed over time, planted beds could be removed and paved over. It is acknowledged the trees will require maintenance over time and the size will be controlled. The appropriate species selection can be agreed through detailed design.

The limited available communal amenity space and to the rear of the development, the openness of the car park area without any proposed tree cover due to the requirement for crane access, is of concern. The larger communal garden space may be overshadowed by the building Buildings A and B. The Pocket park, may be overshadowed by Building C. The car park area hardstanding and parked cars would be an unattractive outlook and poor setting for the buildings. The proposed street has more of an urban appearance, harsh and out of keeping in the existing sub urban area with plentiful existing greenery. There is limited space available to the front of the buildings for soft landscape.

Tree planting – Proposed trees in hard areas should be installed in underground cellular systems to provide adequate volumes of topsoil to support establishment through to maturity, for example systems such as GreenBlue

Urban. This would be essential in such tight urban hard surfaced spaces to be sure that the trees have sufficient growing medium to be successful to survive and thrive.

The Community garden and the Pocket garden are both proposed to be multifunctional. The space allocated within the garden will need to work very hard. The various proposed uses for the garden are ambitious in the small space, in particular in the pocket garden. The proposals for use of the small space need to be realistic.

High quality hard materials, street furniture, planting, boundary treatments and other elements including biodiversity elements have been proposed. How will this be translated into the actual build? These proposed elements are attractive images and ideas on the drawings, however, these proposals need to be practical, robust and realistic and assurance would be required that the proposals will be carried out and implemented, rather than any subsequent value engineering and removal of high quality elements at the detailed design stage.

The information on the proposed hard and soft landscape and palettes is indicative and further details will be required to understand how realistic the landscape proposals are. A robust landscape management plan and maintenance plan, including a calendar of operations and tasks must be in place to ensure the ongoing success of the landscape proposals. The planting choices would require detailed review, more robust planting might possibly survive the intensity of use of the various small green spaces that are proposed, although doubtful in the long term

Reassurance has been provided committing to some of the issues to be addressed by detail design through planning conditions. Catalyst with its' dedicated environmental services team will look after, fully managing and maintaining the site including all the landscape. Planning conditions for the landscape will be required, as previous suggested

LBH Biodiversity Officer

The western and northern margins of the site are adjacent to a section of the Borough Grade II Canon's Park and Stanmore Railway Embankments SINC which incorporates Canons Park and provides part of a strategically important Green Corridor connecting part of the chain of important sites at the northern end of the borough with more residential and more heavily urbanised sections. Although the railside embankment is supported by well-treed parkland and grassed sports areas elsewhere, the strip of SINC to the west of the development site is a relatively weak link. Any residual impacts on this following mitigation will need to be addressed.

The wider SINC area has some lateral green links to the Borough Grade II SINC's of Stanmore Marsh and Canons Lake and the Basin but the area of the borough south of the site is highly deficient in provision of access to nature and the benefits which this offers. Consideration should be given to this when

accessing the impacts of the proposed development and its ongoing use.

The application is supported by a range of information including an Ecological Impact Assessment (ECIA) following on from a Preliminary Ecological Assessment (PEA) and draft EclA. Provided necessary measures are agreed to and undertaken in accordance with conditions that will need to be set, there are no reasons why the scheme should not be accepted on grounds of biodiversity.

Harrow's policies in relation to SINC designated land is that there should be neither net loss of SINC area nor value. The applicant has accepted that there will be some impact on the SINC. Regardless of whether or not the Biodiversity Ecological Management Plan, once agreed and implemented, will provide adequate net gain for biodiversity within the development red line, there will be a need to address the impacts on the SINC and the role it plays within the local nature network. I consider that with the proposed scheme there will be a need to address or compensate for the impacts either within the adjoining land or elsewhere in the vicinity, where this would make ecological sense. This should form part of the CEMP/BEMP discussion and approval.

LBH Arboricultural Officer

There are no TPO restrictions within influencing distance of the site. The northern part of the site falls within the Canons Park Conservation Area. The embankment The tree survey identifies 2 'C' retention category Ash (T5, T6) and a 'C' retention category Cypress leylandii group (G7) to be removed due to their location within footprint of proposed buildings. G7 was most likely originally planted for screening purposes but which now has relatively little retention value or long term potential

The development site is narrow and linear, tapering at the southern end. The proposed new building at the southern tip of the site is in close proximity to G1 mixed species group within the SINC embankment, creating a significant pinch point where the tree canopies encroach onto the building. Facilitation pruning will be required for construction working space; the cumulative / long term impact also needs to be considered, given the future management requirements at this end of the site, where trees directly encroach or face potential future pressure for pruning / removal.

The space available for new trees on the Donnefield Avenue frontage is limited – 4m maximum between the new houses and road / parking bays. Trees will need to integrate with what is already a 'busy' area with lots of street furniture and infrastructure - in addition to parking bays, cycle racks, benches / picnic tables are also proposed beneath or nearby – when picturing the development in 10 or 15 years time, will some of these trees have already outgrown their location?

If the layout cannot be revised to accommodate larger species trees then compact / narrower form trees (eg Acer campestre 'Elsrijk' & Acer lobelii) may be more suited to constricted / urban sites

The proposed sizes given for new trees – 25-30cm girth – these will provide instant impact but will require huge amounts of aftercare / maintenance to ensure survival. If this is the proposal then sufficient funds must be set aside for aftercare / watering (min 5 yrs)

SUDS / trees within hardsurfacing: Cellular underground systems should be used to ensure adequate soil / growing conditions to new urban plantings (for example Silva Cell / DeepRoot, StrataCell / GreenBlue Urban)

LBH Waste Officer

Waste strategy is acceptable. No objection

LBH Economic Development

The Economic Development Team has no specific comments to make on the application. As a major application, we will be seeking the following to be included in any s106 agreement:

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

LBH Vehicles Crossings Officer

No objections as the access to the car park is existing.

LBH Lighting Officer

A comprehensive Lighting Design Report has been submitted, including Lighting Masterplan, Technical & Environmental Requirements, Character Areas & Typologies and Luminaire Schedules. The developer has confirmed the use of numerous luminaires for both functional and aesthetic purposes within designated areas, as indicated on the proposed Luminaire Schedule

No lighting design calculations have been provided at this stage, including the average maintained horizontal illuminance levels or Isolux contours for any overspill horizontal illuminance to indicate anticipated levels to the properties bordering the development on both sides, but indicated a range of average maintained horizontal illuminance levels for the primary traffic route, pedestrian zone and car park area at 10 Lux Eav/3 Lux Emin, 5 Lux Eav/1 Lux Emin and 20 Lux Eav respectively.

The developer has indicated a Classification P2 for the primary traffic route, which is higher than usual for residential roads within the borough and will need to be moderated for any public maintained/adoptable areas. The Developer has confirmed that the design has been undertaken in conjunction with the Institution of Lighting Professionals, Guidance Notes for the Reduction of Light Pollution and indicated that the installation has been designed to meet the requirements of "BREEAM, New Construction and Communities 2018 (Section Ene 03 – External Lighting Criteria) and (Section SE16 – Light Pollution), which include the recommendation that efficiency is maintained and light pollution must be minimised.

Furthermore, the Developer has also confirmed alternative design guidelines BS EN 12464-2 General Circulation Area at Outdoor Workspaces, CIBSE Outdoor Lighting Guides and SLL Lighting Guide, which are acceptable. It should also be acknowledged that any new introduction of lighting in what is currently an unlit, partially lit area will have an initial impact on the location, as it is a change within the environment.

For sustainability, the developer has indicated that all external lighting (except safety and security lighting) is automatically switched off between 11.00pm – 07.00 am nominal hours of operation, I assume that the installations are controlled by Photocell – (Dusk to Dawn) or Time clock, as for standard public/street lighting operating hours. Safety and security lighting complies with lower levels of ILP Table 2 Guidance between 11.00pm – 07.00 am nominal hours

The wall mounted bulkhead luminaires on the private apartment balconies are manually controlled from each individual property. Any further opportunity for the reduction of overspill lighting/visual impact by the use of luminaire baffles/louvres and/or additional screening by trees during landscaping would lessen the impact.

Transport for London Spatial Planning Team

The Canons Park Station Car Park proposed development site located on the existing NCP public car park and is bounded to the north by Canons Park, to the east by Donnefield Avenue, to the south by commercial units and to the west by the Jubilee line railway. The 79, 340 and 186 bus services call directly outside Canons Park station. The Public Transport Access Level (PTAL) for this site is 3, on a scale of 0-6b, where 6b is the highest.

The development is car free, which is strongly supported. A commuter Cycle Hub for 71 bikes is provided, which will encourage active travel.

The application is supported by Healthy Streets Transport Assessment and includes an Active Travel Zone assessment, where appropriate the Council should secure measures to support active travel and manage car demand.

Commuter Car Park

TfL strongly supports the reduction in commuter car parking, and would encourage further reduction where possible. This will contribute to the objectives of the Mayor's Transport Strategy, and Intend to Publish London Plan, to support mode shift away from car use and promote active travel. Of the circa 5,000 daily station users, less than 4% use the station car park. Of those who park at the station, a third live within 2km of the station, and 45% within 5km, making walking, cycling and the bus attractive alternatives.

Infrastructure Protection

The protection of the safe operation of the railway infrastructure is subject to a legal agreement between the scheme promoters, London Underground and Transport for London. Subject to fulfilling these obligations, the development

does not represent an undue risk to the safe operation of the railway. This should take account of the potential scheme to provide step-free and new lift tower to the southbound platform and associated construction worksite.

Noise and Agent of Change

In line with Intend to Publish London Plan Policy D13 Agent of Change, the accompanying noise assessment includes measures to reduce the impact of noise on future residents. These measures should be implemented and secured as part of the planning permission.

Delivery and Servicing and Construction Logistics Plan

A final Delivery and Servicing Plan (DSP) should be secured by condition. A Detailed Construction Logistics Plan (CLP) will also need to be secured by condition in accord with Mayor's Vision Zero, including promotion of safety through the application of Direct Vision standards and Freight Operators Recognition Scheme, and other measures.

Travel Plan

A full Travel Plan should be secured through the Section 106 agreement.

TfL can confirm the proposed development accords with strategic transport policy in Intend to Publish London Plan and Mayor's Transport Strategy, subject to appropriate planning conditions, TfL would not object to the Council approving this application.

London Underground Limited

The applicant is in communication with London Underground Engineers with regard to the development. Subject to the applicant fulfilling their obligations to London Underground and Transport for London under the legal requirements between ourselves and the promoter of the development, we have no objection to make on this application.

This repose is made as Railway Infrastructure manger under the 'Town and Country Planning (Development Management Procedure) Order 2015'. It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers.

The Gardens Trust

Currently the approach to the Grade II registered Canons Park (RPG) via Donnefield Avenue has no housing on the western side and the buildings are set back round greens to the east, giving a spacious feel to the approach to the RPG, and thus its setting and significance. The application site affects the setting of the RPG and the northern part of the proposed development lies within the Canons Park Estate Conservation Area (CA).

The height, a 7 storey building, and bulk of the flats will tower over any mature trees, let alone juvenile replacements if necessary, and cause harm to the views and setting of the Registered Park, contrary to the NPPF. This is also likely to adversely affect the setting of the Grade I St Lawrence Church which was rebuilt by Chandos as a private family chapel.

IN our opinion there is too little screening of the flats, most of the trees being along the railway edge, little along Donnefield Road where the flats are sited too close to the road, and non at all where the bulkier northern side of the development abuts the RPG. Such screening as there is relies on those trees on the eastern side of the road being retained.

There is a discrepancy and confusion as to the exact reduction in numbers of parking places. The travel plan shows 160 spaces down to 60 but elsewhere the stated reduction is 102 car parking spaces, down from 156 to 54. Whichever is correct, it will lead to far more on road parking, especially as this assumes that all commuters will come either on foot, cycle or bus, which seems unrealistic. Until there is an extensive cycle network for commuters to cycle to the station, this will exacerbate an already poor situation.

In summary the GT objects to the application. We consider the proposed flats represent an overdevelopment of the site which is out of scale both with the character of the surrounding area with low rise housing, and harms the setting and views of the RPG. It will alter the skyline and bring extra noise, lighting and road traffic, contrary to the guidance in Historic England's GPA Note 3.2 'setting of heritage assets'. We consider the site is more suited to the development agreed in the local plan or could be suitable for some flats of perhaps 3 storeys in height, of a more sophisticated design with more screening and with more consideration being given to their siting as regards to their effect upon the RPG and the CA. Should your officers decide to approve this application we would hope to see conditions imposed which would benefit the management and upkeep of the RPG.

The London Parks and Garden Trust

Canons Park is included as grade II in the HE Register, added in 1998, and contains a number of significant listed structures. The park is principally of significance as the surviving fragment of the great C18th landscape garden laid out for the Duke and Duchess of Chandos. The estate is so-called after the Augustinian canons of St Bartholomew in Smithfield, who owned the Manor of Stanmore in 1086. The estate had various subsequent owners, notably Sir Thomas Plummer, who is thought to have sought the advice of Humphry Repton on the landscape. The last private owner was Sir Arthur du Cros, for whom formal Arts & Crafts style gardens were laid out by Charles Mallows. The estate was eventually broken up in the early C20th, with part of the land acquired by Harrow Council as a public park and 85 acres sold for The Canons Park Estate which has retained features of the earlier landscape.

According to the test dictated by NPPF2019, p196 – any development causing less than substantial harm to a designated heritage asset must still have that harm weighed against the public benefits of the proposal. The site is presently undeveloped but given the fact there are low-rise maisonnettes already opposite the site and a single house and small lodge adjacent, we can appreciate the precedent for residential development.

However, the proposed buildings are significantly higher than anything in existence and will loom over the top of the tree canopy making them highly visible across the historic landscape. Even more so at night the light from high floors will dominate the park landscape and potentially impact on wildlife, especially when added to the large increase in vehicle movements during the day. Overall, the impact of the development on the quiet, historic character of the site will be significant and to some extent harmful.

This harm could be mitigated greatly by reducing the height and footprint of the buildings and reducing the number of households and their cumulative needs. In addition, the design of the buildings, their constituent materials, outline and construction are also completely out of keeping with the existing character and again this harm could be ameliorated by more sensitive architecture more responsive and accommodating of the existing surroundings.

The LPGT objects to this planning application on the following grounds:
The height, bulk and outline of the proposed buildings will have a harmful impact on the historic character of the park and be visible from many key locations within the park. The loss of the parking spaces serving the station will throw greater parking pressure on the surrounding area and potentially impact on the use of the park

Although we are not averse to a contemporary approach, the design of the proposed buildings is unsympathetic to the surrounding existing architecture and harmful to the present character.

Conservation Area Advisory Committee (CAAC)

The north end of the site adjoins Canons Park CA. This is a major overdevelopment of the site. Views out of Canons Park which is both historically important and an important open space at the heart of the CA will be dominated in a southerly direction by the seven storey buildings. Easterly views from the most southerly area of the park and the adjacent sports ground (also part of the CA and historical landscape) will be similarly dominated. This will detract from both the character and amenity value of the CA. The loss of over 100 public parking spaces and the provision of only four disabled residential parking spaces, will result in massive overspill parking in the locality which may not directly impact on the CA but will undoubtedly detract from its immediate environment. The application should be refused.

Metropolitan Police Designing Out Crime Officer

The submitted plans would not achieve a secured by design accreditation due to the lack of gating between building B and Building C. Building's B and C both

have deep under crofts designed in at ground level, both are over 10 meters deep. These under crofts have absolutely no natural surveillance at all. No building with an open unrestricted access, under croft area can achieve any type secured by design accreditation.

The applicant has confirmed that a gate would be installed between blocks b and c to address the concern. There are a number of different options which will work, with security tested and certified pedestrian and vehicle gates. I believe it should ease any issues around the required secured by design accreditation. This can easily be avoided by matching the car park management plan, to existing tested and certified security products, prior to approval and building work commencement

Environment Agency

No Comment

Thames Water

With regard to foul water sewerage and surface water networks, we would not have any objection to the above planning application, based on the information provided. The proposed development is located within 15 meters of our underground wastewater assets and as such we would like an informative attached to any approval granted.

Natural England

No Comment

Canons Park Estate Association

No Comment

Canons Park Residents Association (CAPRA)

Representation 1

We wish to register on behalf of the members of CAPRA our strong objection to the proposed redevelopment of Canons Park Station car park to provide three 7 storey buildings giving 118 flats.

This proposed redevelopment would be a gross over-development of a small site in a narrow cul-de-sac in contravention of the planning policies in the current Harrow Core Strategy Development Management policies and Site Allocation plans. It would have a devastating effect on the open street scene and views of the historic Grade 2 listed Canons Park 18C landscape. It would be totally out of character and context with the open, low density, low level suburban 'metroland' character of the area which consists of mainly detached and semidetached properties and an over-intensive use of the site.

The three bulky seven storey buildings of flats, with little amenity space, will have a detrimental and devastating effect on the residential amenity with overlooking, loss of light and privacy of the surrounding properties. Loss of parking spaces in the station car park will inconvenience commuters, reduce access to Canons Park and local sports facilities and put pressure on local

roads especially on Wembley Event days. There will also be a knock-on effect for emergency services and delivery vehicles, with increased delivery services and lack of parking and passing space in the narrow road which has a locally accepted dangerous junction with Whitchurch Lane.

A number of much smaller local planning applications have been restricted / refused due to the heritage aspects / impacts on the area, so how can this proposal even be considered?

Finally there is a chronic lack of infrastructure in the area and along with the development at Stanmore Place this proposal will only make matters worse:- the area cannot cope.

Representation 2

I wish to register CAPRA's total opposition and objection to this incongruous project which defies all planning norms and which constitutes a grotesque over-development, totally out of character and scale to the area and especially disastrous to the residents of Donnefield Road and to the whole of Canons Park environs. While recognising the general need for really affordable housing for London, this is the wrong site, as it provides vital car-parking that serves a wide area and is necessary to the functioning of the transport system of TfL and for preserving the quality of life in a fast deteriorating environment of Canons Park.

The main reasons for our objection, with reference to both Harrow Core Strategy (2012) and The National Planning Policy Framework (2019):

1) GENERAL: HCS (2012) versus NPPF (2019)

While the Harrow Core Strategy (2012) is very clear and reasonable over what should be built on this site, the planners and Council may feel emboldened to apply NPPF (2019) which implies that the greater benefit for need for housing should override any other planning consideration. But they cannot apply a wider benefit to a whole Borough that will override the detrimental impact that the development will have to the existing immediate residents and the local area relating to the proposed site.

The Draft London Plan NPPF 2019 has not been widely disseminated, and is so full of bureaucratic jargon that lays an emphasis mainly on housing target numbers and cramming the maximum number of units on small sites without highlighting good design or context or the impact or relation of the type of development on the surrounding environment. This type of 'target planning' has been disastrous in the past and has created problems of overcrowding and unacceptable impact on adjoining residential streets. HCS (2012) seems more sensible in proposing that this site is suitable for 17 homes along the existing street "and retention of adequate car parking to serve the station."

While recognising Harrow's affordable housing need, it has been exacerbated by the approval of huge major developments that were targeting the high end housing market (cf. the damaging luxury Elysian development in Stanmore with no affordable housing) and were allowed to provide a smattering of 'affordable

units' over decades. While this current proposal has the still-to-be-adjudicated so-called 'affordable' rental and sale units, one cannot cram such a huge number of units on every site without taking the local context and character into consideration. The quality of life and good design are very important, including the impact on the existing population around the area. This proposal fails to achieve the necessary high standards required.

1. Consultation:

The architects say the design was developed with extensive consultation with the local community, yet has shown no substantial change to the design despite strong protests from residents and institutions in Donnefield Road and in the wider area. The scheme was progressed and developed in relative secrecy with no intention, as the architects confirm, to alter the basic essentials of the design, obviously dictated by the politicians and planners. It is a disgrace that the "extensive consultation with the planning officers" has produced such a grotesque and disastrous scheme that will be detrimental to the whole atmosphere and environment that relates to the park.

2. Car Parking

The absurd practice of providing no car spaces for residents, pushes the traffic problem onto surrounding streets that are already traffic ridden with widespread restricted parking. Reducing car parking provision for the public again creates overcrowding on surrounding neighbourhoods. No solution has been proposed to the removal of this major repository of car-parking for the nearby Hive, for Wembley Events, and for commuters needing to refrain from taking their cars into central London. Alternative possible schemes retaining the existing car park with housing on top, or by burying the car park in a basement, with housing over it, should have been explored.

As required by allocation H17 in HCS (2012), the proposal must also provide adequate parking to serve the station. The submitted Transport Assessment demonstrates that 80% of the existing parking spaces are occupied by 9am (equating to 130 spaces). As such, there is a clear need for the continued provision of over 100 parking spaces on the site. The only justification given to reduce the number of spaces by over 100 (from 162 to 60), is that some commuters surveyed could travel by other means or routes. As such, the report provides an assessment of capacity for car parks within a 15 minute walk of the site which might be available to accommodate overflow capacity. Its highly unlikely that any commuter or visitor would walk 15 minutes on top of their existing journey time, and we consider this to be an overall under-provision of parking for the site which contradicts allocation H17. But there are relatively few available spaces for car parking, even within 15 minutes of the Station.

3) Transport Impact

It is surprising that no provision, as a priority, has been made in such a drastic scheme, for lifts up to the platforms of Canons Park Station, except in the distant future when the ambulance servicing station is possibly relocated, to be replaced by yet another horrendous seven story building! Elderly and disabled people are not properly catered for under the Disability Discrimination Act.

No suitable justification is provided for the significant loss of car parking spaces associated with the station. Despite amendments to the proposals, the resulting scheme will still encourage a significant increase in vehicles along Donnefield Avenue with the car park entrance located halfway down. Furthermore, as stated in the Transport Assessment this will significantly increase on event days at Wembley. Its highlighted solution to the increase in vehicles will be the 'spare' capacity of on-street car parking on Donnefield Avenue and the surrounding roads. This directly conflicts with Policy DM 42 which resists development which would create significant on-street parking problems. Accordingly the loss of the existing car park has not been fully considered in relation to the impact on the surrounding area.

The proposed use of Donnefield Avenue for all servicing and deliveries is also entirely inappropriate for a scheme of this scale. Being the sole access to the Canons Park Activity Centre as well as a number of residential dwellings (and the main access to Canons Park), the use of this road (which will only be 4.1m wide once amended for the proposal) by a 3.7m wide refuse vehicle will building all traffic movements and access causing huge disruption whilst the vehicle collects waste associated with 118 dwellings (in three separate bin collection areas). We also query how the refuse vehicle will turn around on Donnefield Avenue in the absence of any turning circle on the road.

The assessment has also failed to consider the impact of the proposal on the adjacent ambulance centre in terms of emergency vehicle movements.

3) Overdevelopment.

It is patently obvious that this sliver of a site is crammed with a much-too-high urban type of development that is entirely unsuitable in this location.

Whilst it is acknowledged that the site is allocated for partial residential development in accordance with Allocation H17, the proposed quantum of development is seven times greater than envisaged by the allocation. We consider this constitutes an overdevelopment of the site. which is required (as per H17) to provide adequate car parking to serve the station and a sensitive response to nearby heritage assets, neighbouring properties and nature conservation areas.

In addition to the above, we consider the proposal to constitute overdevelopment of the plot, as it fails to provide sufficient amenity and child's play space for the quantum of development proposed. By only providing 274 sq. m of amenity space on site (combined for children and adults) the proposal falls short of even the child's play space requirement for this area (based on mix proposed) of 471. 3 sq. m. There is limited opportunity for landscaping within the development and this gives the overall impression of the development being constrained on its plot.

The buildings are also placed within very close proximity to one another with Buildings B and C having a separation distance of just 12m, this causes

concerns in respect of overlooking between the buildings as well as the quality of accommodation proposed in terms of outlook, internal daylight and sunlight. The Daylight and Sunlight Report by GIA confirms that 14% of rooms within the development will not achieve BRE Average Daylight requirements. This, again, indicates an overdevelopment of the plot as the proposed accommodation is not able to achieve a reasonable level of daylighting despite having very few surrounding constraints.

4) Design Aspects

Generally the architectural design of the scheme is rather pedestrian and severe, and does not relate to the 1930s feel of the station or the housing opposite. The dual aspect of the two larger buildings makes the flats on the western side face the embankment of the station and would be subject to continual noise and pollution. The elevation of the buildings on this side are bleak, with huge walls of brickwork reminiscent of tenement slum buildings.

The buildings do not have a 'horizontal emphasis' because they are crammed all along the narrow site, on very narrow already congested road. They are depressingly vertical and crush anyone who walks down the narrow pavement with the cliff barely a metre away from the pavement line. Using brick in such a mass is oppressive and creates more of the look of prison buildings than the suburban two and three storey housing that fits the scale and character of the area.

The entrance halls, with tiling and metal balustrades for the staircases would be very noisy and look rather clinical. The internal corridors would be dreary, dark and claustrophobic.

The development will produce a far from a "Healthy Street" with huge traffic, cycle and pedestrian congestion, with no decent manoeuvring space for refuse, emergency, delivery vehicles. To have one refuse chamber for each building will make it difficult for residents to organise their rubbish for bringing down seven storeys, and could cause smells and overflowing at street level.

Furthermore, so many units will put a huge strain on already overloaded statutory services, and it will make it difficult to find more GP surgeries and schools to cater for such a huge influx of families.

5) Amenity Space

The community space and pocket park are derisory, located between the gable ends of two six/seven storey buildings and certainly do not cater for community space for such a massive development, even if the flats have private balconies.

By only providing 274 sq. m of amenity space on site (combined for children and adults) the proposal falls short of even the child's play space requirement for this area (based on mix proposed) of 471. 3 sq. m. There is limited opportunity for landscaping within the development and this gives the overall impression of the development being constrained on its plot.

The narrow play-on-the-way spaces with such a large population from the flats and the huge number of bicycles will actually obstruct and be dangerous for pedestrians using the road and on the way to the park, and will affect the amenity of privacy and outlook of existing residents of Donnefield Road. They will certainly not reap the benefits of such a huge influx of flat dwellers.

6) Character & Scale Of The Local Area

The proposed development is entirely out of context with the prevailing patterns of development in the locality and fails to respond to the sensitive character of the area. The proposed seven storey buildings appear at odds with the existing 2-3 storey properties along Donnefield Avenue and entirely incongruous in the context of the Listed Canons Park. Accordingly, we consider that the proposed height and massing of the development contravenes Policy DM1 of the Development Management Plan which requires due regard for the site context as well as the provision of appropriate space around buildings and consideration of the visual impact of the development from within buildings and outdoor spaces.

Sadly the design of the buildings in 7 storey mansion buildings is totally out of character with the suburban nature of the area and the large number of units will be unsustainable in such a small space. It will wreck the whole sense of what Canons Park is about. There is so much building coverage of the site that leaves little space for generous landscaping or tree planting, even with removing the bulk of existing trees on the northern part of the site. Compare the generous space in front of the two and three storey flats opposite, with the only 1 metre set-back in front of the oppressive cliff of brick housing that will dominate and overlook the existing flats and ruin the pastoral views and 18th Century landscape of Canons Park of almost prime importance in historic parks in the UK.

7) Heritage Aspects

The impact on nearby heritage assets is best considered in the context of the submitted Heritage Report and Townscape and Visual Assessment. The Canons Park Conservation Area view particularly is noted as having a medium to high townscape value, as well as being essential to the setting of the Grade II Listed Mansion and Walled Gardens. Arguably Viewpoint 4 gives the best image of this context and has been omitted from the assessment which is unfortunate. Notwithstanding, Viewpoint 5 provides a helpful context and the assessment concludes that this view would feature a medium to high level of impact on a view which is noted as protected and sensitive. On this basis, the proposal cannot be considered to represent a sensitive response to the area, as required by allocation H17.

The heritage report on archaeology of the site is produced by MOLA via the commercial development consultancy CBRE which is done with the intention to "help our clients to achieve planning consent and discharge planning conditions" so cannot be seen as objective assessors of the heritage aspects. Their assessments are subjective and do not come to fair conclusions.

It is risible to claim that the design “embraces and complements the heritage setting of the site enlivening Donnefield Avenue and activating the entrance to Canons Park’ when such an overbearing and massive cliff towering over the narrow road, actually destroys the whole aspect of the site and the relationship with Canons Park.

The design simply is not “sympathetic or complementary to the historic context of the adjacent Canons Park” and MOLA leaves out important viewpoints, such as the view looking towards the site when entering from Whitchurch Lane, where in contrast to all the buildings of Arnold House and the playing pavilions, which respect the horizontal landscape of Canons Park, the proposed housing scheme of urban scaled mansion buildings will tower over the landscape, ruining the harmony and atmosphere of the park.

Both the Design Review Panel and Historic England in their assessments have recommended a reduction in the height of the scheme that would affect the historic nature of the Park.

'The proposed new buildings would be visible in open views from the parkland. It is the feeling of seclusion and openness in the park that provides the conservation area with a large part of its special character and appearance as noted in the CAAMS. There is some concern that this proposal would then undermine this character given the height proposed and its proximity to these designed heritage assets....A further view north among the listed park structures might also be affected. In line with the NPPF any harm would need clear and convincing justification and great weight needs to be given to an asset's conservation.'

'The design should be amended to ensure the building better reflects the character of the surroundings.'

8) Environmental Aspects

Important parts of the site and also sections contiguous with the site in the northern section of the car park and the western section of the embankment are designated a Site of Importance for Natural Conservation (SINC) Grade II. These contain important species of wildlife including bats and other flora and fauna, which the study presented warns that the whole construction process can produce serious harm to the SINC.

The SINC nature of the site will be destroyed with the loss of a major belt of trees and the uprooting of almost all of the existing vegetation and the loss of individual trees that provided some shielding of the railway noise. Now residents of the proposed building will be jammed against the raised bank and exposed to the constant noise of trains passing.

9) Conclusion

From the evidence given above, it is clear that this scheme should be refused, and that another more modest scheme of no more than three storey's high as appropriate to the site and its historic and environmental importance should be explored, while retaining most of the existing car park spaces. This should be done

with close consultation with the local residents and their approval before it goes back to the planning committee.

Friends of Canons Park

I am writing in my capacity as Chairman of the Friends of Canons Park and wish to register our objection to the proposed development of the Canons Park Station Car Park.

Canons Park is noted as having a medium to high townscape value as well as being essential to the setting of the Grade II Listed Mansion and Walled Garden. The proposed high rise development would bring an unacceptable impact on these heritage assets. The proposed development is entirely out of context with the prevailing patterns of development in the locality and does not fit with the sensitive character of the area. The new development consists of three 7 story buildings set against the existing 2 & 3 story properties along Donnefield Avenue and would be entirely out of place in the context of the listed park.

To comply with the National Policy Planning Framework any harm to the significance of a designated heritage asset should require clear & convincing justification. For a Grade II listed Parks or Gardens this justification should be exceptional.

The Harrow Sites Allocation Plan allocates the site for 17 new homes and the retention of adequate car parking to serve the station. The new proposal represents a nearly seven fold increase in the number of homes which is contrary to the Councils own planning policy document and represents a gross over development of the area.

The proposal also reduces the number of parking spaces from 162 to 60. This is also clearly contrary to the published policy of providing adequate car parking for the station. Given that there is a much larger development at Stanmore Station car park happening simultaneously, this will inevitably result in a huge rise in nuisance on-street parking in the surrounding area from commuters trying to access the underground system. The station car park also provides valuable parking for people attending events at Wembley, The Hive Football Ground and any events which are run in the park (including the regular 'Park Run' held every Saturday which has regularly attracted in excess of 150 runners).

Donnefield Avenue is a cul-de-sac and is the main access point into the Park for park maintenance vehicles and emergency vehicles should they be required. It is also the only access for the Canons Park Activity Centre (which uses coaches to transport children) as well as a number of residential properties. Should this proposal go ahead it will also be the only route to service the 118 new units with refuse collection, deliveries and services. The use of this road by wide vehicles such as refuse lorries or grocery delivery vans would building all traffic movements including any emergency vehicle trying to access the park.

For all the above reasons we consider this development to be inappropriate and should not be permitted to proceed

The Stanmore Society

Would detract from character and setting of CPCA. Views out of CP which is historically important and an important open space at the heart of the CA will be dominated in a southerly direction by proposed buildings. Easterly views will be similarly dominated which will detract from character and amenity of CA. station car park acts as a park and ride travelling into London or events at Wembley - will result in overspill parking. green spaces and openness are much appreciated by residents and visitors. Social infrastructure will be taken beyond breaking point

Harrow Friend's of the Earth

Harrow friends of the earth recognise the urgent need for genuinely affordable and carbon-neutral new family housing. We therefore support, in principle, well-designed schemes that satisfy this need on suitable brownfield sites with access to all sustainable modes of transport and close to local facilities. we therefore support in principle the proposed housing development at Canons Park Station car-parl.

we consider the reduction in car parking and increase in cycle parking to be an added advantage of this scheme. reduction in car use has a vital role in addressing the climate emergency and in making the streets safer and healthier for cyclists and walkers. while the need of disabled people must always be a major consideration, in general people travelling to their local facilities, including stations, should be encouraged and enabled to make the journey by walking, cycling or using a local (zero-emissions) bus. Wherever such alternatives are available, car use should be actively discouraged.

we hope however, that consideration will be given to improving the development in the following ways:

- increasing the proportion of housing available at london affordable rents
- decreasing the amount of commuter parking to no more than the level specified at the exhibition
- providing a means of access to the station platforms from the car park and the new housing that can be used by people with mobility disabilities

However, considering the likely long-term implications of COvid-19 we believe that, among others, the following principles should be followed in any new significant housing development:

- there should be fewer new flats (especially high rise) and more family houses with gardens
- safe, convenient and preferably, car free -active travel- routes to local green space should be provided. Flats should preferably have direct access from outside. where this is not possible, communal entrances should allow for contactless use and staircases, lifts and corridors should be regularly cleaned and designed to allow for social distancing

Canons Ward councillors (Cllr Thakker, Cllr Jogia and Cllr Moshenson)

As Ward Councillors we would like to record our strong objection to the planning application. We urge the committee to reject the planning application for being over populated, lacking sufficient parking and damaging to the views of award winning park.

Loss of Light and overshadowing

The proposed buildings are overbearing on properties on Donnefield Avenue which is made of two and three storey properties. The proposed 7 storey properties are on the east side of the road casting long shadows over the neighbouring properties. The proposed buildings are far taller than the platforms of Canons Park station and are in proximity to the houses on the west side of the road.

Overlooking and Loss of Privacy

the site for the Canons Park station is tightly situated between properties in Donnefield Avenue, the station's platforms and bordering on the other side of the platforms, residential area of Cheyneys Ave. The proposed development would overlook gardens and houses and its height would present a loss of privacy to nearby residents.

Parking and Traffic

The scheme itself proposes to be with zero space for cars, however the developers admit that there is nothing that would restrict residents from owning cars and parking them in nearby streets. Already congested for parking on most days and with multiple traffic and parking controls that were introduced to surrounding areas in the last decade, proposing that residents should park, if they so wish, in nearby streets would create undue burden on the traffic and parking conditions in surrounding streets, would require the Council to introduce further parking controls and increase the cost of enforcement in the area. This argument is founded in fact from existing schemes where the development of Hitchin Lane restricts the number of cars in the development and has led to drivers congesting nearby streets parking sometimes irresponsibly and unsociably.

Effect on Conservation Area / Visual Amenity

The proposed development looms over Canons Park an award winning park with historic importance that is currently dominated by the tower of St Lawrence's Church, a listed church with 900 years of history. The proposed towers would be clearly visible from the Spinney in the park, will dominate the skyline to the west of it and will obstruct the views of the church from the Canons Park station platform. Canons Park, which lends its name both to the station and the ward would be dwarfed in the shadow of these buildings.

Loss of Station Car Park

Canons Park station is a busy station that is serving predominantly commuters and spectators both to Barnet Football Club at the Hive and on Wembley event days. The loss of parking at the station would lead to greater congestion in nearby streets and would cause a significant issue for event days. The Council

very much relies on the capacity of this car park to limit the number of people driving into London and Wembley and to spread the pressure on traffic. With the loss of the car park, drivers would be forced to either find a street parking on the already congested streets or venture into less served areas of the borough creating traffic, road safety and anti-social parking as they attempt to get to work or to Wembley.

While the developer's ambition to create additional affordable housing should be applauded, we believe that the current design of the scheme creates issues which should be resolved with due attention to the character, traffic and history of the area and that the applicant should offer a new plan that retains parking and has less visual impact on the surrounding area.

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 – intend to publish version (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

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

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

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Housing Output
- Townscape, Character, and Design Quality
- Heritage Assets
- Residential Amenity and Accessibility
- Transport and Parking
- Landscape and Ecology
- Climate Change and the Environment
- Planning Obligations and Infrastructure

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 2.8
- The Draft London Plan (2019): GG2, H1
- Harrow Core Strategy (2012): CS1A, CS1H, CS1I, CS8I
- Site Allocations Development Plan Document (2013): Site H17

6.2.2 The London Plan sets out to meet London's growth with the boundaries of Greater London. To address a gap between projected housing requirements, including a backlog of need and identified capacity, the London Plan expresses housing targets as minima. Harrow's minimum housing target is 593 homes per annum over the period 2011-2021. Policy H1 of the draft London Plan – Intend to Publish Version (2019) increases the minimum housing target to 802 homes per annum over the period 2020-2030.

6.2.3 Harrow's Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1(A) directs growth to the Harrow and Wealdstone Opportunity Area and throughout the rest of the borough, within town centres and strategic, previously-developed sites. The policy provides for that growth to be managed in accordance with the relevant sub area policies. Policy CS8(I), for the Edgware and Burn Oak sub-area, encourages the redevelopment of identified, previously developed sites to collectively contribute at least 1,229 homes towards the Borough's housing allocation. This is to be brought forward in accordance with Core Policy CS1(H), which details that the Area Action Plan for the Harrow & Wealdstone Opportunity Area, and the Site Allocations Development Plan Document for the rest of the

Borough, will allocate sufficient previously developed land to deliver the required housing targets.

- 6.2.4 Within the context of planned growth across London, the proposal therefore accords with Harrow's vision for the development of the Borough as a whole and for the Edgware and Burnt Oak sub area. Specifically, the proposal for the provision of housing on the site is consistent with the Strategy's broader objective to meet development needs on previously developed land, and to do so in sustainable locations, without resorting to development on greenfield and garden land.

Delivery of Site Allocation H17

- 6.2.5 Turning to the detail of the site's allocation, it is included as Site H17 of the Harrow Site Allocations Development Plan Document (2013). The allocation is for a partial redevelopment of the site for residential purposes, while retaining adequate car parking provision, to continue to meet the demand generated by commuters and in connection with major events at Wembley stadium.
- 6.2.6 The site allocation includes an indicative figure of 17 homes for the residential use. The commentary to the site allocation details the housing capacity is indicative, based on half of the site being redeveloped for housing. The methodology for calculating the potential residential capacity of sites is explained at Appendix B of the Site Allocations Local Plan document; the appendix notes that housing capacity figure attributed to each site is indicative not prescriptive and that the actual number of dwellings that may be achieved on each site may be determined by many considerations, including design & layout, the size & type of homes to be provided and scheme viability.
- 6.2.7 In terms of output, the subject application proposes 118 units for the site, which is significantly higher than that envisioned under the site allocation. Within the strategic policy context and taking into account the indicative status of the housing capacity figure included in the site allocation, it is considered that the increase in the housing output of the site could still be considered acceptable.
- 6.2.8 The primary balance against the quantum of housing in terms of the site allocation lies with ensuring an appropriate quantum of car parking being re-provided. The commentary to the site allocation notes that any planning application for the redevelopment of the site should be supported by evidence of car parking demand and show how that demand will be met by the re-provision of car parking capacity on the site or elsewhere. The station car park currently provides 162 spaces. The subject application would retain 60 car parking spaces and would also provide a TfL Cycle Hub. While it is acknowledged that the provision of the Cycle Hub provides a (sui generis) is not identified in the allocation, officers acknowledge that this would be integral to support the modal shift to more sustainable methods of transport in arriving to Canons Park Underground Station, thereby supporting the requirement to retain sufficient commuter parking. The transport and parking impacts of the proposal have been considered in detail within section 6.7 of the report. The Council's Highway

Authority have concluded that a reduction in the public station car parking can be accepted, provided suitable mitigation measures are introduced, which are to be secured through appropriate planning obligations and conditions.

- 6.2.9 The proposal would acceptably deliver the residential component of the site allocation and re-provide an appropriate quantum of commuter car parking capacity on the site. The principle of the site's allocation in the Harrow Local Plan was in recognition of the site's potential to deliver residential development, helping to meet the Borough's projected needs in a way that is consistent with the Borough's spatial strategy. This includes the delivery of housing on brownfield land and directing growth to areas with good public transport accessibility. On this basis, Officers consider that the principle of development would be acceptable, and the proposal would comply with the relevant policies in this regard.

6.3 Housing Output

- 6.3.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 3.3, 3.4, 3.8, 3.10, 3.11, 3.13,
 - The Draft London Plan (2019): GG4, H1, H4, H5, H6, H10
 - Harrow Core Strategy (2012): CS1I, CS1J, CS8I
 - Harrow Development Management Policies (2013): DM24
 - Mayor of London Affordable Housing and Viability Supplementary Planning Guidance (2017)
 - Mayor of London Housing Supplementary Planning Guidance (2016)

Affordable Housing, Mix and Tenure

- 6.3.2 Affordable Housing is detailed in the National Planning Policy Framework (2019) as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the definitions within the following: affordable housing for rent, starter homes, discounted market sales housing or other affordable routes to home ownership (including shared ownership).
- 6.3.3 The proposed development triggers an affordable housing requirement as it constitutes a major residential development. Policy H4 of the draft London Plan – intend to publish version (2019) sets out a strategic target for 50% of all new homes delivered across London to be genuinely affordable. The policy also specifically requires that 50% of the quantum of housing is delivered as an affordable product on public sector land.
- 6.3.4 Having regard to Harrow's local circumstances, Policy CS1(J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites. In terms of dwelling mix, London Plan Policies makes reference to the priority that should be accorded to the provision

of affordable housing. Policy DM24 of the Development Management Policies requires development proposals to secure appropriate mix of housing on site and to contribute to the creation of inclusive and mixed communities, having regard to the target mix for affordable housing set out in the Councils Planning Obligations SPD. Considerations include the priority to be afforded to the delivery of affordable family housing, the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.

6.3.5 In terms of tenure split, the strategic part of Policy 3.11 of the London Plan (2016) calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent. The draft London Plan – intend to publish version (2019), recognises that for some boroughs, a more broader mix of affordable housing tenures will be appropriate and therefore provides a degree of flexibility based in the overall tenure mix. Policy H6 of the draft London Plan requires a minimum of 30% homes to be affordable rent or social rent, 30% to be intermediate products which meet the definition of genuinely affordable housing, and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products.

6.3.6 The application proposes to deliver all the proposed residential units as affordable housing. By reason of offering more than 50% affordable housing, the application has followed the ‘fast track route’ (as set out in Policy H5 of the draft London Plan), which allows applications to not be subject to an appraisal in relation to the Financial Viability of the scheme. The proposal would have the following tenure and unit mix:

Table 1: Tenure Mix

	Total Units	% of Total	Total Habitable Rooms	% of Total
London Affordable Rent	22	19%	99	29%
Shared Ownership	96	81%	248	71%
Total	118		347	

Table 2: Housing Mix

	1 Bed	2 Bed	3 Bed	Total (units)
London Affordable Rent	0	11	11	22
Shared Ownership	48	44	4	96
Total	48	55	15	118
Percentage Mix	41%	46%	13%	100%

- 6.3.7 In order to comply with the Core Strategy Policy requirement for 40% affordable housing on all the units proposed, this would equate to an approximate requirement of 47 units out of the 118 to be affordable. The Mayor's Affordable Housing SPG details that the percentage of affordable housing in a scheme should be measured by habitable rooms to ensure that a range of sizes of affordable homes can be delivered, including family-sized homes. Having regard to this, the 40% requirement would be the equivalent to 139 rooms to be provided as affordable rent. When taking the policy compliant split (60/40) into account by habitable rooms, this would require approximately 83 rooms to be provided as London Affordable Rent and approximately 56 rooms to be provided as an intermediate tenure. The proposed 22 London Affordable Rent units would consist of two and three bed family units and would equate to the provision of 99 rooms (or 71% by habitable room) as London Affordable Rent. This exceeds the minimum policy compliant split as required by the Core Strategy Policy. Given the smaller unit sizes proposed for the Shared Ownership units, the required 56 rooms to complete the minimum 40% Core Strategy requirement could (for example) be made up by 19 x two bed Shared Ownership units.
- 6.3.8 In relation to the local requirement for 40% of the overall units to be affordable housing, and the appropriate tenure split within that, the proposed development would be compliant in this regard. In relation to the London Affordable Rent units, the provision family-sized units (2 bed and 3 bed units) would meet the priority need of the Borough and two of the London Affordable Rent units would also be wheelchair accessible, which is welcomed. Officers are therefore satisfied that the proposal would also comply in this respect. The remaining 208 habitable rooms (i.e corresponding number of units depending on the configuration of the policy compliant requirement intermediate housing provision above) would be offered as Shared Ownership.
- 6.3.9 The Harrow Strategic Housing Market Assessment was completed in 2018, which formed part of the West London Strategic Housing Market Assessment. In terms of affordable housing tenure, the report concludes that the need of 9,600 additional affordable dwellings over the 25 year period 2016-41 (an average of 384 per year). Of this, the demonstrable need is for 70% at social rent and then 30% as intermediate products. It is therefore regrettable that additional London Affordable Rent homes are not proposed, over and above those within the 40% policy compliant element, as this tenure is in high demand in Harrow to meet priority housing need.
- 6.3.10 Notwithstanding the priority need for London Affordable Rent housing, Shared Ownership is nonetheless defined as an affordable housing product and it is therefore necessary to recognise that the scheme would nevertheless be delivering a 100% affordable scheme. The proposed Shared Ownership units would have a satisfactory mix which is skewed towards one and two bed units as set out in the Council's Planning Obligations SPD. However, as set out in the draft London Plan – intend to publish version (2019), these tenures would need to be genuinely affordable.

- 6.3.11 In order to demonstrate that the proposed Shared Ownership units would be genuinely affordable, the applicant has submitted an Affordable Housing Supplementary Note. This details the minimum income requirements for each of the unit types. It is acknowledged that the minimum income would comply with GLA requirements and the 1 bed units (comprising 50% of the shared ownership units) and the 2 bed units (comprising 46% of the shared ownership units) would be accessible and affordable to Harrow residents. The proposed 3 bed units would also have a lower rent of 1.8% (which is below the Mayor's cap of 2.75%). Furthermore, the applicant has agreed to a cascade mechanism which would offer the Shared Ownership units exclusively (for a period of no less than 3 months) to eligible purchasers whose primary place of residence at the date of purchasing the relevant Shared Ownership unit falls within the London Borough of Harrow. The cascade mechanism would also include an income cap to ensure the proposed tenure represents a genuinely affordable offer for Harrow residents.
- 6.3.12 The Affordable Housing Supplementary Note also provides a comparable example for the demand for Shared Ownership at a recently completed development on Burnt Oak Broadway by Catalyst for 46 units. The development on Burnt Oak Broadway suggested local demand for Shared Ownership (40% of purchasers within local postcodes). The predominant purchaser group was between the late 20s and early 30s, however, there was demand across all age demographics.
- 6.3.13 Officers consider that subject to securing the cascade mechanism and the income caps set out above, the proposed Shared Ownership tenure represents a genuinely affordable offer for Harrow residents. On this basis, the additional shared ownership units delivered above the policy requirements and the overall provision of 100% affordable housing, which includes a policy compliant level of family sized London Affordable Rent units, should be afforded moderate weight when considering the public benefits of the proposal.

Housing Supply and Density

- 6.3.14 London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. These are set out in the Principle of Development section of this report (above). The proposal's contribution to housing supply ensures that this previously developed and allocated site makes an appropriate contribution to the borough's housing need over the plan period to 2026 and towards fulfilling the Core Strategy's target for the Edgware and Burnt Oak sub area.
- 6.3.15 Furthermore, the regional policy context (policy H1 of the draft London Plan) requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites with particular focus on sites with existing access levels (PTALs) 3-6 that are located within 800m distance of a station, and redevelopment of car parks and low-density retail parks and supermarkets as a source of capacity.

- 6.3.16 Policy 3.4 of the London Plan (2016) seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Within the definitions of the London Plan density matrix, the site is considered to have a suburban setting and has a PTAL of 3, indicating a good level of public transport accessibility. When applying the density matrix within the London Plan (table 3.2), the proposal would equate to a density of 185 units per hectare and 544 habitable rooms per hectare. This would evidently exceed the matrix range for suburban setting sites with PTALs of 2-3.
- 6.3.17 However, Paragraph 3.28 of the reasoned justification to Policy 3.4 makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG and this indicates that whilst the maximum of the ranges set out in the density matrix should not be taken as a given, reasons for exceeding them should be clearly demonstrated. In this instance the positive attributes of the scheme are considered to provide clear and robust justification for the development to the density proposed. These attributes include; the allocation of the brownfield site in the Local Plan, its sustainable location and current function as a car park, which is specifically identified as a source to increase housing growth capacity, the public benefit attributed to the provision of affordable housing, and the delivery of a high quality scheme.
- 6.3.18 Furthermore, the draft London Plan – intend to publish version (2019) removes the density matrix that was previously included in order to promote a design lead approach rather than the application of a prescriptive matrix. Policy GG2 of the draft London Plan – intend to publish version (2019) notes that higher density development should be promoted, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. The policy goes on to note that the appropriate density of a site should be arrived at through a design-led approach, which is set out in detail under Policy D3 of the draft Plan.
- 6.3.19 The design considerations of the development have been considered in detail within the subsequent sections of the report. As noted in the submitted Design and Access Statement, the application proposal has been the subject of extensive pre-application discussions with the Council and has evolved in response to design scrutiny following Design Review Panels and discussion with Council Officers. It is considered that the proposed design of the site effectively optimises development on an accessible, brownfield site, whilst responding to the local context. The draft London Plan – intend to publish version (2019) and the approach embedded within the policies to optimise the capacity of sites, are a material planning consideration that hold significant weight.
- 6.3.20 It is acknowledged that some respondents to the application consultation have expressed concern about overdevelopment of the site. For the reasons set out above, and as the density proposed has been achieved using a design-led approach, officers consider that the density of the proposal would be acceptable. Furthermore, any significant reduction in the density of the development could

constitute an under-utilisation of the site (in the context of growth), with implications for viability of the development and subsequent delivery of affordable housing.

Summary

- 6.3.21 The proposed development would bring forward 118 units of housing, all of which would be affordable, and would therefore make a valuable contribution towards the Government's objectives of significantly boosting the supply of housing and meeting the housing needs of all. The absolute number of units and habitable rooms proposed as affordable housing in the application is greatly in excess of the levels across Harrow and London as a whole, with some 17% of units secured across London in the past three years and approximately 21% of units secured within the Harrow.
- 6.3.22 As to the split of tenures, the application would deliver 22 family sized London Affordable Rent units, which is the most affordable of all the tenures and the priority need within the Borough. In terms of the policy requirement provision and tenure split, the London Affordable Rented provision would represent 71% of the required policy compliant offer on a habitable room basis, with the remaining 29% coming forward as Shared Ownership (intermediate housing tenure). The remaining 60% of units would be offered as Shared Ownership units, with affordability aligned to local household incomes and local needs. The proposed affordable housing offer therefore goes beyond the policy requirements of the borough and the Mayor's requirements.
- 6.3.23 The delivery of 118 new affordable-tenure homes (including the additional units above policy requirements) is considered to constitute a public benefit which contributes to the achievement of local policies, the strategic level need for new (affordable) homes for London and the Government's policy objective of boosting significantly the supply of homes.

6.4 Townscape, Character, and Design Quality

- 6.4.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 7.1, 7.3, 7.4, 7.5, 7.6
 - The Draft London Plan (2019): D1, D3, D4, D8
 - Harrow Core Strategy (2012): CS1B, CS1E
 - Harrow Development Management Policies (2013): DM1, DM2,
 - Residential Design Guide Supplementary Planning Document (2010)

Context and Layout

- 6.4.2 As set out in the site allocation H17, any proposal for the site would need to retain adequate car parking provision to continue to meet the demand generated by commuters and in connection with major events at Wembley Stadium. Further key constraints of the site include the railway embankment which is sited

immediately to the west of the application site, the need for a TfL maintenance strip along that boundary, the layout of the development to allow for emergency TfL Crane access to the railway embankment and the adjoining heritage designations to the north of the site. Consideration would also need to be given to any future development of adjacent TfL land to the south of the site (currently occupied by the BEARS Ambulance centre).

- 6.4.3 The proposed development has been laid out to provide three, seven storey residential buildings that front Donnefield Avenue. The replacement car park spaces would be provided at surface level, partly within an undercroft (of buildings B and C) and towards the north-western part of the site. Furthermore, the proposed site layout would provide active frontages of the ground floor onto Donnefield Avenue that would provide a degree of natural surveillance over the public realm. The layout, in conjunction with the proposed public realm enhancements would frame the approach to Canons Park.
- 6.4.4 There would be a moderate gap of 9m and 13m between the buildings, while the northern elevation of building C would be set away 9m from the adjoining boundary with Canons Park. This would provide for a communal amenity space between buildings A and B, and to the north of building C. Furthermore, an outline study for the future development of the TfL land to the south of the application site has been included in the Design and Access statement. This satisfactorily demonstrates that the siting of building A would not prejudice any future development on that adjoining site and the delivery of step-free access to the platform could be delivered in the future.
- 6.4.5 Given the long, linear and tapering site, and the unique edge conditions to the west with the railway embankment, the proposed layout is considered to be appropriate for the site. The final layout, including the vehicular access point into the site, has been carefully considered in relation to the functional requirements of the proposed residential use and car park re-provision, and has been based on recommendations by design experts during the course of the development process. Officers are therefore satisfied that the proposal would achieve a high standard of development in relation to the layout considerations.

Scale, Massing and Design

- 6.4.6 The proposed buildings would have a rectangular form and would be seven storeys in height. In the context of the two and three storey buildings within the proximity of the application site, the proposed development would introduce a development of contrasting scale and height, that would be a notable transition from the existing and prevailing building heights within the locality. As detailed in the townscape assessment below, this would contribute to a perceived change in townscape character from some viewpoints within the locality.
- 6.4.7 However, it is important not to conflate visibility with harm. The proposed residential buildings, although unquestionably larger than the surrounding built form, would nonetheless benefit from a high degree of articulation. Visual relief would be afforded through the gaps between the buildings and the set-back of

the front elevation of the seventh floor would help break the mass and reduce the prominence of the scale and bulk of the proposed buildings.

- 6.4.8 Paragraph 129 of the NPPF (2019) details that Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels. Policy D4 of the draft London Plan – intend to publish version (2019) supports the use of the design review process to ensure design scrutiny.
- 6.4.9 Three Design Review Panels (DRP's) were convened prior to the submission of the planning application. The purpose of these DRP's was to enable a panel of experts to consider the scheme and to provide officers with their opinion on the design quality of the proposed development. The design of the proposed development has evolved from that conceived during the early stages of the planning process, taking on board recommendations by the DRP and Council Officers. The proposed design has addressed the key considerations raised in the design review comments by;
- Relocating the entrance of the station car park further south, so that it is no longer adjacent to the entrance with Canons Park. This would reduce the dominating effect of vehicles adjacent to the park entrance
 - The provision of deck access to building A
 - Improving articulation of the façade and a more responsive and sympathetic elevation fronting Canons Park
 - Providing of oblique views through the curved, semi-projecting balconies
 - Increasing space between the buildings
 - Activating the ground floor uses
 - Providing a greater threshold from building line to pavement
 - Outlining how the land to the south of the site would be integrated in the future phase of development
- 6.4.10 While the proposal would result in a notable transition from the existing two and three storey heights established within the immediate locality, the DRP experts have expressed their comfort with the height and massing distribution of the proposed buildings.
- 6.4.11 In terms of the immediate development context, it is appreciated that 1-20 Canons Park Close has extent planning permission for an additional floor to that building (LPA reference P/1277/20). This would give the central component a four-storey height and the winged projections a 3 storey height. The hipped roof form to the extensions would also increase the massing further. Additionally, 21-40 Canons Park Close has had planning permission previously granted (LPA reference P/2545/05/CFU/3510). While that permission was never implemented, there is no reason to consider that a similar proposal may not also be capable of support. These buildings could also potentially be eligible for a two-storey upward

extensions under Part 20, Class A of the (General Permitted Development) (England) Order 2015 which may result in a five-storey central component and four-storey winged component. While the height and massing proposed on the subject site has been assessed on its own merits, it is nonetheless important to recognise that the prevailing 2 and 3 storey buildings heights within Donnefield Avenue could also be subject to change, and should therefore not be determinative or serve as the benchmark for what would be deemed acceptable massing on the application site.

- 6.4.12 It is acknowledged that some recommendations by the Panel could not be fulfilled, such as; the provision of a non-residential use (e.g a café) adjacent to Canons Park, a shared surface treatment for Donnefield Avenue, increased 'doorstep' play, and relocation the cycle hub to the TfL land to the south of the site. However, officers acknowledge that a number of these recommendations were outside the control of the applicant and would also contrast with other material considerations (e.g highway impacts). Notwithstanding this, the DPR Chair Review response acknowledges the efforts to address key issues for the site, which has great potential to work as a true residential cul-de-sac.
- 6.4.13 The proposed scale, massing and design of the development has been informed and conceived through a design-led approach which was subject to design scrutiny as advocated by Policies GG2, D3 and D4 of the London Plan – intend to publish version (2019). A key objective of the Local Plan is to ensure that all developments are of a high standard of design and layout. Various experts in the design field have considered the scheme and have not raised any fundamental objections to the massing or design. Officers are mindful of this expert advice and consider that the proposed buildings would respond to the challenging constraints of the site and optimise the site capacity through the design-led approach.

Architectural Quality and Appearance

- 6.4.14 The proposed buildings, by virtue of their height and siting, would be visible from a number of viewpoints within the locality. The applicant has given considerable thought to the proposed elevational character and architectural detailing with the aspiration to create reposed elevations while using materials which relate to the surrounding residential buildings. Particular attention was also given to the design of the northern elevation of building C, which would address Canons Park. The DRP experts and Council officers felt that the architectural character of this elevation should respond appropriately to the Park and as a result, the park-facing gable was therefore developed to offer a civic elevation. Through its simplicity in form and careful material palette, the elevation would respond sympathetically to its historic setting.
- 6.4.15 A bold, articulated, high-quality masonry palette with complementary brick tones and textures would be accented with limited precast detailing around entrances, sills, lintels and copings. The predominant use of brick would ensure longevity and allow the proposal to sit comfortably in the context.

- 6.4.16 The use of floor-to-ceiling high windows in most elevations and glazed stair wells would help to animate the buildings and give vertical emphasis. The street facing balconies are semi-projecting and separated by a masonry pier. This sets up a regular vertical rhythm to help break the overall massing and provides articulation, whilst offering oblique views towards Canons Park. Window reveals (setting back the window from the outer face of the exterior elevation) is a valuable design feature which further articulates elevations with depth, light and shade, and are proposed as part of the detailed treatment of the buildings. The proposed front elevations are successful with limited rhythm and alignment of façade elements. The proposal would also provide generously spaced and high-quality entrance lobbies for the residential buildings, with rich tiling and terrazzo elements that would enliven the shared spaces.
- 6.4.17 Every indication is that the design and finish of the development would, if approved, be carried out to a high standard. The final choice of materials and the details described are critical to achieving the high-quality finish that has been promised, ensuring that the development exploits this opportunity to reinforce and enhance the positive attributes of the local built environment and is sympathetic to the setting of Canons Park. It is therefore considered that the materials and other detailed aspects of the design, as set out in the Applicant's Design & Access Statement, should be controlled by conditions of planning permission to ensure the development maintains its attractiveness over the lifetime of the development. As a safeguard, it is proposed to include in the section 106 Planning Obligation, to ensure that the quality of the architecture and finish are preserved through all phases of development including delivery on site. This will be achieved through an agreement on the level of architectural expertise retained throughout the construction phase or a design code.

Townscape and Views

- 6.4.18 Townscape refers to the landscape within the built up area, including the buildings, the relationships between them, the different types of urban open spaces, including green spaces, and the relationship between buildings and open spaces. A Townscape and Visual Appraisal (TVIA) produced by Landscape Visual has been submitted with the application. This uses qualitative and quantitative methods to consider the principal effects of the development on townscape and views found within a 0.3km radius of the application site.
- 6.4.19 In setting out the evolution of the surrounding townscape, the submitted TVIA notes that the townscape of the surrounding area developed in the 1930s around Canons Park underground station, with the suburban residential properties to the south and west of the Site being present on the 1935 OS Map. The two residential blocks opposite the application site were constructed in the early 1960s, while the layout of the car park was extended northwards to the boundary of Canons Park in 1999. The visibility of the Site from the surrounding area is generally limited to the immediate context due to the topography, surrounding buildings and vegetation. The railway embankment screens views from the west and dense tree planting around the north and north-eastern boundaries of the site, screens views to the car park from Canons Park itself.

- 6.4.20 In terms of character areas, Table 4.1 of the TVIA considers their respective quality and value (using the methodology detailed in the report). Canons Park and the Conservation Area are considered to have a medium to high value, while the adjoining TfL land to the south and the retail/commercial parade on Whitchurch Lane are deemed to have a low value. The Metroland housing character areas, such as Howberry Road and Whitchurch lane are considered to have medium to low value.
- 6.4.21 The TVIA considers eight different viewpoints, utilising accurate wirelines and block-rendered visuals to inform the townscape and visual appraisal. The Appraisal notes that at viewpoints 1 and 6 (within the immediate setting looking north and south along Donnefield Avenue) the proposed buildings would be prominent additions to the street. The scheme would therefore contribute to a perceived change in townscape character, reducing the influence of utilitarian townscape elements (the fenced station parking) and increasing the influence of residential apartment buildings of taller scale than existing buildings. Furthermore, the addition of high quality and carefully conceived apartment buildings to the local townscape would be positive and the proposed landscaping measures would improve the public realm.
- 6.4.22 In relation to Canons Park, the TVIA notes that in views from the east of the site (viewpoints 2 and 3), there would be a contrast in scale between the existing and proposed buildings. However, the gaps between the buildings slightly reduce the impact on the skyline views and the views from the east of the site are sufficiently distant from the site for the proposed scale of change to be appropriate within the exiting features in view. From the area to the north of the site, the Park contains denser vegetation and would be noticeable new elements in views to the fringes of the park. In relation to views from the adjacent residential streets (viewpoint 1 and 7), the scale of the proposed buildings would be experienced in the most channelled views (such as on Watersfield Way facing east), rising between houses or where partial views are visible over the roofs of houses. While this would have a moderate visual effect, the TVA considers that the addition of high quality and carefully conceived buildings to local views would be positive. Overall, the TVIA concludes that the proposal would make a beneficial contribution to the local townscape character and would have a largely positive but sometimes neutral effect on views.
- 6.4.23 The proposed development would not be within a landmark viewing corridor or the wider setting consultation area (as detailed in the Harrow Policies Map). Consequently, the proposed development would not have a harmful impact on the protected views and their landmark elements as set out in the relevant policies. In view of the above evidence and the conclusions reached in respect of a range of related matters elsewhere in this report, it is considered that the proposal would not be detrimental to townscape character.

Public Realm

6.4.24 The proposal incorporates a comprehensive landscape and public realm strategy, as detailed further in the report. The proposed enhancements would be inclusive, attractive, well-designed and accessible. Furthermore, the aspect of the proposed buildings and provision of residential units on the ground floor of buildings B and C would activate and define the public realm, providing appropriate levels of natural surveillance. The proposed works would provide street trees and soft landscape planting, which would also serve to support sustainable drainage measures and increase biodiversity. Appropriate street furniture is also proposed to improve pedestrian amenity and experience. For these reasons, officers are satisfied that the proposed public realm improvements would meet the objectives of the relevant policies.

Lifetime Neighbourhoods and Secure by Design

6.4.25 Occupiers of the proposed flats would benefit from close proximity to the shops and services available within the shopping parade on Whitchurch Lane, and those elsewhere, via public transport routes serving Canons Park Station. Furthermore, the proposal would significantly enhance the public realm, thereby improving the pedestrian and cyclist experience as an access route into Canons Park.

6.4.26 The Metropolitan Police Secure by Design Officer was consulted during the application and raised concerns with the deep undercrofts that are proposed, which could attract crime and anti-social behaviour if the development is appropriately secured. During the course of the application, the applicant has confirmed that a gate would be provided. This was reviewed by the Secure by Design Officer who has accepted the details could be confirmed through a pre-commencement planning condition. A pre-occupation condition is also attached to ensure the proposal achieved Secure by Design Accreditation.

Summary

6.4.27 The National Planning Policy Framework reiterates the Government's commitment to good design. However, the NPPF is also clear that local planning authorities should not attempt to impose architectural styles or particular tastes, and emphasises that good design goes beyond the consideration of visual appearance and architecture.

6.4.28 Officers acknowledge that several residents have raised an objection to the scale of the development, noting that it would be out of keeping with the suburban character of the locality. Furthermore, responses to the public consultation have also taken issue with the design, architectural treatment, siting and proximity of the building lines to the pedestrian footpath. Officers acknowledge that the proposal would create a change in impacts to the townscape. However, as set out above, it is considered that the proposal would introduce high quality architecture, materials and public realm to the site. The proposal has undergone robust design scrutiny and various experts in the design field, have concluded that the scale and height would not cause detriment to the urban context of the area.

6.4.29 As with any planning proposal, the consequential impacts in relation to character and appearance must be weighed in balance against all other relevant material planning considerations, as set out within the report. Overall, officers consider that the proposal has been well considered and would result in a high-quality development that would comply with the relevant policies. Any actual or perceived local adverse impacts on townscape would not outweigh the overall benefits of the proposal.

6.5 Heritage Assets

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.8
- The Draft London Plan (2019): HC1
- Harrow Core Strategy (2012): CS1D
- Harrow Development Management Policies (2013): DM7
- Stanmore and Edgware Conservation Area Supplementary Planning Document (2013)

6.5.2 The application site is within the setting of Canons Park, which is a Grade II listed Registered Park and Garden. There are a number of designated assets within the park and the closest designated asset is the Grade I listed Church of St Lawrence, approximately 360m east/south-east of the site boundary. The detailed description for Canons Park is provided within the Historic England Database Listing (list number 1001394). Some of the key descriptions are reproduced below:

Location, Area, Boundaries, Landform, Setting

'The registered site comprises c 50ha of formal gardens and parkland surrounded by housing and other suburban development. The avenues running west from the park towards Marsh Lane, across the railway line, and running east along Canons Drive to Edgware High Street, have been retained'

Entrances and Approaches

'The principal approach to the North London Collegiate School is from Edgware High Street, via an entrance drive known as Canons Drive...There are three other entrances to the public park: one to the south at Whitchurch Lane, one to the south-west at Donnefield Avenue (both mid to late C20), and one to the west at Marsh Lane'

Principal Building

'the North London Collegiate School, formerly Canons House (listed grade II), stands at the northern end of the park, forming the main focus of the landscape'.

Park

The southern part of the registered parkland which includes allotment gardens and playing fields has a mid to late C20 functional path layout. Along the eastern

park boundary is a woodland walk running through The Spinney, which dates back to Alexander Blackwell's early C18 layout of the park. The remains of the southern parkland such as the raised banks formerly flanking both sides of the avenue running towards the Church of Saint Lawrence, and along the woodland walk through the Spinney, are still visible. The avenue survived into the mid C20 but of the medieval church of Saint Lawrence (listed grade I), situated in the south-east corner of the park, only the west tower remains. The church was rebuilt by John in 1715 and dedicated in 1720, to become the Duke of Chandos' private estate chapel

Kitchen Garden

Some 70m south of the school, situated in the public park area, is a rectangular walled area. The brick walls (listed grade II) are the remains of the early C18 kitchen garden which formed part of James Brydges' layout for the garden at Canons Park. There are three entrance gates to this walled garden, namely on the north, west, and south sides. Since the early to mid C20 the kitchen garden has been called the George V Memorial Garden

- 6.5.3 The northern tip of the application site is within the Canons Park Estate Conservation Area (CA). The CA is described within the Conservation Area Appraisal and Management Strategy as follows:

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

- 6.5.4 Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended requires having special regard to the desirability of preserving listed buildings or their settings and special attention being paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 6.5.5 In accordance with the requirements set out by Paragraph 189 of the NPPF, a Heritage Statement and Historic Environment Assessment produced by MOLA (Museum of London Archaeology) has been submitted with the application. The application is also accompanied by a Townscape and Visual Appraisal produced by Landscape Visual. The submitted Heritage Statement considers that the

existing site makes no contribution to the setting of the Conservation Area or the setting of the listed Park. In relation to the impact of the proposal on the listed Park and CA, the Heritage Statement makes the following points:

- Canons Park Flats (on the eastern side of Donnefield Avenue) will create an existing visual buffer between the park and the proposed development and transition in scale of built form
- The main development within the park (the former Canons Park Mansion) is substantially distanced from the subject site, as are other significant historic structures which make up the park. The setting of King George V Memorial Gardens and the heritage assets comprising the individually listed former Canons Park House buildings (located in the northern extent of Canons Park) will remain secluded, with the proposed development unlikely to have any visibility from these areas.
- The addition of higher scale development on a single edge of the park will not affect the overall ability to appreciate and experience the 'openness' and 'seclusion' of the larger park which extends to the north.
- The upper storey of the proposed development is set back from the building edge and is a lighter colour brickwork to the bulk of the development, which greatly reduces the visibility of the upper storey, which will mitigate the impact of the overall scale of the development
- The proposed building is designed as an overall simple, modern and high-quality form within the wider setting of the Park and the CA. It is a sympathetic design response to its setting.
- The proposed development is considered likely to have a moderate heritage impact on some aspects/views within the park, due to the scale of the proposed development (which is presently openness), but the visibility of the site from the other surrounding areas of the park is generally limited to the immediate context due to the topography, surrounding buildings and vegetation.
- The bulk of the conservation area comprises Canons Park, with the potential heritage impact on the Park outlined above. The group of significant 1930s Metroland residential development to the east of the conservation area will be unaffected by the proposed development as there is no intervisibility between this cohesive residential area and the subject site.

6.5.6 The Conservation Area Appraisal Strategy sets out the 'key views' within the Canons Park Estate Conservation Area. In relation to the subject proposal, the potential identified views that might be impacted are the panoramic views towards the site from the east and in southerly views towards the site from the George V Memorial Garden or from the northern portion of the site, where the group of individually listed heritage assets are located. A series of verified views were undertaken and are provided within the Townscape and Visual Assessment. The relevant heritage views are identified as views 2, 3, 5 and 8. The Heritage Assessment provides the following commentary on the verified views:

Views 2 and 3 (from the east of the site and adjacent to the southern entrance along Whitchurch Lane)

The panorama view already comprises a visual buffer of intervening built form and landscape form (in the form of the existing metal fence, hedge and buildings in the distance). The proposed development will be viewed in the backdrop of the existing low-medium scale development on the south western edge of the park only and it is considered that the panorama view from this aspect is not a more significant view of the park. The more significant direct long distance and short distance views to significant assets within the park will be conserved

View 5 (View from Canons Park central amenity parkland area looking towards Donnefield Avenue park entrance/exit)

The proposed development will be visible in the backdrop of existing vegetation and at a distance from this aspect. Further, the design of the northern elevation has been well considered, with sympathetic façade articulation, responsive to the edge of the park. Although the proposed development is visible from this aspect, the development will not impact upon the overall sense and atmosphere of ‘openness and greenery’ across the remainder of the views within the park.

View 8 (View from Canons Park near the walled garden)

The proposed development will not be visible from the George V Memorial Garden or from the northern portion of the park, where the group of individually listed heritage assets are located. The site is too far distanced from this aspect and is screened by intervening landscape and tree coverage. The tranquillity and seclusion of the memorial garden will therefore be unaffected by the proposed development.

6.5.7 The Heritage Statement concludes that the proposal would provide a high quality and responsive development to its heritage context. It would be suitably distanced from key buildings, features and elements within the park; whose individual significance and setting would be wholly conserved by the proposed development. Furthermore, the proposed development would be on the edge of Canons Park, which has previously been subject to development and the proposal would therefore be set in a backdrop of intervening built and landscape form and screened by trees. The proposed development would therefore not affect the overall sense of ‘openness’ and areas of seclusion across the park. While the proposed development will have a minor impact on an identified panorama view (view 2), this view is of a ‘lesser significance’ in the park as it is previously been impacted by the identified existing fence, hedge and built form. Other more significant direct long and short distance views across the park will be unaffected. The proposed development would also be responsive to the established character of the Conservation Area.

6.5.8 For these reasons, the Heritage Statement considers that the proposed development is considered to have ‘less than substantial harm’ to the setting of Canons Park (and the Canons Park Conservation Area), due to the scale of the proposed development (with the existing car park currently contributing to openness). However, the Heritage Statement considers that the harm is at the lower end of the threshold and outweighed by the significant public benefits of the proposal. This would include the delivery of 118 affordable housing units, the delivery of a cycle hub and high-quality public realm, which would provide a

significant enhancement to the approach of the Park from this point and mitigate the level of harm.

6.5.9 The application was referred to the Council's Conservation Officer who has reviewed application and supporting documents. The full consultation response is provided in the relevant subsection of the report above. However, the key points raised by the Council's Conservation Officer are as follows:

- The proposed new buildings would be visible in open views from the parkland. It is the feeling of seclusion and openness in the park that provides the conservation area and registered park and garden with a large part of its special character and appearance
- The proposal would greatly undermine this character given the height proposed and its proximity to these designated heritage assets as well as the large amount of glazing and balconies facing the park. It would also be lit up at night.
- It is noted by the supporting documents that the development would not be visible as far north as the walled garden which is good but it seems it would be evident further south.
- The scale of the effect of the proposed new build in its setting is noted as 'large' in the Townscape Appraisal. The cross section in the Design and Access statement shows the proximity of The Lodge. Building C is too close to be screened and there is no space for 'buffer' planting. It would not be possible to provide meaningful soft landscape to screen or soften the view of the building
- In relation to view 5, the proposed development will be clearly visible from the listed Canons Park and The Lodge and will have a 'large' impact on the overall sense and atmosphere of 'openness and greenery' within the park. View 3 below shows a similar impact on openness, greenery and the present relative sense of isolation from built up surroundings, from this viewpoint in the conservation area and registered park and garden.
- It is only a reduction in height that could alleviate/ remove the harm significantly, particularly to the building nearest the park. This is recommended. However, otherwise amending the design to omit the balconies/reducing glazing facing the park would help, as would reducing the amount of glazing facing it. It is noted that there are public benefits to be weighed up against the harm but this should only enter the weighing up process if the design cannot be amended to avoid the harm but allow for the same benefits.

6.5.10 Historic England, the government's statutory advisers on heritage, were consulted on the application. The consultation response received on 18th June 2020 detailed that they did not wish to offer any comments, and suggested the local planning authority to seek the views of their own specialist conservation advisers, as relevant.

6.5.11 The Gardens Trust, in its role as a statutory consultee for proposals affecting a site listed by Historic England on their register of Parks and Gardens, were also consulted on the application. In the consultation response dated 23rd June 2020,

The Garden Trust raised an objection to the application on the basis that the height and bulk of the development would represent an overdevelopment of the site which would be out of scale with the character of the surrounding area and would cause harm to the views and setting of the Registered Park and likely affect the setting of the Grade I St Lawrence Church. Furthermore, the proposal would alter the skyline and bring extra noise, lighting and road traffic. If the local planning authority was to decide to approve the application, the Garden Trust would hope to see conditions which would benefit the management and upkeep of the registered Park and Garden.

- 6.5.12 The London Parks & Gardens Trust (affiliated to the Gardens Trust) also raised an objection to the proposed development in the consultation response dated 17th June 2020. Again, it was considered that the height and bulk of the proposed buildings would have a harmful impact on the historic character of the park and would be visible from many key locations within the Park. Furthermore, the loss of parking spaces serving the station would throw greater parking pressure on the surrounding area and potentially impact on the use of the Park. Finally, it was considered that the design of the proposed buildings would be unsympathetic to the surrounding existing architecture and character of the area. The consultation response did consider that the harm could be mitigated greatly by reducing the height and footprint of the buildings.
- 6.5.13 The Conservation Area Advisory Committee (CCAC) have also raised an objection to the proposal. In particular, the CAAC have advised that the proposal would be a major overdevelopment of the site and views out of Canons Park will be dominated in a southerly direction by the seven storey buildings. Easterly views from the most southerly area of the park and the adjacent sports ground (also part of the CA and historical landscape) will be similarly dominated. This will detract from both the character and amenity value of the CA. The CCA also consider that the loss of over public parking spaces and the provision of only four disabled residential parking spaces, will result in massive overspill parking in the locality which may not directly impact on the CA, but will undoubtedly detract from its immediate environment.
- 6.5.14 It is evident from the submitted documents and subsequent heritage consultation responses that there would be no direct harm to the heritage assets. Rather, the identified harm would be from the impact of the development on their significance derived from their setting. Both the submitted Heritage Statement accompanying the application and response from the Council's Conservation Officer consider that the proposal would result in less than substantial harm to the significance of the heritage assets.
- 6.5.15 In assessing the impact on significance, the key consideration is how important the aspect that would be affected (i.e the setting) is to its significance. It is accepted that the significance of Canons Park and the Conservation Area is derived from their historic landscaped character. In relation to the Park, this is exhibited through the grand, spacious, green and tranquil character of the public parks and gardens provide a sense of isolation and openness. The significance of the Canons Park Estate Conservation Area also relates to its good architecture

and high quality formally planned Metroland estate, with a soft and verdant ambience. The significance is also reflected through the historical, aesthetic and communal value of the heritage assets.

- 6.5.16 Turning to the actual impacts, change to the setting would be as a result of the development of the existing surface car park, which currently makes a positive contribution to the open setting of Canons Park (by virtue of the absence of development). The proposed development, by reason of its siting, height, bulk and the limited buffer/setting space provided (for planting to screen the development), would be readily visible from within Canons Park and therefore have an impact on the setting.
- 6.5.17 In terms of the panoramic views, from viewpoints 2 and 3, the height and massing of the scheme would draw the eye and be the primary backdrop for the panoramic views looking eastwards from the Park entrance along Whitchurch Lane. However, the views themselves would not be unobstructed, and it is acknowledged that high fencing, hedges and the existing buildings on the eastern side of Donnefield Avenue would provide a degree of buffer. Consideration must also be given to the extant planning permission to provide an additional floor to nos. 1-21 Canons Park Close, which would serve to provide a greater degree of screening. The proposed development would not obstruct or undermine the prevailing visual experience from the long-range view from the Whitchurch Lane entrance looking northwards and therefore the landscaped setting (and significance) would continue to be appreciated in its current form when looking at the expansive axial route.
- 6.5.18 Unquestionably, the relative size and appearance of the proposed development would make it more pronounced in views towards the application site from the central amenity area within the Park and adjacent to the Donnefield Avenue entrance. While it is expected that some views might be partially buffered by mature trees, the effectiveness of this would be reduced when the trees are not in leaf, and even so, there would still be many sightlines and viewpoints where this the natural buffer would not exist (view 5 being a case in point). The extent of change to the setting would be from the height and massing of the development and the absence of setting space to provide an appropriate buffer thereby making the proposed development visually prominent.
- 6.5.19 The significance attributed to the sense of isolation and tranquillity experienced within the Park would be impaired by reason of the provision of a protruding balcony and glazing with patio door Juliette balconies on the north facing elevation. This would exacerbate the identified impacts on the significance of the Park. For this reason, the applicant has provided revised drawings which have removed the protruding and patio door Juliette balconies on the northern elevation. While the retained windows would still provide a degree of impact, by reason of potential light spill and the expected views/outlook from occupiers of domestic dwellings, the degree of visual intrusion as a result of actual overlooking on balconies would be substantially reduced.

- 6.5.20 View 8 confirms that the proposed development would not be visible from the George V Memorial Garden or from the northern portion of the park, where the group of individually listed heritage assets are located. The site is too far distanced from this aspect and is screened by intervening landscape and tree coverage. A number of key views within this area of the Park, which were identified within the Conservation Area Appraisal Strategy, would therefore not be impacted. The tranquillity and seclusion of the memorial garden will therefore be unaffected by the proposed development.
- 6.5.21 The proposed development would be sited approximately 360m away from the Grade I St Lawrence Church. Again, given the notable separation distance and the extensive mature tree covering which delineates the boundary of the Church, it is considered that the proposed development would have a very limited impact in views from the Church towards the application site. Building A would also be sited to the north of the Church, any potential overlooking at higher levels would be limited to oblique angles. For these reasons, it is considered that the effect of the proposal on the setting of the Grade I St Lawrence Church would be negligible.
- 6.5.22 Taking these points all into consideration, while it is acknowledged that many key features contributing to the significance of the Park and CA would largely remain, including verdant views from key viewpoints and individually listed heritage assets, the severity of change as a result of the proposed on the setting of the heritage assets (particularly from the open parkland and the zones around the Donnefield Avenue entrance) would be apparent. Overall, it is considered that the proposal would have a harmful effect on the setting setting of the Grade II Canons Park and the Canons Park Estate Conservation Area. The harm is considered to be 'less than substantial' for the purposes of the National Planning Policy Framework.
- 6.5.23 Great weight should be attached to the conservation of the heritage assets, in line with Paragraph 193 of the NPPF. Paragraph 196 of the NPPF states that 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. This applies to the effect of proposal both on the significance of the heritage assets, and on the ability to appreciate that significance.
- 6.5.24 It is important at this point to address whether similar benefits could be brought forward on site which avoids harm to the designated heritage assets. The internal and external heritage consultee responses detailed that a reduction in height and the provision of setting space to enable a natural planted buffer to be provided would reduce the level of harm identified. Given that the identified harm relates to the height, scale and siting of the proposed buildings, it would follow that the suggested interventions (i.e reduction in height and more setting space) would successfully serve to reduce the level of harm. While this might be the expected outcome, the key consideration is whether the proposal would still be able to deliver the same public benefits through an alternative scheme.

- 6.5.25 As the proposed development would deliver 100% affordable housing, the application did not require the submission of viability assessment. However, as part of the Affordable Housing Supplementary note, a financial note on the proposed development was provided. This details that the scheme already has constrained viability and the proposed offer is already above the maximum reasonable. It is therefore extremely likely that any reduction in massing would make the scheme unviable. Furthermore, any reductions would be bound to reduce the ability to achieve a comparable volume of accommodation, and may impact upon the number family sized London Affordable Rent Units that could be provided, which are the priority need within the Borough. Given the constraints of the site, it is not likely that re-balancing the massing between the blocks would address the harms identified. For these reasons, in the absence of any evidenced reasonable or viable alternatives that could effectively reduce the harm but provide the same or similar benefits, the weight afforded to the potential of an alternative scheme delivering the same public benefits is limited.
- 6.5.26 The Council have identified that the Grade II Listed 18th Century Memorial Garden Walls are in need of repair. In line with the Council's Planning Obligations SPD, officers therefore consider that a financial contribution towards the repair of this heritage asset which lies within the Grade II Listed Canons Park would improve the character and appearance of the Registered Park and Garden, and Canons Park Estate Conservation Area. Subject to securing the financial contribution through a section 106 agreement, officers consider this would constitute a public benefit.
- 6.5.27 Having established the public benefits of the scheme (appraised in detail within the relevant subsections of this report and concisely summarised within the planning balance subsection), it is necessary to return to the balance triggered by NPPF Paragraph 196. It is considered that moderate weight should be given to the harm to the significance of Canons Park grade II Listed Park and Garden, and the Canons Park Conservation Area on account of development within its setting. Weighed against the public benefits of the scheme, officers consider that the NPPF Paragraph 196 balance should weigh in favour of the proposals. This is an important material consideration.

6.6 Residential Quality, Amenity and Accessibility

- 6.6.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 3.5, 3.6, 3.8, 7.2, 7.6
 - The Draft London Plan (2019): D5, D6, D7,
 - Harrow Core Strategy (2012): CS1K
 - Harrow Development Management Policies (2013): DM1, DM27, DM28
 - Mayor of London Housing Supplementary Planning Guidance (2016)
 - Mayor of London Achieving An Inclusive Environment Supplementary Planning Guidance (2014)

Residential Quality of Future Development

Entrances and Shared Circulation

- 6.6.2 The Mayor's Housing SPG calls for entrances to be visible from the public realm and clearly defined. The residential entrances to the buildings would face the highway. They would be visible from and would help to activate the new public realm within the proposed development.
- 6.6.3 The entrance lobbies to the proposed residential flats would be generously proportioned and in accordance with the Mayors Housing SPG, each building would be served by at least one lift and there would be no more than eight residential units per floor serving the core. The SPG also encourages communal corridors to receive natural light and ventilation where possible. Building A would provide a gallery access to the proposed residential units and thereby allow for the access corridor to be served by natural light and ventilation. The configurations for buildings B and C, however, do not allow for windows to serve the corridors. However, it is noted that the corridors are not excessively long and are served by a generously sized lobby for each floor. Whilst clearly not ideal, this is not considered to be unacceptable.

Internal Space Standards

- 6.6.4 The minimum space standards are set out at Table 3.3 of the London Plan (2016) and are reproduced within the Mayor's Housing SPG. The submitted Design and Access Statement details the proposed unit typologies which would be provided within building A and buildings B and C. All of the flats within the proposed development would meet or exceed the London Plan minimum space standards. The development would also achieve the minimum floor to ceiling height of 2.5 metres as required by the Housing SPG. The submitted drawings show that the proposed layouts would make reasonable provision for the accommodation of furniture and flexibility in the arrangement of bedroom furniture.

Daylight, Sunlight and Aspect

- 6.6.5 The Mayor's Housing SPG seeks to avoid single aspect dwellings where; the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. The definition of a dual aspect dwelling is one with openable windows on two external walls, which may be opposite (i.e. front & back) or around a corner (i.e. front and side) and the SPG calls for developments to maximise the provision of dual aspect dwellings.
- 6.6.6 Building A would not feature any single aspect windows as a gallery access is proposed to the rear, thereby allowing the residential units in the middle of the building to have windows on the west facing elevation. Buildings B and C would each contain 23 units which are single aspect. While the provision of single aspect flats is regrettable, the respective units would all be one bed flats and would not be north facing. Every effort has been made in the design and layout of the proposal to maximise the number of dual aspect flats.

- 6.6.7 An Internal Daylight, Sunlight and Overshadowing Report produced by GIA has been submitted with the application. The report details that 314 of the 367 rooms meet or exceed the levels of Average Daylight Factor (ADF) recommended by the BRE. Of the 53 rooms that fall short, 30 are kitchens, 15 are main living areas and 8 are to bedrooms. However, the report identifies that for most of the open-plan units, the units have been designed so that the kitchens are located within the rear, thereby giving priority for good levels of daylight within the living area to the front of the room. Overall, the scheme would deliver well daylit bedrooms, with 95% meeting or exceeding the ADF level suggested. Those bedrooms that just fall short of the recommendation, only do so marginally. Further to good levels of daylight ingress, 90% of the rooms within the development would meet the recommended levels of No-Sky Line (NSL).
- 6.6.8 Turning to the quality of sunlight for the proposed flats, the submitted report assesses all living room windows for Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH). The results show that 84% of the tested living rooms see good levels of both APSH and WPSH. Where the living rooms fall short of the guidance, this is primarily as they are set behind or beneath balconies. The report notes that this is an expected consequence of the provision of balconies as they intercept the sun's rays before they can reach the fenestration.
- 6.6.9 The Council engaged the services of a specialist consultant to provide independent appraisal of the Internal Daylight, Sunlight and Overshadowing Report. The consultant verified that where the rooms do not meet the guidelines for daylight and sunlight, they are generally located behind or beneath recessed balconies or covered walkways (i.e the gallery access to Building A) which hinder the access of daylight. Daylight to rooms that are on the north or south elevations of the buildings is also restricted when 2 buildings face each other. The consultant has advised that overall, the daylight and sunlight provision to the new units is considered good for a development of this size. Where there are transgressions, these should be balanced with the inherent features of the proposed development such as private amenity in the form of balconies, which would be well sunlit themselves.

Privacy

- 6.6.10 The flank elevations of the proposed buildings would feature primary habitable room windows serving bedrooms and secondary windows serving the communal living areas. The separation distance between the facing flank elevations of buildings A and B would be approximately 13m while the distance afforded between the flank elevations of building B and C would be 9m.
- 6.6.11 Given the density of the subject proposal, which is consistent with the need to make effective use of this brownfield and accessible site, it is considered that the overlooking relationship would not be so severe as to create unacceptable privacy conditions for the future occupiers of the corner flats. Moreover, effort has been made to provide dual-aspect living rooms, which would therefore result in

the flank wall windows serving as a secondary source of light and outlook, as opposed to the primary openings. This would serve to further reduce any perceived or actual overlooking relationship between habitable rooms. The relationship between the buildings is therefore considered to be commensurate with the intended character of the higher density proposal and the likely expectations of future occupiers of the development.

- 6.6.12 The station platform for Canons Park Underground Station would be sited approximately 15m to the west of Building A and by virtue of its position on the railway embankment, would be approximately level with the proposed first-floor units. However, as detailed elsewhere in the report, the railway embankment is a designated Site of Importance for Nature Conservation. Therefore, the existing extensive tree and vegetation cover within the adjacent railway embankment would be safeguarded, thereby maintaining the existing natural buffer and screening in views towards the application site from the railway platform. On this basis, it is considered that the proposal would not have a detrimental impact on the privacy of the future occupiers.

Noise and Vibration

- 6.6.13 The application is supported by a Noise and Vibration Assessment produced by ACCON. A noise measurement survey was carried out across the site in order to determine the extent to which the proposed development site is currently affected by noise. The primary sources of noise identified were from train movements, activities at the station (e.g such as announcements and train door movements) and from road traffic.
- 6.6.14 In terms of design, building A, the closest building to Canons Park Station, would have a gallery access at the rear. With the exception of unit typology A-01, all the other units would not have windows serving primary habitable rooms (that are single aspect) on the west facing elevation. Although the west facing elevation of buildings B and C would feature balconies, these have been recessed which would minimise noise exposure, and it is intended to provide sound absorptive material in the balcony soffits to minimise reflections of noise and balustrading to screen noise.
- 6.6.15 The submitted Noise and Vibration Assessment details the daytime internal noise levels for most of the proposed flats should be considered to be reasonable when windows are open for ventilation and that appropriate noise levels could be provided for most of the units with the window shut. The Assessment therefore suggests alternatives means of ventilation for habitable rooms within windows in the north, west and south facades of the buildings to ensure that windows can be kept closed for the majority of time to ensure target internal noise levels are achieved. With open windows, the noises associated with the station activities are also likely to be intrusive to adjacent residents. For the units within buildings B and C, only unit type BC-06 would be west facing single aspect. As such, these one-bed, two person units would have their sole outlook (and ventilation) from window openings in the west facing elevation. Consequently, these units would not benefit from natural ventilation from other building aspects. Officers

acknowledge that these single-aspect units would be particularly vulnerable to increased noise impacts and consider it necessary to include a condition requiring a more detailed assessment including detailed noise mitigation/sound insulation and ventilation measures for all the proposed units.

- 6.6.16 In relation to vibration measurements, the Assessment notes that the proposed development would incorporate building foundations which will resist motion from ground-borne vibration. Following the vibration assessments undertaken, the submitted report considers that no vibration mitigations measures would be required for the proposed development.
- 6.6.17 The application was referred to the Council's Environmental Health officer who has acknowledged the recommendations within the Assessment for a sound reduction of 24dB(A) to achieve the target internal noise levels with windows closed. Subject to conditions requiring a detailed sound insulation scheme to provide noise mitigation measures, the proposal would be acceptable in this regard.

Private and Communal Amenity Space

- 6.6.18 For private amenity space, the Mayor's Housing SPG requires a minimum of 5m² per 1-2 person dwelling and an extra 1m² for each additional occupant. This is also reflected in Policy D6 of the draft London Plan – intend to publish version (2019). All of the proposed upper floor flats would be served by a balcony and would meet or exceed the minimum private amenity space requirements. The Pedestrian Level Wind Microclimate Assessment produced by RWDI details that the majority of balcony locations would be suitable for the intended use during the summer season. However, the report considers that the protruding balconies on the south-east and north-east of building A, the north-west and south-west as well as the top south-east corner balcony of building A, and the north-west balconies of building C would be windier than desired. However, the report notes that the results do not take into account the solid balustrade which is proposed. As such, the report notes that the inclusion of this balustrade would be expected to provide sufficient shelter to western balconies such that conditions would be suitable for amenity use, but east facing balconies may still result in less than the desired sitting or standing wind conditions. Officers consider that this could be mitigated through detailed conditions.
- 6.6.19 In addition to the private balconies, occupiers of the flats would also have access to two communal outdoor space. The 'community garden' would be located between buildings A and B while the 'pocket garden' would be provided to the north of building C, adjacent to Canons Park. These communal areas would supplement the private balconies and would provide a welcome additional component to the amenity afforded to future occupiers of the development.
- 6.6.20 The proposed communal gardens would be overlooked by the buildings that they serve (by virtue of the windows within the flank elevations) and would be at surface level, thereby being accessible to the future users. The Mayors Housing SPG also states that communal areas should be designed to take advantage of

direct sunlight. In this regard the overshadowing effects of the development upon the proposed communal amenity spaces has been examined in the submitted Overshadowing Report produced by GIA. BRE guidance recommends the amenity space to receive more than two hours sunlight on 21st March (i.e the Spring Equinox). The submitted assessment finds that 82% of the 'community garden' would experience more than 2 hours of direct sunlight, while 91% of the 'pocket park' would achieve direct sunlight for more than 2 hours. Furthermore, the Pedestrian Level Wind Microclimate Assessment produced by RWDI details that the proposed communal amenity spaces would still be suitable for sitting with isolated areas of strolling and standing conditions during the windiest season. Taking this into account, and the close proximity of Canons Park, it is considered that the quantity and quality of communal space provided would be acceptable.

Children's Play space

- 6.6.21 The relevant policies require an on-site provision of facilities where a development would result in a net increase in child yield. Applying the GLA Population Yield Calculator, the proposed development is expected to yield a total of 50 under 16's comprising 25 x 0-4 year olds, 18 x 5-10 year olds and 7 x 11-15 year olds. The Council's Planning Obligations SPD, informed by Harrow's PPG 17 Study, sets a quantitative standard of 4 square metres play space per child. Based on the indicative child yield from the development, this would equate to a minimum requirement of 200m² of play space.
- 6.6.22 The submitted Landscape and Public Realm Strategy by Townshend Landscape Architects provides details of the proposed play strategy. The report identifies that the proposed development would provide 274m² of play provision that would be located within the two communal shared amenity spaces (i.e 'the community park' and 'pocket park'). While there would be scope to provide some children's play space within the communal shared amenity spaces, the submitted Landscape and Public Realm Strategy also notes that the communal amenity spaces are intended to be multifunctional, serving as places to encourage social interaction (through seating) and visual amenity through generous planting. Furthermore, the western end of the proposed shared amenity spaces would be occupied by cycle stores.
- 6.6.23 Given the multipurpose use of the communal amenity spaces, it is unrealistic that the proposed development can be considered to provide the minimum quantum of designated children's play space as required by the relevant policies. The supporting text to policy S4 of the draft London Plan – intend to publish version (2019) details that formal play provision should be well-designed, accessible, inclusive and stimulating. It is also acknowledged that integrating natural environments into play provision is encouraged, while there should be an appropriate provision for different age groups. Off-site provision, including the creation of new facilities or improvements to existing provision, secured by an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of the development whilst continuing to meet the needs of existing residents.

- 6.6.24 The designated children's play area within Canons Park is sited approximately 100m to the north of Building C and would therefore be readily accessible from the application site, particularly for older children. In order to quantify the exact provision of play space that would be provided and the necessary form of provision, it is considered prudent to attach a planning condition requiring the submission of a detailed play strategy. A contribution to off-site provision for the resulting shortfall will be secured through a planning obligation.

Accessibility

- 6.6.25 To provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, the London Plan required at least 10% of dwellings to meet Building Regulation requirement M4(3) 'Wheelchair user dwellings'. All other dwellings (i.e the remaining 90%) would need to meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings'.
- 6.6.26 The submitted applications documents confirm that 12 of the proposed units would be in accordance with M4(3) 'Wheelchair user dwellings' and the remaining units would comply with M4(2) 'accessible and adaptable dwellings'. A condition is recommended requiring the internal layout of the buildings and its external spaces to meet these standards. Subject to this condition, officers consider that the proposed development would be acceptable in this regard.

Residential Amenities of adjoining occupiers

- 6.6.27 The application site is located within a suburban area and as expected, many of the adjacent land uses are residential. The building heights are generally uniform, varying between two and three storeys. The nearest residential properties are as follows:
- Wyel Lodge: Two storey residential dwellinghouse abutting the application site to the north. The north elevation of block C would be sited approximately 9m away from the shared boundary and 17m from the respective flank elevation of that dwellinghouse
 - The End House: Two storey residential dwellinghouse on the north-eastern side of Donnefield Avenue. The front elevation block C would be approximately 20m away from the front elevation of that dwellinghouse.
 - 1-20 and 21-40 Canons Park Close: two and three storey detached block comprising of 20 flats (per block) located opposite the application site. The front projecting elements of the blocks would be located approximately 21m away from the respective front elevations of the buildings, while the recessed central element would be sited approximately 32m away from the respective front elevations.
 - Nos. 2 – 40 (even) Cheyneys Avenue and 46 and 48 Watersfield Way: two-storey residential dwellinghouses located on the western side of the railway embankment. The rear gardens of those dwellinghouses would be sited approximately 45m away from the west facing elevation of the proposed buildings.

Visual Impact, Outlook and Privacy

- 6.6.28 Undoubtedly, the proposed development would represent a distinctive new addition to the area. It would, by reason of its height, be visible to occupiers of premises over a wide area. However, the impacts would be most pronounced for the occupiers of adjoining sites. The existing surface car park provides an unobstructed view in the outlook of the residential units and dwellinghouses that surround the application site. In this context, the introduction of development on the site (especially at the scale proposed) would result in a significant change in the outlook and associated amenity benefits currently experienced by the neighbouring residential occupiers. However, being able to see a building is not of itself indicative of visual harm, and it is therefore necessary to consider in greater detail the specific relationships that would result between the proposed buildings and structures and the nearest affected neighbouring properties.
- 6.6.29 The End House and flats of nos. 1-20 & 21-40 Canons Park Close are orientated directly towards the application site. As noted above, the front elevations of the proposed buildings would maintain a separation distance between 20m – 32m from the respective front elevations of those neighbouring properties. Evidently, at seven storeys, the proposed buildings would be large, and would appear as such from the forecourts and front elevations of the respective residential properties. While the view would be softened by the existing shrubs and trees which delineate the front boundaries of those properties, given that a number of trees and shrubs are deciduous, this level of natural screening would not be provided all year round. However, the gaps between the buildings and detailed articulation of the front elevations would positively mitigate the perception of bulk and massing, albeit in a modest way.
- 6.6.30 In terms of privacy and overlooking impacts, it is noted that the Mayor's SPG refers to separation distances of 18-21 metres between facing elevations with habitable rooms as being 'useful yardsticks' for visual privacy. The separation distances would therefore be sufficient to mitigate against any intervisibility between the residential buildings. Whilst recognising that the adjacent occupiers would experience a visual change, taken together with the separation distances described above and having regard to the need to make effective use of this allocated site, officers consider that the resulting visual and privacy impacts would be not be unacceptable.
- 6.6.31 Turning to the impacts on Wyel Lodge, that adjoining property is located to the north of building C and does not have any original windows within the flank elevation. Therefore, the outlook currently experienced by occupiers within that property would only be affected in limited oblique views from the rear elevation towards the application site. In terms of privacy, it is acknowledged that the habitable room windows within the north elevation of building C would be orientated towards the rear garden of Wyel Lodge and could therefore give rise to a perception or actual overlooking of that private amenity space. However, having regard to the need to make effective use of this allocated site in addition to other material considerations, officers consider that on balance, the identified

harm to the privacy amenities of the occupiers of Wyel Lodge would be outweighed by other material planning considerations detailed in the report.

- 6.6.32 In terms the adjacent residential dwellinghouses along Cheyney's Avenue and Watersfield Way, the rear gardens of those properties would be sited 45m away from the west facing elevations of the proposed buildings. While the upper storeys of the proposed buildings would be visible from the rear elevations of those respective properties, the intervening railway embankment and siting of trees on either side (within the SINC), would serve to provide an effective degree of screening. Given the separation distances afforded, it is considered that the proposal would not have a detrimental impact on the visual or privacy amenities of the adjacent occupiers along Cheyneys Avenue and Watersfield Way.
- 6.6.33 The proposed development would, of course, also be visible to residential occupiers and from commercial premises within the wider locality. Given the conclusions about visual impact in relation to residential properties much closer to the application site than those within the wider area, it follows that the visual impact upon occupiers of all other affected properties can be accepted.

Daylight and Sunlight Impacts

- 6.6.34 A Daylight and Sunlight report produced by GIA has been submitted with the application. The assessment uses widely-recognised methodology to assess the proposal's impact upon neighbouring property against British Research Establishment (BRE) guidelines. The report considers the three BRE Guidelines methodologies for daylight assessment of neighbouring properties; the Vertical Sky Component (VSC); the No Sky Line (NSL); and the Average Daylight Factor (ADF). It is necessary for both the VSC and NSL to be met for any particular room in order to satisfy the BRE guidelines. For the sunlight assessment, the report uses the Annual Probable Sunlight Hours (APSH) methodology. In accordance with BRE guidelines, only the main rooms (living rooms, dining rooms and kitchens) in neighbouring properties have been considered. Staircases, hallways, bathrooms and toilets have not been considered. The report also provides precedent examples of recent permissions that have been granted by the Council, and the respective daylight and sunlight impacts/relationships of those schemes.
- 6.6.35 The Council engaged the services of a specialist consultant to provide independent appraisal of the applicant's daylight and sunlight assessment. The consultant has endorsed the methodologies employed and adopted a significance criteria to summarise the impacts of the development on the neighbouring residential properties. This applies to VSC where VSC is reduced to less than 27%, to NSL, and to APSH where the APSH is reduced to less than 25% and/or less than 5% in the winter months.
- Reduction of 0% of 20%: negligible impact
 - Reduction of 20% to 30%: minor adverse impact
 - Reduction of 30% to 40%: moderate adverse impact
 - Reduction of more than 40%: major adverse impact

This criteria is considered by reference to the overall impact on an individual dwelling or block of dwellings rather than necessarily related to one window alone. The independent consultant has provided specific comments where necessary in relation to the assessment findings.

1-20 Canons Park Close

- 6.6.36 The Submitted Daylight and Sunlight report recognises that as the site opposite the building is vacant, the respective residential units experience a high level of daylight and sunlight amenity, which is far in excess of the targets for a suburban area. In terms of daylight impacts (VSL and NSL), the report considers that 21 out of 32 rooms would experience some BRE transgressions (12 which are believed to be living rooms and 9 estimated to be bedrooms). Where there are breaches in VSC, the vast majority of windows in the property above will experience retained values over 20%. The daylight and sunlight report emphasises that the undeveloped nature of the application site and the high existing VSC values mean that any meaningful massing on the site is likely to cause VSC alterations greater than 20%. In terms of sunlight, 3 out of the 32 rooms assessed would not meet the recommended guidelines for ASPH. One living room would experience an alteration in annual sunlight of 27.4% and a further bedroom would experience an alteration of 22.2% (which just breaches the guideline figure of 20%). The third room would only breach the guidelines for winter sunlight, retaining a winter ASPH of 4% (just below the guidance figure of 5%). It is also noted that the respective flats are dual aspect, so will continue to retain high daylight amenity to the rooms which do not face the application site.
- 6.6.37 The Council's Independent Consultant has reviewed the report and considers that the overall impact to 1-20 Canons Park Close to be minor adverse. In terms of VSC, 8 rooms would experience a minor adverse impact and 10 rooms would have a moderate adverse impact. However, the Independent Consultant acknowledged that the property generally benefits from high VSC levels in the existing condition. Therefore, whilst the reduction in the former value results in adverse impacts, the actual retained values are good (with the exception of 3 room), mostly retaining VSC values of 20%-26.9%. For NSL, of the 8 rooms that fall below the recommended guidelines, each room would retain direct sky to between 52.6% and 74.3% of their area. The sunlight impacts to the flats are considered to be negligible.

21-40 Canons Park Close

- 6.6.38 The daylight and sunlight impacts on nos. 21-40 Canons Park Close would be more acute. Only 2 out of the 32 rooms would achieve BRE compliance for daylight (VSC and NSL). In terms of NSL, 11 out of the 32 rooms would not meet the recommended guidelines. In terms of sunlight, 8 rooms would experience BRE breaches. The submitted daylight and sunlight report acknowledged the transgressions, but again reiterates the high existing VSC values experienced by the occupiers as a result of the absence of development on the application site. Therefore, any meaningful massing on the site, especially for the delivery of the

quantum of affordable housing proposed, is likely to cause VSC alterations greater than 20%. The report also considers that each of the flats is dual-aspect. Therefore, while there are isolated instances of low retained daylight values, each flat contains rooms that do not face the site and will continue to retain a high daylight amenity.

- 6.6.39 The Council's Independent Consultant has advised that of the 30 rooms which fall below the daylight guidelines, 10 would experience a minor adverse impact, 17 a moderate adverse impact and 3 a major adverse impact. However, as with 1-20 Cannons Park Close, the property benefits from high VSC levels in the existing condition. Therefore, whilst the reduction in former values results in adverse impacts, the retained values are good (24 rooms would achieve retained VSC of 21%-26.9% and 6 rooms between 16.1%-18.9%). For NSL, the 11 rooms would fall below the recommended guidelines, but would still retain direct sky to between 49.1% and 79.2% of their area. In terms of sunlight impacts, 5 rooms would fall short of the annual winter and sun target values, while 3 rooms would fall short of the winter sun target. The Council's Independent consultant considers that the daylight and sunlight impacts to 21-40 Canons Park Close would be moderate adverse.
- 6.6.40 A consultation response on behalf of the freeholder of the site raised concerns at the potential for future development on 21-40 Canons Park Close, by reason of the windows and single aspect units facing the application site. However, given the separation distances involved, officers consider that the provision of single aspect units fronting Donnefield Avenue would not in themselves prejudice any future development of 21-40 Canons Park Close. In any case, each application would need to be assessed on its own merit.

The End House

- 6.6.41 The submitted Daylight and Sunlight report considers that all five rooms relevant for assessment would experience BRE breaches in relation to daylight, while two rooms would experience alterations in sunlight beyond the BRE guidelines. The report considers that the breaches are in part due to the depth of the respective rooms and the existing features of the property, whereby the ground floor window in the northern part of the front elevation has an existing overhang, and daylight to that room is already impacted by the existing projections adjacent to it. The report summarises the impacts by acknowledging the changes in daylight beyond BRE guidelines, but considers that this would be inevitable for a development providing such a level of housing on a site that is currently vacant (of buildings). In consideration of the retained daylight levels and in the context of the policies and precedents detailed, the report considers that the daylight and sunlight impacts to the End House would not be detrimental.
- 6.6.42 The Council's Independent Consultant, using the significance criteria, had identified that 2 of the 4 rooms would experience a minor adverse impact, a reception room would experience a moderate adverse impact, and a kitchen/living/dining room would experience a major adverse impact. However, it is acknowledged that daylight for window which experiences the major adverse

impact is already vulnerable to daylight impacts given the recess and projecting wings either side, both of which reduce access to daylight. For the two rooms that would not meet the NSL value, the rooms are deep and benefit from high levels of direct sky over the existing underdevelopment site. Therefore, any meaningful massing on the site is likely to cause transgressions. The Council's Independent Consultant considers the overall impact to this property to be moderate adverse in relation to daylight and negligible in relation to sunlight.

6.6.43 A representation was received by the occupiers of the End House which raised an objection to the proposal and included an independent review of the submitted Daylight and Sunlight report by an expert commissioned by the occupiers. The expert review appreciates that the room layouts were not fully understood in the Daylight and Sunlight report. Even so, the expert review notes that the consideration of the resulting impacts as an 'urban setting' is not reflective of the location and that the rooms would still nonetheless experience material transgressions. Furthermore, while it is acknowledged that site circumstances provide a low existing value for one of the ground floor windows, this does not itself justify reducing the VSC levels by more than half. The expert review considers that the building will form a dominant obstruction to light and will have a very real and material impact.

6.6.44 Having had the opportunity to review the comments provided with the neighbour representation, the Council's Independent Consultant has acknowledged the validity of some of the points raised in relation to VSC. In particular, the area may be classed as more suburban, but with the exception of 3 windows, all would retain VSCs above 20%. The 3 that are lower than this would experience VSCs of 6.2%, 18.1% and 19.6%. While the lowest value is not really typical of this environment, the other figures are not necessarily poor. The Council's Independent Consultant has acknowledged that the proposal would have a moderate adverse impact in daylight terms.

Wyel Lodge

6.6.45 The submitted Daylight and Sunlight report did not consider the impacts to this adjoining dwellinghouse. However, further information was provided by GIA during the course of the application which assessed the impacts. As the property does not feature any windows directly facing the application site and as the west facing windows will not experience a view to the proposal, there would be no alteration in daylight to the respective rooms. In terms of overshadowing, the garden would receive more than two hours direct sunlight (during the spring equinox), and would therefore be compliant with the BRE guidelines. Officers are satisfied with the conclusions of the in this regard.

46 Watersfield Way

6.6.46 When considering daylight distribution, one ground floor window would experience an alteration of 22% in relation to NSL, which is marginally greater than the recommended figure. Given the small isolated breach of BRE guidelines, and in the context of relevant policy and precedents provided, the

submitted assessment considers that the daylight and sunlight impacts would not be detriments. The Council's Independent Consultant has concluded that overall, the impact to this property is considered negligible.

Nos. 2 – 40 (even) Cheyneys Avenue and 46 Watersfield Way

- 6.6.47 The submitted Daylight and Sunlight report analysis demonstrates that these properties would remain BRE compliant in relation to VSC, NSL and ASPH and therefore no further detailed consideration is necessary. The Council's Independent Consultant has concurred with this conclusion.

Overshadowing Impact

- 6.6.48 An overshadowing assessment was undertaken to determine whether the amenity areas surrounding the Site at the following properties achieve adequate levels of sunlight (two or more hours) on the 21st March. Based on the technical analysis, it was found that all amenity areas would achieve BRE compliance in relation to the sun hours on ground assessment. The Council's Independent Consultant confirms that the impact in overshadowing is therefore negligible.

Overall impact

- 6.6.49 It is clear from the submitted assessment and the review undertaken by the Council's Independent Consultant, that a number of adjoining properties would see transgressions in the level of daylight and sunlight beyond the BRE guidelines. Officers acknowledge that some rooms would be particularly impacted and would see material changes in the level of daylight and sunlight currently experienced. However, these impacts must be considered against other material considerations. In relation to the site context, it is recognised that the adjacent residential properties currently experience high levels of daylight and sunlight as a result of the absence of built massing within the application site. This accounts for greater reductions in former values as a result of the development, but as affirmed by the Council's Independent Consultant, most of the retained values to rooms are good. While some of the rooms facing the application site may experience notable changes to daylight and sunlight currently experienced, some consideration is also given to the dual-aspect layout of the adjacent residential units. The residential units would therefore continue to retain high daylight amenity to the rooms which do not face the application site.
- 6.6.50 The National Planning Policy (2019) and the relevant policies of the development plan set out the need to make effective use of land in meeting the need for homes. This is particularly significant given the allocation of the application site, the focus on surface car parks and sustainable locations in the optimisation of housing delivery, and the 100% affordable housing output of the proposal (all appraised in detail elsewhere within this report). While a reduction in massing would, in all likelihood, have the consequential effect of reducing the degree of impacts identified, it is not known whether these alternatives would deliver the same quantum of outputs that are to be delivered as part of the subject proposal. Taking the conclusions of the specialist consultant, the extent and degree of

daylight and sunlight losses that would occur, the need to balance the efficient use of this allocated site, and the other considerations detailed within the report, it is concluded that the proposal would maintain an high standard of amenity for neighbouring residential occupiers. The limited losses to sunlight and daylight would be outweighed by the other material considerations.

Proposed use

- 6.6.51 It is acknowledged that some public consultation responses referred to the noise and disturbances that would be associated with the proposed development. Although the proposal would consist of an increased density of housing beyond that which is currently provided within Donnefield Avenue, the residential uses (and resultant noise generation associated with such uses) are considered to be wholly appropriate to the area. As the proposed development would be car free and would reduce the amount of existing commuter car parking, it is likely that the acoustic environment would be improved in this respect. The noise and disturbances during the construction phase would be for a limited period, and the impacts would be mitigated through detailed construction management plans. Officers therefore consider that the proposal would not have a detrimental impact on the residential amenities of adjoining occupiers in this regard.

6.7 Transport and Parking

- 6.7.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 6.1, 6.3, 6.9, 6.10, 6.11, 6.13
 - The Draft London Plan (2019): T1, T2, T3, T4, T5, T6, T6.1, T7
 - Harrow Core Strategy (2012): CS1R
 - Harrow Development Management Policies (2013): DM42, DM43, DM44, DM45
- 6.7.2 Donnefield Avenue is a local cul-de-sac which has a single entry point off Whitchurch Lane (B461). To the west of the site the B461 merges onto the A5, which is an important connector that links directly into Central London. The application site is occupied by a 162 space car park which is situated approximately 100m north of the Canons Park London Underground Station. The site is highly accessible for pedestrians, with footways provided on all streets. The B461 is also highlighted as a route signed or marked for use by cyclists on mixture of quiet or busier roads. It features a cycle lane incorporated in the western side of the footway, providing access on a north-south trajectory to North Harrow.
- 6.7.3 The application site is site is in close proximity to Canons Park Underground station which provides Jubilee Line services to Central London and Stratford in the south east and Stanmore to the North. Key eastbound destinations include Bond Street, Westminster, Waterloo, London Bridge and Canary Wharf. Edgware London Underground station, served by the Northern Line, is located 1.5km east of the proposed development site. Adjacent to Canons Park Underground Station along Whitchurch Lane are two bus stops. These are served by three bus routes;

the 79 (Alpertton-Edgware), 340 (Harrow-Edgware) and 186 (Brent Cross-Northwick Park Hospital). The application site is in a PTAL 3 location, representing a moderate level of public transport accessibility.

- 6.7.4 Donnefield Avenue and the surrounding highway network are subject to a Controlled Parking Zone (CPZ). Zone DA along Donnefield Avenue (8am-6.30pm Monday to Saturday) features 33 pay and display bays and one blue-badge permit bay. Whitchurch Lane has a single yellow line restriction (8am-6.30pm Monday to Friday) and provides 69 on-street parking bays. CPZ CS to the west of Canons Park Station features 41 pay and display bays and one blue badge bay (operating 8am-6.30pm Monday to Saturday).
- 6.7.5 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It emphasises the importance of reducing the need to travel and encouraging public transport provision to secure new sustainable patterns of transport use. The London Plan and local plan policies recognise the need for impacts on the transport capacity and network to be fully assessed, but also seek to encourage and facilitate a modal shift to more sustainable methods of transport such as walking, cycling and public transport.
- 6.7.6 The NPPF requires proposals that would generate significant amounts of movement to be supported by a Transport Assessment and to provide a Travel Plan. A Transport Assessment (TA) and Framework Travel Plan produced by WSP, have been submitted in support of the planning application. Further Transport Addendum notes were provided during the course of the planning application in response to comments from the Local Highways Authority.

Canons Park Station Car Park

- 6.7.7 The proposal seeks to reduce the capacity of the existing car park from 162 car parking spaces to 60 (equating to a loss of 63% existing capacity). Six of the parking bays will be dedicated to blue badge holders only and overall 6% will feature electric vehicle charging points. The car park is well utilised, and the submitted details show full occupancy on weekdays for the majority of the traditional working day. This point was also emphasised in several public consultation responses.
- 6.7.8 The Transport Assessment includes a study carried out by TfL to profile the car park users. The study showed that 33% of the respondents live within 2km of the station, 45% of the respondents live within 5km of the station and 22% of the respondents come from further away and drive past other rail/underground stations to Canons Park. In terms of alternatives modes of travel, 41% of the respondents were willing to switch to a form of sustainable travel to the station, and 22% of users could use alternative routes. The survey therefore deduced that the a total of 63% of car park users could travel by alternative routes or switch to sustainable methods of transport to reach the station (walking, cycling, bus).

- 6.7.9 The Council's Highways Authority have acknowledged that the study demonstrates there is a significant number of people currently driving to the station that could potentially travel using a sustainable alternative mode, such as walking, cycling or the bus. In order to facilitate more active modes of travel, such as cycling, the application proposes a TfL Cycle Hub. The Cycle Hub would be located within the ground floor of Building A and would have capacity for 71 cycle spaces. The provision of the cycle hub is welcomed by the Council's Highways Authority and TfL, and should also be supported by further measures to persuade commuters to cycle. However, to enable modal shift, it would be necessary to provide more than cycle storage; route planning, cycle training and cycle hire may increase the likelihood of people actually making a change. The TA Addendum submitted proposes a Station Travel Plan as one suitable measure to encourage the modal shift. This would establish a set of targets, initiatives, and measures to minimise the number of cars using the station public car park, and promote more sustainable modes of travel including cycling. The Station Travel Plan would be secured through the S106 agreement. A financial contribution £25,000 is also proposed for improvements to the Jubilee Cycle route.
- 6.7.10 As set out in their consultation response, The Transport for London Spatial Planning Team (who are a statutory consultee for major planning applications) strongly support the reduction in commuter parking, and would encourage further reduction where possible. It was considered that this will contribute to the objectives of the Mayor's Transport Strategy, and Intend to Publish London Plan, to support mode shift away from car use and promote active travel. Furthermore, the consultation response noted that of the circa 5,000 daily station users, less than 4% use the station car park. Of those who park at the station, a third live within 2km of the station, and 45% within 5km, making walking, cycling and the bus attractive alternatives.
- 6.7.11 The car parking survey results in the TA detail that the existing parking restrictions in the road around Canons Park station seem to be working effectively. While the proposed reduction in capacity would result in a daily am and pm peak hour reduction of 200 two-way car trips, the Council's Highways Authority acknowledge that a reduction in station car parking capacity may lead to overspill parking on street. It is therefore possible that outside the hours of restriction, roads may begin to experience more parking demand and therefore it would be appropriate to monitor the situation with a view to increasing on-street parking controls as necessary. For this reason, the Council's Highway Authority have concluded that a reduction in the public station car parking can be accepted, provided suitable mitigation measures are introduced. This includes a financial contribution for further parking and towards the implementations of any measures should the studies identify specific requirements.
- 6.7.12 A number of public consultation responses identified existing capacity issues on buses, which would not make this a viable alternative to get to the station or the increased capacity arising from the development. The TA includes an impact assessment which considers that the reduction in car parking spaces (and expected increase in bus use to get to the station) is unlikely to affect the bus services capacity. Some consultation responses have also commented on the

practicality of cycling in business attire, the cost effectiveness using the underground rather than alternative rail options, the need to provide commuting car parking spaces so people can commute (especially from out of London) and the consequential impact of the loss of parking which will force people to drive into London. These are valid concerns. The submitted TA details the methodology applied in the quantum of car parking spaces which are to be retained and notes that a number of residents that use the car park do have the ability to utilise sustainable modes of transport to access the site or have viable alternative transport routes into London. It is acknowledged that travel patterns and habits may be affected in the short term, but as evidenced across London, cycling for business purposes has not been a hinderance, and can be a suitable alternative method should the appropriate facilities be provided. The Station Travel Plan would serve to further support the modal shift in addition to improvement that would be made to the Jubilee Cycle Route through S106 financial contributions.

- 6.7.13 Comments to the public consultation also made references to the use of the car park during event days at Wembley and the Hive, for visitors to Canons Park and for activities associated with the adjacent sports clubs/fields. The submitted TA details that Wembley stadium were contacted to ascertain their parking strategy moving forward and confirmed that NCP parking at Canons Park was not part of their formal parking offer in relation to events and is not advertised as such. Furthermore, Wembley stadium operator has confirmed that a new parking strategy 'park and rail' targeting 2,700 spectators coming from the M25 and M40 and a new coach strategy will be operated as needed. The primary use of the station car park is related to commuting for work purposes and its likely that the pay and display bays within Donnefield Avenue primarily support parking associated with the recreational purposes of Canons Park or the adjacent sports clubs. This is also reflected in the fact that the Station car park has a daily rate/charge, whereas the pay and display bays have a charger for every 20 minute stay, with a maximum stay of 4 hours.
- 6.7.14 A number of residents have raised concern about the particular impact on the reduced parking provision to those who are unable to use alternative modes of transport to reach the underground station. Reference has also been made to the preference of using the car park at night rather than using public transport. As noted above, the submitted TA evidences the quantum of station car parking spaces to be retained. Subject to appropriate mitigation measures, this would be supported by the Council's Highways Authority. It is noted from the consultation response that station car parking is well used, and is mostly used for commuting purposes (hence being full in the mornings). Therefore it is likely that the option for parking spaces would be available at night or on weekends (i.e when there is less demand for commuter parking). Officers acknowledge that there will be no access to station car parking during construction. However, a Station Travel Plan will be developed and will include a set of targets, initiatives and measures associated with promoting alternative modes of transport and will be implemented prior to construction beginning on site

Residential Car and Cycle Parking Provision

- 6.7.15 For the application site (outer London and PTAL 3), the draft London Plan – intend to publish version (2019) sets a maximum residential parking provision of 0.5 car parking spaces per unit. The proposal is presented as a ‘car free’ development, and as such, would only provide blue-badge parking spaces in accordance with the draft London Plan – intend to publish version (2019). This approach is strongly supported by TfL as expressed in their consultation response.
- 6.7.16 The Council’s Highways Authority have noted that large scale, car-free developments are usually best suited to high PTAL locations where public transport facilities are excellent and there are multiple conveniences within the immediate or near surroundings. While the supplied study in the TA gives statistical details on the likelihood of people to own cars and travel by car when living in car free developments and looks at the potential for sustainable trips in PTAL 3 locations, this does not mean that people will not own and drive cars regardless.
- 6.7.17 The Highways Authority further consider that there is likely to be a reduction in car ownership in comparison to a development where maximum levels of parking are provided, but not without some residents still keeping cars. Furthermore, the parking surveys supplied indicate that there is on-street capacity in the local area which may actually counteract the car-free intentions as many of the existing parking restrictions do not operate overnight or at the weekend meaning that residents of this development would be able to work around the hours of operation.
- 6.7.18 To provide for occasional vehicle trips for the future residents the consideration is made for one new Car Club to be provided within the development. A planning obligation has been included to commit the applicant to exploring this further and implementing the Car Club if an appropriate operator is found. Furthermore, the submitted TA Addendum confirms that the applicant is agreeable to a planning obligation which would ensure that residents (other than blue-badge holders) of the future development would not be entitled to a residents parking permit or a visitor parking permit. This would serve to further discourage car ownership for future residents.
- 6.7.19 The Highways Authority have concluded that the large-scale proposal combined with a reduction in public car parking may result in overspill on-street parking which would be detrimental to the surrounding highway network without appropriate mitigation. For this reason, it would be necessary to monitor on-street parking in the area surrounding the development before and after occupation to determine whether alterations to the CPZ hours are required. In the TA Addendum, the applicant has committed to undertaking further monitoring before and after occupation (of the residential development), to determine whether amendments to the existing CPZs and on-street parking restrictions are required, to address any potential overspill on-street parking impacts. A cap of £50,000 is also proposed for contributions towards the implementations of any

measures should the studies identify specific requirements. The Council's Highways Authority have agreed to this approach.

- 6.7.20 In relation to the proposed cycle parking, the quantum to be provided (222 long stay and 8 short stay spaces) would be in accordance with the draft London Plan – intend to publish (2019) requirements. The Council's Highways Authority have advised that the location of the 8 short-stay cycle spaces would need to be clarified. It is considered that there would be space within the development to accommodate this, and therefore the details can be secured by condition.

Residential Trip Generation and Accessibility

- 6.7.21 The site is within a short walk of a local parade of shops, open space and bus stops. Edgware town centre can be reached by a short bus ride or is within walking and cycling distance for those who wish to travel more actively. Edgware is a busy metropolitan centre with access to Northern line Underground services and a bus station.
- 6.7.22 The proposal includes alterations to the highway in Donnefield Avenue to improve the pedestrian experience leading to Canon's Park. The Council's Highways Authority have advised that while some of the proposed measures look aesthetically pleasing, they are not completely practical for this location. As a result, the raised table adjacent to the entrance of Canons Park and the on-street play equipment have been removed from the proposals. The Highways Authority consider that the proposal would not have a detrimental impact on the safety of the highway network.
- 6.7.23 Being car free, the residential element would generate very few car journeys. Public transport use would increase, however the TA includes an assessment of public transport impact that shows that there is sufficient capacity on buses and tube trains at this location.

Delivery and Servicing

- 6.7.24 The Delivery and Servicing Plan within the TA details that deliveries and waste collection associated with the residential units on the site will take place via Donnefield Avenue. The forecast trip generation for the proposed units anticipates 13 deliveries per day. The Council's Highways Authority have advised that while this might not be a significant number of journeys, as the road is a cul-de-sac it does mean that these vehicles would have to enter, turn around and exit. These manoeuvres will be in addition to the trips generated by the existing properties along the road and as online commerce increases, the number of delivery trips may also increase too. There is some concern about how this would impact on the pedestrian and cycle environment for Donnefield Avenue. For this reason, the Highways Authority have requested Delivery and Service Plan monitoring to be included alongside the Travel Plan requirements, and a detailed delivery and serving plan to be secured by condition.

- 6.7.25 In relation to residential waste collection, designated bin stores would be provided on the ground floor of each building. The residential waste collection would take place on-street from Donnefield Avenue and the waste collection vehicle would be able to pull up within the widened section of the highway, while still being within a 10m distance to the waste stores within each building. Vehicle tracking of a waste collection was also undertaken. The application was referred to the Council's Waste Collection team, who have advised that the proposal would be acceptable in this regard.

Framework Travel Plan

- 6.7.26 A Framework Travel Plan has been submitted to provide the good practice mechanisms necessary to achieve a modal shift towards a more sustainable mode of travel. The measures would include marketing and promotion of sustainable travel modes and the provision of cycle parking spaces in accordance with London Plan standards. Implementation, monitoring and management of the Travel Plan would be undertaken by an appointed Travel Plan co-ordinator who would work in partnership with the Council and TfL.
- 6.7.27 The application was referred to the Council's Travel Planner who has provided further clarification on the specific detail that should be provided within the Travel Plan and its monitoring. A Full detailed Travel Plan for the residential development will therefore need be submitted post permission and secured via a section 106 Planning Obligation.

Construction Logistics Plan

- 6.7.28 Many of the residents within the locality have expressed concerns relating to the impact of the proposed development on the safety and functioning of the local road network. An outline Construction and Logistics Plan has been submitted with the TA which seeks to minimise the impact of construction on the surrounding highway network. Measures to reduce the impact include delivery scheduling, adherence to designated routes, split deliveries, and implementation of a staff travel plan.
- 6.7.29 The outline Construction and Logistics Plan was reviewed by the Council's Highways Authority and is considered to be acceptable. The submission of a detailed Construction and Logistics Plan is required to be provided prior to commencement of the development and is to be secured by a pre-commencement condition.

Highway Works and Mitigation

- 6.7.30 The proposed off-site highway works would consist of:
- Highway and pavements re-surfacing
 - Western pavement widening (beyond the current adopted highway line) to provide 2.3m wide pavement

- Two new highway widenings will be introduced to the eastern side to allow for vehicular passing points and to be used for deliveries and waste collection
- The new widenings will feature double yellow line and a plate to state 'Loading only'

6.7.31 As detailed above, various strategies are proposed to mitigate the impacts of the proposed development. In addition to the provision of a designated TfL Cycle Hub and the cycle stores for the proposed residential development, a Station Travel Plan and Residential Travel Plan would be secured through a section 106 Planning Obligation. Furthermore, the legal agreement would also secure further studies and a contribution for the implementation of measures (should the need for specific CPZ measures be identified), and a parking permit planning obligation is also required. Officers consider that these measures would serve to better implement the modal shift while ensuring the proposal does not have a detrimental impact on the safety and functioning of the highway.

Summary

6.7.32 Overall, and subject to the planning conditions and s106 obligations mentioned above, officers consider that the transport impacts of the proposal are acceptable and would accord with the aim and objective of the relevant policies.

6.8 Landscape and Ecology

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.11, 7.19, 7.21
- The Draft London Plan (2019): G6, G7, G8
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21, DM22

Landscaping

6.8.2 Donnefield Avenue is a relatively quiet residential cul-de-sac and forms a key link to one of the main entrances to Canons Park. The western side of Donnefield Avenue is dominated by car parking with street parking bays provided along almost the entire length of the road and the pedestrian footpath on the western side of the road towards Canons Park is narrow, with an approximate width of 1.5m for the paving, and a further 1.4m width provided by the grass verge.

6.8.3 A Landscape and Public Realm Strategy produced by Townshend Landscape Architects has been provided with the application and incorporated within the proposed development. The landscape masterplan seeks to provide four key landscape character areas which would help to define public or semi-private areas and their associated characters:

- Social Street: Improvements to Donnefield Avenue which will create social spaces for residents on the street as well as enhancing the approach to Canons Park for visitors
- Park Entrance: playful pocket space adjacent to the Canons Park entrance which forms part of a play trail along Donnefield Avenue.
- Community Garden: A new semi private garden for families to play and socialise
- Planting Buffer: Providing a visual amenity and enhancing biodiversity adjacent to the SINC.

6.8.4 The proposals applied in the strategy are in line with TfL's Healthy Streets Guidance and include social spaces provided for through street furniture and seating along Donnefield Avenue, street greening in the form of rain garden planting and defensible space to the ground floor units through appropriate planting.

6.8.5 In relation to the 'social street' landscape character area, the Landscape and Public Realm Strategy suggests that the connections to Canons Park will be improved, encouraging people to walk and cycle. Street furniture, tree planting, pedestrian materiality and rain gardens would invite people to use the space and improve safety and comfort. Furthermore, the carriageway width would be visually narrowed using paved surface finishes in the parking bays to slow traffic and improve the environment for pedestrians and cyclists. The Council's Landscape Officer has advised that the proposed planting in the rain gardens would look attractive, if the plants survived and there was a sufficiently intensive management and maintenance plan.

6.8.6 It was noted that the play elements for children along embedded alongside the proposed raingardens through natural elements such as boulders and stepping logs was an additional element proposed as part of the social street character area. However, during the course of the application, comments raised by the landscape and highways officers expressed concern at the suitability of this element, given the proximity of the proposed play equipment to the parking bays, and the potential obstructions and subsequent safety implications that could arise. Furthermore, it was considered that the confined space for the planting and they would be easily susceptible to trampling by children. For this reason, the on-street play element has been removed from the landscaping proposals.

6.8.7 The second landscape character area within the strategy is the 'Canons Park entrance', which seeks to celebrate the arrival point to Canons Park. The improvements proposed included the provision of a raised table at the of the cul-de-sac and the provision of seating, planting and natural play equipment within the pocket park proposed adjacent to the entrance. Following concerns raised by the Council's Highways Authority during the course of the application, the raised table was omitted from the proposed landscaping proposal.

6.8.8 The 'community garden' is the third landscape character area proposed and is intended to provide a social and playful green space for the use of residents. Although the garden is gated from the street, a visual connection would be

maintained to provide natural surveillance from the street. As with the pocket park, the Council's Landscape Officer has noted that the spaces within proposed communal gardens will need to work very hard as they are both multifunctional spaces and the various proposed uses are ambitious for the small spaces.

- 6.8.9 As the proposed development is required to reprovide an appropriate level of station car parking and maintain an emergency access route for the TfL Crane, the rear of buildings B and C would be dominated by a surface level car park and hardstanding. Where there would be suitable space for planting, the landscape strategy seeks to provide woodland buffer planting and reinforced wildflower turf, as the fourth landscape character area.
- 6.8.10 It is considered that the proposed Landscape Strategy is appropriate to the proposed development, the constraints of the subject site, and the relationship of the site to its surroundings. The proposal would provide a well defined and enhanced pedestrian route along the western side of Donnefield Avenue to Canons Park and streetside planting areas, street trees, planting within the car park and communal gardens would positively enhance the streetscape and public realm and contribute towards the aspirations of the Mayor's Healthy Streets initiative.. The Council's Landscape Officer has highlighted areas where further information will be required to ensure that the Landscape Strategy's proposals can be effectively realised. It is considered that these matters can be adequately addressed through appropriate landscaping conditions relating to detailed hard and soft landscaping, boundary treatment and a landscape management and maintenance plan. Subject to this, the application would accord with the relevant policies in this regard.

Trees

- 6.8.11 An Arboricultural Impact Assessment produced by MiddleMarch Environmental has been submitted with the application. The report details that the proposed development has been designed so that, where possible, existing trees are retained. The trees adjacent to the northern boundary of the site are 'protected' by virtue of their siting within the Canons Park Estate Conservation Area.
- 6.8.12 In order to accommodate the proposed development, the report identifies that it will be necessary to remove 2 'C' retention category Ash (T5 and T6) and a 'C' retention category Cypress Leylandii group (G7) which are all assessed as being of low retention value (category C). The trees in question are all located along the eastern perimeter of the site fronting Donnefield Avenue and do serve to naturally screen the application site, particularly along the north end and in views from Canons Park. Clearly, the loss of so many trees is regrettable. However the Report's assessment of their quality demonstrates that they are not of significant amenity value (in relation to their quality/condition) and, therefore, need not be an impediment to the redevelopment of this Local Plan allocated site.
- 6.8.13 It is noted that the proposal would the proposed development would primarily require the installation of new hard surfaces within the Root Protection Areas (PRAs) of retained trees adjacent to the northern and western boundaries of the

application site. As the site is already hard-surfaced, the report considers that the potential for harm to occur to the trees as a result of the works is minimal, subject to the adoption of appropriate works methodologies. Mitigation and avoidance measures include the implementation of construction exclusion zones and tree protection barriers.

- 6.8.14 The proposed site plan and tree planting strategy demonstrates that there is scope for new tree planting within the development. The provision of adequate (in terms of number) and appropriate (in terms of species) tree planting can be secured, by condition of planning permission, as part of the hard and soft landscaping details. It is noted that Catalyst will retain a long-term interest in the site as the Registered Provider managing the residential accommodation and will therefore be responsible for the management and maintenance of the tree planting. In order to ensure the appropriate aftercare and maintenance of the proposed trees, this will be secured through the Landscape Maintenance and Management Plan condition. Subject to the appropriate conditions, the proposal would accord with the relevant policies in this regard.

Biodiversity

- 6.8.15 The western and northern boundaries of the site adjoin the Borough Grade II Canon's Park and Stanmore Railway Embankments Site of Importance for Nature Conservation (SINC) which incorporates Canons Park. This provides part of a strategically important Green Corridor connecting part of the chain of important sites at the northern end of the borough with more residential and more heavily urbanised sections. The wider SINC area has some lateral green links to the Borough Grade II SINC's of Stanmore Marsh and Canons Lake and the Basin but the area of the borough south of the site is highly deficient in provision of access to nature and the benefits which this offers.
- 6.8.16 An Ecological Impact Assessment (EIA) produced by Middlemarch Environmental has been submitted with the application. In relation to the adjacent SINC, the EIA details that in the absence of mitigation, construction activities could result in physical damage or disturbance to the adjacent habitats, through compaction of soils and damage to the roof stock. In addition, there is the potential for this site to be temporarily adversely impacted during the construction phase of the development as a result of a localised increase in air pollutants (e.g nitrogen and dust deposition) from construction traffic and activities. The EIA identifies that these impacts would result in an adverse effect, significant at up to the Local (Borough) level. However, subject to the implementation of suitable protection measures, which can be secured by condition, these adverse impacts can be avoided altogether and therefore no significant residual effect on the SINC is anticipated.
- 6.8.17 In relation to habitats, the EIA details that the proposed development will result in the permanent loss of small pockets of introduced shrub and tall ruderal vegetation, the narrow linear strip of semi-improved grassland along the western boundary, the poor intact hedgerow along the eastern boundary and the young scattered trees in the southern and eastern parts of the site. Considered

individually, the loss of these common, widespread habitats, which are of low ecological value and can easily be replaced, is of negligible significance. However, together, these habitats contribute to the structural diversity of the site and their loss in combination is considered to be an adverse effect, significant at the Local (Site) level. The EIA acknowledges that the loss of these habitats cannot be avoided or mitigated for, although the creation of ecologically valuable habitats, which have been incorporated into the design of the development, will provide compensation and enhancement to address the residual effect.

- 6.8.18 Turning to the impact on species, the EIA details that the surveys undertaken identified no suitable roosting habitat on site for bats, and therefore there will be no adverse significant effect on the status of any populations of bats utilising the site for roosting purposes. The retention of the vegetation within the adjacent railway embankment will ensure that bats can continue to forage and commute into the wider landscape. The site clearance during the construction phases of the proposed development will result in the loss of scattered trees and hedgerow, which are likely to provide nesting opportunities for a variety of bird species during the breeding season. However, the EIA considers the loss to be temporary as the new buildings and areas of tree and ornamental shrub planting included within the landscaping proposals will provide replacement nesting opportunities for those lost. The report also details that the impact of the development upon any local badger populations, reptiles and hedgehogs that could damage or disturb their habitats, or cause direct harm or injury to the respective species during construction phase would be safeguarded through an appropriate Constriction Ecological Plan which can be secured by condition.
- 6.8.19 In relation to the impact of the development on the SINC once complete, the EIA confirms that the railway embankment section of the SINC is not accessible, and therefore is considered unlikely to be subject to any increased recreational pressure from the residential development. Lighting impacts would have to be carefully considered to reduce the residual effect of lighting on bat populations utilising the embankment for foraging and commuting to a level at which it is not significant. Although Canons Park is accessible to the public and is likely to already be subject to reasonably high levels of use, the EIA notes that an increase in human presence within the site could lead to an increase in issues such as trampling or disturbance of sensitive vegetation, accumulation of litter and setting of fires, which could result in the degradation of the habitats for which the site is designated. Subject to the implementation of suitable access management measures, which can be detailed in a Biodiversity Enhancement and Management Plan (BEMP), secured by condition, these impacts can be reduced to a level that is not significant.
- 6.9.20 The EIA also addresses the impact of the operational development on species. Notably, the proposal would result in habitat creation in the form of buffer planting adjacent to the railway which will reduce light spill for bat foraging and commuting features. Furthermore, while badgers and hedgehog might cross the site for foraging and commuting purposes, the operational use of the development will result in less vehicle movements within the site and therefore the risk of road related mortality for badge, hedgehog and nocturnal species is considered to be

low. The operational use of the proposed development may lead to the disturbance of habitats used by nesting birds, arising from increased movement and noise from vehicles and people, but will vary in extent depending on the proximity of the next to the areas exposed to disturbance. The proposal could result in the reduction of suitable opportunities for nesting birds within the site. However, this would be potentially mitigated by the provision of bird and bat boxes within the external fabric of the proposed buildings. As such, no significant residual effect on bird populations is anticipated.

- 6.9.21 The EIA details a range of mitigation, compensation and enhancement measures. This includes the submission of a Construction Ecological Management Plan, to be secured through a condition, which would set out the necessary timings and safe working practices that will be required to minimise disturbance and impacts on habitats and species during the construction phase. A series of habitat creation proposals have been incorporated into the design of the proposed development, providing both compensation and enhancement. The proposals include additional tree planting, herbaceous planting, green roofs, small sections of hedgerow, bat and bird boxes and a habitat structure within the community garden area. These would be implemented through a Biodiversity Enhancement Management Plan and could increase the habitat diversity at the site over the medium to long term, which would have an overall beneficial effect at a local level.
- 6.9.22 The application was referred to the Council's Biodiversity Officer who has noted that some of the impacts have not been adequately evaluated or quantified, particularly in relation to the indirect impacts on the adjoining SINC site and role of the green corridor of which it forms part. Furthermore, there is a lack of detail in relation to the landscaping and biodiversity/mitigation measures and there are some discrepancies between the information provided by the various supporting documents. Notwithstanding this, it will be important to ensure that the biodiversity enhancements to be incorporated within the design will be likely to be successful and appropriate to the context of the site, adding value to the adjoining SINC areas and their linking role and the indirect impacts on the SINC are quantified, and mitigated, and additional measures undertaken either within the railside area or other sections so that any scheme that is permitted will result in net gains for the SINC and the species which are dependent on it.
- 6.9.23 The Council's Biodiversity Officer considers that the required information could be appropriately addressed through planning conditions and planning obligations to ensure that the proposed measures are consistent with the expectations of the relevant policies which seek to protect biodiversity and access to nature, enhance green infrastructure, and provide net gain for biodiversity.

6.9 Climate Change and the Environment

- 6.9.1 The relevant policies are:
- National Planning Policy Framework (2019)

- The London Plan (2016): 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.12, 5.13, 5.15, 5.18, 5.21, 7.14, 7.15
- The Draft London Plan (2019): GG6, D14, SI1, SI2, SI3, SI4, SI5, SI12, SI13
- Harrow Core Strategy (2012): CS1T, CS1U, CS1W, CS1X
- Harrow Development Management Policies (2013): DM9, DM10, DM12, DM13, DM14, DM15

Flood Risk and Sustainable Drainage

- 6.9.2 The application site is located within Environment Agency Flood Zone 1 and is therefore at low risk of flooding from watercourses. The West London Strategic Flood Risk Assessment (SFRA) shows that the north-western tip of the application site is also within Surface Water Flood Zone 3a. The application is supported by a Flood Risk and Sustainable Drainage Report prepared by Price & Myers.
- 6.9.3 In relation to Flood Risk, the submitted report details that the site's topography shows there is a flat area at the northwest corner of the site where surface water will pond in extreme storm events. The proposed levels will be set to direct surface water to the proposed drainage system and discourage local ponding. New surface water drainage will be installed for the proposed development that will be able to accommodate the 1 in 100 plus climate change storm event and the system will restrict surface water to 5 l/s per hectare. The car park currently discharges unrestricted flows to the public sewers, therefore the development proposals will significantly reduce surface water flood risk and overland flows.
- 6.9.4 With regard to utilising sustainable urban drainage systems, it is proposed to attenuate surface water runoff using permeable paving, blue roofs, a tree pit and 2 underground cellular attenuation tanks. An indicative surface water maintenance strategy has also been provided to ensure successful implementation of the sustainable urban drainage systems.
- 6.9.5 The application was referred to the Council's Drainage Team have advised that the information provided within the Flood Risk and Sustainable Drainage Report is satisfactory. The proposed drainage strategy will need to be reviewed at the detailed design stage and at the recommendation of the Council's Drainage Team, it the details of surface water attenuation and disposal can be controlled by conditions. It has also been recommended that details of the foul water disposal system and permeable paving be controlled by condition. Through such controls it will be possible for the Council to ensure that separate surface water and foul water drainage systems are implemented, reducing the risk of foul water flooding and water contamination. Subject to conditions, the proposal would accord with the relevant policies in this regard.

Carbon Dioxide Emissions Reductions

- 6.9.6 The overarching target for development in the draft London Plan – intend to publish version (2019) is for major developments to be net 'zero-carbon', with this

preferably achieved on site. A minimum on-site reduction of at least 35 percent beyond Building Regulations is required for major development. Where it is clearly demonstrated that the zero-carbon cannot target cannot be fully achieved on-site, any shortfalls should be provided through a cash in lieu contribution to the Council to undertake carbon emissions reductions elsewhere in the borough. The policy seeks to reduce reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy of 'be lean; be clean; be green; and be seen'.

- 6.9.7 An Energy Assessment prepared by Couch Perry Wilkes has been submitted with this application. The energy strategy details a range of methods, relative to the London Plan energy hierarchy, that would achieve an overall on-site carbon reductions of 48%, which is in excess of the Minimum 35% required in the London Plan.
- 6.9.8 With regard to using less energy ('be lean'), the Energy Assessment attributes residential CO₂ savings of 22% from measures that would reduce energy demand on the site. The energy demand minimisation would be through effective building form and orientation, good envelope design, proficient use of services, efficient ventilation systems, high performance lighting and efficient communal heating and hot water systems.
- 6.9.9 The 'be clean' (supplying energy more efficiently) measures, the Energy Strategy details that there are no existing or potential future district heating networks planned in the area of the proposed development and therefore no proposal is made for connection to a decentralised energy network. In this particular instance (having regard to the specific development, site and location), the omission of a district energy network plant room is considered acceptable given that there is relatively low likelihood of a wider district heat network coming forward in the foreseeable future and the potential impact that such plant room provision would have on the footprint and bulk of the development (with potential for further impact other material planning considerations).
- 6.9.10 The remaining 26% residential CO₂ savings would come from the 'be green' (renewable energy) stage of the energy hierarchy. This would be achieved through the provision of an Air Source Heat Pump (ASHP). The 26% savings from the ASHP are based on a conservative assumption that high temperature ASHPs will be used; subject to planning permission being granted and more detailed assessment, alternative ambient temperature pumps maybe used instead, with greater carbon savings. Notwithstanding this, a pre-commencement condition will need to be applied to any permission requiring the submission of a revised energy strategy that takes into account the more detailed assessment / design of the proposed ASHP system. A pre-commencement condition is considered necessary as the detailed design of the ASHP will influence the detailed design of the rest of the scheme, including potentially at foundations / lower level stages.
- 6.9.11 As the development would not be able to achieve the 'zero carbon' requirement on site, the remaining 52% (65 tonnes) of carbon would be offset at the current

GLA rate of £1,800 per tonne (£60 per tonne / year x 30 years), equating to a contribution of circa £117,000 (note: once the Intend to Publish version of the London Plan is finally published, a higher rate will apply). Subject to appropriate conditions and the necessary planning obligations, the proposal is considered to be acceptable in this regard.

Sustainable Design and Construction

- 6.9.12 As detailed in the preceding sub-section, the proposal would achieve the target for CO₂ emissions reductions through on-site methods in conjunction with a carbon off-set contribution.
- 6.9.13 With regards to overheating and cooling, an Outline Modelling Overheating Analysis undertaken by Couch Perry Wilkes has been submitted with the application. As part of the proposed development, in order to reduce overheating and reliance on active cooling systems, several detailed passive design measures have been considered. This includes high performance fabric and facades, green areas, thermal mass specifications, energy efficient lighting and appliances, mechanical ventilation and through the layout of the proposed development, with occupied rooms being generally east or west facing.
- 6.9.14 The results of the Overheating Analysis demonstrate that the proposed scheme would comply with the relevant criteria using DSY1 weather data. However, it is noted that during more extreme weather scenarios, the temperatures experienced within the flats do not demonstrate compliance. It is therefore considered that further passive measures should be considered in accordance with the relevant policies, to avoid the risk of overheating now and in the future climate. To ensure the highest possible levels of comfort to future residential occupiers without the need for mechanical cooling systems (i.e. air conditioning), it is considered that an assessment of the potential for overheating to all flats within the development should be carried out and that detailed measures to sustainably mitigate conditions within those particular flats where overheating would occur should be required, as a condition of any planning permission.
- 6.9.15 The proposed waste and recycling arrangements arising from the proposed development are dealt with in a separate section of this report. It is considered that the design and layout of the proposal would ensure that future occupiers of the development contribute to the Borough's good record in managing down the amount of waste sent to landfill and improving rates of recycling.
- 6.9.16 The submitted Sustainability Statement by CBRE details that the construction phase sustainability will be managed through a robust Construction Environmental Management Plan, which has been provided with the application. This would allow for the efficient handling of construction, excavation and demolition waste from the site.
- 6.9.17 In relation to Green Infrastructure, local biodiversity would be improved by selecting native species to enhance ecological value. The development would also seek to minimise water consumption with the residential units designed to

achieve the consumption target of 1101/p/d or less as set out in Building Regulations Part G.

Decentralised and Renewable Energy

- 6.9.18 The London Plan applies a hierarchy to the selection of appropriate energy systems for major development proposals, while the Development Management Policies Local Plan Document supports decentralised energy networks and seeks connection to existing systems where feasible. As detailed within the Carbon Dioxide Emissions Reduction subsection above, the omission of a district energy network plant room is considered acceptable in this instance. The proposed site wide ASHP is therefore consistent with the next preference (for site-wide networks) of the hierarchy. As there are no adjacent allocated development sites, nor any adjacent sites currently being promoted for redevelopment, it is not considered necessary to build-in facilities to extend the network beyond the site boundary.

Air Quality

- 6.9.19 The whole of the borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀). An Air Quality Assessment (AQA) by ACCON UK has been submitted with the application.
- 6.9.20 In relation to the operational impact assessment, it is noted that there will be a reduction in station car parking spaces from 162 commuter car parking spaces to 60 spaces and the proposed development would be car free. The AQA details that the proposed development will not have an impact on local traffic flows and air quality because any traffic generated to and from the development will be offset by the overall reduction in station car parking movements. The AQA modelling also predicts that there will be no exceedances of the nitrogen dioxide or particulate matter objectives at the sensitive development receptors on the site, and therefore it is not deemed necessary to include any mitigation measures for the proposed development.
- 6.9.21 Therefore, in terms of the site and its immediate surroundings, the proposal would not increase exposure to poor air quality and measures to address localised or on-site air quality at operation phase are not necessary. With regards to the air quality implications of the development during the construction phase, it is considered that the submission for an Air Quality and Dust Management Plan be in place during construction, which can be secured as a condition of planning permission.

Contaminated Land

- 6.9.22 A Ground Investigation Report produced by Geotechnical & Environmental Associates Limited has been submitted with the application. In relation to Soil Contamination, eight samples of shallow soil were tested for a range of contaminants. Asbestos fibres were identified in addition to lead and hydrocarbon

contamination. The report recommends further sampling and testing to determine the extent of the contamination encountered, particularly in areas of proposed landscaping.

- 6.9.23 The Council's Environmental Health Officer has recommended further site investigations, a written method statement providing details of the remediation scheme and a watching brief strategy during groundworks for unexpected contamination which can be secured by condition. Subject to this, the proposal would be acceptable in this regard.

6.10 Planning Obligations and Infrastructure

6.10.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 8.2
- The Draft London Plan (2019): D2, DF11
- Harrow Core Strategy (2012): CS1Z
- Harrow Development Management Policies (2013): DM50
- Planning Obligations and Affordable Housing Supplementary Planning Document (2013)

6.10.2 Residents have raised legitimate concerns about the impact of the proposed development on local infrastructure and services. Particular emphasis has been placed on the current pressure on health facilities, schooling public services. The Harrow Community Infrastructure Levy (CIL) was introduced on 16 September 2013. The Council is committed to using CIL revenues and other funding sources to help deliver social, economic and environmental infrastructure to support and meet the demands arising from development. The CIL receipts are not tied to a specific site, and therefore CIL receipts can be utilised from developments across the borough to address areas with the highest need for additional infrastructure. It is also important to note that CIL is only a modest element of the broader infrastructure funding pot, with schools predominately funded by the Education and Skills Funding Agency (ESFA) and GP clinics by the NHS (as examples) where there is a demonstrable demand.

6.10.3 Furthermore, the proposal may in part address issues of overcrowding in existing households in Harrow, as well as 'concealed' households (i.e. adult children still living with their parents but seeking to move out, subject to being able to afford to do so). Therefore, not all future residents of the development will be new residents to the borough that would require additional infrastructure provision. Nevertheless, if additional capacity to social infrastructure was deemed necessary in the future, this would be addressed through the appropriate services utilising the necessary funding streams.

6.10.4 Pursuant to the consideration within the previous sections of this report, and in line with the policies detailed, Officers do however propose to secure a number of planning obligations required to appropriately mitigate the impact of the proposed development. Additional commentary is provided below to inform the proposed detailed drafting of a section 106 legal agreement;

Affordable Housing

- 6.10.5 A planning obligation is recommended to secure the affordable housing mix and tenure as submitted and the provision of 2 x wheelchair adapted affordable rent units. Furthermore, as detailed in the report, the weight affordable to the housing output proposed, is in part, due to the consideration that the proposed shared ownership units would represent a genuinely affordable housing option for residents in Harrow. In order to ensure this remains the case, a cascade mechanism is proposed which provides priority bands and an income cap.
- 6.10.6 Priority Band 1 would be for those whose primary place of residence at the date of purchasing the relevant London Shared Ownership Unit falls within the London Borough of Harrow. The proposed Shared Ownership units would be marketed to these eligible purchasers for no less than 3 months. Following the expiry of the relevant period, Priority Band 2 would be for those prospective purchasers whose primary place of residence at the date of purchasing the Shared Ownership Unit is within London Boroughs of Harrow, Hounslow, Ealing, Brent, and Hillingdon. The proposed Shared Ownership units would again be marketed to these eligible purchasers for a further period of no less than 3 months. Following the expiry of this period, the marketing would be for all eligible purchasers. An income cap sets out the maximum gross annual household income for the respective Shared Ownership dwelling mixes.

Transport and Highways

- 6.10.7 As detailed within the report, the Council's Highways Authority consider the reduction in station parking and the proposed car free proposal of the proposed residential development to be acceptable, provided suitable mitigation measures are introduced. A financial contribution would be provided for the additional parking surveys (to be carried out prior to occupation and post occupation of the 100th flat) and implementation of specific CPZ measures should specified measures be identified. The financial contribution shall be capped at £45,000. A planning obligation would also be included to ensure the development would be 'resident permit restricted' and that all marketing/advertising material makes reference to the fact that future owners, occupiers and tenants (other than those registered disabled) will not be entitled to apply for a resident parking permits or a visitor parking permit. All sales and lettings agreements would also contain a covenant to the effect. The submitted Transport Assessment makes reference to the provision of a car club space being secured for the benefit of the future residents. An obligation is therefore included to commit that the developer to investigate and if appropriate, make reasonable endeavours to implement a car club scheme at the site throughout the life of the development.
- 6.10.8 A Framework Travel plan was submitted with the application. In order to deliver the car free aspirations, a revised Residential Travel Plan to be submitted to the Council prior to the first occupation of the building. A travel plan bond (to be agreed with the Council) will be required to secure the implementation of all measures specified in the revised Travel Plan. The developer to ensure the

effective implementation, monitoring and management of the travel plan for the site. During the course of the application, at the request of the Councils Highways Authority, the applicant also confirmed their agreement to include a Station Travel Plan. Like the Residential travel plan, a detailed Station Travel Plan would be submitted to the Council prior to commencement of development.

- 6.10.9 A number of alterations are proposed to Donnefield Avenue. In order to facilitate these works, the developer would be required to enter into a Section 278 agreement. A financial contribution of £25,000 will be secured for improvements to the Jubilee Cycle Network.

Children and Young People's Play Space

- 6.10.10 As noted in the report, the proposed development would fail to provide the appropriate quantum of designated Children's Play Space. However, given the proximity to exceptional play opportunities provided within Canons Park, the planning benefits of the scheme delivering 100% affordable housing, and the scope to provide some designated play space for smaller children within the communal amenity spaces, officers consider that a financial contribution to fund off-site provision of play space and equipment for the shortfall would be acceptable in this instance. The exact contribution will be determined following submission of an appropriate play strategy (to be secured by condition), which would detail the exact quantum of children's play space that would be provided within the development.

Heritage

- 6.10.11 A financial contribution of £10,000 for the repair of the Grade II Listed 18th Century Memorial Garden Walls within Canons Park. Officers consider that the financial contribution towards the repair of this heritage asset which lies within the Grade II Listed Canons Park, would improve the character and appearance of the Registered Park and Garden, and Canons Park Estate Conservation Area and would constitute a public benefit.

Biodiversity

- 6.10.12 The submission of a Biodiversity Enhancement Management Plan to accurately determine the impact of the development and identify mitigation and net gains, including calculation of any monetary contributions for offsite works. If offsite works are required, this would be secured through a financial contribution.

Carbon Offset

- 6.10.13 A financial contribution prior to commencement of the development for the shortfall in on-site carbon reductions required to achieve net zero carbon in line with the GLA rates. As noted in the relevant subsection within the report, the submitted Energy Strategy details that 65 tonnes of carbon would need to be offset to achieve the 'zero carbon' requirement on site. This would be offset at the current GLA rate of £1,800 per tonne (£60 per tonne / year x 30 years), equating

to a contribution of circa £117,000 (note: once the Intend to Publish version of the London Plan is finally published, a higher rate will apply). The exact amount payable will be dependent on the submission of a detailed revised energy strategy which is to be secured as a pre-commencement condition.

Design Review and Design Code

- 6.10.14 An undertaking by the developer to the existing architect (or one of equivalent standard) until the development is completed; or, the submission of a Design Code for approval by the Council that details the quality of the external materials of the finished development and other design parameters

Employment and Training

- 6.10.15 In accordance with the Council's Planning Obligations SPD, the Council's Economic Development team have requested that the developer provide a Training and Recruitment Plan and use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development. Furthermore, a financial contribution is required to fund monitoring and implementation of the plan. Such provisions are considered necessary to optimise the local economic benefits of the construction phase of the development. It is therefore recommended that appropriate provisions be made as part of a Planning Obligation.

Legal costs, administration and monitoring

- 6.10.16 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 (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

7.0 PLANNING BALANCE AND REASONS FOR APPROVAL

- 7.1 The statutory position is that planning applications have to be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.
- 7.2 The proposed development would make efficient use of brownfield land in a sustainable location and would bring forward housing and retain an appropriate quantum of commuter parking in conformity with the site's allocation in the Local Plan. The proposal would therefore accord with the spatial strategy for growth as set out in the development plan. This carries significant weight.
- 7.3 The delivery of 118 new affordable-tenure homes is considered to constitute a public benefit which contributes to the achievement of local policies, the strategic level need for new (affordable) homes for London and the Government's policy objective of boosting significantly the supply of homes. This is decisive given the acute and widely recognised need for more affordable-tenure homes in London. The 22 family-sized Affordable Rent units would meet the priority need within the Borough and 96 the Shared Ownership units would represent a genuinely affordable option for residents in Harrow. Officers consider that this should be afforded moderate weight.
- 7.4 Subject to appropriate conditions and planning obligations, the proposal would enhance biodiversity, provide landscaping and public realm improvements, appropriately address surface water flood risk, improve drainage measures, and contribute towards sustainable patterns of travel and healthy streets. These are all given moderate weight. Reasonable weight is afforded to economic benefits that would arise from the provision of employment opportunities during the construction phase and the spending power from 118 new households within the local area. Taken a whole, these benefits range from moderate to significant in magnitude and can all be regarded as public benefits of the proposal.
- 7.5 Weighing against the proposal, is the 'less than substantial harm' to the settings of the Canons Park, a grade II listed Historic Park and Garden, and the Canons Park Estate Conservation Area. Having special regard to the desirability of preserving listed buildings and their setting in line with Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraph 193 of the NPPF, officers consider that the public benefits of the proposal would provide clear and convincing justification and are collectively sufficient to outbalance the identified 'less than substantial' harm to the significance of the heritage assets. The balancing exercise under paragraph 196 of the Framework is therefore favourable to the proposal. This is an important material consideration.
- 7.6 The proposal would result in a reduction in the levels of daylight and sunlight to some of the adjacent properties beyond BRE guidelines. Furthermore, a limited number of proposed single-aspect units facing the railway may be exposed to unsatisfactory levels of noise. These factors weigh against the proposal.

- 7.7 The proposed development has been conceived through an extensive design-led approach and has undergone robust design scrutiny. The proposal would be of a high-quality design and appearance. However, the positive aspects of the design would be partly diminished by the shortcomings with regard to daylight and sunlight impacts, noise and heritage in particular. The quality of the design would therefore be broadly neutral in the planning balance.
- 7.8 For all these reasons, the material considerations and benefits in favour of the proposal would outweigh the harm. In accordance with the NPPF, including its presumption in favour of sustainable development, officers recommend that the planning application should be approved, and planning permission granted, subject to the section 106 Planning Obligations and schedule of conditions.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Plans and Documents

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the following approved plans to show the redevelopment of existing public car park to provide new residential accommodation (Use Class C3) of 118 units across three 7 storey buildings. Provision of a TfL Cycle Hub (Use Class Sui Generis), and the re-provision of a 60-space public car park and four residential wheelchair accessible parking spaces together with associated access, cycle parking, public realm works and landscaping

Plan numbers:

446-KCA-XX-XX-DR-A-0100-P, 446-KCA-XX-XX-DR-A-0101-P, 446-KCA-XX-XX-DR-A-0102-P, 446-KCA-XX-XX-DR-A-8000-P Rev 01, 446-KCA-XX-XX-DR-A-8004-P Rev 01, 446-KCA-XX-XX-DR-A-1000-P, 446-KCA-XX-01-DR-A-1001-P, 446-KCA-XX-02-DR-A-1002-P, 446-KCA-XX-03-DR-A-1003-P, 446-KCA-XX-04-DR-A-1004-P, 446-KCA-XX-05-DR-A-1005-P, 446-KCA-XX-06-DR-A-1006-P Rev 01, 446-KCA-XX-07-DR-A-1007-P Rev 01, 446-KCA-XX-XX-DR-A-2000-P, 446-KCA-XX-XX-DR-A-2001-P Rev 01, 446-KCA-XX-XX-DR-A-3000-P Rev 01, 446-KCA-AX-00-DR-A-1100-P, 446-KCA-AX-01-DR-A-1101-P, 446-KCA-AX-02-DR-A-1102-P, 446-KCA-AX-03-DR-A-1103-P, 446-KCA-AX-04-DR-A-1104-P, 446-KCA-AX-05-DR-A-1105-P, 446-KCA-AX-06-DR-A-1106-P, 446-KCA-AX-07-DR-A-1107-P, 446-KCA-AX-XX-DR-A-2100-P, 446-KCA-AX-XX-DR-A-2101-P, 446-KCA-AX-XX-DR-A-3100-P, 446-KCA-AX-XX-DR-A-3101-P, 446-KCA-AX-XX-DR-A-3102-P, 446-KCA-AX-XX-DR-A-4001-P, 446-KCA-AX-XX-DR-A-4002-P, 446-KCA-AX-XX-DR-A-4101-P, 446-KCA-AX-XX-DR-A-4102-P, 446-KCA-AX-XX-DR-A-4103-P, 446-KCA-AX-XX-DR-A-4104-P, 446-KCA-BX-00-DR-A-1100-P, 446-KCA-BX-01-DR-A-1101-P, 446-KCA-BX-02-DR-A-1102-P, 446-KCA-BX-03-DR-A-1103-P, 446-KCA-BX-04-DR-A-1104-P, 446-KCA-BX-05-DR-A-1105-P, 446-KCA-BX-06-DR-A-1106-P, 446-KCA-BX-07-DR-A-1107-P, 446-KCA-BX,XX-DR-A-2100-P, 446-KCA-BX-XX-DR-A-2101-P, 446-KCA-BX-XX-DR-A-3100-P, 446-KCA-BX-XX-DR-A-3101-P, 446-KCA-BX-XX-DR-A-3102-P, 446-KCA-BX-XX-DR-A-4001-P, 446-KCA-BX-XX-DR-A-4002-P, 446-KCA-BX-XX-DR-A-4101-P, 446-KCA-CX-00-DR-A-1100-P, 446-KCA-CX-01-DR-A-1101-P, 446-KCA-CX-02-DR-A-1102-P, 446-KCA-CX-03-DR-A-1103-P, 446-KCA-CX-04-DR-A-1104-P, 446-KCA-CX-05-DR-A-1105-P, 446-KCA-CX-06-DR-A-1106-P Rev 01, 446-KCA-CX-07-DR-A-1107-P Rev 01, 446-KCA-CX-XX-DR-A-2100-P Rev 01, 446-

KCA-CX-XX-DR-A-2101-P, 446-KCA-CX-XX-DR-A-3100-P Rev 01, 446-KCA-CX-XX-DR-A-3101-P Rev 01, 446-KCA-CX-XX-DR-A-3102-P Rev 01, 446-KCA-CX-XX-DR-A-4001-P Rev 01, 446-LAN-00-XX-DR-L-1001-D Rev P3, C130822-02-01-RevB

Supporting Documents:

Landscape and Public Realm Strategy Issue R05 (02/03/2020), Transport Assessment Revision 4 (March 2020), Transport Addendum Note Revision 3 (October 2020), Framework Travel Revision 3 (February 2020), Noise and Vibration Assessment A3647/N/002 (dated 21.02.2020), Statement of Community Involvement, Historic Environment Assessment Issue 3 (25/02/2020), Energy Assessment Rev T4 (24/02/2020), Overheating Report Rev T5 (24.02.2020), Sustainability Statement (March 2020), Air Quality Assessment A3647/AQ/006 (02.03.2020), Daylight and Sunlight: Impact on Neighbouring Properties report and appendices (2 March 2020), Internal Daylight and Sunlight and Overshadowing Report Rev A (25.02.20), Solar Glare Assessment (21 February 2020), Pedestrian Level Wind Microclimate Assessment (February 26th 2020), Arboricultural Impact Assessment Rev A (September 2020), Construction Environmental Management Plan (02/03/2020), Ground Investigation Report (February 2020), Townscape and Visual Appraisal (February 2020), Planning Statement (March 2020), Heritage Statement Issue 6 (27/02/2020), Design and Access Statement Rev 3 (03/03/2020), Flood Risk and Sustainable Drainage Report draft 3 (February 2020), Ecological Impact Assessment Rev B (25/02/2020),

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

3. Constriction Logistics Plan

No development shall take place until a construction logistics plan has 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 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

4. Construction Environmental Management Plan

No site works or development shall take place until a construction environmental management plan (CEMP) has been submitted to, and agreed in writing by the Local Planning Authority. The CEMP shall detail the measures to reduce the environmental impacts during the construction phase and set out the arrangements for the handling of excavation, and construction waste arising from the development. The development shall be carried out in accordance with the approved plan

REASON: To ensure measures are in place to reduce environmental impacts during construction and ensure that waste management on the site is addressed from construction stage

5. Levels

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, has first 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

6. Surface and Foul Water Disposal

No development shall take place, until works for the disposal of surface and foul water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. The applicant should contact the Harrow Infrastructure Team at the earliest opportunity.

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

7. Surface Water Attenuation

No development shall take place, until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. The applicant should contact the Harrow Infrastructure Team at the earliest opportunity.

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

8. Permeable Paving and Drainage Strategy

Notwithstanding the approved details and prior to the commencement of development, full details of the permeable paving and details relating to the long term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.

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

9. Arboriculture Method Statement

No site works or development shall commence until a site-specific tree protection plan and Arboricultural method statement (to BS5837) based on the Arboricultural Impact Assessment has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) Specification and finalised location of tree protection barriers, indicated on a plan
- b) Details of demolition & construction within the RPA of retained trees - specifically relation to construction of wall within RPA of T4
- c) Details of any facilitation pruning required for access, working space etc
- d) Details of all areas of new hard-standing to be constructed using no-dig methodologies. Where no-dig is proposed, cross sections should be provided to show that raised levels can be accommodated in finished levels across site
- e) Details of site access, material / storage areas, contractor parking, site hut etc
- f) tree protection monitoring and supervision, including clerk of works schedule that specifies arboricultural supervision at appropriate stages of the development process

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

REASON: to safeguard the protected trees adjacent to the application site during construction

10. Construction Ecological Management Plan

No site works or development shall commence until a Construction Ecological Management Plan (CEcMP) shall be submitted to, and approved in writing by the local planning authority. The CEcMP shall also include details of how invasive plants from the development site shall be eradicated. The proposed development shall be carried out in accordance with the details approved.

REASON: To protect biodiversity and access to nature, including the protection of designated wildlife sites and the function of green corridors

11. Biodiversity Enhancement and Management Plan (BEMP)

The development hereby approved shall not commence until a Biodiversity Enhancement and Management Plan (BEMP) has been submitted to and approved in writing by the local planning authority. The BEMP shall be required to provide full details of:

- provision of biodiverse, blue-green roofs of varied topography, equipped with a mix of shelter elements to suit a broad spectrum of invertebrate groups; full build-up details and proposed plant species
- installation of a permeable boundary to provide a better connection between the development site and adjoining SINC at both west and north boundaries
- treatment of the edge of the site so that hard surfaces end no less than 300-500 mm or more from the edge of the SINC
- number, type and placement of wildlife shelters for bat and bird (including e.g. house sparrow, tits, robins, swift, starling, kestrel) species and a range of invertebrate species wildlife to be incorporated within the fabric of the buildings and other structures, including solid and green walls
- biodiversity value of ground level soft landscaping elements
- lighting and glazing strategy intended to minimise the impacts of both internal and external illumination on nocturnal and crepuscular wildlife
- programme of works to be undertaken during the construction and establishment phases
- the first five years of management following establishment and subsequent plan updates
- arrangements for management plan implementation, oversight, update and monitoring

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

REASON: To enhance green infrastructure and to provide gain for biodiversity

12. Air Source Heat Pump and Revised Energy Strategy

a) The development hereby approved shall not commence until detailed specification and design of the Air Source Heat Pump (ASHP) and an updated energy strategy which takes into account the detailed specification and design of the ASHP has first been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained thereafter.

b) 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 Statement; which thereafter shall be submitted to the local planning authority for written approval.

REASON: To ensure the delivery of a sustainable development

13. Noise and Ventilation

The development hereby approved shall not commence until a detailed sound insulation scheme for protecting the proposed residential development (including

balconies) from rail and other noise shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a ventilation strategy which would be a suitable alternative to keeping windows open and would meet the target noise levels required. Thereafter, the approved mitigation measures shall be fully implemented in accordance with the approved details and shall be retained and maintained in good working order for so long as the buildings remains in use.

REASON: To ensure that potential adverse noise impacts to residential premises within the development are mitigated

14. Contamination 1

No development 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 development 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. To ensure that measures are agreed and in place to identify and manage potential sources of contamination during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition

15. Landscaping Details

Notwithstanding the details that have been submitted, the development hereby approved shall not commence until a scheme for detailed hard and soft landscaping of the development has been submitted to and approved in writing by the Local Planning Authority. To include

- a) details of the planting, hard surfacing materials, and including the external seating, street furniture, pergolas, trellis, climbing plant supports, tree pits including all underground cellular systems, drainage, growing medium, tree planting and support, rain gardens, SUDs measures 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. Planting which may provide benefits in terms of improving air quality are encouraged. 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 they would contribute to privacy between the communal gardens and the adjacent flats.

b) Details of all furniture, boundary treatment, natural type / incidental play equipment, specification for the proposed supports and fixings for plants, , landscape structures and pergolas and climbing plant frames, including proposed material and source / manufacturer and detailed drawings of such; for all communal areas and bespoke furniture.

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

d) details of boundary treatment

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

16. Secure by Design Gate Details

The development hereby permitted shall not commence until details of the security tested and certified pedestrian and vehicular gates have first been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the pedestrian and vehicular gates have been provided on site 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.

17. Play Space

The development hereby approved shall not commence above damp proof course level until a detailed play strategy for the site has first been submitted to and agreed by the Local Planning Authority. Such details shall comprise: a specification of all play equipment to be installed (including provision for children with disabilities and special sensory needs where possible); a specification of the surface treatment within the play areas; and a detailed assessment on the quantum of play space proposed. 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 appropriate provision for play and informal recreation

18. Materials

Notwithstanding the details shown on the approved drawings, the development hereby approved 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, and agreed in writing by, the local planning authority:

a) facing materials for the building, including brickwork bond details;

b) windows/ doors;

c) balcony and balustrade detail details

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

REASON: To safeguard the appearance of the locality and to ensure a satisfactory form of development.

19. Materials 2

The development hereby approved shall not progress beyond damp proof course level until a x 1:1 sample mock-up of a window opening, surrounding brickwork and proposed brick detail to be used in the external faces of the buildings have been erected on site (or at such other location(s) as may be agreed in writing by the local planning authority) and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure a satisfactory form of development

20. Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not progress above 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 a high quality finish to the external elevations of the building

21. Wind Mitigation

The development hereby permitted shall not progress above damp proof course level until details of measures to reduce the wind exposure to the private balconies as required by the Pedestrian Level Microclimate Assessment have first been submitted and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall be retained thereafter.

REASON: To ensure a high quality of amenity for the future occupiers

22. Communal facilities for television reception

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to the Local Planning Authority in writing to be agreed. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other

television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority
REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces

23. Lighting Strategy

The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all public realm and all exterior communal areas (including buildings) within the site has first been submitted to and agreed in writing by the Local Planning Authority. The details shall include details of the intensity of light emissions (including the surface area to be illuminated), light spillage, specification and detailed drawings of the proposed lighting columns and fittings and any measures for mitigating the effects of light pollution. The exterior lighting would need to take account of any biodiversity recommendations or requirements, such as bat friendly lighting. 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 in accordance and protects biodiversity.

24. Landscape Management and Maintenance

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

25. 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

26. Delivery and Servicing Plan

The development hereby approved shall not be first occupied until a Delivery and Servicing Plan has first been submitted to and agreed in writing by the Local Planning Authority. The revised Delivery and Servicing Plan shall include full details of the onsite Refuse Management Strategy. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. All deliveries and servicing associated with the development shall be carried out only in accordance with the approved details.

REASON: To ensure that the transport network impact of deliveries associated with the development are managed

27. Parking Management Plan

The development hereby permitted shall not be occupied until a detailed parking management plan has been submitted to, and agreed in writing by the local planning authority. The plan shall make provision for:

- a) details of how the parking spaces would be managed;
- b) identify the electric vehicle charging point spaces that are to be provided as 'active' spaces and those as 'passive' spaces;
- c) detail the relevant blue-badge parking spaces within the car park;
- d) detail the provision of cycle parking for residential and non-residential users, including visitors to the development, which shall include the type of cycle stands proposed (including specification);

REASON: To ensure that the development provides sufficient blue badge parking, cycle, motorcycle and electric vehicle charging points.

28. Landscape Implementation

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme that has been submitted to the Local Planning Authority in writing to be agreed. 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 with the Heart of Harrow

29. Arboricultural site supervision

Prior to commencement of work at the site, the LPA will be provided with clear and obvious proof that the details of the AMS have been adhered to, either

through separate reports or single larger report, summarising details of each clerk of works visit and including (where relevant) photographic evidence of adherence to the AMS and TPP. This condition may only be discharged on completion of the development, subject to satisfactory evidence of compliance through contemporaneous monitoring of tree protection throughout construction, by the appointed specialist

REASON: to safeguard the protected trees adjacent to the application site during construction

30. Refuse Storage

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

31. Accessible and Wheelchair 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

32. Communications

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

REASON: To ensure that the development preserves the highest standards of architecture and materials.

33. Appearance of Buildings

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 building hereby approved.

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

34. Contamination 2

If, during development, contamination not previously identified is found to be present at the site then no further construction of that phase of the development (unless otherwise agreed in writing with the local planning authority) shall be

carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unanticipated contamination is to be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

35. Contamination 3

Unless otherwise agreed in writing by the Local Planning Authority, prior to the first occupation of any building within each relevant phase, site derived soils and imported soils within each phase shall be tested for contamination (to include but not limited to asbestos). All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON: To safeguard the amenities of the future occupiers

Informatives

1. Planning Policies

The following policies are relevant to this decision:

The London Plan (2016): 2.8, 3.3, 3.5 3.4, 3.5, 3.6, 3.8, 3.10, 3.11, 3.13, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.11, 5.12, 5.13, 5.15, 5.18, 5.21, 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8, 7.14, 7.15, 7.19, 7.21, 8.2

The Draft London Plan – Intend to publish version (2019): GG2, GG4, GG6, D1, D2, D3, D4, D5, D6, D7, D8, D14, H1, H4, H5, H6, H10, HC1, G6, G7, G8, SI1, SI2, SI3, SI4, SI5, SI12, SI13, T1, T2, T3, T4, T5, T6, T6.1, T7, DF11

Harrow Core Strategy (2012): CS1A, CS1B, CS1D, CS1E, CS1H, CS1I, CS1J, CS1K, CS1R, CS1U, CS1W, CS1X, CS1Z, CS8I

Development Management Policies DPD (2013): DM1, DM2, DM7, DM9, DM10, DM12, DM13, DM14, DM15, DM20, DM21, DM22, DM24, DM27, DM28, DM42, DM43, DM44, DM45, DM50

Supplementary Planning Document: Residential Design Guide (2010)

Site Allocations Development Plan Document (2013)

Planning Obligations and Affordable Housing Supplementary Planning Document (2013)

Stanmore and Edgware Conservation Area Supplementary Planning Document (2013)

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

Mayor of London's Affordable Housing and Viability Supplementary Planning Guidance (2017)

2. Considerate Contractor Code of Practice

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

3. The Party Wall etc. Act 1996

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

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

and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236 Wetherby, LS23 7NB. Please quote Product code: 02 BR 00862 when ordering. Also available for download from the CLG website: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail: Ucommunities@twoten.comU4T

4. Mayoral Community Infrastructure Levy (provisional)

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £51,000. This amount includes indexation which is 323/323. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf) 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/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

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

6 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 39-46 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice

7. Thames Water

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

8. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface

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

9. Compliance with conditions

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

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

10. Highways Interference

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

with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

11. Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

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

12. Thames Water

The proposed development is located within 15m of Thames Water underground assets and as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary structures

<https://developers/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

CHECKED

Interim Chief Planning Officer	Beverley Kuchar	27/11/2020
Corporate Director	Beverley Kuchar	27/11/2020

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS

(n.b – the pictures are provided solely to identify the application site and are not representative of the general car park occupancy levels)



View towards the application site from Donnefield Avenue



View of the station car park from the pedestrian footway



Existing Station Car Park Entrance



View of the station car park facing south



View towards the northern boundary of the application site



View of Canons Park Entrance from Donnefield Avenue



View towards application site adjacent from the Canons Park Entrance



View of application site from within Canons Park, adjacent to Wyel Lodge

APPENDIX 4: PLANS AND ELEVATIONS





Catalyst Housing Ltd
C
 catalyst
T
 Transport
 for London

01 Planning Comments 20/11/20
 02 Planning Submission 20/09/20

Karusevic Caron Architects
 Unit 888
 The Royal Arcade
 98 Chancery Road
 London EC2A 4JQ
 info@karusevic-caron.com | 0207 544 6388

Canons Park
 Donnefield Avenue, Edgware,
 HA8 6RL

Proposed Sixth Floor Plan



1 Proposed Site East Elevation
1:500

2 Proposed Site West Elevation
1:500

3 Proposed Site North Elevation
1:500

4 Proposed Site South Elevation
1:500

Catalyst Housing Ltd
C
 catalyst
T
 Transport
 for London

01 Planning Comments 20/11/20
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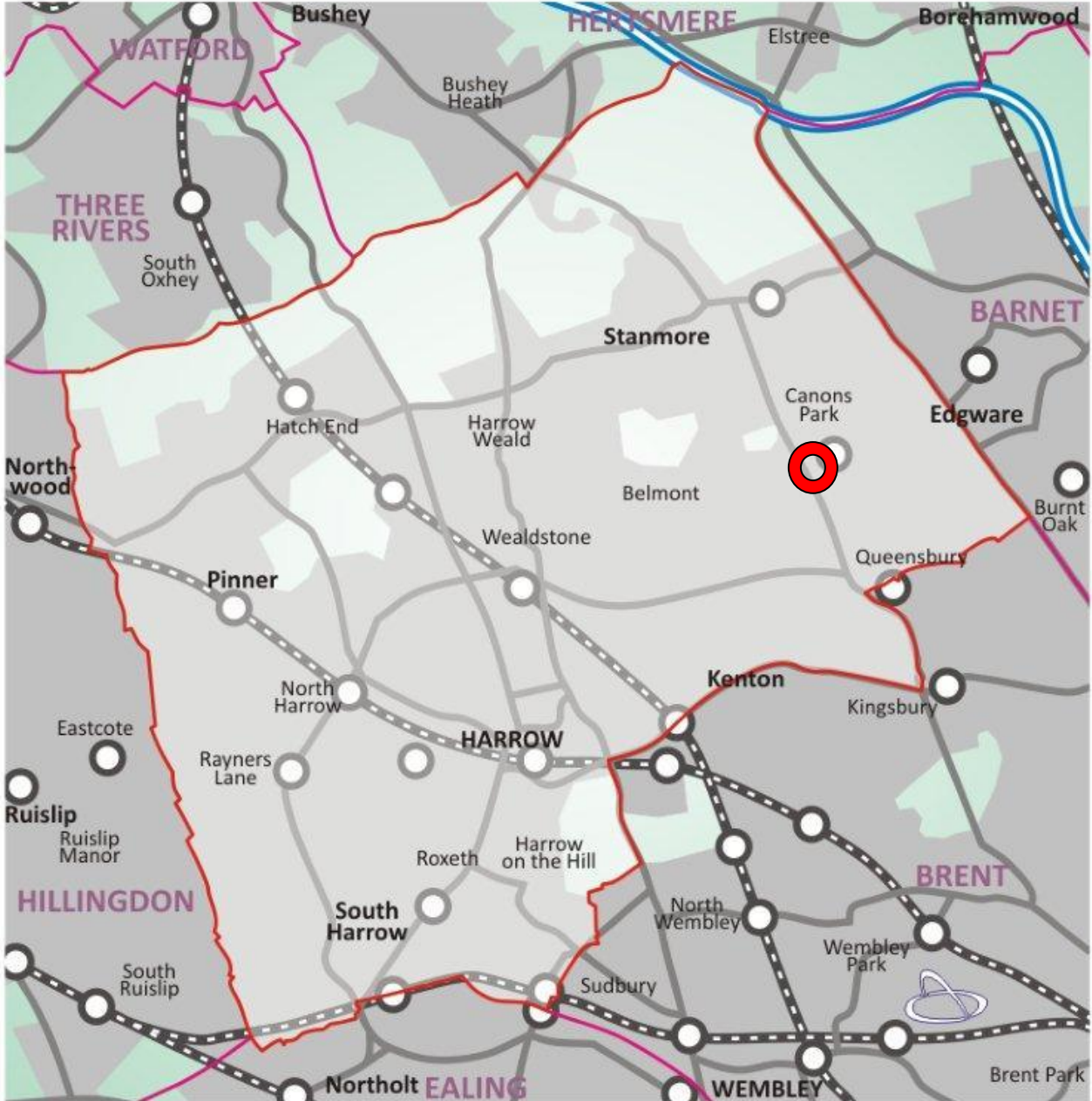
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 info@karusevic-caron.com | 0207 544 6388

Canons Park
 Donnefield Avenue, Edgware,
 HA8 6RL

Proposed Site Elevations

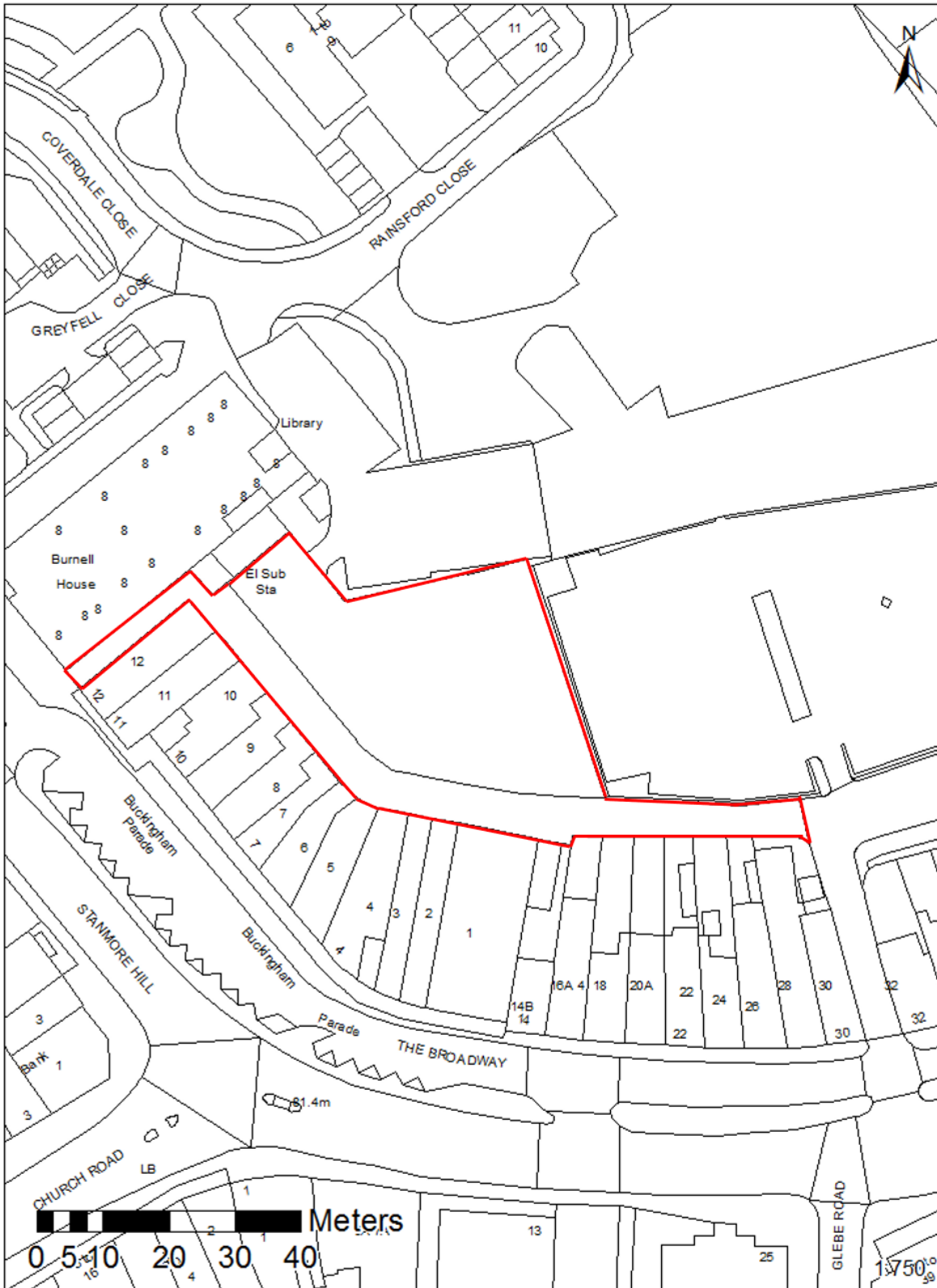
Agenda Item: 2/01

 = application site



CAR PARK: SOUTH OF THE FORMER ANMER LODGE, HA7 4EB	P/3109/20
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LAND SOUTH OF ANMER LODGE



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**LONDON BOROUGH OF HARROW
PLANNING COMMITTEE**

9th December 2020

APPLICATION NUMBER: P/3109/20
VALID DATE: 21st SEPTEMBER 2020
LOCATION: LAND SOUTH OF ANMER LODGE, COVERDALE
CLOSE (CAR PARK R/O BUCKINGHAM PARADE,
THE BROADWAY
WARD: STANMORE PARK
POSTCODE: HA7 4EB
APPLICANT: STANMORE PROPERTY DEVELOPMENTS LTD
AGENT: DESIGN COLLECT
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 15TH DECEMBER 2020

PROPOSAL

Redevelopment to provide a six storey building comprising of office floor space on the first floor (use class E) and 9 flats (2 x 3 bed, 5 x 2 bed and 2 x 1 bed) on second, third, fourth and fifth floors; parking; bin and cycle stores

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATIONS

The proposal would respond to the strategic objective of optimising the potential for growth on sustainable brownfield sites within Town Centre locations. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

Given the Town Centre location of the application site, officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal would enhance biodiversity on the site, provide sustainable urban drainage measures, improve access routes and provide high-quality hard and soft

landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

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

INFORMATION

This application is reported to Planning Committee as it would provide the construction of more than three dwellings and therefore falls outside category 1(b) of Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	n/a
Net Additional Floorspace:	1027m ²
GLA Community	
Infrastructure Levy (CIL):	£61,620
Local CIL requirement:	£124,677

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

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

1.0 SITE DESCRIPTION

- 1.1 The application site consists of a parcel of land located to the south of the former Anmer Lodge, the west of Burnell House and north of Buckingham House. The site currently comprises a hard surface car park for permit holders of the adjacent residential and commercial uses.
- 1.2 To the south of the application site is Buckingham Parade, a three storey building incorporating a mansard roof with commercial uses on the ground floor and residential uses on the upper floor. A commercial road serving the rear of the commercial units adjoins the application site immediately to the south. The refuse/cycle stores and designated blue-badge parking bays for some of the residential flats within Buckingham House East are located within the application site.
- 1.3 Sited adjacent to the north of the application site is Burnell House, a rectangular three storey detached building. Stanmore Library is located on the ground floor and residential flats (formerly offices) occupy the first and second floor and within the roof.
- 1.4 The application site is located within the Stanmore Town Centre and is within a Critical Drainage Area. The application site is also within the protected views setting corridor of Wood Farm Country Park
- 1.5 The application site has a public transport accessibility rating (PTAL) of 3

2.0 PROPOSAL

- 2.1 The application proposes a new five-storey building. As a result of the change in levels of the site, the proposal incorporates a lower ground and upper ground level. The lower ground level would feature the refuse and cycle bins, 19 parking spaces and a car lift. The proposed upper ground level would provide a further 16 car parking spaces.
- 2.2 The proposed first-floor would provide 336m² of commercial floorspace (Use Class E). Three residential units would be provided each within the second and third floors, two residential units on the fourth floor (including a duplex unit) and one residential unit on the fifth floor.
- 2.3 The proposed development would feature the following housing mix: 2 x 1 bed, two person units, 1 x 2 bed 3 person units, 4 x 2 bed four person units and 2 x 3 bed 6 person units.
- 2.4 The proposed building would have a broadly 'L-shaped' layout with staggered elevation projections on the south facing elevation. The proposed fifth floor would also be recessed and the proposed building would feature a flat roof profile.

- 2.5 A terrace/podium garden would be provided above the ground floor car park accessed by the commercial unit and entrance on the first floor. The overhang of has been removed during the course of the application. The proposal would also provide a pocket garden to the north-west part of the application site adjacent to the substation.
- 2.6 The proposed development would re-provide 15 car parking spaces related to the existing leases for commercial uses within Buckingham Parade. Furthermore, the proposal would provide 11 parking bays, 68 cycle spaces and refuse storage for the residential units within Buckingham House which are currently provided on the application site. The proposal would provide 7 parking spaces for the new flats and 2 parking spaces for the proposed commercial use.
- 2.7 Following the previously refused scheme, the proposal seeks to provide the primary pedestrian access via the service road which adjoins the site along the southern boundary of the site. During the course of the application, amendments have been made to the design of the access route including a uniform paving material to slow traffic and make the road a pedestrian priority, introduction of a turning head and remove the curved path towards the north-west of the application site. Minor internal amendments have been made to the layout of some of the flats and external fenestration details. The curved suspended decking serving the commercial unit has also been removed.
- 2.8 The previous application was previously refused because of the poor primary residential access to the site and the failure of the proposal to optimise the housing potential of the site through an inefficient layout and housing mix. The subject application therefore seeks to address these reasons for refusal.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/5253/19	Development Of A Five-Storey Building To Provide 302 Sqm Commercial Office Space (Use Class B1A) Nine Residential Dwellings (Use Class C3) Undercroft Parking Refuse And Cycle Storage And Landscaping.	Refused: 25/02/2020 Appeal is under consideration
<p>Reasons for Refusal:</p> <ol style="list-style-type: none"> 1. The proposed development, by reason of its location and the unsuitable pedestrian access to the site, would fail to provide a high standard of design and layout for the development, fail to meet the objectives of lifetime neighbourhoods and would not create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion, to the detriment of the living conditions of the future occupiers of the 		

proposed residential units, contrary to the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5, 7.1, 7.3, 7.4 and 7.6 of the London Plan (2016), Policy CS1E of the Harrow Core Strategy (2012), Policies DM1, DM2 and DM22 of the Harrow Development Management Policies Local Plan (2013), the adopted Supplementary Planning Document: Residential Design Guide (2010) and the Mayors Housing SPG (2016).

2. The proposed development, by reason of its housing mix and inefficient layout, would fail to optimise the housing potential of the site and therefore undermine the Council's strategic objective to provide the maximum reasonable level of affordable housing to the Boroughs housing stock. The proposal therefore fails to address the key aims of Policies 3.11 and 3.13 of the London Plan (2016), Policy CS1J of the Harrow Core Strategy (2012), Policy DM24 of the Development Management Policies Local Plan (2013) the Mayors Housing SPG (2016), the Mayors Affordable Housing SPG (2017) and adopted Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

Relevant Planning History on Adjacent Sites

P/0412/14	Redevelopment of Anmer Lodge & Stanmore car park site in four blocks of various heights: block a to provide 1,692 sq. m (gross) food retail store (class a1) with ancillary café and 3-5 storeys of flats over; block b to provide multi storey car park and 3-4 storeys of flats over; block c to comprise 3-6 storeys of flats with undercroft parking; block d to comprise 2-4 storeys of houses and flats with surface car parking; basement car park below blocks a & b; total 120 dwellings (class c3) (resident permit restricted); 294 car parking spaces (comprising 151 replacement spaces, 50 spaces for the food store and 93 spaces for residents), 8 motorcycle spaces and 144 cycle spaces; access from Dennis lane and Coverdale close. proposal also includes combined heat & power plant; landscaping & roof gardens; diversion of water culvert; works to provide temporary replacement town centre car park (minimum of 151 spaces) and demolition of Anmer Lodge	Grant: 22/08/2014
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P/0514/15 (Buckingham House West)	Conversion of offices on first and second floors (class b1a) to 10 self-contained flats (class c3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding on the site)	Grant: 13/03/2015
P/1470/17/Prior (Burnell House)	Conversion of first and second floor offices (class b1a) and roof void to 39 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	Grant: 07/07/2017
P/4904/17 (Buckingham House East)	Creation of third floor to provide additional nine flats (use class c3); external alterations	Grant: 18/06/2018
P/2888/18/Prior (Buckingham House East)	Conversion of offices (class b1) on part first floor and second floor to 23 self-contained flats (class c3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding risks on the site and impacts of noise	Grant: 21/08/2018

4.0 **CONSULTATION**

- 4.1 A total of 161 consultation letters were sent to neighbouring properties regarding this application on 12th October 2020. A re-consultation was also undertaken on 4th November 2020 for minor amendments made to the proposal during the course of the application.
- 4.2 Two general site notices were placed outside the application site on 15th October 2020
- 4.3 A total of 42 objections by neighbouring residents and a petition with 47 signatures from the occupiers of Buckingham House East and West have also been submitted. A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments on original consultation

Character and Appearance:

over-intensification, too large, massing is far greater than necessary, protected view from wood farm could be compromised, overdevelopment, out of character; site not designated for development; better access required for main access; previous refusal for access remains valid;

These comments have been addressed within the report.

Residential Amenity:

loss of light/outlook, overshadowing, loss of privacy, noise during construction/servicing, smell/smoke/gasses from hazardous materials used in construction and health implications, pollution, impact on Burnell House not adequately assessed in daylight and sunlight assessment; limited view to park will be lost; noise impact working from home; eyesore; will prevent individuals 'right to light; angled windows on facing Notting Hill Development but not towards Burnell House; use of terraces for storage or laundry will have a further negative impact on local residents

These comments have been addressed within the report.

Trees/Landscaping and Environment:

loss of trees and green space; will damage environment; increased carbon footprint; increased energy use and carbon footprint of Burnell House residents; increased carbon footprint; adjacent residents benefit from solar gain and which will result in increase in energy bills; air/noise/rubbish pollution

As noted within the report, conditions are required for biodiversity enhancements. The potential impacts on the energy use within Burnell House is acknowledged, but currently this is obtained through 'borrowed light' beyond the application site by virtue of the absence of development within the application site. This therefore should not be a determinative factor and would not be weighed against the benefits of the subject proposal. It is not likely that the proposal would generate more air/noise/rubbish pollution than any other development of a similar size

Traffic and Parking:

more congestion and traffic, extra parking on surrounding roads, impact on highway safety for service access points, no contingency arrangements if car lift fails, parking spaces for leaseholders on site would be affected; not enough turning space for delivery vehicles; More congestion on Stanmore; parking an issue in the area; no where for residents to park with leases during construction; *The Council's Highways Officer is satisfied with regard to the impact of the proposal on parking stress on adjacent roads and parking/cycle provision on site. The relocation of leased spaces during construction is a civil matter*

Other:

devalue property value, risk of antisocial behaviour/crime, not demonstrated adequacy to deal with fire tenders/fire assembly points, at the time of purchase estate agent said no further buildings would be built; Stanmore will become more congested and people will stop using shop and facilities leading to business closures; density yields are disingenuous as they do not account for inefficiency of re-providing the existing facilities; should wait for the planning appeal decision first; flats in Buckingham house not consulted; site could provide more efficient development and affordable housing; no need for additional residential and commercial space

The impact of the development on property value is not a material planning consideration; the impact on crime has been detailed within the report; the requirement to meet with fire regulations is a matter for building control; the council did notify the relevant statutory consultees and site notices were placed

in the vicinity, the proposed car/cycle and refuse facilities serving Buckingham House would be reprovided on site; there is no sustained evidence that the proposal would lead to reduced vitality of Stanmore town centre; officers consider that the applicant has satisfactorily addressed the reasons for refusal of the previous application and therefore it is not necessary to wait for the appeal decision before determining this application;

4.4 Statutory and Non-Statutory Consultation

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

Consultee and Summary of Comments

LBH Highways

The site is currently operating as a car park serving the commercial properties fronting The Broadway and providing residential spaces for some flats above these businesses. The proposal seeks to re-provide the 27 leased commercial and residential spaces within the proposed car park and provide a further 8 spaces for the new development. This is broadly acceptable as the existing spaces do not directly relate to the new proposals; it must however be made clear that the 27 spaces are to be used for the intended purpose only and are not transferable to the new development uses.

The existing car park is adjacent a general servicing area at the rear of shops – deliveries and refuse collections take place along the access road. The proposal seeks to improve the service road by introducing a raised shared surface with a dedicated pedestrian path which also includes an improved pedestrian link from the site to the The Broadway. It is most important that safety around manoeuvring HGV's is achieved. The access road must be a minimum of 4.8m to be acceptable as a shared surface in line with Harrow's Street Design Guide, however it is indicated that it reduces to 4.5m in places.

Furthermore, the adjacent former Anmer Lodge site has an obligation for highway works to be undertaken on the service road outside of this development site, therefore, it will be necessary to ensure that the design of the road layout can tie in with the highway works. At this stage, nothing has been formally designed but it is considered relevant to note the requirement.

The travel plan statement indicates that the development will be car free however, the Transport Statement includes 8 car parking spaces for the new development – either is acceptable but requires some clarification on how spaces are to be allocated if provided. If any are for the office, some should be disabled bays. The location of spaces for each use need to be set out in a car park design and management plan – this also needs to show where active EV charge points are located and where passive provision will be plus how these can be activated should demand increase and how parking will be managed and enforced.

More detail on the proposed cycle parking facilities is required. The short stay for all elements of the proposal should be near to the entrances and ideally, should not be combined with the long stay as public access to the long stay would not provide appropriate security. The type of stands to be provided need to be identified and must include 5% accessible stands; plans must show the access routes, door openings and dimensions.

Following the road safety audit which has been undertaken, the revised layout is considered acceptable.

LBH Urban Design Officer

It is welcome to see consideration in massing and outlook for the pending Notting Hill Housing development immediately east of site. This will shape both how the site public realm is used and the built character of the wider backland area. The mix of unit sizes within the residential component is highly welcome and will aid a diverse and heterogeneous social mix within the flatted block. The stepped element to commercial and secondary residential entrances with glass balustrade cannot be supported. These entrances should be at-grade or ramped and well-knitted into the surrounding public realm. The primary residential entrance is well considered with a generous dwelling space upon entrance and unique setts delineating this space as the main entrance.

The curved suspended decking is an unsuccessful element of the scheme and feels detached from the form of the building itself. Its curved form and relationship to the main massing should be revised and reduced. Retention of an inaccessible flat roof to rear of commercial unit is appropriate in mitigating noise and privacy issues for residential units and amenity spaces above. Second floor residential units are well considered internally regarding circulation, outdoor space and dual aspect elements however there is concern as to the predominance of north and north-west aspect windows. Additionally, concern exists regarding the type of obscured glazing treatment to south-facing windows.

The use of a glass balustrade at ground floor level to surround the commercial and secondary residential entrances is inappropriate. The applicant is encouraged to use this sparingly as a motif for the rest of the development elevations as at present there is little visual interest to remaining elevations. Material choices for public realm, entrances and signage are of high quality and successful.

The applicant should ensure that biodiversity net gain is achieved on site through generous planting and opportunities for green/ brown roofs where suitable. The applicant should also at this stage consider a fabric first approach and the energy efficiency of the building envelope itself as well as opportunities to greatly reduce construction embodied carbon.

LBH Landscape Officer

The proposed change to the main service road incorporating the primary pedestrian access, using a shared surface for pedestrians and vehicles make more sense than the previously proposed narrow, overshadowed access between Burnell House and 12 Buckingham Parade. The emphasis would need to be on making people feel safe and welcome in this constricted, back of buildings space by creating a well-designed, high quality space that somehow creatively thinks about and solves the issue of the rear, dead commercial facades and clutter and provides as much soft landscape as possible to visually filter the unattractive, cluttered views and create a visual amenity and sense of arrival. The access road must feel safe, pedestrians must feel they have priority and there should be no or limited conflict with vehicles going in and out, turning, loading and unloading or parking. The revised proposals are welcome and it would be for the detailed design to create a high quality environment. Soft landscape is desirable to soften the development, in the small available spaces and should be proposed where it can realistically survive, thrive and be maintained and contribute greenery to the development. If you are minded to approve the application, hard and soft landscape conditions would be required.

LBH Drainage

We can confirm that the FRA submitted is satisfactory. No objection subject to conditions

Secure By Design Officer

Serious consideration must be given to crime and anti-social behaviour at the proposed development site. I have meet with the architects and they have made several changes to the original plans to support obtaining a Secured By Design accreditation. The car park will need to be secured for the private car parking company to manage.

I am concerned that the upper level car park exit and entrance is shared with either the south residential stairs and lifts or the commercial entrance core. I advise that the door to the south residential core is a fire escape only, and that door is alarmed. Therefore the only exit and entrance is via the commercial entrance. The mixture of both the new developments and the Buckingham House refuge storage is not ideal. However if the council are happy with this it will not affect SBD requirements.

A full list of security requirements and security product standards can be sent to the developers once planning permission has been approved. I also advise that the privately run car park, would benefit from having to obtain and maintain a Park Mark safer parking scheme award.

If planning is granted I would strongly advise that a Secured By Design accreditation be part of the planning conditions for this development

5.0 POLICIES

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

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

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

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

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

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

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

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Housing Density and Unit Mix
- Design, Character and Appearance of the Area
- Residential Amenity and Lifetime Neighbourhoods
- Transport and Parking
- Flood Risk and Drainage
- Biodiversity and Sustainability

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 2.8, 3.8
- The Draft London Plan (2019): GG2, H1
- Harrow Core Strategy (2012): CS1A
- Harrow Development Management Policies (2013): DM40

6.2.2 Harrow's Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1(A) directs growth to the Harrow and Wealdstone Opportunity Area and throughout the rest of the borough, within town centres and strategic, previously-developed sites.

6.2.3 Furthermore, the regional policy context (policy H1 of the draft London Plan) requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites with particular focus on sites with existing access levels (PTALs) 3-6 which are located within 800m distance of a station, and redevelopment of car parks and low-density retail parks and supermarkets as a source of capacity.

6.2.4 The application site is within Stanmore Town Centre and is regarded as previously developed land. The proposed mixed use development would therefore accord with the strategic objectives of the development plan and the proposed commercial floorspace would contribute to the functioning and vitality of the Town Centre. Officers therefore consider the principle of development to be acceptable.

6.2.5 The existing commercial and residential occupiers of Buckingham House have existing lease arrangements for the car park spaces. Furthermore, it is noted that the application site also formed the location for the cycle and refuse stores for the previously approved residential uses that are detailed in the planning history. The submitted application details that the proposed quantum of cycle and refuse storage space would be reprovided within the development. Furthermore, while the proposal would see a reduction in existing car parking spaces, the application has demonstrated that the number of spaces required as a result of existing lease arrangements (26 car parking spaces) would be provided. This is considered to be acceptable.

6.2.6 While the proposed development would be sited adjacent to the shared boundary with the allocated Anmer Lodge and Stanmore Site, the massing and layout of the development has been designed in response to the implemented planning permission. The upper floors would be sited away from the boundary and would only feature one habitable room window directly facing that site. Officers are therefore satisfied that the proposed development would not prejudice future development on that site or frustrate the delivery of adopted plans, in accordance with Policy DM1 of the Harrow Development Management Policies.

6.2.7 For these reasons, the proposal would accord with the relevant policies in this regard.

6.3 Housing Density and Unit Mix

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.4 3.8
- The Draft London Plan (2019): GG4, H1, H4, H5, H6, H10
- Harrow Core Strategy (2012): CS1I,
- Harrow Development Management Policies (2013): DM24

6.3.2 The London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026.

6.3.3 The proposed development would contribute to the boroughs housing need over the plan period to 2026 by providing a further 9 residential units. London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2012).

6.3.4 The application site area is 0.07 hectares and it has a public transport accessibility level (PTAL) score of 3 indicating a moderate level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban setting. Although the proposed units per hectare and habitable rooms per hectare would fall within the density matrix of the London plan, as noted above, the matrix is only the starting point for considering the density of development proposals.

6.3.5 The second reason for refusal in the preceding application related to the housing mix and inefficient layout which did not optimise the housing potential of the site. The subject proposal seeks to address this by amending the housing mix which would be more commensurate with its Town Centre designation. Officers consider that the revised housing mix would be acceptable. The proposal would therefore accord with the relevant policies in this regard.

6.4 Design, Character and Appearance of the Area

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4, 7.6, 7.8, 7.12
- The Draft London Plan (2019): D1,
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM3

- 6.4.2 The layout, massing and scale and design of the proposed development is identical to the preceding application which officers considered to be acceptable. The visual and townscape quality of the existing site is low given its 'backland' siting and function as a car park. The proposed layout of the development and its massing and height would be acceptable with the existing and emerging built context.
- 6.4.3 In terms of design, the proposal would feature numerous set-backs that would break up the mass to ensure that the development does not appear overly bulky and unremitting. Furthermore, the proposal has been amended to remove the curved suspended decking which would enhance the appearance of the building and emphasise the articulated facades. In terms of architectural appearance the proposed building would be predominantly finished in brick. The car park would be partly obscured by perforated decorated metal screening. Officers consider that the proposed architectural detailing would create visual interest and articulate the façade in a way that sympathetically relates to, and compliments the context of the site.

Locally Protected Views and Vistas

- 6.4.4 The application site falls within the protected views setting corridor of Wood Farm Country Park. The submitted design and access statement shows a section of the protected view. The proposed building would only be marginally higher than Burnell House and Buckingham House and similar in height to Block A of the adjacent Notting Hill Genesis development. On this basis, officers consider that the proposal would not harm the protected view and their landmark elements. The proposal would therefore accord with the relevant policies in this regard.

Landscaping

- 6.4.5 The existing site is dominated by hardstanding. As detailed in the residential amenity and lifetime neighbourhoods subsection, the proposed primary access route proposed would be capable of support by officers, subject to further detailed design. The intention of a high-quality hard surface materials to reinforce the pedestrian priority of the access is acknowledged. The proposed soft landscaping would be relatively modest in size, but would nonetheless provide an enhancement to the existing provision.

6.5 Residential Amenity and Lifetime Neighbourhoods

- 6.5.1 The relevant policies are:
- National Planning Policy Framework (2019)
 - The London Plan (2016): 3.5, 7.6,
 - The Draft London Plan (2019): D5
 - Harrow Core Strategy (2012): CS1
 - Harrow Development Management Policies (2013): DM1, DM27
 - Mayor's Housing SPG (2016)

Neighbouring Occupiers

- 6.5.2 In the preceding application, officers considered that the impact of the proposal on the residential amenities of the adjoining occupiers would be acceptable. The layout, massing and fenestration details are broadly similar to the preceding scheme.
- 6.5.3 Given that the existing site is a car park and owing to the absence of built form, the neighbouring occupiers benefit from a largely open view from the respective south south-east facing elevation of Burnell House and the north-west facing elevation of Buckingham House. Clearly, such a scale of development on a site with little/low-rise existing development will result in a significant change in outlook when viewed from these neighbouring residential flats. However visibility does not equate to harm.
- 6.5.4 In terms of separation distances, the proposed first-floor would be set-in 3m from the northern boundary, 20m to the south of Burnell House, between 12-19m away from the shared boundary with Buckingham House to the south and between 3-5m with the shared boundary to the east. These distances would also be retained at second floor level, although the proposed northern flank wall would be set in a further 1.5m away from the boundary owing to the provision of the inset terrace. The proposed third floor would feature a further recess to the southern elevation increasing the distance from 14-16m to 18-20m from the southern boundary. This recess would increase again at fourth floor level increasing to 21-23m for the southern flank wall. The proposed fifth floor would be set in further resulting in a separation distance of 5m to the northern boundary, 6m to the eastern boundary and 29m to the southern boundary.
- 6.5.5 The residential units facing the application site within Burnell House and Buckingham House are single aspect. However, it is important to note that these properties were predominantly converted from offices into residential flats through Class O of the Part 3 Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Under Class O, there was no consideration on the layout or quality of accommodation of the proposed residential units. Many of the flats therefore do not accord with the design standards set out in the London Plan and the Mayors Housing SPG as they are single aspect units. The siting of single aspect units towards the application site is considered to result in a poor relationship (for which the LPA had no control over) and may unreasonably prejudice the ability to optimise the potential of the site for development in accordance with the spatial strategy for this town centre location.
- 6.5.6 It is noted that the closest distance between the proposed building and the respective habitable room elevation for Buckingham House would be approximately 12m. The majority of the building would be sited approximately 18m (or more) away from Buckingham House. A distance of 11m would be the minimum provided between the most western part of Building A of the approved Notting Hill development to the east of the application site. However, a separation distance of approximately 20m would be retained between the eastern flank wall

of the proposed development and the recessed western flank wall of Building A (which would be the primary elevation for the flats). The proposed northern flank wall would be sited 20m from the south-eastern elevation of Burnell House. As detailed within the subsection on the character of the proposed development, it is considered that the staggered design of the building and articulation of the building would serve to provide some visual relief and would help to mitigate the perception of its bulk and massing. Taken together with the separation distances described above and having regard to the need to make effective and efficient use of this backland town centre site, it is considered that the visual impact of the proposed development would not be unacceptable

- 6.5.7 The private amenity space would be provided in the form of balconies. The proposed terraces in the north and west elevations would mainly be integral to the building. Open terraced balconies would be partly provided for flat numbers 6, 8 and 9. It is noted that a number of concerns have been raised by neighbouring residents in relation to the potential for overlooking and loss of privacy. It is noted that the balconies on the northern and western elevations would primarily be inset balconies. A minimum separation distance of 23m would be provided between the balconies on the northern elevation and Burnell House, and a distance of 21m-25m would be maintained between the western facing balconies and Buckingham House. The south facing terrace to Flat 8 would be sited approximately 12m away from the deepest part of Buckingham House East. Given the separation distances afforded, the orientation of the windows and balconies and within the context of a town centre location such as this, officers consider that the proposal would not have an unacceptable privacy relationship with the adjoining properties

Daylight and Sunlight

- 6.5.8 A number of consultation responses received by the occupiers of Buckingham House and Burnell House specifically raise concern at the potential loss of daylight and sunlight. The proposed development would be sited to the south-east of Burnell House, north/east of Buckingham House and to the west of Block A of the approved Notting Hill Genesis scheme.
- 6.5.9 A daylight and sunlight report has been included as part of the submission documents. The assessment uses a widely recognised methodology to assess the proposal's impact upon neighbouring property against British Research Establishment (BRE) guidelines which is considered to be more appropriate for the assessment of the proposal's amenity impacts, pursuant to Policy DM1 of the Harrow Development Management Policies. The report assesses the potential impact on 80 windows within Buckingham House, 45 windows within Block A of the approved Notting Hill Genesis Scheme and 55 windows on Burnell House.
- 6.5.10 In relation to daylight impacts, the report concludes that all 180 windows achieve the recommended daylight targets and all 101 windows identified as facing within 90 degrees due south of the development would achieve the recommended sunlight targets. Having considered the conclusions of the submitted report,

officers are satisfied that the proposal would not have a detrimental impact on the daylight or sunlight of adjoining occupiers.

Noise and Disturbances

- 6.5.11 The subject site has been in use as a car park. The adjoining residential properties within Buckingham House and Burnell House are comparatively new (having been converted post 2015). The proposed development would reduce the number of parking spaces within the site and the car park itself would be rationalised occupying a smaller area and screened by perforated decorative metal. It is therefore considered that the noise associated with the comings and goings of motor vehicles would be reduced. The noise and disturbances that may be experienced as a result of the residential/commercial use and the proposed comings and goings from the site would be similar to that experienced within the site and would be expected within a town centre location such as this. On this basis, officers are satisfied that the proposed development would not have an unduly harmful impact on the residential amenities of the adjoining occupiers in this regard

Residential Quality of Proposed Development

- 6.4.12 The proposed flats would adhere to or exceed the minimum space standards. All the flats would be dual aspect and therefore benefit from acceptable levels of light and outlook and would feature the minimum quantum of private amenity space. Officers consider that the proposed flats would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

Lifetime Neighbourhoods and Secure by Design

- 6.4.13 In the preceding application, the primary pedestrian route to the application site (between Buckingham House and Burnell House) was considered to be unacceptable and constituted a reason for refusal. The subject application has sought to address this by utilising the existing service road to the south of the existing car park as the primary pedestrian route. It is acknowledged that the existing service road is used by vehicles to service the adjacent commercial units and that cars are found to be parked on the side of that service road. However, the red line of the application site captures the service road and therefore, the proposed amendments and implementation of any proposed landscaping measures would be in the control of the applicant.
- 6.4.14 The applicant has undertaken a road safety audit and detailed design assessment to ensure the proposed access road would have a pedestrian priority. Key behavioural principles include the paving type to be used, high quality external lighting and a speed reduction along the road, to ensure that it works as a genuine shared surface with pedestrian priority. A new residential entrance is also proposed to the south-east corner of the building adjacent to the shared boundary with the Notting Hill Scheme. This would ensure that the proposed residents would have to travel the minimum distance along the shared

surface (from the link road to The Broadway) in order to access the entrance. This is a positive amendment. The Council's Highways Officer has reviewed the proposal and is satisfied with the findings and suggested layout following the road safety audit. Furthermore, the Council's Urban Design Officer and Landscape Officer consider this to be a more suitable approach than that proposed for the preceding scheme. Subject to appropriate conditions, the proposal would accord with the relevant policies in this regard.

- 6.4.15 The application was referred to the Metropolitan Police Secure by Design Officer who provided some suggestions relating to the layout and access of the car park and bin/cycle stores. These have subsequently been amended in line with the comments during the course of the application. A condition is included to ensure that the development would achieve Secure by Design Accreditation. Subject to this, the proposal would be acceptable in this regard.

6.5 Traffic and Parking

- 6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44, DM45

- 6.5.2 The application site is has a PTAL rating of 3. The surrounding roads are subject to a Controlled Parking zone which restricts on-street parking in the dedicated bays to permit holders or are pay and display bays relating to the Town Centre. The service road within the application site service the commercial units within Buckingham House. It was observed during the officer site visit that the service road was in active use.

- 6.5.3 The application was referred to the Council's Highways officer who has advised that the level of provision (and reprovision) of parking and cycle spaces would be acceptable. Subject to conditions securing a car park design and management plan, details of cycle storage, a delivery and servicing plan and a construction logistics plan, the Council's Highways Officer has raised no objection to the proposal. On this basis, officers are satisfied that the proposal would not have a detrimental impact on the safety or functioning of the highway or pedestrian safety.

6.6 Flood Risk and Drainage

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.12, 5.13, 5.14
- The Draft London Plan (2019): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9, DM10

6.6.2 A Flood Risk Assessment has been submitted with the application. The Council's Drainage Engineer has reviewed the proposal and raised no objection to the proposal, subject to appropriate conditions and Land Drainage Consent to undertake any works within 5m of the watercourse. The proposal would therefore comply with the relevant policies in this regard.

6.7 Biodiversity and Sustainability

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19, 7.21
- The Draft London Plan (2019): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21, DM22

6.7.2 The site represents a place where biodiversity could be enhanced and further details are required with regards to the green roof, planting, bird/bat boxes to ensure the biodiversity gain will be delivered in accordance with the above policies. Officers are satisfied that this can be addressed through appropriate conditions.

6.7.3 The application is accompanied by an Energy Strategy which detailed the proposal would incorporate high performance building fabric and energy efficient lighting, services and controls to reduce energy demand for space heating, cooling, ventilation and lighting. Passive measures will also reduce energy demand and Air Source Heat Pumps would be used for space and hot water heating. On this basis, it is considered that the proposed energy strategy would be consistent with the relevant policies and would be acceptable in this regard.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposal would respond to the strategic objective of optimising the potential for growth on sustainable brownfield sites within Town Centre locations. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.
- 7.2 Given the Town Centre location of the application site, officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal would enhance biodiversity on the site, provide sustainable urban drainage measures, improve access routes and provide high-quality hard and soft landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.
- 7.3 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Plans and documents

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

DC-052-PL-0001, DC-052-PL-0002, DC-052-PL-0003, DC-052-PL-0200, DC-052-PL-0201, DC-052-PL-0202, DC-052-PL-0203, DC-052-PL-0100, DC-052-PL-1100 Rev C, DC-052-PL-1101 Rev B, DC-052-PL-1102 Rev B, DC-052-PL-1103 Rev A, DC-052-PL-1104 Rev A, JM-052-PL-1105 Rev A, DC-052-PL-1106 Rev A, DC-052-PL-1107 Rev A, DC-052-PL-1108 Rev C, DC-052-PL-1110 Rev A, DC-052-PL-1112, DC-052-PL-1113 Rev C, DC-052-PL-1201 Rev A, DC-052-PL-1202 Rev A, DC-052-PL-1203 Rev A, DC-052-PL-1201 Rev A, DC-052-PL-1311 Rev A, DC-052-PL-1312 Rev A, Odour Appraisal (16 December 2019), Phase 1 Land Quality Assessment (March 2019), Residential Travel Plan Statement (August 2020), Transport Statement August (2020), Daylight, Sunlight and Overshadowing Assessment (August 2020), Flood Risk Assessment and SuDS Strategy (August 2020), Acoustic Design Impact (13 August 2020), Planning Statement (August 2020), Design & Access Statement (version 01), Energy Statement (December 2019), Sustainability Statement (December 2019), Construction Logistics Statement (27/08/2020), Transport Note (22nd October 2020)

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

3. Construction Logistics Plan

No development shall take place until a 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 (but not limited to):

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in construction the development;
- the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- wheel washing facilities; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

- measures for the control and reduction of dust
- measures for the control and reduction of noise and vibration.

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

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

4. Site Levels

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, has first 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. Details are required prior to commencement of development to ensure a satisfactory form of development.

5. Surface Water Attenuation and Disposal

No development shall take place until surface water attenuation and storage works and the disposal of surface water have been submitted to, and approved 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. The applicant should contact the Harrow Infrastructure Team at the earliest opportunity.

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

6. Foul Water Disposal

The development hereby permitted shall not commence until works for the disposal of sewage have been submitted to, and approved 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. The applicant should contact Thames Water Utilities Limited and the Harrow Infrastructure Team at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided. Details are required prior to commencement of development to ensure a satisfactory form of development.

7. Drainage Maintenance and Permeable Paving

No development shall take place until full details of permeable paving and details relating to the long-term maintenance and management of the on-site drainage has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out and thereafter be managed and maintained in accordance with the plans so agreed.

REASON: To ensure that the development achieves an appropriate surface water run-off rate in this critical drainage area and to ensure that opportunities drainage measures that contribute to biodiversity and the efficient use of mains water are exploited. Details are required prior to commencement of development to ensure a satisfactory form of development.

8. Car Park Design and Management Plan

The Development hereby permitted shall not commence until a detailed Car Park Design and Management Plan has been submitted and approved in writing by the Local Planning Authority. This shall also include parking enforcement measures that will be applied to ensure that no parking will take place on the shared surfaced road proposed, The development shall be carried out and thereafter be managed and maintained in accordance with the plans so agreed for the lifetime of the development.

REASON: To ensure that the proposed design and management for the car park accords with the requirements of highway safety and sustainable transport. Details are required prior to commencement of development to ensure a satisfactory form of development.

9. Landscaping

Notwithstanding the details shown on the approved plans, the development hereby approved shall not commence until a scheme for the hard and soft landscaping of the development, to include details of the planting and hard surfacing material within the site boundary including the access routes proposed within the application site, has been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The scheme shall also include details of the boundary treatment. The development shall be carried out in accordance with the approved scheme or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme.

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

10. Materials

Notwithstanding the details shown on the approved drawings, the development hereby approved shall not progress above damp proof course level until:

- details and samples of the materials to be used in the external surfaces of the buildings (facing materials for the buildings, windows/ doors/ curtain walling, balconies including privacy screens and balustrades, entrance canopies), hard surfaces, and any means of enclosure;
- drawings to a 1:20 metric scale to show typical details of the elevations from all sides and the slab thickness of roof parapets;
- boundary treatment
- has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides a high-quality finish and enhances the character and appearance of the area.

11. Lighting Strategy

The development hereby approved shall not progress above damp proof course level until details of the lighting of all public realm and other external areas (including buildings) within the site has first been submitted to the Local Planning Authority in writing to be agreed. The details shall include details of the intensity of light emissions (including the surface area to be illuminated), detailed drawings of the proposed lighting columns and fittings and any measures for mitigating the effects of light pollution. 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

12. Biodiversity Enhancement

The development hereby permitted shall not commence above damp proof course level until full details of biological enhancements for the site have been submitted to, and agreed in writing by, the local planning authority. The enhancements shall include;

- the type and location of bat and bird boxes to be built into the structure
- full details of the proposed green roof treatment, including roof build up, plant species mix(es) which should include twenty plus native flower species offering pollen and nectar from early spring to late autumn, together with an

assessment of the sustainability of the roof to ensure adequate water provision/retention

- Full details of measures to be taken to provide shelter and foraging for invertebrate species at ground level, in the external building walls, and within the green walls and green roof areas.

REASON: To enhance the ecology and biodiversity of the area

13. Landscape management and maintenance

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

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

14. Landscape implementation

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme that has been submitted to the Local Planning Authority in writing to be agreed. 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

15. Delivery and Servicing Plan

No part of the development shall be first occupied until a Delivery and Servicing Plan, covering both the residential and non-residential elements of the development has first been submitted to the Local Planning Authority in writing to be agreed. The revised Delivery and Servicing Plan shall include full details of

the onsite Refuse Management Strategy. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. All deliveries and servicing associated with the development shall be carried out only in accordance with the approved details.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development are managed; the development achieves a high standard of residential quality for future occupiers of the development and provides a high quality, safe and attractive public realm

16. 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

17. Cycle Provision

The development hereby permitted shall not be occupied until details of cycle parking, including full specification of the type of stand and dimensions of storage unit have been submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure appropriate cycle provision.

18. Refuse storage

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.

19. Contamination

If, during development, contamination not previously identified is found to be present at the site then no further construction of the development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unanticipated contamination is to be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

20. Noise Levels

Unless otherwise agreed in writing by the Local Planning Authority, the individual and cumulative rating level of noise emitted from plant and/or machinery at the development hereby approved shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

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

21. Air Extraction system

No air extraction system shall be used on the premises until a scheme for the control of noise, fumes and odours emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

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

22. Class E Use Restriction

The premises shall be only be used for offices as detailed for the purposes specified in the application and for no other purpose, including any other purpose in Class E 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 in the interests of highway safety

23. Non-residential opening hours

The non-residential use hereby approved shall only be open between: 08:00am and 20:00pm on Mondays to Saturdays unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the operation of the ground floor use is compatible with residential amenity

24. Non-residential Delivery Hours

Deliveries to the non-residential use within the development shall take place only between the hours of 08:00 and 18:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays. There shall be no non-residential loading or unloading on Sundays, Public or Bank Holidays.

REASON: To ensure that the noise impact of deliveries associated with non-residential uses within the development is minimised and that the development achieves a high standard of amenity for future and the neighbouring occupiers

25. Accessible Units

The development hereby permitted shall be constructed to the specifications of: "Part M, M4(2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

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

Informatives

1. Planning Policies

The following policies are relevant to this decision:

The London Plan (2016): 3.1, 3.3, 3.5, 3.8, 4.2, 5.2, 5.3, 5.12, 5.13, 5.18, 6.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6

The Draft London Plan (2019): GG1, GG2, GG3, SD6, D1, D2, D3, D4, D5, D6, D7, H10, E1, HC3, G6, SI13, T3, T4, T5, T6, T6.1, T6.2

Harrow Core Strategy (2012): CS1

Development Management Policies DPD (2012): DM1, DM2, DM9, DM10, DM12, DM24, DM27, DM32, DM40, DM42, DM44, DM45

Supplementary Planning Document: Residential Design Guide (2010)

Mayor of Londons Housing Supplementary Planning Guidance (2016)

2. Considerate Contractor Code of Practice

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

3. The Party Wall etc. Act 1996

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

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

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

Also available for download from the CLG website: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail: Ucommunities@twoten.comU4T

4. Mayoral Community Infrastructure Levy (provisional)

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £61,620. This amount includes indexation which is 323/323. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

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

5. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £124,677

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

The CIL Liability is payable upon the commencement of development.

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

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

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

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

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

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

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

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

6 Pre-application engagement

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

7. Thames Water

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

8. Sustainable Urban Drainage

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

9. Compliance with conditions

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

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

10. Highways Interference

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

11. Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

CHECKED

Head of Development Management	Orla Murphy 26.11.2020
Corporate Director	Paul Walker 26.11.2020

APPENDIX 2: SITE PLAN

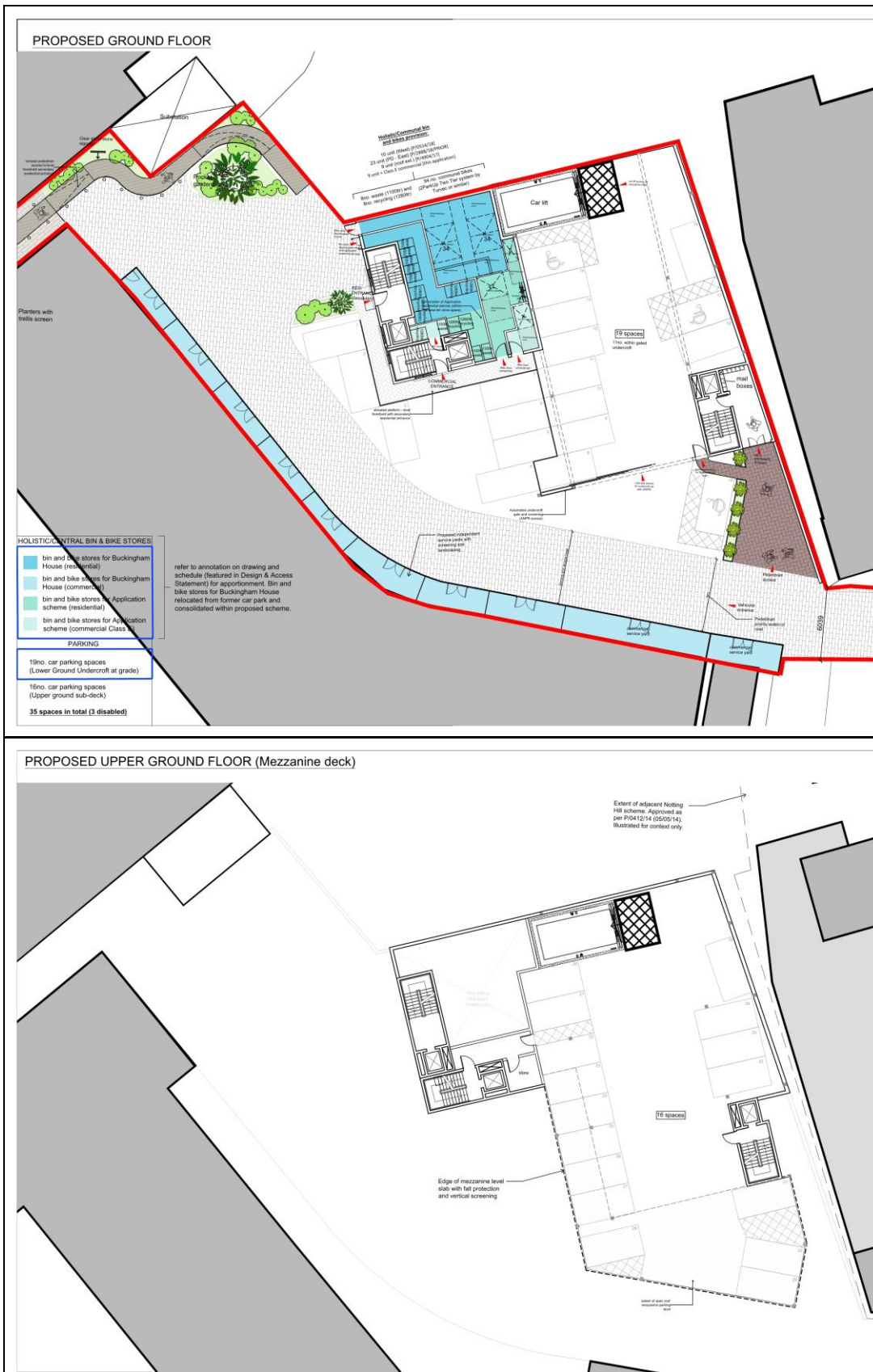


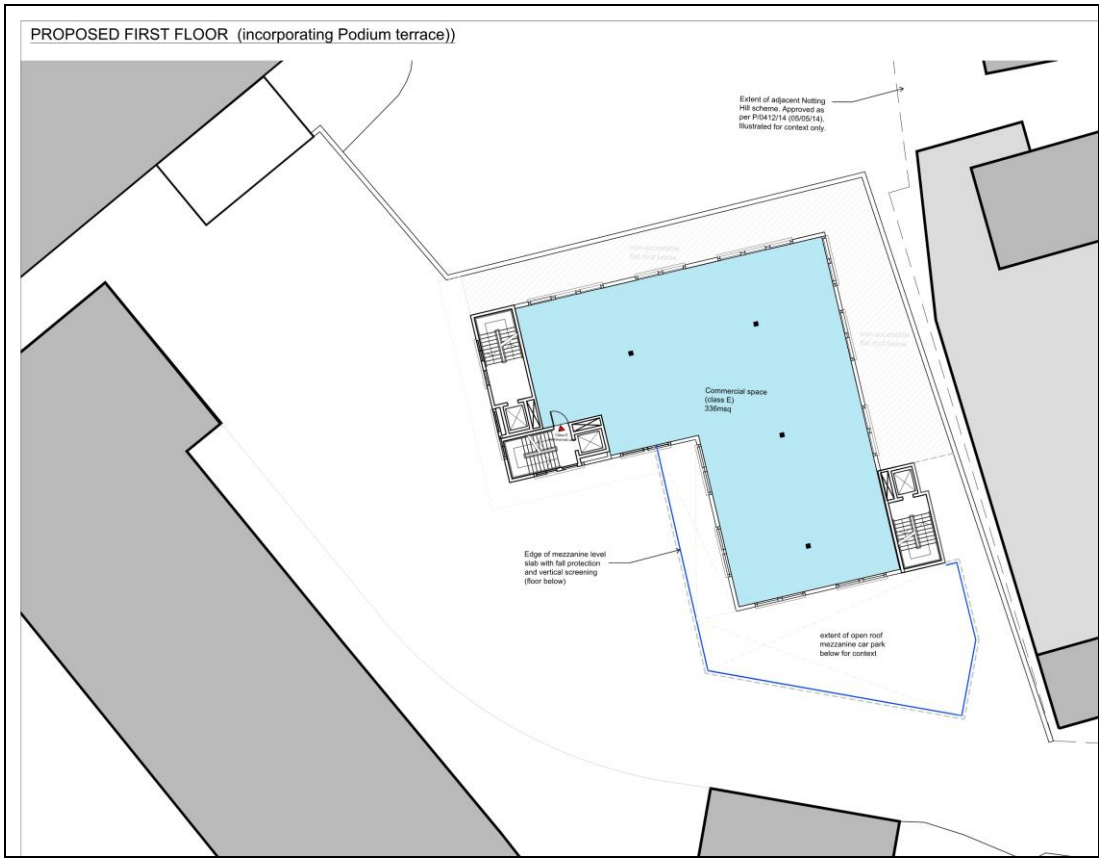
APPENDIX 3: SITE PHOTOGRAPHS

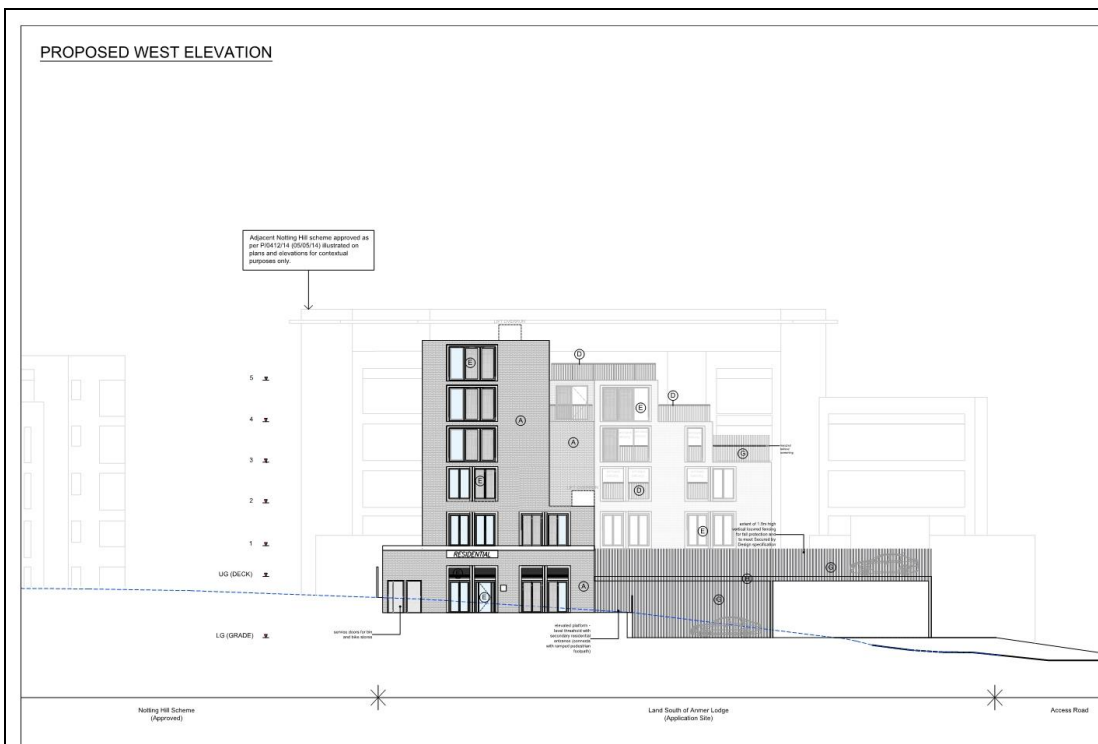
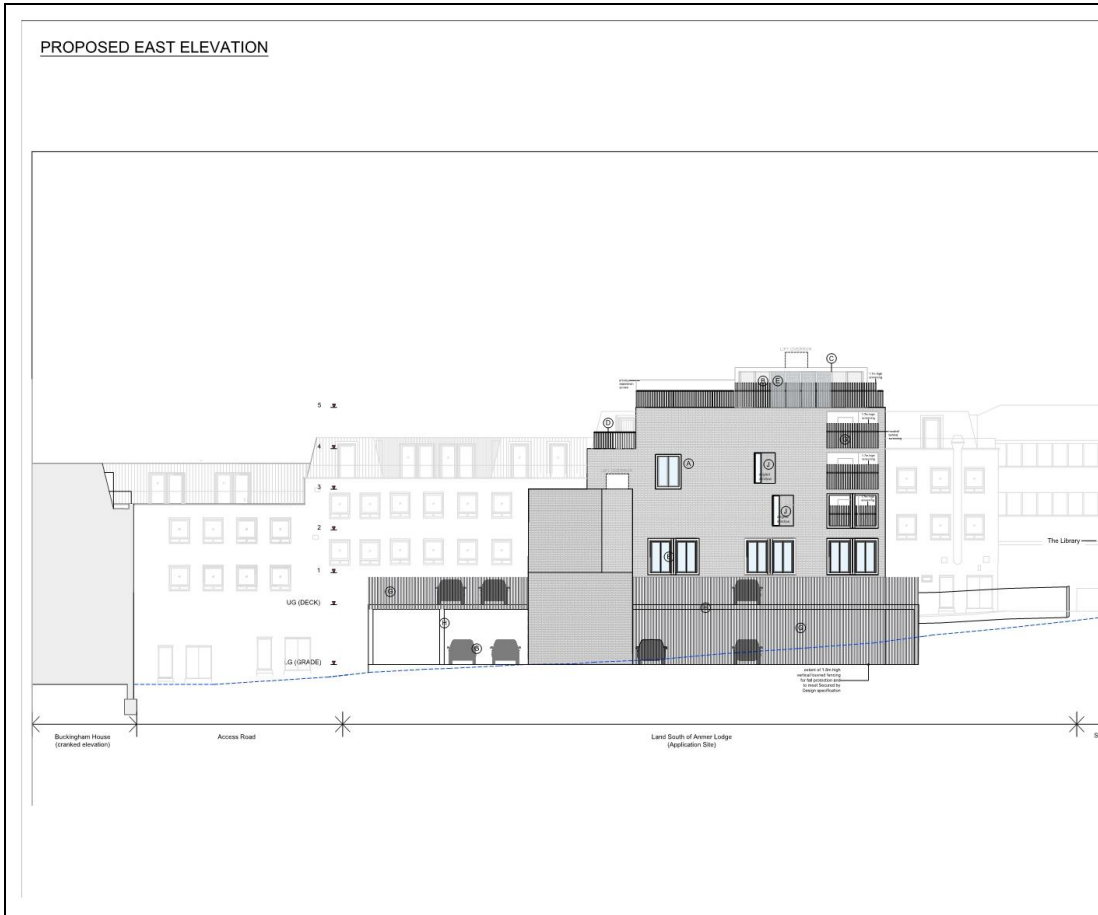




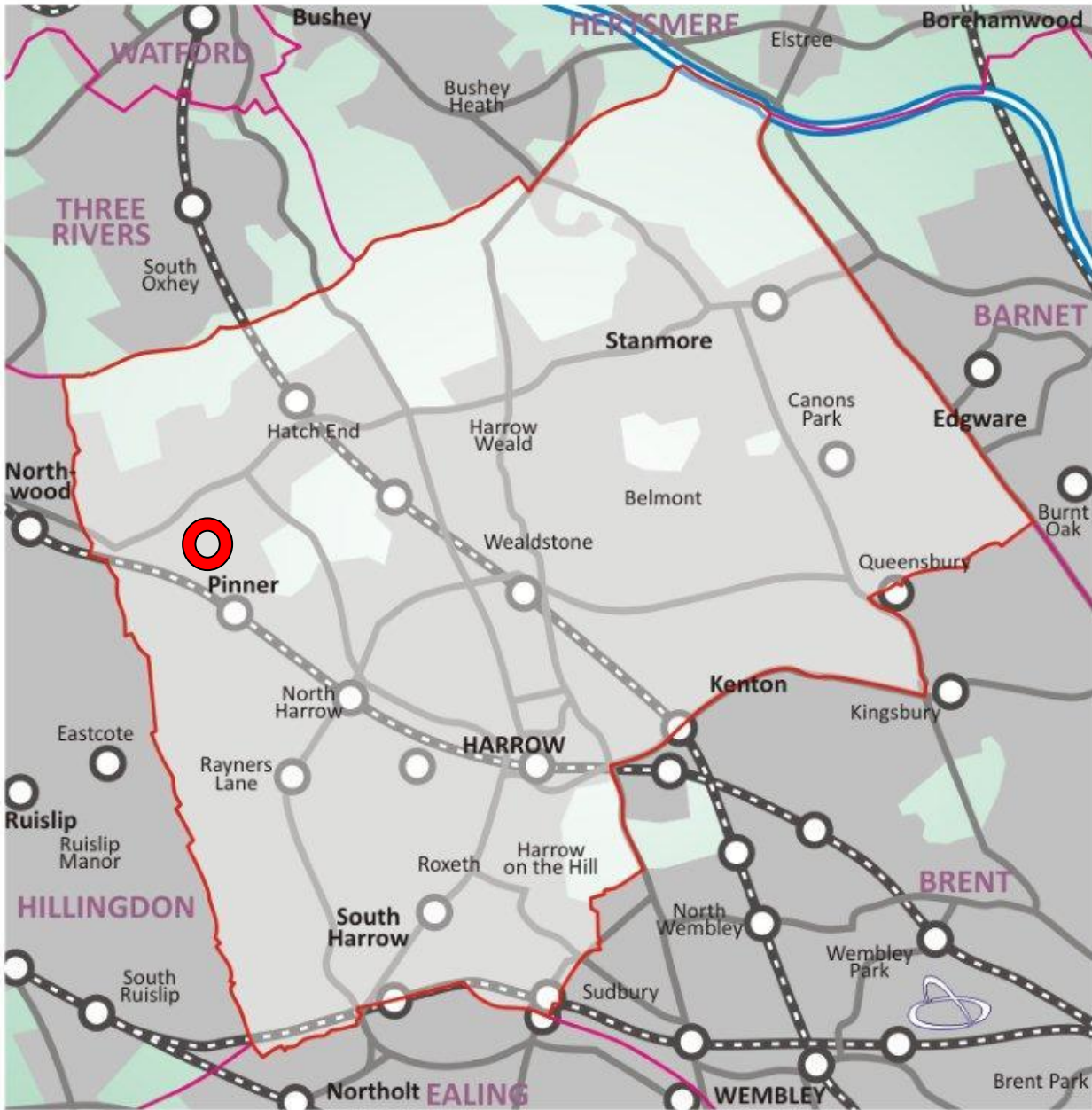
APPENDIX 4: PLANS AND ELEVATIONS







 = application site



5 WELLINGTON AVENUE, PINNER HA5 4NG	P/2515/20
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

9th December 2020

APPLICATION NUMBER: P/2515/20
VALIDATION DATE: 24th AUGUST2020
LOCATION: 5 WELLINGTON AVENUE, PINNER
WARD: HATCH END
POSTCODE: HA5 4NG
APPLICANT: WATTS
AGENT: WAKELIN ASSOCIATES LTD.
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 14TH DECEMBER 2020

PROPOSAL

Redevelopment to provide one pair of two storey semi-detached dwellings with habitable roof spaces (2 X 5 bed); Landscaping; Parking; Refuse and Cycle Storage

The Planning Committee is asked to:

RECOMMENDATION

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

REASON FOR THE RECOMMENDATIONS

The proposal would contribute towards housing stock within the Borough and the quality of accommodation for the future occupiers of the units would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the surrounding area, or the residential amenities of the neighbouring or future occupiers, whilst the amended design is considered to be sympathetic to the character of the local area. Impacts on trees and biodiversity have been suitably assessed, and the removal of Japanese knotweed on site would be subject to conditions to ensure proper removal and disposal.

INFORMATION

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

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	249sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£62,226.71
Local CIL requirement:	£23,322

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 is located on the south-eastern side of a cul-de-sac called Wellington Avenue. The site is comprised of the curtilage and building of 5 Wellington Avenue along with additional land to the side and rear, most of which is currently vacant. The red-line boundary plan also includes the public area of the Wellington Avenue, including the access from Wellington Road.
- 1.2 The access from Wellington Road is narrow, and lined with TPO Woodland groups (TPO no. 180, groups G2 and G4). The curtilage of 5 Wellington Avenue contains an individual TPO tree at the rear (horse chestnut).
- 1.3 The property is a two-storey detached property built circa 1960s. The land to the side of the existing dwelling houses contains a garage. The site falls to the rear by approximately 0.4m but is built up again immediately adjacent the rear boundary, in a high bank.
- 1.4 The neighbouring property to the north, no. 4 Wellington Avenue, is a semi-detached house. Other residential properties fronting Woodridings Avenue and Wellington Road back onto the site boundaries to the south and east.
- 1.5 In addition to the vehicular access from Wellington Road, there is pedestrian access from Park View.
- 1.6 Given the small access road from Wellington Road, and that the cul-de-sac is closed to vehicular traffic from Park View, Wellington Avenue forms a relatively secluded residential enclave of 6 houses. Numbers 1-2 and 3-4 form two sets of large semi-detached houses of a similar architectural style with gabled features at front and rear combined with hipped roofs. Nos 3-4 also feature gables at the sides. The application property no. 5, as well as Ashcroft, appear to have been built at a later date and this is reflected in their architecture.
- 1.7 The site is located within a critical drainage area. To the south-east, 100m from the boundaries of the site, are open field which form a Site of Importance of Nature Conservation (SINC), Green Belt area, and Archaeological Priority Area.

2.0 PROPOSAL

- 2.1 The proposal is to demolish the existing house, detached (derelict) garage and a brick wall to the rear of the existing garden area, and build two semi-detached 5-bedroom houses, fronting Wellington Avenue.
- 2.2 The enlarged plot would be divided into two; each house is proposed to have independent access off Wellington Avenue and a garden area to the rear. The proposed houses are mirrored apart from the width of the ground level rear projection of the northern house. The amended design features gabled sections at the front and rear, with a hipped roof form.
- 2.3 The front building line would be set back from the existing line of the semi-detached properties to the north (nos. 3 (The Pathways) and 4 Wellington

Avenue). The maximum roof height of the proposal would match that of the highest point of the roofs of these adjacent properties.

- 2.4 The houses would be two-storey as viewed from the front, with habitable loft space and 3-storey gables at the rear. Each would feature a single storey projecting section at rear.
- 2.5 Footprint of each house would be approximately 6m wide and 17m deep, but with a depth and first and loft floors limited to 11.6m. Maximum height 9.3m.
- 2.6 Car parking provided for 4 vehicles in the forecourt. Cycle storage (6 spaces total) in the rear, to be sheltered and secure.
- 2.7 Screened bin storage to the side or rear.
- 2.8 The application has been accompanied by Certificate D, indicating that all reasonable steps have been taken to identify any owner and/or tenant of the land, in advance of the submission of the application
- 2.9 The following amendments and additional information have been submitted to this application:
- Swept path analysis plans submitted.
 - Removed the crown roof design and replaced with a hipped roof at the front and a gable roof at the rear, as requested.
 - Reduced the roof pitch to accommodate the changes to the roof design and to reduce the bulk and massing of the proposal.
 - Removed the rear and front dormer windows and replaced with Velux roof windows on the side and rear elevations.
 - Relocated the bin stores to the rear amenity area and introduced more soft landscaping at the front of the properties.
 - Reduce height of single storey rear projections to 3m.

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
<i>History attached to 4 Wellington Avenue: To be reported on the addendum</i>		
HAR/14574	Erect detached house/garage	Granted: 15/09/1958
HAR/14574/B	Erect detached house/garage	Granted: 15/10/1962
<i>History attached to 5 Wellington Avenue:</i>		

LBH/40552	First Floor Side Extension	Granted: 08/05/1990
P/0453/07	Two Storey Detached House with Integral Garage	Refused: 01/05/2007
<p><i>Reasons for Refusal:</i></p> <ol style="list-style-type: none"> <i>1. The proposed dwelling represents an overdevelopment of a restricted site and by reason of its size, scale bulk, massing design and siting would appear unduly bulky, obtrusive, overbearing and overpowering with inadequate space around the buildings and would detract from the established pattern and character of existing development in the vicinity resulting in a loss of outlook, privacy, visual and residential amenities to nearby occupiers contrary to policies SD1, SH1, D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance; Extensions: A Householders' Guide (2003).</i> <i>2. The proposal would give rise to excessive hard surfacing with insufficient scope for soft landscaping at the front of the dwelling, and would result in the potential loss of trees of significant amenity value, to the detriment of the visual amenities of the occupiers of the dwelling and of the surrounding area, contrary to Policies SD1, D4, D9, D10, EP29 and EP30 of the Harrow Unitary Development Plan (2004).</i> <i>3. The proposal has failed to demonstrate that adequate or satisfactory pedestrian and vehicular access, parking and manoeuvring provision can be provided within the site, in the absence of which the proposal would be prejudicial to safety and convenience of other road users in the vicinity contrary to policies SD1, D4 and T13 of the Harrow Unitary Development Plan (2004).</i> 		

4.0 CONSULTATION

4.1 A total of 14 consultation letters were sent to neighbouring properties regarding this application. A second consultation period was carried out after the receipt of amended plans. The overall public consultation period expired on 26th November 2020.

4.2 A total of 8 responses were received.

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

Character and Appearance and Residential Amenity Impact

- Proposal would constitute over-development of the plot and would be incongruous to a cul-de-sac of residential properties. Would negatively impact the street scene.

- Large rear windows at 2nd floor level are dissimilar to 2nd floor rear windows at adjacent houses, and as the windows of the proposal are closer to properties in Woodridings Close and so would result in a loss of privacy.
- Would reduce light, view and air to 49 Wellington Road, and result in overlooking.
- Object to loss of soft landscaping at front of property; amount of hardstanding will appear dominated by car parking.
- Overlooking to the garden of Alfriston

Officer response:

These comments have been addressed within section 6.3 and 6.4 of the officer's report.

- Note previously refused permission ref: P/0453/07 and the reasons for refusal.

Officer response:

This has been addressed within section 6.2 of the officer's report.

Trees

- Object on the removal of trees, in particular an apple tree at the front of the property.
- Tree protection measures/ information in Arboricultural report are not correctly done.

Officer response:

This has been addressed within sections 6.3 and 6.6 of the officer's report.

Traffic, Parking and Servicing

- Contest developer's assertion that parking and access are easily accessible, as large vehicles including waste and recycling often are unable to access the close due to parked vehicles in the close. Proposal would add to the problem. Existing 5-bedrooms houses have 3 cars each. Visitors and residents will be forced to park on Wellington Road.
- Inadequate space for traffic loading/turning due to parked cars from existing houses; which is of particular concern for unadopted single track road. Expect deliveries to be increased compared to existing 3-bedroom house.
- Insufficient parking provided for occupiers and visitors, given that a contractor recently parked on Wellington Road rather than in-curtilage.

Officer response:

These comments have been addressed within section 6.5 of the officer's report.

4.4 The applicant has submitted responses to public comments, summarised as follows:

- The first-floor element of the proposed houses will be set 54m away from the opposite first floor of 3 Woodridings Avenue.
- Vehicular access / tracking information submitted in response to comments regarding parking/access. Industry standardised methods were used for calculating traffic data used.
- Based on car ownership data and relevant planning policies, 2 car spaces per dwelling is considered a reasonable proposal.
- The apple tree is 2.0m in height and does not make a significant contribution to the area. No trees in the vicinity of the access for Wellington Avenue would be altered as part of the proposal.

4.5 Statutory and Non-Statutory Consultation

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

<p><u>Hatch End Association</u></p> <ul style="list-style-type: none">• Note serious concerns raised by neighbouring residents.• Refer to previously refused permission ref: P/0453/07 and the reasons for refusal.• Previous reasons for refusal have not been addressed and the proposal is denser than previous in terms of number of bedrooms, parking and hard surfacing.• Additional traffic will create problems as the existing site; the area suffers frequent blockages.
<p><u>Planning Policy</u></p> <ul style="list-style-type: none">• Planning decisions do not override private properties rights.• The proposed development must be considered against the Garden Land SPD (2013).• Agreed that the proposed dwelling would appear appropriate within the 'enlarged' garden space, and that it is appropriate to amalgamate the two gardens. Consistent with previous advice on sites where gardens have been amalgamated, with consideration to whether the proposed development would have an appropriate footprint within them, which this proposal is considered to do. The remainder of the substantial garden space, located to the rear, would remain as open space and perform the function of a residential garden.• The proposed development would not conflict with the intent of the Garden Land SPD (2013).
<p><u>LBH Highways</u></p>

- This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network; therefore Highways have no objection.
- Re: Wellington Avenue: It looks like it is private but there is some doubt about the accuracy of the records in the notes. We don't believe that the Council are maintaining it.

Waste Management Team

- This would be a standard house in that both properties would require a general waste bin and a recycling bin (240's) plus an optional brown if they wanted it.

Arboricultural Officer

- The proposals would require removal of several low-grade (C category) trees, one of which requires removal irrespective of the proposals owing to its condition.
- A Horse Chestnut (T46 of TPO 884) is within the application site but is located near the rear boundary of the garden. Appropriate.
- A replacement Oak is shown on DCLA landscape plans, within one of the two proposed rear gardens, but appears to be missing from the architect's site plans. There appears to be sufficient space for replanting in any case.
- Re: TPO trees at the access point, cellular / load-bearing ground protection would not likely be required in this case, given this access road is already frequently used and by heavier traffic. If refuse collection lorries use this route, it is unlikely there would be construction traffic any heavier than those lorries. There are no substantial issues with this Avenue, with regard to trees
- Any pruning back of encroaching branches (if any at all) would be dealt with via very minor pruning – with hand-tools.
- If you are minded to approve the recommended conditions are provided

Biodiversity Officer

- No comments received at the time of publishing this report. To be reported on the addendum.

Landscape Architect

- Japanese knotweed will require special disposal procedures and can be dealt with via a condition. There would need to be a guarantee for a period of quite a few years, attached to the eradication works.
- The frontage of the two houses is dominated by hard landscape, for car parking and a footpath together with bin stores. There is minimal space remaining for soft landscape, contrary to Harrow's Development Management Policies, DM 22 Trees and Landscaping to achieve a suitable visual setting for the building and DM 23 – Streetside Greenness and Forecourt Greenery. The hard landscape and bin storage would be unattractive in the streetscene.

- There is a small space in the front garden of Plot 'A' for a tree to be planted, to provide streetscene impact and enhance the biodiversity of the area.

Environmental Health Officer

- Confirm that Japanese knotweed must be dealt with via an approved knotweed disposal contractor. Clean up/ disposal should be conditioned.

Thames Water

- No response received

LBH Drainage

- Proposal is acceptable subject to standard conditions

5.0 POLICIES

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

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

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

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

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (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 polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity
- Traffic, Parking and Servicing
- Trees and Biodiversity

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.4, 3.8
- The Intend to Publish London Plan (2019): H1, H2, H9
- Harrow Development Management Policies (2013): DM24
- Harrow's Core Strategy (2012): CS1
- Garden Land Development SPD

6.2.2 The proposal is to demolish one house and replace it with two new semi-detached houses. Thus, there would be a small net increase in the number of dwellings. This increase in housing would broadly comply with strategic housing policies at both London and local levels.

6.2.3 The existing house is sited within a larger piece of land to the side and rear, which does not currently form part of its curtilage, and appears to be underused, land-locked and vacant land; and a piece of land containing garage to the side. These would be incorporated into the proposal site. The combined parcel would be of a size and depth consistent with the depth and width of residential gardens in the immediate area.

6.2.4 The proposal would have a footprint larger than the existing house (with the potential for reasonable extensions factored in) plus the existing garage, by approximately 60sqm. However, taking into account these site circumstances and the enlargement of the plot, the proposed footprint would be reasonable within its curtilage and would retain a degree of openness that would be consistent with the local pattern of development. It is further noted that the proposed footprint would be smaller than the existing footprint of the adjoining semi-detached properties nos. 3-4 Wellington Avenue. For this reason, it is considered to comply with the policies and intent of the Garden Land SPD.

6.2.5 Reference has been made to a previous refusal on this site for a detached house. This was refused in part due to an over intensification of a restricted site, with inadequate open space surrounding it. This refusal pre-dates the Garden Land SPD, but this part of the reason for refusal relates to the matters dealt with under the SPD. However, the site and proposal in the previous case were materially different, as this proposed the retention of the existing house as is, with a new independent bungalow dwelling in the back land, rearmost part of the plot. The principle, character, and residential impacts of such a proposal are radically different from that of the proposal here, wherein the proposed semi-detached pair are street-facing with direct access, with a combined size and siting consistent with other semi-detached properties in Wellington Avenue, retaining a good degree of openness with large rear gardens. For these reasons, the proposal is considered materially different to the previous refusal and the previous reason for refusal would not apply.

6.2.6 For the reason set out above, it is considered that the principle of this proposal meets the above policy requirements with regard to the overarching goal of housing choice and provision, and with regard to the principles of garden land development.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2 7.3, 7.4, 7.6
- The Intend to Publish London Plan (2019): D1, D3, D5, D6, D11
- Harrow Development Management Policies (2013): DM1, DM2, DM22, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016)

Mass, Siting and Design

6.3.2 The proposal would replace a detached house with a pair of semi-detached houses which is acceptable and is consistent with the character of Wellington Avenue. As noted above, with the combined proposed curtilage incorporating the vacant land to the rear, the proposal would result in plot sizes for the dwellings that would be consistent with other residential properties in the vicinity.

6.3.3 The proposed houses are appropriately sited within the plot and are set back slightly from the front building line of nos. 3 and 4. The width across the frontage would be smaller than that of nos. 3-4, but closer to the width of nos. 1-2. The rear upper floors of the proposal would align with the rear building line of nos. 3-4, although it would extend further to the rear by approximately 4.5m at ground floor. The height of the proposal would be no higher than these neighbouring properties as well. The overall mass of the semi-detached pair would therefore be appreciably smaller than the adjacent pair of semis nos. 3-4 and somewhat smaller than the pair of semis nos. 1-2 sited on the opposite side of the cul-de-sac.

6.3.4 The existing house is visibly more modern than the earlier built houses nos. 1-4. The proposed development has incorporated a design aesthetic that is closer to that of the earlier houses, taking cues from Arts and Crafts design, and includes gable features and loft floor windows similar to adjacent properties. The originally submitted plans included a wider crown roof form with larger dormer windows, which were considered to be bulky and out of character with the area. Amended plans were submitted with a roof design which reflects the design used in the existing loft floor and roof of the other semi-detached properties in the cul-de-sac. The revised design is considered suitable and appropriate for the area.

6.3.5 Details for the external finishes can be conditioned to ensure a high quality of development.

Internal Layout and Design

- 6.3.6 Each house would have 5 double bedrooms (with 4 of these being 11.5sqm or more, thus counting as double bedrooms and resulting in a maximum occupancy of 9 people). The northern house would be slightly larger, with a GIA of 183 sqm, while the smaller house would have a GIA of 179sqm. The internal floor-to-ceiling heights would meet the minimum required 2.5m for 75% of the floorspace as set out in the Draft London Plan; and sufficient built-in storage is provided. The proposals would thereby meet the required national and London Plan standards. Bedroom sizes and room widths are appropriate, and the internal layout of the houses allows for good circulation.
- 6.3.7 Furthermore, the units are dual aspect, and the development ensures that all habitable rooms are provided with windows which would allow for good outlook and natural light, with reasonable levels of privacy to habitable rooms. The internal layout is therefore satisfactory.
- 6.3.8 Finally, to ensure the development is able to provide a safe and secure environment, a condition is attached which requires the proposal to meet Secure by Design accreditation.

Accessibility

- 6.3.9 The development would have relatively level access at the front and in-curtilage parking, although these would not be blue-badge size bays. The proposal would be subject to Building regulation M4 (2), to ensure the dwellings would be adaptable for the needs/ future needs of occupiers. Given the scale of the proposal, this would be considered sufficient.

Forecourt and Landscaping

- 6.3.10 The proposed forecourt layout would have a greater proportion of hard landscaping than the existing and would result in the removal of a small apple tree. However, as this has been assessed as being of lower quality, and is not protected by a TPO, the removal of this tree would be considered acceptable. Revised plans have been submitted which re-located the waste bin storage to the side and rear of the proposed houses, thus allowing for a small increase to soft landscaping at front. Although it is acknowledged that the forecourt layout would be improved by a further increase in the soft landscaping, this must be balanced with the planning benefit of increased in-curtilage parking. With regard to the pattern of development in Wellington Avenue, it is noted that some of the other dwellings here have a similar proportion of soft landscaping to hard landscaping and/or other surfacing (e.g. Dingwall, Ashcroft, no. 4).The Landscape Architect has noted that there would be sufficient space for a small tree in the forecourt area, and this could be secured, if found to be feasible on further development of the landscaping details, as part of the landscaping conditions.
- 6.3.11 As the site is located within a critical drainage area, any hard-surfaced areas would be conditioned to be made of permeable paving.

6.3.12 The large mature TPO tree in the rear parcel of land would be retained, as would some of the other good quality trees on site. Full details of the rear garden landscaping would also be secured as part of standard landscaping conditions, as would details of boundary treatments and bin storage. Tree protection measures would also be conditioned.

Summary

6.3.13 In summary, the proposal is considered to be of an appropriate mass and design for its context and would provide a suitable internal layout for future occupiers. Subject to the above detailed conditions, the development would accord with the relevant policies of the development plan as set out above.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.6
- The Intend to Publish London Plan (2019): D6
- Harrow Development Management Policies (2013): DM1, DM27
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Supplementary Planning Document Residential Design Guide (2010)

Impact of Development on Neighbouring Amenity

6.4.2 The site is in a residential area, with no. 4 Wellington Avenue, and its attached semi, no. 3, immediately adjacent to the north-east. Both these properties have small raised patio areas to their immediate rears, with garden levels falling off towards the rear boundaries. The front curtilage of both sites are levelled as per the rest of Wellington Avenue.

6.4.3 The proposed houses would be set back from nos. 3-4 Wellington Avenue, so would not result in undue overshadowing or visual impacts to the adjacent habitable windows of no. 4. To the rear, the proposed upper floors of the development would align with no. 4's adjacent two-storey rear projection, so would meet the horizontal 45-degree code from no. 4's nearest rear corner. The single storey rear projection of the proposal would be an additional 4.6m in depth. However, this would be limited to 3m in height and would be set 2.0m away from the shared boundary.

6.4.4 In addition, it is noted that there are windows on the facing flank of no. 4. Planning history for no. 3 indicates the large ground floor window towards the rear of no. 4 would likely serve a "morning room" and thus would be considered protected. The proposal would meet the 45-degree code from this window, however, so would be acceptable in this regard. Planning history and site photos for this application and for previous applications for no. 3 also indicate that, given the small patios to

the rear of no. 3 and 4, the proposal would not unduly impact the amenity areas to the rear of no. 4. In addition, a condition is attached to this permission for detailed finished site levels, which would be required to indicate site levels of adjacent land, to ensure the finished levels along the boundary are appropriate.

6.4.5 Windows in the flank walls of the proposed houses would serve stairwells and hallways, with the exception of one window on the ground floor of each house which serves an open-plan kitchen area. These could be conditioned to be obscure glazed at ground and upper levels without compromising the amenity of future occupiers, to guard against mutual overlooking and loss of privacy. In addition, a condition is attached to reduce the size of the ground floor kitchen window of House A, as it is quite large and within 3m of the shared boundary with no. 4

6.4.6 With regard to neighbouring properties on Woodridings Close adjoining at the rear boundary of the site, although the proposed development's rear elevation would be sited closer to this boundary, it would nonetheless be over 22m from the common boundary and over 45m from the nearest rear elevation windows of these properties. In addition, the revised plans include smaller windows at the loft floor level than the originally submitted design. Given these factors, the proposal would not be considered to result in undue impacts on the amenities of these neighbouring occupiers. Likewise, the properties along Wellington Road adjoining the south-eastern boundary are, for the most part, over 30m from the shared boundary, with the exception of the single storey extension to no. 47, which is only 22m distance. Given these distances, , the proposal would not be considered to result in undue impacts on the amenities of these neighbouring occupiers.

6.4.7 A concern has been raised with regard to overlooking into Alfriston. The existing and proposed house faces across the communal turning space towards the front of Alfriston, with a 18m gap from the property's front boundary to Alfriston's front elevation. The layout of Alfriston is such that views into part of the rear garden are possible from the open area to the side of this house. Given this distance house to house, however, and that these are views from public areas and are not substantially different from views from the front windows of the existing house, this would not result in undue impacts to this neighbouring property.

Future Occupiers – Amenity Space

6.4.8 The proposal would provide generous rear gardens for each house which would exceed the minimum required size and would be an improvement compared to the garden area of the existing house. Subject to a condition to approve the full details, it is considered that the proposal would satisfactorily meet the outdoor amenity space needs of future occupiers.

Summary

6.4.9 In conclusion, it is considered that the proposal would not result in any undue impacts on residential amenity, and would provide a satisfactory level of future

accommodation for future occupiers; and thus would comply with the relevant policies with regard to residential amenity.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Intend to Publish London Plan (2019): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM45
- Harrow's Core Strategy (2012): CS1

6.5.2 The application site is located within a small cul-de-sac with its own access road from Wellington Road. This access road is regularly used by both private vehicles and larger service lorries. Each of the houses in the Wellington Avenue has in-curtilage parking for 1-2 cars. There is a large central turning space which is shared by all users, measuring 12m x 20m. Given the enclosed nature of the cul-de-sac and the lack of vehicular access to adjacent streets, vehicular movements would be limited to local traffic.

6.5.3 The increase from 1 to 2 single family dwellings would not result in a significant increase in traffic or deliveries. The Highways Officer has not objected on the basis the proposal would not result in severe or harmful impact for the surrounding highway network. Waste servicing is already accommodated on this road and the proposal would not result in a significant difference from the existing situation with regarding waste collection. The Council's waste team have also raised no objections.

6.5.4 The proposal would provide 2 car parking spaces per house, which would be consistent with the other properties here; and is considered to accord with relevant policies, given the site's location. It is not considered that the proposal would be likely to result in any significant increased on-street parking given this level of provision.

6.5.5 Concerns have been raised with regard to the capacity of the existing access road and inappropriate parking within the cul-de-sac. However, given that the area is used primarily or exclusively by residents of Wellington Avenue, with very low traffic volumes and given the existing levels of on-site parking existing at the other properties to accommodate their own vehicles, it would be unreasonable to refuse the proposal for this reason.

6.5.6 Cycle parking must be provided in line with Table 10.2 (dLP) which amounts to a minimum of 2 spaces per dwelling. These are appropriately located in the rear gardens of the properties. Full details can be scored by condition.

6.5.7 As the site is located in a small cul-de-sac with a narrow approach road, a demolition and construction management statement would be important to ensure impacts on traffic and neighbouring amenities is appropriately managed. A condition has been attached to this effect.

6.5.8 In summary, the proposal would not result in a significant increase in traffic and parking impacts, given the increase from 1 to 2 dwellings and the proposed level of on-site parking provided. It is considered that the proposal would accord with the relevant development plan policies as set out above.

6.6 Trees and Biodiversity

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.19, 7.21
- The Intend to Publish London Plan (2019): G6, G7
- Harrow Development Management Policies (2013): DM20, DM21, DM22
- Harrow's Core Strategy (2012): CS1

6.6.2 The part of the site that would form the curtilage to the proposed dwellings contains a large TPO tree to the rear (a horse chestnut). TPOs in adjoining rear gardens are sited a minimum of 9m from the site boundaries, although there are non-TPO trees within neighbouring gardens which are closer to the site boundaries. The access road is lined with TPO Woodland groups on either side.

6.6.3 The applicant has submitted an Arboricultural Impact Assessment and Arboricultural Method Statement, which assesses the impacts of the development, including construction phase, to the trees on site, and trees within neighbouring sites which are nearby the footprint of the proposed building. The horse chestnut TPO on site would be retained. The apple tree in the forecourt and a cypress tree to the rear (non-TPO) would be removed. Mitigation and protection measures are proposed for the retained TPO tree, as well as for a beech and apple tree in neighbouring properties. The assessment and mitigation measures have been assessed by the Council's Arboricultural Officer, and are considered satisfactory, objections regarding the quality of the assessment from public comments notwithstanding.

6.6.4 The trees lining the access road have also been considered by the Arboricultural Officer, in terms of potential impact from construction traffic. Given that the road currently accommodates large and heavy vehicles which would be of an equal weight and size as any likely construction vehicles, it is not considered that the proposal would result in impacts to these trees significantly different to the existing usage.

6.6.5 The proposal is sited 100m from Pinner Park Farm. Although this distance would be sufficient to ensure no impacts of the development so far as the Green Belt and Archaeological Priority Area go, the SINC may result in some protected species or other flora and fauna interacting with the site.

6.6.6 The applicant has submitted an Ecological Appraisal, which indicates the site has relatively low ecological value, with what appears to be neglected ornamental gardens and an overgrown pond on site. No evidence of protected species was found, including bats roosting on site, although some potential for bat foraging

areas and bird nesting sites exists. Given this, the proposal would not be considered to result in any unacceptable harm to biodiversity. The report recommends the following enhancement measures:

- To be included in landscaping proposals: Planting of native species (shrubs, replacement trees), and in particular nectar and berry bearing plants to be included.
- A replacement pond designed for wildlife to be included as part of the landscaping proposals
- Provisions of suitable nesting bird boxes on retained trees

6.6.7 As local development plan policies require development to provide a net uplift in biodiversity, a condition has been attached to require the submission and approval of the recommended details for biodiversity enhancement, to be incorporated into the development.

6.6.8 Japanese knotweed has also been identified on site. This plant is considered the equivalent of a contaminant and can result in damage to buildings and other detrimental impacts. As removal and disposal of Japanese knotweed must adhere to strict protocols, a condition has also been attached to ensure this is done in accordance with relevant guidance.

6.6.9 Subject to conditions as set out above, as well as a condition to ensure the recommended mitigation measures for trees are implemented as approved, the proposal would be acceptable with regard to trees and biodiversity.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed scheme would make a small contribution to housing stock in the borough; and would provide a suitable quality of accommodation for future occupiers without unduly impacting neighbouring residential amenity. The uplift in dwelling would not result in traffic and parking impacts which would be considered significant.

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 Drawing and Documents

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

Letter dated 22nd July 2020 [Statement of planning matters]; WLTA/20/PL/LP01; Landscape Statement: Hard and Soft Landscape Details; Arboricultural Impact Assessment and Arboricultural Method Statement [dated November 2019]; Ecological Appraisal [dated 31 October 2019]; Highways Statement [dated July 2020]; TS20-326-1; TS20-326-2; TS20-326-3; TS20-326-4; WLTA/20/PL/L01A; WLTA/20/PL/L10A; WLTA/20/PL/L11A; LTA/20/PL/L20C; WLTA/20/PL/L21C; WLTA/20/PL/L30A; WLTA/20/PL/L40; LP/5WAP/010 A; TS18-426A/1; 20007/TK01; 20007/TK02; 20007/TK03; 20007/TK04

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

3. Materials

Notwithstanding the details shown on the approved drawings, the development shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been made available to view on site, and approved in writing by, the local planning authority:

- a) facing materials and roof tiles for the buildings;
- b) windows/ doors;
- c) all boundary treatments, and
- d) permeable for hard surfacing, including cross section details

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.

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

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

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

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed. To ensure that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

5. Levels (Pre-commencement)

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.

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. This is a PRE-COMMENCEMENT condition.

6. Japanese Knotweed (Pre-commencement)

No development shall take place, including works for demolition, until a detailed Method Statement for removing and disposing of the Japanese Knotweed on site has been submitted to and agreed in writing by the Local Planning Authority. The removal and appropriate disposal of the Japanese Knotweed shall be carried out in accordance with the approved details.

REASON: To safeguard the ecology and biodiversity of the area and to ensure that measures are agreed and put in place to remove Japanese Knotweed and to prevent further contamination on and off site. This condition is a PRE-COMMENCEMENT condition.

7. Surface Water Drainage Strategy (Pre-Commencement)

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

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

8. Foul Water Drainage Strategy (Pre-Commencement)

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

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

9. 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 there would be adequate infrastructure in place for the disposal of surface water arising from the development, and to ensure that the development would be resistant and resilient to surface water flooding

10. Cycle Storage Details and Amended Plans

Notwithstanding the details shown on the approved plans, the development hereby approved shall not progress beyond damp proof course level until revised plans showing the following

- (i) the provision of two (2) cycle parking spaces for each unit (four in total) in secure and sheltered storage
- (ii) Amended plans showing the size of the ground floor kitchen window of House A to be reduced and/or made high-level so as to avoid overlooking and perception of overlooking to no. 4 Wellington Avenue.

have been submitted to and approved in writing by the Local Planning Authority. The proposed details shall therefore be implemented in accordance with the approved plans prior to the first occupation of the development and retained as such thereafter.

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

11. Landscaping Plan

Notwithstanding the details shown on the approved plans, the development hereby approved shall not progress beyond damp proof course level until revised plans showing the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Landscape plan with details for both front and back garden, including hard and soft landscape details and 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 a landscape implementation programme;
- (ii) Hard landscape material details;
- (iii) Details of all hard boundary treatments to front and rear; and
- (iv) Bin storage details.

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to a high standard of design, layout and amenity and to make appropriate provision for the protection, enhancement, creation and management of biodiversity

12. Landscaping Maintenance

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 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, 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 to a high standard of design, layout and amenity and to make appropriate provision for the protection, enhancement, creation and management of biodiversity.

13. Trees 1

The proposed development shall be completed in full adherence to the arboricultural details submitted to the Local Planning Authority (DCLA Arboricultural Impact Assessment, Tree Protection Plan TPP/5WAP/010-A and Method Statement), unless first otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the trees to be retained on the site are not adversely affected by any proposed works.

14. Trees 2

Prior to the occupation of the site, the Local Planning Authority will be provided with detailed records and information confirming that the details of the Arboricultural Method Statement have been adhered to, including the clerk of works supervision schedule, a series of brief reports or a checklist, where appropriate, which summarise the details of each clerk of works visit, including where relevant photographic evidence of adherence to the Arboricultural Method Statement and Tree Protection Plan.

REASON: To ensure that the trees to be retained on the site are not adversely affected by any proposed works.

15. Biodiversity

(A) The development hereby approved shall not progress beyond damp proof course level until details of the following mitigation measures proposed in the submitted Ecological Appraisal, or other alternative details for the delivery of net biodiversity gain, has been submitted to, and agreed in writing by, the local planning authority:

- i. Landscaping details showing the provision of native species including nectar and berry bearing plants;
- ii. A replacement pond designed for wildlife to be included as part of the landscaping proposals; and
- iii. A suitable number of bird boxes to be installed on retained trees or incorporated into the fabric of the proposed building.

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

(B) All other proposed mitigation measures in the submitted Ecological Appraisal shall also be implemented in accordance with those approved documents, and shall be retained as such thereafter.

REASON: To protect and enhance biodiversity of the site.

16. Obscure Glazing

The window(s) in the first and second floor flank wall(s) of the approved development shall:

- a) be of purpose-made obscure glass, and
- b) be permanently fixed closed below a height of 1.7 metres above finished floor level

and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

17. Permitted Development Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Class A, B, D and E in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by managing the amount of site coverage and size of dwelling in relation to the size of the plot and availability of amenity space, biodiversity and to safeguard the amenity of neighboring residents.

18. Refuse Storage

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

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

19. 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.

20. 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 the development shall be retained in accordance with the approved details.

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

Informatives

1. **Policies**

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2019)

The London Plan (2016):

3.3, 3.4, 3.5, 3.8, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.19, 7.21

Draft London Plan (Intend to Publish Version 2019):

D1, D3, D5, D6, D11, H2, H9, H12, T4; T5; T6.1, SI 13, G6, G7

Harrow Core Strategy (2012):

CS1

Development Management Policies Local Plan (2013):

DM1, DM2, DM10, DM20, DM21, DM22, DM23, DM24, DM27, DM42, DM45

Adopted Supplementary Planning Documents:

London Plan Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Garden Land Development (2013)

Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 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 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3. **Considerate Contractor Code of Practice**

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

4. **Party Wall Act**

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

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

3. excavating near a neighbouring building, and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5. 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 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. Surface and foul water connections

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

8. Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

9. Street Numbering

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

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

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

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

10. 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 £23,322

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/cil_questions.pdf

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

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

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

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

11. 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 £62,226.71

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](https://ecab.planningportal.co.uk) website where you can download the relevant CIL Forms.

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

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

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

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

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

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

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

CHECKED

Head of Development Management	Orla Murphy 26.11.2020
Corporate Director	Paul Walker 26.11.2020

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Bing Satellite image

PHOTO 1



PHOTO 3



PHOTO 2



PHOTO 4



PHOTO 5



PHOTO 6



PHOTO 7



PHOTO 8



PHOTO 9



PHOTO 10



PHOTO 11



PHOTO 12



APPENDIX 4: PLANS AND ELEVATIONS



Proposed Site Plan



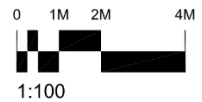
PLANNING
SIDE ELEVATION 1
NE FACING

Notes:
 Figured dimensions to be used in preference to scales.
 The Contractor is to check all site dimensions and setting out and obtain the Architects' instructions in respect of any discrepancy revealed before work is put in hand.
 Description or illustration of proprietary systems or products is not to be taken as licence in respect of patents or copyright involved or royalties due.
 All rights of drawing and design are reserved to the Architect.
 Copyright not to be reproduced without the Architects' permission.
 Subject to survey



MATERIALS
ROOF: REDLAND MONIER (MANOR HOUSE MIX)
WALLS: IBSTOCK BRADGATE (CLARET & HARVEST) (TO MATCH SURROUNDING AREA)
WINDOWS & DOORS: ALUMINIUM & TIMBER VICTORIAN BAR CASEMENT
HARD STANDING: MARSHALLS DRIVELINE PRIORA BRINDLE (SUDS) & MARSHALLS PENDLE RIVEN

PLANNING
SIDE ELEVATION 2
SW FACING



C 09.11.20 Amendments to rear single storey height SAR
 B 21.10.20 Revisions to roof design and fenestration SAR


Rev. Date Details

Project:
 5 Wellington Avenue
 Pinner
 HA5 4NG

Content:
P L A N N I N G
 Side
 Elevations

North: 
 Drawn By: SAR
 Date: 13.07.19
 Scale: 1:100@A3
 Rev: C

The Old School House Bridge Road Hunton Bridge
 Kings Langley Hertfordshire WD4 8RQ
 T 01923 287499
 E info@wakelin.co.uk
 W www.wakelin.co.uk

 **Wakelin Associates**
 Architects

WLTA/20/PL/L21C

Proposed Side Elevations

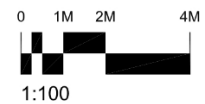
PLANNING
FRONT ELEVATION
NW FACING



Notes:
Figured dimensions to be used in preference to stated.
The Contractor is to check all site dimensions and setting-out and obtain the Architect's instructions in respect of any discrepancy revealed before work is set to hand.
Description or illustration of proprietary systems or products is not to be taken as licence or request of patent or copyright involved or otherwise.
All rights in drawing and design are reserved to the Architect.
Copyright not to be reproduced without the Architect's permission.
Subject to survey.

MATERIALS
ROOF: REDLAND MONIER (MANOR HOUSE MIX)
WALLS: IBSTOCK BRADGATE (CLARET & HARVEST)
TO MATCH SURROUNDING AREA
WINDOWS & DOORS: ALUMINIUM & TIMBER
VICTORIAN BAR CASEMENT
HARD STANDING: MARSHALLS DRIVELINE PRIORA
BRINDLE (SUDS) & MARSHALLS PENDLE RIVEN

PLANNING
REAR ELEVATION
SE FACING



C 09.11.20 Amendments to rear single storey height SAR
B 21.10.20 Revisions to roof design and fenestration SAR

Rev | Date | Details

Project:
5 Wellington Avenue
Pinner
HA5 4NG

Content:
P L A N N I N G
Front & Rear
Elevations

North: 
Drawn By: SAR
Date: 13.07.20
Scale: 1:100@A3
Rev: C

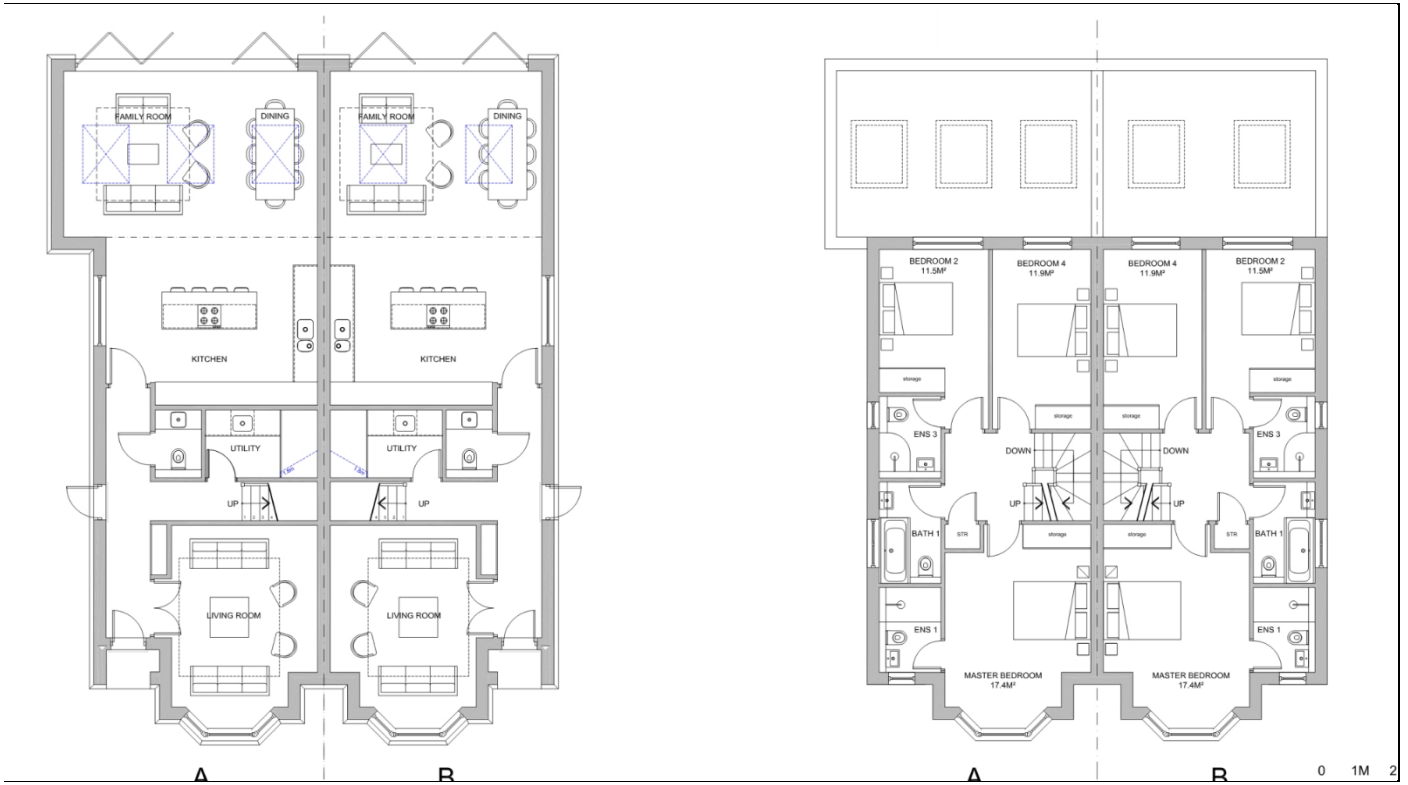
The Old School House
Kings Langley
E
www.wakelin.co.uk

Bridge Road
Hunton Bridge
Hertfordshire
WD4 8RQ
01923 287488
info@wakelin.co.uk

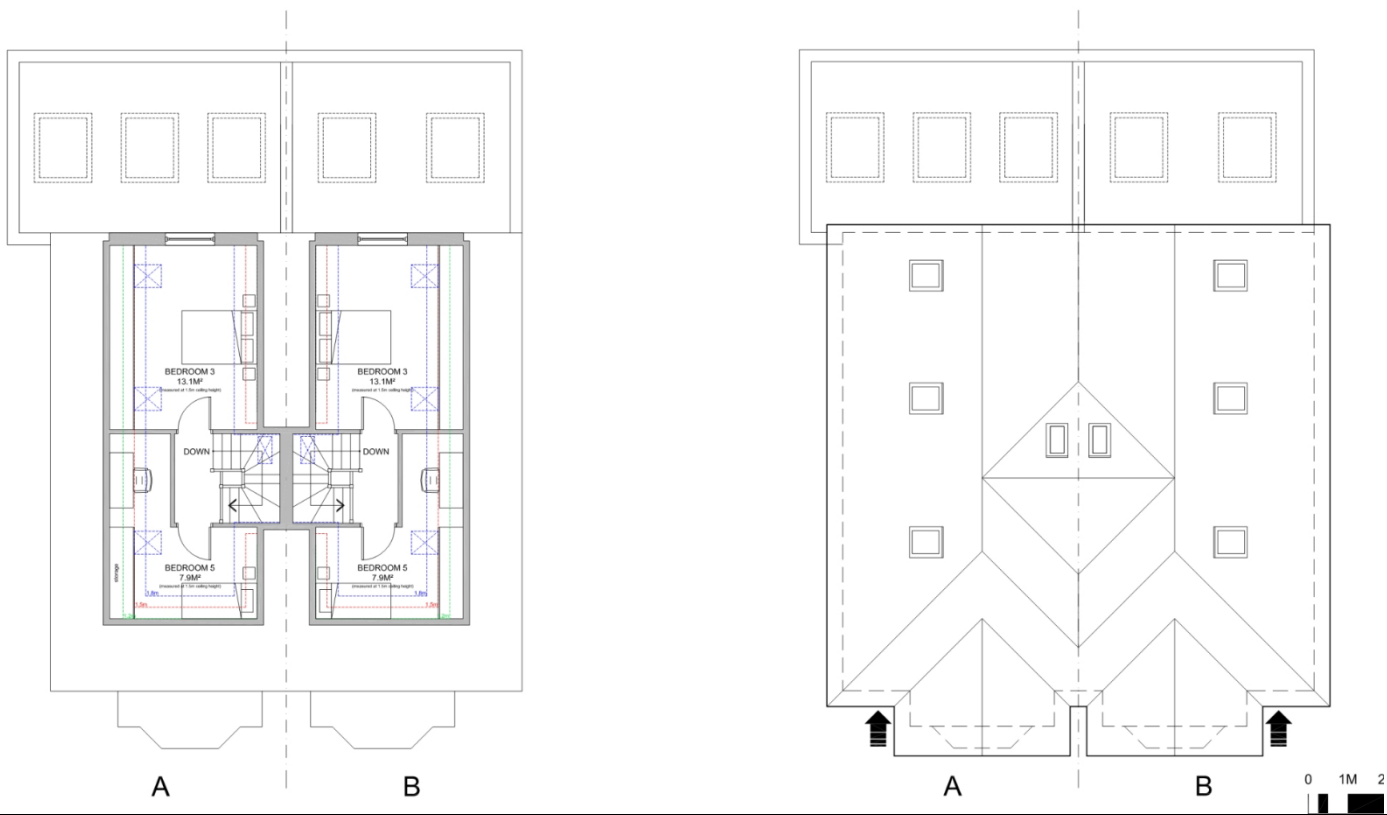
 **Wakelin Associates**
Architects

WLTA/20/PL/L20C

Proposed Front & Rear Elevation



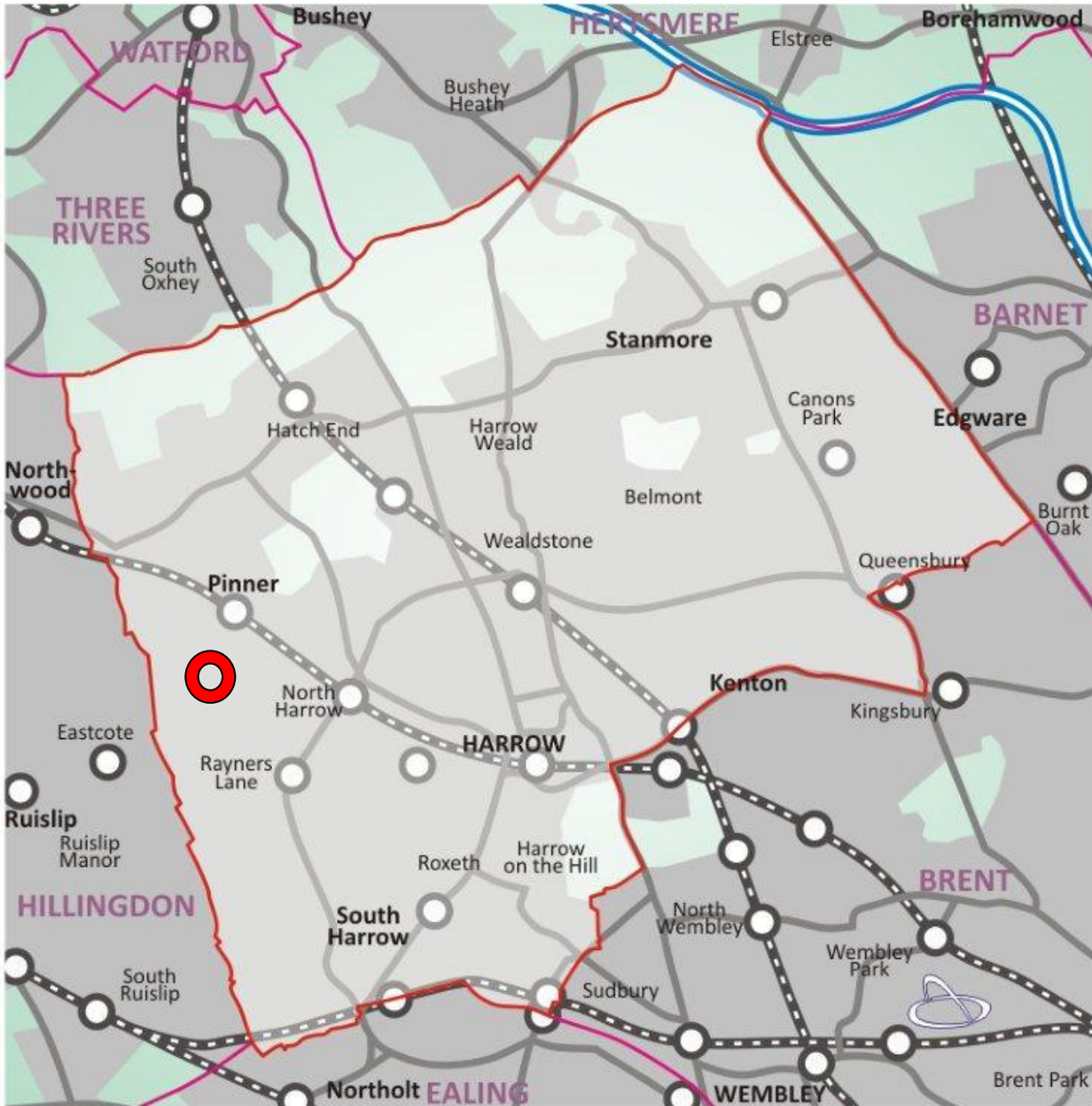
Proposed Ground & First Floor Plan



Proposed Loft Floor & Roof Plan

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 = application site



3 LYNCROFT AVENUE, PINNER, HA5 1JU	P/2173/20
---	------------------

3 LYNCROFT AVENUE



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

9th December 2020

APPLICATION NUMBER: P/2173/20
VALIDATION DATE: 24th AUGUST 2020
LOCATION: 3 LYNCROFT AVENUE, PINNER
WARD: PINNER SOUTH
POSTCODE: HA5 1JU
APPLICANT: MR MURTUZA HASNAINI
AGENT: OPS CHARTERED SURVEYORS
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 31st OCTOBER 2020

PROPOSAL

Conversion of dwelling (use class C3) to House of Multiple Occupancy (HMO) for up to 8 people (Use class sui generis)

The Planning Committee is asked to consider the following recommendation:

RECOMMENDATION

Had this application not been appealed for non-determination, the Local Planning Authority would have recommended that this application be GRANTED. The planning committee is asked to:-

- 1) Agree the reasons for approval as set out in this report.

REASON FOR THE RECOMMENDATIONS

The proposal would contribute towards flexible smaller housing stock within the Borough and the quality of accommodation for the future occupiers of the units would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the property and surrounding area, or the residential amenities of the neighbouring or future occupiers, whilst the location is considered to be reasonably sustainable.

INFORMATION

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

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	0sqm
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 of a two-storey semi-detached dwelling house located on the southern side of Lyncroft Avenue.
- 1.2 The property has benefitted from a single and two storey side and rear extension.
- 1.3 The site is located within surface flood zone 3a & 3b and within fluvial flood zones 2 and 3 according to Environment Agency flood maps.
- 1.4 The site is not a listed building nor is it located within a conservation area.
- 1.5 The site has a Public Transport Accessibility Level (PTAL) of 2.

2.0 PROPOSAL

- 2.1 The application proposes to convert the dwelling house to a house of multiple occupancy for up to 8 people.
- 2.2 Bike storage is proposed within the rear garden (8 spaces as shown on plan, 12 spaces stated in the DAS).
- 2.3 Bin storage proposed in the front curtilage (4 bins, with enclosures).
- 2.4 One (1) blue badge size parking space in the forecourt (net decrease of 2 spaces).
- 2.5 The previously refused application reference P/1031/20 has been amended as follows:
- The stated number of occupiers has been reduced from 10 to 8 people. The size and layout of bedrooms has remained the same.
 - Layout of the shared communal areas and forecourt has been revised and primary kitchen/diner area has been increased in size from 22.6sqm to 29.5sqm.
 - Revised Flood Risk information has been submitted.
 - The number of retained parking spaces has been reduced.

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/2868/08	Single and two storey side extension	Granted 16/10/2008
P/0847/09	Certificate of lawful existing development: Retention of detached garage	Granted 14/8/2009

P/1713/12	Single and two storey side to rear extension and single storey rear extension	Granted 18/10/2012
P/1031/20	Conversion of dwelling (use class C3) to house of multiple occupancy (HMO) for up to 10 people (use class SG)	Refused 12/05/2020
<p>Reasons for Refusal:</p> <ol style="list-style-type: none"> 1. The development, by reason of the excessive number of occupiers that it accommodates, represents an overly intensive use of the site and in the absence of satisfactory communal living space, results in a cramped and poor standard of living accommodation, to the detriment of the living conditions of the occupiers and the amenities of the adjoining occupiers. The development is therefore contrary to the National Planning Policy Framework (2019), policies 3.5 and 7.6B of The London Plan (2016), policy D6 of The 'Intended to publish' Draft London Plan (2019), policies DM1 and DM30 of the Harrow Development Management Policies Local Plan (2013). 2. The proposal, by reason of the excessive number of parking spaces their unsatisfactory layout within the forecourt, would give rise to an unsustainable development and would fail to contribute towards the effectiveness of sustainable transport, contrary to National Planning Policy Framework (2019), Policies, 6.3, 6.9 and 6.13 of The London Plan (2016), Policies T5 and T6 of the 'Intended to publish' Draft London Plan (2019) - Intend to Publish Version and Policy DM42 of the Harrow Development Management Policies Local Plan (2013). 3. In the absence of adequate Emergency Planning information, based on an accurate Flood Risk Assessment, and given the location of the site is within flood zones 3a and 3b and fluvial zone 2, insufficient information exists for the local planning authority to make a determination as to whether the proposal would result in unacceptable risks in terms of safety of future occupiers in the event of flooding and whether appropriate mitigation measures can and would be implemented. The proposal cannot therefore be determined to be in compliance with policy DM9 of the Harrow Development Management Policies (2013). 		
<p>Appeal: PINS Ref: App/M5450/W/20/3256326 Harrow Ref: P/1031/20/5776 Dismissed – 15/10/2020</p> <p><i>Note this appeal is attached as Appendix 5 to this report</i></p>		

4.0 **CONSULTATION**

- 4.1 A total of 29 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 10th August 2020.
- 4.2 A total of 33 responses were received.

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

Character and Appearance and Residential Amenity Impact

- Proposal is out of character with the area; loss to housing mix
- Overcrowding; strain on local services
- Increased noise and disturbance
- Poor quality of accommodation

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 single family dwellinghouses, however the property would remain in use as a single residential unit (albeit of a different type to single family use) and would retain the appearance of such externally. The proposal would result in diversification of the local housing stock. With regard to overcrowding, the proposal would result in a small increase in the number of occupiers above the existing development, but this would not be a large enough increase to be considered to significantly impact local services. The potential for noise and disturbance is considered to be not significantly above that of the existing development; and the quality of accommodation would be subject to HMO licensing (and would appear to meet the relevant requirements).

Traffic, Parking and Servicing

- Parking issues would arise; already congested / problems with parking in local area.
- Insufficient refuse space; waste attracting pests

Officer response:

These comments have been addressed within section 6.5 of the officer's report. Sufficient refuse has been provided and will be subject to a condition for details of an enclosure to protect character and appearance and reduce pests. Traffic and parking impacts are not considered to be significantly greater than those associated with a 6-person HMO under Class C4 and there would be some capacity to accommodate overspill parking in the local area.

Drainage and Utilities

- Flooding issues; increase strain on water utilities

Officer response:

Flooding issues have been addressed within section 6.6 of the officer's report. With regard to utilities/services, these are outside the purview of planning.

Other:

- Existing enforcement/non-compliance issues on site

Officer response:

An existing enforcement complaint is under investigation for a separate matter (unauthorised conversion to flats). However, this would need to be dealt with separately; and should not prejudice the decision of this application with regard to its planning merits. In addition, should this permission be granted and implemented, this would resolve the matter.

4.4 Statutory and Non-Statutory Consultation

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

<p><u>LBH Drainage</u></p> <p>We can confirm that the Flood Risk Assessment with flood data and emergency planning information submitted are satisfactory. We do not have any further drainage comments to be made.</p>
<p><u>LBH Highways</u></p> <p>While this development alone may not result in a severe impact for the surrounding highway network, it does have the potential to result in some overspill car parking. Proposed 1 on-site parking space is accepted as the space can be used by disabled residents and will help to reduce the demand for on-street parking.</p>
<p><u>Environmental Health Officer</u></p> <p>The proposal is improved compared to the previous scheme. We would assess for fire safety during inspections/visit.</p>
<p><u>The Pinner Association</u></p> <p>Objects to the proposal based on housing mix of the area, impacts on neighbouring amenities, poor quality of accommodation, poor amenity space, lack of satisfactory bin storage, lack of soft landscaping in the forecourt.</p>

5.0 POLICIES

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

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

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

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

- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (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 polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Character of the Area
- Residential Amenity
- Traffic, Parking and Servicing
- Development and Flood Risk

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.4, 3.8
- The Intend to Publish London Plan (2019): H9
- Harrow Development Management Policies (2013): DM30
- Harrow's Core Strategy (2012): CS1

6.2.2 Paragraph 3.55 of the London Plan (2016), attached to Policy 3.8, identifies that shared accommodation or houses in multiple occupation are a strategically important part of London's housing offer, which meets distinct needs and reducing pressure on other elements of the housing stock. Policy H9 of the Draft London Plan notes that the role of HMOs in meeting local and strategic housing needs should be taken into account, where these are of a reasonable standard.

6.2.3 Policy DM30 of the DMP (2013) supports the provision of large houses in multiple occupation (HMO's), residential hostels and secure accommodation subject to compliance with the following criteria a) there is good accessibility to local amenities and public transport; b) they accord with Accessible Homes Standards

and provide satisfactory living conditions for the intended occupiers; and c) there will be no adverse impact on the amenity of the occupiers of neighbouring properties of the character of the area.

- 6.2.4 The current lawful use of the site is as a C3 dwelling; enforcement matters are considered separately from this application. It is noted that the presence of an additional kitchen in the house does not determine whether the property as existing is a C3 dwelling or not and does not disqualify the property from conversion to an HMO. It is further noted that as HMO rooms are not self-contained individual dwellings, some policies relating to housing development may be applied differently than to self-contained flats.
- 6.2.5 The proposal is for a conversion from Use Class C3 to an HMO residential property (*Sui Generis* use class). This would not result in any net loss of housing stock and would afford for a variety of housing stock in the area. The quality of accommodation is acceptable (addressed in detail under Section 6.4 below). Although the site is not located within a town centre area, it is considered to have reasonable access to services and public transportation (addressed in further detail below in Section 6.6).
- 6.2.6 For these reasons, it is considered that the principle of this proposal meets the above policy requirements with regard to the overarching goal of housing choice and provision, the detailed criteria are more appropriately considered within other sections of this report. The principle of the development is therefore considered acceptable.

6.3 Character of the Area

6.3.1 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): D1, D3
- Harrow Development Management Policies (2013): DM1, DM2, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

External Alterations

6.3.2 There are no external alterations proposed to the fabric of the building. The property will retain one main front door, with internal access to the various bedrooms. This is considered to have an acceptable impact on the character and appearance of the application site and surrounding locality.

Forecourt and Landscaping

- 6.3.3 The proposal does not include any changes to the existing forecourt (which is fully hard surfaced). Increasing the greenery within forecourts is encouraged, or in some cases required, for developments of this type in order to ensure a good level of amenity for future occupiers and improve the character and appearance of the dwelling in the context of a verdant suburban area. As raised below with regard to residential amenity, the lack of defensible space to ground floor windows, as shown on the originally submitted plans, is not considered acceptable. Amended plans showing the introduction of a small amount of landscaping for defensible planting have been submitted by the applicant, and area considered to result in an improvement to the forecourt in this regard.
- 6.3.4 At present the bins are stored at the front driveway as is the case with many of the properties along this street. As the proposal is for an HMO (a form of shared household) rather than self-contained flats, it is not necessary to provide individual bins per room. The proposed bin enclosures would help protect the character and appearance of the area, as well as helping ensure better management of waste and control of pests. The proposed bin storage with enclosures would therefore be acceptable.
- 6.3.5 With regard to the rear garden, the existing landscaping, which contains both a hard-surfaced patio and green soft landscaping, would be considered appropriate to an HMO use.

Cycle storage

- 6.3.6 Cycle storage is provided at the rear of the property within the rear garden and would not be visible from the street and as such would not be detrimental to the character and appearance of the dwellinghouse and nearby area.
- 6.3.7 In summary, subject to the above detailed conditions, the development would accord with the relevant policies of the development plan as set out above.

6.4 Residential Amenity

- 6.4.1 The relevant policies are:
- The National Planning Policy Framework (2019)
 - The London Plan (2016): 7.2, 7.3, 7.6
 - The Intend to Publish London Plan (2019): D5, D6, D11
 - Harrow Development Management Policies (2013): DM1, DM2, DM30, DM27
 - Harrow's Core Strategy (2012): CS1
 - Mayor of London Housing Supplementary Planning Guidance (2016)
 - Supplementary Planning Document Residential Design Guide (2010)
 - Technical housing standards - nationally described space standard (2016);
 - Harrow Council - Houses in Multiple Occupation: Amenity Standards. October (2018).

Impact of Development on Neighbouring Amenity

- 6.4.2 As there are no external alterations proposed to the existing building, there are no concerns raised with regard to increased overlooking, overshadowing, or visual impacts.
- 6.4.3 The site is in a residential area, and thus near to a number of other neighbouring residential properties. The subject site was purpose built to be a two-storey single dwelling family house; and has been extended to form a large family dwelling containing 5/6 bedrooms. The use of the site for as many as 8 people who do not form a single family is not considered to be a significant departure of the intended use of the property, given the available occupancy level for the existing house. It is noted that the in the appeal for the previously refused scheme (attached as Appendix 5), the Inspector stated that the appeal scheme would, in his opinion be significantly larger than the 6-person HMO which could be implemented using permitted development rights. However, the reduction in numbers down to 8 occupants as proposed in this scheme is considered to result in a material difference compared to the appeal scheme and would not be considered to represent a significantly larger development than a 6-person HMO, on balance. On-going management would be subject to HMO licencing and would be outside the purview of planning. For this reason, it is not considered that the proposal would be likely create levels of disturbance caused by comings and goings and the use of the house and garden at unacceptable levels, in comparison to a 5/6-bedroom single family dwelling. It is further considered that the proposal would overcome the objections to the previous appeal scheme for 10 occupants.
- 6.4.4 In addition, the proposed number of occupiers would not represent an increase over and above the existing use that would be considered likely to result in undue strain on local services.

Future Occupiers – Internal Configuration and Quality of Accommodation

- 6.4.5 The proposed development provides an HMO comprising of 8 rooms, 1 Kitchen/Dining Room, 1 additional kitchen.
- 6.4.6 Minimum floorspace standards for HMO accommodation are set out in Harrow's Houses in Multiple Occupation Amenity Standards October 2018 however this is guidance for acquiring an HMO license and there is more pertinent policy from a planning perspective for determining the appropriate residential standards in the case.
- 6.4.7 Policy 3.5C of The London Plan specifies that Boroughs should ensure that, amongst other things, "new dwellings have adequately sized rooms and convenient and efficient room layouts". Policy D6 of the Draft London Plan sets out these standards again, with additional detail. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that "proposals will be required to comply with the London Plan minimum space standards. The National Technical Housing Standards provide additional detail.

6.4.8 The proposed development includes the following:

Room size (based on current occupancy)	Bedroom size	Minimum
Bedroom 1 – 1 p	10 sqm	7.5 sqm
Bedroom 2 – 1 p	13.40 sqm	11.5 sqm (double size)
Bedroom 3 – 1 p	10.60 sqm	7.5 sqm
Bedroom 4 – 1 p	9.70 sqm	7.5 sqm
Bedroom 5 – 1 p	9.90 sqm	7.5 sqm
Bedroom 6 – 1 p	8.30 sqm	7.5 sqm
Bedroom 7 – 1 p	19.30 sqm	11.5 sqm (double size)
Bedroom 8 – 1 p	10.10 sqm	7.5 sqm
Kitchen/Diner	29.5sqm	Kitchen/Diner: 10m ² (minimum for 3 sharing), plus 1m ² for additional people sharing. For 8 occupants = 15sqm
Kitchen	9.9sqm Combined kitchen and living = 39.4 sqm	

6.4.9 All of the bedrooms meet the minimum GIA requirement for single occupancy, two of the bedrooms meet the minimum size for double occupancy but have been specified as single occupancy. Although these would normally be considered as double rooms based on the bedroom size and regardless of annotation were the proposal for self-contained flats, in the case of HMOs the occupancy of bedrooms can be controlled through licencing, which can specify 1 occupant per each of the larger bedrooms regardless of the physical size. This would be in conjunction with the planning permission which would cap the total number of occupants at 8 people, in this case. Thus, although the number of occupants per room cannot be controlled through planning, the total number of occupants in the house can be so controlled; while licencing can work in tandem to specify room occupancy. Given this, the local planning authority would have to accept the stated occupancy as set out above.

6.4.10 In terms of the layout, the ground floor is laid out so that there is a separation between the bedrooms and the kitchen area, with the exception of one shared wall between Bedroom 3 and the dining area. Although it is expected that due to the nature of a HMO there would be some noise transfer between the sleeping areas and common areas, Bedroom 3 has a lobby space to help mitigate disturbance, and the soundproofing on the shared wall would be subject to building control regulations to mitigate noise transfer.

6.4.11 The bedrooms all feature windows which allow sufficient levels of light and outlook. However, the ground floor windows serving Bedrooms 1 and 2 would be in close proximity to the existing car parking and directly adjacent the shared forecourt area; while Bedroom 3's only means of outlook is sited in close proximity to the outdoor communal garden; and consists of French doors opening onto a hard surfaced patio. This could result in loss of privacy, noise and disturbance that could occur to the occupier of these bedrooms from the movement of existing occupiers when frequenting the outdoor space or existing/entering. Given the nature of an HMO use that that the bedrooms represent the primary living space for occupiers, this would be an unacceptable level of intrusiveness and loss of

privacy. However, amended plans have been submitted showing a suitable arrangement for defensive in the forecourt and rear garden, to address this, in order to protect the privacy and amenity of the future occupiers. The reduced level of car parking means that there is more space between the windows for Bedroom 1 and 2, which, together with defensive planting, would allow sufficient space to allow occupiers to have a reasonable level of privacy and amenity and allow windows to be opened for ventilation.

- 6.4.12 In addition, a condition has been attached to require Secure by Design accreditation, to ensure that satisfactory security measures, including secure doors (in particular for Bedroom 3) would be installed on site.
- 6.4.13 The ground floor provides two kitchens for the occupants of the property. The size of the kitchen areas are in line with the "Harrow's Houses in Multiple Occupation Amenity Standards May 2020" and is considered to be sufficient in this regard. The kitchens would provide satisfactory facilities for all the bedrooms in terms of grills, counter space, etc. Of the 8 bedrooms, 7 are equipped with en-suite bathrooms while Bedroom 6 has a separate bathroom located at the first floor which is considered to be acceptable. Although the kitchen/diner layout only provides one window, this has been reconfigured from the previous application and sites the communal dining area near this window, with the cooking facilities in the internal area. This arrangement would provide a better level of natural light and outlook for the communal habitable space. The main kitchen/dining area is sufficiently large for a table and chairs and would not result in conflict with the internal doorways. In these respects, the proposal would be considered to provide a good quality of communal space with natural light and meaningful outlook. The changes in the layout in comparison to the previous refused scheme are considered to have overcome the previous reasons for refusal with regard to quality of accommodation for future occupiers. In addition, given the revised layout of the car parking and defensible space provided for ground floor bedroom windows, the concerns raised by the Inspector in the previous appeal have also been addressed.
- 6.4.14 The applicant's Design & Access Statement makes reference to other larger Sui Generis HMO developments, and in particular P/0027/20 at 127 Byron Road. A list of other properties licenced as HMOs has been provided, however this is of little to no weight for the purposes of considering this planning application, nor does this set a precedent for this application. Licencing is a separate matter from planning matters and is not controlled by the Local Planning Authority. Nevertheless, in planning terms, taking into account the site-specific circumstances, the conversion is considered acceptable.
- 6.4.15 In conclusion, it is considered that the proposal would not result in any undue impacts on residential amenity, and would provide a satisfactory level of future accommodation which would be capable of meeting licencing requirements; and thus would comply with the relevant policies with regard to residential amenity.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Intend to Publish London Plan (2019): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM45
- Harrow's Core Strategy (2012): CS1

6.5.2 The application site is located within an area with a PTAL (Public Transport Accessibility Level) of 2. The PTAL rating takes into account reliability of services in addition to distance and should be considered in context. The nearest bus stops are 200-300 metres from the site and Pinner town centre is approximately 1km away.

6.5.3 As set out by the Highways officer, car ownership is fairly high at 85.1% of households having access to at least one car or van (Census 2011). Due to this and the proximity to Pinner Underground station, on-street parking demand can be high. In addition, it is noted that the local area does not benefit from a Controlled Parking Zone (CPZ) designation.

6.5.4 The Draft London Plan requires large Sui Generis residential uses to be car free (policy T6.1 E). The proposal set out here has reduced the number of car parking spaces from 3 to 1, in comparison to the previously refused proposal ref: P/1031/20. The retained space would allow for a sufficient space for a blue badge bay. The Highways officer is satisfied that the parking arrangements proposed here would be in compliance with London Plan and Draft London Plan policies. The previous reason for refusal with regard to over provision of parking has therefore been overcome.

6.5.5 The number of occupiers has been reduced, and, as noted above, the occupancy can be controlled through HMO licensing. Although the reduction from 10 people to 8 people is not large, it does bring the number of occupiers down to a level that is more reasonably close to what would be allowed under permitted development for C4 Use Class accommodation. As noted by the Highways officer, although the distance to the nearest town centre is not convenient for some users with limited mobility, for more able-bodied individuals, the walking distance to shops and services, as well as local bus stops, is not unreasonable. Whilst the previous reason for refusal relating to intensification of the site was considered justified on the basis of 10 proposed occupiers, the reduction to 8 occupiers is considered more reasonable. The difference in scale and impact between a C4 Use Class HMO and the proposed 8-person Sui Generis development is not great enough, on balance, to justify refusal.

6.5.6 However, the proposed development does have the potential to generate overspill car parking, as noted by the Highways officer. It is considered that there is sufficient capacity for some additional car parking in the surrounding area if not immediately within the vicinity of the property. In addition, given the number of occupants, it is noted that the development would not be considered to result in a severe impact for the surrounding highway network, in particular taking into account the impact of a C4 6-person HMO. Taking all factors into consideration,

on balance, it is considered that the proposal would not result in impacts which would justify a refusal and would be acceptable.

- 6.5.7 Therefore, on balance, it is considered that the previous reason for refusal with regard to intensification of the site has been overcome.
- 6.5.8 Cycle parking must be provided in line with Table 10.2 (dLP) which amounts to a minimum of 8 spaces; these must be sheltered, secure and accessible (5% can be used by non-standard cycles). The proposal aims to provide cycle stores located at the rear of the property, which is an appropriate and secure location. Although there is a bit of a pinch point along the access way to the side, this should nevertheless accommodate smaller cycles, and so would not justify refusal. The number of cycle spaces shown on the submitted plans (8-10 independently accessible spaces within a secure communal locker) is sufficient, and the type of storage is secure and sheltered and would not lead to conflicts between users. The submitted cycle storage details are considered satisfactory.
- 6.5.9 In terms of servicing, the waste will be stored in a location in the front, which would be suitable and accessible for servicing, and a sufficient number of bins is provided. The use of an enclosure would reduce inappropriate refuse storage and pests. Waste and servicing arrangements are therefore considered to be acceptable.
- 6.5.10 In summary, although the proposal is not sited in a high PTAL area, given the reduced number of occupiers and not unreasonable access to public transport and shops and services, it is considered that the proposal would accord with the relevant development plan policies as set out above.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 5.12, 5.13
- The Intend to Publish London Plan (2019): SI 12 SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 The site is identified within surface water flood zone 3a & 3b according to Harrow's surface water flood maps and also within fluvial flood zones 2 and 3 according to Environment Agency flood maps. Therefore, the development should be protected against flooding. The Council's Drainage Authority have therefore stated that the proposed development should have the emergency planning information and a safe evacuation route, which the future occupiers must be made aware of. Hence, Emergency Planning Information is required, including details of safe dry access/egress arrangements and a plan indicating a safe route for the occupants and users away from the source of flooding.

6.6.3 The applicant has submitted updated information, which has been reviewed by the Council's Drainage Authority, and has been deemed acceptable. Thus, this previous reason for refusal has been overcome.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed scheme would contribute to the variety of housing stock in the borough; and would provide a suitable quality of accommodation for future occupiers. Although the site location has a low PTAL, it would not be considered unsustainably located for the reduced number of occupiers proposed, to a degree that would be significantly different from the existing development, and thus would justify refusal. Furthermore, the proposed development has overcome the previous reasons for refusal with regard to over-provision of parking and flood risks.
- 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.

Checked

Head of Development Management	Orla Murphy 26.11.2020
Corporate Director	Paul Walker 26.11.2020

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit 3 years - Full Permission

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

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

2. Approved Drawing and Documents

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

Design & Access Statement [dated 26 June 2020 Rev.1.0B; HMO Management Supervision Plan [dated 27 May 2020]; Flood Risk Assessment and Flood maps [dated 27 May 2020, Rev 1.0A]; 2020-3LA-HMO-FP-1; 2020-3LA-HMO-FP-2; 2020-3LA-HMO-FP-3; 2020-3LA-HMO-FP-5 Rev1.0E; 2020-3LA-CON-2 Rev 1.0A; 10-Space Amazon Eco Cycle shelter information sheet

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

3. Cycle Parking and Waste Storage Facilities

The proposed cycle storage facilities and waste bin storage enclosures shall be completed in accordance with the approved details herein before first occupation of the development and shall thereafter be retained.

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

4. Planting

The proposed defensive planting to the front and rear gardens shall be completed in accordance with the approved details herein before first occupation of the development and shall thereafter be retained.

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 protect the privacy and amenities of future occupiers, and to safeguard the appearance and character of the area, and to enhance the appearance of the development.

5. Refuse Storage

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

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

6 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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

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):
3.3, 3.4, 3.5, 3.8, 5.12, 5.13, 6.3, 6.9, 6.13, 7.2, 7.3, 7.4, 7.6

Draft London Plan (Intend to Publish Version 2019):
D3, D5, D6, D11, H9, T4; T5; T6.1 SI12, SI 13

Harrow Core Strategy (2012):
CS1

Development Management Policies Local Plan (2013):
DM1; DM2; DM9; DM10; DM23; DM27; DM30; DM42, DM45

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

3. 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/](http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf)

133214.pdf

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5. Liability for Damage to Highway

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

6. Surface and foul water connections

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

7. HMO Licensing

The applicant is advised to contact the Council's community safety team regarding required licensing: <https://www.harrow.gov.uk/licences/licences-houses-multiple-occupation-hmos?documentId=12837&categoryId=210278>

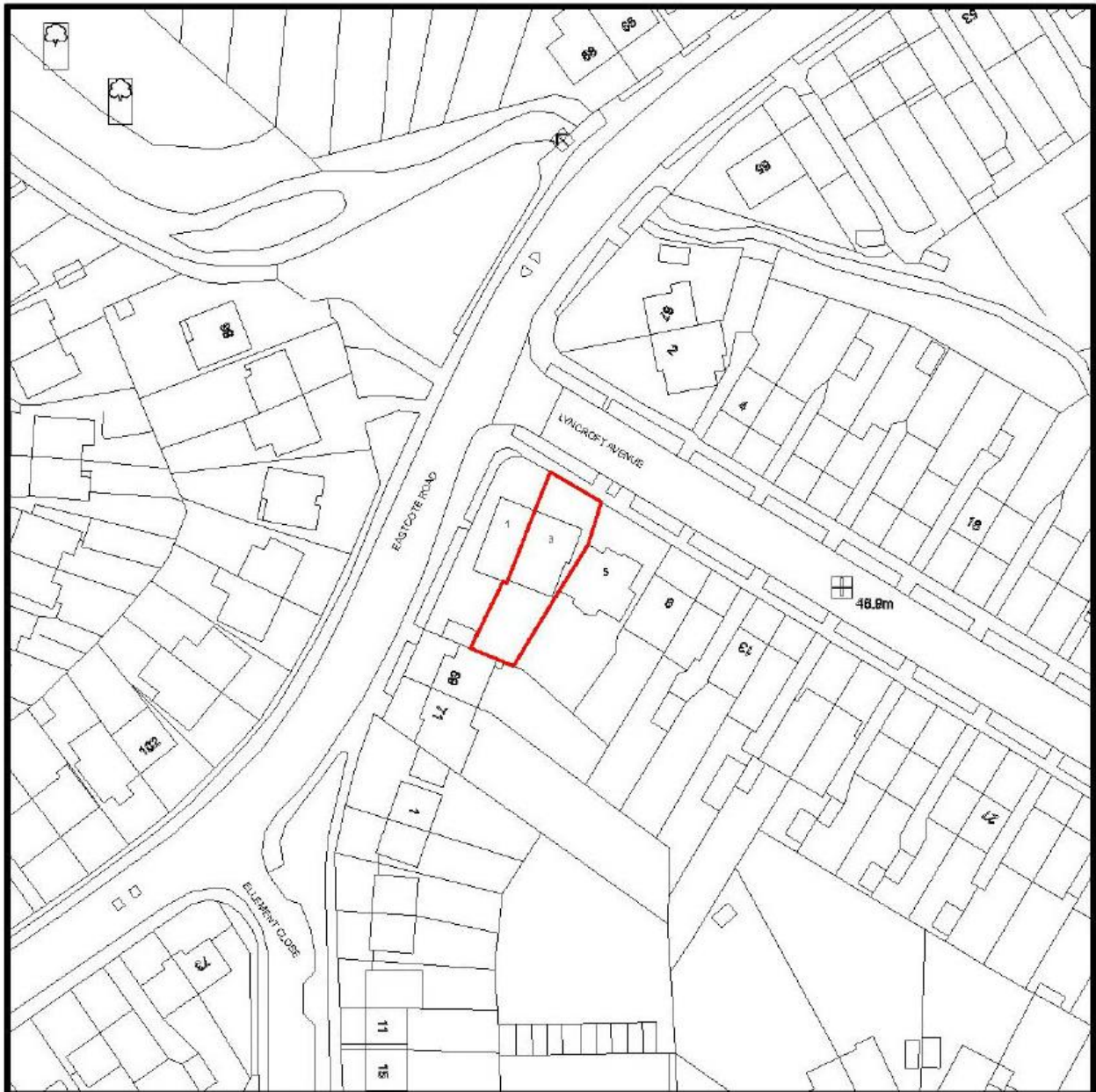
8. Designing Out Crime

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

CHECKED

Head of Development Management	Orla Murphy 26.11.2020
Corporate Director	Paul Walker 26.11.2020

APPENDIX 2: SITE PLAN

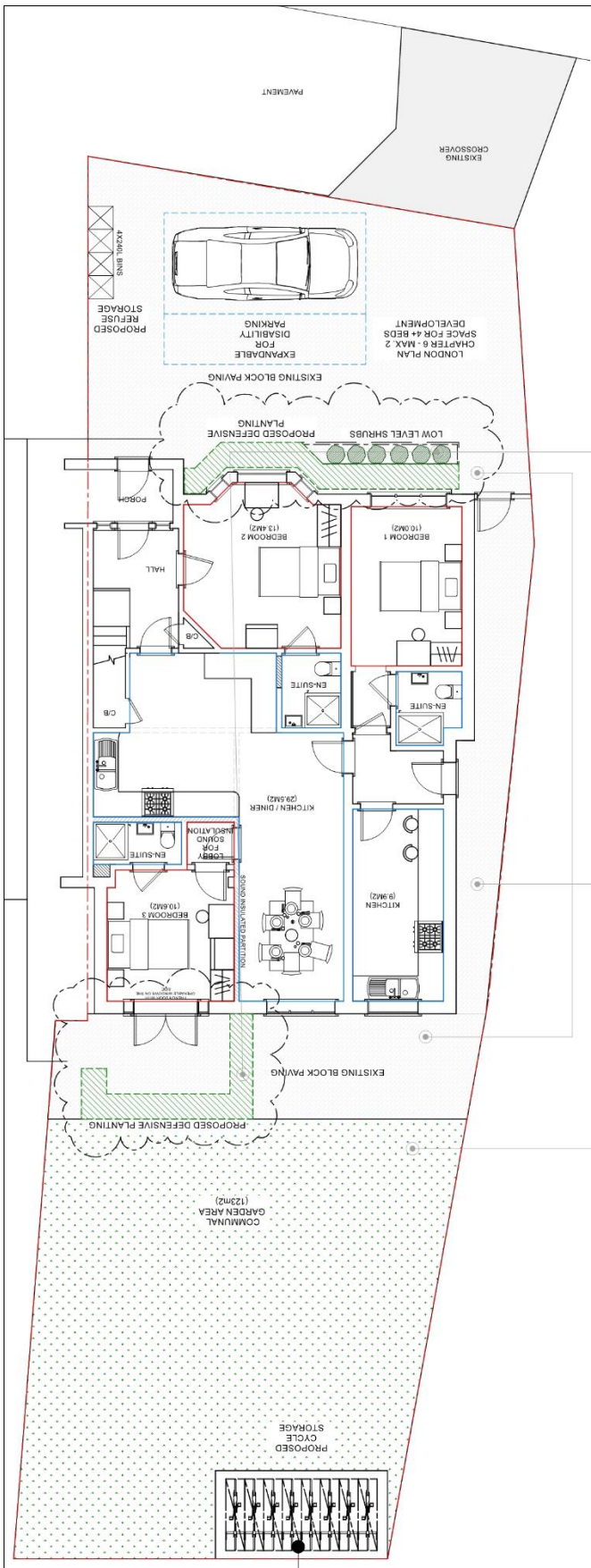


APPENDIX 3: SITE PHOTOGRAPHS

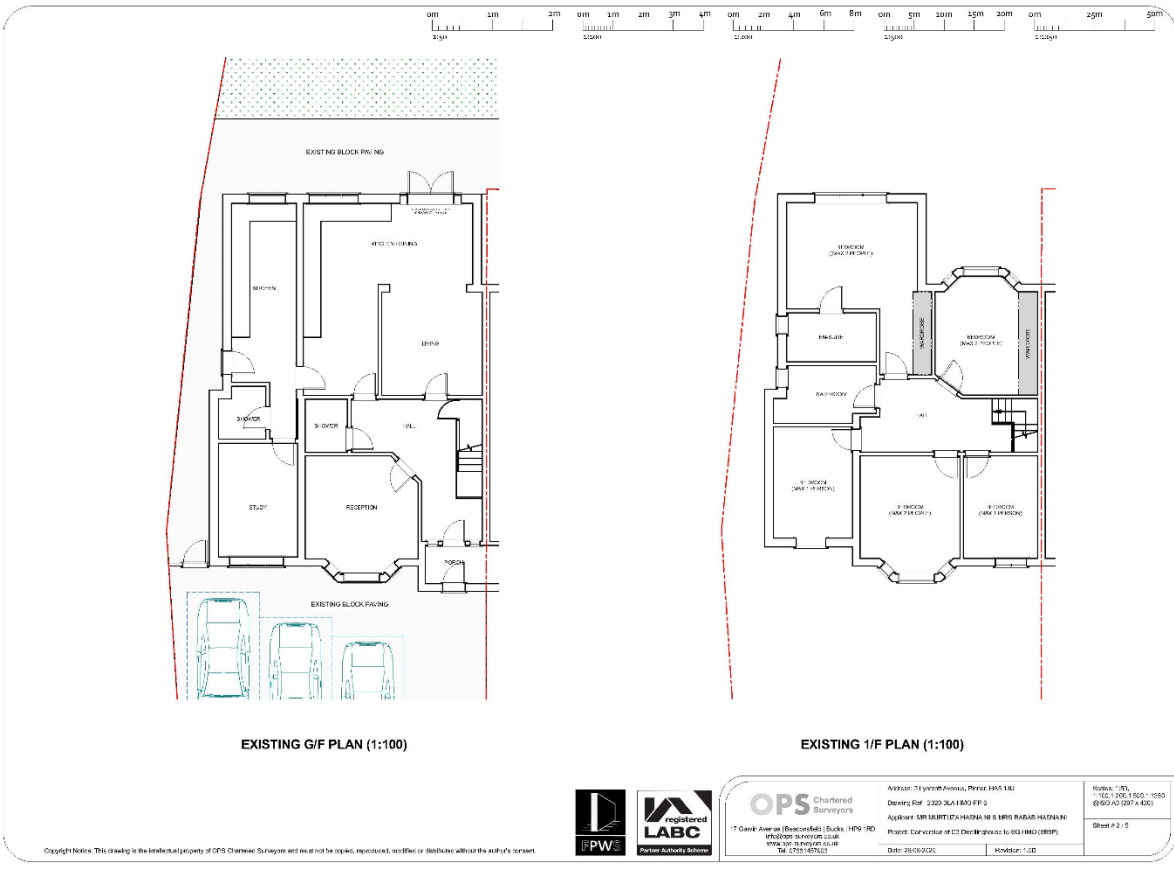




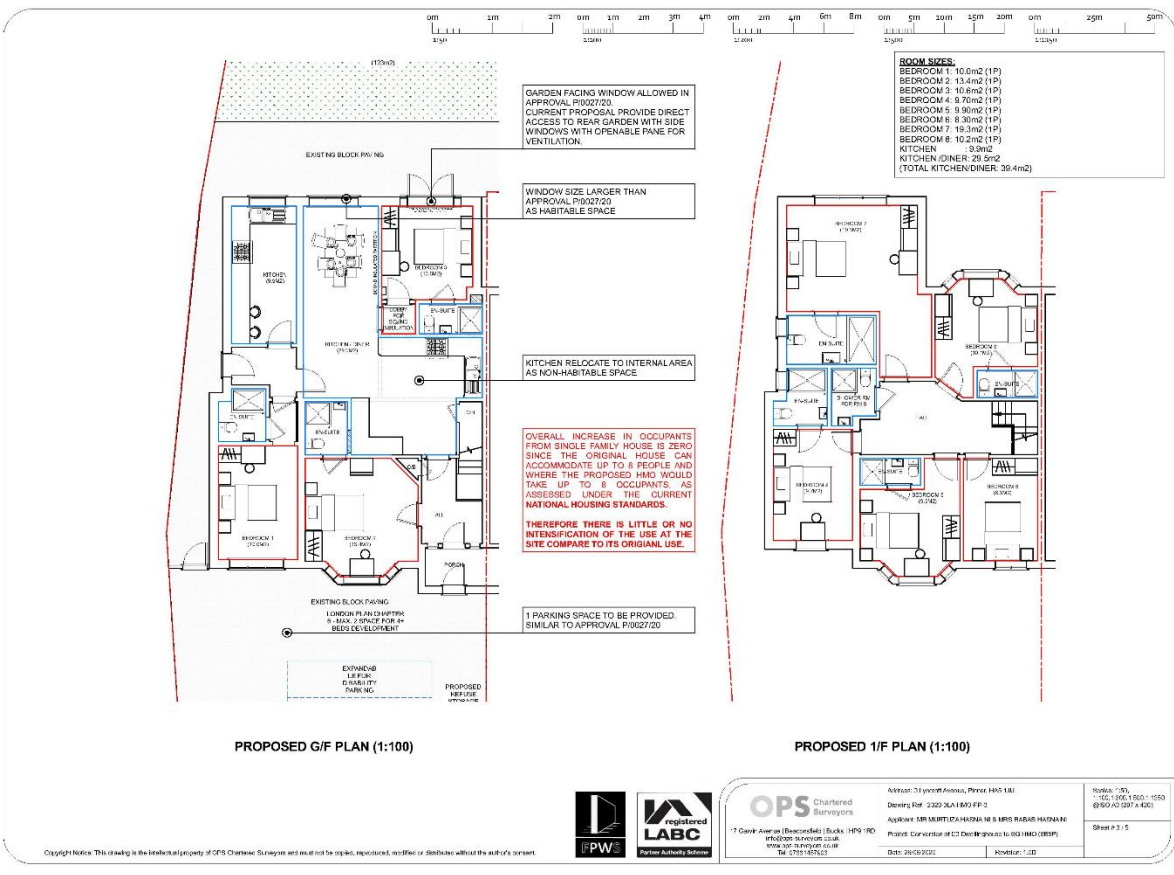
APPENDIX 4: PLANS AND ELEVATIONS



Proposed Site Plan



Existing Ground Floor Plan



Proposed Ground Floor Plan



Appeal Decision

Site visit made on 29 September 2020

by **S Dean MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/M5450/W/20/3256326

3 Lyncroft Avenue, Pinner HA5 1JU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Murtuza Hasnaini against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1031/20, dated 16 March 2020, was refused by notice dated 12 May 2020.
 - The development proposed is the change of use from use class C3 dwellinghouse to sui generis house in multiple occupations (up to 8 bedrooms and 10 people).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Following the decision of the Council, the appellant has submitted amended drawings to address the reasons for refusal by amending the parking provision and reconfiguring the internal communal space. The fundamental proposal would not be altered by the proposed amendments.
3. The Procedural Guide to Planning appeals – England states that the appeal process should not be used to evolve proposals and is clear that revisions intended to overcome reasons for refusal should normally be tested through a fresh application. I have had regard to the submissions of the appellant regarding the Wheatcroft Principles, as well as the degree of engagement of all parties with the issues, natural justice and fairness. I have therefore determined the appeal on the basis of the plans that were before the Council when it made its decision, on which parties were consulted, and on which many representations were made. I am not persuaded otherwise by the example cited by the appellant.
4. It appears from submissions that there is an ongoing dispute between the appellant and the Council as to the status of the appeal site. For the purposes of the application which led to this appeal, the appeal site was treated as a dwellinghouse, and I have done the same. I do not consider that the argument between the parties on this point or their various submissions on it are relevant to my decision and I have therefore not taken them into account.

Main Issues

5. The main issues are;
 - whether or not the proposal would provide acceptable living conditions for future occupiers having regard to privacy and the quality of the internal space
 - the effect of the proposal on the living conditions of occupiers of adjoining properties with regard to the intensity of the proposed use
 - the effect of the proposed parking provision on transport sustainability in the area, and
 - whether or not the proposal would expose the occupiers to unacceptable risk from flooding.

Reasons

6. The appeal site is a previously-extended, semi-detached, dwellinghouse, with a paved parking area to the front and garden to the rear. Its character and appearance is consistent with the rest of Lyncroft Avenue. I note that the broad principle of the proposal is considered acceptable by the Council in light of Policy DM30 of the Harrow Development Management Policies Local Plan 2013 (the Local Plan). I also acknowledge the representations on this point. The acceptability of the principle in Policy DM30 is however conditional and the Main Issues in this decision essentially relate to those conditions.

Living conditions for future occupiers

7. The windows of bedrooms 1 and 2, the ground-floor front-facing rooms, face directly onto the block-paved area to the front of the house which is to be used for parking. There is no planting, screening or other feature proposed to buffer those windows from that area, or any users of it.
8. The proposed layout shows cars parked slightly away from these windows, but this layout would encourage anyone accessing the communal garden, where the cycle store is located, to walk immediately past these windows. In addition, the step up to the front door would give an elevated view into bedroom 2. As such, I do not consider that those bedrooms would provide satisfactory living conditions for their occupiers with regards to their sense of privacy, disturbance from cars being parked, people passing the windows or the general overarching requirement for high quality internal space.
9. Bedroom 3, also on the ground floor but to the rear, is to have a patio door to the communal garden. The communal garden has block-paving to the rear of the house and steps to the grassed area are in line with this patio door. No screening or separation is proposed between bedroom 3 and the communal garden area. As a result, I do not consider that bedroom 3 would provide a future occupier with a suitable degree of privacy or screening from the communal garden, and in particular, the part of it most likely to be used. Bedroom 3 would not therefore meet the requirements for high quality internal space.
10. I note that no new rear door is proposed to access the communal garden from either kitchen area. As a result, access to the garden would either be through a side door or the front door. This arrangement could, in my view, further harm

the living conditions of future occupiers of bedrooms 1 and 2 as a result of residents walking past their windows and could even result in pressure to use bedroom 3 to access the communal garden.

11. I note that the bedrooms provide, and the proposal overall provides sufficient internal space with regard to its quantity. However, for the reasons set out above, the ground-floor bedrooms would not provide acceptable living conditions for future occupiers having regard to the quality of the internal space, and privacy in particular. As a result, the proposal would be contrary to the requirements of Policy 3.5 of the London Plan 2016, Policy D6 of the Draft London Plan 2019, and Policies DM1 and DM30 of the Local Plan. These seek, amongst other things, to ensure that development is of the highest quality internally and externally, that internal spaces are fit for purpose, functional, meet the needs of occupiers, including for privacy, and provide overall satisfactory living conditions.

Living conditions for occupiers of neighbouring properties

12. Notwithstanding the level of activity, in terms of comings and goings from the site as a relatively large dwellinghouse, the proposal would intensify the use of the site. It would lead to an increased level of occupation of the property, and this would inevitably lead to an increased level of activity with regard to use of the communal spaces, including the garden, as well as comings and goings to and from the property. This, at the scale proposed, would be significantly greater than the level of such activity which would normally or reasonably be expected from a dwellinghouse, even one as large as the appeal site.
13. I note, but do not agree with the argument of the appellant that the proposal is not significantly larger than the 6-person HMO which could be implemented using permitted development rights. To my mind, it is a substantial and significant increase, and would have a materially different, increased, effect over both the current use as a dwellinghouse, or any other scale of use which may not require planning permission.
14. I therefore consider that the proposal would, as a result of the increased intensity of use and associated activity, use of the garden, communal spaces and increased comings and goings, cause harm to the living conditions of occupiers of adjoining properties.
15. The proposal would therefore be contrary to Policy 3.5 of the London Plan 2016, Policy D6 of the Draft London Plan 2019, and Policies DM1 and DM30 of the Local Plan. These policies seek, amongst other things, to ensure that development is of the highest quality, and that proposals of this nature in particular have no adverse impact on the amenity of neighbouring properties.

Parking

16. Although the PTAL rating for the appeal site is moderate to poor, Policy 6.13 of the London Plan 2016, Policy T6 of the Draft London Plan and Policy DM42 of the Local Plan seek to limit the amount of car parking for new development, in order to encourage the use of more sustainable modes of transport. The car parking proposed exceeds those requirements.
17. Policy DM42 goes further, noting that parking layouts should be fit for purpose and not create wider highway problems. I do not consider that the proposed layout would be particularly convenient or easy to use, as access to it is

constrained both by the neighbouring boundary wall and a cabinet within the verge to the front. As a result, attempts to park the number of cars shown would be awkward and likely instead to lead to increased parking on Lyncroft Avenue itself, potentially increasing the effect of the proposal on the wider highway network.

18. Notwithstanding my concerns over how it is accessed, and the effects of that on living conditions, as set out above, I note that the cycle parking proposed meets policy requirements set out in Policy 6.9 of the London Plan 2016, Policy T5 of the Draft London Plan 2019, and Policy DM42 of the Local Plan. However, with regard to car parking, the proposal would not meet the requirements of Policy 6.13 of the London Plan 2016, Policy T6 of the Draft London Plan 2019 or Policy DM42 of the Local Plan, which seek to limit the use of the private car, reduce parking, and encourage more sustainable means of transport.

Flood risk

19. Following the decision of the Council, the appellant has carried out the assessment required by Policy DM9 of the Local Plan and demonstrated to the satisfaction of the Council that the proposal would be resistant and resilient to all relevant sources of flooding. I agree with that assessment. As such, the proposal would comply with that policy and would not expose future occupiers to unacceptable risk from flooding.
20. I am satisfied that it was appropriate and consistent for me to consider this information in determining the appeal. Unlike the amended plans discussed in the Procedural Matter above, the flooding information did not change the proposal or otherwise evolve it from that which the Council considered and upon which parties were consulted.

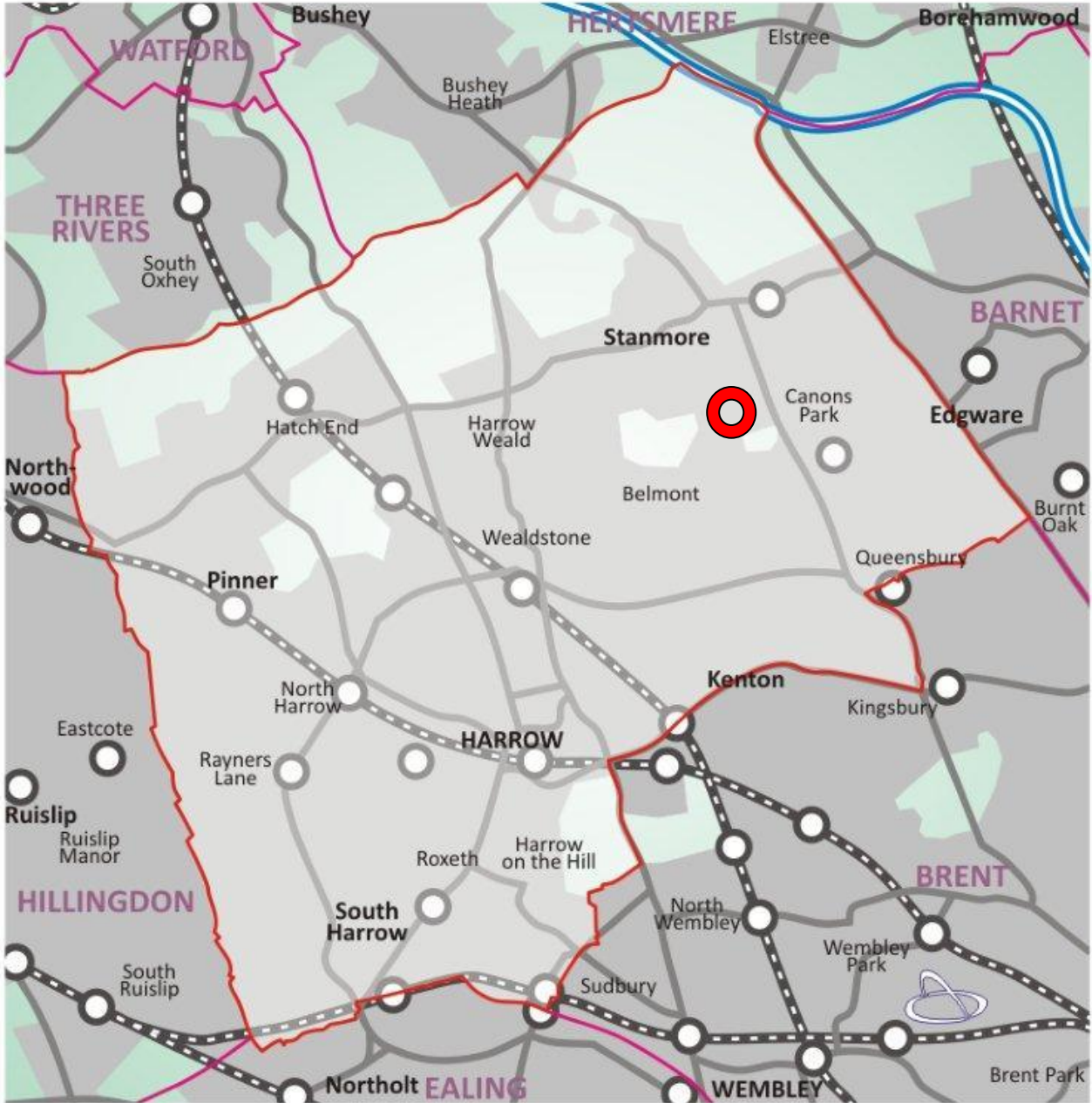
Conclusion

21. Although the proposal would not now expose future occupiers to unacceptable risk from flooding, I consider that it would not provide acceptable living conditions for future occupiers having regard to privacy and the quality of the internal space, and that it would cause harm to the living conditions of occupiers of adjoining properties with regard to the intensity of the proposed use. In addition, the level of parking proposed is excessive and contrary to the development plan.
22. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

S Dean

INSPECTOR

 = application site



25 ABERCORN ROAD, STANMORE	P/2947/20
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25 ABERCORN ROAD



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Planning Committee
Wednesday 9th December 2020

25 Abercorn Road, Stanmore, HA7 2PJ

LONDON BOROUGH OF HARROW
PLANNING COMMITTEE
9th December 2020

APPLICATION NUMBER: P/2947/20
VALID DATE: 6TH OCTOBER 2020
LOCATION: 25 ABERCORN ROAD, STANMORE
WARD: BELMONT
POSTCODE: HA7 3PJ
APPLICANT: MR P SORICI
AGENT: N/A
CASE OFFICER: KATIE HOGENDOORN
EXPIRY DATE: 16TH DECEMBER 2020

PROPOSAL

Re-Development To Provide Two Storey Dwelling (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 proposal would provide an appropriate density with a replacement dwelling. It is considered that the proposed replacement dwelling would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

INFORMATION

This application is reported to Planning Committee as it was called in by a Nominated Member to check the appropriateness of development. 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)13 Minor Dwellings
Council Interest:	None
Net Additional Floorspace:	233.97 sqm
GLA Community Infrastructure Levy (CIL):	£20,242.58
Local CIL requirement:	£40,485.17

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two-storey detached dwelling house situated on the west side of Abercorn Road in Stanmore.
- 1.2 The site is bound to the south by Stanburn First and Middle School and to the north by semi-detached residential properties.
- 1.3 The site is located within a critical drainage area and within flood Zones 2 and 3.
- 1.4 The site does not comprise a statutory or locally listed building and is not located within a conservation area.

2.0 PROPOSAL

- 2.1 The application proposes the demolition of the existing dwelling house and re-building to provide a two-storey dwelling house with accommodation in the loft space, with bin and cycle stores.
- 2.2 The dwelling would have a part flat part hipped roof form with a central crown spanning 5.25 metres in depth.
- 2.3 The dwelling would be between 12.85 and 6.6 metres deep where it would have a recessed rear elevation on the west side of the building and a 7.34-metre-wide first floor projection. The proposed first floor would be set back from the flat roof of a single storey rear projection by 1 metre.
- 2.4 The single storey rear projection would have a flat roof and eaves height of 3 metres. This projection would be 7.34 metres in width.
- 2.5 The proposed dwelling would be 8 metres in height to its ridge and 5.1 to its eaves.
- 2.6 The dwelling would have a total width of 10.2 metres.
- 2.7 The dwelling would be set away from the boundary with No 24 Abercorn Road by 1.78 metres, in line with the existing dwelling house.
- 2.8 There would be a flat roof dormer to the rear roof slope measuring 1.4 metres high x 1.78 metres wide, with a set back above the eaves of 1.24 metres.

- 2.9 There would be two roof lights within the front roof slope, three windows at first floor on the front elevation and two windows at ground floor with a central double entrance door and a porch.
- 2.10 There would be three windows on the proposed first floor rear elevation, one within the recessed western section and one window at ground floor in the same recessed section, with a set of five doors to the ground floor rear extension.
- 2.11 Revisions to previous proposal
- 2.12 The total width of the dwelling has been reduced by 1 metre from 11.2 to 10.2 metres.
- 2.13 The dwelling has been reduced in depth by 1.65 metres, from 12.85 metres to 11.2 metres.
- 2.14 The dwelling would have a uniform front wall instead of the previously proposed double front gable projections.
- 2.15 The crown roof form within the rear projecting part of the dwelling would be reduced in depth by 0.72 metres, from 2.6 metres to 1.88 metres, and the width of the ridge visible on the front and rear elevation has been reduced by 1 metre.
- 2.16 The ridge height has been reduced by 0.31 metres from 8.31 metres to 8 metres.
- 2.17 A Flood Risk Assessment has been provided with this application to overcome the previous reason for refusal.
- 2.18 Revisions within this proposal
- 2.19 A porch canopy has been added to the front elevation following discussions with the planning case officer to add articulation to the previously proposed front wall of the dwelling house. The porch canopy would have a pitched roof to a ridge height of 3.35 metres, and an eaves of 2.51 metres, and would be 1 metre deep and 3 metres wide.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of planning history is set out below:

Ref no.	Description	Status & date of decision
P/0872/20	Re-Development To Provide Two Storey Dwelling; Bin And Cycle Stores (Demolition Of Existing Dwelling)	Refused 30 th April 2020
<p>Reasons for refusal:</p> <ol style="list-style-type: none"> 1) The proposed replacement dwelling house, by reason of its bulk, massing and width, unsatisfactory flat roof design, and expanse of hardstanding, would result in an incongruous and obtrusive form of development that would fail to respect the massing, width and pattern of development within this part of the Abercorn Road street scene. The development therefore fails to meet the high quality design aspirations of the National Planning Policy Framework (2019), and is contrary to policies 7.4 B and 7.6 B of The London Plan (2016), Policy D4 of the Draft London Plan Intend to Publish Version (2019), Core Strategy Policy CS1.B (2012), policy DM 1 of the Harrow Development Management Pont - Residential Design Guide (2010). 2. By reason of the site being located within a flood Zone and an area of land liable to flooding, and the lack of Flood Risk Assessment, including appropriate flood resistant and resilience measures, the applicant has failed to demonstrate that the proposed development would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere, contrary to the National Planning Policy Framework (2019), Policies 5.3, 5.12 and 5.13 of The London Plan (2016), Policies SI 12 and SI 13 of the Draft London Plan Intend to Publish Version (2019), Policy CS1.U Of the Harrow Core Strategy (2012), Policies DM9 and DM10 of the Harrow Development Management Policies Plan (2013). 3. The Council has not been able to comprehensively assess the bio-diversity and ecological impact or otherwise, of the proposal by reason of the absence of a bio-diversity report, the absence of an arboricultural report and the removal of trees in the site. The proposal is therefore contrary to the National Planning Policy Framework (2019), Policies 7.19 and 7.21 of the London Plan (2016), Policy G6 of the Draft London Plan Intend to Publish Version (2019), and Policies DM20, and DM22 of the Harrow Development Management Policies Local Plan (2013). 		

4.0 **CONSULTATION**

- 4.1 A total of 6 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 10th November 2020. Four objections were received from the public consultation, these are summarised in the below table.

Neighbouring Amenity:

- Loss of light to No 24 Abercorn Road

Officer Note: The proposed first floor projection would not breach the 45 degree line drawn from the side wall of the neighbour at no 24, accordingly residential amenity in terms of outlook is protected.

Trees:

- Trees have been removed without planning permission.
- Their removal has resulted in loss of bat roosts.

Officer Note: The works to remove these trees did not require planning permission as they were unprotected.

The proposal includes conditions relating to biodiversity enhancements which are discussed further in the Biodiversity section of this report.

Flood Risk:

- The site is located within a flood zone and appropriate measures have not been taken to ensure that the proposal would not adversely impact flood risk on and off site.

Officer Note: A Flood Risk Assessment has been submitted with this application which demonstrates that there would be an acceptable impact in terms of Flood Risk. In addition, the Councils drainage officers and the Environment Agency have been consulted on the submitted details and they have raised no objections subject to conditions.

The erection of a front boundary wall:

- A brick wall has been erected to the front boundary without planning permission.

Officer Note: This application does not include any proposed front boundary treatment and as such the Council can only assess the proposal which is before them.

The lighting of bon fires in the garden:

- The owner has lit several bonfires in the rear garden which are hazardous, and which have caused nuisance to neighbours.

Officer Note: This is covered by Environmental Legislation and may be a statutory nuisance which can therefore be reported to Environmental Health to investigate.

4.2 Statutory and non-statutory consultation

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

<p><u>LBH Highways</u></p> <p>Details of cycle storage and a pre commencement condition for submission of construction logistics plan required due to proximity to nearby school.</p>
<p><u>LBH Drainage</u></p> <p>Thames Water, Lead Local Flood Authority/and or Environment Agency consents required. Development should be subject to limitation on discharge to no more than 5l/s/ha from all impermeable areas, flood storage check required for period 1 in 100 years. Drainage layout details required, flow restrictions, SuDs and permeable paving details, management plan for disposal of ground water, and drainage proposals in compliance with Local Flood Risk Management Strategy required.</p> <p>The site is located in flood zones 2 and 3 and within surface water flood zones 3a and 3b. There is also a piped main river in close proximity, the submitted Flood Risk Assessment is satisfactory, however conditions are recommended.</p>
<p><u>Environment Agency</u></p> <p>We have reviewed the submitted information and have no objections to the application on flood risk grounds. The Edgware Brook is culverted at this location. The applicant will require a permit. An informative is recommended regarding permits.</p>
<p><u>Biodiversity Officer</u></p> <p>Appropriate measures should be taken to compensate for loss of trees and bat roost. An assessment of biodiversity value and tree replacements should be provided. Attention is drawn to the requirements under the British Standard for BS:42020 which should be followed in respect of clearance of vegetation.</p>
<p><u>Landscape Architect</u></p> <p>Information on the proposed hard and soft landscaping and species used would be required, to comply with Policies DM22 and DM23 of the Development Management Policies Plan, conditions are recommended for levels, landscaping, boundary treatment, secure and screened bike storage.</p>
<p><u>Tree Officer</u></p> <p>Condition recommended.</p>

5.0 POLICIES

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

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

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

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

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

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

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

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of Development
- Impact on Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Development and Flood Risk
- Biodiversity and Trees

6.2 Principle of Development

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 3.3
- The Draft London Plan Intend to Publish Version (2019): D1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.2.2 Paragraph 12 of the NPPF states that:

‘The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed’

6.2.3 Officers consider the principle of the replacement dwelling house to be acceptable.

6.3 Impact on Character and Appearance of the Area

6.3.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B, 7.6B
- The Draft London Plan Intend to Publish Version (2019): D4
- Harrow Core Strategy (2012): CS1.A
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Harrow Residential Design Guide SPD (2010)

Siting, form and massing within the street scene

6.3.2 The proposed dwelling would be of a narrower width than the existing dwelling house, and 1 metre narrower than the previously refused proposal, and would be set away from the boundary with No 24 Abercorn Road by 1.73 metres and set further away from the western boundary than the previously refused proposal.

6.3.3 The dwelling would be 2.41 metres deeper than the existing, with its front wall in line with the position of the front wall of the existing dwelling. The proposed depth has been reduced by 1.65 metres, from the previously refused proposal. Although the dwelling would be deeper in its form than the existing, it would maintain the 45 degree line drawn from the edge of the side building line at No 24 Abercorn Road, to the east of the application site, and would therefore retain the character and

pattern of development within the surrounding area. The siting and width of the proposed dwelling is therefore considered to have an acceptable impact on visual amenity as it would respect the pattern and grain of development within the existing street scene and surrounding area.

- 6.3.4 The roof form has been altered from the previously refused proposal to form a part flat part hipped with a much narrower crown roof to the deeper part of the dwelling. The proposed dwelling would have an eaves height in line with that of the existing dwelling, and a ridge height set down 0.3 metres from that of the existing dwelling and from that of the previously refused proposal. The proposed dwelling would respect the character of the street scene in terms of its massing and bulk. It is noted that the existing dwelling has a stepped back side projection, and that the proposal would have a uniform front wall. However, owing to the position of the dwelling where it would be set back from the highway and its front wall would be in line with the front wall of the existing dwelling and the neighbouring dwelling at No 24 Abercorn Road, it is considered that the proposed dwelling would retain the character of the street scene and would be sensitive to the massing and bulk of neighbouring dwellings.

Layout, refuse and cycle storage

- 6.3.5 Whilst there are no annotations of bin or cycle stores on the proposed plans, it is noted that due to the size of the site these could be accommodated and as such a condition is attached to this permission for further details in terms of the siting. Details of hardstanding and forecourt greenery are also required by condition in order to maintain the character of the street scene.
- 6.3.6 In summary, the proposed replacement dwelling would have an acceptable impact on the character and appearance of the street scene and the existing site. The development would therefore meet the high quality design aspirations of the National Planning Policy Framework (2019), and is in line with policies 7.4 B and 7.6 B of The London Plan (2016), Policy D4 of the Draft London Plan Intend to Publish Version (2019), Core Strategy Policy CS1.B (2012), policy DM 1 of the Harrow Development Management Policies plan (2013), and the Harrow Adopted Supplementary Planning Document - Residential Design Guide (2010).

6.4 Residential Amenity

- 6.4.1 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

Relevant Supplementary Documents:

- The Technical Housing Standards (2015)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Harrow Residential Design Guide SPD (2010)

Residential Amenity of neighbouring Occupiers

- 6.4.2 The first-floor rear projection would be set further beyond the rear building line of the neighbour at No 24 Abercorn Road, by approximately 1 metre. Owing to the position of the proposed dwelling where it would be set away from the shared boundary with No 24 Abercorn Road, and eaves height of the first floor projecting gable which would be in line with the eaves height of the existing dwelling on site, the impact on outlook and daylight to neighbours on this side of the boundary is considered to be acceptable.
- 6.4.3 The ground floor rear projection would have an eaves height of 3 metres and would be set further beyond the rear building line of No 24 by 2 metres. Owing to the position of this projection and relationship with the neighbour at No 24, where this would be set away from the shared boundary, there would be no breach of the 45 degree line drawn from the edge of the side wall of No 24 Abercorn Road, and consequently the proposal would meet with the guidance in the Harrow Residential Design Guide SPD and would not have any adverse impact on outlook and light for this neighbour.
- 6.4.4 There would be no windows within the ground or first floor side elevations facing No 24 Abercorn Road. As such there would be an acceptable impact on privacy to this neighbour.

Residential Amenity of future Occupiers

- 6.4.5 The proposed dwelling house would have four bedrooms and would meet with the minimum floor areas set out within the London Plan (2016). Officers consider that the proposed replacement dwelling house would provide a good quality of accommodation for future occupiers and would accord with the relevant policies in this regard.
- 6.4.6 In summary, the proposed dwelling house would result in an acceptable living arrangement for future and neighbouring occupants and therefore the proposal is in line with the National Planning Policy Framework (2019), Policies 3.5C and 7.6B of The London Plan (2016), Policies D3 and D6 of The Draft New London Plan (2019), Policy DM 1 the Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document: Residential Design Guide (2010).

6.5 Traffic and Parking

6.5.1 The relevant policies and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.9, 6.13
- The Draft London Plan (Intend to Publish Version) (2019): D6
- Harrow Development Management Policies (2013): DM44

6.5.2 There would be two car parking spaces located in the front garden area of the existing site, and there would be a cycle store located in the rear garden area for storing two bicycles in line with the London Plan Standards. As such, it is not considered that the proposal would give rise to any adverse impacts in terms of parking or highway safety. In addition, the Highways officer has been consulted and raises no objections subject to a condition for the submission of a construction logistics plan, as the site is located in close proximity to a school.

6.5.3 With regard to the bin store area within the existing front garden, collection arrangements will remain as existing where occupants will present their bins for collection on collection day.

6.6 Development and Flood Risk

The relevant policies and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.12, 5.15
- The Draft London Plan (Intend to Publish) (2019): SI12, SI13
- Harrow Core Strategy (2012): CS1.U
- Harrow Development Management Policies (2013): DM9, DM10

6.6.1 The site is located within fluvial flood zones 2 and 3 according to Environment Agency flood maps and is also within surface water flood zone 3a and 3b according to surface water flood maps. There is also a piped main river in close proximity and accordingly the site is at a high risk of flooding. In addition, the Edgware Brook is culverted at this location. As such, irrespective of this planning permission, an informative has been added to this permission regarding permit required for any works within 8 metres of a main river or flood defense structure or culvert.

6.6.2 A Flood Risk Assessment was submitted with this application demonstrating that subject to conditions, the proposal would have an acceptable impact upon flood risk on and off site. Following the previous refusal for which no flood risk assessment was provided, the dwelling has also been relocated further away from the existing culvert which runs from the south west to the north east of the site. The Council's drainage officers and the Environment Agency were consulted on this this proposal and have raised no objections, subject to conditions relating to sewage disposal, surface water disposal with discharge rates of 5 l/s/ha, attenuation, emergency planning and evacuation routes, and permeable paving details, being submitted to and approved in writing by the Local Planning Authority.

6.6.3 Subject to these conditions, the proposal would have an acceptable impact on flood risk and drainage on and off site, in line with Policies 5.12 and 5.13 of The London Plan (2016), Policies SI12 and SI13 of the Draft London Plan Intend to Publish Version (2019), Core Policy CS1 U of Harrow Core Strategy (2012) policies DM 9 and DM 10 of the Harrow Development Management Policies Local Plan (2013).

6.7 Biodiversity and Trees

6.7.1 The relevant policies and guidance are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19
- The Draft London Plan (Intend to Publish) (2019): G6
- Harrow Development Management Policies (2013): DM20, DM21, DM22.

6.7.2 The site does not fall within any designations for Biodiversity and there are no tree protection orders on site. Whilst the site itself is not included in the Site of Importance for Nature Conservation (SINC), there is a SINC which begins on the opposite side of Abercorn Road and runs alongside that section of the culvert. Prior to the submission of this application, a previous proposal application reference P/0872/20 was submitted and refused by the Council. The proposal included felling of trees on site and subsequently was considered to result in a loss of forecourt greenery and landscaping and in a loss of biodiversity value which was found to be contrary to Council Policies.

6.7.3 There are no trees of amenity value remaining on the existing site. However, as part of this proposal, it is conditioned that replacement trees are planted and that biodiversity enhancements including bat boxes are installed on site in order that the proposal would result in biodiversity gain. In addition, the Councils Landscape Architect and Tree Officer have been consulted and have recommended conditions for additional details including replacement planting. As such it is considered that the proposals would be in line with Policy 7.19 of the London Plan (2016), Policy G6 of the Draft London Plan (2019), and Policies DM20, DM21 and DM22 of the Harrow Development Management Policies (2013). In addition, the Council's Biodiversity officer has been consulted and raises no objections subject to conditions.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The proposal would provide an appropriate density with a replacement dwelling house. It is considered that the proposed replacement dwelling house would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions:

1. Timing

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

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

2. Approved Plans and Documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following documents and plans:
25AR/P01; 25AR/P100 Rev A; Flood Risk Assessment.

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

3. Materials

Notwithstanding the details shown on the approved plans, the development of the building hereby permitted shall not be commenced beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to the Council, and approved in writing, by the local planning authority:

- a: facing materials for the building, including down pipes
- b: windows / doors
- c: boundary treatment
- d: hard landscape 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. THIS IS A PRE-COMMENCEMENT CONDITION.

4. Sewage Water Disposal

The construction of the dwelling house hereby permitted shall not commence 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. THIS IS A PRE-COMMENCEMENT CONDITION.

5. Surface Water Disposal

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

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk. THIS IS A PRE-COMMENCEMENT CONDITION.

6. Surface Water Attenuation

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

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk. THIS IS A PRE-COMMENCEMENT CONDITION.

7. Emergency Planning

The construction of the dwelling house hereby permitted shall not commence until Emergency Planning Information have been submitted to and approved in writing by the Local Planning Authority.

REASON: To build in resistance and resilience in managing, reducing and mitigating the effects of flood risk following guidance in the National Planning Policy Framework. THIS IS A PRE-COMMENCEMENT CONDITION.

8. Construction Logistics Plan

The development hereby permitted shall not be commenced, including any works of demolition, until a Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Logistics Plan shall provide for:

- Parking of vehicles of site operatives/visitors
- Hours of work
- HGV access to site – loading and unloading of plant and materials and delivery hours
- Number of HGV's anticipated
- Storage of plant and materials used in constructing the development
- Programme of work and phasing
- Site layout plan
- Measures to control dust and dirt during construction
- A scheme for recycling/disposing of waste resulting from demolition and construction works

The development shall be carried out in accordance with the approved 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. THIS IS A PRE-COMMENCEMENT CONDITION.

9. Levels

The construction of the dwelling house hereby permitted shall not commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained

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. THIS IS A PRE-COMMENCEMENT CONDITION.

10. Landscaping

Prior to completion or occupation of the development hereby approved, details of all proposed tree planting shall be submitted for approval. This will include a landscape masterplan, hard and soft landscape details and 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 a landscape implementation programme.

Any trees found to be dead, dying, damaged or diseased within 5 years of completion of the development OR completion of the landscaping scheme (whichever is later), shall be replaced in the next planting season with trees of similar size and species.

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

REASON: In the interests of amenity.

11. Hard surfacing

All hard 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, in accordance with policy DM10 of the Councils Development Management Policies Local Plan (2013).

12. Biodiversity enhancements

The development hereby permitted shall not be commenced above damp proof course level until full details of biodiversity enhancements for the site have been submitted to and agreed in writing by the local planning authority. The enhancements should include the provision of bird and bat boxes. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To enhance the ecology and biodiversity of the area.

13. Remove PD rights for extensions

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

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

14. Site works Fence

The development of any building including demolition hereby permitted shall not be commenced until the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety.

15. Windows flank

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

REASON: To safeguard the amenities of neighboring residents.

16. Cycle store

Prior to completion or occupation of the development hereby approved, secure and weather-protected residents bicycle parking spaces shall be provided on a plan within the rear garden amenity area. The on-site cycle parking spaces so provided shall thereafter be retained and made available for the use of future occupiers of the development.

REASON: To ensure that adequate cycle parking provision is made for more sustainable transport modes on the site.

17. 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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016)

3.5 Quality and Design of Housing Developments
5.3 Sustainable Design and Construction
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.1 Building London's Neighborhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture
7.19 Biodiversity and Access to Nature

The Draft London Plan Intend to Publish (2019)

D3 Optimising Site Capacity
D4 Delivering Good Design
D6 Housing Quality and Standards
G6 Biodiversity and Access to Nature
SI 12 Flood risk Management
SI 13 Sustainable Drainage

Harrow Core Strategy (2012)

Core Policy CS 1 Overarching Policy Objectives
Core Policy CS1 U Sustainable Flood Risk Management

Harrow Development Management Polices Local Plan (2013)

Policy DM 1 Achieving a High Standard of Development
Policy DM 2 Achieving Lifetime Neighbourhoods
Policy DM 9 Managing Flood Risk
Policy DM 10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 20 Protection of Biodiversity and Access to Nature
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy MD 22 Trees and Landscaping
Policy DM 23 Streetside Greenness and Forecourt Greenery
Policy DM 27 Amenity Space
Policy DM 42 Parking Standards
Policy DM 45 Waste Management

Relevant Supplementary Documents

Technical Housing Standards Nationally Described Space Standards (2015).

Mayor of London, Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document - Residential Design Guide (2010)

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

3. 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.

4. Considerate Code of Practice

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

5. Party Wall Act

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

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

and that work falls within the scope of the Act.

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

6. London Mayor’s CIL Charges

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 £20,242.58.

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/cil_questions.pdf

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

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

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

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

7. Harrow Council CIL Charges

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 £40,485.17

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

The CIL Liability is payable upon the commencement of development.

You are advised to visit the [planningportal](#) website where you can download the relevant CIL Forms.

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

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

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

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

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

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

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

8. Liability for Damage to the Highway

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

9. Sustainable Drainage Systems

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

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

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment

(BRE) Digest 365.

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

10. Flood Emergency Planning

To ensure evacuation arrangements are adequate and safe access/egress from the site during a flood event is provided, the applicant should refer to LB Harrow SFRA, Emergency Flood Plan, NPPF as evacuation procedures should accompany development proposals and reference should be made to EA flood warning procedures for occupants and users. Details of safe access/egress arrangements and a plan indicating a safe route for the occupants and users away from the source of flooding should be submitted.

11. British Standard for Biodiversity Information

The applicants attention is drawn to the requirements in relation to the provision of biodiversity information under the current British Standard BS:42020 that should be followed.

12. Designing Out Crime

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

CHECKED

Head of Development Management	Orla Murphy 26.11.2020
Corporate Director	Paul Walker 26.11.2020

APPENDIX 1: LOCATION PLAN



APPENDIX 2: SITE PHOTOGRAPHS

Figure 1 – Existing side and front elevation of subject dwelling



Figure 2 – Existing rear elevation of subject dwelling



Figure 3 – Existing rear elevation of subject dwelling and existing side boundary



Figure 4 – Existing side elevation of neighbour at No 24 Abercorn Road

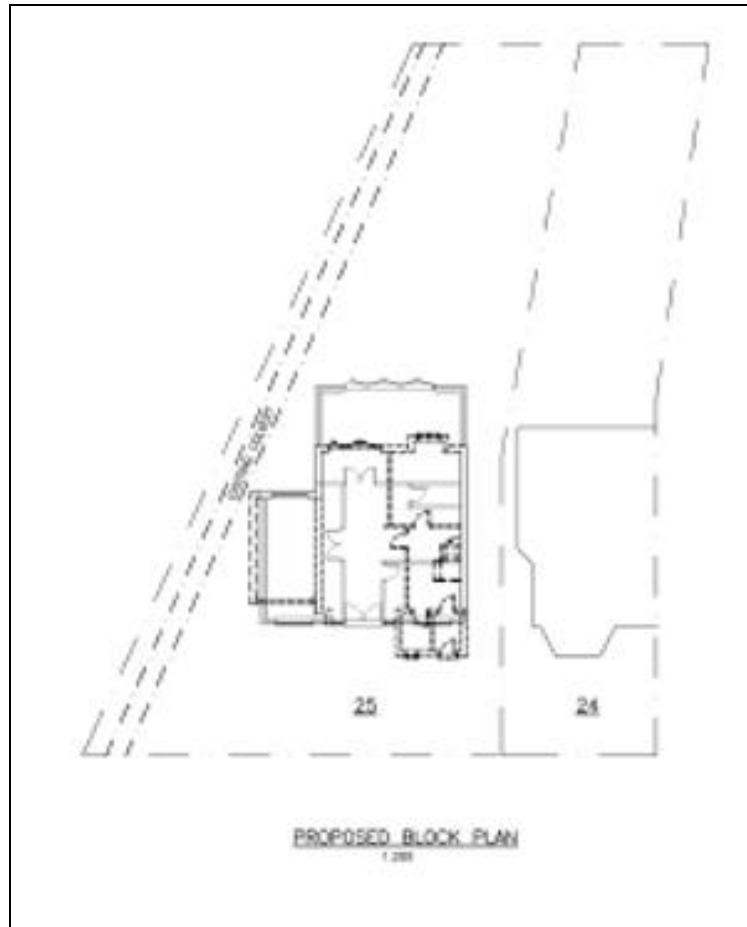


APPENDIX 3: PLANS AND ELEVATIONS

Figure 1 – Proposed plans and elevations



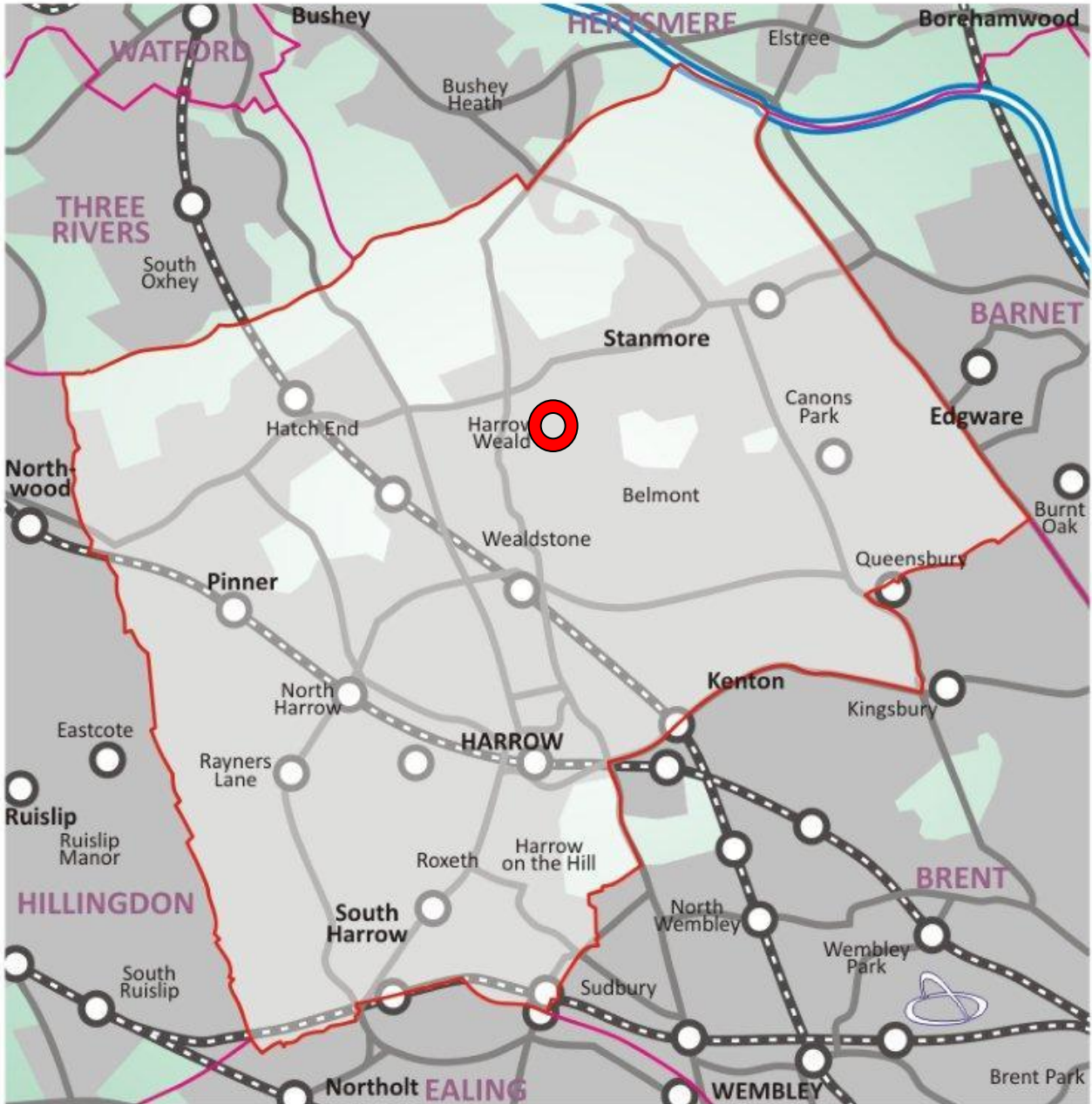
Figure 2 – Site Block Plan showing outlines of the existing (dotted line) and proposed (solid line) dwellings.



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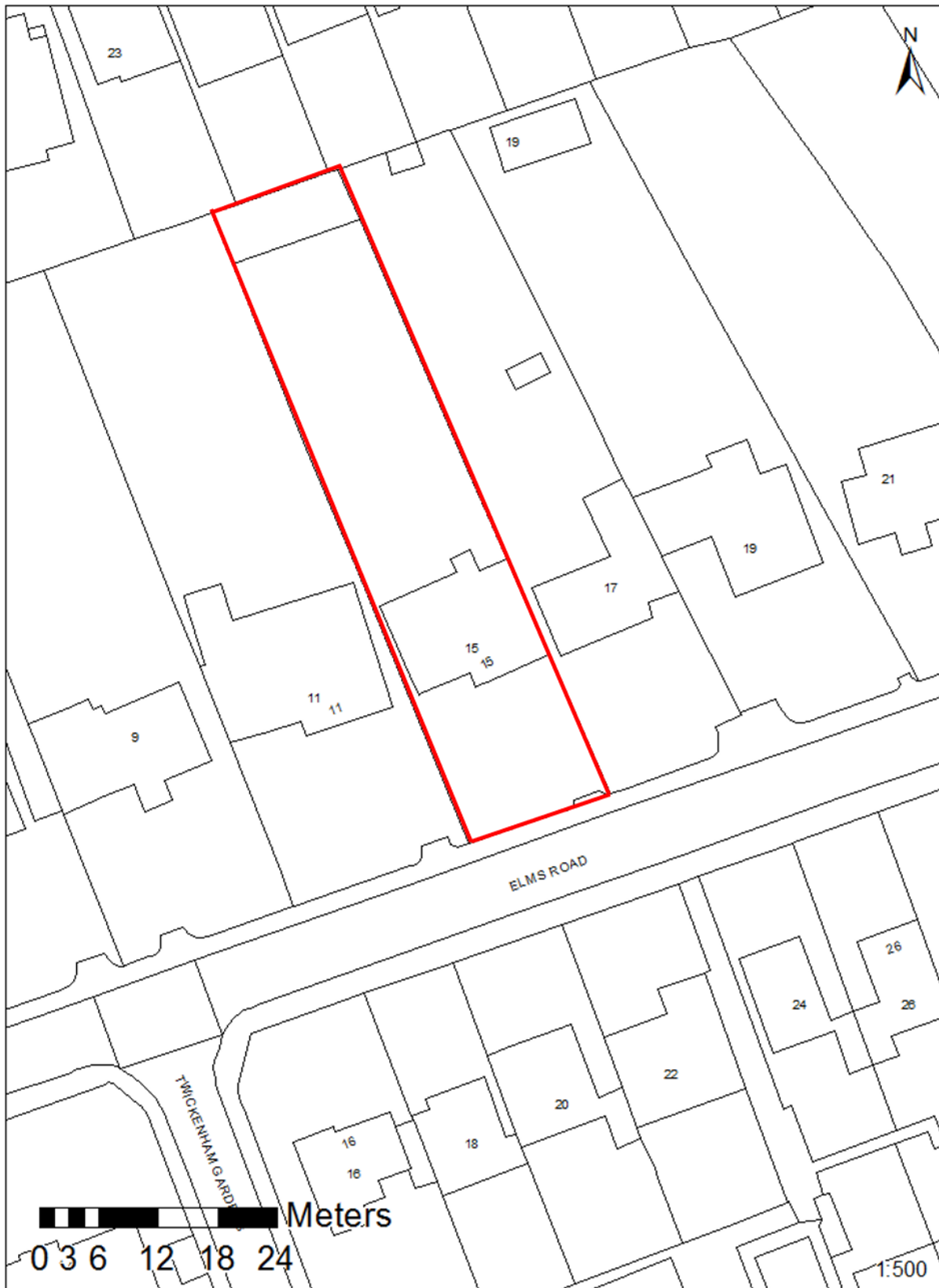
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 = application site



15 ELMS ROAD HARROW WEALD	P/3177/20
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15 ELMS ROAD



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

9th DECEMBER 2020

APPLICATION NUMBER: P/3177/20
VALID DATE: 14TH OCTOBER 2020
LOCATION: 15 ELMS ROAD HARROW WEALD HARROW
WARD: HARROW WEALD
POSTCODE: HA3 6BB
APPLICANT: MR REZA PAYMAI
AGENT: P R ARCHITECTURE
CASE OFFICER: FAYE MCELWAIN
EXPIRY DATE: 24th NOVEMBER 2020
(EXTENDED EXPIRY DATE 16TH DECEMBER 2020)

PROPOSAL

Conversion of dwellinghouse into four flats (1 X 1 bed, 2 x 2 bed and 1 X 3 bed); single storey front extension; single storey side extension; single and two storey rear extension; alterations to roof to raise ridge height; rear dormer; external alterations.

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The creation of flats on the site is appropriate in this location and the proposed extensions and external alterations do not appear at odds with the 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.

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 at the request of a nominated member to check the suitability of the development for conversion. 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:	(13) New Dwelling
Council Interest:	None
Net floorspace	67 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£ 4020
Local CIL requirement (provisional):	£ 10,627

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 comprises of a large detached dwelling house on a large plot on the north side of Elms Road.
- 1.2. The area is predominantly residential in character comprising of detached dwellings of a variety of architectural styles.
- 1.3. The dwellings are set back from the road with a large frontages.
- 1.4. There are trees protected by a TPO on the frontage.
- 1.5. The site is within a critical drainage area.

2.0 PROPOSAL

- 2.1 The application proposes to convert the dwelling to provide four self-contained flats.
- 2.2. The housing mix for this proposal consists of one bed 2-person dwelling, one 3 bed 5 person dwelling on the ground floor and two 2 bed 4 person dwellings over the first floor and the proposed converted roof space.
- 2.3. External alterations include the single storey front extension, single storey side and rear extension and first floor rear extension and alterations to roof to raise ridge height and insertion of rear dormer.
- 2.4. The single storey front extension projects forwards of an existing set back section by 1.4m in line with the principle elevation and contains the front door to replace the existing front porch.
- 2.5. The single storey side and rear extension has a depth of 3.5m and has a pitched roof.
- 2.6. The first-floor rear extension projects 1.6m from the existing rear wall and has a roof form designed to integrate with the existing roof form with the creation of a gabled section.
- 2.7. The ridge height is to be raised by 0.86m and a rear dormer is proposed with a pitched roof positioned centrally on the rear roofslope.
- 2.8. Car parking for four cars is proposed on the frontage utilising the existing hardstanding and access arrangements.
- 2.9. Cycle parking and refuse storage is proposed in the rear gardens.
- 2.10. The rear garden is proposed to be segregated to provide a private outdoor amenity space for each of the flats.

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/4469/19	Conversion Of Dwelling Into Five Flats (3 X 1 Bed And 2 X 2 Bed); Single Storey Front Extension; Single Storey Side Extension; Single And Two Storey Rear Extension; Single Storey Rear Extension; Alterations To Roof To Raise Ridge Height; Rear Dormer; External Alterations	Refused 16/12/2020
<p><i>Reasons for Refusal</i></p> <ol style="list-style-type: none"> 1. The proposal by reason of its unsatisfactory layout, stacking arrangement and insufficient ceiling height, would create a cramped and poor standard of living accommodation for the future occupiers and give rise to an unacceptable transmission of noise/general disturbance between the flats proposed. The proposal is therefore contrary to the National Planning Policy Framework (2019), Policies 3.5C and 7.6B of The London Plan 2016, Policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013), the adopted Supplementary Planning Document Residential Design Guide (2010), the Mayor of London Housing SPG (2016) and the Technical Housing Standards Nationally Described Space Standards (2015). 2. The proposed two storey rear extension, roof extensions and front extension, by reason of their incompatible design, cumulative bulk, lack of articulation and excessive scale, would appear obtrusive and incongruous, would harm the existing roof form and form of the existing dwelling to the detriment of the character and appearance of the subject dwellinghouse and the area, contrary to the high quality design aspirations of the National Planning Policy Framework (2019), Policies 7.4B and 7.6B of The London Plan (2016) Core Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document Residential Design Guide (2010). 3. It has not been demonstrated that the proposed raising of the ridge height and roof alterations would not have a detrimental impact on the street scene and the character and appearance of the surrounding area, contrary to the high quality design aspirations of the National Planning Policy Framework (2019), Policies 7.4B and 7.6B of The London Plan (2016) Core Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document Residential Design Guide (2010). 		

P/1560/19 -	Conversion of dwelling into five flats (3 X 1 bed and 2 x 2 bed); Two storey front extension; Single and two storey rear extensions; Raising height of roof and dormer to rear, rooflight in front and side roofslopes; External alterations; Parking; Landscaping; Refuse and Cycle storage	Refused 24/05/2019
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Reasons for Refusal:

1. The two storey front extension by reason of its flat roof design and alignment with the principal front elevation would result in a form of development that would fail to respect the form and appearance of the original and existing dwellinghouse to the detriment of the character and appearance of the existing building and the surrounding area, contrary to the high quality design aspirations of National Planning Policy Framework (2019), Policies 7.4.B and 7.6.B of The London Plan (2016), Core Policy CS1.B of The Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
2. The first floor rear extension by reason of its lack of a subordinate roof would fail to respect the scale and proportions of the existing roof form and would give rise to visually obtrusive and overly dominant extensions, to the detriment of the character and appearance of the existing building and the surrounding area, contrary to the high quality design aspirations of National Planning Policy Framework (2019), Policies 7.4.B and 7.6.B of The London Plan (2016), Core Policy CS1.B of The Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
3. The proposed flat numbers 4 and 5, by reason of their poor and unsatisfactory layout and stacking arrangement would result in a poor standard of living accommodation for future occupiers in regards to transmission of noise/general disturbance between the flats proposed. The proposal is therefore contrary to the National Planning Policy Framework (2019), Policies 3.5C and 7.6B of The London Plan 2016, Policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013), the adopted Supplementary Planning Document Residential Design Guide (2010), the Mayor of London Housing SPG (2016) and the Technical Housing Standards Nationally Described Space Standards (2015).
4. The proposal fails to show adequate provision of refuse and recycling bins to serve the development. Notwithstanding this the proposed number of refuse and recycling bins that would be required to serve this development would give rise to a cluttered front garden area detracting from the character and appearance of the host property and the locality as a whole, contrary to Policy 7.4B of the London Plan (2016), Policies DM1 and DM45 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

P/4798/18	Conversion Of Dwelling Into Six Flats (6 X 1 Bed); Two Storey Front Extension; Single And Two Storey Rear Extensions; Raising Height Of Roof And Dormer To Front Rear And Both Side Roofslopes; External Alterations; Parking; Landscaping; Refuse And Cycle Store	Refused 02/01/2019:
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Reasons for Refusal

1. The proposed front and side dormers and roof alterations in addition to the first floor extension by reason of their incongruous form and design would fail to respect the scale and proportions of the existing roof form and would give rise to visually obtrusive and overly dominant extensions, to the detriment of the character and appearance of the existing building and the surrounding area, contrary to the high quality design aspirations of National Planning Policy Framework (2018), Policies 7.4.B and 7.6.B of The London Plan (2016), Core Policy CS1.B of The Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).
2. Flat 6, by reason of its being solely accommodated in the loft space, insufficient ceiling height and inadequacy of outlook for the bedroom would create a cramped and poor standard of living accommodation for the potential future occupiers, to the detriment of their residential amenity, contrary to the National Planning Policy Framework (2018), Policy 3.5 of The London Plan (2016), Policies DM 1 and DM 26 of the Harrow Development Management Policies Local Plan (2013), the Mayor of London Supplementary Planning Guidance Housing (2016), and the adopted Supplementary Planning Document: Residential Design Guide (2010).
3. The proposed ground floor window on the west elevation by reason of its siting in relation to the boundary with 11 Elms Road has the potential to cause actual and perceived overlooking, to the detriment of the residential amenity of the occupiers, contrary to the Policy 7.6 of The London Plan (2016), Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).
4. The proposed frontage parking by reason of its abundance of hardstanding and loss of soft landscaping would be incongruous and discordant in the streetscene which would be at odds with the prevailing character of the area, to the detriment of the character and appearance of the streetscene, contrary to the high quality design aspirations of The National Planning Policy Framework (2018), policy 7.4 of The London Plan (2016), core policy CS1.B of the Harrow Core Strategy (2012) and policies DM1 and DM22 of the Development Management Policies Local Plan (2013).
5. Insufficient information has been submitted to demonstrate that the proposed hardstanding on the frontage will not have a detrimental impact on trees protected by a Tree Protection Order. The proposal is therefore contrary to policy DM22 of the Development Management Policies Local Plan (2013).

EAST/29/97/FUL -	Two storey rear extension and single storey extension to garage	Granted 18-Feb-1997
LBH/20427/E	Single & two storey rear extension	Granted 25-Nov-1981
LBH/19328/E	Two storey rear extension	Refuse 13-may-1981

4.0 CONSULTATION

- 4.1 A total of seven notifications were sent to neighbours of surrounding properties. The overall expiry date is 22nd November 2020.
- 4.2 To date no objections have been received in relation to the proposal.
- 4.3 Statutory and Non-Statutory Consultation
- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

Consultee and Summary of Comments
<p><u>LBH Drainage</u> - No objection:</p> <p>Drainage layout drawing showing two separate surface & foul water connections and outfall details should be submitted.</p> <p><u>LBH Highways</u> – No objection - This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network</p> <p>The site is located in an area with a public transport accessibility level of 3 (moderate) which is not predicted to change over the next 10 years. There is a good selection of bus routes available within a short walking distance, and local amenities. Wealdstone town centre is easily accessible.</p> <p>The proposal includes car four parking spaces. The Intend to Publish London plan maximum parking standards allow up to 0.75 spaces per dwelling in a PTAL 3 area. If the existing gravel surface is to be retained, the parking spaces will not be defined; there is sufficient space for 3-4 cars within the frontage of the house which is accepted.</p> <p>The proposed level of cycle parking needs to meet the minimum standards of the Draft London Plan.</p>

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- ‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’
- 5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.
- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

- 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 There are no policies against the conversion of a property into flats provided other policy objectives are adhered to. It is considered that the proposal would provide an increase in smaller housing stock within the Borough thereby complying with housing growth objectives. As stated above there have been a number of refusals on the site for four and five flats. It is considered that the amenity and character reasons for refusal were symptomatic of overdevelopment of the site and not the principle of development.

6.2.2 As such, the conversion of the property into four flats 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

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- Policy 7.4B of the London Plan (2016)
- CS1 of the Harrow Core Strategy (2014)
- Policies D1 and D4 of the Draft London Plan Intend to Publish (2019).
- Policy DM1 of the Development Management Local Plan (2013).

6.3.2 The proposed single storey front extension aligns with the principal elevation and would not project forward of the existing bay window. It does not compete with the key features of the existing dwelling and as such would have an acceptable impact on the character and appearance of the existing dwelling and the street scene.

6.3.3 There is an existing two storey rear extension to the property. Taking into account the depth of the neighbouring properties on either side of the property and the predominant character of development in the area, the depth of the single storey rear extension is appropriate and is not considered to be disproportionate in relation to the existing dwelling and the pattern of development in the area.

6.3.4 The depth of the two-storey rear extension is relatively modest. However, it is noted that it projects from an existing two storey extension and the extension would add to the cumulative bulk of the existing dwelling. The roof design follows the hip roof form of the existing rear extension and appears in keeping with the existing design. It is therefore considered that the two-storey rear extension is sympathetic to the existing dwelling which minimises the apparent bulk to an acceptable degree. This has been sufficiently reduced in scale from the previous refusal on the site and is now acceptable.

- 6.3.5 The proposed single storey rear/side extension appears proportionate to the main dwelling and the roof is designed to coordinate with the design of the main dwelling.
- 6.3.6 The street scene plan demonstrates that the increase in ridge height would not exceed adjoining properties and therefore would retain the rhythm of the street scene and therefore addresses one of the reasons for refusal of the previous submission. The proposed rear dormer is set up from the eaves height and is an appropriate distance from the roof verges and therefore appears visually contained within the roof slope.
- 6.3.7 Parking is proposed on the frontage of the property but there is some space for planting and soft landscaping. A landscape condition has been added to ensure details are provided, which would improve the visual amenity of the frontage in the street scene.
- 6.3.8 In respect of character and design therefore, 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)
- Policy DM1 of the Development Managements Local Plan (2013).

Residential Amenity of Neighbouring Occupiers

- 6.4.2 The two adjacent properties (11 and 17 Elms Road) are deeper than the subject property, therefore the first-floor rear extension doesn't breach a 45 degree line with either property. The single storey rear extension would project 0.7m beyond the rear wall of 17 Elms Road and 2.5m beyond the rear wall of 11 Elms Road. This is not considered to have a negative impact on the amenity of the occupiers of either dwelling.
- 6.4.3 There are first floor flank windows serving a bathroom and a secondary window serving the living room on the western elevation and windows serving a bathroom and a utility room on the eastern elevation. A condition has been added to ensure these windows remain obscurely glazed and non-opening below 1.7m above the internal finished floor level of where are located in the lifetime of the development, in order to minimise any perception of overlooking to the neighbouring properties.
- 6.4.4 The proposal is considered acceptable in terms of neighbouring amenity impacts in accordance with the relevant policies.

Residential Amenity of Future Occupiers

- 6.4.5 The ground floor flats are one bed two persons and 3 bed 5 persons and exceed the minimum floor space as set out in the London plan. The upper floor flats are proposed to be two bed three persons. The second bedrooms for each of these flats are located in the loft space and although the overall floorspace is larger, due to the floor to ceiling heights this room is considered to only be acceptable as a single room. The proposed flats therefore comply with the minimum GIA and are acceptable in this regard. In addition, 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 The submitted sections demonstrate that the two ground floor flats have a ceiling height over 2.4m and the two flats on the upper floor have a height of over 2.4m for over 75% of the floor area. Although this is slightly below the guidance set out in the London Plan, which specifies 2.5m to ensure suitable ventilation and avoids over-cramped accommodation, it accords with the National Space Standards which is generally deemed to be acceptable for existing dwellings which are converted for residential purposes in a suburban context.
- 6.4.7 The original property has a large rear garden. This is proposed to be subdivided to provide separate amenity space for each of the flats. The amenity space for flats 1 and 2 is to be accessed from rear of the building and the amenity space for flats 3 and 4 would be accessed from the existing access path by the side of the dwelling. Although, the access from the front to the rear garden is not ideal, this kind of arrangement is fairly common with converted flats and as the space requirements are in excess of the London Plan minimum standards, the amenity areas provided for each flat are considered acceptable.
- 6.4.8 The bedrooms and living areas are generally aligned above one another. This has been altered since the previous refusal on the site and is now acceptable. Building regulations would require appropriate acoustic treatment to reduce the transmission of noise therefore the stacking is considered to be acceptable.
- 6.4.9 The proposal would be considered acceptable in terms of the amenity of future occupiers of the flats in accordance with the relevant policies and the proposal addresses the previous reasons for refusal in this regard.

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 Four parking spaces are proposed on the frontage of the site allowing for one space for each of the flats. Although this would be slightly higher than the Draft London Plan – Intend to Publish maximum standard. This is considered to be an acceptable provision for the area given its moderate PTAL and the Council's Highway Officer has no objection.
- 6.5.3 Cycle storage for four cycles to serve the upper floor flats is proposed along the western boundary beyond the rear wall of the property in the shared access area and cycle storage for a further four cycles is proposed in the rear amenity space of the ground floor flats. These are secure locations and the provision is in accordance with the minimum standards set out in the Draft London Plan – Intend to Publish. A condition has been added to ensure suitable types of store are utilised.
- 6.5.4 The refuse storage for the upper floor flats is also proposed in the side access on the western boundary and in the private amenity areas for the ground floor flats. These locations allow for the bins to be taken onto the frontage on collection days and is deemed to be an acceptable arrangement.
- 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 The Council's drainage engineer has assessed the application and it is considered that flooding risks at the site are acceptable. Standard conditions in relation to surface water and foul water details have been attached in accordance with the drainage engineer's comments.

6.7 Trees and Development

- 6.7.1 There is a protected tree in the frontage of the site. There are no changes proposed to the hardstanding on the frontage as the parking area is already in use for the existing dwelling. There is therefore not deemed to be impact on the protected tree as a result of the development.

6.8 Accessibility

- 6.8.1 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).
- 6.8.2 It is acknowledged that the upper floors flats may not be accessible to all. 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.

6.8.3 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 with Policies 7.4 and 7.6 of the London Plan (2016), Policy CS1 of the Harrow Core Strategy 2012 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: 201A; 202; 203; 204; 205; 206A; 207A; 208A; 209A; 210; Design and Access Statement.

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

3. Materials

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

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

4. Disposal of Sewage

The development hereby permitted shall not commence 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. This is a PRE-COMMENCEMENT CONDITION.

5. Disposal of Surface Water

The development hereby permitted shall not commence until works for the disposal of surface water 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. This is a PRE-COMMENCEMENT CONDITION.

6. Refuse storage

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

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

7. Accessibility

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

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

8. Change of Use

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

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

9. 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 implemented on site 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.

10. Landscaping

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 forecourt of the site. Soft landscape works shall include planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

11 Landscape Implementation

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation of the approved 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, in accordance with policy DM23 of the Councils Development Management Policies Local Plan 2013.

12. Boundary Treatment

The boundary treatment to subdivide the gardens shall be no higher than 1.8m in height and shall be erected before the use hereby permitted is commenced.

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

13. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority 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.

14. 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.

INFORMATIVES:

1. The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2016):

3.3 Increasing Housing Supply

3.5C: Quality and design of housing developments

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.3B Designing out crime

7.4B Local character

7.6B Architecture

The Draft London Plan (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

Harrow Core Strategy (2012):

Core policy CS1.B

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

DM10: On Site Water Management and Surface Water Attenuation

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).

Major of London Housing Supplementary Planning Guidance (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 £4020

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

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

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

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

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

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

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

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

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

4 Harrow CIL

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

Harrow's Charges are:

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

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

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

Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £10,627

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

The CIL Liability is payable upon the commencement of development.

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

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

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

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

If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

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

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

5 Considerate Contractor Code of Practice

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

6 Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 Compliance with Planning Conditions

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

- If you require confirmation as to whether the works you have carried out are

acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

8 Liability For Damage to Highway

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

9 Street Numbering

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

All new developments, 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 or on the following link.

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

12 Surface Water Drainage

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

13 Sustainable Drainage Systems

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

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

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

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

The applicant can contact Harrow Drainage Section for further information

14. Designing Out Crime

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

Checked

Head of Development Management	Orla Murphy 26.11.2020
Corporate Director	Paul Walker 26.11.2020

APPENDIX 2 SITE PLAN



APPENDIX 3: PHOTOGRAPHS



Front Elevation



Rear Elevation



Frontage Parking Area





Rear Garden Area



Boundary with no. 11



Boundary with no. 17

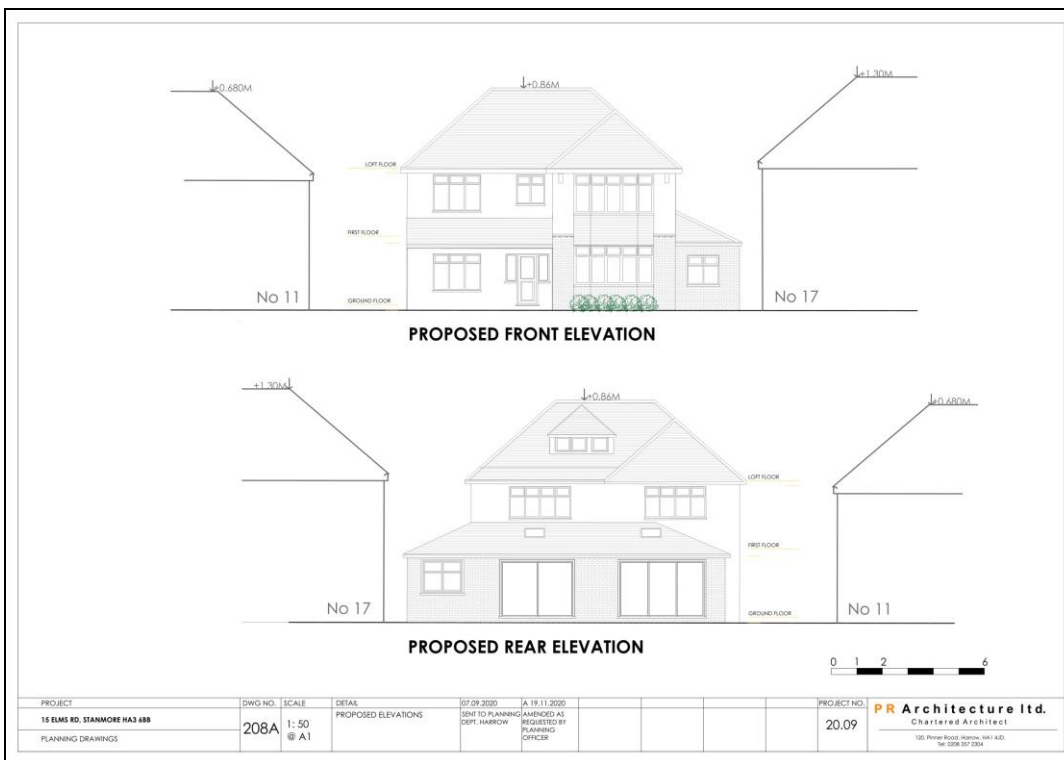


TPO on frontage.

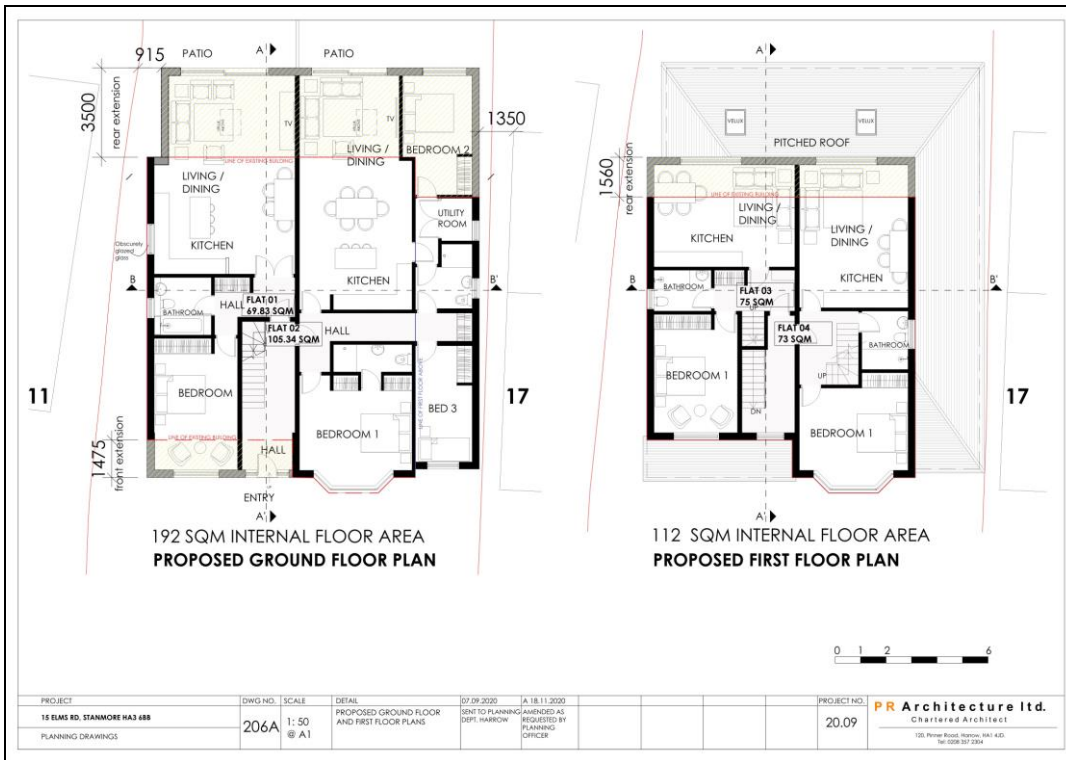
APPENDIX 4 – PLANS



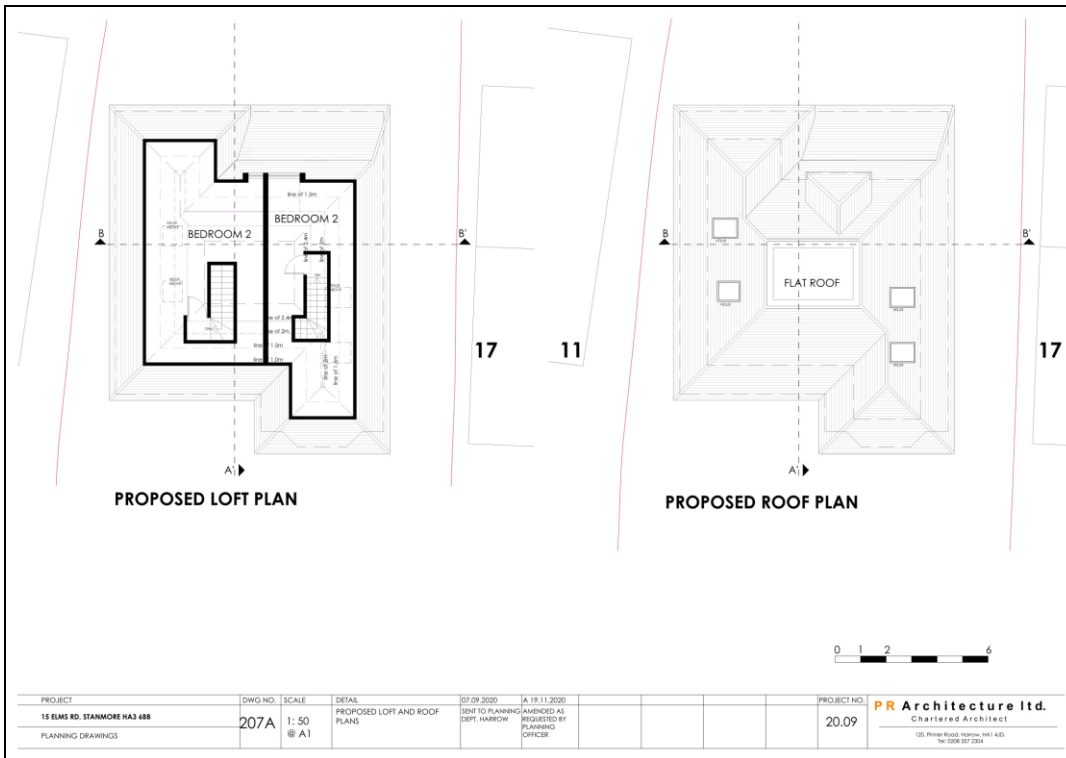
Site Plan



Proposed Front and Rear Elevations

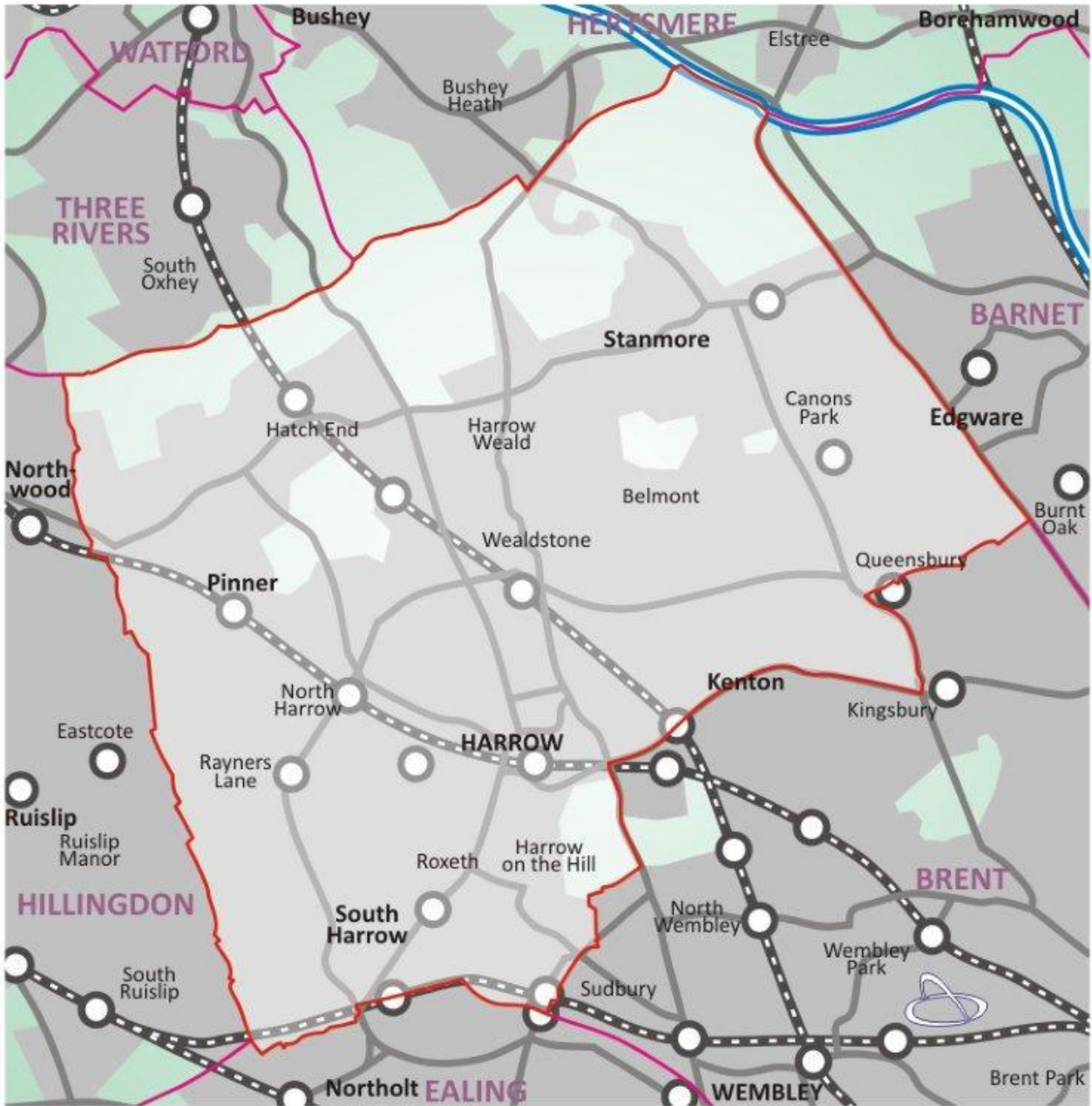


Proposed Floor Plans

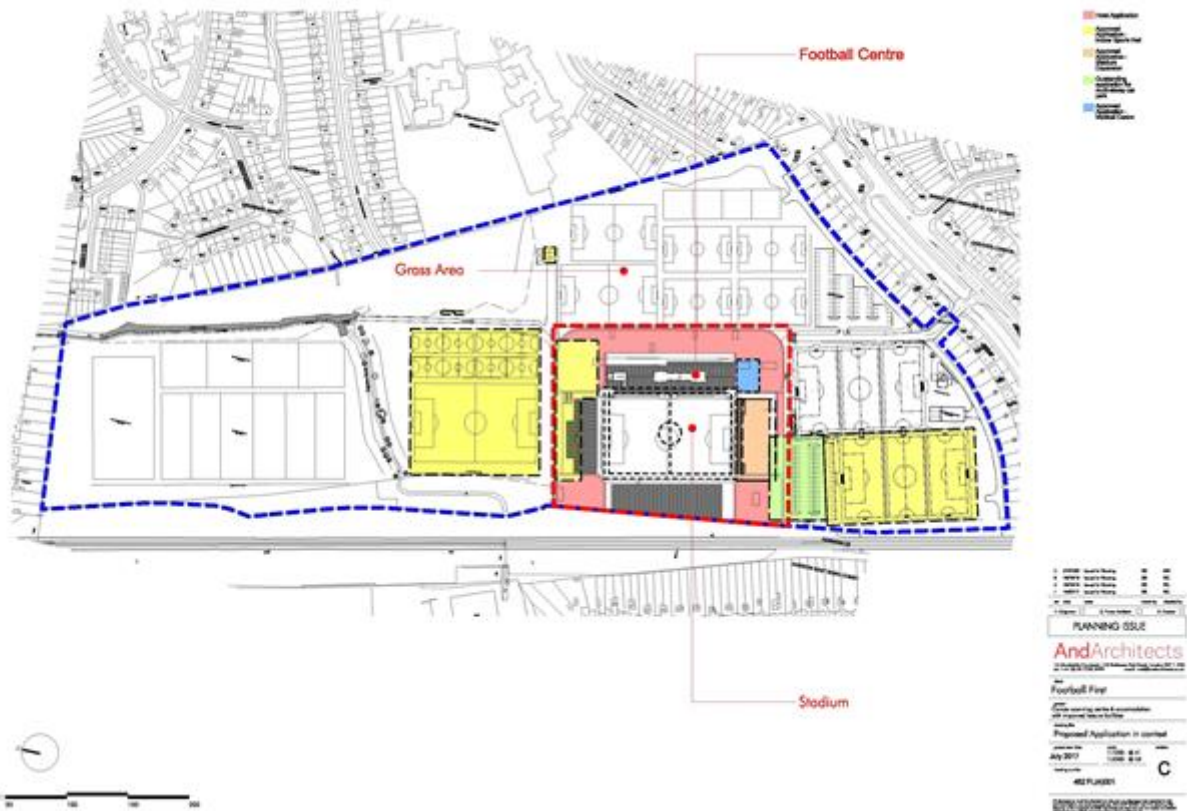


Proposed Loft/Roof Plan

 = application site



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

PLANNING COMMITTEE

9th December 2020

APPLICATION NUMBER: P/1564/20
VALID DATE: 8th JUNE 2020
LOCATION: PRINCE EDWARD PLAYING FIELDS, CAMROSE AVENUE, EDGWARE (The HIVE FOOTBALL CENTRE)
WARD: QUEENSBURY
POSTCODE: HA8 6AG
APPLICANT: FOOTBALL FIRST LTD
AGENT: WSP INDIGO
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 7th SEPTEMBER 2020 Agreed Extension 31st December 2020

PROPOSAL

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

RECOMMENDATION A

The Planning Committee is asked to:

Refuse the application for the following reasons:

- 1) The proposed uses comprising of a hotel, sporting higher education facility including student accommodation and medical diagnostics centre would give rise to inappropriate uses on the site which would be in direct conflict with the site's allocation for community outdoor sport development and by reason of the site's low accessibility, siting outside of a Town Centre or Opportunity Area and insufficient evidence to demonstrate the need for the uses proposed, would give rise to an unsustainable development in a strategically poor and inappropriate location, contrary to the National Planning Policy Framework (2019), policies 3.16, 3.19 and 4.5 of The London Plan (2016), policies S5, E10G, SD7, S1 and S3B of The Draft London Plan - Intend to Publish (2019), core policies CS1 Z, F and L of the Harrow Core Strategy (2012), policies DM 34, DM 46 and DM 48B of the Harrow Development Management Policies Local Plan (2013) and Site MOS5 of the Harrow Site Allocations (2013).

- 2) The proposed development would result in a direct loss of protected designated open space and would not provide a use which is ancillary or appropriate to the existing open space, contrary to the National Planning Policy Framework (2019), policy 7.18 of The London Plan (2016), policy G4 of The Draft London Plan - Intend to Publish (2019), core policy CS1 F of the Harrow Core Strategy (2012) and Policy DM18 of the Harrow Development Management Policies Local Plan (2013).
- 3) The proposed development, in the absence of a Transport Assessment and Travel Plan, fails to demonstrate the impacts of the development on the surrounding highway network, and to propose measures to promote sustainable travel modes and to reduce the effects of travel by car. Insufficient information has therefore been provided to demonstrate that the proposals would not result in unacceptable harm to the surrounding highway network through increased pressure on local parking amenity and on local transport infrastructure from excessive vehicle trips, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.10 and 6.13 of The London Plan (2016), policies T1, T2, T4, and T6, T6.4 of the Draft London Plan – Intend to Publish (2019), policy 1 of the Mayor’s Transport Strategy, policy CS1 R of the Harrow Core Strategy (2012) and policies DM 42 and DM 43 of the Harrow Development Management Policies Local Plan (2013).
- 4) The proposed development, in the absence of an acceptable Preliminary Ecological Assessment and the site’s close proximity to the adjoining Borough Grade I Site of Importance for Nature Conservation and the Edgware Brook, fails to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced, contrary to the National Planning Policy Framework (2019), policy 7.19 of The London Plan (2019), policy G6 of the Draft London Plan - Intend to Publish (2019), and policies DM 48 A b, DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).
- 5) The proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of the adjoining occupiers and the future users of the development, contrary to the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policies SI12 and SI 13 of the Draft London Plan (2019), Core Policy CS1 U of Harrow Core Strategy (2012) and policies DM 9 and DM 10 of the Harrow Development Management Policies Local Plan (2013).

- 6) The proposed development, by reason of the indicated heights and conflicting floorspace figures proposed, would be likely to result in a harmful, bulky and unduly dominant addition to the site which would significantly detract from the open character of the site and the surroundings, and would fail to respect the existing development on the site or contribute positively to the site's setting and the quality of the open space, contrary to the National Planning Policy Framework (2019), policies 7.4 B and 7.6 B of The London Plan (2017), policies D1 and D3 of the Draft London Plan (2019), core policy CS 1 B and F of the Harrow Core Strategy (2012) and policy DM 18 C/D of the Harrow Development Management Policies Local Plan (2013).
- 7) The proposed development, by reason of the excessive amount of development proposed and the nature of the proposed uses and their relationship with residential properties coupled with an inadequate Lighting Impact Assessment, would give rise to unacceptable harmful outlook and visual impacts, light pollution as well as potential unreasonable noise and disturbance impacts from the increased intensity of use of the site, to the detriment of the residential and visual amenities of the adjacent neighbouring occupiers, contrary to the National Planning Policy Framework (2019), policies 7.4 B, 7.6B and 7.15 of The London Plan (2016), policies D3, D13 and D14 of the Draft London Plan - Intend to Publish (2019) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).
- 8) The proposed development, in the absence of insufficient information relating to Air Quality Impacts, including insufficient information relating to the level of car travel or alternative sustainable travel proposals, fails to demonstrate that the proposed development would not contribute to a deterioration in air quality in the locality, to the detriment of the future users of the site and wider area and the overall environmental quality of the London Borough of Harrow, contrary to the National Planning Policy Framework (2019), policy 7.14 of The London Plan (2016), policy of the SI 1 of the Draft London Plan – Intend to Publish (2019) and policies DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATION

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

INFORMATION

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

This report is supplementary to the committee report, addendum and supplementary addendum presented to the planning committee on 2nd September 2020 and should be read in conjunction with this report.

Statutory Return Type:	Major Development
Council Interest:	N/A
Net additional Floorspace:	52, 788 sqm
GLA Community Infrastructure Levy (CIL):	£3,347,280 (excluding indexation)
Contribution (provisional):	
Local CIL requirement:	£3,068,340 (excluding indexation)

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

1.0 ADDITIONAL INFORMATION

- 1.1 The application was considered at the Planning Committee on 2nd September 2020. The Chair proposed that the committee be minded to disagree with the officer recommendations and that the application be brought back to Committee for determination at a later date.
- 1.2 The motion was seconded, put to the vote and agreed. The Committee resolved to refuse the officer recommendations.
- 1.3 The Committee wished it to be recorded that their decision to be “minded to grant” the application, which would be brought back to the committee at a later date, was by the Chair’s Casting Vote.
- 1.4 Since the previous committee, the Local Planning Authority has received the stage 1 consultation response from the GLA which is set out below. In addition, officers have met with the applicant to discuss the reasons for refusal. The applicant has provided the following additional documents to try and address the reasons for refusal set out on the original committee report presented on 2nd September 2020.
 - Flood Risk Assessment Review/ Addendum
 - Outline Transport Assessment: The Hive Hotel (dated 23rd October)
 - Supporting Letter from TIC Health
 - Draft Heads of Terms for Section 106 Planning Obligation
 - Drainage Strategy (dated October 2020)
 - Legal Advice (Morag Ellis QC) (dated 25th October)
 - Flood Risk Assessment (dated 13th September 2016)
 - Hotel and Student Accommodation (dated 19th October 2020)
 - Outline Energy & Sustainability Strategy Rev 00 (dated 23rd October 2020)
 - Preliminary Ecological Assessment and Impact Assessment
 - The Hive Hotel – Economic Statement
 - Outline Air Quality Assessment Issue 1 Rev 2 (dated 26/10/2020)
 - Rendered Image
 - Drawing number: 462 PL(5) 109 Rev B (Proposed Roof Plan)
 - Drawing number: 462PL(5)134 (East Elevation in Context)
 - Drawing number 462 PL(5) 931 (Parameter Plan – proposed section BB)

2.0 Statutory and Non-Statutory Consultation

- 2.1 In addition, further consultation has been undertaken with statutory consultees and neighbouring residents in relation to the new information.
- 2.2 A total of 2538 consultation letters were sent to neighbouring properties regarding the new information.
- 2.3 The public consultation period expired on 17th November 2020. A further 7 objections were received from neighbouring residents.
- 2.4 A summary of the neighbour consultation responses are set out below:

- 2.4.1 The site is already overdeveloped, this further application is grossly detrimental to the surrounding residents.
 - 2.4.2 The Hive Football Centre is having a significant adverse impact on the surrounding residents
 - 2.4.3 The Hive Football Centre has significantly contributed to the increase in vehicular traffic on the surrounding roads/streets.
 - 2.4.4 The Hive Football Centre has directly impacted on parking issues on Whitchurch Lane, especially during evenings and all day on Saturdays and Sundays – this has become a safety issue for residents driving out of their own driveways.
 - 2.4.5 The proposed development will add to the environmental damage to the surrounding area with all the additional traffic, noise and the pollution that residents will have to endure.
 - 2.4.6 We already have light pollution from The Hive Football Centre and this proposed development would once again add substantially to this existing problem.
 - 2.4.7 Noise pollution is a concern.
- 2.5 A summary of further consultation responses is set out in the table below:

Greater London Authority Stage 1 Response

Principle of development: The proposal would result in the loss of land designated as open space, the applicant must explore opportunities to provide alternative and or enhanced sports or recreational provision with clear public benefits outweighing this loss. The proposal seeks to introduce a range use that are inappropriate for an out-of-centre location. GLA officers require further discussions with both the Council and the applicant on the rationale for the combination of uses proposed, and the appropriate scope and nature of the sequential site selection test. Whilst elements of the healthcare and educational components of the proposal may be supported where these can be demonstrated to be sustainable, there is a strong policy presumption against the hotel and student housing components.

Affordable Student Housing: The proposals do not include details of provision of affordable student accommodation. In the event the student housing proposals are progressed, the applicant should seek to meet the 35% threshold level of affordable student accommodation to be eligible to follow the Fast Track route. Should the scheme fail to meet the 35% threshold, the scheme must follow the Viability Tested Route, a financial viability assessment must be provided, and early and late stage viability reviews must be secured.

Urban design: Notwithstanding the impact of the proposals on designated open space, the proposals do not raise strategic concern in terms of overall scale, massing and design.

Climate change: The application should be supported by an outline energy strategy and commitment to addressing all required energy policies as required by the London Plan and energy assessment guidance.

Transport: Insufficient information has been provided in respect of the transport impacts of the proposals. The applicant must provide a transport assessment to

enable detailed assessment of the impacts and transport policy implications.

Recommendation

That Harrow Council be advised that the application does not comply with the London Plan and the Mayor's Intend to Publish London Plan, for the reasons set out in paragraph 51; however, the possible remedies set out in this report could address these deficiencies.

LBH Highways Authority

Whilst a transport assessment for this development is welcomed, it is considered to be lacking detail and proper appraisal for a proposal that consists of elements that individually could have a noticeable impact on the highway but collectively, could be considered to be significant. There is no study of the combined effect, therefore, no indication of any highway mitigations that may be required.

The Healthy Streets Transport Assessment should include an outline construction logistics plan, outline delivery and servicing plan, travel plan and outline car park design and management plan however, none of these have been provided. There is guidance on the TfL website about all of these documents.

The site currently does not appear to promote sustainable travel despite having a travel plan as all of the existing uses promote use of the car park. The submitted transport assessment does not detail how by using the Healthy Streets approach, the site could encourage sustainable travel and contribute to meeting the aims of Vision Zero and the Mayors Transport Strategy.

In conclusion for the reasons given above Highways do not support this proposal based on the information available. It is considered that there is a potential for a significant impact on the surrounding highway network but this has not been assessed sufficiently to determine what that impact may be and if any measures are required to make this proposal acceptable.

LBH Drainage Authority

The drainage strategy proposed and the FRA of 2016, both documents are unsatisfactory and our objections still stand.

The **FRA** should be revised using updated flood maps and the proposals in line with our new SFRA. Please note that basements in a flood zone are not permitted and CFS is required for loss of floodplain.

The **drainage strategy** should be based on 5 l/s/ha greenfield run-off rate, vented storm water covers have been designed for a reason and shouldn't be removed, reducing size of the existing sw tank is not permitted and there's no spare volume of storage in gravel layer of the pitches. I suggest the applicant familiarise himself with the FRA where the existing system is described including over ground storage provided for the previous applications.

LBH Biodiversity: The report is inadequate in its handling of impacts whether with regard to existing circumstances or to the circumstances that should have been taken into account. As matters stand, the application should be refused on the basis that the application and provided evidence are faulty and misleading.

LBH Economic Development

The Hive Hotel – Economic Statement:

The Statement provides an estimate of the number of new jobs created by the development and therefore an estimate of increased spend and GVA as a result.

Having reviewed the statement, the assumptions regarding employment density and local spend are broadly in line with national guidance.

The only main query relates to the number of jobs associated with the conference facility, which seems to be based on a low employment density ratio (120 sq m per FTE) when compared to other comparable land uses.

The Economic Statement states that the HCA Employment Density Guide does not provide densities for Conference Facilities and has therefore assumed a density figure for the conference element which seems high at 120 sq m per FTE (120 jobs).

It should be noted that the HCA guide does have a figure for Arts/Conference facility of 260 sq m per FTE (33 jobs) which would mean that the overall jobs created figure would reduce from 211 jobs to 172. This would reduce the GVA to £10.7m per annum from £13.3m as given in the Statement.

The assumptions on local spend based on £6 per person are in line with other reported spend figures.

Other Comments

If the development is approved, as a major application, we will be seeking the following to be included in any s106 agreement:

Local Supplier targets

The Planning Obligations SPD states that “Where the value of a scheme exceeds £5 million a Local Procurement Plan will be included within the Local Employment Agreement. The Local Procurement Plan will be based on an agreed target (typically 20%) of the value of qualifying supplies and services to be provided from companies and organisations based in the Borough.”

Construction Training – a requirement to produce a training and employment plan and provide a financial contribution

LBH Lighting Engineer

With reference to the planning application P/1564/20, SRE Limited Light Pollution Assessment Report - Version 1, Rev:A dated 26/10/2020 for the external access road and surface car park lighting at the above development, the following points are noted:-

A Light Pollution Assessment Report has been submitted, including Introduction, Technical Design Standards, Methodology and Luminaire Schedules.

The developer has confirmed the use of numerous luminaires for both functional and aesthetic purposes within designated areas, as indicated on the proposed Luminaire Schedule

- Disano 3285 Rolle (Footpath Luminaire) 11,561 Lumens (LED array/Driver current)? Developer to clarify
- Susa ME 3380 (Car Park & Access Road Luminaire) 9,280 Lumens (LED array/Driver current)? Developer to clarify
- LED's will be utilised, which will provide improved colour rendering (>80 Ra), primarily at Neutral White (4000K) for functional areas (e.g. street lighting, car park)? Developer to clarify
- a total of 45 luminaires will be installed in a post top configuration on 36 x ??m/??m lighting columns. Developer to clarify during final lighting design/drawing layout

Recommended lighting levels for Residential Roads within city and town centres will vary depending on the individual circumstances, including pedestrian and vehicle conflict, traffic flow and environmental zone:-

Range from P1 to P6, (15 Lux Eav/3.0 Lux Emin to 2.0 Lux Eav/0.4 Lux Emin)

Car Parking Areas 20 Lux Eav

No lighting design calculations have been provided at this stage, including the average maintained horizontal illuminance levels or Isolux contours for any overspill horizontal illuminance to indicate anticipated levels to the properties bordering the development on both sides, but indicated a range of average maintained horizontal illuminance levels for the pedestrian walkway, entrance and cycle park/access road/car park area at 5 Lux Eav, 10 Lux Eav/3 Lux Emin and 20 Lux Eav respectively.

I would expect Subsidiary Roads within Suburban – Medium District Brightness (E3) or Urban – High District Brightness (E4) to be lit to Classification P3 with an S/P ratio of 1.9 (adjusted in accordance with Table A.7 when utilising LED light source) 5.5 Eav Lux, 1.1 Emin Lux respectively. The developer has indicated 20 Lux Eav for the access road, which is a higher level than usual for access roads and could be moderated. Has the access road been lit to ME/CE series lighting classification? Developer to clarify

The Developer has confirmed that the design has been undertaken in conjunction with BS 5489-1:2013 and the Institution of Lighting Professionals, Guidance Notes for the Reduction of Obtrusive Light, which include the recommendation that efficiency is maintained and light pollution must be minimised.

Furthermore, the Developer has also confirmed alternative design guidelines BS EN 12464-2:2007 General Circulation Area at Outdoor Workspaces, CIBSE Lighting Guide LG6 The Outdoor Environment (1992) and Sport England Design Guidance Note for Artificial Lighting (2012), which are acceptable.

The maximum recommended vertical illuminance into house windows is 10 Ev Lux before curfew and 2 Ev Lux after curfew within Environmental Zone E3.

The Developer has not provided vertical illuminance calculations at a target line in the direction of all properties within the immediate vicinity of properties bordering the development on all sides, but has provided a summary Table 5 which indicates that a total of 16 properties (Camrose Avenue, Buckingham Gardens, Torbridge Close and Whitchurch Lane) were assessed within close proximity of the access road and car park area and confirmed that all are within a 0.05 – 1.38 Ev Lux maximum range and conform to the post curfew 2 Ev Lux maximum for Environmental Zone E3.

Additionally, there is the visual impact/daytime appearance of the installation which needs to be considered, 36 x ??m lighting columns should not present an issue with the residential properties in close proximity on new access road/car park within the development. Developer to clarify

For comparison, the existing street lighting installation in adjacent residential/service roads already utilises 6m columns, but at a lower road lighting classification level than is proposed for the access road and car parking area. Whilst, the existing street lighting installation in Camrose Avenue utilises 10m columns and is illuminated to traffic route standards.

It should also be acknowledged that any new introduction of lighting in what is currently an unlit, partially lit area will have an initial impact on the location, as it is a change within the environment.

For sustainability, the developer has indicated that all external lighting (except safety and security lighting) is automatically switched off between 11.00pm – 07.00 am nominal hours of operation, I assume that the installations are controlled by Photocell – (Dusk to Dawn) or Time clock, as for standard public/street lighting operating hours. Safety and security lighting complies with lower levels of ILP Table 2 Guidance between 11.00pm – 07.00 am nominal hours. Developer to clarify

Do the car parking area/access road luminaires incorporate any pre-set dimming, say midnight to dawn, which could reduce lighting levels and energy, during this period and also mitigate any adjacent property concerns regarding the higher car park lighting levels when compared to the main public highway traffic route and residential roads?

Any further opportunity for the reduction of overspill lighting/visual impact by the use of luminaire baffles/louvres and/or additional screening by trees during landscaping would lessen the impact.

I note that the Developer has included some Midstream Lighting Ltd modelling for the Pitch 1 and Pitch 2 floodlighting, which I understand Pitch 1 to be an indoor sports hall and subject to a previously approved application? What is the reference for the Appendix K and L levels, overspill horizontal illuminance or vertical illuminance? If the Pitch 1 is an indoor sports hall then any overspill would be contained within the building structure. Is Pitch 2 also an indoor or outdoor facility? Is this included within this application, as there is insufficient detail. Developer to clarify

LBH Policy

Overall, the outline energy proposals are acceptable and demonstrate that any detailed design / approval of details will be undertaken in the correct policy context / overarching commitments. Any outline permission will need to be conditioned to require a detailed energy strategy to be submitted prior to commencement of the development (as energy is integral to building design and cannot be left until after commencement of development). The required detailed energy strategy will need to commit to zero carbon development in accordance with the Intend to Publish London Plan. Any S106 agreement related to the outline application will need to require payment of any carbon offset contribution (calculated using the Intend to Publish London Plan rate of £95/tonne/year for 30 years i.e. £2,850 per tonne) identified in the energy strategy in order to achieve zero carbon, with a further post-

completion assessment required to identify if a further offset contribution is required should there be a shortfall in predicted on-site carbon reductions,

The strategy commits to achieve BREEAM 'very good' and this should be conditioned.

LBH Environmental Health:

In my opinion is that the site would be overdeveloped considering the location in such a residential area, especially given the issues the residents have had with noise breakout from football matches and the traffic/litter issues that ensue as a result.

Air Quality:

It is not clear if any of the potential impacts of any other heating plant or traffic generation associated with the leisure use of the site has been included in the report. I would be grateful if you could please clarify this.

Additional Comments on AQ: The applicant should provide more information on air quality, especially if there's a 5% increase in travel (according to the Mayoral plan). There is a lack of significant information regarding the traffic increase or any alternative plans.

Noise:

Whilst they have stated that all the mechanical plant etc. will be 10dB below background, I have concerns regarding the noise breakout from events at the hotel/student accommodation. Whilst the stadium itself is not part of the application and as such noise levels within cannot be controlled, it is expected that being close to a stadium of this type will present it's own noise issues.

Light Pollution: There is no information relating to lighting of the hotel and student accommodation to consider the potential impacts.

However, if the committee were minded to approve the application, then conditions would be required to mitigate the development including the following:

- Construction Management Plan
- A Low Emission Strategy, with an associated Air Quality Action Plan
- No floodlighting or other form of external lighting shall be installed
- A scheme for the control of noise
- A restriction on delivery times
- A condition to restrict the time of use of the hireable halls within the proposed development.

3.0 ASSESSMENT UPDATE:

3.1 The officer response to the main planning considerations are set out below. The main Issues are:

- Principle of Development

- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Affordable Housing
- Biodiversity and Air Quality
- Drainage and Flood Risk
- Energy and Sustainability

3.2 **Principle of Development**

Designated Open Space

3.2.1 The applicant has submitted a legal opinion in response to the proposed reason for refusal No. 2 on the original committee report. The legal opinion is appended to this report for members consideration. A summary of the points in the legal opinion are as follows:

- *It is important to note the physical form which the new buildings will take. They would be constructed on land between the ends of stadium stands, in part used as an internal access road, in part for open air storage, turnstiles and in part as parking space. The approach is therefore similar to that taken to the earlier built form, approved on appeal in 2018.*
- *The Planning Statement also argues that the proposals would be ancillary rather than detrimental to the open space and therefore in accordance with the Development Management Policies DPD. The argument is put in terms that the land concerned is of no public value and does not present opportunities for sport and recreation so that there is no conflict with policy.*
- *On the assumption that the proposals are found not to accord with the development plan, that is not the end of the matter because members must go on to consider whether material considerations indicate otherwise – the planning balance.*
- *In my view, the officer's report is materially deficient, and members should consider the Sport England response and the rejection of the officer's approach to the application of the open space development plan policies carefully. Similarly, the officer does not engage with the previous appeal decision.*

3.2.2 Firstly, it is clear there is a loss of open space. This is clear simply by reason of building on land that is identified as open space on the planning policy maps. If FC Barnet FC did not accept this, then they could have objected to this designation at the plan making stage.

3.2.3 Officer's also agree that planning decisions do not need to be made in accordance with the development plan if material considerations allow. The LPA has consistently adopted this approach in the past on other planning decisions.

3.2.4 Officer's also agree that the hardstanding 'at the ends' of each stand proposed to be infilled offer little value and consider there could be scope for ancillary development which would lead to an enhanced sporting venue and other improvement around open space and community use. The issue in this case is that there is no

disaggregation of proposed uses to clearly understand the uses that could be ancillary and those that are not.

- 3.2.5 The applicant has not sought to explore any opportunities to provide additional open space to ensure that there is no net loss of open space from the site. Where the open space cannot be re-provided in relation to any enhanced sport or recreational provision, there should be clear public benefits outweighing the loss. In this case, there is very limited information demonstrating the proposals would address the site allocation for community and outdoor sport development. The applicant suggests that there could be an obligation for a community use agreement but there is no understanding or explanation of what this would entail or what benefits it would bring. As such, this is given very little weight in addressing harm to open space.
- 3.2.6 With regard to the appeal 2018 appeal decision for a stand and academy, this was discussed within the addendum reported to committee on the 2nd September. This clearly outlined that officers did not agree with the applicant position. There is clear difference in that the north stand is considered to be an ancillary component of the site which would accord with the sites allocation and development management policy DM 18 in relation to open space which outlines ancillary development can be acceptable where it is necessary to facilitate the proper functioning of the open space. In this case, the loss of open space is not considered to be mitigated as the proposed uses are not clearly ancillary, and a number of uses proposed are considered to be strategically located in the wrong location.
- 3.2.7 The Legal Opinion makes comment re Sport England, although notes they do have a narrow remit. Notwithstanding the legal opinion statement that this is an omission from the report, the QC is conflating the scope of considerations. Sport England are looking at playing fields, whereby open space has a much wider range of considerations. Had the scheme been proposed on the playing fields the LPA would arrive at the same position as currently, but with the weight also of a Sport England objection to loss of playing field also.
- 3.2.8 Notwithstanding the Sport England comment, the proposal would result in a clear loss of open space in an area of identified open space deficiency for uses which are not clearly ancillary to open space and are not clearly justified or demonstrated to enhance the site allocation as a community and sporting venue. As discussed in the previous report, the proposed scale and massing of the building would detract and cause harm to the perception of openness across the open space.

Proposed Visitor Accommodation

- 3.2.9 As outlined in the committee report presented on September 2nd, it is clear that there is need for Hotels across London and also within Harrow, which is set out within the London Plan evidence base. Furthermore, the Harrow Economic Development Needs Assessment (2017) does identify some demand for a further hotel operator within the borough. The LPA are satisfied that there is a need for hotel use within both London and Harrow, as detailed within the supporting planning statement. Both the London Plan (2019) (Intend to Publish version) through Policy E10 (Visitor Infrastructure) and through Policy DM34 of the Harrow Development Management Policies Local Plan (2013) supports proposals for visitor infrastructure.

Notwithstanding the demonstrable need for Hotel use within London & Harrow, the use is directed to be located within a town centre location. Where a hotel development is proposed outside of a town centre, then this must satisfy a sequential test, which would need to demonstrate there are no more preferable, town centre sites. This is set out in Policy SD7 (Town Centres: Development Principles and Development Plan Documents) and Policy DM34 (Hotel & Tourism Development) of the HDMP (2013) respectively.

- 3.2.10 The application previously provided a sequential test in an attempt to demonstrate that the proposed site is sequentially the most appropriate site for such a development. The applicant had only reviewed allocated sites within Harrow only, which are retail-led development opportunity sites. Officer noted that *“it is not clear as to what only Harrow borough sites are considered and not wider, given the proximity of the site to Wembley. Indeed, the applicant does state that the proposed hotel use would assist in meeting tourism demand for visitors to Wembley. Furthermore, it is not clear as to why the retail sites were the only sites reviewed, given that the hotel use would be an appropriate use in principle at any town centre location. In any case the sequential test only makes a sweeping general statement that other sites had been considered, but none were considered to be appropriate. However, the sequential test should at least identify the sites considered, and provide an assessment as to the appropriateness or not of that site.”*
- 3.2.11 Officers have met with the application and advised that a revised sequential assessment would need to be submitted for consideration that considered a much wider scope of sites. Officer outlined that the sequential search should be extended to all adjoining boroughs to the north and east including Barnet, Brent and Hertfordshire as well as a more thorough analysis of all allocated sites within LB Harrow and not just limited to retail sites in town centres. The applicant has specified the proposal will serve events in Wembley which is a regionally significant tourist infrastructure. As such, consideration should be given to all town centre areas along major transport links, including Metropolitan, Jubilee, Bakerloo underground lines as well as overground lines (noting there is a direct over ground link from Wembley Central to Watford Junction). Following this, edge of centre sites which are well connected to the town centre could be considered.
- 3.2.12 Officers at the GLA concur with Harrow officer view that the applicant’s methodology was not sufficiently rigorous to demonstrate that there are no other suitable sites available within the town centre or edge of centre locations for the proposed hotel use. The GLA have also highlighted that consideration should be given to sites within Brent and Barnet, given the proximity to site borough boundaries.
- 3.2.13 The applicant has not submitted an updated sequential assessment to address these comments. The proposed development is in an out of centre location, not within an opportunity area, on designated open space and contrary to the site allocation. As such, the proposed location is not supported. Policy SD7 outlines that application that fail the sequential test should be refused.

Education Facilities, Student Accommodation and Medical Facilities

3.2.14 As noted in the previous report, the site is not in an accessible location and as such the introduction of student accommodation and education facilities is not considered to be appropriate. The submitted Transport Assessment does not address the previous concerns raised in relation to sustainability for these uses.

3.2.15 Similarly, with regard to the medical facility, the existing medical facility is considered to be very much ancillary to the existing use of the site. The extension that was permitted to facilitate these facilities (Ref: P/4092/14) was fairly modest in scale in the context of the overall site development and in addition to rooms to provide space for X-Ray equipment and CT scanning equipment, included space for physiotherapy and massage. The facilities were outlined to support elite athletes as well as enhancing medical research in sport. However, the current proposal would include the provision of upto 96 medical rooms for a wide range of patients, which is clearly not ancillary and a new use in its own right and not a community outdoor sport use. Again, the Transport Assessment does not demonstrate this would be a sustainable location for such a use. Officer agree with the comments of the GLA, in that there is a concern that the requirement for patient's accommodation within the proposed hotel may simply be generated by the site's out of centre location.

Public Benefits

3.2.16 The applicant has identified the following public benefits with the proposal:

- Meeting an identified need for hotel provision in Harrow and London
- Meeting the needs of visitors to The Hive London using both the sports facilities and using the TIC Medical Centre;
- Boosting tourism in Harrow and increasing tourism expenditure in the local area;
- Bringing significant investment to Harrow;
- Providing recreation and leisure facilities within the hotel which will be available to the local community;
- Creating jobs during the construction phase and through the long-term operation of the facility;
- Allowing the prestigious UCFB to have an on-site campus will boost prestige of The Hive London as a centre for sporting innovation and excellence. 10
- Enhancing a world leading sports facility;
- Providing additional conferencing facilities for the local community and businesses;
- Providing additional opportunities for further education for local young people in an exciting and growing business area;
- Enhancing a world leading diagnostic screening facility that is used by the NHS;
- Delivering significant economic input into the local community from visitors to the hotel, students and patients of the diagnostic centre; and
- Providing landmark development for the Borough.

3.2.17 As outlined elsewhere in this report, officer accept there is a need for additional hotel accommodation in Harrow and the rest of London. The provision of such accommodation would inevitably promote tourism and enhance the local economy. It would also have the potential to provide additional facilities within the hotel which could be accessed by the local community and business.

- 3.2.18 The application is supported by an economic statement which outlines the proposal could generate upto 211 jobs and in the long term £13.3 million could be added annually to the gross value of the local economy. This socio-economic report has been reviewed by the Council's economic development team and the assumptions regarding employment density and local spend are considered to be broadly in line with national guidance. Nevertheless, officer consider the assumptions made in relation to the jobs associated with the conference facilities are likely over estimated based on national guidance which would mean that the overall jobs created figure would reduce from 211 jobs to 172. This would reduce the GVA to £10.7m per annum from £13.3m as given in the Statement.
- 3.2.19 The above benefits are acknowledged but nevertheless the sequential test must be considered in the first instance and this has not been done. The same benefits could be achieved from a strategically appropriate and sustainable location. Moreover, the applicant does not provide any specific details on how the proposals could be used by the local community or whether they would address an identified need. As such, officers consider they cannot be given any weight in the planning balance.
- 3.2.20 It is accepted that the components of the education facility could be a benefit for enhancing education of local people in sport. However, the supporting information does not provide a comprehensive assessment of the proposed use and how this element would comply with the use of the site as a football academy. By reason of this, it is unclear as how this proposed use would be ancillary to the use of the site as a football facility, and whether or not it would be consistent with the allocation for the site. As such, based on the current information this, this can be given very little weight.
- 3.2.21 It is acknowledged that the proposal will also create jobs during the construction process but this will only be for a temporary period and is therefore given limited weight. The applicant's outline the proposal would create a landmark building for Harrow. In officers opinion the site is already clearly recognisable as The Hive Football Centre. The fact that a taller building would make the site more easily recognisable as the Hive is not considered to be a significant benefit of the scheme. A Landmark building can be considered as a structure that has significant historical, architectural, or cultural meaning and that has been given legal protection from alteration and destruction. The proposed development is not considered to fall within the meaning of landmark. Moreover, the proposal is in outline, it has not been subject to any design scrutiny through a Design Review Process to demonstrate that the development could represent a landmark architectural quality. Therefore, this is given no weight within the planning balance.

Conclusion

- 3.2.22 The proposal site is not in an Opportunity Area, is an out of centre location, has limited access to the public transport network, is on designated open space and has not been allocated for the proposed uses within the local plan. The proposed uses would give rise to an unsustainable development. The application has failed to demonstrate that the proposed uses could not be located in strategically more appropriate and accessible locations through a sequential assessment. Policy SD7

of the Draft London Plan clearly states that “Applications that fail the sequential test should be refused”. The proposed development would result in loss of open space for which there is an evidenced shortfall and the loss has not been justified. Notwithstanding the benefits put forward by the applicant, the proposed uses in such a poor strategic location would be harmful and are not justified or outweighed by other considerations. On the basis of the additional information reasons No. one and two have not been overcome.

3.3 Character and Appearance of the Area

- 3.3.1 The relevant policies under consideration are outlined in the previous committee report.
- 3.3.2 The applicant has provided some additional details in relation to the building footprint and maximum height. The maximum building footprint is confirmed to be 9830.7sqm and the maximum building height 29.7m.
- 3.3.3 The additional information provided does not alter the officer initial conclusions that the overall amount of development would significantly detract from the open character of the site and the surroundings and would not be appropriate and would not contribute positively to the site’s setting and quality of open space and surroundings. As such, reason for refusal No. six remains.

3.4 Residential Amenity

- 3.4.1 The relevant policies under consideration are outlined in the previous committee report
- 3.4.2 The applicant has provided a noise report and lighting assessment in relation to the proposals.
- 3.4.3 The lighting assessment considers the impact of lighting to the car parking and footpaths within the site. This has been referred to the Council’s lighting engineer who has not raised any significant issues, subject to more detailed clarification. However, the report does not address the impact of the building itself. Having regard to the nature of the uses proposed, it is considered there is a strong likelihood of high levels of light pollution for surrounding neighbouring occupiers which when coupled with the scale and bulk of the building would be highly visually obtrusive. The application has also been referred to the Council’s Environmental Health Team and any further comments on this issue will be reported via the addendum.
- 3.4.4 The application is accompanied by a noise assessment which outlines the principal sources of noise generation are expected to be from mechanical building services noise and amplified sound system noise (music and public address). The report outlines that the building envelope of function, teaching spaces, conference rooms/meeting rooms and student accommodation will need moderate to high sound insulation performance to ensure noise leaving the building is controlled. The report set out that noise limits for mechanical equipment and amplified sound systems have been established based on LB Harrow criteria. The noise limits have

been refined in order to ensure the cumulative impact of noise is acceptable. The report concludes that there would be no adverse impact on residential amenity provided suitable design measures are incorporated into the design. It is considered that such detailed design measures could be controlled by planning condition. However, the details of the report have been referred to the Council's Environmental Health team who have outlined they consider the proposals to represent an overdevelopment of the site within the context of such a residential area. Although the applicant has stated that all the mechanical plant will be 10dB below background noise levels, Environmental Health retain concerns regarding the noise breakout from events at the hotel and student accommodation. Whilst the stadium itself is not part of the application and as such noise levels within cannot be controlled, it is expected that the proximity of residential properties to a stadium of this type will present its own noise issues. Taking this into account, officers consider that reason for refusal No. 7 has not been adequately addressed.

3.5 Traffic Safety and Parking

- 3.5.1 The relevant policies under consideration are outlined in the previous committee report.
- 3.5.2 This development is for the construction of a 150-room hotel; extensions to the conference facility, healthcare facility and fitness suite and a new football college.
- 3.5.3 The transport assessment states that no additional parking is to be provided as part of the hotel planning application however, 50 spaces from the existing car park would be dedicated for the hotel use – there is no information on how this level of parking has been determined. This is a proposal consisting of 5 elements but the parking proposals are not clear for each.

Proposal/Trip Generation

- 3.5.4 It is not clear how a hotel could realistically function if it only raised demand for use by the other facilities on site; if only the football games, training and conferences/events are to be attractors then it would seem that the hotel could be vacant for long periods of time apart from it being used by the healthcare facility but those rooms are not for public sale in any case. On this basis, the analysis of the potential effect of the hotel is not reflective of its likely actual use. This is a bit of a concern, as it is expected that for a hotel to be viable, it would need a good amount of regular occupancy, meaning that guests are likely to stay there for reasons not associated with the wider site and this activity has not been assessed. Guests attending football matches are most likely to use the hotel if they have to travel a long distance – this is not going to be the case for many matches. It is expected that people will only stay overnight for conferences if they have to travel a long way or if the conference is for more than one day; again this is not going to occur very often.
- 3.5.5 Trips associated with the health centre should be based on information obtained from the existing site – this would be most reflective of actual activity. As this element of the proposal is an extension, it is not clear why assumptions are being

made the number of staff to be employed and the number of hourly appointments as a result of the extension to an existing facility would be 'known' amounts. On the basis that these are known, rather than assumed, the trip generation data is acceptable. It would be appropriate as part of a travel plan to commit to reducing staff travel by private car and instead encourage sustainable travel. It is not clear from the proposals where the people using the health facility will park.

- 3.5.6 The conference facility is only assessed based on its daytime use as a conference centre, however it is marketed as a venue for celebrations, banquets and events. On the day of writing, the Hive website states that 'the venue can accommodate 600 guests (theatre style) or 400 guests (dinner and dance) with ease.' Furthermore, 'Enjoy hassle-free parking, with space for 500 vehicles located on site.' Based on this information, in relation to conferences alone, it would seem that the existing venue has the same capacity as being assessed in the Transport Assessment. If the expectation is to accommodate more people, then the figures mentioned in the TA should be increased accordingly. Additionally, the venue operates as a banqueting suite however, this activity doesn't seem to be assessed as only daytime activity seems to be included.
- 3.5.7 The education facility and student accommodation trip data has been obtained from TRICS however, the full data is not included meaning that it is not possible to identify daily totals, PTAL or age of data. This may be useful to determine how reflective the data is in relation to the proposal site. Education facilities and associated accommodation are best suited to town centre locations where there is easy access to local facilities and public transport. A higher education facility does mean that students are likely to be of driving age, therefore, may choose to drive if sufficient conveniences and alternative modes of transport are not easily accessible.
- 3.5.8 As the fitness suite is existing, it would be most appropriate to use data obtained from the site as it would be most reflective of actual use. It would be assumed that attendance figures are held by the fitness suite. It is not apparent why the Transport Assessment considers users of the facility to be predominantly linked trips to other on-site facilities as the suite is advertised publicly and offers membership including free parking on-site – this suggests that it operates in the same way as any other public gym. No data to support the assumed 20% of primary trips has been supplied therefore, the methodology for trip generation assessment of this element is not accepted.
- 3.5.9 The assessment of trip generation overall is not completely reflective of what may happen on site. As it would seem that some of the uses are being considered as ancillary to the existing facilities but there is no supporting evidence and facilities such as the Hotel and Gym cannot realistically be expected to operate without substantial general public attendance, it is considered that this assessment is not reliable.
- 3.5.10 In any case, the summary seems to focus on the additional traffic on the highway network but does not assess the impact of all of these uses (current trip rate + additional/extended uses), including the football element being in effect at one time – this is when we would anticipate the most significant levels of traffic. The trip

generation does not look at all modes of travel either, meaning that it is not possible to determine the levels of non-vehicular journeys this site has the potential to generate.

Active Travel Zone (ATZ) Assessment

3.5.11 The key routes are accepted and are considered to mainly apply to resident students and possibly hotel guests. Most other visitors to the site are only likely to visit the site as their sole destination. The route assessments are very limited, do not include the required photos and subsequently the recommendations for improvement are not based on detailed findings; For example, why is a pedestrian crossing considered necessary for Camrose Avenue as it wasn't identified as a problem and why does the Whitchurch Lane cycle route require particular attention as no specific problem has been identified either. There is also no consideration of how existing cycle routes in the area could link to the site. This is not the quality of ATZ assessment that is expected.

Conclusion

3.5.12 For the reasons outlined above, the Council's Highways Authority have objected to the proposal. The submitted transport assessment is considered to be unacceptable and does not adequately consider the impacts on the surrounding highway. There is not study of the combined effect of the development which could be significant. As such, there is no indication of any highways mitigations that may be required. Moreover, the proposed footprint on the southern side of the building appears to block the access road into the existing surface level car park adjacent to the western boundary and the applicant has not clarified how this would be resolved. As such, the amount of available parking at the application site remains unclear.

3.5.13 The Healthy Streets Transport Assessment should include an outline construction logistics plan, outline delivery and servicing plan, travel plan and outline car park design and management plan however, none of these have been provided

3.5.14 The site currently does not appear to promote sustainable travel despite having a travel plan as all of the existing uses promote use of the car park. The submitted transport assessment does not detail how by using the Healthy Streets approach, the site could encourage sustainable travel and contribute to meeting the aims of Vision Zero and the Mayors Transport Strategy.

3.5.15 The applicant has indicated that they would make a financial contribution towards offsite improvement in relation to walking and cycling infrastructure. However, officers cannot give this any weight as the level of mitigation has not been determined and agreed.

3.5.16 For the reasons outlined above, reason for refusal three has not been overcome.

3.6 **Affordable Housing**

3.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.12
- The Draft London Plan Intend to Publish: H15
- Harrow Core Strategy: J

3.6.2 Policy H 15 of the Intend to Publish London Plan seeks to ensure that the maximum level of accommodation is secured as student accommodation.

3.6.3 The applicant has indicated that they would agree to an obligation to provide 35% affordable student accommodation unless a viability report is submitted to demonstrate this would not be viable. If 35% affordable accommodation was to be provided, this would qualify the applicant for the fast track route and no financial viability assessment would be required.

3.6.4 However, it would also be necessary to ensure that any viability tested scheme would be subject to early and late stage viability reviews. Moreover, all accommodation would need to be secured through a nomination agreement for occupation of students from one or more academic provider which could also be secured through section 106 agreement.

3.6.5 Subject to securing an obligation relating to the above, the proposals are considered to be acceptable in this regard.

3.7 **Biodiversity and Air Quality**

3.7.1 The relevant policies are outlined in the previous committee report.

Biodiversity

3.7.2 The applicant has submitted a preliminary ecological assessment to address the impacts of the proposals on the adjacent Site of Importance to Nature Conservation and the requirement for biodiversity net gain..

3.7.3 The development site is a designated open space. It consisted largely of informal playing fields that were in the Council's ownership until shortly after the millennium, a small football stadium having been replaced with the much larger one that presently exists. The pockets of wooded habitat, rougher grassland, scrub, hedgerows and ruderal vegetation - including at the margins of the section of the Edgware Brook which flows across the site in open channel - have been generally retained although without positive management and the more formalised nature of the football pitches, the car park and the large stadium give the site a rather different character.

3.7.4 One of the southern sections of the **Canons Park And Stanmore Rail Embankments SINC** runs (to either side of the rail line) along the entire western border of the site, connecting what becomes the **Jubilee Line From Stanmore**

Junction To Queensbury SINC in Brent to the chain of important wildlife sites within Harrow's greenbelt in the north and laterally to other sites such as **Stanmore Marsh**, through which the Edgware Brook flows before, eventually reaching the development site and then continuing eastwards via **the Silk Stream and Burnt Oak Brook SINC** in Barnet, whence it eventually reaches the **Welsh Harp SSSI**.

3.7.5 The importance of these connections for wildlife is reinforced by the fact that the site and the areas to the east and west lie within a major zone of deficiency in access to nature.

3.7.6 It is noted that trees and shrubs within the railside area have been cut back to ground level in recent years. The appropriateness of such wholesale clearance is open to question but such 'coppice' management will help to recreate shrubby vegetation on a cyclical basis whilst minimising operational rail issues. The SINC area should be viewed in the context of this management and not just on the basis of a snapshot of its current vegetation cover.

3.7.7 It will be important to ensure that any development of the site actively strengthens rather than harms the value and role of the SINC and stream corridor.

3.7.8 Other matters pertaining to the proposed development site

3.7.9 There are existing obligations in relation to the site by a condition of permission for a previous application (P/2763/17) a requirement on the applicant that

Prior to the commencement of each phase of development as shown on drawing No. 24200002/1, an Ecological Mitigation, Enhancement and Management Plan in accordance with the ecological report prepared by Ecology and Habitat Management Ltd shall be submitted to and approved in writing by the local planning authority. The Plan shall set out measures to help mitigate the impacts of the development on ecology at the site, secure a net-gain in the biodiversity value of the site and shall secure the long-term management of those measures. The development shall be carried out in accordance with the approved Plan.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance Local Plan Policy DM 21. This is a PRE-COMMENCEMENT condition.

3.7.10 Nothing in relation to this has been received from the applicant. However, unless the applicant has decided not to proceed with any part of the development covered by that application, any assessments provided in support of the current application should have taken account of such obligations and agreements. The current ecological report provides the same recommendations as proposed under the previous 2017 application and it is not appropriate just to repeat that here.

Current application

3.7.11 There has been clearly no consideration of the mitigation hierarchy nor other biodiversity matters in connection with the scheme's design. Despite the previous

applications for this site - the application form incorrectly stated that there are no features of biodiversity interest that might be affected within its vicinity.

3.7.12 The application was originally made without an up to date PEA being provided. It also neglected to acknowledge the presence of the adjoining SINC immediately which is almost at the margin of the proposed hotel. Initial comments in response noted that:

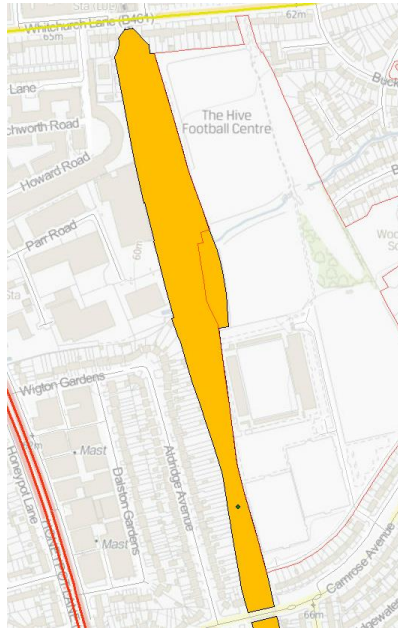
No information has been presented in relation to

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

3.7.13 A PEA report was submitted subsequently. This is largely just an update of an earlier report prepared for the rather different application in 2017. The new PEA is based on a walkover site visit at the end of September, together with a post-hoc search of existing biodiversity data in October. The report comments on impacts but offers no rigorous assessment of these. No retrospective modification of the scheme has been proposed as a result of the PEA being conducted.

3.7.14 The provided Phase 1 habitat map addresses only the development site, for which it gives the wrong alignment.

3.7.15 As evident from the image below, the SINC is in extremely proximity to the proposed development. Despite the identified need to evaluate the potential impacts on the SINC, the report does not provide a map to illustrate the layout of the development site relative to the SINC.



3.7.16 Any comments about the SINC are based on an examination through the fence rather than from an equivalent walkover. (It is recognised that gaining access to raiiside land would be problematic, however).

3.7.17 The provided PEA essentially repeats what was said in the 2017 document version about what lies within the red line. It gives far greater prominence to habitat areas of little value that are far from the hotel than to providing or considering useful information about what is known or likely to occur within or to make use of the development's zone of impact- the SINC in particular. Apart from two photos along the western fence line, very little information is provided.

3.7.18 There are a number of points of concern:

- The PEA mentions other policy matters but makes no reference to local planning policies DM20 and DM21, appearing to suggest that identified enhancements these are wholly optional rather than a means of addressing any compensation or gain obligations
- Part of the reason why the current report so closely mimics that from three years ago, even down to the recommendations with regard to potential compensation, mitigation and enhancement is that the applicant has yet to address the conditions – what will be initiated to ensure that all conditions relating to any new grant of planning permission will be implemented.
- The fact that the applicant appears to be under obligations as cited above means that any assessment that is now undertaken of the condition and of the site and any resulting impacts should be on the basis of what they were already required to provide and not of the existing conditions. There is a need to clarify exactly what obligations should already have been met and to proceed accordingly. As such, the provided PEA and the application as a whole may be unsound. The applicant rather than the consultant would be at fault if so.

- 3.7.19 The report refers to bat surveys but does not say when these were undertaken. It is assumed that these refer to surveys from 2017 but there is not up to date information about how bat species use the site or the SINC.
- 3.7.20 The report is inadequate in its handling of impacts whether with regard to existing circumstances or to the circumstances that should have been taken into account. It is therefore considered that the biodiversity issues have not be satisfactorily addressed and the proposal would fail to comply with the relevant polices outlined.

Air Quality

- 3.7.21 The applicant has submitted an Outline Air Quality Assessment in support of the proposals. The report outlines the impact on air quality will be dependent on any new emissions that the development will introduce including the change in traffic movement generated by the outline application. It outlines that a detailed assessment can be made at the reserved matters stage. Although the application is accompanied by a Transport Assessment, it is considered not accurate in relation to the level of likely car trips generated by the proposed development. Moreover, there the application is not accompanied by a Travel Plan to demonstrate how trips would be made more sustainable. Nevertheless, it is accepted that detailed modelling would be required in order to undertake an accurate assessment of the impacts and this would not be fully known until the more detailed design stage. The details of the Air Quality Assessment have been referred to the Environmental Health Team for comments. Environmental Health have advised that the potential impact of the traffic associated with the proposed leisure uses and heating plant has not been adequately addressed within the report. Moreover, as outlined by the Councils' Highways Authority the information relating to traffic movements contained within the Transport Assessment is considered to be inaccurate and fails to present proposals for alternative sustainable modes of travel. Taking into this into account, the proposals are not considered to adequately address reasons for refusal No. 8

3.8 Drainage and Flood Risk

- 3.8.1 The relevant policies are outlined in the previous committee report.
- 3.8.2 The drainage strategy proposed and the FRA of 2016 have been referred to the Council's Drainage Authority who have outlined that both documents are unsatisfactory and their objections still stand.
- 3.8.3 It is outlined that the Flood Risk Assessment should be revised using updated flood maps and the proposals in line with the Council's up to date Strategic Flood Risk Assessment. Additionally, the drainage strategy should be based on 5 l/s/ha greenfield run-off rate. Officer have advised that vented storm water covers have been designed for a reason and shouldn't be removed, reducing size of the existing surface water tank is not permitted and there's no spare volume of storage in gravel layer of the pitches.

3.8.4 On the basis of the sustained objections by the Council's Drainage Authority, it is considered that reason for refusal No. 5 has not been addressed.

3.9 **Energy and Sustainability**

3.9.1 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 Policies Local Plan (2013):DM12, DM13, DM14

3.9.2 The application is accompanied by an Outline Energy & Sustainability Strategy prepared by Sewco UK Limited, dated 23 October 2020. As the application is outline only, it is accepted that the energy strategy is high level, identifying principles and key requirements / targets rather than a detailed energy strategy accompanied by design stage energy modelling.

3.9.3 The strategy does not fully address the requirements of the Intend to Publish London Plan in that the Plan requires non-residential development to be zero carbon (the strategy only identifies the current London Plan requirement for 35% reductions). Additionally, the strategy does not reflect that the Intend to Publish London Plan can be given significant weight since the energy requirements are not subject to any directions by the Secretary of State. However, for the purposes of the outline application, the strategy does commit to 35% on-site carbon reductions; this being the minimum on-site reductions required under the Intend to Publish London Plan, with zero carbon required to be achieved through any remaining on-site carbon emissions being offset by a monetary contribution to the Council to undertake carbon reductions elsewhere in the borough. The strategy also correctly adopts SAP10 as being the GLA's preferred carbon factors.

3.9.4 The strategy commits to following the energy hierarchy. From a 'Be Lean' perspective, the strategy identifies a number of improvements over the required Building Regulations building fabric thermal performance targets, ensuring that energy efficiency will be prioritised. Passive and active measures such as building form / massing, façade and daylight optimisation, and air handling heat recovery are also identified.

3.9.5 From a 'Be Clean' perspective, the strategy correctly identifies that there are no existing heat networks in the area which the development could connect to. It however fails to reference that the site is located within a Heat Network Priority Area under the Intend to Publish London Plan and under Policy SI2(D) Energy infrastructure that communal low-temperature heating system should be provided. However, as air source heat pumps (ASHP) are proposed (as part of the 'Be Green' element of the hierarchy), this implies an on-site communal heat network will be provided.

3.9.6 Overall, the outline energy proposals are acceptable and demonstrate that any detailed design / approval of details will be undertaken in the correct policy context / overarching commitments. Any outline permission will need to be conditioned to require a detailed energy strategy to be submitted prior to commencement of the development (as energy is integral to building design and cannot be left until after commencement of development). The required detailed energy strategy will need to commit to zero carbon development in accordance with the Intend to Publish London Plan. Any S106 agreement related to the outline application will need to require payment of any carbon offset contribution (calculated using the Intend to Publish London Plan rate of £95/tonne/year for 30 years i.e. £2,850 per tonne) identified in the energy strategy in order to achieve zero carbon, with a further post-completion assessment required to identify if a further offset contribution is required should there be a shortfall in predicted on-site carbon reductions.

3.9.7 The strategy commits to achieve BREEAM ‘very good’ and this could be required by planning condition

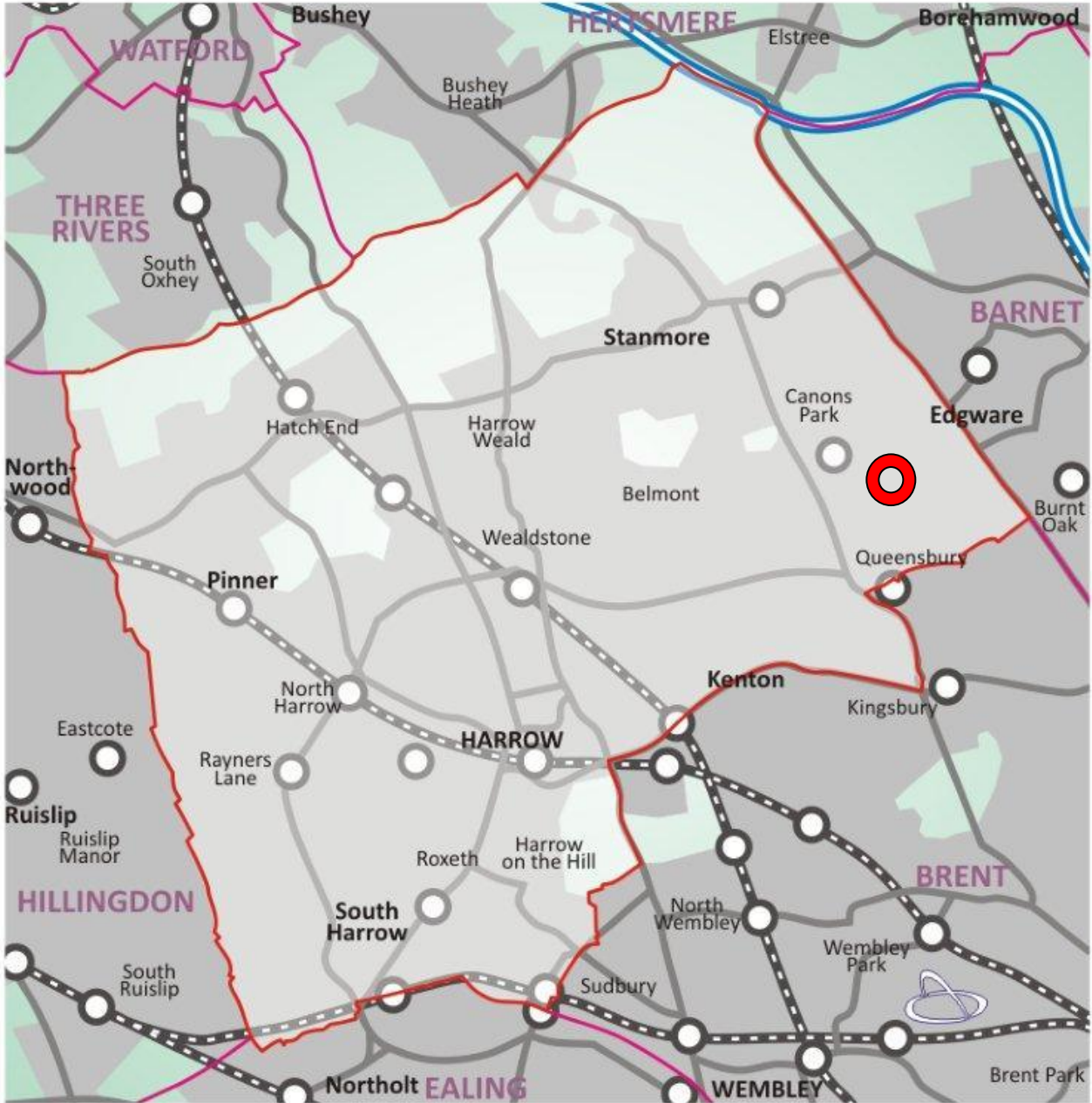
4.0 Conclusion

4.1.1 Since the application was previously considered by the Planning Committee on 2nd September, the application has submitted additional reports relating to ecology, transport, lighting, noise, flood risk and energy. However, the reports, are not considered to satisfactorily address the fundamental issues raised previously in relation to these material planning consideration.

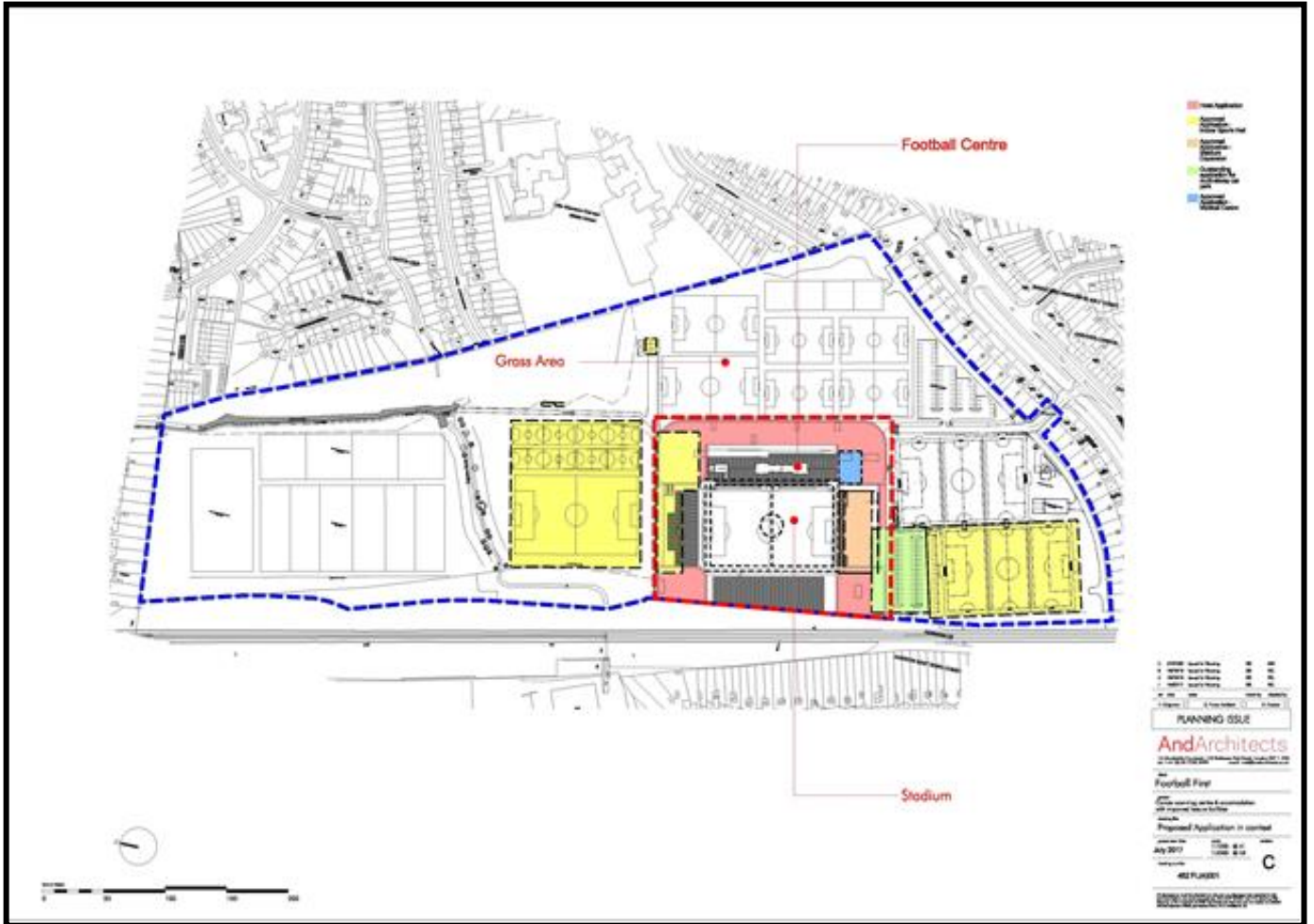
4.1.2 Most significantly, the principle of the development is not supported, a view also taken by the GLA. The applicant has failed to demonstrate the sequential test. The proposed uses fail to comply with local plan allocation and would result in loss of open space to uses which are clearly not ancillary to the open space designation. The proposed development would give rise to a development in strategically poor location and would be harmful to the future development and growth of the borough and would set an undesirable precedent. The proposed town centre uses in this location would be completely at odds with the NPPF aspirations for sustainable development and growth. It would create an intensively developed site in what is suburban residential area with the potential for significant harm in traffic impacts and highway safety and would be detrimental to the character of the area. The benefits put forward by the applicant are not considered to outweigh consideration to the sequential test or loss of open space and the other harm identified.

	<u>Beverley Kuchar 27/11/2020</u>
<u>Checked by</u>	<u>Paul Walker 27/11/2020</u>

 = application site



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

PLANNING COMMITTEE

2nd September 2020

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

PROPOSAL

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

RECOMMENDATION A

The Planning Committee is asked to:

Refuse the application for the following reasons:

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

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

- 11) The proposed development, in the absence of a Transport Assessment and Travel Plan, fails to demonstrate the impacts of the development on the surrounding highway network, and to propose measures to promote sustainable travel modes and to reduce the effects of travel by car. Insufficient information has therefore been provided to demonstrate that the proposals would not result in unacceptable harm to the surrounding highway network through increased pressure on local parking amenity and on local transport infrastructure from excessive vehicle trips, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.10 and 6.13 of The London Plan (2016), policies T1, T2, T4, and T6 of the Draft London Plan – Intend to Publish (2019), policy 1 of the Mayor’s Transport Strategy, policy CS1 R of the Harrow Core Strategy (2012) and policies DM 42 and DM 43 of the Harrow Development Management Policies Local Plan (2013).
- 12) The proposed development, in the absence of a Preliminary Ecological Assessment and the site’s close proximity to the adjoining Borough Grade I Site of Importance for Nature Conservation and the River Brent, fails to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced, contrary to the National Planning Policy Framework (2019), policy 7.19 of The London Plan (2019), policy G6 of the Draft London Plan - Intend to Publish (2019), and policies DM 48 A b, DM 20 and DM 21 of the Harrow Development Management Polices Local Plan (2013).
- 13) The proposal, by reason of an unsatisfactory Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of the adjoining occupiers and the future users of the development, contrary to the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policies SI12 and SI 13 of the Draft London Plan (2019), Core Policy CS1 U of Harrow Core Strategy (2012) and policies DM 9 and DM 10 of the Harrow Development Management Polices Local Plan (2013).
- 14) The proposed development, by reason of the indicated heights and conflicting floorspace figures proposed, would be likely to result in a harmful,

bulky and unduly dominant addition to the site which would significantly detract from the open character of the site and the surroundings, and would fail to respect the existing development on the site or contribute positively to the site's setting and the quality of the open space, contrary to the National Planning Policy Framework (2019), policies 7.4 B and 7.6 B of The London Plan (2017), policies D1 and D3 of the Draft London Plan (2019), core policy CS 1 B and F of the Harrow Core Strategy (2012) and policy DM 18 C/D of the Harrow Development Management Policies Local Plan (2013).

- 15) The proposed development, by reason of the excessive amount of development proposed, the proposed uses and the absence of a Noise Assessment or Lighting Impact Assessment, would give rise to unacceptable harmful outlook and visual impacts, as well as potential unreasonable noise and disturbance impacts from the increased intensity of use of the site, to the detriment of the residential and visual amenities of the adjacent neighbouring occupiers, contrary to the National Planning Policy Framework (2019), policies 7.4 B, 7.6B and 7.15 of The London Plan (2016), policies D3, D13 and D14 of the Draft London Plan - Intend to Publish (2019) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).
- 16) The proposed development, in the absence of an Air Quality Assessment, fails to demonstrate that the proposed development would be Air Quality Neutral and would not have the potential to contribute to a deterioration in air quality in the locality, to the detriment of the future users of the site and wider area and the overall environmental quality of the London Borough of Harrow, contrary to the National Planning Policy Framework (2019), policy 7.14 of The London Plan (2016), policy of the SI 1 of the Draft London Plan – Intend to Publish (2019) and policies DM 1 and DM 12 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATION

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

INFORMATION

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

Statutory Return Type:	Major Development
Council Interest:	N/A
Net additional Floorspace:	52, 788 sqm
GLA Community Infrastructure Levy (CIL):	£3,347,280 (excluding indexation)
Contribution (provisional):	
Local CIL requirement:	£3,068,340 (excluding indexation)

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

5.0 SITE DESCRIPTION

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

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

2.0 PROPOSAL

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

3.0 **RELEVANT PLANNING HISTORY**

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

Reference	Description	Decision
EAST/148/01/OUT	Outline: football stadium, terraces, stand & clubhouse, floodlights to ground, artificial pitch & tennis courts, health & fitness facilities, parking, vehicular access from Camrose Avenue	Approved: 11 th April 2003
P/1087/03/DVA	Variation of condition 13 of planning permission East/148/01/OUT to provide revised parking layout	Approved: 29 th July 2003
P/898/03/CDP	Details of design and appearance of building and landscaping pursuant to condition 2 of outline planning perm. East/148/01/OUT for football stadium associated works	Approved: 04 th August 2003
P/0002/07	Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking	Approved: 08 th April 2008
P/1321/08	Alterations and internal changes to east stand and change of use of part of first floor of east stand from D2 (assembly and leisure) to primary care trust premises	Approved: 06 th October 2008
P/1226/09	S.73 application to vary condition 27 (development within the area liable to flood) attached to planning permission P/0002/07	Approved: 25 th August 2009
P/2022/09	Variation of condition 18 (external lighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more	Approved: 06 th November 2009

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

	<p>condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'</p>	
P/1693/12	<p>Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'</p> <p>Variation of condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished</p>	Approved: 10 th September 2012

	not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'	
P/2807/12	Non-material amendment to add a condition detailing approved plans to planning permission P/0002/07 dated 08/04/2008 for redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking	Approved: 27 th November 2012
P/0665/13	Variation of condition 29 (approved plans - added through application P/2807/12) attached to P/0002/07 dated 08/04/2008 for 'Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking' to allow minor amendments to the stadium comprising: Phase 1: internal and external alterations to east stand including additional row of seats; increase in height, depth and capacity of west stand including camera position; reduction in capacity of standing areas; increase in height of floodlights and re-siting of southern floodlights; additional turnstiles, spectator circulation, fencing, food kiosks and toilets; alterations to parking areas. Phase 2: replace north stand with seated stand; reduction in capacity of standing area in southern stand; extension to rear of west stand to provide indoor spectator space (total stadium capacity not to exceed 5176 as previously approved)	Refused: 11 th September 2013 Appeal allowed: 19 th December 2014
P/4092/14	Single storey side to rear extension to the east stand to create an enlarged medical centre and box office security; provision of two internal chiller units and three internal air conditioning units	Approved: 23 rd March 2015

P/4096/14	First floor side extension to the east stand to create an enlarged banqueting suite and provision of a new entrance	Approved: 13 th April 2015
P/2004/15	Display one internally illuminated free standing sign	Approved: 02 nd July 2015
P/2191/15	Variation of condition 1 (drawing numbers) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand and associated facilities than that approved by the original consent for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involves internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involves the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space	Approved: 20 th July 2015
P/3255/16	Erection of temporary spectator stand adjacent to the academy pitch (training area a); footpath to provide pedestrian access to the temporary stand	Appeal allowed: 23 rd December 2016
P/5204/16	Variation of condition 1 (drawing numbers) attached to planning application P/0665/13 allowed on appeal under reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand (increased height and depth,	Refused: 23 rd June 2017 Appeal allowed Ref: app/m5450/W/ 17/ 3188361

	and larger bar area) and the provision of a building to facilitate a ticket office and turnstiles. The scheme allowed on appeal was for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involved internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involved the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space extension	
P/3352/16	Non-material amendment to planning permission reference P/2191/15 dated 17/07/15 to increase the depth of the north stand at ground floor level, increase the height of the north stand and increase the width of the north stand	Refused: 25 th August 2016
P/2764/17	Erection of a new South stand; new medical facilities, community facilities and commercial floorspace to the rear of the south stand; replacement of East stand seating with terraces; single deck above existing car park and increase in the total capacity of the stadium from 5,176 to 8,500	Granted 28 th February 2018
P/4485/17	Variation of Condition 1 (Approved plans) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/14 to allow for a larger north stand and associated facilities than approved by the original consent	Granted 2 nd November 2018

P/2763/17	<i>Erection of an indoor academy building with an indoor 3G pitch, a new 11-a-side 3G pitch, eight 5-a-side pitches, a new indoor sports hall, a permanent ticket-office and club-shop, a permanent academy spectator stand and WC and snack shop porta cabins.</i>	Granted 18 th July 2019
P/4134/19	Outline Application for all matters reserved: Construction of a five storey car park	Refused 30 th July 2020

4.0 CONSULTATION

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

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

4.3 The proposal was advertised for the following reasons:

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

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

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

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

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

Statutory and Non Statutory Consultation

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

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

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

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

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

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

Infrastructure Protection – TFL Engineering:

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

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

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

Thames Water:

Waste Comments

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

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

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

Water Comments

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

Supplementary Comments

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

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

Note to LPA:

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

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

Greater London Authority: Comments awaited.

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

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

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

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

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

No information has been presented in relation to

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

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

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

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

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

5.0 **POLICIES**

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

Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

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

6.0 ASSESSMENT

6.1 The main issues are:

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

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.18, 3.16, 3.19, 4.5, 3.18
- The Draft London Plan 2019: G4, S4, S2, S5, H15, E10, S1, S3, SD7
- Harrow Core Strategy 2012: CS1 F, Z, L
- Harrow Development Management Policies Local Plan (2013):DM18, DM34 DM46 DM48, DM41
- Site Allocations DPD: Site MOS5
- PPG 17: Open Space Needs Assessment

Open Space

- 6.2.2 The only issues to be considered at this Outline stage are the general principles of whether this type of development would be acceptable in this location, and whether this amount and scale of development would be acceptable. If Outline planning permission is approved, more detailed proposals will be submitted as Reserved Matters applications; and also as applications to discharge any other conditions that are attached to the Outline Planning Permission.
- 6.2.3 The application site is noted within the Local Plan as being designated Open Space. Open space is also recognised within the draft London Plan (2019) (Intend to Publish Version), specifically through Policy G4.
- 6.2.4 The National Planning Policy Framework (2019) places great weight in protecting open space.

- 6.2.5 Paragraph 97, states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 6.2.6 At a London wide level, the draft London Plan (2019) (Intend to Publish Version) provides policy seeking to protect Open Space, by way of Policy G4. Policy G4 requires development plans to undertake needs assessments of the boroughs open space stocks, and to include appropriate designations and policies for their protection. LB Harrow have, by way of the PPG 17 study under taken an open space needs assessment at a borough wide level. This assessment was undertaken in 2011. The PPG17 Study identifies that in 2010 there was a total deficiency of 117ha of land, which would rise to 139ha in 2026. Whilst this document is somewhat dated, there is no evidence to suggest that in quantative terms, the document is inaccurate. The current local plan, has a specific policy (detailed below) in relation to Open Space, and identifies land that is designated as such within the Local Plan Policy Maps.
- 6.2.7 When considering specific development proposals, the draft London Plan (2019) (Intend to Publish Version) sets out the following through Policy G4;
- Not result in the loss of protected open space
 - where possible create areas of publicly accessible open space, particularly in areas of deficiency.
- 6.2.8 The Core Strategy 2012 goes onto state that with the exception of small scale ancillary facilities needed to support or enhance the proper functioning of open space; development will not be permitted on designated open space as identified on the Harrow proposals map. There is a presumption against any net loss of open space, regardless of ownership and accessibility.
- 6.2.9 Following on from the Core Strategy (2012) position, Policy DM18 (Protection of Open Space) provide guidance on developments that would have an impact on open space. It is clear that DM18 would not support development that results in a net loss of Open Space, however would support the reconfiguration of open space. The proposed development would result in a significant amount of designated open space being lost, which is in direct conflict with both the draft London Plan (2019) (Intend to Publish Version), The Harrow Core Strategy (2012) and also the Harrow Development Management Plan Local Policies (2013).
- 6.2.10 The planning policy maps indicate that the entire site is located within open space designation, which includes internal roads, the stadium and the existing car park. It is therefore clear that the proposed development would be erected on

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

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

- Continue to promote Prince Edward playing fields as a centre of sports excellence; and
- Maintain community access to sport and recreation facilities and encourage enhancement

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

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

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

6.2.21 London Plan Policy 3.19 (Sports Facilities) states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facilities developments are proposed on existing open space, they will need to be considered carefully in light of policies on protecting open space.

6.2.22 Higher Education Facility/Medical Facility

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

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

6.3 Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6
- The Draft London Plan 2019: D1, D2, D3, D4, D9
- Harrow Core Strategy 2012: CS1 B, F
- Harrow Development Management Policies Local Plan (2013): DM1, DM 18

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

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

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

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

6.3.5 In conclusion, it is considered that the indicated amount of development proposed, would have a detrimental impact on the character and appearance of the site and area and the surrounding designated open space.

6.4 Residential Amenity

6.4.1 The relevant policies are:

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

Residential Amenity of neighbouring Occupiers

6.4.2 The proposed building would be located within the south western area of the wider site. The closest neighbouring properties to the west of the site are located along Aldridge Avenue. These properties are separated from the subject site by London Underground railway tracks which are surrounded by a steep embankment. The rear elevations and rear gardens of the properties are separated by approximately 74 metres and 30 metres respectively to the western application boundary. The proposed development site is separated from the rear garden boundaries of the closest properties in Camrose Avenue to the south by approximately 145 metres. To the east the closest residential dwellings are located in St David's Drive and are approximately 140 metres away and to the north east, the residential properties of Buckingham Gardens and Bransgrove Road are separated by a gap of some 170 metres.

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

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

6.5 Traffic and Parking

6.5.1 The relevant policies are:

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

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

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

- 6.5.4 The main access for pedestrians and vehicles will remain as existing on Camrose Avenue, to the south end of the site. Whitchurch Lane offers a secondary pedestrian access to the north. As required by policy T2 of The London Plan (2019) It should be demonstrated how the proposals meets the Healthy Streets indicators including measures to manage traffic movement and avoid conflicts with pedestrians and cyclists. However, the proposal fails to address this policy requirement.
- 6.5.5 Policy T.6.4 Hotel and leisure uses parking of the Intend to publish London Plan which states that for PTAL 0-3 locations;
- 'schemes should be assessed on a case-by-case basis and provision should be consistent with the Healthy Streets Approach, mode share and active travel targets, and the aim to improve public transport reliability and reduce congestion and traffic levels.'***
- 6.5.6 The application is not accompanied by a Travel Assessment or a Travel Plan and therefore it has not been possible to undertake a detailed assessment of the proposals which could potentially, have both individual and cumulative significant detrimental impact on the surrounding highway network. The proposal is therefore contrary to the above mentioned policies.

6.6 Biodiversity and Air Quality

6.6.1 The relevant policies are:

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

Biodiversity

6.6.2 The application is not accompanied by a Preliminary Ecological Assessment Having regard to the sites proximity to the adjoining Site of Importance for Nature Conservation, in officer's view, it is not possible for the Council to demonstrate that it has adequately exercised its duty under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity (including biodiversity assets beyond the site and its immediate surrounds). Additionally, it is not possible to accurately assess if the principle of the development and whether its location, is acceptable having regard to DM48 (Enhancing Outdoor Sport Facilities) which refers to impact upon biodiversity assets within or surrounding the site, as well as the biodiversity specific Local Plan policies, DM20 and DM 21.

6.6.3

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

6.6.4

Government guidance (Circular 06/05: biodiversity and geological conservation) is clear in relation to the use of conditions relating to biodiversity matters stating *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."* *The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances*". There are not considered to be any exceptional circumstances in this case that would warrant the use of a planning condition.

6.6.5

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

Air Quality

6.6.6

As outlined in the London Plan and Draft London Plan – Intend to Publish 2019 (Policies 7.14 and SI 1), all development proposals should minimise increased exposure to existing poor air quality and take steps to minimise the impacts through design solutions and promote greater use of sustainable transport modes through travel plans. As a minimum, development proposal should be air quality neutral.

6.6.7

The whole of the Borough has been designated as an Air Quality Management Area (AQMA), due to exceedances of the annual mean objective levels for nitrogen oxide (NO₂) and particulates (PM₁₀). The application is not accompanied by an Air Quality Assessment, Travel Plan and Transport Assessment and therefore the potential impact on air quality are not known. The failure to demonstrate that the development would be air quality neutral undermines the Council position on other development proposals which have the potential to result in detrimental impacts on air quality without demonstrating any mitigation. The proposal is therefore considered to be unacceptable in this regard.

6.7 Drainage and Flood Risk

6.7.1 The relevant policies are:

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

6.7.2 Areas of the site wider site are located across all three flood zones. There are areas to the north adjacent to the Edgware Brook which are identified within fluvial flood zone 2 & 3 according to Environment Agency flood maps and also within surface water flood zone 3a & 3b according to LBH surface water flood maps. The site is at a highest risk of flooding.

6.7.3 The subject site itself lies within flood zone 1 which has a low probability of flooding and the proposed type of development in this area of the site is appropriate for its intended use.

6.7.4 The application is not accompanied by a Flood Risk Assessment. However, areas in close proximity of the existing site are served by existing drainage infrastructure, approved by the Council and Environment Agency as part of earlier phases of the development. The application has been referred to the Council's Drainage Authority who has objected to the proposed development as it cannot be certain the proposals would not adversely impact on existing drainage infrastructure. In the absence of a Flood Risk Assessment, the proposal fails to demonstrate the existing surface water storage volume on the site is maintained and that there is no obstruction to surface water flows across the site. As such, in the absence of this information, it is considered that the proposed development is at risk of surface water flooding and acceptable flood mitigation for potential flood risk within the site and elsewhere and for its users has not been demonstrated.

6.7.5 In conclusion, the proposal, by reason of the absence of a Flood Risk Assessment, fails to demonstrate that the proposed development would result in a net reduction in flood risk, be resistant and resilient to flooding, would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere or provide a dry means of escape for the future users, to the detriment of the safety of future users of the development, contrary to the above policies.

7.0 CONCLUSION AND REASONS FOR REFUSAL

- 7.1 The proposed uses would directly conflict with the site's allocation for community outdoor sports and would be inappropriate in terms of their siting with insufficient evidence provided to justify the uses proposed. The application fails to provide detailed assessments in relation to transport, noise, light pollution, flood risk, air quality, etc. As such, officers are unable to make a comprehensive assessment on some of the main material planning consideration of the application. The proposed development, fails to comply with the development plan for Harrow in relation to the proposed uses, matters of traffic and parking, biodiversity, flood risk, air quality, open space and impact on the character and appearance of the area including the designated open space, and is therefore recommended for refusal

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2019)

The London Plan (2016):

- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.16 Protection and Enhancement of Social Infrastructure
- 3.17 Health and Social Care Facilities
- 3.18 Education Facilities
- 3.19 Sports Facilities
- 4.5 London's visitor Infrastructure
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.18 Protecting Open Space and addressing deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodlands

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

- Policy D1 London's form and characteristics
- Policy D2 Delivering good design
- Policy D3 Inclusive design
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy E10 Visitor Infrastructure
- Policy S1 Developing London's social infrastructure
- Policy S2 Health and social care facilities
- Policy S3 Education and childcare facilities
- Policy S4 Play and Informal Recreation
- Policy S5 Sports and Recreation Facilities

Policy SD6 Town Centres and High Streets
Policy SD7 Town centres: development principles and Development Plan Documents
Policy G4 Open Space
Policy G6 Biodiversity and access to nature
Policy SI1 Improving air quality
Policy SI12 Flood risk management
Policy SI13 Sustainable drainage
Policy T1 Strategic approach to transport
Policy T2 Healthy Streets
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.4 Hotel and leisure uses parking

Harrow Core Strategy (2012)

CS1: Overarching Principles

Harrow Development Management Policies Local Plan (2013):

Policy DM 1 Achieving a High Standard of Development
Policy DM 9 Managing Flood Risk
Policy DM 10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 18 Protection of Open Space
Policy DM 20 Protection of Biodiversity and Access to Nature
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy DM 22 Trees and Landscaping
Policy DM 34 Hotel and Tourism Development
Policy DM 42 Parking Standards
Policy DM 43 Transport Assessments and Travel Plans
Policy DM44 Servicing
Policy DM 46 New Community Sport and Educational Facilities
Policy 50 Planning Obligations

Other Relevant Guidance:

Site Allocations DPD (2013)

2. INFORMATIVE: Mayoral Community Infrastructure Levy (provisional)

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £3, 347 280. This amount excludes

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

You are advised to visit the planningportal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

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

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

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

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

3. Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow is: 3, 068, 340

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

The CIL Liability is payable upon the commencement of development.

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

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

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

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

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

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

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

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

result in surcharges.

4. Pre-application engagement

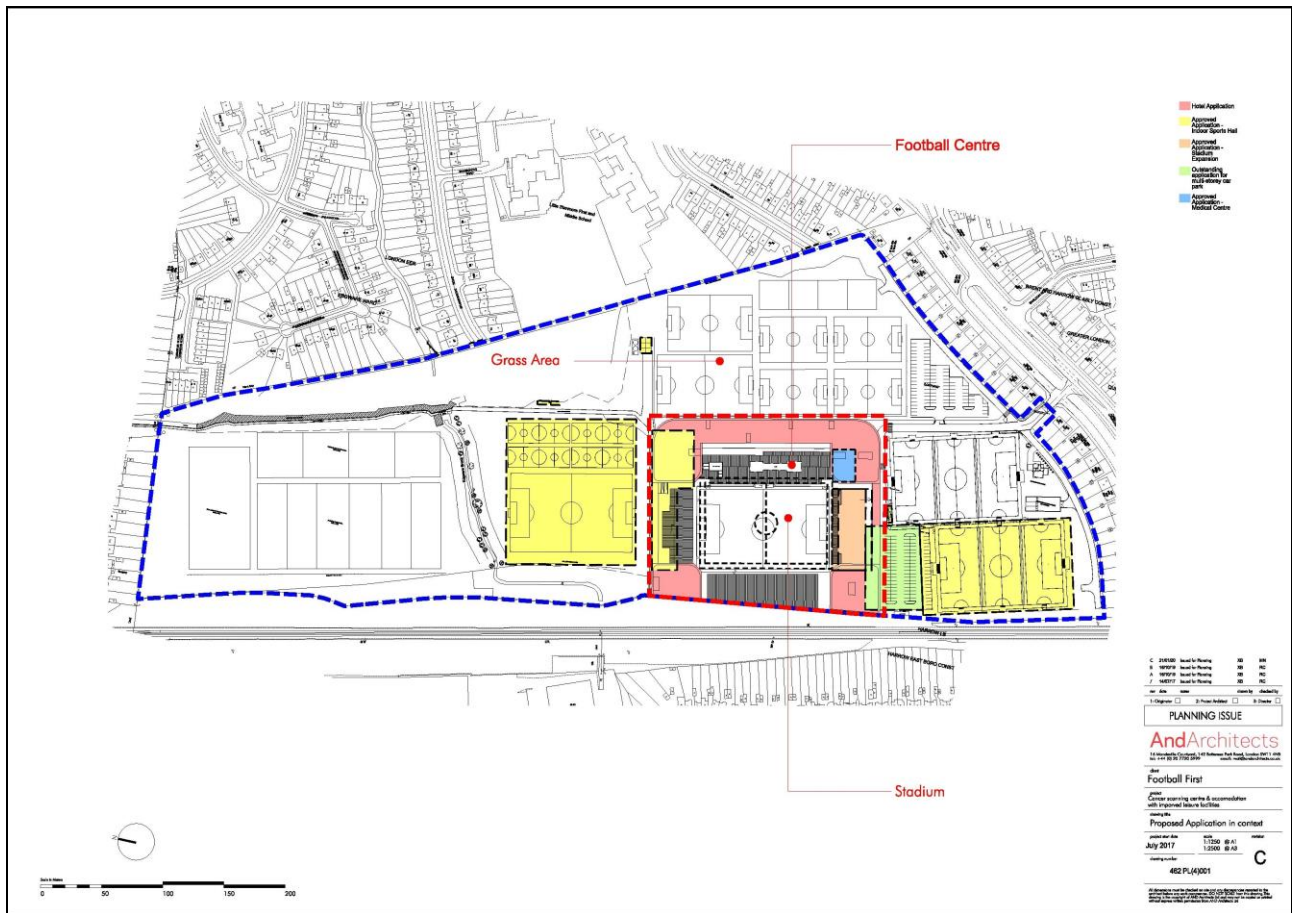
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages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

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

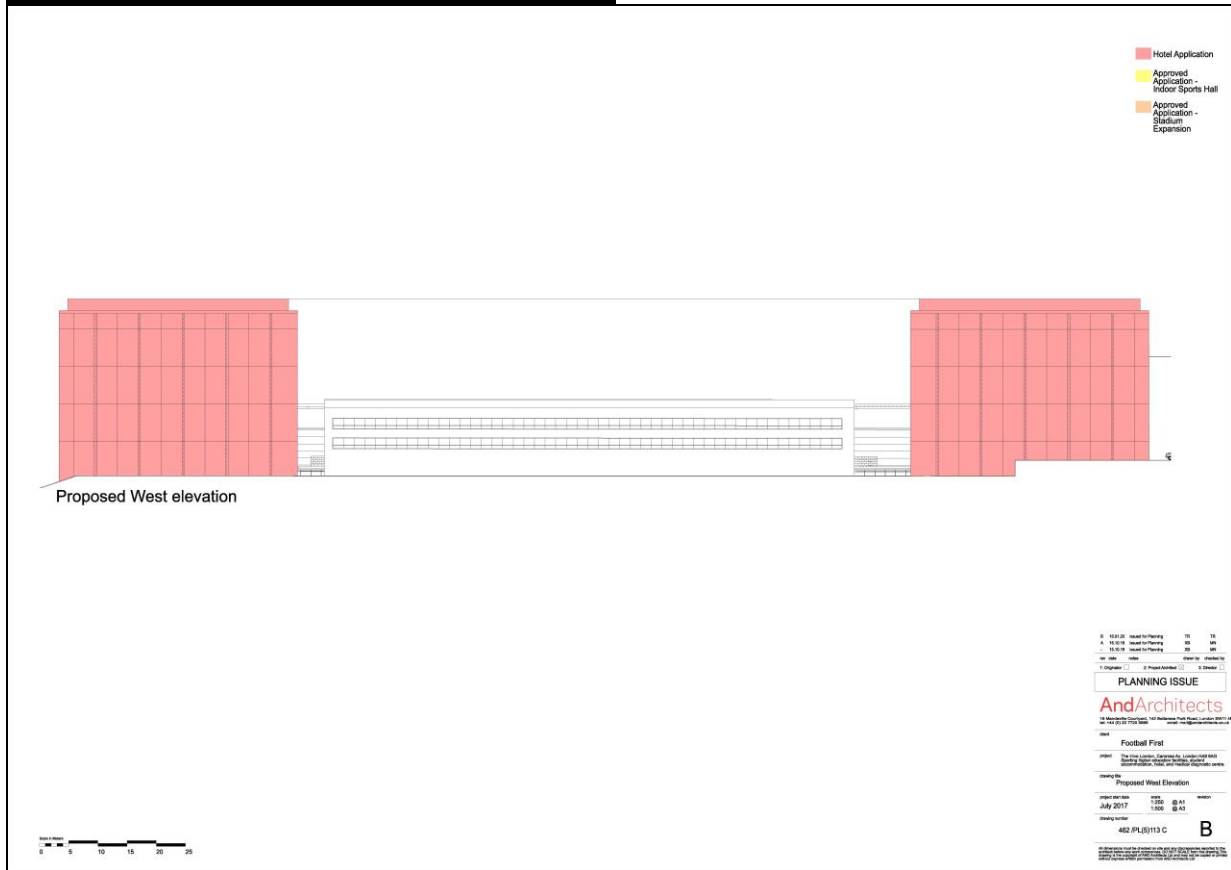
CHECKED

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

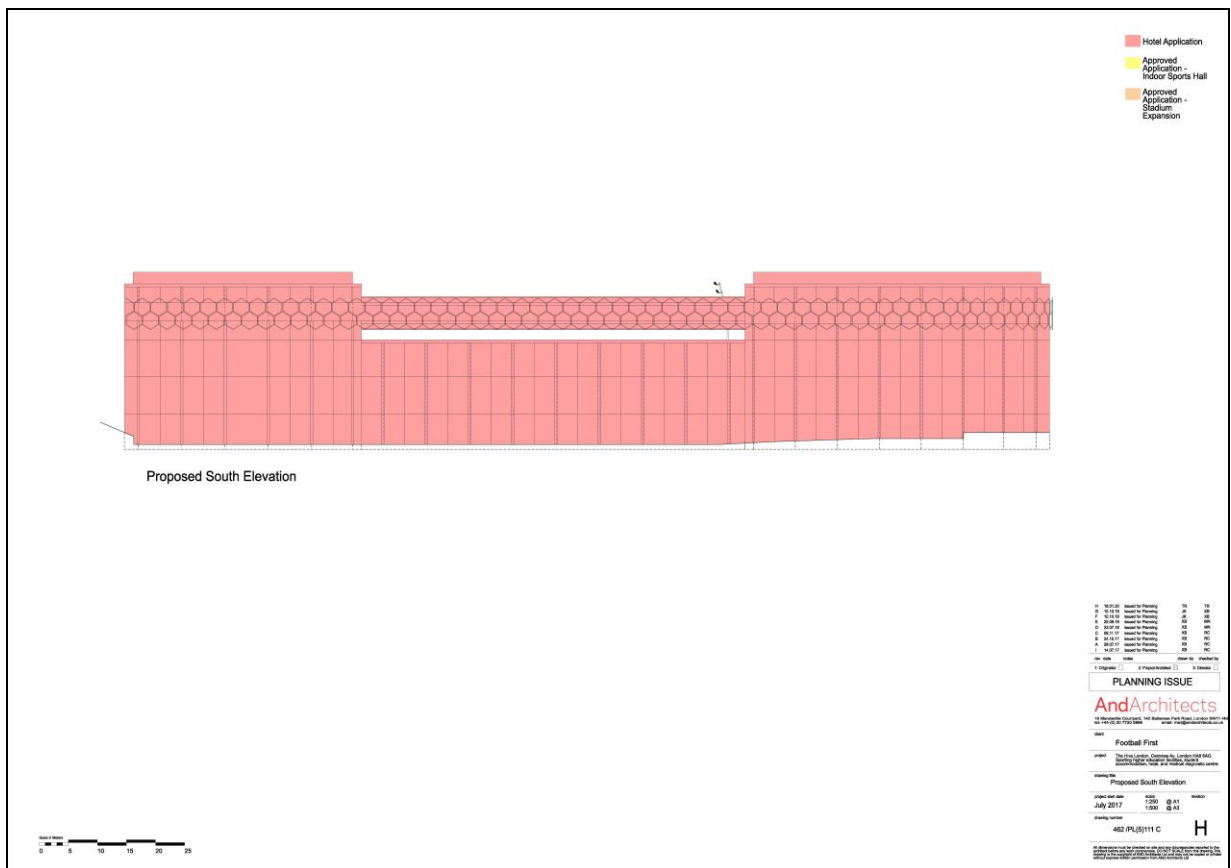
APPENDIX 2: SITE PLAN



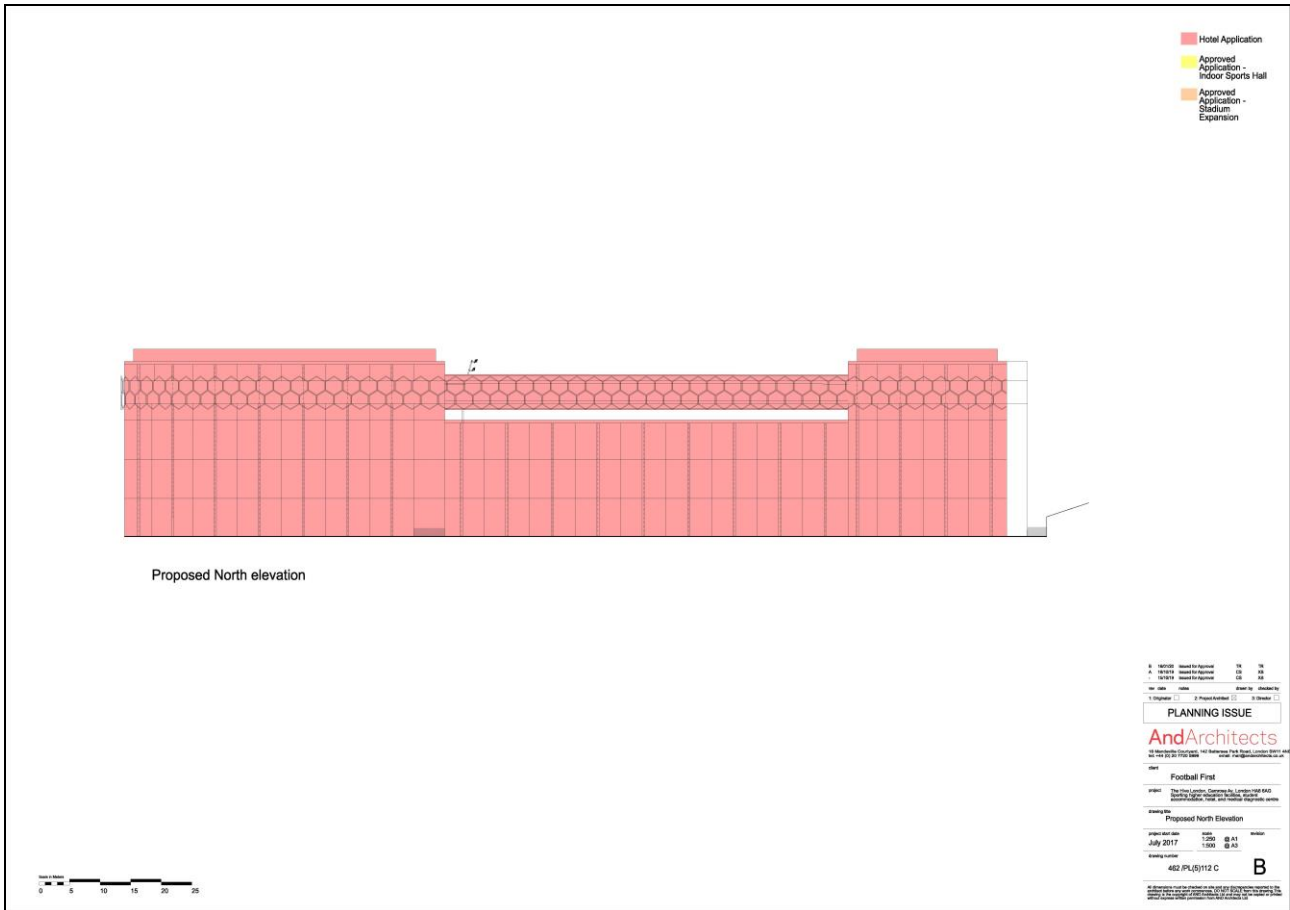
APPENDIX 3: PLANS AND ELEVATIONS



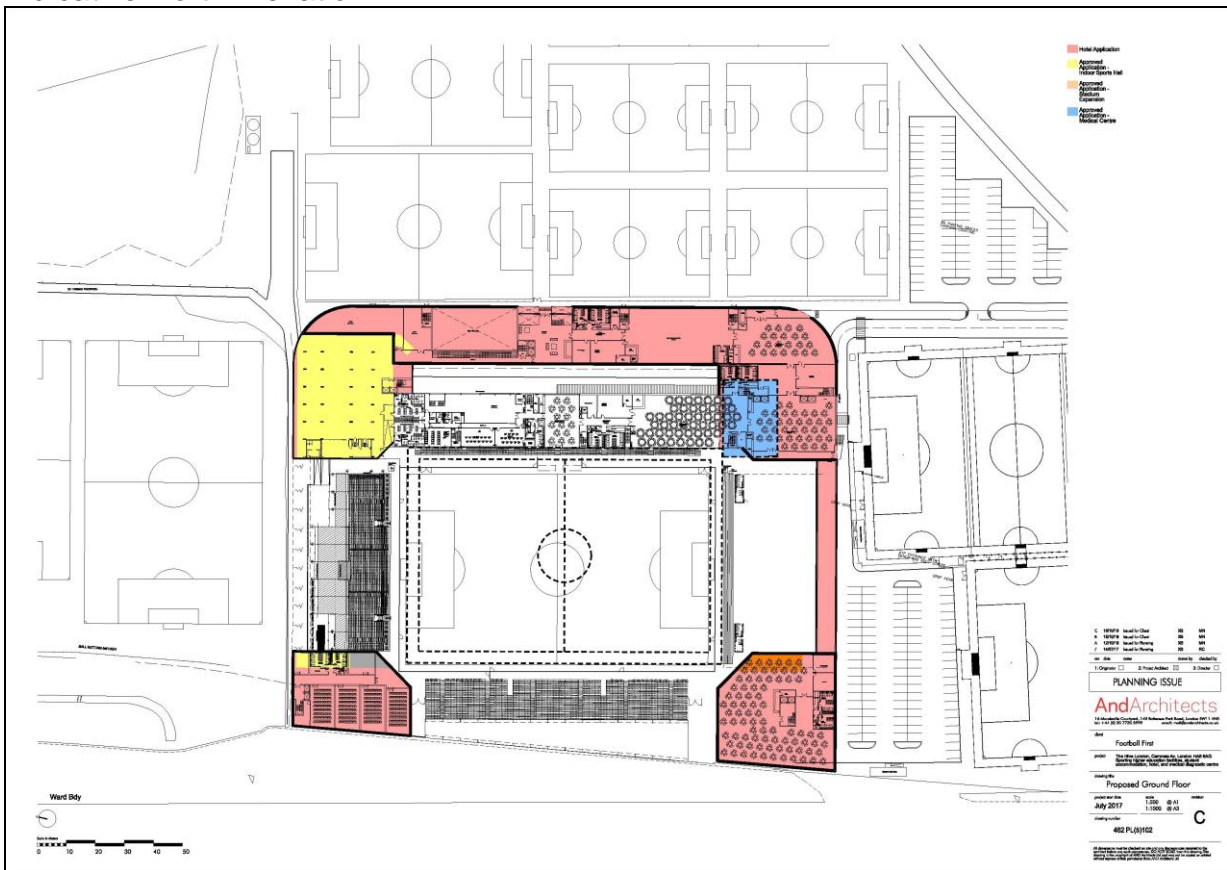
Indicative West Elevation



Indicative South Elevation

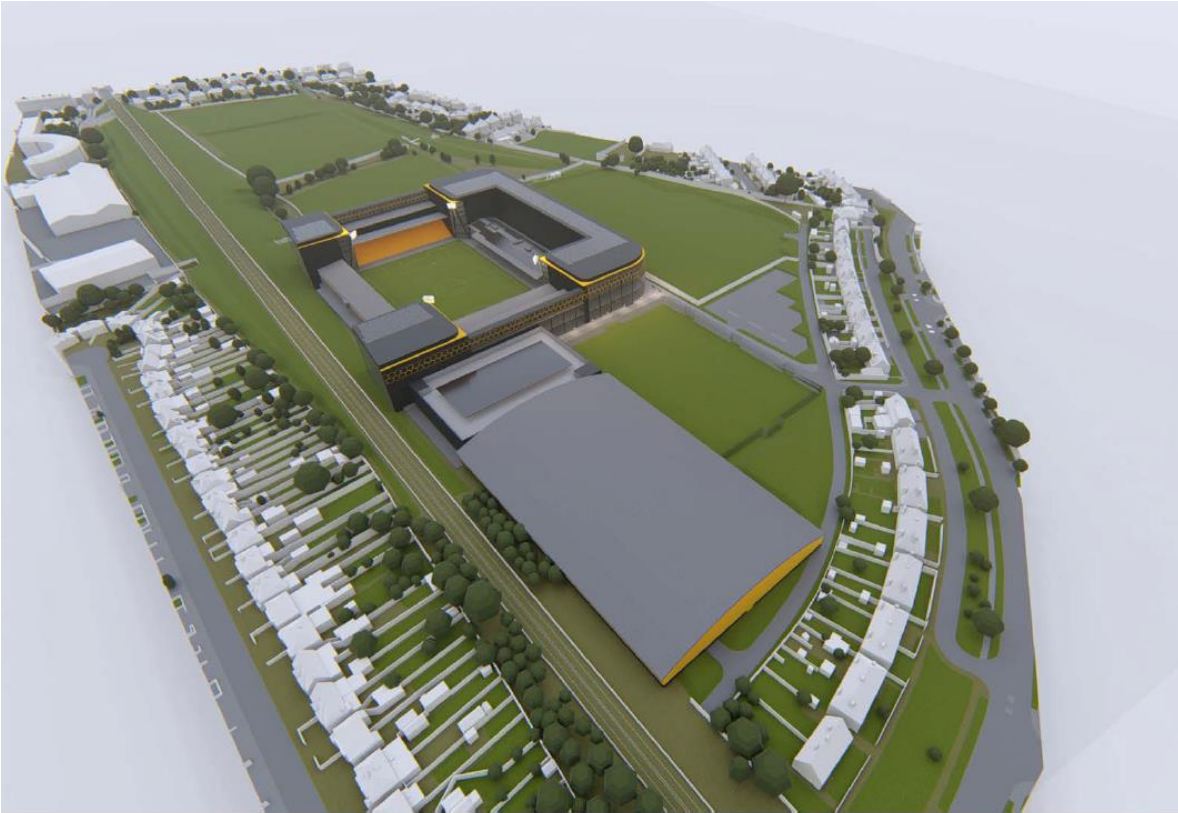


Indicative North Elevation



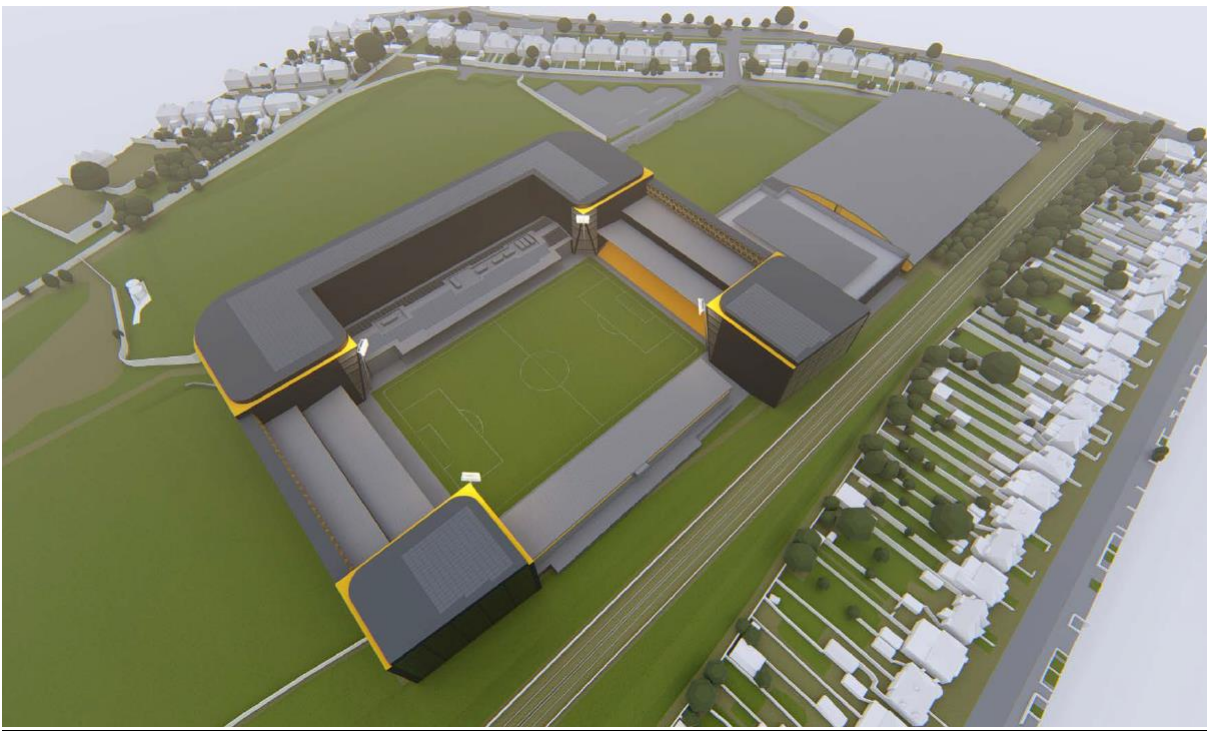
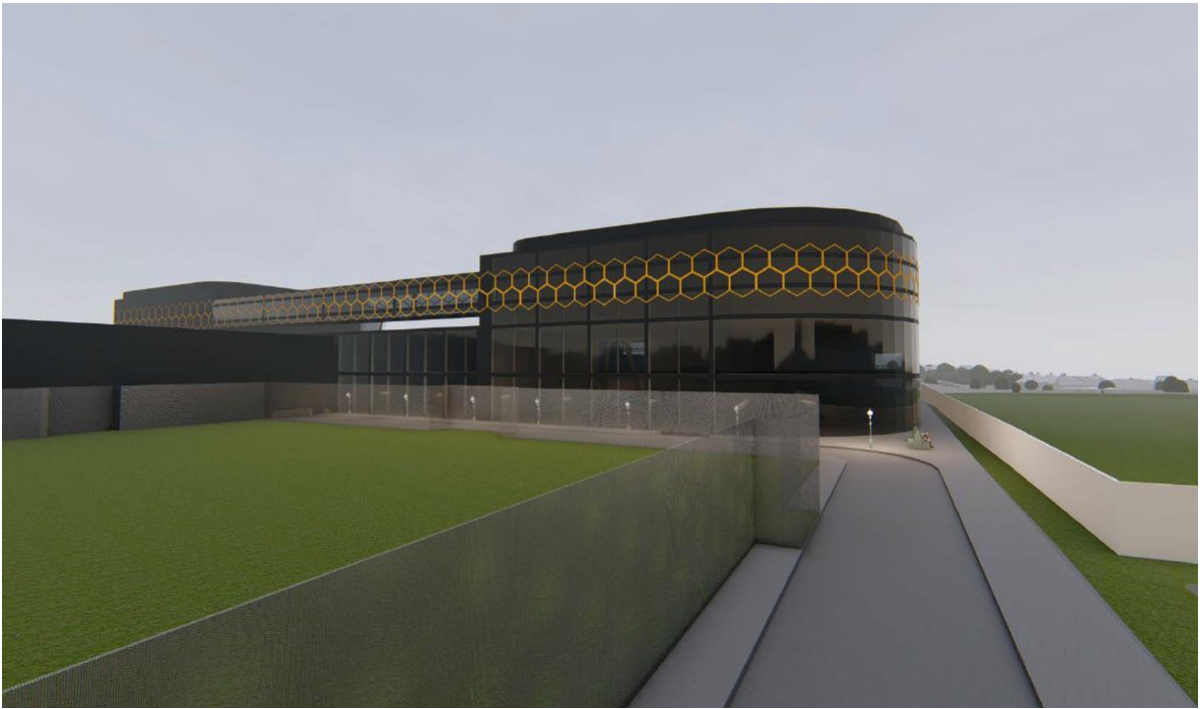
Indicative Ground Floor Plan

Indicative Images:



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

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



APPENDIX 3: SITE PHOTOS



HARROW COUNCIL

ADDENDUM

PLANNING COMMITTEE

DATE : 2nd September 2020

<p>3/01</p>	<p><u>Addendum Item 1:</u></p> <p>The following policy to be added to reason for refusal No. 3: Policy T6.4</p> <p><u>Addendum Item 2:</u></p> <p>The following wording to be amended at reason No. 4 and paragraph 6.6.3: Amend River Brent to Edgware Brook</p> <p>For clarification, the Edgware Brook is a tributary of the River Brent.</p> <p><u>Addendum Item 3:</u></p> <p>3 additional letters of objection have been received in response to the neighbour consultation with the following comments:</p> <ul style="list-style-type: none">• When the application was initially made, we were assured that there would be no further development at this site.• The proposed scale of the building is out of keeping with the scale of all the residential property on Camrose Avenue and Whitchurch Lane.• A venture into higher education does not seem plausible with the current pandemic• I would challenge the need for a hotel when there is a Premier Inn on Edgware High Road.• When neither the higher education or hotel succeed, there will be an attempt to make the site residential.• Harrow and The Hive are partners in the Hive Football Centre – it is a conflict of interest that Harrow approve itself this planning permission.• The Hive is the base of Brent Football premises whereas we are in Harrow. Why not find a place in Brent.• The Hive is building step by step a Wembley II• The tube station that gives access to the Hive is Canons Park which allows a mass use of the facilities, bathrooms, garbage and traffic.• The proposal will contribute to the already existing daily parking issues and congestion caused during match days.• A hotel will cause a lot of distress to residents in the local area, as it is there is an issue with light pollution• There are also chances of an increase in drug related crime and antisocial
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behaviour during match days.

Addendum Item 4:

The following additional comments have been received from the applicant:

The Hive London is designated as 'open space', but it is also designated as an important sports destination with opportunities for enhanced community access. The proposed development of a hotel, student accommodation and higher education facilities would enhance the existing and approved sports facilities on site and provide further community benefit.

Your view is directly in conflict with the appeal decision for the North Stand (APP/M5450/W/17/3188361) in June 2018 clearly set out how development at The Hive London should be considered in relation to the open space designation and the designation of The Hive London as a centre for sporting excellence.

In making that decision, the Inspector stated that:

"this extension has been built over the existing hard surfaced area and so there has been no reduction in the amount of open space or playing fields onsite"....."Consequently I conclude that the development at the North Stand as constructed does not have any harmful effect on the character and appearance of the area. As such it accords with Policies CS1 and CS9 of the London Borough of Harrow Core Strategy (CS), or Policies DM1, DM2, DM9, DM10, DM18, DM42 or DM48 of the London Borough of Harrow Development Management Policies Local Plan (DP) or with Policies 3.19, 7.4, 7.6, or 7.18 of The London Plan (LnP). Together these aim to secure development that is appropriately designed and located and protect open space and recreational facilities".

In short, through any reasonable analysis of the policy position, it's should be determined that there is no conflict with the aims and objectives of The Hive London's designation. Indeed, improving facilities at The Hive London is supported in policy.

Notwithstanding this, in reaching a planning decision, it is necessary for officers to take in to account all material considerations relevant to the application, and to weigh these in the planning balance.

In this case, the development will deliver significant benefits for the Borough. These include the following:

- Job creation during construction and in the operation of the proposed development;
- Significant financial investment in the Borough;
- The enhancement of a world leading sports facility;
- The delivery of additional conferencing facilities for the local community and businesses;

- The delivery of additional opportunities for further education for local young people;
- The enhancement of a world leading diagnostic screening facility, which is used by the NHS;
- The delivery of significant economic input into the local community from visitors to the hotel, students and patients of the diagnostic centre;
- Boosting tourism in Harrow and increasing tourism expenditure in the local area; and
- Providing landmark development for the Borough.

Officer Response: The consideration of the North Stand is an entirely different proposal to the proposed uses under the current application. The stadium stands would be regarded as ancillary to the use of the open space and site allocation but the proposed hotel, education facility and medical facility would not and would be completely at odds with the site's allocation for community outdoor sport. The public benefits of job creation, tourism and education are recognised but they are not considered to outweigh the significant harm identified in the committee report appraisal and moreover there is no flexibility within policy DM 18 concerning open space.

Addendum Item 5:

Amend the Ward to:
Queensbury

HARROW COUNCIL

SECOND SUPPLEMENTAL ADDENDUM

PLANNING COMMITTEE

DATE : 2nd September 2020

3/01	The Hive Football Stadium, Prince Edward Playing Fields, Camrose Avenue
Addendum Item 6:	<p>The Local Planning Authority is still awaiting to receive comment from the Greater London Authority under stage 1 of the Mayoral referral process. The committee is therefore requested to delegate authority for the final determination of the application to the Chief Planning Officer, subject to the stage 1 comments of the Greater London Authority.</p> <p>Amend Recommendation:</p> <p>The Planning Committee is asked to:</p> <ul style="list-style-type: none">• Delegate authority to the Chief Planning Officer to determine the application for the reasons set out below, subject to the comments of the Greater London Authority• Refuse the application for the following reasons:

HARROW COUNCIL

SUPPLEMENTAL ADDENDUM

PLANNING COMMITTEE

DATE: 2nd September 2020

3/01	<p><u>Addendum Item 7:</u></p> <p><u>Sequential Test / Hotel Need</u></p> <p>The applicant proposes as part of the development a hotel use. Specifically, a hotel use is a town centre use, for which the application site is not located within. As part of the supporting information, the applicant has submitted both a needs assessment for hotels and also a sequential test to demonstrate that notwithstanding the location, sequentially it is the most appropriate location.</p> <p><u>Hotel Need</u></p>
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The applicant has submitted a needs assessment to demonstrate a need for hotel within the borough. It is clear that there is need for Hotels across London and also within Harrow, which is set out within the London Plan evidence base. Furthermore, the Harrow Economic Development Needs Assessment (2017) does identify some demand for a further hotel operator within the borough. The LPA are satisfied that there is a need for hotel use within both London and Harrow, as detailed within the supporting planning statement. Both the London Plan (2019)(Intend to Publish version) through Policy E10 (Visitor Infrastructure) and through Policy DM34 of the Harrow Development Management Policies Local Plan (2013) supports proposals for visitor infrastructure. Notwithstanding the demonstrable need for Hotel use within London & Harrow, the use is directed to be located within a town centre location. Where a hotel development is proposed outside of a town centre, then this must satisfy a sequential test, which would need to demonstrate there are no more preferable, town centre sites. This is set out in Policy SD7 (Town Centres: Development Principles and Development Plan Documents) and Policy DM34 (Hotel & Tourism Development) of the HDMP (2013) respectively.

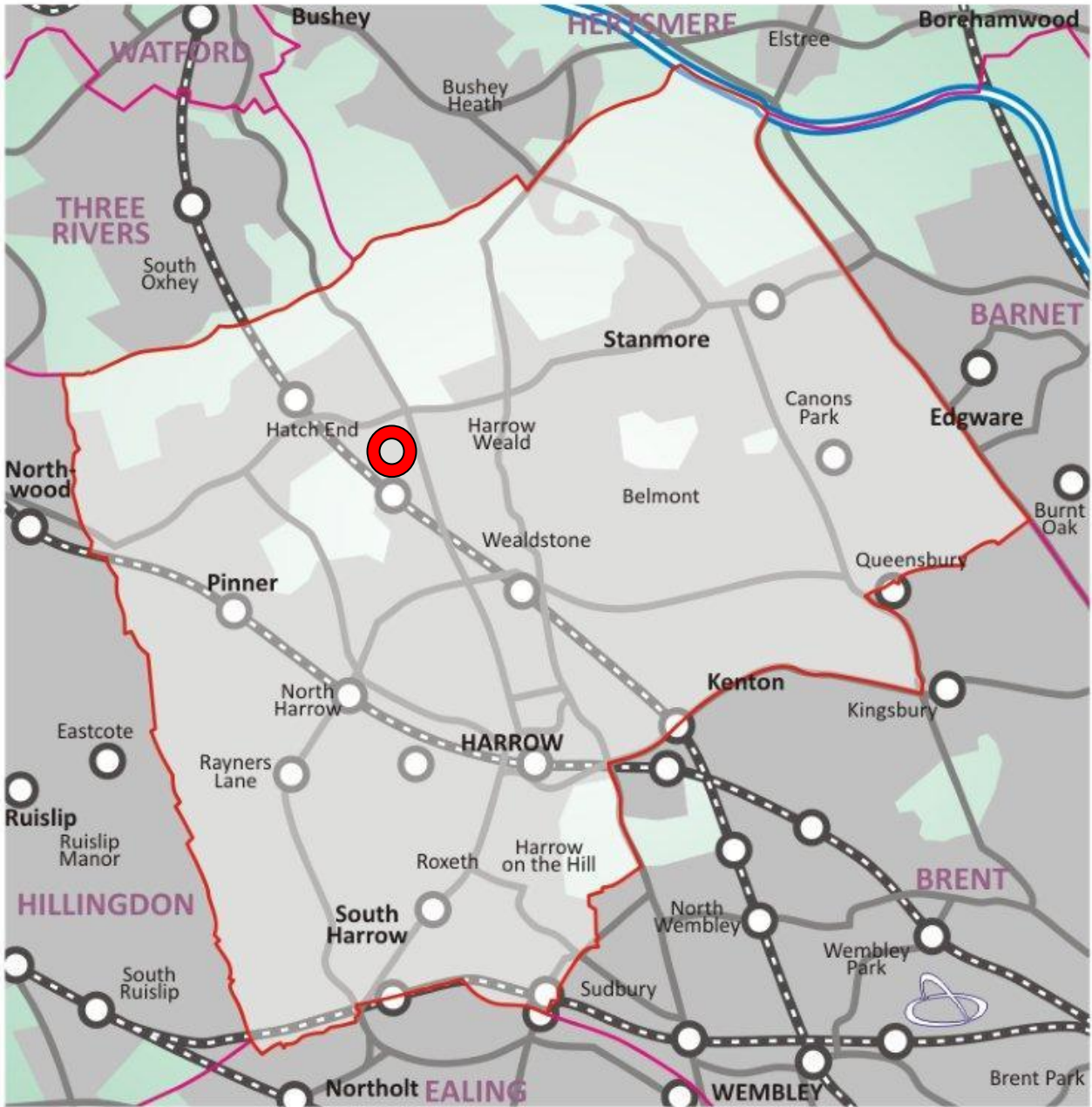
Sequential Test

Following on from the above, the applicant acknowledges that the proposed hotel use would fall outside of town centre location, as directed by the aforementioned policies. By reason of this, the applicant has submitted a sequential test in an attempt to demonstrate that the proposed site is sequentially the most appropriate site for such a development. The applicant has reviewed allocated sites within Harrow only, which are retail-led development opportunity sites. Firstly, it is not clear as to what only Harrow borough sites are considered and not wider, given the proximity of the site to Wembley. Indeed, the applicant does state that the proposed hotel use would assist in meeting tourism demand for visitors to Wembley. Furthermore, it is not clear as to why the retail sites were the only sites reviewed, given that the hotel use would be an appropriate use in principle at any town centre location. In any case the sequential test only makes a sweeping general statement that other sites had been considered, but none were considered to be appropriate. However, the sequential test should at least identify the sites considered, and provide an assessment as to the appropriateness or not of that site.

Based on the above, it is considered that the proposed hotel use has not passed the sequential test.

Agenda Item: 3/02

 = application site



AYMAN LODGE, OXHEY LANE, PINNER	P/3181/20
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AYMAN LODGE



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**LONDON BOROUGH OF HARROW
PLANNING COMMITTEE
9th December 2020**

APPLICATION NUMBER: P/3181/20
VALID DATE: 14TH OCTOBER 2020
LOCATION: AYMAN LODGE, OXHEY LANE, PINNER
WARD: HARROW WEALD
POSTCODE: HA5 4AL
APPLICANT: MS S DHANJI
AGENT:
CASE OFFICER: KATIE HOGENDOORN
EXPIRY DATE: 9TH DECEMBER 2020

PROPOSAL

Installation of 1.9m high front entrance gates and brick piers (Retrospective).

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for refusal as set out in this report

REASONS FOR THE RECOMMENDATION

- 1) The existing gates, by reason of their height, form and siting, are inappropriate development within the Green Belt for which no case for very special circumstances have been demonstrated which would outweigh the harm caused by reason of inappropriateness. The proposal is therefore contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan Intend to Publish (2019), Core Policy CS1.B and CS1.F of the Harrow Core Strategy (2012) and Policies DM1 and DM16 of the Harrow Development Management Policies Local Plan (2013).
- 2) The existing gates, by reason of their form, height and siting, are considered to give rise to an unsympathetic and incongruous form of development which is harmful to the open and rural character of the area, and to the openness and visual amenities of the Green Belt, contrary to the National Planning Policy Framework (2019), policies D4 and G2 of the Draft London Plan Intend to Publish (2019), policies 7.4B, 7.6B, and 7.16 of The London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012) and policies DM1 and DM16 of the Development Management Policies Local Plan 2013.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member, to check the appropriateness of development within the Green Belt. The application is therefore referred to the Planning Committee as it does not fall within the provisions set out at paragraphs 1 C iii) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional	N/A
Floorspace:	
GLA Community	
Infrastructure Levy	N/A
(CIL):	
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 equality's obligations including its obligations under section 149 of the Equality Act 2010.

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

S17 CRIME & DISORDER ACT

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

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two-storey detached dwellinghouse located on the east side of Oxhey Lane.
- 1.2 The property is one of a row of detached dwellings located to the north of the Grimsdyke Hotel, within the Metropolitan Green Belt.
- 1.3 The existing dwellinghouse has a two storey side to rear extension, a single and two storey rear extension (incorporating an integrated double garage), a two storey side to rear projection, a canopy porch, a single storey side extension, an attached side garage, and an attached side car port.
- 1.4 The site is within the Harrow Weald Ridge Area of Special Character.

2.0 PROPOSAL

- 2.1 The application seeks retrospective planning permission for two sets of existing 1.9 metres high access gates to the front of the property.
- 2.2 The existing gates comprise grey metal open slatted material to a height of 1.9 metres, and are set between two sets of brick piers to a maximum height of 2.67 metres. The brick piers are set 3.38 metres apart. The existing gates and their brick piers measure a total width of 4.32 metres.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status & date of decision
P/2066/20	Conservatory At Rear (Demolition Of Pergola At Rear) (Retrospective)	Granted 13 th August 2020
P/4496/17	Re-modelling of front porch	Granted 27 th November 2017
P/1724/17	Single storey side extension	Granted 6 th June 2020
P/2566/12	Proposed rear conservatory (demolition of existing)	Refused 24 th June 2013
P1595/11	Single storey side extension	Refused 26 th August 2011

4.0 CONSULTATION

4.1 A total of seven consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 24th November 2020. One objection was received from the public consultation as summarised below.

<p>Principle</p> <ul style="list-style-type: none">• Inappropriate development within the Green Belt <p>Character and appearance:</p> <ul style="list-style-type: none">• Not consistent with the sensitive location within the Green Belt and Harrow Weald Ridge Conservation Area. <p>Amenity</p> <ul style="list-style-type: none">• Impact on amenities of neighbours <p><i>Officer Response: The existing development is inappropriate development within the Green Belt for the reasons outlined in this report.</i></p> <p><i>The existing development would also have an unacceptable impact in terms of character and appearance of the street scene and in terms of the Green Belt by reason of its the form, height and siting.</i></p> <p><i>The existing development would have an acceptable impact on the amenity of neighbours by reason of its siting and scale.</i></p>
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4.2 Statutory and non-statutory consultation

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

Harrow Weald Walking Group Herts	<p>Reference made to previous appeal decision at Tunpidgeons, Oxhey Lane, where gates were refused permission and this was upheld by the Planning Inspector. The inspector stated that gates were not common place within this street scene, nor are there any other grants of permission by Harrow Council for these which appear to have been installed decades ago.</p> <p>I would like to hope that on this occasion Harrow Council will accept our reasons for objection, agree with the Planning Inspectorates reasons for dismissing gates and pillars at the neighbouring Turnpidgeons in applying the NPPF and protecting the greenbelt and area of special interest.</p> <p>We hereby strongly object to this application for a 1.9 metre high close board entrance gates on the same grounds as the planning inspectorate decision (attached).</p> <p><i>Officer Response: The proposal is considered</i></p>
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	<i>inappropriate development for the reasons outlined in this report and the abovementioned appeal referenced in this objection has been contained as an appendix for clarity.</i>
Conservation Officer	My view is that the gates would have little impact on the setting of the listed building and so would preserve it. The works would preserve the setting of the listed building.
Planning Enforcement	Planning Enforcement Ref: ENF/0252/20/P (Informal) Breach: Unauthorised replacement of front gate to the property located in the green belt area property. <i>Officer note: enforcement will be notified of the decision to refuse this application.</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:

- Principle of Development in the Green Belt
- Impact on Character and Appearance of the Area and of the Green Belt
- Impact on the setting of the adjacent Grade II listed building and the Harrow Weald Ridge Area of Special Character
- Residential Amenity

6.2 Principle of Development in the Green Belt

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.16
- The Draft London Plan Intend to Publish Version (2019): G2
- Harrow Core Strategy (2012): CS1.F
- Harrow Development Management Policies (2013): DM16

6.2.2 Paragraphs 133 – 134 of the NPPF provide policy guidance in relation to ‘Protecting Green Belt Land’, stating that the fundamental aim is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Policy 7.16 of the London Plan (2016) supports the aim of the NPPF and states that ‘the strongest protection should be given to London’s Green Belt...Inappropriate development should be refused except in very special circumstances.’ This is further supported by Policy CS1.F of Harrow’s Core Strategy which seeks to safeguard the quantity and quality of the Green Belt from inappropriate or insensitive development.

6.2.3 The exceptions listed within paragraph 145 of the National Planning Policy Framework do not include the construction of gates, fences or walls. As such the existing boundary treatment is considered unacceptable in principle.

6.2.4 In the inspectors assessment of appeal reference APP/M5450/D/12/2188420 (Appendix 4) at Xanadu, Potters Street Hill, Pinner, for the appeal against the Council’s refusal of a new timber automatic vehicle gate, with an open top design, along with close boarded timber fencing to the left and right of the automatic vehicle gate. The inspector upheld the reasons given by the Council on the basis of poor design and loss of openness, and in dismissing the appeal the planning inspector added an additional consideration, further dismissing the appeal because the gates were considered in principle to be an inappropriate addition in the greenbelt. This latter point was noted by the Local Planning Authority and has led to further refusals using this appeal decision as a material planning

consideration upon which inappropriate development in the Green Belt is assessed. In this appeal the inspector noted that the proposal 'be regarded as a "building" for the purposes of the Framework'. The inspector then went on to note that 'As this does not fall within the exceptions set out in Paragraph 89 it should be regarded as inappropriate development in the Green Belt. The Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.' The inspector also concluded that 'The proposal would also conflict with LP Policy 7.16 which seeks to protect the Green Belt from inappropriate development.'

- 6.2.5 In the assessment of the appeal reference APP/M5450/D/14/2216456 (Appendix 5), at Xanadu, Potters Street Hill, Pinner, for the appeal against the Council's refusal for new site access gates, the inspector again regarded the development as a new "building" for the purposes of the Framework. The inspector then went on to note that 'As this does not fall within the exceptions set out in Paragraph 89 it should be regarded as inappropriate development in the Green Belt. The Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.'
- 6.2.6 In the Inspectors assessment of an appeal against the Councils refusal to grant permission for boundary treatment at Belswood Cottage, Heathbourne Road, Stanmore, (reference APP/M5450/D15/3134268, Appendix 6), it was noted that 'Paragraph 89 of the National Planning Policy Framework' (then the 2012 version)..., 'sets out the limited purposes for which the construction of buildings will not be considered inappropriate. Certain other forms of development are not inappropriate providing they preserve the openness of the Green Belt and do not conflict with the purposes of including within the Green Belt.'... The inspector goes on to note... 'This does not include the construction of gates and fences. I therefore consider that the proposed development would constitute inappropriate development in the Green Belt and would not accord with London Plan Policy 7.16 and CS Policy CS1.F or the Framework.'
- 6.2.7 In the inspectors decision of the appeal reference APP/M5450/D/15/3017926 at Woolmer House, Priory Close, Stanmore (Appendix 7) against the Council's refusal for new gates and a driveway, it was noted that 'the proposal does not fall within any of the exceptions set out in Paragraph 89 of the Framework. As stated in paragraph 87 of the Framework inappropriate development is, by definition, harmful to the Green Belt.' The inspector then goes on to further support the view that the weight given to this harm shall be substantial in the determination of the application.
- 6.2.8 This view of the weight given to harm by reason of inappropriateness is further supported in appeal reference APP/M5450/D/15/2229948 (Appendix 8) at Melodies, Oxhey Lane, Pinner, against the Council's decision to refuse permission for a gate, fence, and landscaping. In the inspector's assessment they also support the view that 'Paragraph 89 of the Framework sets out the limited purposes for which the construction of buildings will not be considered appropriate. This does not include the construction of gates, walls and fences.'....'I therefore consider that the proposed development would constitute inappropriate

development in the Green Belt and which would not accord with London Plan Policy 7.16 and Core Strategy Policy CS1.F.’

- 6.2.9 Application reference P/1624/14 for metal replacement entrance gates to front boundary was refused by the Council for comprising inappropriate development within the Green Belt. Application reference P/1051/20 for the installation of two x 2 m high brick piers and 1.8 m high electronic sliding entrance gates to front was also refused by the Council as it comprised inappropriate development in the Green Belt. Further, application references P/2159/14 (Willow Mead, Pinner Hill), application reference P/4476/19 (Green Island Lodge, Hillside Road, Pinner), application reference P/0456/20 (39 Dennis Lane, Stanmore), application reference P/1917/15 (Heathfield Lodge, The Common, Stanmore), application reference P/1894/15 (Cedar Trees, Priory Drive Stanmore), and application reference P/1625/17 (Hillside, Brookshill, Harrow Weald) all comprise examples of boundary treatment which were refused by the Council for reasons of inappropriateness in the Green Belt. Whilst these particular examples have not been appealed, they still form material considerations with which the Council must be consistent in their decision making.
- 6.2.10 In a more recent appeal, reference APP/M5450/D/20/3252495 (Appendix 9), at Turnpidgeons, Oxhey Lane, Pinner, for the appeal against the Council’s refusal of planning permission for the retention of two sets of brick piers and installation of wrought iron gates and boundary wall to both driveway entrances; the inspector noted that Paragraph 145 of the Framework sets out that new buildings are inappropriate, and that a ‘building’ is defined by s.336 of the Town and Country Planning Act 1990 as including any structure or erection. The inspector therefore considered that the proposal would fall into this definition and that the proposal was therefore inappropriate development within the Green Belt. The existing brick piers at the subject site have been in existence for four years or more and as such are immune from enforcement action by virtue of the time limit set out in Section 171B of the Town and Country Planning Act.
- 6.2.11 In summary, and giving significant weight to the above material planning considerations, the existing gates are therefore considered inappropriate development in the Green Belt for which no cases for very special circumstances have been demonstrated, which would outweigh the harm caused by reason of inappropriateness. The proposal is therefore contrary to the National Planning Policy Framework (2019), Policy 7.16B of The London Plan (2016), Policy G2 of the Draft London Plan Intend to Publish Version (2019), Core Policy CS1.F of the Harrow Core Strategy (2012) and Policy DM16 of the Harrow Development Management Policies Local Plan (2013)..

6.3 Impact on the Character and Appearance of the Area and of the Green Belt

6.3.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B, 7.6B, and 7.16
- The Draft London Plan Intend to Publish Version (2019): D4, G2
- Harrow Core Strategy (2012): CS1.B

- Harrow Development Management Policies (2013): DM1 and DM16
- Harrow Residential Design Guide SPD (2010)

- 6.3.2 Policy DM16.D of the Development Management Policies Local Plan states that proposals for inappropriate redevelopment or which, for other reasons, would harm the Green Belt will be refused in the absence of very special circumstances.
- 6.3.3 In the inspectors assessment of the appeal reference APP/M5450/D/20/3252495, at Turnpidgeons, Oxhey Lane, Pinner, (located to the south of the application site), the inspector noted that ‘the area is characterised by generally open farmland with a golf course adjacent giving it a rural, undeveloped feel’. The inspector then goes on to note that whilst the subject house forms part of a small number of dwellings arranged in a linear fashion along this section of the road’... (of which the subject dwelling forms a part), ‘there is very little built form within the surrounding area’. The inspector also notes that ‘this rural, informal and open character of the area is characterised by green boundaries and frontages with limited built form. The area is predominantly comprised of open fields and a nearby golf course which reinforces this rural feel’. The inspector then goes on to note of the proposed gates, which would each have a total height of 2.7 metres, a width of 4.2 metres and would be constructed of metal, that ‘the introduction of such formal, solid structures along this stretch of Oxhey Lane would harm the informality of the area, appearing incongruous within the immediate setting’. The inspector then concludes that therefore the proposed gates would be harmful to the character of and appearance of the wider area, and that the very special circumstances necessary to justify the development had not been demonstrated. He then states ‘consequently, the proposed development conflicts with the Green Belt protection aims of the Framework and with Policy DM16 of the LP as well as Policy 7.16B of the London Plan (2016).’
- 6.3.4 The boundary treatment within the existing part of this Oxhey lane street scene predominantly comprises hedging. It is acknowledged that there is an existing example of entrance gates within this part of the street scene at ‘Marlowes’, immediately to the south of the application site. These existing gates are immune from enforcement by virtue of time limits and as such these cannot be used as precedent to justify a grant of the existing scheme, which would cause further harm to the character of the area. Furthermore, it is considered that this example is not representative of the overall prevailing character of the locality and do not overcome harm identified.
- 6.3.5 The existing gates which form part of this application would have a total height of 1.9 metres and would comprise grey slatted material with limited views afforded through narrow slats. Whilst it is noted that their height would be lesser than those proposed in the ‘Turnpidgeons’ appeal example, the subject site of Ayman Lodge and its verdant frontage is an important contributor to the rural and open feel of this part of the Oxhey Lane street scene, and to the openness and rural and informal feel of this part of the Green Belt. As such it is considered that the form, height and siting of the existing gates appear incongruous within their immediate setting, and are harmful to the openness and rural feel of this part of the Green Belt.

6.3.6 This view is reiterated in the Councils decision of application reference P/1051/20 at Hillingdon, Clamp Hill, Stanmore for the installation of two x 2 m high brick piers and 1.8 m high electronic sliding entrance gates to front, which was refused by the Council because the proposed development would be detrimental to the character, appearance permanence and openness of the Green Belt, and would be of an inappropriate design and excessive height which would be incongruous and harmful to the semi-rural character of the area. This example has not been appealed but nevertheless is a material planning consideration and a decision with which the Council must be consistent in its approach.

6.3.7 In summary, the existing gates are considered to give rise to an unsympathetic and incongruous form of development which is harmful to the open and rural character of the area, and to the openness and visual amenities of the Green Belt, contrary to the National Planning Policy Framework (2019), policies D4 and G2 of the Draft London Plan Intend to Publish (2019), policies 7.4B, 7.6B, and 7.16 of The London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012) and policies DM1 and DM16 of the Development Management Policies Local Plan 2013.

6.4.1 Impact on the setting of the adjacent Grade II listed building and the Harrow Weald Ridge Area of Special Character

6.4.2 The relevant policies and guidance are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.8C and 7.8D
- The Draft London Plan Intend to Publish Version (2019): HC1
- Harrow Core Strategy (2012): CS1.D
- Harrow Development Management Policies (2013): DM7

6.4.3 The proposal is sited in the Harrow Weald Ridge Area of Special Character and in the setting of the grade II listed building. Owing to the siting form and height of the existing gates, it is considered that they have an acceptable impact on the wider Area of Special Character and would not harm the setting of the listed building. In addition, the Councils Conservation Officer has been consulted and has raised no objections.

6.5 Residential Amenity

6.5.1 The relevant policies and guidance are:

- The London Plan (2016): 7.6B
- The Draft London Plan (Intend to Publish Version) (2019): D1
- Harrow Development Management Policies (2013): DM1
- Harrow Residential Design Guide SPD (2010)

6.5.2 Due to the siting of the existing gates, there would be no adverse impact on neighbouring amenity in terms of outlook or loss of privacy.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

7.1 The existing gates, by reason of their form, height and siting are considered inappropriate development within the Green Belt for which no case for very special circumstances have been demonstrated which would outweigh the harm caused by reason of inappropriateness. In addition, their siting along the front boundary results in an incongruous form of development eroding the open and rural character of this part of the immediate street scene and Green Belt. The proposal is therefore contrary to the National Planning Policy Framework (2019), Policies 7.4B and 7.6B and 7.16B of The London Plan (2016), Policies D4 and G2 of the Draft London Plan Intend to Publish (2019), Core Policies CS1.B and CS1.F of the Harrow Core Strategy (2012) and Policies DM1 and DM16 of the Harrow Development Management Policies Local Plan (2013).

7.2 The existing gates, by reason of their form, height and siting, are considered to give rise to an unsympathetic and incongruous form of development which is harmful to the open and rural character of the area, and to the openness and visual amenities of the Green Belt, contrary to the National Planning Policy Framework (2019), policies D4 and G2 of the Draft London Plan Intend to Publish (2019), policies 7.4B, 7.6B, and 7.16 of The London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012) and policies DM1 and DM16 of the Development Management Policies Local Plan 2013.

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, 7.16

Draft London Plan Intend to Publish Version 2019

D1, D4, G2, HC1

The Harrow Core Strategy 2012

CS1.B and CS1.D

Harrow Development Management Policies Local Plan 2013

DM1, DM7, DM16

Relevant Supplementary Planning Document

Supplementary Planning Document: Residential Design Guide (2010)

2. Refuse without pre app

CHECKED

Interim Chief Planning Officer	Beverley Kuchar 27/11/2020
Corporate Director	Paul Walker 27/11/2020

APPENDIX 1: LOCATION PLAN



APPENDIX 2: SITE PHOTOGRAPHS

Figure 1 – subject site front driveway looking on to subject dwelling, two sets of gates and brick piers, one to the south of the application frontage (first picture), and one to the north of the frontage on to Oxhey Lane, (second picture).



APPENDIX 3: PLANS AND ELEVATIONS

Figure 1 – Proposed elevation

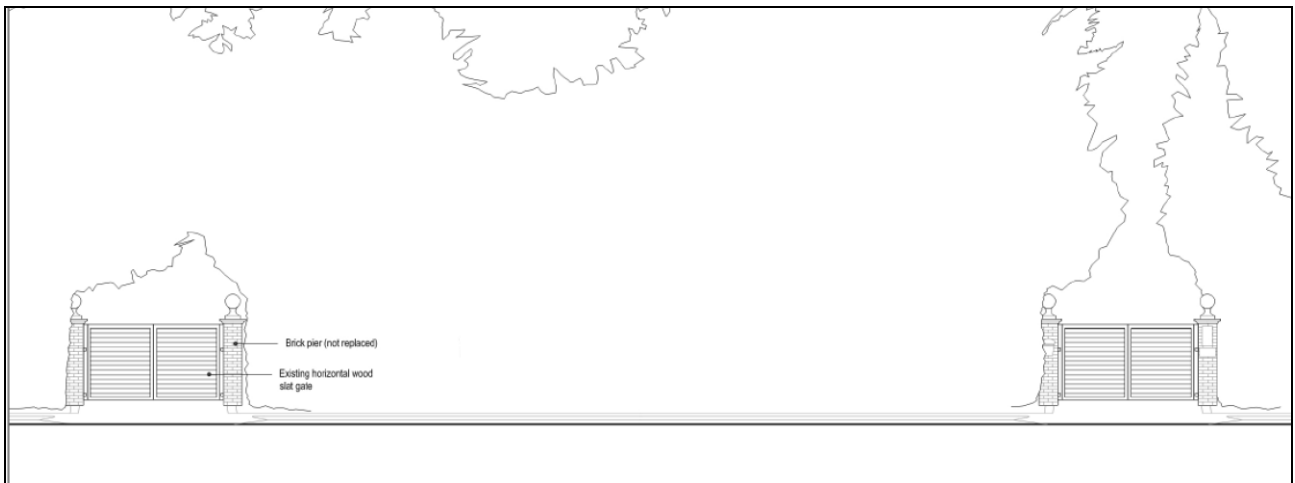
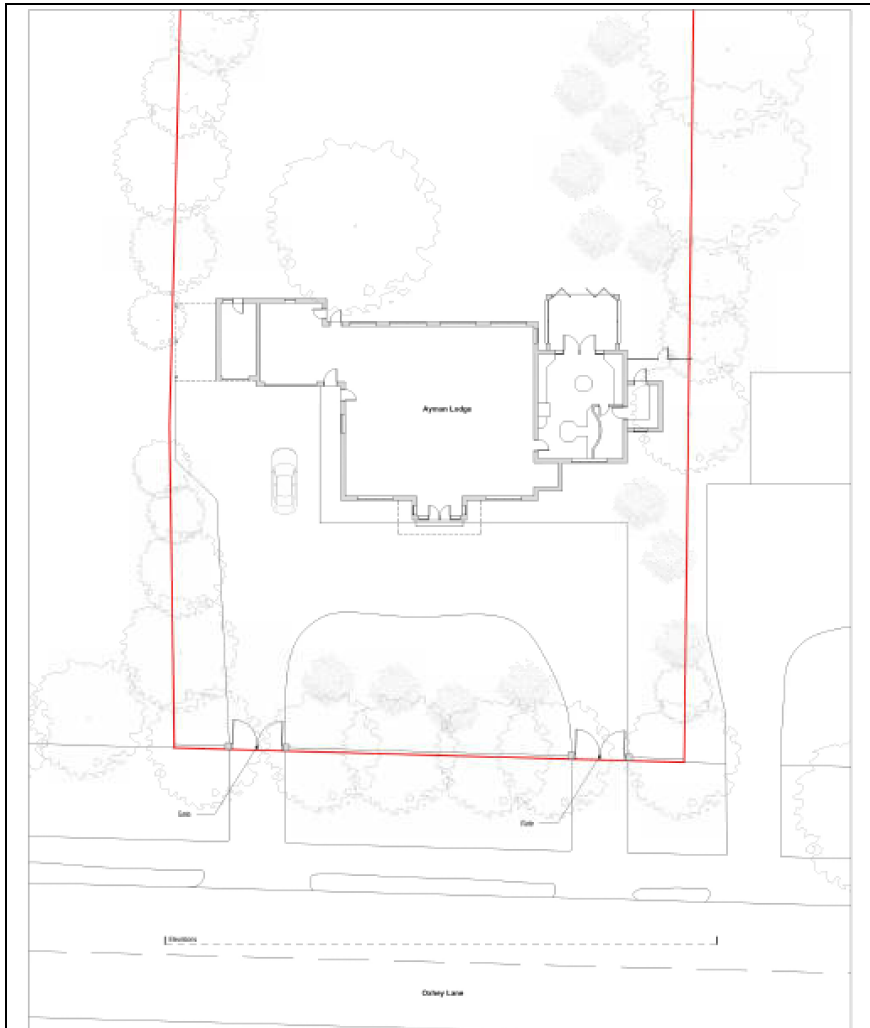


Figure 2 – Site Block Plan



APPENDIX 4:

Appeal Decision

Site visit made on 28 January 2013

by **David Prentis BA BPI MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 February 2013

Appeal Ref: APP/M5450/D/12/2188420

Xanadu, Potter Street Hill, Pinner, Middlesex HA5 3YH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Zerina Dhillion against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1766/12, dated 25 June 2012, was refused by notice dated 3 October 2012.
 - The development proposed is described as: *To install a new timber automatic vehicle gate, with an open top design, along with closed boarded timber fencing to the left and right of the automatic vehicle gate.*
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. The suggestion was made, in the grounds of appeal, that the scheme be amended to chain link fencing and a metal gate in a more open style. That change would result in a proposal quite different to the one consulted on and considered by the Council. I shall decide the appeal on the basis of the plans which were before the Council when it determined the application.

Main issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (*the Framework*);
 - the effect of the proposal on the openness and visual amenity of the Green Belt and the character and appearance of the Pinner Hill Estate Conservation Area and the Harrow Weald Ridge Area of Special Character (ASC); and
 - if the proposal is found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

4. The definition of a "building" contained in section 336 of the Town and Country Planning Act 1990 includes any structure or erection. In the absence of any alternative definition, it seems reasonable to use this definition when applying

the Framework to the appeal scheme. I consider that the appeal proposal is to be regarded as a "building" for the purposes of the Framework. As it does not fall within the list of exceptions set out in paragraph 89 it should be regarded as inappropriate development in the Green Belt. The Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. The proposal would also conflict with LP¹ Policy 7.16 which seeks to protect the Green Belt from inappropriate development.

Effects on openness, visual amenity, the Conservation Area and the ASC

5. The conservation area is characterised by a low density of development with detached properties set in generous plots within a mature landscape setting. These features also contribute to the special character of the ASC. Potter Street Hill is set below the level of the property frontages on the eastern side of the road which are defined by vegetated banks. There is open land to the west. These features, combined with the sylvan nature of the surroundings, result in a semi-rural character. In the main the frontages of the individual houses are not enclosed other than by vegetation although in some cases the vegetation is supplemented by unobtrusive sections of chain link fencing.
6. The proposed solid timber fencing would introduce a discordant feature, out of keeping with the semi-rural character of the area. The gates would appear as a rather elaborate suburban feature which would be similarly incongruous. The proposal would conflict with LP Policies 7.4, 7.6 and 7.8; CS² Policy CS1 and UDP³ policies D4, D14, D15 and EP31. These policies seek to promote good design which has due regard to local context and to protect Conservation Areas and ASCs. In accordance with paragraph 134 of the Framework, the harm to the significance of the Conservation Area is to be weighed against any benefits of the scheme. I shall return to that balance in the conclusion to my decision.
7. The solid nature of the fence and gates would result in a loss of openness and would be harmful to the visual amenity of the Green Belt, contrary to CS Policy CS1 which seeks to protect the quality of the Green Belt.
8. On the second main issue, I conclude that the proposal would fail to preserve the character and appearance of the Conservation Area. It would be harmful to the significance of the Conservation Area, detrimental to the openness and visual amenity of the Green Belt and would detract from the character and appearance of the ASC. I attach substantial weight to these factors.

Other considerations

9. The appellant suggests that the fencing and gates are required for security and for the safety of children playing in the front garden. Whilst I take these concerns into account, I have noted above that similar properties in the locality do not generally have enclosed frontages. There is no evidence before me which indicates that these are matters to which substantial weight should be attached.
10. Some of the trees on the site frontage are covered by a Tree Preservation Order. The Council suggests that an arboricultural method statement could be submitted to ensure that the construction of the fence would not harm the root systems of these trees. I agree that this is a matter which could be covered by

¹ London Plan 2011

² Harrow Core Strategy 2012

³ Harrow Unitary Development Plan 2004

a condition. This would provide appropriate protection for the trees in question. A neighbouring resident is concerned about noise from the gate mechanism. However, the gates would be at some distance from the nearest dwelling and it seems unlikely that they would result in a harmful level of noise impact. Neither of these matters adds to the case against the appeal.

Conclusion – whether very special circumstances exist

11. Whilst I take account of the matters raised by the appellant, for the reasons given above they are not sufficient to outweigh the harm to the significance of the Conservation Area that I have identified.
12. The proposal would amount to inappropriate development in the Green Belt. In addition, it would result in harm to the openness and visual amenity of the Green Belt. It would also harm the Conservation Area and the ASC. I attach substantial weight to the totality of the harm. For the reasons given above, the matters raised by the appellant are not sufficient to outweigh the totality of the harm. It follows that the very special circumstances required to justify the development do not exist and that the appeal should not be allowed.

David Prentis

Inspector

Appeal Decision

Site visit made on 6 May 2014

by **E A Lawrence BTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 May 2014

Appeal Ref: APP/M5450/D/14/2216456

Xanadu, Potter Street Hill, Pinner, HA5 3YH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Dhillon against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/3611/13 was refused by notice dated 9 January 2014.
 - The development proposed is described as new site access gates.
-

Preliminary matters

1. On 6 March 2014 the Planning Practice Guidance (planning guidance) was published by the Department for Communities & Local Government. In relation to this Appeal the guidance has been considered but in light of the facts in this case the planning guidance does not alter my conclusions.

Decision

2. The appeal is dismissed.

Main issues

3. The main issues include:
 - a) Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (NPPF) and development plan policy.
 - b) The effect of the proposal on the openness of the Green Belt and the character and appearance of the Pinner Hill Estate Conservation Area (PHCA) and the Harrow Weald Ridge Area of Special Character (ASC).
 - c) If the proposal is found to amount to inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether the proposal represents inappropriate development in the Green Belt for the purposes of the NPPF and development plan policy.

4. Section 336 of the Town and Country Planning Act 1990 defines a "building" as including any structure or erection. I agree with the view of the previous Inspector, that in the absence of any other definition fences, gates and associated infrastructure reasonably fall within this definition. Indeed, neither the Council nor the Appellant have suggested any alternative definitions or categories.

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5. Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless they fall within various specific categories. The proposed access gates do not fall within any of the specified exceptions and so need to be regarded as inappropriate development in the Green Belt. As stated in paragraph 87 of the NPPF inappropriate development is, by definition, harmful to the Green Belt. In accordance with paragraph 88 of the NPPF substantial weight needs to be given to this harm.

The effect of the proposal on the openness of the Green Belt, the PHCA and the ASC.

6. The PHCA and this part of the ASC are characterised by individually designed dwellings set in generous sized mature landscaped plots, with soft planted boundaries. This together with the undulating topography, narrow lanes and the dense greenery surrounding the conservation area, contributes to the verdant and in places semi-rural character of the ASC.
7. Potter Street Hill is consistent with this character. In particular it slopes up steeply to the north, is flanked by a mature belt of trees on its west side and the dwellings are set in mature landscaped gardens, enclosed by soft planting. The entrances to the dwelling are primarily open and allow for views into the mature gardens. This adds to the spaciousness of the area, the openness of this part of the Green Belt and its verdant character.
8. Whilst the upper part of the proposed gates would be partially open in design, they would rise to approximately 1.5 metres in height. Together the proposed gates, piers and timber returns would be substantial and would appear solid in form, character and appearance. They would form a visually solid barrier which would obscure open views into the large front garden of the Appeal property. This would have an enclosing impact on the entrance to the property and the immediate street scene. At the same time the scheme would be suburban in form and appearance, which would detract from the semi-rural appearance of the street scene.
9. This would be contrary to the Supplementary Planning Document – Pinner Conservation Areas – Appendix 9: Pinner Hill Estate Conservation Area Character Appraisal and Management Strategy (2009) (SPD). It advises that gates are not usually appropriate in this semi-rural, informal environment.
10. The Appeal scheme would therefore conflict with the fundamental aim of Green Belt policy, which is to prevent urban sprawl by keeping land permanently open. It would also conflict with policy CS1(B), (D) & (F) of the Harrow Core Strategy and policies DM1, DM6, DM7 & DM16 of the Harrow Local Development Framework – Development Management Policies (DPD). Collectively and amongst other things these policies seek to ensure that new development reinforces the positive attributes of local distinctiveness, does not harm the character and appearance of an area, the significance of heritage assets, or ASC's and maintains the quantity and quality of open spaces within the Green Belt. It would also conflict with policies 7.4B, 7.6B, 7.8B & 7.16 of the London Plan which have similar objectives.
11. I conclude on this issue that the scheme would cause harm due to its impact on the openness of the Green Belt, the amenity of the Green Belt and the character and appearance of the PHCA and ASC and would conflict with the policies cited above. Significant weight is given to this harm.

Other considerations

12. The appellant has put forward a number of factors in support of the scheme. The Appellant has referred to a number of entrance gates within the locality, although none are directly comparable in form, size and appearance to the Appeal scheme. Despite this some of the part solid/part slatted timber gates referred to highlight how they can appear solid and can have an enclosing impact.

13. Overall the examples cited have blended into the street scene with varying degrees of success and similarly vary in their impact on the openness of the Green Belt and the character of the conservation area. Rather than setting a precedent for the Appeal scheme, they highlight the importance of assessing the impact of each proposal on its individual merits. Accordingly only a modest amount of weight is given to this factor.
14. I fully appreciate the Appellants concerns regarding security and safety, although few properties along Potter Street Hill have gates at their entrances and forward visibility of the entrances is generally good. As such I give only a moderate amount of weight to this factor.
15. I conclude that the other considerations in favour of the proposal do not clearly outweigh the general presumption against inappropriate development in the Green Belt; the substantial weight to be attached to the harm caused by the inappropriateness of the development; the harm to the openness and amenity of the Green Belt; the harm to the character and appearance of the PHCA and ASC and the conflict with policies policy CS1(B), (D) & (F) of the Core Strategy, policies DM1, DM6, DM7 & DM16 of the DPD, policies 7.4B, &.6B, 7.8B & 7.16 of the London Plan and the NPPF. Accordingly the necessary very special circumstances to justify the proposal have not been demonstrated.

Other matters

16. Concern has been expressed that, when shut, the proposed gates could result in vehicles either stopping within or reversing into the highway. The proposed gates would be set a sufficient distance from the road to enable two vehicles to pull into the access. This would likely cater for the day to day traffic likely to need to gain access to the property. When shut the gates could result in visitors, who were unable to access the gates, having to reverse into the highway. However, as a single dwelling the occupation of the property is likely to generate only a modest level of traffic and forward visibility of the entrance from Potter Street Hill is good. As such the proposed scheme is highly unlikely to have a materially adverse impact on highway safety.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the Appeal should be dismissed.

E Lawrence

INSPECTOR

APPENDIX 6:



Appeal Decision

Site visit made on 5 February 2016

by Mrs H M Higenbottam BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 February 2016

Appeal Ref: APP/M5354/D/15/3134268

Belswood Cottage, Heathbourne Road, Stanmore, Middlesex HA7 3JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Gattas against the decision of the Council of the London Borough of Harrow.
 - The application Ref: P/1903/15, dated 9 April 2015, was refused by notice dated 13 July 2015.
 - The development proposed is to reduce the vehicle access, and access gates and boundary fence, hard and soft landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Whilst the appellant refers to three reasons for refusal, the third being related to highway safety, the decision notice only records two reasons for refusal. I will therefore deal with the appeal in relation to those two recorded reasons for refusal.

Main Issues

1. The main issues are
 - whether the proposed development would constitute inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework);
 - the effect on the openness of the Green Belt;
 - the effect on the character and appearance of the area, including the setting of the locally listed building Belswood Cottage;
 - if inappropriate development, whether the potential harm to the Green Belt by way of inappropriate development and any other harm is clearly outweighed by other considerations so as to constitute the very special circumstances necessary to justify inappropriate development.

Reasons

2. Belswood Cottage is a two storey detached dwellinghouse on the eastern side of the road, close to the junction with Maggie Hall Road. The Council state that
-

the dwelling is locally listed; the original part of the cottage, pre 1884, was known as 'Stanmore Villa'. It is constructed of pale brick under a slate roof.

3. The existing access has two entrance points with an intervening conifer hedge, behind which is tarmac surfacing. An access track leads from this tarmac area to a detached garage in the north west corner of the site. There is an existing close boarded fence, 1.8m high, behind a narrow grass verge to the north of one access point. A further boundary fence, again of 1.8m high close boarded fencing, separates the access track from the front of the dwelling/garden. Another section of 1.8m close boarded fence is to the south of the second access point running parallel to the Heathbourne Road.
4. The proposal is to remove the conifer hedge and to have one access point narrowing to 3.6m at the proposed double gate, which itself would be set back 5m from the carriageway. There would be gate piers supporting the gates and pedestrian access gates in the splays either side of those piers. Low level planting is indicated in the splays and on the verge in front of the proposed fencing either side of the new reduced width access point. Close boarded fencing, 1.6m high, would be either side of the splays. The existing 1.8m close boarded fences to the north and south of the access points would remain and connect up with the new 1.6m high fencing proposed. The existing 1.8m high close boarded fence, behind the access track would be removed and the vehicle turning area would be behind the double gates.

Inappropriate Development in the Green Belt

5. Policy 7.16 of the London Plan (2011) (LP) strongly supports the current extent of the Green Belt and its protection from inappropriate development in accordance with national guidance. Policy CS1.F of Harrow's Core Strategy (CS) (2012) seeks to safeguard the quantity and quality of the Green Belt from inappropriate development.
6. The Framework indicates that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
7. Paragraph 89 of the Framework sets out the limited purposes for which the construction of buildings¹ will not be considered inappropriate. This does not include the construction of gates, walls and fences. Certain other forms of development are not inappropriate providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within Green Belt (paragraph 90). Again this does not include the construction of gates and fences. I therefore consider that the proposed development would constitute inappropriate development in the Green Belt and would not accord with LP policy 7.16 and CS policy CS1.F or the Framework.

Openness

8. The Framework states that one of the essential characteristics of Green Belts is their openness. The proposed gates and fences (1.6m high) would replace existing fencing which is 1.8m high set behind the existing access track. The

¹ s 336 of the 1990 Act defines 'buildings' as any structure or erection and so includes fences, walls and gates.

appellant states that 16m of 1.8m fencing would be removed and 17m of 1.6m fencing is proposed. The new fencing and gates would be at a lower height of 1.6m although the piers would be about 1.9m high. Taking this into account there would be a negligible effect on openness resulting from the proposal, albeit the fence/gates would be set further forward in the site than those that it would replace. I therefore do not consider that this weighs against the proposed development.

Character and Appearance

9. The existing frontage is dominant within the street scene and the conifer hedge adds little relief and appears unconnected with the street scene, with views of the tarmac track and the fence beyond.
10. Some properties to the immediate south have low fences and vegetation to their frontages. However, the properties opposite have close boarded fences (roughly 1.6/1.8m high) and Birchville Court (diagonally opposite) has brick flares and timber vertical boarded gates. Overall, due to the vegetation and particularly trees within gardens and vegetation close to boundary fences or viewed over them, the narrow carriageway of the road and only a single pavement on the east side of the road, there is a semi-rural quality to the area.
11. The proposal would simplify the access arrangements, retaining only one access point for the property with a gate and more traditional arrangement whereby vehicles enter the site and are not segregated from the dwelling. The removal of the fence close to the dwelling would provide an enhanced setting for the building, which is locally listed. The Council state that tall timber gates would harm the setting of the locally listed building. They would provide an impervious and hard urban form of boundary which would detract from the setting of the locally listed building.
12. There would be some benefits to the setting of the locally listed building by providing more space between the building and the boundary fence/gates arrangement. However, the form of the gates would dominate the immediate setting of the building and would appear at odds with semi-rural character of the street scene and harm the setting of the listed building. The limited areas for planting within the verge areas would not mitigate this harm although it would increase the area of verge/planting along the frontage as one access point would be removed and become verge/planting.
13. Whilst there would be some benefits to the setting of the locally listed building as a result of increased space between it and the boundary fencing, that setting would be dominated by the impervious gates and piers proposed. As such I consider that there would be harm, albeit limited. The National Planning Policy Framework (the Framework) sets out that great weight should be given to the conservation of heritage assets, i.e. the locally listed building. Where there is harm to a heritage asset which is less than substantial harm, as in this case, the public benefit of the proposal must be taken into account, but I find no public benefit which would outweigh the harm which I have identified.
14. I conclude that the proposed development would harm the character, appearance and visual amenity of the area and would not preserve the setting of the locally listed building. As such it would not accord with LP policies 7.4B, 7.21 which seek a high quality design appropriate to its context, compliment the local architectural character. It would also be contrary to CS policies CS.1

B, and CS.6B and policies DM1, DM6 and DM22 of the London Borough of Harrow Development Management Policies (July 2013) (DMP) which, among other things seek to maintain local character and appearance, respond positively to the local and historic context, reinforce positive attributes of local distinctiveness, achieve a suitable setting for the building and provide sufficient space for new or existing trees and planting. This weighs against the proposed development.

Other Considerations

15. The appellant refers to planning permission reference P/468/04/CFU and that this remains extant 'given that some but not all of it has been built'. The remaining 'unbuilt' elements comprise alterations to the accesses, fencing and gates. However, I have insufficient information on this matter, in that the decision notice and all the approved plans have not been provided.
16. Furthermore, whilst the Council have not disputed this, there is no clear acknowledgement from the Council that the appellant's conclusion that there is an extant planning permission for a fall back for some form of access, fence and gates at the appeal site. I can therefore attach no significant weight to this matter.
17. The appellant considers that the reduction of the number of accesses onto Heathbourne Road is a positive attribute of the scheme. However, there is no technical evidence to support this contention or to show that the existing access arrangement raises any highway safety issues and I note the Council's position that the proposal would not result in harm to highway safety. This is neutral in the planning balance.

The Green Belt Balance

18. There is substantial harm to the Green Belt by way of inappropriate development and harm to the character and appearance of the area and the setting of the locally listed building. The lack of harm to the openness of the Green Belt does not weigh in favour of the proposal. I am not satisfied that a fall back has been adequately demonstrated nor that there would be positive highway safety benefits that would outweigh these harms. As such, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist in this case.

Conclusion

19. For the reasons given above I conclude that the appeal should be dismissed.

Hilda Higenbottam

Inspector

APPENDIX 7:



Appeal Decision

Site visit made on 29 June 2015

by **S M Watson BA(Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 July 2015

Appeal Ref: APP/ M5450/ D/ 15/ 3017926

Woolmer House, Priory Close, Stanmore, Middlesex, HA7 3HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Wyndham against the decision of the London Borough of Harrow Council.
 - The application Ref P/4373/14, dated 10 November 2014, was refused by notice dated 29 January 2015.
 - The development proposed is new gates and driveway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- (i) whether the proposal would be inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework);
- (ii) the effect of the proposal upon the openness of the Green Belt;
- (iii) the effect of the proposal upon the character and appearance of the area; and
- (iv) if the proposal is found to be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether or not the proposed development would represent inappropriate development

3. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless they fall within various specific categories. The appellant says that the proposal would fall into the categories set out under bullet points 3 and 6 which are (i) an extension to
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an existing building; and (ii) the limited infilling or the partial redevelopment of a previously developed site.

4. I cannot accept that the gates and piers would form an extension to an existing building because it is not clear from the plans that they would be connected to an existing building. Neither do I accept that the site is previously developed because the definition of "previously developed land" contained within Annex 2 of the Framework excludes land in built-up areas such as private residential gardens. Priory Close is a built-up area because it contains a large number of dwellings.
5. Therefore, the proposal does not fall within any of the exceptions set out in Paragraph 89 of the Framework. As stated in paragraph 87 of the Framework inappropriate development is, by definition, harmful to the Green Belt. In accordance with paragraph 88 of the Framework substantial weight needs to be given to this harm. The Council has quoted Policy 7.16 of the London Plan Spatial Development Strategy for Greater London, July 2011 (LP) but a copy of this policy has not been placed before me.

Openness

6. The Council has not specifically mentioned the effect of the development upon the openness of the Green Belt but has provided me with Policy DM16 of the Harrow Council Development Management Policies, 2013 (DMP) which indicates that development should not have an effect upon the openness of the Green Belt. Given that the appellant explains that the gates would be permeable, and because they are a minor structure, there would be only a minimal impact upon the openness of the Green Belt. This is a factor which weighs a small amount against the proposal.

Character and Appearance

7. The gates would be about 1.9m-2.5m in height. The appellant says that they would match the existing gates and that they would not be solid as stated by the Council. The head of Priory Close has an open and verdant character giving this end of the road a semi rural feel. The introduction of either solid or ornate iron gates would spoil this character and make the end of the road appear more urbanised regardless of the existence of other metal and wooden gates in various other locations in the road. I am conscious of the gates at Ad Astra but I do not know the full circumstances surrounding them. I note that the Council has no objection to the proposed drive but as I find the gates harmful this factor is of little consequence.
8. I therefore conclude that the proposed development would harm the character and appearance of the area. It would conflict with Policies 7.4 and 7.6 of the London Plan Spatial Development Strategy for Greater London, July 2011 (LP) and DMP Policy DM1 and CS1 of the Harrow Core Strategy, which, in combination, indicate that development should be of a high standard of design, should not harm local character; should contribute to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area and that buildings and structures should make a positive contribution to a coherent public realm and streetscape. I give this harm moderate weight against the proposal.

Other considerations

9. The appellant says that the existing boundary treatment would be unaffected by the gates. This is a neutral factor in the balance.
10. The Council says that the gates, by reason of their visual intrusion, would harm the living conditions of neighbours. However, they are not big enough or close enough to neighbouring properties to affect anyone's living conditions.
11. The Council has referred to two appeals in support of its case; these are APP/M5450/D/12/2188420 and APP/M5450/D/14/2216456. I note the appellant's comments that the circumstances of those appeals were different in that they were in a conservation area. That is true but in respect of the Green Belt, the Framework policies apply equally to both sites. I also note the appellant's comments that the Council has previously accepted gates in the Green Belt, including in Priory Close, but this does not give me reason to disregard current Government policy.

The Green Belt Balance and Conclusion

12. The proposal amounts to inappropriate development within the Green Belt and the Framework advises that substantial weight is to be attached to such harm. I have also concluded that the proposal would have a small impact upon the openness of the Green Belt and that it would harm the character and appearance of the area. In conclusion, there is nothing to clearly outweigh the totality of substantial harm that would arise as a result of the development's inappropriateness and the very special circumstances necessary to justify the proposal do not therefore exist.
13. I have considered all other matters raised, including those from a neighbour but none outweigh the conclusions I have reached.
14. For the reasons set out above, I therefore conclude that the proposal is unacceptable and that the appeal should fail.

Siobhan Watson

INSPECTOR

Appeal Decision

Site visit made on 24 February 2015

by **Isobel McCretton BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th March 2015

Appeal Ref: APP/M5450/D/14/2229948

Melodies, Oxhey Lane, Pinner HA5 4AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Bal Kanda against the decision of the Council of the London Borough of Harrow.
 - The application Ref. P/3247/14, dated 13 August 2014, was refused by notice dated 16 October 2014.
 - The development proposed is gate, fence and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are
 - whether the proposed development would constitute inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework);
 - the effect on the openness of the Green Belt;
 - the effect on the character and appearance of the area; and
 - if inappropriate development, whether the potential harm to the Green Belt by way of inappropriate development and any other harm is clearly outweighed by other considerations so as to constitute the very special circumstances necessary to justify inappropriate development.

Reasons

3. The appeal site lies on the north-eastern side of Oxhey Lane, within the Green Belt and the Harrow Weald Ridge Area of Special Character. It is part of a small ribbon of houses in a semi-rural area, with trees and open farmland opposite at the front and Grim's Dyke Golf Course to the rear. The houses are set behind a belt of large trees on the front boundary, beyond which is a wide grass verge and then the road. These trees are subject to a Tree Preservation Order (TPO).
4. Melodies itself is a detached dwelling with an access from Oxhey Lane shared with the adjoining house, Utopia. It is proposed to create a separate access to the appeal site opening onto a circular driveway in front of the house. There would be 1.8m high, black-painted steel railings along the front boundary with similar gates set back around 5.3m. The gates would be supported by stone

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pillars, approximately 2.3m high, incorporating a light, name plate and control panel. Along the side boundaries there would be a 2m high wooden fence.

Inappropriate Development in the Green Belt

5. Policy 7.16 of the London Plan (2011) strongly supports the current extent of the Green Belt and its protection from inappropriate development in accordance with national guidance. Policy CS1.F of Harrow's Core Strategy (2012) seeks to safeguard the quantity and quality of the Green Belt from inappropriate development.
6. The Framework indicates that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
7. Paragraph 89 of the Framework sets out the limited purposes for which the construction of buildings¹ will not be considered inappropriate. This does not include the construction of gates, walls and fences. Certain other forms of development are not inappropriate providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within Green Belt (paragraph 90). Again this does not include the construction of walls and fences. I therefore consider that the proposed development would constitute inappropriate development in the Green Belt and would not accord with London Plan policy 7.16 and Core Strategy policy CS1.F.

Openness

8. The Framework states that one of the essential characteristics of Green Belts is their openness. The proposed gates, railings, piers and fence would be considerably larger than the existing front boundary fence and so, to a limited extent, would reduce the openness of this part of the Green Belt. This weighs against the proposal.

Character and Appearance

9. At present the existing wooden post and rail fence is low key and complements the semi-rural setting of the houses. It is fairly informal and blends in with the belt of trees along the front boundary. The proposed railings would be much more visually prominent and, with the stone piers, would have an intrusive urban appearance, out of keeping with the semi-rural character of the area.
10. Furthermore, the creation of the new access would necessitate the removal of 4 trees from the protected group. One of these trees (a corkscrew willow) is identified in the Arboricultural Report as being in poor condition and another is a wisteria growing over a dead cherry tree. The other two trees identified for removal are a Monterey cypress and a Leyland cypress. The new driveway would fall within the root protection area of several other trees and so there would need to be careful attention to the materials and method of construction as set out in the report, otherwise the long term health of more of the trees would be jeopardised.

¹ S 336 of the 1990 Act defines 'buildings' as any structure or erection and so includes fences, walls and gates.

11. The removal of trees to create the new driveway would create a further additional gap in the tree belt which partially screens the houses. This would add to the visual harm resulting from the proposed development by exacerbating the urbanising effect of the scheme. Policy DM22 of the Development Management Policies Local Plan (2013) (DMPLP) states that the removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of trees is outweighed by the wide public benefits of the proposal. That is not the case in the scheme before me.
12. There are other houses in the vicinity which have high gates and brick piers, but, for the most part, they do not also have high fences along the full extent of the front boundary.
13. I consider that the proposed development would be detrimental to the character, appearance and visual amenity of the area. It would not accord with London Plan policy 7.21 which seeks to resist the loss of trees, or with Core Strategy policies CS.6B and CS.7 and DMDLP policies DM1 and DM6 which, among other things seek to maintain local character and appearance, including the special character of the Harrow Weald Ridge; to retain or enhance existing landscaping and trees. This also weighs against the scheme.

Other Considerations

14. The appellant argues that a separate access is required for safety reasons because of the number of cars using the shared drive, though there is no substantiated evidence of accidents occurring at this point. It is stated that there are 6 cars, not including visitors, associated with the 2 dwellings which share the driveway. In my view it is unlikely that the level of traffic generated at any one time by the two dwellings is likely to be such that highway safety is compromised or that the occupiers would be unduly inconvenienced by the continued use of the shared access.
15. It is also claimed that the new boundary treatment is needed for security as the current arrangement allows people to enter freely, though again there is no substantiated evidence that this is a serious risk.

The Green Belt Balance

16. I have found harm to the Green Belt by way of inappropriate development and loss of openness and, in addition, there is harm to the character and appearance of the area, all of which conflict with the policies of the London Plan, the Core Strategy and the Framework. While the appellant has expressed concern about safety and security, I do not find that these matters clearly outweigh the harms identified. As such, the very special circumstances necessary to justify inappropriate development in the Green Belt do not exist in this case.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Isobel McCretton

INSPECTOR

APPENDIX 9:



Appeal Decision

Site visit made on 12 October 2020

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 October 2020

Appeal Ref: APP/M5450/D/20/3252495

Turnpidgeons, Oxhey Lane, Pinner, HA5 4AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Bobby Malhotra against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/0169/20, dated 16 January 2020, was refused by notice dated 12 March 2020.
 - The development proposed is retention of two sets of brick piers and installation of wrought iron gates and boundary wall to both driveway entrances.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have slightly amended the description of development to better reflect the description of development in the application form.
3. At the site visit, it was clear that some of the development had been carried out, with the brick piers and some of the walls having been constructed. I have taken account of this in my reasoning.

Main Issues

4. The main issues are:
 - Whether or not the proposals would be inappropriate development in the Green Belt, having regard to the Framework and relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the area;
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, whether this would amount to the very special circumstances required to justify the proposal (the Green Belt balance), and
 - The effect of the development on trees.

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Reasons

5. Turnpidgeons is a large detached dwelling on a substantial plot with a wide frontage to Oxhey Lane.
6. The area is characterised by generally open farmland with a golf course adjacent giving it a rural, undeveloped feel. Whilst the house forms part of a small number of dwellings arranged in a linear fashion along this section of the road, there is very little built form within the surrounding area.
7. The appeal site falls within the Green Belt, which is protected by Policy DM16 (Maintaining the Openness of the Green Belt and Metropolitan Open Land) of the Harrow Development Management Policies Local Plan (2013) (LP); Policy 7.16(B) (Green Belt) of the London Plan (2016) as well as Section 13 of the Framework.

Whether or not the proposals would be inappropriate development

8. Paragraph 133 of the Framework sets out that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 145 of the Framework also sets out that new buildings within the Green Belt are 'inappropriate' unless, amongst other things, it involves the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
9. A 'building' is defined in s.336 of the Town and Country Planning Act 1990 as including any structure or erection. The proposed wall, gate piers and gates fall into this definition. The appellant states that they could erect a wall to the front of the property of no more than 1m, as defined in the Town and Country Planning Act, 2015 (Part 2, Class A) and that this would constitute a 'fallback' position. I have therefore considered this in my reasoning.
10. At 2.4m high, the proposed walls and gate piers, together with the gates at 2.6m would be materially larger than what could be delivered as part of the fallback position. They would therefore not be encompassed by any of the Framework paragraph 145 exceptions.
11. I therefore consider the existing and proposed development to constitute inappropriate development in Green Belt.

The effect on openness

12. At the site visit, the appeal site had a verdant green frontage and this provided a degree of screening to the house.
13. The appellant has drawn attention to other boundary treatments and gates that have been used on neighbouring properties, but at the site visit, it was clear that walls and gate piers similar to those proposed are not commonplace within the area. I observed that most nearby properties had predominantly hedges and some timber fencing to their frontages.
14. A new wall would, in my view have an effect on the openness of the Green Belt because of its height and solidity. Whilst the existing hedge and trees do reduce openness to a degree, the proposed walls would create a strong boundary features which would reduce glimpsed views into the property, thereby harming the openness of the Green Belt.

15. I therefore conclude that the proposed development would be in conflict with Section 13 of the Framework, as well as policy DM16 of the LP and Policy 7.16(B) of the London Plan (2016).

The effect on character and appearance

16. The rural, informal and open character of the area is characterised by green boundaries and frontages with limited built form. The area is predominantly comprised of open fields and a nearby golf course which reinforces this rural feel. The introduction of such formal, solid structures along this stretch of Oxhey Lane would harm the informality of the area, appearing incongruous within the immediate setting.

17. I therefore find this to be contrary to Policy 7.4(B) of the LP which seeks development of a proportionate scale and mass that creates a positive relationship between the urban structure and natural landscape features.

Whether the harm by reason of inappropriateness and any other harm would be outweighed by other considerations and whether this would constitute very special circumstances

18. I note that the appellant has some concerns over security which also motivates the need for a wall, gate piers and gates to the property. However, the appellant has not provided evidence for these concerns, so I am unable to give this weight in my decision making.

19. The Framework attaches great importance to Green Belt and substantial weight should be given to any harm that is identified during the determination of proposals. I have found the appeal proposals to constitute inappropriate development and I have also found harm to the openness of the Green Belt.

20. Further, I consider that the proposals would be harmful to the character and appearance of the wider area. In balancing this against the appellants case for the proposals together with the other matters raised, they do not clearly outweigh the harm identified. The very special circumstances necessary to justify the development have not therefore been demonstrated. Consequently, the proposed development conflicts with the Green Belt protection aims of the Framework and with Policy DM16 of the LP as well as Policy 7.16(B) of the London Plan (2016).

The effect of the proposals on trees

21. The appeal site is within an area protected by a Tree Preservation Order (TPO) (No.940) and Policy DM22 (Trees and Landscaping) of the LP seeks development that does not harm protected trees.

22. I note that the council's tree officer had few concerns in relation to the loss of potentially significant trees, insofar as it was explained that the development would not harm any trees other than the required removal of vegetation considered to be 'hedge'.

23. I therefore consider that this is a matter that could be dealt with via an appropriately-worded planning condition. I therefore do not find that the proposals would necessarily conflict with policy DM22 of the LP.

Conclusions

24. I have considered the potential for a planning condition to address the third refusal reason in respect of the effect on trees, but it does not overcome the other harms I have identified in relation to the character and appearance of the area and the impact on the Green Belt.
25. To that end and for the reasons given, the appeal is dismissed.

Sian Griffiths

INSPECTOR