

# Planning Committee Agenda

**Date:** Wednesday 17 November 2021

**Time:** 6.30 pm

**Venue:** Council Chamber, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

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

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

## Membership (Quorum 3)

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**Chair:** Councillor Pamela Fitzpatrick

**Labour Councillors:** Simon Brown  
Maxine Henson  
Nitin Parekh (VC)

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

**Labour Reserve Members:**

1. Peymana Assad
2. Dean Gilligan
3. James Lee
4. Ajay Maru

**Conservative Reserve Members:**

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

**Contact:** Mwim Chellah, Senior Democratic & Electoral Services Officer  
Tel: 07761 405966 E-mail: [mwimanji.chellah@harrow.gov.uk](mailto:mwimanji.chellah@harrow.gov.uk)

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# Useful Information

## Meeting details:

This meeting is open to the press and public:

Directions to the Civic Centre can be found at:

[www.harrow.gov.uk/contact](http://www.harrow.gov.uk/contact)

and can be viewed on [www.harrow.gov.uk/virtualmeeting](http://www.harrow.gov.uk/virtualmeeting)

## Meeting access / special requirements.

The public will be admitted on a first-come-first basis and you will be directed to seats.

If you are a registered speaker please advise Security on your arrival.

If you are attending the meeting please:

- (1) Take a Covid 19 test up to 24 hours before the meeting. Harrow residents can book a test by visiting <https://www.harrow.gov.uk/coronavirus-covid-19/book-covid-test>. If you are not a Harrow resident, please visit your local authority's webpages for your closest test site. Alternatively, you can request a Home Test by visiting <https://www.gov.uk/order-coronavirus-rapid-lateral-flow-tests>. If you do not have access to the internet, please call 119 or speak to your Local Chemist;
- (2) Scan the NHS Test and Trace barcode or provide your contact information;
- (3) Wear a face covering and use the hand sanitiser;
- (4) Stay seated during the meeting;
- (5) Access the meeting agenda online at: <https://moderngov.harrow.gov.uk/ieListMeetings.aspx?CId=1001&Year=0>; and
- (6) Follow the social distancing and other instructions of the Security Officers.

The Civic Centre is accessible to people with special needs. There are accessible toilets and lifts to meeting room. If you have special requirements, please contact the officer listed on the front page of this agenda.

## Filming / recording of meetings

Please note that proceedings at this meeting will 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.

When present in the meeting room, silent mode should be enabled for all mobile devices.

**Agenda publication date: Monday 8 November 2021**

# 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 - 16)

That the minutes of the meeting held on 20 October 2021 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, 12 November 2021.**

**Questions should be sent to [publicquestions@harrow.gov.uk](mailto:publicquestions@harrow.gov.uk)**

**No person may submit more than one question].**

### 6. Petitions

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

### 7. Deputations

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

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

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

9. **Addendum** (To Follow)

10. **Representations on Planning Applications**

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

**Planning Applications Received**

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, Stanmore & Edgware Golf Centre, Brockley Hill, P/3088/20	CANONS	REFUSE	(Pages 17 - 128)
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**12. Section 2 - Other Applications recommended for Grant**

(a)	2/01, 1 The Circuits, Pinner, HA5 2BD P/3419/21	PINNER	GRANT	(Pages 129 - 170)
(b)	2/02, Premier House, Brember Road, South Harrow P/3474/21	ROXETH	GRANT	(Pages 171 - 194)
(c)	2/03, 47 Curzon Avenue, Stanmore P/3022/21	BELMONT	GRANT	(Pages 195 - 216)

**13. Section 3 - Other Applications recommended for Refusal**

(a)	3/01, Mallory, Priory Drive, Stanmore P/2185/21	STANMORE PARK	REFUSE	(Pages 217 - 246)
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14. **Any Other Urgent Business**

Which cannot otherwise be dealt with.

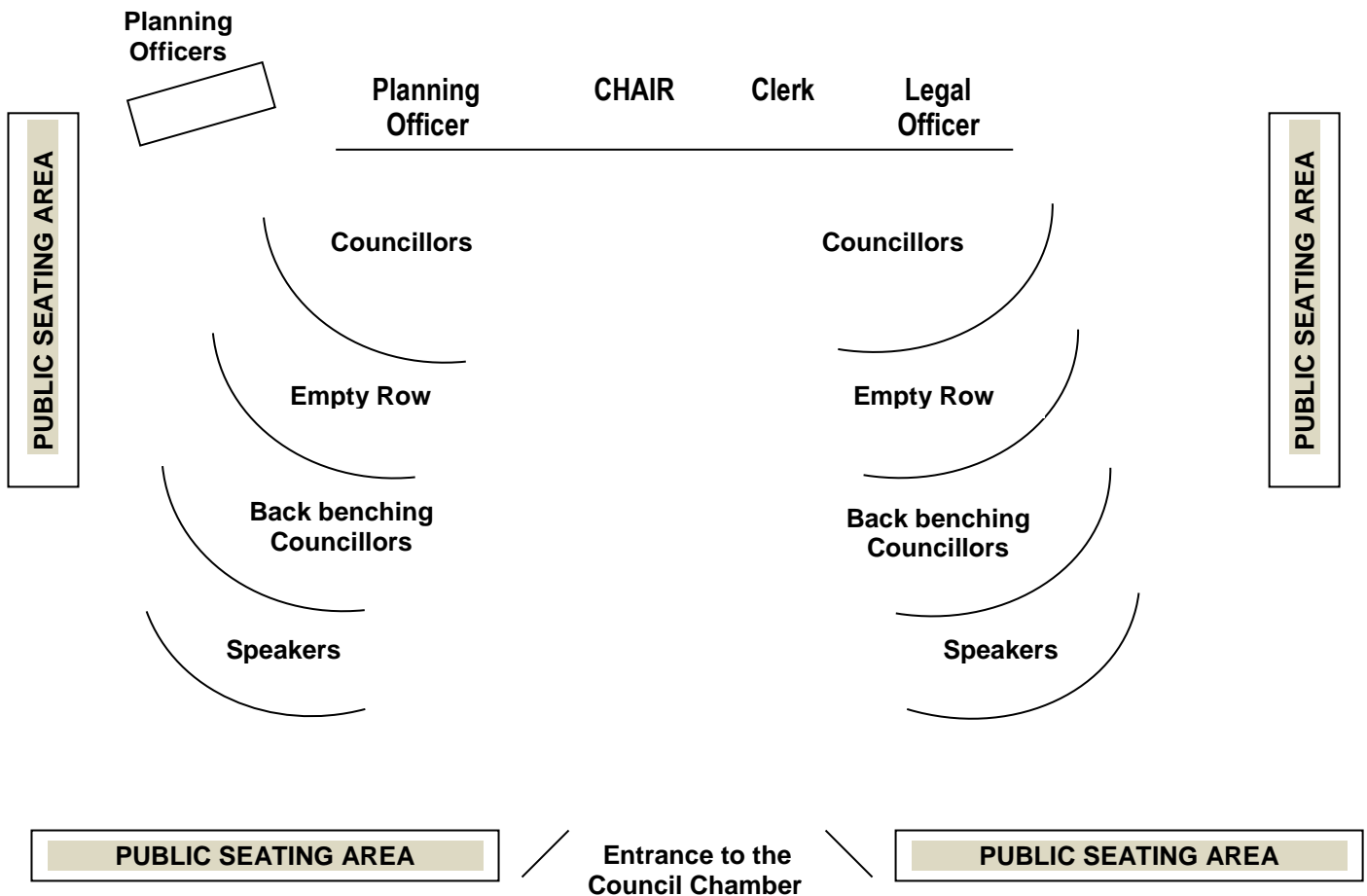


# Agenda - Part II - NIL

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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

### 20 October 2021

**Present:**

**Chair:** Councillor Pamela  
Fitzpatrick

**Councillors:** Marilyn Ashton  
Christopher Baxter  
Simon Brown  
Maxine Henson  
Nitin Parekh  
Anjana Patel

**396. Attendance by Reserve Members**

**RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.

**397. Right of Members to Speak**

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

**398. 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.

**399. Minutes**

**RESOLVED:** That the minutes of the meeting held on 29 September 2021 be taken as read and signed as a correct record.

**400. Public Questions**

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

**401. Petitions**

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

**402. Deputations**

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

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

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

**404. Addendum**

**RESOLVED:** To accept the Addendum.

**Resolved Items**

**405. 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 items 2/01 and 2/02 on the list of planning applications.

**406. 1/01, Matrix House, 219 Alexandra Avenue, P/3815/20**

**PROPOSAL:** modification of S106 obligation attached to planning permission P/0640/16 dated 25 August 2016 to vary on site affordable housing contribution.

The Committee resolved to accept officer recommendations.

**RECOMMENDATIONS**

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report (the delegated decision is subject to the Interim Chief Planning officer to complete the Deed of Modification), and
- 2) grant the modification of the section 106 agreement, subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of a legal agreement. The Deed of Modification would cover the following matters:
  - removal of affordable housing provision on site (12 Shared Ownership Units); and
  - payment of a commuted sum of £822,106.

**DECISION: GRANT**



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

Councillors Ashton, Baxter, Brown, Fitzpatrick, Henson and Patel voted to grant the application.

Councillor Parekh abstained from voting on the application.

**407. 2/01, Alden Mead, 14 The Avenue, P/1890/21**

**PROPOSAL:** creation of third floor comprising two additional flats (2 x 1 bed), single storey cycle enclosure and increase hardstanding at rear (as amended by the Addendum).

The Committee received representation from Seetal Popat (objector), who urged the Committee to refuse the application. The applicant or their agent were not present, and did not address the Committee on the application.

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) the proposed design, appearance and materials used on the additional floor would be out of keeping and visually obtrusive within the locality to the detriment of the residential amenities of the neighbouring properties, particularly 12 The Avenue, given its close proximity to the site, contrary to the aspirations of The National Planning Framework (2021), D1 London Plan (2021), DM1 Harrow development Management Policies (2013), CS1 Harrow's Core Strategy (2012).

The proposal was seconded by Councillor Christopher Baxter, put to the vote and agreed.

The Committee resolved to refuse officer recommendations.

**RECOMMENDATIONS**

The Planning Committee was asked to:

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

**DECISION: REFUSE**

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

Councillors Ashton, Baxter, Henson and Patel voted to refuse the application.

Councillors Brown, Fitzpatrick and Parekh abstained from voting.

**408. 2/02, 42 Chartley Avenue, HA7 3QZ, P/2912/21**

**PROPOSAL:** redevelopment to provide one pair of two storey semi-detached dwellings; proposed vehicle access; parking; bin stores (demolition of outbuildings and side conservatory to existing dwelling) (as amended by the Addendum).

The Committee received representation from Amish Badiani (objector), and Jack Dusek (applicant), who urged the Committee to refuse and approve the application, respectively.

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) the proposed development, by reason of its siting, scale and design would be out of keeping and give rise to a cramped appearance in the street scene, contrary to the aspirations of The National Planning Policy Framework (2021), D1, D3 London Plan (2021), CS1B of Harrow's Core Strategy (2012), DM1 Harrow Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document Residential Design Guide (2010).

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

The Committee resolved to accept officer recommendations.

### **RECOMMENDATIONS**

The Planning Committee was asked to:

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

### **DECISION: REFUSE**

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

Councillors Ashton, Baxter, Henson and Patel voted to refuse the application.

Councillors Brown, Fitzpatrick and Parekh voted to grant the application.

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

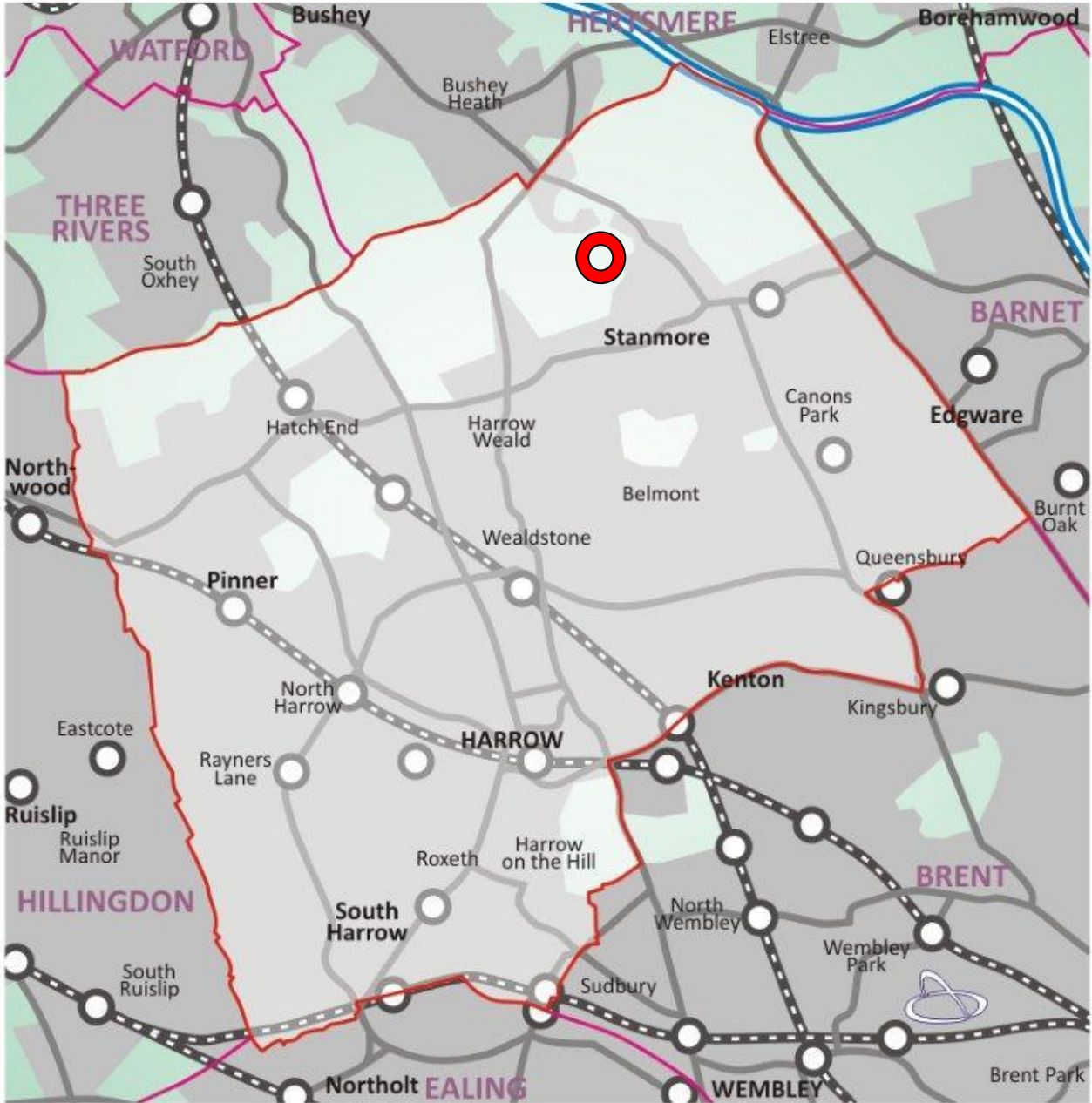
<https://www.harrow.gov.uk/virtualmeeting>

(Note: The meeting, having commenced at 6.30 pm, closed at 7.48 pm).

(Signed) Councillor Pamela Fitzpatrick  
Chair

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 = application site



<b>Stanmore &amp; Edgware Golf Centre, Brockley Hill</b>	<b>P/3088/20</b>
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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>TH</sup> NOVEMBER 2021

**APPLICATION NUMBER:** P/3088/20  
**VALID DATE:** 18<sup>th</sup> SEPTEMBER 2020  
**LOCATION:** STANMORE AND EDGWARE GOLF CENTRE,  
BROCKLEY HILL, STANMORE  
**WARD:** CANONS  
**POSTCODE:** HA7 4LR  
**APPLICANT:** SAIRAM (HOLDINGS) LTD  
**AGENT:** HGH CONSULTING  
**CASE OFFICER:** MUHAMMAD SALEEM  
**EXPIRY DATE:** 3rd JUNE 2021 (EXTENDED EXPIRY DATE 30<sup>th</sup>  
NOVEMBER 2021)

### PROPOSAL

Construction of a single and two storey building for a banqueting facility; widening of existing vehicular access from Brockley Hill, car and cycle parking, waste/recycling storage, landscape enhancement and associated works. Demolition of structures on site.

### RECOMMENDATION

Following the Committee members decision to defer the application at Planning Committee on 30<sup>th</sup> June 2021 and the agreed extension of time at Planning Committee on 1<sup>st</sup> September 2021 for additional information which was submitted on 1<sup>st</sup> October 2021 the Planning Committee is asked to REFUSE planning permission for the following reasons:

1. The proposed development would have a greater impact on the openness of the Green Belt than the existing development on the application site. The proposed development would therefore constitute inappropriate development in the Green Belt, to the detriment of the character, appearance and openness of the Green Belt, contrary to the National Planning Policy Framework (2021), policy G2 of The London Plan (2021), Core policy CS 1 F of the Harrow Core Strategy (2012), and policy DM 16 of the Harrow Development Management Policies Local Plan (2013), and no very special circumstances have been demonstrated by the applicant whereby the harm by reason of inappropriateness is outweighed by other considerations.
2. The proposed development, by reason of failure to provide adequate on-site or off site car / coach parking and lack of integrated drop off facilities to serve the proposed banqueting facility, would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill into the London Borough of Harrow and the London Borough of Barnet, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers, contrary to the National Planning Policy Framework (2021), Policy T4 of The London

Plan (2021), and policies DM 42 E and F, DM 1 B (f) (C) and D (h), policy DM 42 E and F and DM 43 B and C of the Harrow Development Management policies Local Plan (2013).

## **REASONS 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.

At the Planning Committee meeting on 30<sup>th</sup> June 2021, the Planning Committee resolved to defer the application, to enable the applicant to submit additional information by 'early August' in order for the application to be considered at the early September 2021 Planning Committee meeting.

However, given the time required for the applicant's consultants to be engaged to provide the required additional information relating to ecology, archaeology, green belt, sports and recreation, highways and parking matters, along with the Council to undertake neighbour consultation and fully assess the new information including internal and external consultees as necessary, an extension was agreed at Planning Committee on 1<sup>st</sup> September 2021 for the application to be heard, with the additional information at planning Committee on 17<sup>th</sup> November 2021.

For these reasons set out above, the Planning Committee is asked to hear and consider the additional information. The information includes the following:

- Supplementary Planning Statement dated Sept 2021
- Supplementary Openness and Landscape Appraisal dated Sept 2021
- Parking Management Plan dated Sept 2021
- Ecology Technical Note and Rebuttal to Officer's Report to Committee dated 29<sup>th</sup> September 2021
- Archaeological Assessment dated 9<sup>th</sup> September 2021
- Appendix 1: Landscape and Visual Appraisal (CLPD 036 R02b) dated Sept 2021

## **INFORMATION**

This application is reported to Planning Committee as the application is for a major development and in the opinion of the chief planning officer should be referred to committee due to substantial 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:	<b>Major Development</b>
Council Interest:	N/A
Net additional Floorspace:	1, 458 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£87, 480
Local CIL requirement:	£80,190

## **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**

Policy D11 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, had the proposal been considered acceptable, a condition would have 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 relates to a former golf centre and driving range located on the west side of Brockley Hill. The application site is located 1.3km to the north east of Stanmore Town Centre.
- 1.2 The wider site (not the application site itself) comprises a broadly rectangular site. The wider site comprises a former 9-hole par-3 golf course and driving range. The golf course is situated around the edges of the driving range.
- 1.3 The application site relates to an irregular shaped plot of land located towards the centre of the wider site and contains the main golf building, a hard surfaced car park and an area of soft landscape directly in front of the golf building which was previously used as a driving range. The overall site area is 1.63 hectares.
- 1.4 Vehicular and pedestrian access is from Brockley Hill and is located towards the east of former golf building.
- 1.5 The former golf club building on the application site has been subject to an extensive fire at the end of June 2020 which has destroyed much of the original building, leaving only part of the original frame and area of hardstanding in place. The current state of the building is shown below:





- 1.6 Prior to the fire the main building on site had linear form and was part single storey/part 1.5 and two storeys in height.



Above & Below: Photograph showing former clubhouse building



- 1.7 The former north western elevation facing onto the driving range had 49 covered bays at single and two storey level with a shallow ridged roof above.
- 1.8 The former south eastern elevation of the building presented a 1.5 storey building but with a large hipped roof incorporating gable ends.
- 1.9 The former building contained a golf retail shop, the reception for the golf course and various office and storage areas at ground floor level. The first floor of the building contained office space and a flat for staff use.
- 1.10 To the south east of the main golf building is a hard surfaced car park which is approximately 3000m<sup>2</sup> in area.
- 1.11 A wire fence of approximately 5 metres in height has been erected around the former driving range. This is secured by a number of metal pylons running around the perimeter of the range at a distance of approximately 15 to 20 metres apart. There is also a substantial earth bund around the driving range covered by grass.
- 1.12 The area of land surrounding the driving range comprises the golf course and appears as a managed landscape with man-made features including green, bunkers and tee boxes.
- 1.13 There are significant level differences across the application site and immediate adjoining land with levels declining in height from north to south.
- 1.14 The site is screened by mature trees and hedges to the entire perimeter of the site.
- 1.15 The application site is situated within the Green Belt and is within the Harrow Weald Ridge Area of Special Character.
- 1.16 The application site lies partially within an Archaeological Priority Area. This area relates to a strip of land which runs through part of the car park and golf course and on the other side adjacent to Brockley Hill.
- 1.17 The application site has a PTAL rating of 1a which is low. The nearest bus stop to the site is located to the south of the site on Brockley Hill approximately 300 metres

away. The bus stops are served by the 107 bus service between New Barnet and Edgware via Elstree and Borehamwood.

- 1.18 The site is located around 850 metres east of Stanmore underground station.
- 1.19 Part of the site in front of the main golf building lies within surface water flood zone 3a/3b as identified on the Local Area Map (2013).
- 1.20 The immediate locality of the wider application site comprises a mix of residential and leisure uses.
- 1.21 The London Borough of Barnet adjoins the site to the east, the borough boundary line runs along Brockley Hill. There are a number of residential streets to the south east within Barnet's boundary which are located approximately 240 metres from the site entrance. The closest roads include Grantham Close, Pipers Green Lane and Brockley Avenue.
- 1.22 To the south is Brockley Park an area of public open space including a small lake. The park abuts a residential cul de sac which links to the wider suburban area to the north of London Road.
- 1.23 Adjoining the wider application site to the north and west is Stanmore Country Park, this comprises a continuous open space of some 31 hectares of woodland and meadow.
- 1.24 Adjoining the wider application site to the north, Pear Wood comprises an area of ancient woodland of around 14 hectares which abuts Wood Farm to the west. The land opposite the application site on the eastern side of Brockley Hill is a large green space with mature trees.
- 1.25 The site is approximately 700 metres south west of the Royal National Orthopaedic Hospital campus.

## **2.0 PROPOSAL**

- 2.1 The proposal seeks planning permission for demolition of existing golf club buildings and construction of a single and two storey building for a banqueting facility; widening of existing vehicular access from Brockley Hill, car and cycle parking, waste/recycling storage, landscape enhancement and associated works.
- 2.2 The proposed building form would be part single, part two storey and comprised of three distinct elements. This would include the two storey Front of House building on the southern side, the single storey Back of House building on the eastern side and the main banqueting hall on the north western side. The front of house and back of house element would have pitched, gable end roofs, while the main banqueting section of the building would have a flat roof.
- 2.3 The main entrance point would be from the ground floor eastern elevation from the Front of House building. The front of house section would contain a reception area, WC's on the ground floor and a smaller function hall, two meeting rooms and a



bridal suite on the first floor. The back of house section would contain, the main kitchen area, storage areas, bin storage, plant areas and staff WC's.

- 2.4 The front of house area and back of house area would be linked to the main banqueting hall through 1.5 metre wide corridors.
- 2.5 The proposed building footprint would be 1, 108 sqm and would have a floorspace of 1, 458sqm.
- 2.6 The proposed building would span a maximum width of approximately 43.3 metres and a maximum depth of approximately 31.3 metres
- 2.7 The front of house building would be two storeys, whilst the banqueting hall and back of house area would be single storey. The maximum height of the building would be 9 metres.

#### Traffic, Parking and Cycle Parking

- 2.8 The proposals include the widening of the existing vehicular access from Brockley Hill into the site along with prohibiting vehicles turning right into the site from the north of Brockley Hill to enable coaches and refuse vehicles to safely ingress and access the site simultaneously and avoid congestion within the site or on Brockley Hill.
- 2.9 It is proposed that the speed limit on Brockley Hill will be reduced to 30mph.
- 2.10 The existing site parking area would be reconfigured and would reduce from 95 to 62 spaces with an additional 16 spaces overflow parking spaces (for a total of 84 spaces) that can be made accessible through the temporary removal of a large planter.
- 2.11 A staff parking area would be provided on the northern side of the building with a total of 6 spaces. Of the 6 proposed staff parking spaces, 3 would be equipped with active electric vehicle charging provision and 3 with passive provision, with one space being a blue badge disabled space.
- 2.12 Of the 62 guest spaces 14 will each have active and passive electric vehicle charging provision. Additionally, 4 spaces each will be for disabled blue badge holders and as enlarged spaces capable of being turned into formal blue badge holder spaces in the future.
- 2.13 Of the overall 68 spaces, there will be a total of 17 with active and passive electric vehicle charging provision; and 5 blue badge holder spaces and 4 enlarged spaces.
- 2.14 Secure, covered storage for 21 cycles will be provided, comprising of the required 4 long stay and 17 short stay spaces. One of the spaces would be designed to accommodate adapted or specialist cycles. Cycle parking areas would be located in the car parks to the north and south east of the building.

#### Service, deliveries and refuse

2.15 A dedicated servicing and delivery area is proposed to the rear of the back of house element of the scheme. This area will contain the refuse and recycling bins.

Operating Hours

2.16 The submitted Planning Statement outlines that the operating hours will follow that of the existing Premier Banqueting facility (which is open 24 hours).

**Additional details since the submission of application**

2.17 The following additional information received on 1<sup>st</sup> October 2021 relating to the scheme have been submitted following the Committee decision to defer the application on 30<sup>th</sup> June 2021:

- Supplementary Planning Statement dated Sept 2021
- Supplementary Openness and Landscape Appraisal dated Sept 2021
- Parking Management Plan dated Sept 2021
- Ecology Technical Note and Rebuttal to Officer’s Report to Committee dated 29<sup>th</sup> September 2021
- Archaeological Assessment dated 9<sup>th</sup> September 2021
- Appendix 1: Landscape and Visual Appraisal (CLPD 036 R02b) dated Sept 2021

**3.0 RELEVANT PLANNING HISTORY**

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

<b><u>Application Ref:</u></b>	<b><u>Description</u></b>	<b><u>Status and Date of Decision</u></b>
P/1525/17	Change of use from a golf driving range with ancillary golf shop and first floor flat (Class D2) together with two storey rear extension and external alterations to nine flats (Class C3); Single storey detached building at side for use as replacement golf reception building; provision of parking, refuse and cycle facilities.	Refused 30/01/2018 Allowed on Appeal APP/M5450/W/18/3201017, dated 23 <sup>rd</sup> August 2018
P/3036/20	EIA Screening Opinion to determine whether an Environmental Impact Assessment is required for demolition of the	Environmental Impact Assessment not required 10/09/2020

	existing golf club (Use class D2) and construction of a new banqueting facility (Use class D2); widening of vehicle access; car and cycle parking; waste/recycling storage; landscaping; associated works	
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#### 4.0 **CONSULTATION**

- 4.1 Three rounds of public consultation have been undertaken. A total of 57 consultation letters were sent to neighbouring properties regarding this application on the 18<sup>th</sup> September 2020. A second consultation was sent out to neighbouring occupiers and to all those who had previously made representations on the application on 15<sup>th</sup> April 2021 – a total of 556 letters were sent out under this consultation. A third consultation was issued to neighbours following the deferral and receipt of additional details. A total of 57 letters were sent out on 19<sup>th</sup> May 2021
- 4.2 Five site notices were posted on 29<sup>th</sup> September 2020 (Major Development). A further five site notices were posted on 25<sup>th</sup> March 2021 (Major Development). Harrow Times Advert published (Major Development) on 24<sup>th</sup> September 2020 and on 1<sup>st</sup> April 2021. Further 4 site notice were posted on 4<sup>th</sup> October 2021
- 4.3 The final public consultation period expired on 25<sup>th</sup> October 2021 and 662 objections were received together with 2 letters of support. The response to neighbouring consultation is summarised in the table below:

<p><b>Character and Appearance and Green Belt:</b></p> <ul style="list-style-type: none"> <li>• Inappropriate development in Green Belt</li> <li>• Harmful to nature, character and openness of the green belt due to:</li> <li>• The new building will be 30% larger than the previous building;</li> <li>• Loss of landscape and visual amenity; overdevelopment;</li> <li>• Venue will be out of character with the local area;</li> <li>• Proposal totally contradicts Harrow Council’s Green Belt policies;</li> <li>• The application does not fall within the criteria of ‘Very Special Circumstances’ as it is not an essential community facility;</li> <li>• proposal will result in an over intensive use of the site;</li> <li>• the proposed change of use to a banqueting facility would typically occur in</li> </ul>
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a brownfield land close to transport links or in town centre and is not appropriate in this location.

**Officer response:** This is considered in sections 6.4 - 6.20 of the appraisals below.

**Highways:**

The applicant has yet again ignored the issues raised in the Highways and Road Safety Audit.

- The parking management plan proposed by the applicant is unworkable, unmanageable and unenforceable due to the failure in providing detailed information regarding the certainty and availability of alternative off-site parking and this demonstrates that the applicant is not committed to providing an appropriate solution.
- Practicalities of valet parking requiring guests to drive and enter the site, hand over the vehicle and receive tokens for the return of the car will impact the single lane entry and exit to and from the site and lead to traffic congestion on Brockley Hill especially with large number of guests.
- The aim of the proposal was to reduce trips generated by vehicles and car usage with coaches and the management plan submitted with suggestion of increasing car parking now would result in blocking access for coaches into the site to park on site. This contradicts the applicant's travel plan and impacts movement of emergency vehicles and raises highway safety concerns.
- Transport Assessment proposes 68-84 spaces on site for 500 guests with additional service staff, valets are totally inadequate as demonstrates in the 250+ parking available. This will result in overspill onto residential streets and Brockley Hill resulting in congestion as well as pedestrian and highway safety concerns impacting amenities of local residents.
- PTAL 1a of site suggests that any form of development would require numerous car and coach trips and contrary to policy DM41 of Local Plan.
- Previously the TA states 11 coaches but not detailed this time in the submitted documents.
- Insufficient on-site parking will lead to attendees parking in the surrounding residential roads and stopping on Brockley Hill to drop off and pick up attendees which will cause chaos on Brockley Hill and potential risk to safety;
- Increased road journeys especially by coaches will cause congestion in the area;
- The suggested off site parking will not be used by many attendees and the regular shuttle service between the off site parking area and the venue



will just unnecessarily increase the number of road journeys;

- The proposed no right turn into and out of the site will only cause traffic confusion and accidents;
- Vehicles approaching the site from the top of Brockley Hill, finding that there is no right turn into the site will then try to do a u turn at the mini roundabout at Pipers Green which will cause traffic accidents; Cars use Brockley Hill as a racing track late at night and will not expect traffic to be exiting from the venue thus causing potential accidents;
- There is no proposal to have enforceable speed restrictions on Brockley Hill which is already a safety issue and will get worse especially late at night when motorists use Brockley Hill as a racing track just when attendees will be leaving the venue;
- There is no guarantee that suitable offsite parking will be secured and that there will be any interest in a park and ride service. Any such scheme will mean a constant flow of coaches to and from the venue and will reduce the number of onsite carparking spaces; There is insufficient onsite parking for large events which will result in cars parking in Brockley Hill and the surrounding streets i.e. Brockley Park Estate, Pipers Green Lane and Brockley Avenue; They say that they will widen the access road and build a new pedestrian entrance but they do not own the land for either the access road or the for the pedestrian entrance; No interaction with people travelling to and from Wembley Stadium -Their Transport Assessment Report said there would be some overlap;
- They say they will provide a new safer and quicker footpath for pedestrians - This must assume that guests will park offsite in the surrounding roads and walk;
- Coaches leaving the site will result in congestion and cause safety issues for cyclist travelling along Brockley Hill;
- Proposal has failed to take account of the Stanmore Park application which will result in a huge displacement of parking to the surrounding neighbourhood;
- Vehicles will only be able to access from the Harrow side of Brockley Hill – vehicles leaving the venue will be allowed to turn right which will take hours to clear the site;
- How will the revised speed limit of 30mph is policed; the park and ride scheme will be unenforceable; poor infrequent lack of regular public transport links;
- A large influx of parked cars will increase the risk to pedestrians and lower the quality of life for residents;

- There is no guarantee that the client for any given event must organise and pay for a park and ride service;
- no other banqueting facility in the UK operates a park and ride service and therefore the solution is implausible;
- The applicant is misleading the Council – they state they own The Manor Hotel is Elstree but this is not accurate, the applicant is a leaseholder not a freeholder – they do not have the freeholders consent to offer the site as a park and ride;
- The Manor Hotel advertises itself as a wedding venue and the site would not be able to accommodate cars for two weddings. No commitment to add to the restricted manoeuvrability around Pipers Green Lane roundabout;

**Officer response:** The comments are considered in section 6.24 - 6.36 of the appraisal below

**Amenity:**

- Night events raise concerns regarding noise and disturbance;
- The regular occurrence of 500 plus attendees will cause excessive traffic, noise pollution and reduction in air quality It will cause excessive noise and disturbance to local residents at night especially when attendees are congregating outdoors;
- Evening events will end at midnight Sunday to Thursday, and 1.00am Fridays and Saturdays. Data provided by the carpark at their current venue showed that in 2019 the car park stayed open during the week 4 times to 12.30am, 35 times until 1.00am and 3 times until 2.00am. At weekends it stayed open 37 times to 1.00am and twice to 2.00am. In August, their busiest month, it stayed open until 1.00am 17 times – i.e. 4 to 5 times a week; They claim that the venue will only be at full capacity 500 guests approx. once a month - In 2019 24 events were for 400 guests, 20 at 450 guests and 10 at 500 guests. Based on these figures the venue will be at or near full capacity on a weekly basis;
- Disruption from building works;
- Fireworks at the venue will frighten farmstock and domestic pets;

**Officer response:** Had the proposal been considered acceptable a condition could have been secured to restrict opening times and to manage the use of fireworks. It is also noted that the Firework Regulations 2004 prohibit the use of fireworks 11pm to 7am. Noise issues are discussed further in section 6.4 of the Attached Committee Report in Appendix 1 below. Any building works are considered unlikely to have a detrimental impact on the amenities of surrounding

neighbours due to the distances of the closest residential properties. . However, a condition on Construction Management and Logistic Plan would have been attached, had the proposal otherwise been acceptable.

**Biodiversity/Environmental:**

- Ecology survey does not consider hedge along Brockley Hill which is a potential route for protected species (badgers and hedgehogs) to travel from Stanmore Country Park to Pear Wood. Increased traffic flow due to development along the access road would also impact these animals.
- The new application only covers a small part of the entire site and excludes the surrounding green spaces which in the original application the applicants said they would encourage flora and fauna – this will no longer happen;
- the proposal is a threat to wildlife including protected species;
- noise will impact on local wildlife;
- Proposal will result in increased air pollution; proposal will result in increased litter in the local area;
- We should be considering more green spaces to reduce the carbon in the atmosphere;

**Officer response:** This is discussed in section 6.6 of the report attached in Appendix 1 and paragraph 6.47 – 6.50 below.

**Other issues:**

- There will be a loss of an outdoor sports facility - contrary to Council's sport and recreation policy identifying the need to increase such facilities in the borough;
- The loss of the Golf Club House which provides the relevant infrastructure for the remaining Golf Course would result in Brockley Hill losing an essential community outdoor leisure facility;
- Why has this application been deferred and presented to committee on two occasions following substantial objection and professional advice and planning policy context;
- Since the original application there are now other sites that have become available and are more suitable for a banqueting suite e.g. the old Debenhams building in Harrow town centre that has a large car park attached to it, excellent Public Transport and will help to regenerate Harrow Town Centre Harrow Council can put as many conditions as they like into granting the application but compliance with those conditions will have to be adhered to by the applicants who have shown previously to

have total disregard for the laws of the land;

- The police have arrested 2 men on suspicion of arson and fraud with regards to this site. If they are found guilty and are shown to be linked to the applicants then how can the applicants be trusted to observe any restrictions or conditions imposed by Harrow Council when there is a blatant disregard to the laws of the land;
- The applicant, Sairam Holdings Ltd, does not own the site or any part of it;
- The applicant had a number of criteria that a new site/building - Located in the borough of Harrow where the applicant has an established client base, which they claim they could lose if they moved out of the borough. However, their survey shows that their guests come from all over the country;
- Increase in crime; Increase in anti-social behaviour; property devaluation; risk to security; other venues in the area – proposal not needed; Conflict of interest Harrow Council are moving into the applicants offices and so have a vested interest in permitting this application;
- No notices served on residents in Barnet in Pipers Green Lane and Brockley Avenue;
- More should be done to retain recreational facilities and green spaces;
- the closing of the golf facility has had an adverse effect on the locality;
- the pandemic has banned huge number of people congregating and their may be more pandemics in the future;
- The purported public benefit does not outweigh the negative effect the scheme would have on people and the enjoyment of their homes;
- loss of valuable space for outdoor sports and recreation; If there is a fire it will compromise the safety of the nearby neighbourhood; It does not support the night time economy of the town centre;
- no alternative sports venue can be built here if this venue is built;
- loss of sports facility will have a detrimental impact on the community;
- the plans will not be viable after covid;
- Sports England should be consulted.

**Officer response:** The above issues are discussed in sections 6.2 and 6.10 of the committee report attached in Appendix 1 and addressed in the Officer response to the concerns outlined in the committee report attached in Appendix 1.

In regard to new comments received as part of this consultation, these are addressed in paragraphs 6.60 – 6.68. The application had been deferred by committee to allow for further information in relation to refusal reasons where Officers were unable to make a full assessment due to the provision of inadequate information

#### 4.4 **Statutory and Non-Statutory Consultation**

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

Consultee and Summary of Comments
<p><b><u>External Consultees:</u></b></p> <p><b>English Heritage Archaeology:</b></p> <ul style="list-style-type: none"><li>• No comment received on submitted additional details</li></ul> <p><b>Environment Agency:</b> No comment received</p> <p><b><u>Internal Consultees:</u></b></p> <p><b>LBH Highways</b> Consultation response received on 21<sup>st</sup> October 2021:</p> <ul style="list-style-type: none"><li>• The parking management plan has been provided to respond to our concerns regarding overspill parking with larger events taking place (350+ guests) and there are potential issues with the measures outlined (concierge parking service, cars being moved off site and double parking to use maximum site capacity).</li><li>• The potential issues with the proposed measures relate to additional staff and trips and guests not wanting to use the concierge service for their cars and the service is still unenforceable. Therefore the proposed measures would not address the issue of overspill onto surrounding streets.</li></ul> <p><b>LBH Landscape Officer:</b></p> <ul style="list-style-type: none"><li>• No objection - Comments relate to the updated landscape report with reference to the fire damaged building and no objections raised in relation to the findings.</li></ul> <p><b>LBH Biodiversity Officer:</b> Consultation response received on 22<sup>nd</sup> October 2021:</p> <ul style="list-style-type: none"><li>• The updated survey still has shortcomings in relation to the time of this year has been carried out is not the optimal period and findings where an absence has been recorded and this cannot be accepted given the known presence of reptiles. However, it is recommended that to ensure protection and</li></ul>

enhancement measures these could be secured via condition.

- The new details submitted provide a precautionary approach and more than compensate for the loss of any potential roost features of the pre-existing building and this approach is considered to comply with policy DM21 in terms of enhancements.
- The submitted report falls short of recognising that badgers have a main sett close to the site and also utilise the site. Whilst a CEMP could include measures to address this during construction there are concerns regarding its long term survival.
- Given the location of the site within an open green belt area close to ancient woodlands and relatively distant from residential properties the lighting could potentially result in significant changes to the green belt.
- Despite the reference to an overall increase in hedgerow biodiversity as indicated by the Biodiversity Metric, it would take considerable years before there would be any real biodiversity gain
- The approach now taken in restricting the redline to the area in which development would occur which bears no relation to any existing boundaries rather than the whole of the development site is questionable.
- Taking account of the site's landscape and ecological context, and the ancillary biodiversity purpose of its green belt status, the scheme raises concerns however it is possible to make the scheme an acceptable sustainable development, providing biodiversity benefits, appropriate to its strategic location by securing details via condition, In the event that there might be over-riding reasons for supporting the scheme, conditions required are in relation a provision of a reptile survey, a Construction Environment Management Plan (CEMP), a Landscape Enhancement Management Plan (LEMP).

### **Other Consultee Responses**

#### **Greater Stanmore Country Park Management Committee:**

- The documents submitted by the applicant in October 2021 do not mitigate objections previously raised.

We object to the planning application for the following reasons:

- We are extremely concerned about the state of the remaining area of the former golf club site – future applications should include the whole site, from the public land of Brockley Hill Field in the south to Pear Wood in the north. This will allow the Council to make stipulations about the management of the land to enhance it for both people and wildlife and prevent damage to the neighbouring nature reserves.

- The ecological assessment submitted on 1st October 2021 made no use of trail cameras or other devices to assess the extent to which the site, and particularly the hedge along Brockley Hill, is used by wildlife. In particular by badgers and hedgehogs as a corridor to link Stanmore Country Park and Pear Wood to the north. Without such evidence our objection, that the development and night time traffic along the access road will adversely impact this wildlife, remains unaddressed.
- The proposed building will adversely impact and harm the openness of the green belt, since as acknowledged by the applicant it will be 30% larger in footprint and volume than the building it replaces.
- We are extremely concerned regarding the night time noise and light pollution from the proposed venue, not only music and traffic but also the possibility of fireworks which would all severely impact the protected nocturnal animals of Pear Wood, Stanmore Country Park and Wood Farm.
- The proposed building would adversely impact and harm the openness of the Green Belt.
- The applicants do not make a make a convincing case that there is a need for another banqueting facility in the Stanmore area. There are a number of such facilities in the area, one is the Shree Swaminarayan Temple in Wood Lane less than a mile away which has at least three function halls catering for weddings and events.
- In our view the ideal use of the site would be as an addition to the open natural space of Greater Stanmore Country Park.

### **Save Our Brockley Hill Neighbourhood Group**

- Proposal constitutes inappropriate development within Green Belt and no very special circumstances have been demonstrated by applicant;
- The proposal will result in a loss of established sports facility without appropriate justification for the loss or appropriate consideration of alternative sports or recreational use;
- The over intensive and unsustainable use of sensitive Green Belt site
- Harmful impact on openness of Green Belt;
- The application fails to demonstrate biodiversity net gain can be achieved on site and fails to demonstrate biodiversity value of surrounding area would not be harmed, protected or enhanced;
- The proposal does not provide appropriate level of car parking to cater for use and would increase traffic on the highway network and would be detrimental to highway safety;
- The revised Parking Plan proposing packing the carpark with double parked cars would limit access to the site by coaches and emergency vehicles, exacerbate delay;
- resulting in unacceptable pressures on the surrounding road network;
- The application will adversely impact the amenities of the neighbouring properties and area, as a result of noise and disturbance;

- By reason of its remote location, the proposed development would not contribute to the night time economy;
- The applicant's proposed use of a negatively worded planning obligation for an 'Overflow Parking Scheme' is unacceptable. Any details of this type of scheme need to be assessed and committed to prior to a grant of planning permission;
- No suitable hours of operation or relevant controls on outdoor activity have been put forward for assessment
- Therefore the applicant fails to demonstrate material considered to warrant departure from relevant policies.

## **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The Government has issued the National Planning Policy Framework [NPPF 2021] 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.
- 5.4 In this instance, the Development Plan comprises The London Plan 2021 [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].
- 5.5 A full list of all the policies used in the consideration of this application is provided as 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, Trees and Landscaping
  - Heritage and Archaeology
  - Energy and Sustainability
  - Development and Flood Risk
  - Accessibility and Fire Safety
- 6.2 The Planning Committee report presented to Planning Committee on 30<sup>th</sup> June 2021 assesses these issues which is attached in Appendix 1.



- 6.3 This report assesses the additional information which has been required to address the recommended reasons for refusal and whether the Council still considers it reasonable to warrant a refusal. These relate to the following issues:

Impact on Openness of the Green Belt

- 6.4 The recommended reason for refusal (1) relates to the applicant failing to demonstrate that the proposed development would not have any greater impact on the openness of the Green Belt than the existing development on the application site. The applicant failed to demonstrate that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development on the application site and the development is considered inappropriate within the Green Belt and the applicant failed to demonstrate very special circumstances where the harm in regards of its inappropriateness is outweighed by other considerations.
- 6.5 In order to address this reason for refusal the applicant has now submitted additional information outlined in the Supplementary Openness and Landscape Appraisal dated Sept 2021 and Appendix 1: Landscape and Visual Appraisal (CLPD 036 R02b) dated Sept 2021.
- 6.6 The attached committee report as part of Appendix 1 outlines the policy context and definition of 'openness'.
- 6.7 The applicant previously provided supporting documents to demonstrate the impacts on openness and previously developed land in relation to the building as it existed prior to the fire.
- 6.8 Paragraph 145 (d) of the NPPF stipulates that the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces, may not constitute inappropriate development. Whilst Paragraph 145 (g) states that partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development may not constitute inappropriate development. In regards to point (d) the two requirements must be met which is (i) the proposed building must be in the same use as the existing building and the proposed building cannot be materially larger than the existing building. Both these requirements have not been met by the proposed development given its use and increase in size. This is detailed in the attached committee report (Appendix 1).
- 6.9 In regards to point (g) the criteria for this is that (i) the entirety of the proposed development must be on previously developed land (ii) the proposed development must not have a greater impact on the openness of the Green Belt than the existing development. Openness, in this regard, has both spatial and visual aspects and relates to the degree of activity likely to be generated by the proposed development.
- 6.10 However following the planning appeal decision outlined in the attached committee report for the 30<sup>th</sup> June 2021, as part of Appendix 1 for a 5 bedroom, two storey dwelling within the Green Belt at Lanbrook, St Mary's Lane, Hertingfordbury, East Hertfordshire (planning ref: APP/J1915/20/3254917) where the decision made by the Planning Inspector considered that the proposed development replacing the existing

building must exist at the time of the proposed replacement. Therefore Paragraph 145(d) of the NPPF would not apply. It was considered by the Planning Inspector that the proposal would fall under Paragraph 145(g) of the NPPF and the pre-existing building was not considered, and existing site circumstances must be taken into account in the assessment. On this basis, the Council Officers must consider the current situation on site where much of the existing building has been destroyed by the fire.

- 6.11 The updated Landscape and Visual Impact Assessment (LVIA) has taken into consideration the existing situation post fire and a Supplementary Openness and Landscape Appraisal has been submitted which assesses the development in relation to Paragraph 149 of the NPPF where inappropriate development in the Green Belt should not be approved except in very special circumstances. This is discussed further below in the relevant subsection.
- 6.12 The updated LVIA illustrates the remaining steel structure of the former clubhouse building where the maximum ridge height still exists. However, it is clear that the majority of the remaining structure allows open views through the steel framework.
- 6.13 The supporting information and images in the previous LVIA indicate that the site is entirely screened by mature vegetation when viewed from Stanmore Country Park to the west of the site from Augustus Close and from the residential development to the south.



7: Taken from residential edge of Augustus Close. Orientation: North Distance from site: 240m

View from edge of Augustus Close to the south



8: Taken from permissive footpath within Wood Farm Country Park. Orientation: East Distance from site: 350m

View from Stanmore Country Park

- 6.14 There would be no alteration in relation to the existing vegetation around the site and therefore Officers accept that the proposed replacement building would not be visible from these vantage points from the identified long and medium distance views outside the site even in relation to the existing site conditions.
- 6.15 In regard to more localised views within the site and inside the existing mature tree line, the remaining steel frame structure and remaining parts of the clubhouse are highly visible. The remaining structure, fencing and netting associated with the golf course area to the north are visible from some views from the green space to the south, and the upper slopes within the site continue to impact on the openness of the Green Belt as well as the presence of fencing and netting seen around the wider golf course.
- 6.16 The remaining walling and metal fencing around the former club house also continue to contribute to the developed nature of the southern part of the site and reduced sense of openness of the site.



Image C: View looking back towards site with existing fencing seen in the foreground

#### View from southern boundary looking back at remaining building



Image F: Detailed clubhouse building

#### View from within the site showing remaining building steel frame and existing fencing

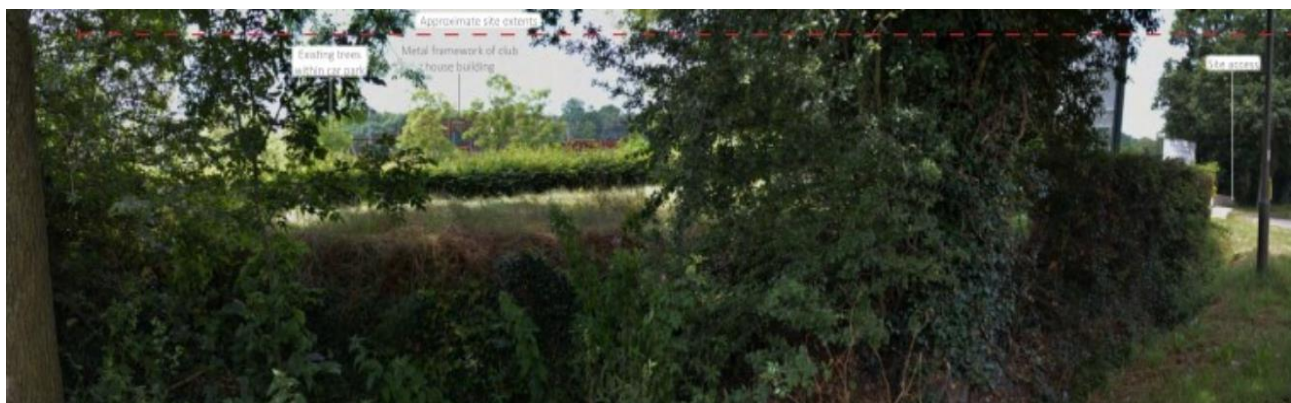
- 6.17 However, the site can currently be seen from Brockley Hill to the east and areas of hard standing exist which are associated with the car park and access road. Whilst these are limited to the south of the site they can be seen from the entrance and reduce the sense of openness. The photo views now provided in the updated LVIA show this view with the existing steel structure of the building which can be seen from this vantage point.





Existing View of Site from eastern entrance along Brockley Hill with security gate.

- 6.18 In addition, partial views of the steel structure are visible from Brockley Hill when travelling north west where the existing vegetation runs along Brockley Hill to the south east of the site.



View of Site from western side of Brockley Hill

- 6.19 It is considered that the updated views and additional information submitted allows Officers to make an accurate assessment on the openness from these vantage points. The existing remaining structure is not considered to have any floorspace or volume as there are no internal/ external walls, floors or roof present and is completely open to views of the surrounding landscape. As such, in officer's judgement, there would be substantially greater impacts on openness of the Green Belt as a result of 100% increase in volume and floorspace as well as the introduction of a solid developed building mass into the landscape as opposed to the open sided structure which currently exists on the site. On the basis of the current site conditions where the remaining structure of the golf clubhouse has a much reduced visual impact within the landscape, it is considered that whilst the proposed building would have a more compact form, it would appear as a solid developed mass and would result in a greater visual impact on the openness of the Green Belt in comparison to the existing situation. It was previously recommended in paragraph 6.2.33 of the attached Committee Report in Appendix 1, that the fencing and netting surrounding the golf course is removed and the bunkers surrounding the land is infilled for

ecological purposes. However, these are not within the red line boundary of the application site and the applicant would be unable to remove these. In any case, it is considered that this would not be sufficient to mitigate the greater perceived impact on openness that the proposed building would have on the Green Belt. As such, it is considered reasonable to warrant a refusal on this basis.

#### Very Special Circumstances

- 6.20 The applicant has now presented a case for 'Very Special Circumstances; to justify a departure from the paragraph 145 of the NPPF. This has been provided within the planning statement and a Supplementary Openness and Landscape Appraisal.
- 6.21 A new building and its associated use must be justified in policy terms. The applicant outlines in the updated planning statement that 'very special circumstances' exist and that they outweigh the limited harm to the Green Belt as a result of the development which comprise of (i) the replacement of the fire damaged building with a building that is of a significantly higher quality and appearance which secures the long term future of the site (ii) need to relocate the banqueting business in the borough where there is an absence of any alternative sites that could accommodate the facility (3) the need for a banqueting facility to support the diverse, multi-ethnic communities of the borough (4) Biodiversity net gain.
- 6.22 As mentioned in paragraphs 6.2.39 to 6.2.42 of the committee report attached in Appendix 1, it is not accepted that the replacement of a fire damaged building with a new building for banqueting facility would amount to 'Very Special Circumstances' given that this is a town centre use, is a private business with limited community value and there is no evidence of demand or need for such a facility in the borough.
- 6.23 Therefore the applicant has put forward a justification to demonstrate very special circumstances and the harm in regards of its inappropriateness is outweighed by other considerations. However, this is not considered acceptable and does not amount to 'Very Special Circumstances' and it is considered reasonable to warrant a refusal on this basis.

#### Transport, Parking and Highway Safety

- 6.24 The recommended reason for refusal 2 relates to the failure to provide adequate on site or off site car /coach parking and lack of integrated drop off facilities which raises concerns regarding significantly intensified site usage and generated trips. The proposed use would result in on site congestion and parking overspill into the London Borough of Harrow and Barnet and particular concerns are raised in relation to parking along residential streets to the south eastern side of the site which would result in a harmful impact on highway and pedestrian safety along with the amenities of neighbouring residential properties.
- 6.25 The proposal due to the nature of events held (weddings and celebrations) most visitors travel by car or coach. Therefore, it is considered necessary to have access to a car park.
- 6.26 The maximum capacity of events is considered to be 500 people in attendance which is based on the number of attendees in 2019 which could be achieved per month given the banqueting use. The applicant has now provided a parking management

plan seeking to address the concerns raised relating to adequate on site or off site car / coach parking with integrated drop off facilities for the banqueting use. The submitted parking management plan outlines that the site would operate in a manner to ensure that no overspill of car parking would occur even in a worst case scenario for a maximum capacity event of 500 attendees where they consider 90% of guest would be travelling by private car. The applicant considers that this would be achieved by providing a concierge service where vehicles upon arrival would be directed to a car parking space and manage the car park and if required vehicles would be driven to an off site location at Elstree Manor Hotel situated on Barnet Lane, Elstree which is in ownership of the applicant which is within 3km from the application site. The applicant states that the main aim of the submitted travel plan is to minimise car use and rely on public transport.

6.27 Coach travel can be encouraged which would help reduce the number of cars attending but it cannot be forced meaning that overspill parking may occur. Public transport is also something that cannot be forced given the nature of events and location where many guests will choose to use cars.

6.28 The applicant anticipates that this level of attendance would only occur once a month and the following measures would be implemented:

- Concierge parking service
- Some cars moved off site to Elstree Manor Hotel in Elstree
- Arranging parking to ensure maximum site capacity is used (including double parking)

6.29 The concierge parking involving a valet to drive and park guests vehicles and in the scenarios presented, this could either be on site or off site. The Council Transport Officer reviewed this proposal and outline that there are potential issues with this as this service would result in the following:

- Additional staff which may require parking;
- Generating additional trips due to concierge service for off site parking
- The concierge service cannot be imposed on guests where many may not want to use this service and park on nearby residential streets within the borough and those streets within Barnet's borough boundary.
- This is also an unenforceable situation for the Council.

These potential issues are detailed below.

#### Additional staff

Officers raise concerns regarding the potential for additional staff required for the valet service and additional staff parking required on site. The staff would also need to be trained with appropriate insurances in order to give confidence in a professional service being provided on site which may still result in hesitation from guests in handing their car over to park on site or off site.

### Generating additional trips

- 6.30 Whilst it may not be a high number of journeys, it is considered that the first scenario of relocating vehicles to the Elstree Manor Hotel situated in Elstree would result in additional trips which would be a further two, two-way trips for each relocated vehicle. The Council seeks to secure proposals which minimise the number of trips generated by vehicles which the scheme fails to achieve.

### Concierge Service

- 6.31 The concierge service with appropriate level of legal requirements being met with insurance and experienced staff, it is still likely that some guests will decline to use the service with their vehicle driven by a concierge and especially if the vehicle is being taken off site. Therefore, the proposal still raises concerns in regards to overspill of cars on the surrounding highway network particularly on the residential streets to the south east of the site.
- 6.32 The applicant has previously indicated that in their view when considering the use of a planning obligation, the decision maker needs only to be satisfied that the impact is in principle capable of being managed by an obligation or condition. It was suggested by Officers that the parking scheme could be refused post consent of planning permission if it was considered to be inappropriate or inadequate. Officers also stated that it would not be appropriate to grant planning permission which was subject to an obligation which might not be possible to implement.
- 6.33 In regard to the proposed concierge service it is unclear how the obligation to use a concierge service could be enforced. Officers consider that this service cannot be secured via legal agreement and if guests decide to choose not to use the service they would not be in breach of the agreement where they are free to park their vehicles elsewhere. The operator can realistically only be expected to implement the service but could not be expected to force guests to use the service.
- 6.34 In a scenario where utilising the maximum capacity of the site to some extent is considered feasible but only to a point where people would be able to move their own vehicles as guests may not be willing to allow a concierge service to provide this service. There are concerns regarding the potential overcrowding of the car park which may lead to congestion within and outside the site if this is not properly managed. There is also concern that the Elstree Manor Hotel in Elstree hosts weddings and functions which is outlined on their webpage and generates its own guests and associated parking. Whilst the car parking management report outlines that the hotel would be able to accommodate in excess of 100 parked cars, the applicant fails to provide evidence and detail how this would be managed with additional parking from the proposed banqueting use at the application site. Therefore, Officers do not consider the off site parking option feasible with the existing events and functions held at Elstree Manor Hotel. In addition, this cannot be enforced.
- 6.35 As previously mentioned, the coach travel can be encouraged but it cannot be forced meaning that overspill parking may occur. The previous submitted transport assessment and travel plan suggests use of private cars for event is more likely rather than public transport given the likely nature of the events (large scale one off events such as weddings), based on travel patterns associated the firm's Wealdstone

site which is in a more sustainable urban location than the proposed site. However, it also shows that the majority of users would be dropped off at the site via chartered coaches (55% and rising over the 5 year travel plan). Officer at LB Barnet previously stated that it is important for the drop off facilities for coaches and taxis are well integrated into the parking layout to prevent localised congestion and to properly facilitate this more sustainable mode of transport over private cars being parked in nearby residential areas. There are still no details provided in how this would be managed and only as a default position in scenario 2 of the car parking management plan for emergency vehicles where coach tracking diagrams are shown. There is still concern regarding the number of coaches for large events where it has been previously said to be 11 coaches. This is not an integrated permanent suggestion and appears to be another ad hoc solution for the coach parking and no designated coach spaces within the layout.

- 6.36 In summary, the Council considers that clearly efforts have been made by the applicant to address the issue of overspill parking, however, these measures cannot be enforced and relies on the co-operation of the guests. In addition, the proposed measures in any case would not guarantee that they would actually address the overspill concerns. In addition, this is a difficult location to achieve significant modal shift. The coach parking with the number of coaches for larger events, would likely result in congestion along Brockley Hill and an adequate on site or off site car / coach parking with integrated drop off facilities for the banqueting use has not been provided. Therefore, it is considered reasonable to recommend refusal on this basis.

#### Impact on any Archaeological Assets

- 6.37 The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: Possible site of Roman settlement of Sullonicae. The primary purpose of the APA in the planning system is detailed in the attached committee report in Appendix 1. In summary an APA primary purpose is to help highlight at an early stage where a development proposal may affect a heritage asset of archaeological interest and so trigger early consultation with the borough's archaeological adviser on the need for site specific assessment and field evaluation.
- 6.38 The site lies to the south of a Roman pottery manufacturing site and Roman settlement. The pottery manufacturing site is one of the earliest in Britain and as a result has been designated as a scheduled monument. An evaluation carried out in 1995 recorded the remains of a Roman Road called Watling Street and concluded that there is potential for further evidence of Roman settlement and associated artefacts. Therefore, the Greater London Archaeological Advisory Service (GLAAS) recommended a field evaluation to inform the application.
- 6.39 The applicant previously failed to provide an adequate archaeological evaluation of the application site and failed to demonstrate that potential archaeological assets of significant importance would not be harmed, and impacts minimises through appropriate design and construction. The latest submission details that trenching was undertaken in August 2021 in accordance with a scope of work agreed with the GLAAS involving the excavation of five trenches on the north western side of the clubhouse. The findings showed that there were no in situ archaeological deposits. Therefore, no further investigations are required and that the field work carried out overcomes the recommended reason for refusal in the original report.



## Biodiversity

- 6.40 It was considered in the original report for 30<sup>th</sup> June 2021 planning committee that in the absence of adequate Ecological Assessment the applicant failed to address the sites strategic Green Belt location and the sites boundaries including its close proximity to the adjoining Pear Wood and Stanmore Country Park Site of Importance for Nature Conservation and failed to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced.
- 6.41 The northern and western boundary of the site are adjacent to the Pear Wood and Stanmore Country Park Site of Importance for Nature Conservation (SINC). The applicant's previous assessment only considered direct impacts of the development and its construction within the red line boundary. Given the location of the site within an important chain of sites within the local ecological network, this was considered to be a weakness. This extends to the impacts of the use of the site on the adjacent area and e.g. to the impacts resulting from emissions and particulates associated with vehicle movements.
- 6.42 In regards to protected species, the Council's Biodiversity Officer previously advised that the applicant did not complete an adequate survey series to potentially rule out the presence of bats in an area of open countryside with woodland and waterbodies. In addition the evidence provided previously as part of a reptile survey was not considered acceptable where seven visits over a period in October given ground conditions is out of the effective survey season. Officers stated that given the known presence of amphibian and reptile species to the north, west and south of the gold course, the lack of positive records should be taken as an indication of failings of the failings of the approach adopted particularly in regards to the timing and duration of the survey. The conclusions reached about the potential presence/absence of reptiles within the red line of the site were considered unsafe.
- 6.43 In addition, there is known extensive badger sett presence in Pear Wood there is no mention of this potential presence on site along with any hedgehogs where there is a known presence of them in the area but were not been considered in the assessment.
- 6.44 The applicant has now submitted a Technical Note prepared by their consultant which seeks to address the concerns raised. The matters raised have been addressed in the subsections below.

## Protected Species

- 6.45 In regards to reptiles, the new report states that no reptiles were recorded during any of the surveys which were carried out in August 2021. The Council's Biodiversity Officer advises that whilst a survey could be used to confirm the presence and provide an indication of likely numbers, it cannot be provided to prove absence and it would be necessary for a robust survey if a negative survey is to be relied upon. Ideally the surveys should be carried out in April to May and into June and also at different times during the year than concentrated into a brief period at different times of the day. The surveys carried out in August are outside the optimum period. However it could be argued that this August was relatively cool and conditions may have been better than normal but cloudy with showers which is not ideal for reptiles

basking. The extensive fly tipping on the site, would have provided an abundance of shelter and basking locations. An extended survey would have been beneficial with rather than just at the site margins. Given the known presence of reptiles within the area and wider golf course site the surveys have not been considered to be carried out at the optimum periods especially after two rounds of surveys.

- 6.46 Therefore, on this basis the absence of reptiles cannot be accepted by the Council. However, with minimising harm to reptiles and other species that may reside within the site or use this on a seasonal basis if the development had been considered acceptable the Council would have ensured protection and enhancement measures are secured via condition.
- 6.47 In regards to bats, the Council's Biodiversity Officer advised for a precautionary approach to be applied to ensure that any new building would be designed to offer equivalent or better roost potential than the pre-existing building. The new details submitted provide a precautionary approach and more than compensate for the loss of any potential roost features of the pre-existing building and this approach is considered to comply with policy DM21 in terms of enhancements.
- 6.48 The submitted report falls short of recognising that badgers have a main sett close to the site and also utilise the site. Whilst a Construction Environment Management Plan (CEMP) could include measures to address this during construction there are concerns regarding its long term survival. In addition, the proposal would increase the hard surfacing than the current layout and it is unlikely that badgers would then be welcome within the formal lawn area or plant beds. The scale of any reduction in feeding areas and improved quality has not been addressed by the applicant. In addition, there is also the potential loss in habitats and the isolation from Stanmore Country Park for hedgehogs.

#### Lighting

- 6.49 Whilst the report now reflects on the need to address potential lighting issues raised in the original report for 30<sup>th</sup> June Planning Committee, the scheme itself does not provide any details of proposed lighting. It would be expected that the building, car park access routes and perhaps the pagoda would be illuminated. Given the location of the site within an open green belt area close to ancient woodlands and relatively distant from residential properties the lighting could potentially result in significant changes to the green belt.

#### Hedgerow

- 6.50 Despite the reference to an overall increase in hedgerow biodiversity as indicated by the applicant in their latest submission, it would take considerable years before there would be any real biodiversity gain.

## Biodiversity Net Gain

6.51 There were concerns raised by Officers regarding the Biodiversity Net Gain metric prepared for the site as part of the original submission and the points raised within the paragraphs 6.6.17 to 6.6.20 of the committee report attached as Appendix 1. The applicant seeks to address these in Table 2 of the submitted Ecological Assessment Report dated 1<sup>st</sup> October 2021. The Council's Biodiversity Officer has reviewed the rebuttal provided and whilst the report claims a 20.02% net gain in biodiversity units and a 49.55% increase in hedgerow the factors to consider are still of concern and these are outlined below in the points below.

- In regards to the actual extents which are considered relatively small even in the context of the red line, let alone the full golf course. The applicant considers this extents not to be relevant as the boundary is the only area to which the metric needs to be applied as it is the only area to be affected by the proposals. The applicant states that the extent of areas are small as the extent of impacts are small. However Officers consider that there is a misunderstanding here as the 'extent' is concerned not with the total amount but the fact the even very small patches of shrubs within the car park have been counted and collected together. The reality would be that the proposed landscaped garnishing to the car park would have a minimal biodiversity value and it is necessary for the proposed landscaping to be evaluated in terms of performance and not on any metric calculation which does not take into account indirect impacts.
- The submitted original report outlined mitigation measures and enhancement rather than making definite commitments, which renders the gain calculations somewhat uncertain. The latest report states that this could be secured via condition for 10% gain. However Officers consider that for a major scheme of this nature it would be expected to be outlined as part of the submission.
- It was considered by Officers that whilst the SUDs will have welcome added value for biodiversity, it will need to be provided as a means of managing run-off from the increased hard surface footprint and needed to be excluded from the net gain calculation. The applicant states now that SUDs should always be included within the metrics with the appropriate planning condition applied. Officers consider that whilst biodiversity gain should be additional to development obligations and it is reasonable to recommend a before and after calculation of biodiversity unit value to be employed.
- Officers previously considered that there had been no evaluation of the impacts of the operation of the site on the suggested value of the post-development habitats, either within or beyond the development site. The Biodiversity Metric 2.0 made no provision for such impacts, one of its weaknesses, but they should have been addressed. Similarly, there would be knock-on impacts of the result of guests and staff travelling to the site and, whilst it is difficult to gauge these, they would necessarily be greater than at present. The applicant's assessment now states that the operational impacts as a result of the proposal could be mitigated through implementation of a Landscape Enhancement Management Plan (LEMP) as described in the EA.

However Officers consider that as part of a major development should identify and evaluate the potential impacts rather than only listing them.

- 6.52 Officers also considered that the changed approach taken from the pre-application stage discussions with the redline to the area in which development would occur failed to address the impacts on the surrounding land and the existing site conditions following the fire.
- 6.53 The Council Biodiversity Officer also outlined that the proposal failed to take account of the site's landscape and ecological context and the ancillary biodiversity purpose of its green belt status and the proposal was considered to be unacceptable. The applicant states that EA and Biodiversity Net Gain metric were prepared to inform the scheme within the red line boundary which demonstrate that the proposal would deliver enhancements and overall net gains for biodiversity which could be secured via planning conditions. The applicant also states that green belt land use status does not infer intrinsic ecological importance and an area of very low ecological importance and mitigation measures could be secured via a Construction Environment Management Plan (CEMP) condition and that there is no obligation in policy context to secure biodiversity gains outside the red line of the site.
- 6.54 Officers outline that the importance of the green belt for biodiversity in strategic terms both as a major green corridor linking the sites and adding to its value and in relation to development which could either conflict with the strategic purpose or where in exceptional circumstances be approved it should strengthen the network of sites and benefit biodiversity within the borough in accordance with policies DM20 and DM21. The earlier response made no suggestion that there should be provision of any mitigation or gain outside the site boundary. The concern is more with the nature of gain provision on site and the ecological value this would have actually in the circumstances, together with the potential isolation of the site. The concerns have always related to the nature of gain provision on site and the ecological value together with potential isolation of the site. The proposal relies heavily on post hoc conditions rather than being intrinsic to the design of the scheme being determined.
- 6.55 Conclusion
- 6.56 In summary, the follow up survey focussing on the development site is an improvement but still has some shortcomings. There has been no suggestion that green belt designation equates to ecological importance in itself and the Harrow green belt has strategic importance in relation to biodiversity conservation and ecological networks in the borough and is a material consideration for schemes.
- 6.57 Whilst there are concerns regarding the details submitted in securing biodiversity enhancements on balance Officers consider that these could now be secured via appropriately worded planning conditions to achieve the outcomes including long term benefits to a much wider area and enhance the local ecological network. As such, it would not be reasonable to warrant a refusal on this basis.

### Loss of Existing Community and Sports Facilities

- 6.58 Whilst the loss of the existing facility had initially been considered acceptable following the Planning Inspector's decision relating to the previous planning application under ref: P/1525/17 and this is discussed in detail within the original planning committee report for 30<sup>th</sup> June Planning Committee in paragraph 6.2.56 further comments were sought from the Greater London Authority in respect of policy S5 of the recently adopted London Plan 2021. This new policy is much more explicit than the previous London Plan policy (London Plan (2016) policy 3.19) and paragraph 97 of the NPPF (2019) which considers how the loss of sports facilities/recreation land should be assessed. This clarifies that sports and recreational land should be retained unless an assessment has been undertaken in relation to existing need or alternative sports and recreation provision if the existing use is no longer required.
- 6.59 The previous extant appeal decision did not consider the need for alternative sport and recreation uses in the borough as this was not explicitly required or set out. As such, officers consider the current recently adopted London Plan policy S5 is relevant to the consideration of this assessment in respect of consideration of alternative sports provision.
- 6.60 It is noted that this policy was not commented on by the Greater London Authority as the author of the London Plan in their Stage 1 report on the application. As such, Officers sought clarity on this issue from the GLA who advised that the stage 1 report pre dated the now adopted London Plan and in the event that the application is referred back to them (should the application be granted), an updated policy assessment of this policy would be included at stage 2. Whilst the applicant has explored the need for retention of the existing use which has been informed by the adopted Harrow Outdoor Sports Strategy (2013), there had been no consideration of the need for alternative sports provision on the application site, taking account of the borough needs (either in respect of indoor or outdoor sports provision). In light of the above, it was considered the proposal failed to comply with paragraph 97 of the NPPF (2019) and policy S5 of The London Plan 2021 and the additional reason for refusal was recommended.
- 6.61 The latest submission of details seeks to address the policy requirement for any alternative uses outlined in the Planning Statement and the Council's Outdoor Sports Strategy (2012) and the Indoor Sports Facility Strategy (2018 – 26) have been reviewed in order to identify types of sport facilities that there is a requirement for in the borough. The assessment submitted identifies that the Council's Outdoor Sports Strategy (2012) outlines that there is a shortfall of one Multi Use Games Areas (MUGA's) and three flood lit Synthetic Turf pitches used for sports such as football and field hockey. The applicant also identifies two types of indoor sports facilities for which there could be a future need in the borough are indoor swimming pools and sports halls. Officers agree with this list of facilities needed within the borough.
- 6.62 The Appendix 3 of the applicant's submitted planning statement outlines reasons for the site not being suitable for these identified uses. The applicant outlines that the site is not considered to be a size required for a full size synthetic turf pitch whilst it could provide a single MUGA and Officers agree with this given the size of the site. However the topography of the site with level differences which would require

excavation and levelling with the construction of associated retaining structures would not be considered feasible which is agreed by Officers and this would also significantly alter the character of the site and how this sits within the Green Belt. The applicant outlines that the MUGA or turf pitch would require fencing, rebound boards and kickboards with weldmesh cladding resulting in a harmful impact on the openness of the Green Belt.

- 6.63 The applicant's assessment stipulates that the useable part of the site would not be suitable for an indoor swimming pool or sports hall as they are both considered to require a large building to accommodate the uses within the Green Belt which would fail to meet the requirements of 'very special circumstances' under Paragraph 144 of the NPPF. Officers agree with this statement as the indoor uses would require structures to accommodate the uses and would not be discreet within the Green Belt.
- 6.64 The applicant also outlines that existing sports hall at existing educational facilities could be used to meet the demand in the borough for indoor sports hall. This is considered to be a very general statement and no evidence or case been presented to demonstrate how this has or would be operated in the borough. The applicant also states that there are concerns relating to such uses and their impact on nearby residents given their operating hours with the number of visitors with vehicular movement potentially increased given the site location and PTAL rating of 1a. However in the absence of any evidence from similar uses in green belts or near residential properties Officers are unable to confirm this and consider that the banqueting use generates similar concerns especially on full capacity events.
- 6.65 The typical catchment for a swimming pool or sports hall according to the Harrow Indoor Sports Study is 20 minutes walking distance. Figure 5 and 7 of the Indoor Sports Assessment outlines that the site is already within walking distance of two indoor sports facilities that provide a swimming pool and sports hall. Officer's acknowledge that these facilities are more needed in the south of the borough and the site is not within 20 minutes walk for these residents within the southern part of the borough.
- 6.66 In summary, whilst efforts have been made by the applicant to explore alternative sports and recreational uses of the site the submission lacks details relating to their feasibility and options presented such as sports hall being used within existing educational facilities. This has not been justified with any supporting evidence. However Officers consider the site is unlikely to be suitable for uses that are needed within the borough given their potential impact on the visual openness of the green belt with buildings housing the indoor uses and the outdoor uses would only be appropriate with significant alterations to the land levels and would introduce potential structures and barriers associated with the sports (football and hockey). Therefore it would not be reasonable to warrant a refusal on this basis.

## **7.0 CONCLUSION AND REASONS FOR REFUSAL**

- 7.1 Following the request for additional details to address the recommended reasons for refusal it is considered that the proposed development is still unacceptable in principle. There is no policy within the NPPF or Planning Law which outlines that the Council should consider the pre-existing site circumstances. The applicant has now provided an updated Landscape and Visual Impact Assessment taking into

consideration the post fire situation and the updated views allows the Local Planning Authority to accurately assess the openness from these vantage points and it is considered that the proposed development would have a substantially greater impact on the openness of the Green Belt given the introduction of a solid developed building mass into the landscape in comparison to the existing steel open frame structure. As such, the proposal would not comply with Paragraph 145(d) and (g) of the NPPF. The 'Very Special Circumstances' put forward are not considered to amount to 'VSC' given this is a use generally found within town centres. Therefore the principle of development is unacceptable.

- 7.2 In regards to overspill parking on the surrounding highway, the submitted car parking management seeking to address this with measures put forward which consist of concierge parking service, moving cars to another hotel site in Elstree owned by the applicant and double parking to maximise site capacity. These measures are not considered acceptable and cannot be enforced via legal agreement because guest cannot be forced to use these services. Therefore the proposal would fail to provide adequate on-site or off-site car and coach parking and lacks integrated drop off facilities to serve the proposed use. In addition, the moving of vehicles off site would significantly intensify site usage and generate further trips. There is still no designated or integrated drop off facilities to serve the banqueting facility for coaches. As such the proposed would result in site congestion and parking overspill into the borough and Barnet with particular reference to streets to the south east of the site and is therefore considered detrimental to highway and pedestrian safety and amenities of neighbouring properties.
- 7.3 The archaeological survey has now carried out a field evaluation in accordance with a scope of work agreed with the GLAAS which involved the excavation of five trenches on the north western side of the clubhouse. The findings showed that there were no in situ archaeological deposits. Therefore no further investigations are required and that the field work carried out overcomes the recommended reason for refusal. If any additional comment is received from GLAAS, it would be reported to the Planning Committee.
- 7.4 The submitted revised ecological assessment and follow up surveys focus on the development site and is an improvement but still has some shortcomings with no mention of green belt designation equating to ecological importance and surveys not being carried out at the optimal period with results showing no reptiles when there is known presence of them. Whilst there are concerns with the submitted details Officers consider that these matters could now be secured via planning conditions to achieve outcomes including long term benefits to a much wider area and enhance the local ecological network. As such it would be unreasonable to recommend refusal on this basis.
- 7.5 The submission details for alternative sports and recreational facilities to address the requirement of Policy S5 of the London Plan (2021), whilst efforts have been made by the applicant to explore alternative sports and recreational uses of the site, the submission lacks evidence base for their findings such as sports hall use being used within existing educational facilities. However it is considered that the alternative indoor uses may be inappropriate given the potential buildings required and their impact on the visual openness of the green belt and the outdoor use with associated fencing, barriers and land level changes would also raise concerns in terms of its

impact on the openness of the green belt. Therefore, it would not be reasonable to warrant a refusal on this basis.

- 7.6 In summary, the principle of development is considered unacceptable and only three of the five reasons for refusal have been addressed. As such the proposed development fails to comply with policies outlined above and is recommended for refusal.

**Checked**

Interim Chief Planning Officer	Beverley Kuchar 01/11/2021
Corporate Director	01/11/2021



## **APPENDIX 1 – Committee Report - Item 1/01**

### **LONDON BOROUGH OF HARROW**

#### **PLANNING COMMITTEE**

**30<sup>th</sup> JUNE 2021**

**APPLICATION NUMBER:** P/3088/20  
**VALID DATE:** 18<sup>th</sup> SEPTEMBER 2021  
**LOCATION:** STANMORE AND EDGWARE GOLF CENTRE,  
BROCKLEY HILL, STANMORE  
**WARD:** CANONS  
**POSTCODE:** HA7 4LR  
**APPLICANT:** SAIRAM (HOLDINGS) LTD  
**AGENT:** HGH CONSULTING  
**CASE OFFICER:** NICOLA RANKIN  
**EXPIRY DATE:** 3<sup>rd</sup> JUNE 2021 (EXTENDED EXPIRY DATE 16<sup>th</sup>  
AUGUST 2021)

#### **PROPOSAL**

Demolition of former golf club buildings and construction of a single and two storey building for a banqueting facility; widening of existing vehicular access from Brockley Hill, car and cycle parking, waste/recycling storage, landscape enhancement and associated works

#### **RECOMMENDATION**

The Planning Committee is asked to REFUSE planning permission for the following reasons:

3. The applicant has failed to demonstrate that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development on the application site. The proposed development would therefore constitute inappropriate development in the Green Belt, to the detriment of the character, appearance and openness of the Green Belt, contrary to the National Planning Policy Framework (2019), policy G2 of The London Plan (2021), Core policy CS 1 F of the Harrow Core Strategy (2012), and policy DM 16 of the Harrow Development Management Policies Local Plan (2013), and no very special circumstances have been demonstrated by the applicant whereby the harm by reason of inappropriateness is outweighed by other considerations.

4. The proposed development, by reason of failure to provide adequate on-site or off site car / coach parking and lack of integrated drop off facilities to serve the proposed banqueting facility, would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill into the London Borough of Harrow and the London Borough of Barnet, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers, contrary to the National Planning Policy Framework (2019), Policy T4 of The London Plan (2021), and policies DM 42 E and F, DM 1 B (f) (C) and D (h), policy DM 42 E and F and DM 43 B and C of the Harrow Development Management polices Local Plan (2013).
5. The proposed development by reason of inadequate archaeological evaluation of the application site, has failed to demonstrate that potential archaeological assets of significant importance would not be harmed and impacts minimised through appropriate design and construction. The proposal would therefore fail to comply the National Planning Policy Framework (2019), policy HC1 C and D of The London Plan (2021), policy CS1 D of the Harrow Core Strategy (2012) and policy DM 7 A, B and H of the Harrow Development Management Polices Local Plan (2013).
6. The proposed development, in the absence of adequate Ecological Assessment which fails to address the sites strategic Green Belt location and the sites boundaries including its close proximity to the adjoining Pear Wood and Stanmore Country Park Site of Importance for Nature Conservation, fails to demonstrate that biodiversity value of the surrounding area would not be harmed, protected or enhanced, contrary to the National Planning Policy Framework (2019), policy G6 of The London Plan (2021), policy CS 1 E of the Harrow Core Strategy (2012) and policies DM 20 and DM 21 of the Harrow Development Management Polices 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 the application is for a major development and in the opinion of the chief planning officer should be referred to committee due to substantial 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:	<b>Major Development</b>
Council Interest:	N/A
Gross additional Floorspace:	1, 458 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£87, 480
Local CIL requirement:	Unknown

## **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**

Policy D11 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, had the proposal been considered acceptable a condition would have 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 relates to a former golf centre and driving range located on the west side of Brockley Hill. The application site is located 1.3km to the north east of Stanmore Town Centre.
- 1.2 The wider site (not the application site itself) comprises a broadly rectangular site. The wider site comprises a former 9-hole par-3 golf course and driving range. The golf course is situated around the edges of the driving range.
- 1.3 The application site relates to an irregular shaped plot of land located towards the centre of the wider site and contains the main golf building, a hard surfaced car park and an area of soft landscape directly in front of the golf building which was previously used as a driving range. The overall site area is 1.63 hectares.
- 1.4 Vehicular and pedestrian access is from Brockley Hill and is located towards the east of former golf building.
- 1.5 The former golf club building on the application site has been subject to an extensive fire at the end of June 2020 which has destroyed much of the original building, leaving only part of the original frame and area of hardstanding in place. The current state of the building is shown below:





- 1.6 Prior to the fire the main building on site had linear form and was part single storey/part 1.5 and two storeys in height.



Above & Below: Photograph showing former clubhouse building





- 1.7 The former north western elevation facing onto the driving range had 49 covered bays at single and two storey level with a shallow ridged roof above.
- 1.8 The former south eastern elevation of the building presented a 1.5 storey building but with a large hipped roof incorporating gable ends.
- 1.9 The former building contained a golf retail shop, the reception for the golf course and various office and storage areas at ground floor level. The first floor of the building contained office space and a flat for staff use.
- 1.10 To the south east of the main golf building is a hard surfaced car park which is approximately 3000m<sup>2</sup> in area.
- 1.11 A wire fence of approximately 5 metres in height has been erected around the former driving range. This is secured by a number of metal pylons running around the perimeter of the range at a distance of approximately 15 to 20 metres apart. There is also a substantial earth bund around the driving range covered by grass.
- 1.12 The area of land surrounding the driving range comprises the golf course and appears as a managed landscape with man-made features including green, bunkers and tee boxes.
- 1.13 There are significant level differences across the application site and immediate adjoining land with levels declining in height from north to south.
- 1.14 The site is screened by mature trees and hedges to the entire perimeter of the site.
- 1.15 The application site is situated within the Green Belt and is within the Harrow Weald Ridge Area of Special Character.
- 1.16 The application site lies partially within an Archaeological Priority Area. This area relates to a strip of land which runs through part of the car park and golf course and on the other side adjacent to Brockley Hill.
- 1.17 The application site has a PTAL rating of 1a which is low. The nearest bus stop to the site is located to the south of the site on Brockley Hill approximately 300 metres

away. The bus stops are served by the 107 bus service between New Barnet and Edgware via Elstree and Borehamwood.

- 1.18 The site is located around 850 metres east of Stanmore underground station.
- 1.19 Part of the site in front of the main golf building lies within surface water flood zone 3a/3b as identified on the Local Area Map (2013).
- 1.20 The immediate locality of the wider application site comprises a mix of residential and leisure uses.
- 1.21 The London Borough of Barnet adjoins the site to the east, the borough boundary line runs along Brockley Hill. There are a number of residential streets to the south east within Barnet's boundary which are located approximately 240 metres from the site entrance. The closest roads include Grantham Close, Pipers Green Lane and Brockley Avenue.
- 1.22 To the south is Brockley Park an area of public open space including a small lake. The park abuts a residential cul de sac which links to the wider suburban area to the north of London Road.
- 1.23 Adjoining the wider application site to the north and west is Stanmore Country Park, this comprises a continuous open space of some 31 hectares of woodland and meadow.
- 1.24 Adjoining the wider application site to the north, Pear Wood comprises an area of ancient woodland of around 14 hectares which abuts Wood Farm to the west. The land opposite the application site on the eastern side of Brockley Hill is a large green space with mature trees.
- 1.25 The site is approximately 700 metres south west of the Royal National Orthopaedic Hospital campus.

## **2.0 PROPOSAL**

- 2.1 The proposal seeks planning permission for demolition of existing golf club buildings and construction of a single and two storey building for a banqueting facility; widening of existing vehicular access from Brockley Hill, car and cycle parking, waste/recycling storage, landscape enhancement and associated works.
- 2.2 The proposed building form would be part single, part two storey and comprised of three distinct elements. This would include the two storey Front of House building on the southern side, the single storey Back of House building on the eastern side and the main banqueting hall on the north western side. The front of house and back of house element would have pitched, gable end roofs, while the main banqueting section of the building would have a flat roof.
- 2.3 The main entrance point would be from the ground floor eastern elevation from the Front of House building. The front of house section would contain a reception area, WC's on the ground floor and a smaller function hall, two meeting rooms and a

bridal suite on the first floor. The back of house section would contain, the main kitchen area, storage areas, bin storage, plant areas and staff WC's.

- 2.4 The front of house area and back of house area would be linked to the main banqueting hall through 1.5 metre wide corridors.
- 2.5 The proposed building footprint would be 1, 108 sqm and would have a floorspace of 1, 458sqm.
- 2.6 The proposed building would span a maximum width of approximately 43.3 metres and a maximum depth of approximately 31.3 metres
- 2.7 The front of house building would be two storeys, whilst the banqueting hall and back of house area would be single storey. The maximum height of the building would be 9 metres.

#### Traffic, Parking and Cycle Parking

- 2.8 The proposals include the widening of the existing vehicular access from Brockley Hill into the site along with prohibiting vehicles turning right into the site from the north of Brockley Hill to enable coaches and refuse vehicles to safely ingress and access the site simultaneously and avoid congestion within the site or on Brockley Hill.
- 2.9 It is proposed that the speed limit on Brockley Hill will be reduced to 30mph.
- 2.10 The existing site parking area would be reconfigured and would reduce from 95 to 62 spaces with an additional 16 spaces overflow parking spaces (for a total of 84 spaces) that can be made accessible through the temporary removal of a large planter.
- 2.11 A staff parking area would be provided on the northern side of the building with a total of 6 spaces. Of the 6 proposed staff parking spaces, 3 would be equipped with active electric vehicle charging provision and 3 with passive provision; with one space being a blue badge disabled space.
- 2.12 Of the 62 guest spaces 14 will each have active and passive electric vehicle charging provision. Additionally, 4 spaces each will be for disabled blue badge holders and as enlarged spaces capable of being turned into formal blue badge holder spaces in the future.
- 2.13 Of the overall 68 spaces there will be a total of 17 with active and passive electric vehicle charging provision; and 5 blue badge holder disabled spaces and 4 enlarged spaces.
- 2.14 Secure, covered storage for 21 cycles will be provided, comprising of the required 4 long stay and 17 short stay spaces. One of the spaces would be designed to accommodate adapted or specialist cycles. Cycle parking areas would be located in the car parks to the north and south east of the building.



### Service, deliveries and refuse

- 2.15 A dedicated servicing and delivery area is proposed to the rear of the back of house element of the scheme. This area will contain the refuse and recycling bins.

### Operating Hours

- 2.16 The submitted Planning Statement outlines that the operating hours will follow that of the existing Premier Banqueting facility (which is open 24 hours).

### **Amendments to the scheme since the submission of application**

- 2.17 The following amendments to the scheme have been submitted:

- Site Area: Reduced application site area / boundary from 6.9 hectares to 1.63 hectares.
- SUDS Pond: Relocated SUDS pond and drainage routes (shape amended, capacity unchanged). No net loss of trees (2 retained and 2 removed – no ecological implications).
- Secret Garden: Marginal re-siting to accord with SUDS pond relocation.
- Processional Route: Reduced processional footway (from the northernmost part of the site – to address practicality, distance and gradient difficulties) and a re-sited memory point (ornamental pergola).
- Design: alterations to the western and southern elevations of the banqueting building, with the removal of the wrap around balcony for two separate balconies on south and west elevations to reinforce barn-style appearance and simplification of materials range and use of alternative perforated materials.
- Bio-Diversity Net Gain: an overall enhanced net gain under the revised scheme,
  - Original net gain: +20.98% habitat units and +10.58% hedgerow unit
  - Revised net gain: +20.02% habitat units and +49.55% hedgerow units
- Security: replacement gates at the site entrance in response to Secure by Design Officer comments/meeting (October 2020).
- Drainage: further drainage modelling, CCTV surveys, assessment of residual risks and flood resilience following site visit and consultation with the Council's Drainage officer. Drainage Consent Order has been prepared and will shortly be submitted.
- Cycle Parking: 17 No additional short stay covered cycle parking spaces.
- Energy / Sustainability:
  - BREEAM – the revised scheme results in no change to the 'Excellent' rating
  - Overheating - all occupied rooms meet CIBSE Guide A requirements for thermal comfort in buildings with active cooling
  - Energy - CO2 emissions of the amended scheme have been calculated using the SAP 10.0 carbon emission factors and achieves the same results:
    - On-site CO2 reduction of 56.3% beyond Building Regulations through energy efficiency measures and maximise renewable technologies (21.3% 'Be Lean' and 34.9% 'Be Green' - Air Source Heat Pumps & PVs)
    - Carbon offset payment cost has been calculated as £44,633
- Openness: verified visualisation assessment has been prepared of the site access amendments (gates, planting and new hedgerow) to illustrate 'Day 1' of the

development and 'Year 15' to reinforce the preservation of the openness of the Green Belt

- **Overflow Parking:** in response to comments from the GLA, Harrow and Barnet Highways, the applicant has sought legal advice on the ability and appropriateness of a s106 legal agreement to secure off-site overflow parking for larger events and how this could be enforced by the Council.
- **Fire Statement:** A fire strategy has been provided.
- **Alternative Site Assessment:** an alternative site search assessment has been carried out for the whole Borough of Harrow, based upon an agreed set of location and physical specific criteria, including additional available commercial sites provided by the Council. In response to further requests to widen the search and assess locations beyond LB Harrow a number of main town centres in LB Barnet, LB Brent and Hertsmere have been identified. A supplemental site assessment report has been prepared in support of the scheme.

### 3.0 **RELEVANT PLANNING HISTORY**

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

<b><u>Application Ref:</u></b>	<b><u>Description</u></b>	<b><u>Status and Date of Decision</u></b>
P/1525/17	Change of use from a golf driving range with ancillary golf shop and first floor flat (Class D2) together with two storey rear extension and external alterations to nine flats (Class C3); Single storey detached building at side for use as replacement golf reception building; provision of parking, refuse and cycle facilities.	Refused 30/01/2018 Allowed on Appeal APP/M5450/W/18/3201017, dated 23 <sup>rd</sup> August 2018
P/3036/20	EIA Screening Opinion to determine whether an Environmental Impact Assessment is required for demolition of the existing golf club (Use class D2) and construction of a new banqueting facility (Use class D2); widening of vehicle access; car and cycle parking;	Environmental Impact Assessment not required 10/09/2020

	waste/recycling storage; landscaping; associated works	
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#### 4.0 **CONSULTATION**

- 4.1 Two rounds of public consultation have been undertaken. A total of 57 consultation letters were sent to neighbouring properties regarding this application on the 18<sup>th</sup> September 2020. A second consultation was sent out to neighbouring occupiers and to all those who had previously made representations on the application on 15<sup>th</sup> April – a total of 556 letters were sent out under this consultation.
- 4.2 Five site notices were posted on 29<sup>th</sup> September 2020 (Major Development). A further five site notices were posted on 25<sup>th</sup> March 2021 (Major Development). Harrow Times Advert published (Major Development) on 24<sup>th</sup> September 2020 and on 1<sup>st</sup> April 2021.
- 4.3 The overall public consultation period expired on 6<sup>th</sup> May 2021 and 611 objections were received together with 6 comments and 3 letters of support. The response to neighbouring consultation is summarised in the table below:

<p><b>Character and Appearance and Green Belt:</b> The new building will be 30% larger than the previous building; Loss of landscape and visual amenity; overdevelopment; Venue will be out of character with the local area; Proposal totally contradicts Harrow Council's Green Belt policies; The application does not fall within the criteria of 'Very Special Circumstances'; proposal will result in an over intensive use of the site; the proposed change of use to a banqueting facility would typically occur in a town centre and is not appropriate in this location; proposal will be an eyesore;</p> <p><b>Officer response:</b> This is considered in sections 6.2 and 6.3 of the appraisals below</p> <p><b>Highways:</b> Insufficient on-site parking will lead to attendees parking in the surrounding residential roads and stopping on Brockley Hill to drop off and pick up attendees which will cause chaos on Brockley Hill and potential risk to safety; Increased road journeys especially by coaches will cause congestion in the area; The suggested off site parking will not be used by many attendees and the regular shuttle service between the off site parking area and the venue will just unnecessarily increase the number of road journeys; The proposed no right turn into and out of the site will only cause traffic confusion and accidents; Vehicles approaching the site from the top of Brockley Hill, finding that there is no right turn into the site will then try to do a u turn at the mini roundabout at Pipers Green which will cause traffic accidents; Cars use Brockley Hill as a racing track late at night and will not expect traffic to be exiting from the venue thus causing potential accidents; There is no proposal to have enforceable speed restrictions on Brockley Hill which is already a safety issue and will get worse especially late at night when motorists use Brockley Hill as a racing track just when attendees will be leaving the venue; There is no guarantee that suitable offsite parking will be</p>
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secured and that there will be any interest in a park and ride service. Any such scheme will mean a constant flow of coaches to and from the venue and will reduce the number of onsite carparking spaces; There is insufficient onsite parking for large events which will result in cars parking in Brockley Hill and the surrounding streets i.e. Brockley Park Estate, Pipers Green Lane and Brockley Avenue; They say that they will widen the access road and build a new pedestrian entrance but they do not own the land for either the access road or the for the pedestrian entrance; No interaction with people travelling to and from Wembley Stadium -Their Transport Assessment Report said there would be some overlap; They say they will provide a new safer and quicker footpath for pedestrians - This must assume that guests will park offsite in the surrounding roads and walk; Coaches leaving the site will result in congestion and cause safety issues for cyclist travelling along Brockley Hill; Proposal has failed to take account of the Stanmore Park application which will result in a huge displacement of parking to the surrounding neighbourhood; Vehicles will only be able to access from the Harrow side of Brockley Hill – vehicles leaving the venue will be allowed to turn right which will take hours to clear the site; How will the revised speed limit of 30mph is policed; the park and ride scheme will be unenforceable; poor infrequent lack of regular public transport links; A large influx of parked cars will increase the risk to pedestrians and lower the quality of life for residents; There is no guarantee that the client for any given event must organise and pay for a park and ride service; no other banqueting facility in the UK operates a park and ride service and therefore the solution is implausible; The applicant is misleading the Council – they state they own The Manor Hotel is Elstree but this is not accurate, the applicant is a leaseholder not a freeholder – they do not have the freeholders consent to offer the site as a park and ride; The Manor Hotel advertises itself as a wedding venue and the site would not be able to accommodate cars for two weddings. No commitment to add to the restricted manoeuvrability around Pipers Green Lane roundabout;

**Officer response:** The comments are considered in section 6.5 of the appraisal below

**Amenity:** The regular occurrence of 500 plus attendees will cause excessive traffic, noise pollution and reduction in air quality It will cause excessive noise and disturbance to local residents at night especially when attendees are congregating outdoors; Evening events will end at midnight Sunday to Thursday, and 1.00am Fridays and Saturdays. Data provided by the carpark at their current venue showed that in 2019 the car park stayed open during the week 4 times to 12.30am, 35 times until 1.00am and 3 times until 2.00am. At weekends it stayed open 37 times to 1.00am and twice to 2.00am. In August, their busiest month, it stayed open until 1.00am 17 times – i.e. 4 to 5 times a week; They claim that the venue will only be at full capacity 500 guests approx. once a month - In 2019 24 events were for 400 guests, 20 at 450 guests and 10 at 500 guests. Based on these figures the venue will be at or near full capacity on a weekly basis; Disruption from building works; Fireworks at the venue will frighten farmstock and domestic pets;

**Officer response:** Had the proposal been considered acceptable a condition could have been secured to restrict opening times and to manage the use of fireworks. It is also noted that the Firework Regulations 2004 prohibit the use of

fireworks 11pm to 7am. Noise issues are discussed further in section 6.4 of the appraisal below. Any building works are considered unlikely to have a detrimental impact on the amenities of surrounding neighbours due to the distances of the closest residential properties. Furthermore, building works would be temporary.

**Biodiversity/Environmental:** The new application only covers a small part of the entire site and excludes the surrounding green spaces which in the original application the applicants said they would encourage flora and fauna – this will no longer happen; the proposal is a threat to wildlife including protected species; noise will impact on local wildlife; Proposal will result in increased air pollution; proposal will result in increased litter in the local area; We should be considering more green spaces to reduce the carbon in the atmosphere;

**Officer response:** This is discussed in section 6.6 of the appraisal below. The proposal includes a satisfactory refuse strategy and location within the application site to manage waste arising from the development.

**Other issues:** There will be a loss of an outdoor sports facility; Since the original application there are now other sites that have become available and are more suitable for a banqueting suite e.g. the old Debenhams building in Harrow town centre that has a large car park attached to it, excellent Public Transport and will help to regenerate Harrow Town Centre Harrow Council can put as many conditions as they like into granting the application but compliance with those conditions will have to be adhered to by the applicants who have shown previously to have total disregard for the laws of the land; The police have arrested 2 men on suspicion of arson and fraud with regards to this site. If they are found guilty and are shown to be linked to the applicants then how can the applicants be trusted to observe any restrictions or conditions imposed by Harrow Council when there is a blatant disregard to the laws of the land; The applicant, Sairam Holdings Ltd, does not own the site or any part of it; The applicant had a number of criteria that a new site/building - Located in the borough of Harrow where the applicant has an established client base, which they claim they could lose if they moved out of the borough. However, their survey shows that their guests come from all over the country; Increase in crime; Increase in anti-social behaviour; property devaluation; risk to security; other venues in the area – proposal not needed; Conflict of interest Harrow Council are moving into the applicants offices and so have a vested interest in permitting this application; No notices served on residents in Barnet in Pipers Green Lane and Brockley Avenue; More should be done to retain recreational facilities and green spaces; the closing of the golf facility has had an adverse effect on the locality; the pandemic has banned huge number of people congregating and there may be more pandemics in the future; The purported public benefit does not outweigh the negative effect the scheme would have on people and the enjoyment of their homes; loss of valuable space for outdoor sports and recreation; If there is a fire it will compromise the safety of the nearby neighbourhood; It does not support the night time economy of the town centre; no alternative sports venue can be built here if this venue is built; loss of sports facility will have a detrimental impact on the community; the plans will not be viable after covid; Sports England should be consulted;

**Officer response:** The above issues are discussed in sections 6.2 and 6.10 of the appraisal below. In relation to the use of the Debenhams site, the circumstances around this site have changed since the application was submitted. Moreover, this site does not fall within the relevant planning use class. Should the applicant wish to pursue an application to change the use of the Debenhams site to a Sui Generis Use this would be considered on its own merits. The Local Planning Authority has carried out legal checks in relation to the land ownership and is satisfied that the correct parties have been served notice on the application in accordance with Article 14 of the Development Management Procedure (England) Order 2015. Issues relating to current police investigations relating to the fire at the site are not material planning considerations and cannot be taken into consideration in the assessment of this application. Harrow Council are not moving into the applicant's offices and as such there is no conflict of interest. The application does not fall within the Statutory Definition of Playing Field or Playing Pitch as outlined in the Development Management Procedure (England) Order and therefore does not fall within the remit of Sport England as was confirmed on the previous application on this site. The impact of Covid or potential future pandemics are not a material planning considerations. The application has been reviewed by the Council's Designing our Crime officer and is not deemed to give rise to an increased risk of crime or anti-social behaviour, subject to securing further details in relation to Secure by Design accreditation.

#### 4.5 Statutory and Non Statutory Consultation

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

Consultee and Summary of Comments
<p><b><u>External Consultees:</u></b></p> <p><b>Greater London Authority:</b></p> <ul style="list-style-type: none"> <li>• <b>Recommendation:</b> That Harrow Council be advised that whilst the proposal may be supported in principle, the application does not currently comply with the London Plan. Where the associated concerns within this report are addressed, the application may become acceptable in strategic planning terms.</li> <li>• <b>Principle of development:</b> The proposal could reasonably be considered under exceptions test (g) within NPPF paragraph 145; however, more information is necessary to demonstrate that the proposed development would not harm the openness of the Green Belt. Should the proposal not meet the criteria of exceptions test (g) it would need to be robustly justified by very special circumstances. The Council must also secure details of noise mitigation measures to ensure compliance with the Agent of Change principle.</li> <li>• <b>Urban design:</b> Layout and massing are broadly supported. The applicant should provide a Fire Strategy in line with Intend to Publish London Plan Policies D5 and D12. Additional information is requested in respect of inclusive design.</li> <li>• <b>Transport:</b> A reduction in the speed limit along Brockley Hill is supported in</li> </ul>

line with the Mayor's Vision Zero Action Plan. The quantum of car parking should be reduced in line with Intend to Publish London Plan Policy T6 and details relating to the short-stay cycle parking should be provided in line with Intend to Publish London Plan Policy T5.

- **Sustainable development:** The proposed energy strategy generally complies with the London Plan and Intend to Publish London Plan; however, the applicant is requested to provide additional information regarding Be Clean and Be Green matters. The applicant should also submit a revised Flood Risk Assessment, a revised surface water drainage strategy, a detailed landscaping and planting plan, and details for the proposed green roof.

**English Heritage Archaeology:**

- I require further information before I can advise you on the effects on archaeological interest and their implications for the planning decision. If you do not receive more archaeological information before you take a decision, recommend that you include the applicant's failure to submit that as a reason for refusal.

**Secure by Design Officer:**

- No objections subject to a condition to secure a secured by design accreditation.

**London Borough of Barnet:**

Consultation response received 7<sup>th</sup> June 2021:

- The London Borough of Harrow is advised that the London Borough of Barnet maintains its objection to the proposal for the following reason:
- The development has not provided adequate on-site car / coach parking and lacks integrated coach drop off facilities to service the requirements of the proposed banqueting facility, and has failed to sufficiently develop proposals for off-site overflow parking to the stage where the London Borough of Barnet would have confidence that it would provide adequate mitigation. The associated likely on-site traffic congestion, potentially impacting the local road network, and parking overspill into the Borough, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers. This is contrary to Policy CS9 of Barnet's adopted Core Strategy (2012) and Policy DM17 of the adopted Development Management Policies DPD (2012).

Consultation response received 12<sup>th</sup> October 2020:

- The London Borough of Harrow is advised that the London Borough of Barnet objects to the proposal for the following reason:
- The development would fail to provide adequate on-site car / coach parking and lacks integrated drop off facilities to serve the proposed banqueting facility, which would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill into the Borough, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers, contrary to Policy CS9 of Barnet's adopted Core Strategy (2012) and Policy DM17 of the adopted

Development Management Policies DPD (2012).

**Environment Agency:** No comment received

**Internal Consultees:**

**LBH Highways**

Consultation response received on 15<sup>th</sup> April 2021:

- The revised TA makes three key points: Coaches to be parked off-site; Agree to speed limit reduction; Willing to agree to overspill parking arrangement where cars would be parked elsewhere
- The plan to allow extra coaches to wait off-site at one of the owners other venues is feasible and could potentially be secured.
- The agreement to enable the speed limit reduction is welcomed.
- No confidence about the proposal for the overspill parking arrangement as it is not clear how this could be enforced. It is more likely that latecomers will just park on the road or in a nearby road if there is no space in the site car park. How can the venue make people park somewhere else? The overspill really needs to be on-site to make this acceptable.

Consultation response received 11<sup>th</sup> November 2020:

- This is a very difficult location to achieve significant modal shift. It is perhaps in a good position for vehicle travel where there are good connections with the wider major road network.
- There are safety concerns in relation to the vehicle access however, it is considered that these could be overcome with alterations to the access layout, reduction in speed limit and improvements to the mini roundabout at the Pipers Green Lane junction.
- Coach travel can be encouraged which would help reduce the number of cars attending but it cannot be forced meaning that overspill parking may occur. Parking controls on surrounding streets could prevent this problem but this would be subject to public consultation. The residential streets off Brockley Hill are narrow whilst Brockley Hill itself is a busy road, part of TfL's Strategic Road Network – it would not be desirable for high demand on-street parking to take place during events as it may cause congestion and would compromise safety. In order for this proposal to be considered acceptable, it would be necessary to ensure that there is a suitable overflow parking
- Based on the current information, the proposal is generally acceptable however, measures are required to minimise the anticipated impact and improve safety. Additional overflow parking should be provided in order to minimise the impact large events may have on the surrounding highway network; a change to the speed limit on Brockley Hill and alterations to the site access are necessary to aid safe entry and exit at the site and improvements to the junction with Pipers Green Lane to better facilitate u-turns.

**LBH Travel Plan Officer:**

- No objection in principle but more information is required.
- 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.
- There are concerns that have been raised in the travel plan about displacement car parking. Although car parking is available, for larger events this may not be enough spaces therefore, parking will fill in neighbouring roads. The Travel Plan does not address this issue.

**LBH Network Management:**

- I see that there is a proposed banned right turn when exiting the venue which is good to see so that all traffic heads to the roundabout on the A41 which will alleviate traffic congestion.
- The new island configuration facilitates this and the additional signage is acceptable. The road itself leading to the site needs widening and I see there is a pull in area for oncoming traffic which is fine to prevent any form of obstruction to the highway.
- There is a footway on the same side of the road of the proposed development and the road is straight with good visibility on either direction. With the proposed reconfiguration tactile paving will need to be installed the new centre island will allow safe passage to cross the road at the junction.
- There are good transport links from Canons Corner and on Brockley Hill itself via buses and Stanmore Station Underground Station being less than a mile away. I make the assumption that most people will arrive via coach or taxi or public transport and private vehicles in accordance with their travel plan. The road is wide enough to accommodate the coaches being that Brockley Hill is a bus route.
- There is street lighting either side of the entrance/exit so the area is well lit.
- There is a culvert in situ and details of how this is to be protected during construction works will need to be provided.
- NM have no objection to the principle of a vehicle access. A separate application for the widening of the crossing itself will be required - a section 278 or section 50 will be submitted for review and costing.

**LBH Building Control:**

- Overall, the Fire Statement is satisfactory but further information should be provided to comply with the Mayor of London guidance.

**LBH Landscape Officer:**

- No objection, subject to conditions.
- In the event of approval, the possibility of creating a footpath link to south, between Cleopatra Park and Stanmore Country Park – outside the red line boundary should be considered. Only a short length of footpath is required, to connect to the existing footpath which leads into Stanmore Country Park. It would provide greater accessibility to open space and nature and would be a worthwhile addition. It is suggested this be secured through section 106 agreement.

**LBH Arboricultural Officer:**

- No objection, subject to conditions.
- A site wide survey and impact assessment has been provided. The suggested tree protection measures / method statement provided are acceptable. Provided this is adhered to exactly as outlined in DCLA's report, there should be no adverse tree impacts in relation to the proposals. I note the majority of existing trees are to be retained, with the exception of 2 x trees which require removal for arboricultural reasons

**LBH Urban Design Officer:**

- No objection to public realm and landscaping
- Concerns remain regarding the first-floor rectilinear projecting element of the southern block. This is not considered to be well-integrated with the pitched barn form and does not present a successful form overall.
- The first-floor rectilinear projection has a significant fascia board which results in this projection appearing overly heavy and domineering. The Applicant is encouraged to revise this to either lighten its massing or integrate the form into the pitched roof of the rest of the building
- Generally, the material palette is successful, however there is concern that the woven metal mesh element dilutes the palette and that a reduced palette may be better suited to the proposal. There is concern as to the quality of some of the materials including the mesh panels to staircase, infill panels and balustrades.
- The fenestration to the banqueting hall external elevations appears highly commercial and lacks the playfulness this threshold/ glazing element should have between the garden and banqueting space.

**LBH Drainage Authority:**

- The Flood Risk Assessment and drainage strategy submitted is satisfactory - no objections to the proposed development. However, our/LLFA Land Drainage Consent is required to connect to watercourse with headwall details, repair of collapsed culvert, vehicle crossing widening proposals etc., hence our recommendation for conditional approval with the open/culverted watercourse protection condition.

**LBH Biodiversity Officer:**

- The proposal is not appropriate in the context of the location and the supporting information is deficient.
- Although there was a lengthy pre-app process in which biodiversity matters were discussed, circumstances have changed greatly with regard to this application.
- The redline having been expanded to cover a large part of the golf course site but, for reasons that were never entirely clear not all of it, has now been reduced considerably compared to the original submission.
- Although updated documentation is submitted for this, this generally overlooks
  - The extensive fly-tipping that has been permitted and not yet dealt with
  - Last year's burning down of the clubhouse
- The documentation does not present a true picture of the site's condition at the time the revised application was submitted.

- The approach now taken in restricting the redline to the area in which development would occur which bears no relation to any existing boundaries rather than the whole of the development site is questionable.
- Taking account of the site's landscape and ecological context, and the ancillary biodiversity purpose of its green belt status, the scheme is not supported. It is not possible to make the scheme and acceptable sustainable development, providing biodiversity benefits, appropriate to its strategic location.
- In the event that there might be over-riding reasons for supporting the scheme, conditions would be required in relation a provision of a reptile survey, a Construction Environment Management Plan (CEMP), a Landscape Enhancement Management Plan (LEMP).

**LBH Environmental Health Officer:** The nearest properties are approx. 239m away (out of borough) from the venue. Whilst noise will carry (especially down a valley) the noise expected from the banqueting hall would be such that it can easily be conditioned by the ones stated in the report – keeping all windows and doors closed, and possibly the restriction of opening times. The windows and doors should be connected up to a limiter to stop noise breakout, and some form of management plan for patrons. This would also be required as part of the licensing of the premises. No objections subject to the following conditions:

- Venue to be open to the public between 7am-12midnight mon-Sat
- Sundays and bank holidays – 8am-11pm.
- Deliveries be restricted to 07:00-19:00 mon-sat.
- When the banqueting hall is in use, all windows and doors to remain closed.

**LBH Policy Officer:**

- Energy strategy is generally acceptable and the development should be implemented generally in accordance with the strategy / secured by condition. Additional solar PV should be sought or non-provision justified by way of an amended energy strategy prior to determination or secured by way of condition.
- S106 obligation to secure carbon offset contribution calculated at a rate of £2,850/tonne, payable prior to commencement with provision for a 'top-up' payment upon completion of the development should additional carbon emissions need to be offset to achieve zero carbon.
- Development should be implemented generally in accordance with the BREEAM Preliminary Assessment and final BREEAM certificate demonstrating the development has achieved an 'Excellent' rating should be submitted upon completion of the development.
- Development should be implemented generally in accordance with the submitted Overheating Analysis.

**Other Consultee Responses**

**Greater Stanmore Country Park Management Committee:**

- We object to the planning application for the following reasons:
- We are extremely concerned about the state of the remaining area of the former golf club site – future applications should include the whole site, from

the public land of Brockley Hill Field in the south to Pear Wood in the north. This will allow the Council to make stipulations about the management of the land to enhance it for both people and wildlife and prevent damage to the neighbouring nature reserves.

- The proposal will form a barrier to badgers and hedgehogs that use the site as a link corridor from Stanmore Country Park and Pear Wood in the north.
- Traffic will exit the site in the late hours of the night which will disturb night time mammal movement.
- The proposed building would adversely impact and harm the openness of the Green Belt.
- The proposed banqueting facility would represent an inappropriate use of the Green Belt – the proposal should be located in a town centre with good public transport links.
- The proposed development will increase traffic and congestion in the neighbouring streets – in practice it is likely that the surrounding grass areas will be used as an overflow car park.
- The applicants do not make a convincing case that there is a need for another banqueting facility in the Stanmore area.
- In our view the ideal use of the site would be as an addition to the open natural space of Greater Stanmore Country Park.

**Brockley Hill Residents Association:**

- There will be a loss of outdoor sports facilities.
- The new proposals are 30% larger than the previous building and thus will have a negative impact on the Green Belt
- The regular occurrence of 500 plus attendees will cause excessive traffic, noise pollution and reduction in air quality
- Late night events (past midnight) will cause significant noise and disturbance in the neighbourhood, especially with a lack of control over outside activities
- There is insufficient onsite parking for large events which will result in cars parking in Brockley Hill and the surrounding streets i.e. Brockley Park Estate, Pipers Green Lane and Brockley Avenue
- There is no guarantee that suitable offsite parking will be secured and that there will be any interest in a park and ride service. Any such scheme will mean a constant flow of coaches to and from the venue and will reduce the number of onsite carparking spaces
- The increased traffic, congestion and parking will be a danger to both vehicle and pedestrian safety on Brockley Hill
- The proposed site entrance and exit layout with no right turn will lead to traffic confusion and accidents
- The road infrastructure at the mini roundabout at Pipers Green is not suitable for coaches to go around but no changes are proposed
- There is no proposal to have enforceable speed restrictions on Brockley Hill which is already a safety issue and will get worse especially late at night when motorists use Brockley Hill as a racing track just when attendees will be leaving the venue
- No new sites have been considered especially now there are recently vacated department stores in Harrow Centre with excellent Public Transport services and plenty of existing car parks and would help to regenerate Harrow Town Centre.

- The police have arrested 2 men on suspicion of arson and fraud with regards to this site. If they are found guilty and are shown to be linked to the applicants then how can the applicants be trusted to observe any restrictions or conditions imposed by Harrow Council when there is a blatant disregard to the laws of the land. I propose that this planning application should be put on hold until after the trial.

## **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 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.
- 5.4 In this instance, the Development Plan comprises The London Plan 2021 [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].
- 5.5 A full list of all the policies used in the consideration of this application is provided as 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, Trees and Landscaping
  - Heritage and Archaeology
  - Energy and Sustainability
  - Development and Flood Risk
  - Accessibility and Fire Safety

## 6.2 Principle of Development

The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2019: G2; SD7; S1, S5
- Harrow Core Strategy 2012:CS1B, F, L, Z, G
- Harrow Development Management Policies Local Plan (2013):DM1, DM6 DM16, DM 35; DM47

### New Buildings in the Green Belt

6.2.1 Policy G2 and Local Plan Policies DM 16 and CS F make clear that the Green Belt should be protected, directing refusal of development of proposals which would harm the Green Belt except in very special circumstances.

6.2.2 The NPPF establishes that the Green Belt serves five purposes:

- a. To check the unrestricted sprawl of large built-up areas;
- b. To prevent neighbouring towns merging into one another;
- c. To assist in safeguarding the countryside from encroachment;
- d. To preserve the setting and special character of historic towns; and
- e. To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

6.2.3 The NPPF further establishes that all development on the Green Belt, bar a limited range of specific exceptions, is inappropriate and therefore harmful and should be refused. In respect of new buildings, two such exceptions put forward in paragraph 145 may be relevant to this case. Point (d) states that the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces, may not constitute inappropriate development. Point (g) surmises that partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development may not constitute inappropriate development. The NPPF defines previously developed land as: land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

6.2.4 Exceptions test (d) puts forward two criteria that must be met for this exception to apply: the proposed building must be in the same use as the existing building, and the proposed building cannot be materially larger than the existing building. The existing building was in use for outdoor sport as a golf centre. On the 21<sup>st</sup> July 2020, the government published The Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020 which came into force on 1<sup>st</sup> September 2020. However, there is currently a transitional period until 31<sup>st</sup> July 2021 where former use classes still apply to land and buildings for the purposes of the GPDO. The proposed building would be used as a banqueting facility which would fall under a Sui Generis Use under the new Use Classes Order 2020. It is noted that the GLA have said that this would be an F2 Use Class but

the Local Planning Authority does not agree with this classification as the proposal is not considered to be a community use, rather it is a private commercial use which would not fall under any other classification and therefore must be considered as a Sui Generis use for the purposes of the new Use Class Order (2020). Nevertheless, it is acknowledged that the former golf centre and banqueting facility would fall under Use Class D2 in relation to the still extant Use Class Order 1987 (amended). Notwithstanding this, it is considered they present two materially different functions (with operationally different impacts) within that Class and therefore this is not considered to fulfil the requirements of exceptions test (d).

6.2.5 Exceptions test (g) also puts forward two criteria that must be met for this exception to apply: the entirety of the proposed development must be on previously developed land, and the proposed development must not have a greater impact on the openness of the Green Belt than the existing development. Openness, in this regard, has both spatial and visual aspects and relates to the degree of activity likely to be generated by the proposed development.

6.2.6 The former golf building was subject to a fire at the end of June 2020 in which much of the building was destroyed. However, the applicant has provided supporting documents to demonstrate the impacts on openness and previously developed land in relation to the building as it existed prior to the fire. Images of the remaining structure as it currently exists and as it previously existed prior to the fire is shown below:



Above: Aerial view of building and developed curtilage pre fire





Above: Existing remaining structure

6.2.7 In relation to exception test (g) it is accepted that the proposed replacement building would still be sited on previously developed land and the fire has not altered this fact as the areas of hardstanding where the building was situated has not changed. The location of the proposed building in relation to the developed part of the site is demonstrated in the diagram below:



6.2.8 Moreover, the applicant has indicated that while the existing curtilage, such as the car park, will largely be reused there will be a net reduction of 157 sqm 4% in overall hardstanding on the site.



6.2.9 The second requirement of exceptions test (g) is that the proposed development would not have a greater impact on openness than the existing development. This assessment requires a comparison between the openness of this Green Belt site in its existing and proposed conditions. However, the information provided by the applicant in this regard is based on the pre existing building form. A detailed assessment has been carried out comparing the pre-existing and proposed building. The key figures of this are shown in the table below for information purposes.

	<b>Existing</b>	<b>Pre - Existing</b>	<b>Proposed</b>	<b>Difference</b>
Building Footprint	Unknown - Not demonstrated	850 sqm	1,108 sqm	+258 sqm (30%)
Hardstanding	3, 866 sqm	3, 866 sqm	3, 709 sqm	-157 sqm (4%)
Floorspace	Unknown - Not demonstrated	1, 308 sqm	1, 458 sqm	+ 150 sqm (11%)
Volume	Unknown - Not demonstrated	4859 cubm	6,300 cubm	+1, 441 cubm (30%)
Roof Datum Level	Unknown - Not demonstrated	106.450 m	106.055 m	-0.4 m
Eaves	Unknown – Not demonstrated	103.520 m	103.100 m	- 0.42 m
Lower Ridge	Unknown - Not demonstrated	102.390 m	102.675 m	+ 0.28 m
Lower eaves	Unknown – Not demonstrated	100.670 m	100.600 m	-0.07 m

6.2.10 However, there is nothing within the NPPF or more widely in planning law which outlines that pre-existing site circumstances can be taken into consideration when assessing proposals in the Green Belt or more generally elsewhere. The LPA has sought legal advice on this position which confirms the existing site circumstances must be taken into account. This is supported by an appeal decision that has come to the Local Planning Authorities’ attention. It relates to Appeal Decision Ref: APP/J1915/W/20/3254917 – Lanbrook, St.Mary’s Lane, Hertingfordbury, SG14 2LD (appended to this report). Matters considered by the Inspector in that case are very similar to those in this Golf Club case. Namely, that the existing on-site building was destroyed by a fire. In this instance planning permission was sought for a replacement dwellinghouse.

6.2.11 In the appeal decision, the inspector set out that Paragraph 145 of the Framework establishes that the construction of new buildings should be regarded

as inappropriate in the green belt, unless they fall within certain categories of development which may be regarded as not inappropriate, subject to certain conditions. Part d) of this paragraph, he recorded, lists the replacement of a building as one such exception, provided that the new building is in the same use, and not materially larger than the one it replaces. He appreciated that both parties had considered the dwelling as a replacement for that which existed prior to the fire. However, for something to be considered as a replacement, he pointed out, the element that it replaces must exist at the time the replacement development is considered. However, there was no existing building on the site, and as such, the proposal did not fall to be considered under the exception at Paragraph 145(d) of the Framework, he ruled.

- 6.2.12 Rather, the inspector determined, the proposal comprised the redevelopment of previously developed land and fell to be considered under Paragraph 145(g). This exception allows for the redevelopment of previously developed land providing it would not have a greater impact on the openness of the green belt than the existing development. But, he reasoned, the proposed new building would have a greater impact on openness as no building currently existed on the site.
- 6.2.13 The inspector next turned to a consideration of openness in spatial and visual terms. He found that due to its overall height and bulk, the proposed dwelling would be visually intrusive. In addition, he found that the development would result in less than substantial harm to the setting of a conservation area and listed building.
- 6.2.14 The inspector recognised that the appellants had lost their established residential use for reasons beyond their control and he accorded this factor great weight. He nonetheless concluded that the benefits of providing a replacement dwelling following the destruction of the previous property by fire did not clearly outweigh the harm he had identified. Consequently, there were not the very special circumstances necessary to justify inappropriate development in the green belt.
- 6.2.15 It is acknowledged that the circumstances of the above appeal and the current situation with the subject site are not directly comparable in that in the appeal case the building had been completely removed from the site whereas in the current case, there are clearly remains of the pre existing structure present. Nevertheless, the fundamental principle of the appeal decision remains directly relevant to this case in that it is the existing site circumstances which must be taken into account in the assessment.
- 6.2.16 The above outlined policies emphasise that proposals should protect the Green Belt from inappropriate development and should not be detrimental to the openness of the Green Belt. The National Planning Policy Framework (NPPF) provides further government planning guidance on how polices are to be applied, which is a material consideration that should be taken into account. Paragraph 001 of the NPPF Guidance outlines that:

*“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may*

*need to be taken into account in making this assessment. These include, but are not limited to:*

- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.*

*Paragraph: 001 Reference ID: 64-001-20190722”*

- 6.2.17 In the absence of statutory guidance, case law remains the only interpretation of definitions in the debate on openness.
- 6.2.18 In last year’s Appeal decision, the Supreme Court in **Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council and Dorrington Quarries [2020]** looked again at the issue of development which is not inappropriate, provided openness in the Green Belt is preserved and the development does not conflict with the purposes of including land in the Green Belt, in paragraph 90 of the 2012 NPPF (paragraph 146 of the current NPPF). (Therefore, para. 146, provides a closed list of categories of development which is "not inappropriate" provided openness is preserved and the development does not conflict with the purposes of including land in the Green Belt.)
- 6.2.19 The Supreme Court in the Samuel Smith case considered whether it was necessary (rather than just permissible) to take landscape and visual impacts into account, in deciding whether openness was preserved. It was held unanimously that it was not necessary to take them into account. Lord Carnwath confirmed that “visual quality of landscape is not in itself an essential part of the “openness” for which the Green Belt is protected”, nor was the visual impact so obviously material here, as to require such direct consideration. The issue which had to be addressed, as a matter of planning judgement, was therefore whether the proposed mineral extraction, through the extension of the quarry, would preserve the openness or otherwise conflict with the purposes of including the land in the Green Belt.
- 6.2.20 “The concept of “openness” in para 90 of the NPPF [now para 146] seems to me a good example of such a broad policy concept. It is naturally read as referring back to the underlying aim of Green Belt policy, stated at the beginning of this section: “to prevent urban sprawl by keeping land permanently open ...”. Openness is the counterpart of urban sprawl and is also linked to the purposes to be served by the Green Belt. As PPG2 made clear, it is not necessarily a statement about the visual qualities of the land, though in some cases this may be an aspect of the planning judgement involved in applying this broad policy concept. Nor does it imply freedom from any form of development. Paragraph 90 shows that some forms of development, including mineral extraction, may in principle be appropriate, and compatible with the concept of openness. A large quarry may not be visually attractive while it lasts, but the minerals can only be extracted where they are found, and the impact is temporary and subject to

restoration. Further, as a barrier to urban sprawl a quarry may be regarded in Green Belt policy terms as no less effective than a stretch of agricultural land.”

- 6.2.21 The planning officer’s report was held to have considered the broad policy concept of Green Belt openness appropriately and so the Council was correct to have accepted it and allowed the development.
- 6.2.22 Importantly, the Supreme Court re-enforced the importance of planning judgement within the role of the decision maker by stating:
- 6.2.23 “[Openness] is a matter not of legal principle but of planning judgement for the planning authority or the inspector ... Paragraph 90 [now 146] does not expressly refer to visual impact as a necessary part of the analysis, nor in my view is it made so by implication. As explained in my discussion of the authorities, the matters relevant to openness in any particular case are a matter of planning judgement, not law.”
- 6.2.24 Prior to this, the definition of Green Belt openness in the context of assessing potential development effects has been largely based on the following case law:
- 6.2.25 **Heath and Hampstead Society v London Borough of Camden 2007** and **Timms/Lynn v Gedling BC 2013** suggest that ‘openness’ is strictly related to the absence of buildings or development; the extent to which a site is visible from public vantage points and the extent to which a proposed development would be visually intrusive are separate from openness. Thus, a building which was otherwise inappropriate in Green Belt terms was not made appropriate by its limited visual impact
- 6.2.26 **Turner v Secretary of State for Communities and Local Government 2015** shows that the concept of ‘openness’ is not *‘narrowly limited to [a] volumetric approach’*; in this case, it is considered that the *‘visual impact is implicitly part of the concept of ‘openness of the Green Belt’*” and it relates to the capacity of the Green Belt to fulfil its purposes.
- 6.2.27 There is no substantial building on the site and only the remains of the structure exist and as indicated above a comparison between the current existing site circumstances and proposed building cannot be accurately assessed. There are numerous definitions of what constitutes building footprint. It is the term used to describe the boundaries of the exterior walls of a building or structure or it can also be used to describe the boundaries of a roof or covered area if there are no walls surrounding a building or structure. Alternatively, it could also mean the outline of a building, as measured around its foundation. Floor space is the gross amount (all storeys, including basement) and is an external measurement, including the thickness of any external and internal walls as set out in paragraph 12 (1) of Part 1 of Schedule 1 to the 2012 Fees Regulations. The volume of a building can be defined as the total volume included between the outer surface of the walls measured from the lowest storey to the roof of the building. There is no roof on the building and therefore the maximum roof height and eaves height cannot be determined. Based on site observations, as much of the external walls and roof have been destroyed and no longer exist, it is considered that the remaining structure on site is much reduced in terms of its scale and volume

compared to the pre existing building figures cited in the above table. As such, it is considered that the proposed building would be much greater both volumetrically and in terms of its footprint and floorspace than the figures identified above. It would therefore have a much greater impact on the openness on the Green Belt than the existing development. Since the application was submitted, the applicant has not provided any updated information in respect of the scale of the existing fire damaged structure which remains on site. It is therefore considered that the applicant has failed to demonstrate that the proposed development not have a greater impact on the openness of the Green Belt than the existing development.

- 6.2.28 The application is supported by a Landscape and Visual Impact Assessment (LVIA) which seeks to demonstrate that the proposal would not have a greater impact on openness outlining that although the proposed building would be larger than the existing one in terms of both volume and footprint, it would be more compact as depicted in the site overlay diagram below:



Figures 2 and 3 - Existing and proposed building overlay

- 6.2.29 However, again the above diagram and LVIA fail to consider the impacts in relation to the existing situation. The supporting information and images in the LVIA indicate that the site is entirely screened by mature vegetation when viewed from Stanmore Country Park to the west of the site and from Augustus Close and the residential development to the south. There would be no alteration in relation to the vegetation which exists around the site and therefore it is accepted that the proposed replaced building would not likely be visible from these vantage points from the identified long and medium distance views outside the site even in relation to the existing site circumstances.





Photoviewpoint 7: Taken from residential edge of Augustus Close. Orientation: North Distance from site: 240m

Above: View from edge of Augustus Close to the south



Photoviewpoint 9: Taken from permissive footpath within Wood Farm Country Park. Orientation: East Distance from site: 350m

Above: View from Stanmore Country Park

6.2.30 The site can currently be seen from Brockley Hill to the east. Areas of hard standing exist which are associated with the car park and access road. Although they are limited to the south of the site, around the pre-existing building, they can also be seen from the entrance and reduce the sense of openness. However, the images provided of the building from this location are from the pre existing situation and as such an accurate assessment on openness cannot be made from this vantage point.



Above: Existing View of Site from eastern entrance along Brockley Hill with proposed security gate

6.2.31 The LVIA demonstrates that pre-existing building is clearly visible and prominent from more localised views within site and inside the existing mature tree line. There are clear views from both the northern former golf course area and in some views from the green space to the south, noting there is an existing line of trees to the south. The open nature of the site and the exposed edge of the pre-existing building shown when viewed from the upper slopes within the site impacts on openness of the Green Belt as well as the presence of fencing and netting seen around the wider golf course. Moreover, the report also notes that walling and timber fencing around the former existing club house all contributed to the developed nature of the southern part of the site and reduced the sense of openness of the site.



Image 2: Existing building as viewed from the upper slopes of the site  
Above: Former Club House building in views from the north

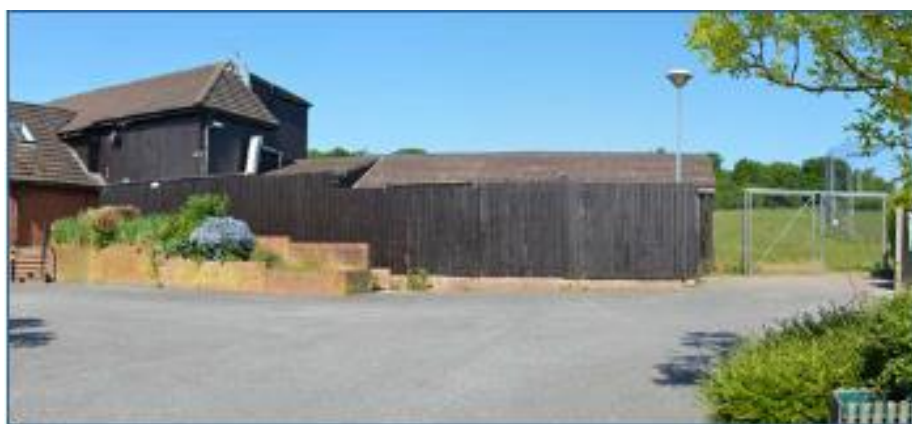


Image 3: Brick walls and timber fencing associated with the building

Above: Timber walling and fencing seen around the southern half of the building



6.2.32 However, as can be seen from current site circumstances shown in the images below, views of the remaining structure from within the site now has a very different character to that considered in the LVIA.



Above/Below: Former front elevation of the remaining structure from the northern side of the site





Above: Existing fencing and netting surrounding the former golf club





Above: View of the remaining structure from the south

- 6.2.33 Based on site observations, the lack of internal, external walls roof and apparent complete loss of some sections of the building, the visual presence of the building is now considered to have a much-reduced visual impact in the landscape. Although the proposed building would have a more compact form, it would appear as a solid developed mass and in officers opinion, based on site observations would have a much greater visual impact on the openness of the Green Belt compared to the existing situation. The applicant advises that the tall fencing and netting surrounding the golf course is proposed to be removed and the bunkers surrounding the land infilled for beneficial ecological purposes. However, the area of land which contains these features are not within the red line application boundary and as such officers are unable to secure this either through condition or section 106 agreement due to potential land ownership issues. In any case, it is considered that this would not be sufficient to mitigate the greater perceived impact on openness that the proposed building would have.

#### Change of Use in the Green Belt

- 6.2.34 The need for a sequential test is also applicable in relation to the proposed change of use of the land within the Green Belt. As noted above, the change of use does not correspond to the Use Class Order 2020 but to the operational and functional use of the land. The exceptions discussed above in relation to paragraph 145(d) and 145(g) relate to the provision of new buildings only. With regard to a change of use of the land paragraph 146 of the NPPF explains that “certain other forms of development are also not inappropriate in the Green Belt

provided they preserve its openness and do not conflict with the purposes of including land within it". One of the exceptions listed is "material changes in the use of the land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) (Paragraph 146(e)).

- 6.2.35 Although particular uses are highlighted under paragraph 146 (e), this is not a closed list and therefore it is considered that other uses could apply. As such, consideration must be given to the openness and purposes of Green Belt land.
- 6.2.36 As discussed above it has not been demonstrated that the proposed building associated with the change of use would not have a greater impact on the openness of the Green Belt than the existing development. Notwithstanding this, the change of use of the land from a golfing facility to a banqueting facility will clearly change the nature of the activity on site. It will result in more people using the site at peak times during events and fewer people using the site at other times when compared to the existing golf centre use. In this regard, officers concur with the view of officers at the GLA that where the Agent of Change and Transport issues can be addressed, the proposed change of the nature of activities at the site would not result in a net additional impact on the openness of the Green Belt. This is considered in detail under section 6.4 and 6.5 of the appraisal below.
- 6.2.37 In respect of the purposes of Green Belt land, it is considered that the proposed change of use would not conflict with paragraph 134 (a) to (d). The surrounding boundaries of the wider site area are occupied by mature trees and vegetation and there is no physical connection between the area of land proposed from development and any large built up areas. It also accepted that the building would be positioned on previously developed land and so would not result in any encroachment of the countryside. The proposed site is also not in proximity to any historic towns. However, it is considered there is potential for conflict with paragraph 134 (e) "to assist in urban regeneration, by encouraging the recycling of derelict and other urban land". The proposal is a town centre use and therefore it must be demonstrated that there are no other suitable urban sites. The applicant has provided a comprehensive sequential site assessment and has sufficiently demonstrated that there are no alternative appropriate urban sites which is discussed in more detail below. It is therefore considered that the proposal would not conflict with paragraph 134 (e).
- 6.2.38 Notwithstanding, the views expressed above relating to site observations and the change of use of the land, the applicant has failed to demonstrate that the proposed development would not have a greater impact on the openness of the Green Belt and the Local Planning Authority is therefore unable to accurately determine whether the proposal would accord with paragraph 145 (g) of the NPPF. The proposal is therefore contrary to the outlined policies of the development plan.

#### Very Special Circumstances

- 6.2.39 The applicant has not presented a case for 'Very Special Circumstances' to justify a departure from the policy. As outlined in the supporting Planning Statement "*The building was reduced in size so that it has a footprint of circa*

*30% of the footprint of the existing building, resulting in a building that is not materially larger than the one it replaces and hence a VSC case is not required to justify the proposed development in the Green Belt”.*

- 6.2.40 The Planning Statement sets out that a key driver of the proposal is that the existing Premier Banqueting must relocate from its current premises in Wealdstone due to the termination of a lease (by the Council) of circa 280 parking spaces at the Peel House car park which serves the existing Premier Banqueting facility located opposite. (The Peel House Car Park site is approved for new Council Civic Centre offices). The applicant does outline that there is a lack of alternative banqueting facilities in the Borough catering for large capacity numbers and that there are only three other venues in Harrow that can accommodate at least 400 guests. It is stated that the venue is unique as it provides an important facility for the multi-ethnic communities of Harrow and its loss in the borough would adversely impact on social and economic multiplier benefits it brings to the Borough.
- 6.2.41 It is recognised that the proposal would help maintain the offer of social infrastructure for a number of surrounding diverse communities in the borough. Although the applicant outlines there is a lack of alternative banqueting facilities in the borough catering for large scale events, this claim is not supported by a needs assessment or evidence of the level of demand for such a facility and is therefore given little weight in the assessment. Additionally, officers consider that the community use value of the Banqueting Suite would be limited, given that it is a private business. Furthermore, while the Banqueting Suite does provide a facility for people to meet and socialise, it does not serve a function that is fundamental to the community’s health and well-being, or provides access to goods or services critical to meeting everyday needs, thereby falling with the uses defined within the glossary of the Development Management Policies Local Plan (2013). On this basis, officers consider that the re-provision of a banqueting facility within the Green Belt would not warrant ‘Very Special Circumstances’. The applicant has not provided any evidence of the social and economic benefits the proposal would provide to the borough and the scale of such benefits are considered to unlikely to amount to significant benefits. As such, the generalised statement that the proposal will result in social and economic benefits is not considered ‘VSC’ to justify a development of this nature in the Green Belt.
- 6.2.42 The other benefits of the scheme put forward by the applicant relate to enhancement to landscape and ecological benefits, drainage improvements and a highly sustainable and energy efficient building. However, these are policy requirements of the development plan and are not considered as ‘VSC’. Moreover, as discussed elsewhere in this report, the proposed ecological and landscape benefits are significantly reduced since the original application was submitted which covered a much wider land area and the proposal fails to demonstrate that it would not be harmful in relation to existing ecology and biodiversity on and around the land.
- 6.2.43 The applicants have taken legal advice in relation to issue of the assessment of the proposal in relation to the existing site circumstances under paragraph 145 or 146 of the NPPF. It is noted that the legal opinion does not question the fact that the existing site circumstances should be the starting point for assessment.

- 6.2.44 The legal opinion questions the Council's judgement in relation to paragraph 145 (d) in relation to the issue of whether the proposed building would be materially larger. Firstly, as outlined above, officers do not accept that paragraph 145 (d) is applicable as this requires the building to be in the same use. This does not refer to use class. Due to the markedly different functions and operational impacts paragraph 145 (d) does not apply. In respect of the materially larger aspect of paragraph 145 (d), the legal advice considers that the present case to be significantly different from the Lanbrook case as there is still a substantial recognisable built form on the site after the fire which provides a meaningful basis for assessment. This is previously acknowledged above – but as stated elsewhere the Local Planning Authority is unable to undertake a detailed through assessment on this position as the supporting documentation all relates to the pre-existing situation.
- 6.2.45 The legal advice taken by the applicant makes the same criticism in relation to officer's view in relation to paragraph 145 (g) in respect of the impacts on openness of the Green Belt in terms of both spatial and visual impacts. Officer's have drawn some conclusions from site observations but as acknowledged above, a detailed accurate assessment of the current existing site circumstances has not been provided by the applicant. As such, it is the applicant that has failed to demonstrate the proposal would not have a greater impact on the openness of the Green Belt in both visual and spatial terms. The existing remaining structure is not considered to have any floorspace or volume as there are no internal/ external walls, floors or roof present and is completely open to views of the surrounding landscape. As such, in officer's judgement, there would be substantially greater impacts on openness of the Green Belt as a result of 100% increase in volume and floorspace as well the introduction of a solid developed building mass into the landscape as opposed to the open sided structure which currently exists on the site.
- 6.2.46 The legal advice taken by the applicant asserts that replacing a fire damaged building with a new building for use as a banqueting facility would amount to 'Very Special Circumstances' to justify allowing the development as it would bring considerable benefits. However, as set out above, the applicant sought to reduce the building footprint to ensure a case of 'Very Special Circumstances' was not required. The other benefits put forward by the applicant, discussed above, are not considered to amount to 'Very Special Circumstances'.
- 6.2.47 It is noted that the site has been subject to extensive fly tipping since the fire and it is also accepted that the appearance of the fire damaged building is an eye sore in the surrounding landscape. However, the existing state of the building and the site does not provide justification for development which is inappropriate in the Green Belt. A new building and its associated use must be justified in policy. It is not accepted that the replacement of a fire damaged building with a new building for a banqueting facility would amount to 'Very Special Circumstances', given it's a town centre use, is a private business with limited community value and as there is no evidence of demand or need for such a facility in the borough. Furthermore, the building and its use is considered to be harmful to the biodiversity and ecological value of the surrounding land. Whilst the proposals, could assist in improving the current appearance of the

surrounding landscape, the benefits of the proposal are not substantial and as outlined do not justify inappropriate development. As such, the harm of the proposal is not outweighed by other material considerations.

#### Development Outside of Town Centres

- 6.2.48 The NPPF (paragraph 86), Local Plan policies CS 1 L and DM 35 as well as London Plan Policy SD7 promote the town centre first approach and discourage out of centre development of main town centre uses. In accordance with these policies, the applicant has undertaken a sequential test.
- 6.2.49 The applicant established a range of search criteria which is accepted by officers including the size of the site, minimum floorspace of 1000sqm on a single floor space (which is commensurate with the existing function space requirement of Premier House in Wealdstone and less than the current overall existing floorspace of 1387sqm) and access to car parking within a 250-metre radius. It was accepted that due to the nature of events (i.e. weddings) there would need to be access to some level of parking. Other criteria included availability, accessibility PTAL 3 to 6, Use Class B1, D1/D2, not in flood sensitive area and on urban and previously developed land.
- 6.2.50 The initial sequential assessment focussed on sites only within the London Borough of Harrow. A search was conducted based on the Harrow Local Plan Site Allocations (2013) and well as searches from property web sites and commercial estate agents. The proposal considered 17 allocated sites and found the sites were not suitable or available. Officers accepted the conclusion of the initial sequential search but requested that the search area was widened to include other town centres outside of the borough of Harrow and further justification for the rationale for the search area provided.
- 6.2.51 In response, the applicant undertook additional searches within the town centres of Wembley (London Borough of Brent), Ruislip/Eastcote (London Borough of Hillingdon), Northolt (London Borough of Hillingdon), Borehamwood (Borough of Hertsmere), Edgware (London Borough of Barnet and Colindale (London Borough of Barnet)). A distance of 5 mile (8.074KM) radius from the former Premier House facility was considered based on the fact that 85% of event hosts were located either within 5 miles or 10 miles of the Premier Banqueting facility in Harrow. As such, it is accepted that a five mile distance was reasonable search area. In addition to searches on commercial web sites and a further review of the Council's vacant sites list in Harrow, the following sources of information were used to identify sites:
- Brent LDF Site Specific Allocations (2011)
  - Regulation 19 Draft Brent Local Plan (2019)
  - Hillingdon Local Plan Part 2; Site Allocations and Designations (2020)
  - Hertsmere Site Allocations and Development Management Policies Plan (2016) and
  - Barnet Emerging Local Plan Site Appendix 1: Allocations (2019)
- 6.2.52 A further 57 sites in addition to the those on commercial web sites and the Council's vacant sites list have been considered. The extended search area is

considered to be comprehensive and the justification for discounting the various sites reasonable. On this basis, it has been adequately demonstrated that all reasonable alternatives for the proposal in town centres and edge of centre location have been explored in terms of scale, format, car parking provision and scope for disaggregation in the format of the proposed development.

- 6.2.53 The proposals are for less than 2,500sqm of floorspace and therefore in accordance with local policy DM 35 and paragraph 89 of the NPPF and assessment of impact on local centres is not required. In relation to DM35(e), the proposal is supported by a Travel Plan which seeks to enhance sustainable travel to the site and town centre. Although the Travel Plan is not considered to be acceptable in its current form, had the proposal been otherwise considered acceptable, it could have been modified and secured by section 106 agreement.

#### Loss of Existing Community and Sport Facilities

- 6.2.54 The existing driving range would fall within the definition of a community facility as identified within the local plan. London Plan Policy S5, Core Strategy Policy CS1 Z and Local Plan Policy DM47 Retention of Existing Community, Sport and Education Facilities provide the context for considering the loss of such facilities.
- 6.2.55 The lawful use of the site is a golf centre (Use Class D2) and previously the land was occupied by a clubhouse with shop, 9 hole golf course and driving range. The driving range closed in 2019 and the golf course in early 2020. The applicant outlines that this was because neither operation was viable.
- 6.2.56 The previous planning application ref: P/1525/17 (allowed on appeal) is relevant to this consideration. The principle of the loss of the facility was accepted by the inspector on the basis of evidence provided by the appellant that the operation of the site had been affected by its narrower range of facilities and a general downturn in golf activities and spending. In that appeal, the inspector stated "*I have no evidence before me to suggest that the local area is otherwise deficit in sports facilities. Therefore, I cannot conclude that a reduction in the level of provision at the appeal site as proposed would have significant implications for the availability of sports facilities in the area*".
- 6.2.57 The applicant has reviewed the Harrow Outdoor Sports Strategy 2012 which does not include golf provision and therefore not a clearly identified need. There is currently an updated Outdoor Sports Pitch Strategy 2013-2021 which again does not outline golf to be an identified need.
- 6.2.58 The applicant has undertaken an assessment which demonstrates there are 16 other golf courses within a five mile radius of the site and of these five have driving ranges. There are also 7 other driving ranges within a five mile radius of the site and one under development. Although policy DM 47 outlines facilities to be in walking distance, given the nature of golf in terms of the amount of equipment required, it is accepted that participants would be highly unlikely to walk to such a facility. Notably, this was also the conclusion of the inspector on the previous appeal decision: "*A number of the nearby facilities referred to, all of which are within 6.5 km of the site have driving ranges. These are not within walking distance, as referred to in policy DM 47 of the Harrow Development*".

*Management Polices Document. However, given the nature of golf with the amount of equipment required, I find it highly unlikely that participants would walk to such a facility”.*

- 6.2.59 The inspector concluded that the proposal would not conflict with policy CS 1 G of the Core Strategy or policy DM 47 due to the fact that there was no longer a need for the facility or there are adequate similar facilities which offer equivalent provision. Having regard to the above there is considered to be no conflict with the relevant outlined polices.
- 6.2.60 Policy S5 of the London Plan outlines that Existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless: An assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough’s assessment of need for sports and recreation facilities should inform this assessment. Although golf is not identified as a need within the Borough, the applicant has not explored the need for alternative sport provision. However, it is noted that the Greater London Authority have not objected on this basis as the author of the London Plan and as such is not proposed as a reason for refusal. However, the Local Planning Authority considers that this should be addressed.

### Conclusion

- 6.2.61 The application supporting document is based on the pre-existing building form before it was mostly destroyed by a fire. There is nothing within the NPPF or Planning Law which outlines that Local Planning Authorities should consider pre-existing site circumstances in relation to Green Belt policy or more generally. This view is ratified by Council legal officer’s and appeal decision ref: APP/J1915/W/20/3254917 – Lanbrook, St.Mary’s Lane, Hertingfordbury, SG14 2LD (A full copy of this appeal decision is appended to this report). The proposed new building would not accord with paragraph 145 (d) and the application does not adequately demonstrate that the proposal would not conflict with paragraph 145 (g) of the NPPF (2019). It is therefore concluded that the proposal would have a detrimental and harmful impact on the openness of the green belt. No ‘Very Special Circumstances’ have been put forward that would outweigh this policy conflict. The principle of the development is therefore unacceptable.

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

### 6.3.1 *The relevant policies are:*

- National Planning Policy Framework (2019)
- The London Plan 2021: D3 D (1) (6), (10), (11) (12) (13), (14)
- Harrow Core Strategy 2012: CS1 B
- Harrow Development Management Polices Local Plan (2013): DM1, DM16



## Design Review Panel

The proposal was subject to one Design review Panel. This was based on the previous iteration of the scheme and on the pre-existing building before the fire. This included the wider red line boundary and included a case for the provision of an archery pavilion which was based around providing a case for 'Very Special Circumstances'. Nevertheless, some of the comments around the building remain relevant.

In general the Panel strongly encouraged the applicant to develop a more holistic approach to the site, both in terms of biodiversity net gain and energy generation. The Panel was in support of sedum roofs to provide positive environmental benefits but outlined there are still improvements needed to reach the appropriate standards of sustainability for a new build. It was outlined that sedum roofs are not required if the whole site can be utilized more effectively to promote biodiversity. Significant planting to the North of the site was strongly supported and recommended as this is the viewpoint where the existing and proposed developments will have the greatest visual impact. It was suggested that a wildflower meadow or tree planting will create varied opportunities for recreation and use by wedding parties, as well as a rich home for wildlife. The panel recommended a clear strategy for biodiversity should be presented which evidences the maintenance of the wider site as well.

The panel also suggested that the materiality and form of the banqueting space should address the wider development palette and typology. It was outlined the introduction of a roof pitch to this space and alignment with adjoining eaves and adjacent spaces would help to create a more cohesive holistic form. Additionally, the panel noted that the elevations and facades of the banqueting hall could have a more visually appealing rhythm between glazing and wall to improve its linear appearance and increase connection with its adjoining barn typology. The panel was not convinced by different material palettes for each section of the building.

## Siting and Layout

- 6.3.2 The proposed building has sought to minimise its impact on the surrounding area by being sited broadly on the footprint of the pre existing structure and previously developed land which is supported. The building would have a more compact form than the currently existing remains of the building post fire which still has the frame of the pre existing projecting wings in place. However, as discussed above, although the building would have a more compact form, due to the nature of the existing remains of the building this has overall not been shown to improve the level of openness in this part of the Green Belt site.
- 6.3.3 The building contains three functional areas including the front of house area, back of house area and banqueting hall which would be connected by internal circulation corridors. The analysis of how the existing banqueting hall functions and the subsequent rationale which has defined the spatial layout for the proposed scheme is commended and well-considered. The applicant has sought to respond to comments and suggestions from the Independent Design Review Panel, particularly regarding maximising landscaping opportunities both to add

richness and biodiversity to an already rich landscape but also to increase the experiential value of the wedding venue itself.

- 6.3.4 Internal spaces are generally well-considered and the segregation of spaces appropriate given the intended use and need for separate back-of-house functions. The sequential rhythm of spaces from entrance to reception space and on to banqueting space has been revised and is well-considered, allowing for a slow reveal and progression during events. The linear orientation of buildings which take into account both the site topography and the aspect onto the landscape is a logical approach and the Southern site aspect is now fully utilised.

#### Massing and Scale

- 6.3.5 The proposed massing and scale of the building has been based on an assessment of the pre existing building on site before it was destroyed by fire. Setting aside the issue of Green Belt openness, it is considered that the overall compact design and barn typology is considered to be acceptable. The height and overall scale of the building which is focussed on a previously developed part of the site is considered to be comfortable and appropriate. Nevertheless, this does not negate concerns previously raised in respect of Green Belt openness.

#### Public Realm and Landscaping

- 6.3.6 The fan element to the pedestrian entrance is considered highly successful in signifying an arrival point to the venue for guests. The secret garden and swale elements maximise the southern aspect of the site and SUDS swale/pond and create more intimate and sheltered spaces for guests through planting and landscaping. The revisions to the pagoda path and re-siting of secret garden are considered to be positive and successful.
- 6.3.7 Officers are concerned about the lack of consideration and integration to the surrounding landscape and it is not clear how the space outside of the red line would be utilised. This aspect of the proposal was also strongly promoted by the Design Review Panel. This is discussed in more detail in section 6.6 of the appraisal.

#### Architectural Form, Composition & Materiality

- 6.3.8 The applicant has sought to provide a modern take on a rural barn building. Following feedback from the Design Review Panel, the proposed materials palette has been refined to try and provide a more cohesive building. Natural materials have been selected to help the building blend its semi-rural green belt setting. The proposed green wall, timber cladding and grey slate are in keeping with the sites Green Belt setting.
- 6.3.9 In response to comments from the Council's urban design officer there have been some minor external design changes to the south and west elevations of the proposed building as follows:

- The projective box element on the south elevation has been simplified with the introduction of a wall to close off the gable end of the Front of House building, reinforcing the barn typology.
- The wraparound balcony has been split into two separate balconies on the west and south elevations.
- The laser cut material for the balconies and external staircase has been reduced in its extent.

- 6.3.10 The revised design responses have been reviewed by the Council's Urban Design officer. Despite being reduced in a positive way which better respects the gable end of the southern block, concern remains regarding the first-floor rectilinear projecting element of the southern block. This is not considered to be well-integrated with the pitched barn form and does not present a successful form overall.
- 6.3.11 Generally, the siting of slate shingles to arrival elevations (south-east and north-east) and timber to garden/ banqueting elevations (north-west and south-west) is appropriate and serves to create a distinction in the external form of the building itself.
- 6.3.12 The first-floor rectilinear projection has a significant fascia board which results in this projection appearing overly heavy and domineering. Officers consider this element should be revised this to either lighten its massing or integrate the form into the pitched roof of the rest of the building. Assessing the southern elevation more broadly, other glazing elements (Bay Study 1) feel better integrated and the projecting element should take cues from this.
- 6.3.13 There is concern as to the quality of mesh panels to staircase, infill panels and balustrades. Simpler solutions which have a material or textural richness may also prove as effective and officers consider this as an alternative option, for example, replicating the beaten copper effect for these building elements.
- 6.3.14 It is presently unclear how the external spiral staircase will be used and if it is to be used by wedding couples, whether a more linear staircase may in fact allow for greater decoration and photo opportunities, particularly as the spiral stair currently terminates facing the building as opposed to away from it towards the garden.
- 6.3.15 Accent cladding material is considered successful (Bay Study 3, DAS) and could be extended to other external feature element, with potential to replace the perforated patterned mesh elements.
- 6.3.16 The fenestration to the banqueting hall external elevations appears highly commercial and lacks the playfulness this threshold/ glazing element should have between the garden and banqueting space. For example, bench seating at the foot of these glazing units would create greater dialogue and visual interest between interior and exterior spaces. Generally, the elevations of the banqueting suite remain less resolved than those of the other two pitched roof volumes.
- 6.3.17 The proposed PPC brise-soleil fin surrounds to banqueting hall glazing units (Bay Study 4) are not presently considered successful. While some form of solar

shading is appropriate, the tapered shape of these feels unresolved at present. There is potential for these to have the same beaten metal treatment as the lining in Bay Study 3.

- 6.3.18 The use of bronze inlays for reveals has potential to be highly successful and contrast well with the dark matt materials of the blackened timber and black metal sheeting. There is potential to deliver the concept of a jewel box and add a truly celebratory quality through this type of material juxtaposition, if used sparingly and with intelligence.
- 6.3.19 Generally, the material palette is successful, however there is concern that the woven metal mesh element dilutes the palette and that a reduced palette may be better suited to the proposal. The hammered metal cladding could replace mesh elements and still retain the celebration inherent in the design and it is considered a reduced palette could be explored.
- 6.3.20 Had the proposal been considered acceptable, a condition would have been attached to secure further amendments to the design in line with the above recommendations.

### Conclusion

- 6.3.21 The approach to siting and layout of the building is supported and in general is well considered. The overall scale and massing of the building when considered in isolation to Green Belt issues is also generally considered to be acceptable. The applicant has sought to provide a material finish which respond to its semi-rural green belt setting and in general this is considered to appropriate, although, the material pallet could be further refined and improved as discussed above. Additionally, further amendments to the design as highlighted would improve its overall appearance which could be secured by planning condition, had the proposal been considered acceptable in other regards.

## 6.4 Residential Amenity

### 6.4.1 *The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM
- London Plan Policy 7.4
- The London Plan (2021) D3 (7), (9), D13, D14

- 6.4.2 The London Plan Policy D13 introduces the Agent of Change principle which places the responsibility for mitigating impacts from nuisance-generating activities or uses on proposed developments rather than existing neighbours. The policy states that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and that boroughs should not normally permit development proposals that have not clearly demonstrated how noise and other nuisances will be mitigated and managed.

- 6.4.3 The London Plan Policy D14, which pertains to noise, instructs that development proposals should reflect the Agent of Change principle and that any potential adverse effects of noise should be controlled and mitigated through applying principles of good acoustic design.
- 6.4.4 The proposed banqueting hall use would generate noise by way of music and general merriment which if unmitigated could reasonably travel across the open areas within and surrounding the site. That noise might then result in a disturbance to residents to the east on Pipers Green Lane and Grantham Close and to the south on Cleopatra Close and Augustus Close, particularly if generated into the night.
- 6.4.5 The applicant has submitted a Noise Impact Assessment (NIA) which examines the likely impacts of operational noise generated on site and provides a comparison of the predicted noise levels against the existing baseline. The NIA concludes that with all windows and doors closed there is unlikely to be audible noise spill over from the proposed development to nearby noise sensitive properties. The NIA also concludes that noise generated by lively conversation at the rear of the banqueting hall and from the use of the car park and from the arrival and departure of taxis is unlikely to reach noise sensitive properties surrounding the site.
- 6.4.6 Details of plant have not been provided but this could be secured by conditions.
- 6.4.7 The proposed development is some distance from the nearest residential receptors (approximately 300 metres from Cleopatra and Augustus Close to the south and Pipers Green Lane to the south east) and with the exception of the entrance road is screened on all boundaries by existing trees and vegetation. Given the identified distances, the scale of the proposed developments or impacts from its associated lighting are not considered to result in an adverse impact on the nearest neighbouring occupiers.
- 6.4.8 It is acknowledged that the assessment only considers the impact of the proposals in relation to the situation where all windows and doors on the venue are closed. It is noted that a number of representations have been received outlining that this is not realistic. The application has been referred to the Council's Environmental Health Department who have advised that this would be a requirement as part of the licensing of the premises. It would also be expected that windows and doors should be wired into a limiter to prevent noise break out. Environmental Health have advised that subject to conditions that are set out in the noise report including that all windows and doors are to remain closed when the banqueting hall is in use and connected to a noise limiter there would be no adverse impacts in relation to the nearest noise sensitive receptors to the south and south east of the site. Environmental Health have raised no objections to the conclusions in relation to noise from external conversation around the venue or from vehicles leaving the site during the evening.
- 6.4.9 The applicant has indicated that the facility would maintain the same hours as the existing facility, but it is not clearly specified what this is. Further information has been sought from the applicant. In any case had the proposal been considered

acceptable a condition would have been attached to address this matter. Environmental Health have outlined that the opening times should be restricted from 7am to midnight mon-sat and 8am to 11pm Sundays and bank holidays. A further condition would also have been added in relation to the restriction of delivery times from 07:00-19:00 mon-sat.

6.4.10 In conclusion, subject to the above outlined conditions, the proposal is acceptable in relation to neighbouring amenity impacts and would comply with the above relevant policies.

## 6.5 **Traffic, Safety and Parking**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2021: T1, T2, T4, T6, T6.4
- Mayor's Transport Strategy: Policy 1
- Harrow Core Strategy CS1 R
- Harrow Development Management Policies Local Plan (2013):DM42 and DM 43

6.5.2 This a proposal to relocate the existing Premier Banqueting suite which is currently located in Wealdstone to the former Stanmore and Edgware golf centre in Brockley Hill, Stanmore.

6.5.3 This involves the demolition of the exiting golf club buildings and construction of a new banqueting facility for events and conferences.

6.5.4 The existing site uses a public car park which is due to be closed and redeveloped. Due to the nature of events held (weddings, celebrations), most visitors travel by car or coach, therefore, it is considered necessary to have access to a car park.

6.5.5 The proposal aims to reduce the overall vehicle trips at the site from the previous use as a golf centre and would also remove a significant number of vehicle trips from Wealdstone town centre.

6.5.6 The venue is intended to continue the activity it currently facilitates at its Wealdstone location hosting events and conferences, however the maximum capacity is to reduce from 850 to 500.

### Safety/Access

6.5.7 As the proposed use of the site will result in people arriving/departing at similar times, it is important to ensure that entry and exit can be made safely and without unnecessary impact on traffic flows along Brockley Hill. The transport assessment looks at recorded personal injury accidents (PIA's) on roads around the site over the last 10 years and identifies three PIA's in the vicinity for the access to the proposal site. Some of the incidents involved vehicles turning right into the former golf centre.

- 6.5.8 It would be preferable to alter the layout of Brockley Hill to provide a dedicated right turn pocket however, there is insufficient carriageway width available, therefore, the proposal includes a redesign of the access to prevent right turning into the site.
- 6.5.9 Removing the right turn into the site will also prevent queuing and reduce the risk of shunt accidents. It would be beneficial to remove the right turn out of the site too in order to further improve safety. A 'left in/left out' arrangement for this location is feasible as there are roundabouts at either end of Brockley Hill that are large enough to allow vehicles to u-turn if needed.
- 6.5.10 A road safety audit of the proposed highway works has been carried out and identified two issues associated with the proposed alterations to the access;
- The potential for shunt accidents at the mini roundabout at the junction with Pipers Green Lane
  - A lack of pedestrian facilities across the widened junction
- 6.5.11 The findings of the road safety audit are agreed and officers would also recommend that further consideration is given to modification of the mini roundabout at the junction with Pipers Green Lane although it will also be necessary for the applicant to ensure access routes into and out of the site are promoted in any literature or website information too.
- 6.5.12 The junction layout can be redesigned to allow the suggested left in/left out arrangement and also incorporate pedestrian crossing facilities. This detail can be provided post determination, secured via condition.
- 6.5.13 It is also agreed by both Barnet and Harrow Council Highways officers that a reduction in speed limit along Brockley Hill Would be necessary to improve safety and enhance the walking/cycling experience. The Transport assessment includes Automatic Traffic Count (ATC) data collected from Brockley Hill which shows that southbound speeds in particular are on average around 40mph. This speed would not encourage walking or cycling. Higher speeds require longer stopping distances – visitors to this venue are likely to be unfamiliar with the location and perhaps hesitant whilst they try to find their destination. A reduction to 30mph would be preferable and would seem appropriate for the type of road. The applicant has confirmed in a revised TA that the speed limit would be reduced to 30mph along Brockley Hill

#### Local area

- 6.5.14 The events held are likely to generate additional traffic on the network however, it is likely to be spread across the duration of the event with peaks at the start and end times. Based on the proposed car park capacity, it is considered that the surrounding highway network has sufficient capacity to accommodate these vehicles without severe detriment. The events starting at around 6pm are most likely to have a more noticeable effect although this is towards the end of the

evening peak. There is unlikely to be any conflict for the end of events as the network appears to be less busy late at night.

- 6.5.15 The analysis in the TA looks at the potential traffic conflict between events being held at the proposal site and Wembley Complex events. This is considered necessary as people drive to Stanmore Station and travel to Wembley by Underground. The information indicates that there may be some overlap between events, however, not so much to cause any significant concern.

#### Travel

- 6.5.16 Considering the nature of events that are currently held at the Banqueting suite, it is most likely that people will travel by car, taxi or coach/minibus. The travel survey undertaken at an event in January 2020 confirms this.
- 6.5.17 Current transport policies aim to have most journeys in London undertaken by sustainable modes. It is important that this proposal also tries to encourage as much sustainable travel as possible.
- 6.5.18 An Active Travel Zone (ATZ) assessment has been included with the application which looks at the existing routes to and from key destinations in relation to the proposal site. It is expected that if people are to travel by public transport they will use the nearby bus stops on Brockley Hill and at Canons Corner or would use the Jubilee line tube at Stanmore Station.
- 6.5.19 The study of routes identified where there are problems and suggests improvement that could be made – these are generally low cost improvements to paving surface and placement of benches. Further consideration for cycling could be made – staff should be encouraged to cycle if they live locally and the width of the highway land available along Brockley Hill could allow for modifications to perhaps increase the width of footway and introduce a shared cycle and pedestrian path. As there is very little staff car parking proposed, it is essential that options for staff to travel sustainably are explored. Bus stops would benefit from shelters, seating and litter bins where there is sufficient space.
- 6.5.20 Whilst some guests may choose to travel by public transport, walking or cycling it is expected that the vast majority will travel by car, taxi or coach. In order to minimise the number of vehicular trips, coach/minibus travel would be key. The venue operator can encourage the use of multi-occupancy vehicles by incentivising their use eg. special offers for parties that arrive by coach or arrange with a local coach company for special rates if possible or offer a shuttle service between the venue and Stanmore Station. The travel plan includes measures to achieve targets to reduce vehicular travel – this will be reviewed separately by the travel plan officer.

#### Parking

- 6.5.21 The maximum capacity events would be around 500 people – having reviewed the number of attendees in 2019, it does seem quite likely that this level of attendance will be achieved quite often, perhaps once per month. The information on how people travel and the known car park use is helpful in



understanding the demand likely to be generated however, the risk of overspill is high; the proposal site is within a low PTAL area, it is semi-rural in nature even though it is on the edge of suburban London, meaning that it is likely to be particularly dark and cold in the Winter months (due to the surrounding open spaces) and there is little public overlooking – people may not feel safe walking or cycling and so will choose to use cars instead. At the Wealdstone location, the setting is the complete opposite, being in the middle of a town centre where it is bright and busy most of the time.

- 6.5.22 Parking on the surrounding roads could present safety issues and would potentially cause congestion and also reduce parking opportunities for residents, therefore it is essential that the right level of parking is provided onsite from the outset. It is possible to try to mitigate against overspill parking – waiting restrictions could be introduced or operating a booking system for car parking may encourage visitors to car share although both suggestions have drawbacks. The introduction of waiting restrictions is subject to public consultation however, the long term impact of restrictions that are in effect even when there are no events taking place may mean that residents are reluctant to support such a scheme and pre-booking for parking will not deter those who have been unable to secure a spot from parking on-street nearby.
- 6.5.23 The proposal for 62 visitor parking spaces with a further 16 overspill may be sufficient for the average and below average attendance events but may not be enough for the larger events. Whilst the information on the use of Peel House car park seems to be reflective of the general activity associated with the existing Wealdstone venue, the assessment does not take into consideration that some people may have parked elsewhere; there is a surface level public car park which would also have been available to guests and it would also have been feasible for people to park on-street in the surrounding roads outside of parking control hours – it isn't possible to determine how often, if ever this happened but it is necessary to consider that the parking demand could realistically be higher than expected.
- 6.5.24 Coach travel will depend on the event and where guests are travelling from. It is accepted that families travelling a long distance with a lot of people living in the same area may select this as a convenient mode however, there is no guarantee that this will be a regular modal choice. A longer survey period, perhaps over the course of a month, would really be required to obtain a true reflection of how people travel to the different events.

### Cycle Parking

- 6.5.25 A maximum capacity event would comprise around 30 staff – the most that would be on site concurrently. This equates to 4 long stay cycle parking spaces. For short stay parking, based on the maximum capacity of 500 guests, 17 short stay cycle parking spaces are required. Secure covered cycle storage is provided for 21 cycles which includes 1 space that will be designed to accommodate a specialist cycle. Cycle parking is proposed to be located in the car park areas and details of the proposed storage could have been secured by condition had the proposal been otherwise considered acceptable. This provision is in accordance with The London Plan and therefore considered acceptable.

### Delivery and Servicing

- 6.5.26 The number of deliveries will remain similar to the Premier Banqueting operation which will be around 3 or 4 per week. Deliveries and servicing will be managed so that they do not coincide with events to maximise highway safety on the site. The Highways Authority have raised no objections in respect of the proposed delivery and servicing operations.

### Outline Construction Logistics

- 6.5.27 An outline Construction Logistics Plan has been prepared in line with Transport for London's Construction Logistics Plan Guidance. The Highways Authority have raised no objections to the outline proposals and a finalised plan would have been recommended to be secured by condition had the proposal been considered acceptable in other regards.

### Neighbouring Representations

- 6.5.28 A number of representations from local residents and residents further afield from the application site have been received expressing significant concerns with the impacts of the development on parking, congestion, highway safety and associated detrimental amenity impacts as a result of overspill parking. Residents have commissioned two independent Transport studies to highlight their concerns with the application. Although these studies do not form part of the application, they have been reviewed by the Council Highways Authority who have made the following comments:

### Independent Transport Assessment provided from RKS Associates

- 6.5.29 LB Harrow Authority has considered the TA associated with the proposal and acknowledge that a lot of detailed information has been provided which followed the format that we agreed with the applicant through pre-application engagement. The Highways Authority consider that the information correctly relates to relevant transport policies. The methods undertaken for assessment are all standard for planning submissions and nothing unusual or inappropriate appears to have been included. We do prefer where possible for applicants to use actual data from their own establishments as it best reflects how their business operates. If no data were available, we would expect them to use TRICS or seek data from similar sites.
- 6.5.30 There is always the potential for road traffic collisions; we have to assess whether a proposal is likely to increase this risk and seek mitigation where possible - in this case, the applicant has done that and we are satisfied that alterations to the site access along with a speed limit reduction are positive improvements.
- 6.5.31 The applicant has assessed the junction of London Road/Spur Road/A5 as officers had requested and no further analysis is required. It is already possible to u-turn at this roundabout by coach as there is sufficient room and most PSV or HGV drivers would be able to assess the likelihood of undertaking a successful

manoeuvre. This route is part of the TfL strategic road network meaning that it is intended to be used by all forms of traffic.

- 6.5.32 LB Harrow Highways have stated that we would prefer to see additional overspill car parking provision for the few events that are likely to exceed the on-site capacity as proposed. We consider this preferable to implementing waiting restrictions in the vicinity of the development but that always remains an option for both Harrow and Barnet to consider if necessary.
- 6.5.33 Although the site does not have public transport access similar to that of Wealdstone town centre, it does seem from data supplied by the operator that despite the excellent public transport provision, this was not a significantly used form of travel by customers anyway. The TA does demonstrate what is available in the Stanmore location and how it can be used therefore, it is accepted that there are options available should people wish to travel by bus, tube or rail.
- 6.5.34 It is appreciated that there will be differing views on this proposal but officers hope that this helps to clarify how Harrow Highways Authority have interpreted and considered the submitted documents.

Independent Transport Assessment by Motion:

- 6.5.35 Likely Car Parking Demand - We have already indicated that we would prefer to see additional overspill parking provision for larger events.
- 6.5.36 In respect of Access Arrangements officer have sought to agree a suitable arrangement that would make access as safe as possible and expect that the majority of drivers will adhere to signs and junction design. The Pipers Green Lane roundabout is already in place and was there when the golf centre was operating but there do not seem to have been many PIA's (Personal Injury Accident) as a result of u-turning. The Highways Authority cannot prevent drivers from attempting U-turns but if improvements can be made, this would be a betterment for the highway network. Most drivers can make a quick judgement as to whether a u-turn is feasible at a junction.
- 6.5.37 Comparison to Existing Golf Club Use - The use of TRICS is not uncommon and officers would expect another transport consultant to be aware of this. Officer's have taken the finer detail of how the previous centre operated into consideration when reviewing the TA's however, it isn't in operation at present therefore, the norm is to provide TRICS data in the absence of actual surveys.
- 6.5.38 Potential development related traffic flow - 500 person events are not expected to be regular. At one per month, we wouldn't consider this sufficient to base the whole development proposal on however, both Harrow and Barnet have indicated that further overspill parking should be provided to cater for these occasional events.
- 6.5.39 Personal injury accident record – Officers are aware of the incidents that have happened in the vicinity of the access to the proposal site, but this development is unlikely to result in an increase, particularly with the measures proposed at the junction and the reduction of speed limit on Brockley Hill.

- 6.5.40 Committed Developments - The hours of peak traffic from the Royal National Orthopaedic Hospital is not expected to conflict with this proposal, therefore, this is not likely to be a significant problem. It must be understood that the majority of events are not expected to generate significant traffic numbers and will be outside of general peak traffic times.
- 6.5.41 Traffic Congestion - The events at this venue are not expected to significantly impact peak highway network times.
- 6.5.42 Summary and Conclusions - This report gives focus to the possible worst-case scenario of a maximum capacity event. General day to day operations wouldn't result in the high figures expected at larger events. This location is not the best for public transport journeys however, the type of activity (weddings/functions) means that most people will travel by car or coach as they did when the venue operated from the PTAL 5/6 location. As the site is located close to the major road network and away from heavily built up areas, it could be considered that this is perhaps a more appropriate location for a vehicle reliant venue. In officer's opinion, the proposal is not anticipated to result in a significant risk to highway safety.
- 6.5.43 To date no comments have been received in response from the applicant to any neighbouring comments on the application.

Comments from London Borough of Barnet and Revised Transport Assessment

- 6.5.44 The London Borough of Barnet has been consulted on the proposals as the borough boundary runs down Brockley Hill and a number of the residential streets located to the south east in close proximity to the application site that may be affected by the proposals are within Barnet.
- 6.5.45 Officers at LB Barnet have noted that maximum event size would be around 500, with an average event size around 350 based off the supplied documentation that cites the previous site operated by the company.
- 6.5.46 The submitted transport assessment and travel plan suggests use of private cars for event is more likely rather than public transport given the likely nature of the events (large scale one off events such as weddings), based on travel patterns associated the firm's Wealdstone site which is in a more sustainable urban location than the proposed site. However, it also shows that the majority of users would be dropped off at the site via chartered coaches (55% and rising over the 5 year travel plan).
- 6.5.47 Officer at LB Barnet therefore consider it important that the drop off facilities for coaches and taxis are well integrated into the parking layout to prevent localised congestion and to properly facilitate this more sustainable mode of transport over private cars being parked in nearby residential areas. Unfortunately, this is not reflected in the permanent suggested parking layout, which only suggests possible ad-hoc solutions of removing car parking spaces to help coach manoeuvring. Furthermore, there are no designated coach spaces within the current layout.

6.5.48 Highways officer at LB Barnet outline that the proposed level of parking of 84 spaces (68 permanent and 16 additional spaces with the temporary removal of planters), a reduction on current numbers, would not be sufficient to prevent significant parking overspill for some events and associated localised traffic congestion at peak usage times. The nearby residential streets (beginning 200 metres south-east of the site) would likely be recipient of this overspill, impacting directly on the amenities of these Barnet residents.

#### Revised Transport Assessment

6.5.49 The applicant sought to address some of the concerns raised by both Harrow and Barnet Highways Authority through the following measures which were proposed in a revised Transport Assessment:

- Coaches to be parked off-site
- Agree to speed limit reduction
- Willing to agree to overspill parking arrangement where cars would be parked elsewhere

6.5.50 In relation to the overspill parking arrangement, no details have been provided in respect of a location for such a facility or how this would be operated and work in practice.

6.5.51 A further consultation was undertaken with both Harrow Highways and LB Barnet Highways on the updated TA. Harrow Highways have advised that the plan to allow extra coaches to wait off-site at one of the owners other venues is potentially feasible and could potentially be secured. The agreement to enable the speed limit reduction is also supported. However, officers are not convinced about the proposal for the overspill parking arrangement as it is not considered that this arrangement could be enforced. It is considered more likely that latecomers will just park on the road or in a nearby road if there is no space in the site car park. It is not clear how the venue can make people park somewhere else. Likewise, Barnet Highways Authority have maintained their objection to the proposal and are not sufficiently assured that the suggested overflow parking scheme would mitigate the concerns raised.

6.5.52 The applicant has provided some suggested draft wording that could be secured through section 106 agreement which details how the overflow parking scheme could be secured. This simply sets out that the overflow parking scheme will provide details of:

- a. the timetable for implementation of the Overflow Parking Scheme;
- b. the trigger point for when the Overflow Parking Scheme shall be activated for an event which shall be where the numbers of guests attending that event exceeds 350;
- c. the location (or locations) of the overflow parking provision;

d. how the scheme shall operate including arrangements for shuttle buses; and the management of the scheme

- 6.5.53 The planning statement outlines that the size of event and the number of parking spaces required and coaches will be recorded as part of the Travel Plan obligations by the banqueting facilities management team at the point of booking the event. The management team will then plan for the level of parking and the use of the overflow parking location in association with the hosts prior to the event and be actively marshalled by parking staff on the event day.
- 6.5.54 The Local Planning Authority do not consider that the suggested draft wording or outlined approach addresses the concerns and provides sufficient certainty and clarity that such a proposal would provide successful mitigation as would be required prior to grant of any planning permission. In order to understand if the scheme is acceptable in principle a location would need to be known. As no details have been forthcoming, the LPA strongly reject this proposal as it would fail to alleviate the high possibility of overspill parking and highways safety concerns that both Highways Authorities have raised.
- 6.5.55 The applicant has taken legal advice that outlines the draft text would be sufficient to secure an effective overflow parking scheme for the proposal and that provision can be lawfully made for such a scheme in a planning obligation. It is outlined that full details of the overflow parking scheme is not required before the Council can consider granting planning permission and there is nothing in law or policy that requires this. The applicant has indicated that in their view when considering the use of a planning obligation, the decision maker needs only to be satisfied that the impact is in principle capable of being managed by an obligation or condition. It is suggested that the parking scheme could be refused post consent of planning permission if it was considered to be inappropriate or inadequate.
- 6.5.56 In officer's opinion, the level of detail provided fails to demonstrate that the impact in principle is capable of being managed by an obligation as no site has been identified which has been shown to be capable of accommodating the level of required parking spaces and limited operational detail provided. On this basis it is not possible to accept the principle when it cannot be determined if such a scheme is capable of being achieved and it would not be appropriate to grant planning permission which was subject to an obligation which might not be possible to implement.
- 6.5.57 It is acknowledged that it is the site and not the overflow parking land that would be subject of the planning obligation and therefore in theory could be enforced by the Council if details of an acceptable scheme had been outlined. However, this does not address the point on how the scheme would actually be able to secure patrons of the venue using the scheme and not parking on the surrounding roads.

## Conclusion

- 6.5.58 This is a very difficult location to achieve significant modal shift. It is perhaps in a good position for vehicle travel where there are good connections with the wider major road network.
- 6.5.59 The way that people travel is not likely to change however, the level of on-site parking proposed may not be adequate to meet the demand that could be generated by guests. Coach travel can be encouraged which would help reduce the number of cars attending but it cannot be forced meaning that overspill parking may occur. Parking controls on surrounding streets could prevent this problem but this would be subject to public consultation. The residential streets off Brockley Hill are narrow whilst Brockley Hill itself is a busy road, part of TfL's Strategic Road Network – it would not be desirable for high demand on-street parking to take place during events as it may cause congestion and would compromise safety. In order for this proposal to be considered acceptable, it would be necessary to ensure that there is a suitable overflow parking facility – the existing site has access to a 257 space multi-storey car park and alternative public parking options that would be unlikely to cause inconvenience to local residents or safety concerns for the highway. Although the analysis in the Transport Assessment indicates that 80-100 spaces were used at larger events, a sample from more events would give a better representation of actual parking demand however, due to the current health pandemic, it is not possible to obtain this information. Enquiries with the Council's car parks team confirm that it was common for the banqueting suite to book around 100 spaces in the car park but some larger events and festivals would attract demand for 200+ spaces although it is accepted that the capacity of the current venue does exceed that of the proposal site and these very large scale events are potentially not a regular occurrence.
- 6.5.60 Based on the current information, measures are required to minimise the anticipated impact and improve safety. The change to the speed limit along Brockley is supported and would be beneficial to the proposal. However, additional overflow parking should be provided in order to minimise the impact of large events may have on the surrounding highway network; alterations to the site access are necessary to aid safe entry and exit at the site and improvements to the junction with Pipers Green Lane to better facilitate u-turns. Whilst the possibility of coaches to wait off site at another venue may be feasible, this again has not been demonstrated. The principle of the overflow parking scheme is also not acceptable given that no location or sufficient details of operational management has been put forward. Overall, it is considered the development would fail to provide adequate on-site car / coach parking and lacks integrated drop off facilities to serve the proposed banqueting facility, which would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill into the Borough of Harrow and Barnet, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers, contrary to the above outlined policies.

## 6.6 Biodiversity, Landscaping and Trees

6.6.1 The relevant polices are:

- National Planning Policy Framework (2019)
- The London Plan 2021: G5, G6, G7
- Harrow Core Strategy CS1 E
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM20, DM21, DM22, DM17

Other Relevant Guidance:

- Circular 06/05: biodiversity and geological conservation

### Landscaping and Trees

6.6.2 The applicant has provided and updated arboricultural report including a Tree survey, an Arboricultural Impact Assessment and Arboricultural Method Statement together with an updated tree protection plan in relation to the revised red line site area. Trees to the south of the previously located SUDs pond that were to be removed to facilitate the SUDs pond are no to be retained. It is positive to note all existing trees are to be retained and incorporated into the proposals, with the exception of the removal of 2 trees for arboricultural reasons. Additional tree and hedge planting is proposed in character with the area, to integrate the building into the landscape. The Council Tree Officer considers the proposal to be acceptable, subject to suitable conditions relating to retention and protection during construction.

6.6.3 The proposed landscape strategy includes additional tree planting to southern part of the site, proposed mounding, a wildflower meadow and tree planting to the north of the building, new hedgerows at the site entrance, a SUDs pond.

6.6.4 The retention of the existing trees to the south of the secret garden area is supported. It is also positive to note all existing trees are to be retained and incorporated into the proposals, with the exception of the removal of 2 trees for arboricultural reasons. Additional tree and hedge planting is proposed in character with the area, to integrate the building into the landscape.

6.6.5 The proposed living wall is located in a tight space hard up against the building. In order to be successful would require regular maintenance. Had the proposal been otherwise considered acceptable, a planning condition would have been recommended to ensure good management over the lifetime of the building, with regular intensive maintenance and that any plant failures are replaced when necessary, to ensure the living wall succeeds, the plants thrive and provides attractive soft landscaping.

6.6.6 The adjustment of the footpath leading to the pagoda, making it suitable for wheelchair users, although will follow the existing undulation of the landscape and therefore increasing accessibility for guests is supported. This could be addressed in the landscape conditions to ensure the footpath gradient is DDA compliant.



6.6.7 The relocation of the secret garden provides an external extension to the ground floor reception area and provision of level access is positive.

6.6.8 It is considered that the flat roof on the building provides space and an opportunity for a biodiverse green roof, to further enhance the local area but this has not been proposed which is discussed further below.

#### Biodiversity

6.6.9 The northern and western boundary of the site directly adjoins the Pear Wood and Stanmore Country Park Site of Importance for Nature Conservation (SINC). The assessment appears to consider only direct impacts of the development and its construction within the redline. Given the location of the site within an important chain of sites within the local ecological network, this is a weakness. This extends to the impacts of the use of the site on the adjacent area and e.g. to the impacts resulting from emissions and particulates associated with vehicle movements.

#### Bats

6.6.10 Had the roost assessments identified the presence of bats prior to the fire this would certainly have been of material consideration. The Council's Biodiversity officer has advised that the applicant did not complete an adequate survey series to potentially rule out the presence of bats – in an area of open countryside with woodland and waterbodies. As such, the precautionary approach should be applied to ensure that any new building would be designed to offer equivalent or better roost potential. The report suggests in paragraph 2.35 that it has no bearing but this is not accepted by officers.

6.6.11 It is noted that the first (and only) bat roost activity survey was carried out a week before the mid-May to end of August (or September for certain roost types) period recommended by the industry standard guidelines – according to the report. The Council's biodiversity officer was previously advised that the work had been undertaken in June so this may be an error. All surveyors were positioned on the southern side of the building. In officers opinion, it is not possible to reach any safe conclusion based on the provided information and a precautionary approach would need to be pursued via condition should the scheme be permitted.

#### Reptiles

6.6.12 The evidence provided reptile survey is not considered to be acceptable. Seven visits over a 19-day period in October, even ignoring the ground conditions during what was a very wet autumn, is outside of the effective survey season. Whereas a large number of refugia were deployed around the boundaries of the golf course, very few were dispersed across the area and only 5 were placed within the redline area. Given the known presence of amphibian and reptile species to the North, West and South of the golf course, the lack of positive records should be taken as an indication of the failings of the approach adopted, particularly with regard to the timing and duration of the survey.

6.6.13 Accordingly, the conclusions about the potential presence/absence of reptiles within the redline are unsafe. Had the proposal been otherwise considered acceptable a condition would have been included so that any construction works would need to be preceded by additional, acceptable, site specific survey works and appropriate mitigation implemented subject to approval, and as part of an approved CEMP, destructive searches under the close supervision of an Ecological Clerk of Works be undertaken, with a suitable translocation site having previously been agreed to which animals could be transferred, and reptile fencing erected to prevent animals entering the construction area.

6.6.14 It is noted that despite the presence of the extensive badger sett in Pear Wood that there is no mention of the potential presence of badgers on site. Furthermore, hedgehogs have been shown to be present, and will soon receive additional legal protection, but appear not to have been considered in the assessment.

#### Lighting

6.6.15 The assessment is deficient since there is no consideration of any actual lighting proposals. It would also be expected that the building, carpark access routes and perhaps the pagoda would be illuminated.

6.6.16 Although the report refers to the loss of some ornamental beech hedging within the car park, it appears to have overlooked the removal of a section of hedge for the pedestrian accessway from Brockley Hill.

#### Biodiversity Net Gain

6.6.17 The Biodiversity Metric 2.0 spreadsheet from which the figures provided in the report are extracted seems not to have been included with the submitted documentation and the report appears to lack a post-development Phase I map with which to examine the before and after changes.

6.6.18 Whilst the report claims a 20.02% net gain in biodiversity units and a 49.55% increase in hedgerow, there are several additional factors to consider:

- The actual extents are relatively small, even in the context of the red line, let alone the full golf course area.
- The report speaks of things which could be done in relation to mitigation and enhancement rather than making definite commitments, which renders the gain calculations somewhat uncertain
- Whilst the SUDs will have welcome added value for biodiversity, it will need to be provided as a means of managing run-off from the increased hard surface footprint. It would therefore need to be excluded from the net gain calculation.
- There is no evaluation of the impacts of the operation of the site on the suggested value of the post-development habitats, either within or beyond the development site. The Biodiversity Metric 2.0 makes no

provision for such impacts, one of its weaknesses, but they should have been addressed.

- Similarly, there will be knock-on impacts of the result of guests and staff travelling to the site and, whilst it is difficult to gauge these, they would necessarily be greater than at present.

6.6.19 It is acknowledged that pre application discussion were had with the applicant in relation to the proposals in which biodiversity matters were discussed however site circumstances have changed greatly with regard to the application. The red line site area was originally proposed to cover a large part of the golf course site but would now cover only a limited area in the southern part of the site. Moreover, the application documentation fails to take into account the burning down of the main club house building and does therefore not provide a true picture of the site's condition at the time the revised application was submitted. Prior to the original submission, it was proposed that the new buildings could, in large part, be provided with biodiverse roofs that would mitigate environmental impacts and contribute towards meeting biodiversity enhancement obligations. This was replaced by a proposal to incorporate works to enhance the site within the then larger redline, in a way that sought to be sensitive to the site's context. However, under the current proposal the proposed application site has been reduced significantly and makes no consideration to the rest of the golf course site, with a pitched and flat roof that makes no positive contribution.

6.6.20 The approach now taken in restricting the redline to the area in which development would occur fails to address the impacts on the surrounding land. The Council biodiversity officer has outlined that taking account of the site's landscape and ecological context, and the ancillary biodiversity purpose of its green belt status, the proposal is considered to be unacceptable. The proposal has failed to demonstrate it would deliver long term benefits to a much wider area and enhance the local ecological network. The proposal is therefore considered to be contrary to the above outlined policies.

## 6.7 **Heritage and Archaeology**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2021: HC1
- Harrow Core Strategy CS1 D
- Harrow Development Management Policies Local Plan (2013): DM7

6.7.2 The application is accompanied by an archaeological desk based assessment. The London Borough of Harrow Archaeological Priority Area 'Possible site of the Roman settlement of Sullonicae' encroaches into the north eastern part of the site area. This also covers the location of the Roman road leading southeast from the Brockley Hill Romano-British pottery and settlement and it is this section of the APA which runs across the north eastern boundary of the Site.

- 6.7.3 The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: Possible site of Roman settlement of Sullonicae.
- 6.7.4 An Archaeological Priority Area (APA) is defined as “an area where, according to existing information, there is significant known archaeological interest or particular potential for new discoveries”.
- 6.7.5 The primary purpose of APAs in the planning system is described as follows: ‘Up-to-date Archaeological Priority Areas provide a sound evidence based spatial framework for local plan making and decision taking. They map areas of known archaeological interest justified by a statement of significance which indicates the nature of the interest to be considered. Their primary purpose is to help highlight at an early stage where a development proposal may affect a heritage asset of archaeological interest and so trigger early consultation with the borough’s archaeological adviser on the need for site specific assessment and field evaluation. The results of such assessment and evaluation could raise or lower the archaeological significance of the site and its surrounding area either through entirely new discoveries or better understanding of previously known assets. Assessment can also indicate how a heritage interest could be better revealed and used to enhance the local area’.
- 6.7.6 The site lies to the south of a Roman pottery manufacturing site and Roman settlement. The pottery manufacturing site is one of the earliest in Britain and as a result has been designated as a scheduled monument.
- 6.7.7 The Greater London Archaeological Advisory Service (GLAAS) have advised that in 1995 an evaluation was carried out and recorded the remains of a Roman Road called Watling Street. The submitted archaeological assessment concluded there is a potential for further evidence of Roman settlement, pottery production and burials, as it was traditional for cemeteries to be located outside the settlements along the line of roads. GLAAS considers that the applicant’s submitted assessment quite rightly concludes that any archaeological remains could be of very high, high or medium significance.
- 6.7.8 Whilst GLAAS acknowledge that the existing building, access route and sand bunker will have had some impact to archaeological survival, they have outlined it is not clear at this stage what scale this impact will have been and it is unfortunate that the 1995 evaluation did not target a trench in the location of the existing golf centre buildings. The reason for the omission is not known.
- 6.7.9 In light of the above, GLAAS recommend that an archaeological evaluation be carried out as part of the planning application. This should target the location of the proposed building where it extends outside the footprint of the existing building. This will help identify what impact the existing sand bunker will have had and what archaeological remains survive. If remains of very high significance survive in relatively good condition, then it is outlined the proposed design should be altered to ensure the preservation of those remains.

- 6.7.10 Because of this, GLAAS have advised the applicant completes an archaeological field evaluation to inform the application - a field evaluation report will usually be used to inform a planning decision (pre-determination evaluation).
- 6.7.11 As such, an archaeological field evaluation will be required involving exploratory fieldwork to determine if significant remains are present on the site and if so to define their character, extent, quality and preservation. GLAAS have outlined the desk top assessment is considered to be insufficient and this work should be undertaken predetermination of the application.
- 6.7.12 As an archaeological fieldwork evaluation has not been undertaken to inform the assessment, it is therefore considered the applicant has not sufficiently demonstrated that potential archaeological assets of significant importance would not be harmed and impacts minimised through appropriate design and construction. The proposal would therefore fail to comply the NPPF (2019), policy HC1 C and D of The London Plan (2021), policy CS1 D of the Harrow Core Strategy (2012) and policy DM 7 A, B and H of the Harrow Development Management Polices Local Plan (2013).

## 6.8 Energy and Sustainability

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2021: SI 2, SI 3, SI 4, SI, 5 SI 7 SI 13
- Harrow Core Strategy CS1 T, X
- Harrow Development Management Polices Local Plan (2013): DM 12, DM 14  
Other Guidance:
- Greater London Archaeological Priority Areas  
<https://historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/greater-london-archaeological-priority-areas/>

### Energy Strategy

- 6.8.2 The application is accompanied by an energy assessment prepared by Eight Associates (21 January 2021). The assessment is considered to broadly follow the relevant GLA guidance and is accompanied by BRUKL Output calculations under Part L of the Building Regulations 2013 and the GLA Carbon Emission Reporting Spreadsheet to support the headline emissions figures outlined in the assessment. The report calculates carbon reductions using both the SAP10.0 carbon factors as per GLA guidance, as well as the SAP2012 figures (Building Regulations). This is consistent with GLA guidance; policy compliance is determined by comparing the SAP10.0 reductions against the requirements of the London Plan 2021 (Policy SI2 – Minimising greenhouse gas emissions).
- 6.8.3 The assessment follows the energy hierarchy, with a 21.3% reduction in carbon emissions through energy efficiency ('Be Lean') measures, compared to the minimum 15% required under the London Plan 2021. An on-site heat network is proposed (powered by an Air Source Heat Pump); this approach is considered

acceptable in the context that there are no existing heat networks within the vicinity of the development that it could feasibly be connected to ('Be Clean'). A 34.9% reduction in carbon emissions is achieved through on-site renewables (air source heat pumps and solar PV – 'Be Green'); in this regard, it is noted that the Mayor of London considers that there is potentially scope for additional solar PV panels on the flat roof elements of the scheme. A revised energy strategy / plans showing additional solar PV panels and associated additional carbon reductions should be submitted prior to determination of the application or secured by way of condition. The London Plan requires on-site carbon reductions are maximised even if the minimum targets have been met. In this regard, the total carbon reductions achieved on site are 56.3%, exceeding the minimum 35% required under Policy SI2 of the London Plan 2021. In order to achieve zero carbon development, the remaining emissions from the development (15.66 tonnes) will need to be offset by way of a monetary contribution secured by way of a S106 agreement. This is calculated to be £44,633 using the rate of £95/tonne/year for 30 years (£2,850/tonne) set out in the London Plan. Had the proposal been otherwise considered acceptable, it would have been recommended to secure the carbon off set through 106 agreement.

- 6.8.4 Overall, it is considered that Energy strategy is generally acceptable and the development should be implemented generally in accordance with the strategy / secured by condition which would have been recommended had the proposal been considered acceptable. Additional solar PV should be sought or non-provision justified by way of an amended energy strategy which could be secured by condition. The S106 obligation to secure carbon offset contribution calculated at a rate of £2,850/tonne, payable prior to commencement with provision for a 'top-up' payment upon completion of the development should additional carbon emissions need to be offset to achieve zero carbon.

#### BREEAM assessment (and Life Cycle Assessment)

- 6.8.5 The applicant has submitted a BREEAM Preliminary Assessment (Eight Associates, 5 January 2021). Such an assessment, whilst referred to in the Harrow Sustainable Building Design SPD (2009) – a material consideration, is no longer required given the passage of the time since the SPD was adopted and subsequent London Plans introducing requirements securing many aspects covered in BREEAM (i.e. energy, water, waste, biodiversity / urban greening, sustainable transport etc). The Preliminary Assessment indicates that the proposed development will achieve an 'Excellent' rating with a provisional score of 77.6%, which is welcomed as it represents 'Best Practice'. The minimum score for 'Excellent' is 70%, meaning that there is a strong 'buffer' should assumed credits not be able to be achieved as the development progresses through detailed design and construction. A detailed Life Cycle Assessment has also been submitted (Eight Associates, 21 January 2021) to support BREEAM credits awarded in that regard; it is however ultimately up to the BREEAM assessor to review / accept such evidence, rather than the LPA.
- 6.8.6 Provided the development is implemented generally in accordance with the BREEAM Preliminary Assessment and final BREEAM certificate demonstrating the development has achieved an 'Excellent' rating upon completion of the

development which could have been secured by condition the development is considered acceptable in this regard.

### Overheating analysis

6.8.7 An Overheating Analysis has been submitted (Eight Associates, 21 January 2021) in support of the application. The Mayor of London's Stage 1 response did not raise any objection or concerns with the assessment, acknowledging that active cooling would be required due to the high occupancy of the proposed spaces, but the actual cooling demand is lower than the notional (a positive). Harrow officers have nothing further to add to the Mayor's conclusion. Development should be implemented generally in accordance with the submitted Overheating Analysis. This element could be secured by condition.

6.8.8 The development is in general considered to be in conformity with the Development Plan, subject to some minor amendments which could be secured by condition had the proposal been considered acceptable in other regards.

## 6.9 **Development and Flood Risk**

6.9.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2021: SI 12 and SI13
- Harrow Core Strategy 2012: CS1U
- Harrow Development Management Policies Local Plan (2013):DM9, DM 10

6.9.2 The application is accompanied by a Flood Risk Assessment and Drainage report. The EA flood map shows the site is entirely within flood zone 1 and is therefore at low risk of flooding from rivers. Harrow's surface water flood risk maps show a surface water risk area (3a/3b) and surface water land flows which are directed to the south east of the site. It has also been identified that there is a residual risk of flooding from a breach in the large pod at the top of the site. The applicant has proposed a number of mitigation measures to protect the proposed development from surface water flows from the wider site especially land to the north. The mitigation measures will include floodplain compensation and the location of a French Drain around the site to collect overland flows and direct them into perimeter ditches before the water reaches the site. A small bund is proposed behind the French Drain to prevent water which doesn't enter the French drain from reaching the site. The perimeter ditch would discharge to the ordinary watercourse which is the same as the existing situation.

6.9.3 An attenuation strategy has been proposed to manage rainwater and runoff from new areas of hardstanding. This will include lined permeable paving with orifice plate controls. Water from other impermeable areas of the development will be directed to large pond located to the south of the building. The outfall from the pond will be controlled using a hydrobrake and will discharge at the 1 in 1 year greenfield runoff rate of 0.8 l/s to the perimeter ditch.



6.9.4 Management and maintenance procedures from the proposed SUDS have been provided.

6.9.5 The application has been reviewed by the Council's drainage engineers who raised no objection, subject to conditions. It is therefore considered the proposed development is compliant with above outlined policies.

## 6.10 **Accessibility and Fire Safety**

6.10.1 *The relevant policies are:*

- The London Plan 2021: D3, D5, D12
- Harrow Development Management Policies Local Plan (2013):DM2

### Accessibility

6.10.2 The site is generally level at the approach and level access will be provided to the front door. Proposed door widths would be in excess of those required for disability. The applicant has confirmed that all aspects of accessibility will be developed in accordance with Part M of Building Regulations and in accordance with BS8300. Ambulant and accessible toilet facilities are also proposed on the ground floor. Access to the first floor is proposed via ambulant staircase or passenger lift and there is also an accessible toilet proposed for the second floor.

6.10.3 In respect of external spaces, the applicant has advised that the landscape would be laid level as much as the existing site topography allows. It is outlined that paths will be suitable for wheel chair users. A condition would have been recommended to secure details of this aspect had the proposal been considered acceptable.

6.10.4 Subject to the above outlined condition, the proposal is considered to accord with the relevant policies outlined.

### Fire Safety

6.10.5 In line with policy D12 of The London Plan (2021), the applicant has provided a fire strategy, prepared by a suitable qualified third party assessor.

6.10.6 The report has been reviewed by the Council's Building Control Department. Overall, the Fire Statement is considered to be satisfactory. It should demonstrate the highest level of fire safety however it is noted that paragraph 1.4.1 of the report states they are providing the minimum level required under the Building Regulations.

6.10.7 The document does contain a number of recommendations that are required for the building to be fully compliant. These are noted throughout the document and on the plans attached to the document. The design is also not fully developed and therefore there are no details in respect of the construction of the frame or the materials for the façade of the building. However, in this instance due to location of the building this not of a critical nature.

- 6.10.8 The main concern with the report is in respect of the proximity of the building to the nearest fire hydrant (paragraph 6.2) which may require the installation of a new fire hydrant to service the building. Officer considered a commitment should be obtained on this. In respect of the guidance from the GLA in respect of fire statements the following appear to be deficient:- No list of plans; No list of deviations; No details of a management plan, to be developed at stage 3.
- 6.10.9 Had the proposal been considered acceptable in other regards a condition would have been recommended to secure a revised fire strategy to address the above issues and ensure compliance with policy D12 of the London Plan (2021).

## **7.0 CONCLUSION AND REASONS FOR REFUSAL**

- 7.1 The application supporting document is based on the pre-existing building form before it was mostly destroyed by a fire. There is nothing within the NPPF or Planning Law which outlines that Local Planning Authorities should consider pre-existing site circumstances in relation to Green Belt policy or more generally. The proposed new building would not accord with paragraph 145 (d) and the application does not adequately demonstrate that the proposal would not conflict with paragraph 145 (g). No 'Very Special Circumstances' have been put forward that would outweigh this policy conflict. The principle of the development is therefore unacceptable.
- 7.1.1 Additional overflow parking should be provided in order to minimise the impact of large events may have on the surrounding highway network. Whilst the possibility of coaches to wait off site at another venue may be feasible, this has not been demonstrated. The principle of the overflow parking scheme is also not acceptable given that no location with sufficient parking levels which would be utilised or sufficient details of operational management has been put forward. Overall, it is considered the development would fail to provide adequate on-site or off site car / coach parking and lacks integrated drop off facilities to serve the proposed banqueting facility, which would significantly intensify site usage and generated trips. The associated likely on site congestion and parking overspill into the Borough of Harrow and Barnet, with particular reference to the residential streets to the south-east of the site, is therefore considered to be detrimental to highway and pedestrian safety, and the amenities of neighbouring occupiers.
- 7.2 As an archaeological fieldwork evaluation has not been undertaken to inform the assessment, it is therefore considered the applicant has not sufficiently demonstrated that potential archaeological assets of significant importance would not be harmed and impacts minimised through appropriate design and construction.
- 7.2.1 The revised redline to the area in which development would occur fails to address the impacts on the surrounding land. Taking account of the site's landscape and ecological context, and the ancillary biodiversity purpose of its green belt status, the proposal is considered to be unacceptable. The proposal has failed to demonstrate it would deliver long term benefits to a much wider area and enhance the local ecological network.

## **INFORMATIVES:**

### 1. Policies

The following policies are relevant to this decision:

#### **National Planning Policy:**

National Planning Policy Framework (2019)

#### **The London Plan (2021)**

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering Good Design

Policy D5 Inclusive Design

Policy D13 Agent of Change

Policy D14 Noise

Policy S1 Developing London's social infrastructure

Policy S5 Sports and Recreation Facilities

Policy SD6 Town Centres and High Streets

Policy SD7 Town centres: development principles and Development Plan Documents

Policy HC1 Heritage Conservation and Growth

Policy G2 London's Green Belt

Policy G5 Urban Greening

Policy G6 Biodiversity and access to nature

Policy G7 Trees and Woodlands

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 13 Decentralised Energy Systems

Policy DM 14 Renewable Energy Technology

Policy DM 16 Maintaining the openness of the Green Belt and Metropolitan Open Land

Policy DM 20 Protection of Biodiversity and Access to Nature

Policy DM 21 Enhancement of Biodiversity and Access to Nature

Policy DM 22 Trees and Landscaping  
Policy DM 34 Hotel and Tourism Development  
Policy DM 42 Parking Standards  
Policy DM 43 Transport Assessments and Travel Plans  
Policy DM44 Servicing  
Policy DM45 Waste Management  
Policy DM 46 New Community Sport and Educational Facilities  
Policy 50 Planning Obligations

## 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 £87, 480. 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](https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf)

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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

## 3. 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: to follow**

**CHECKED**

Interim Chief Planning Officer	Beverley Kuchar 17/06/2021
Corporate Director	Mark Billington 17/06/2021

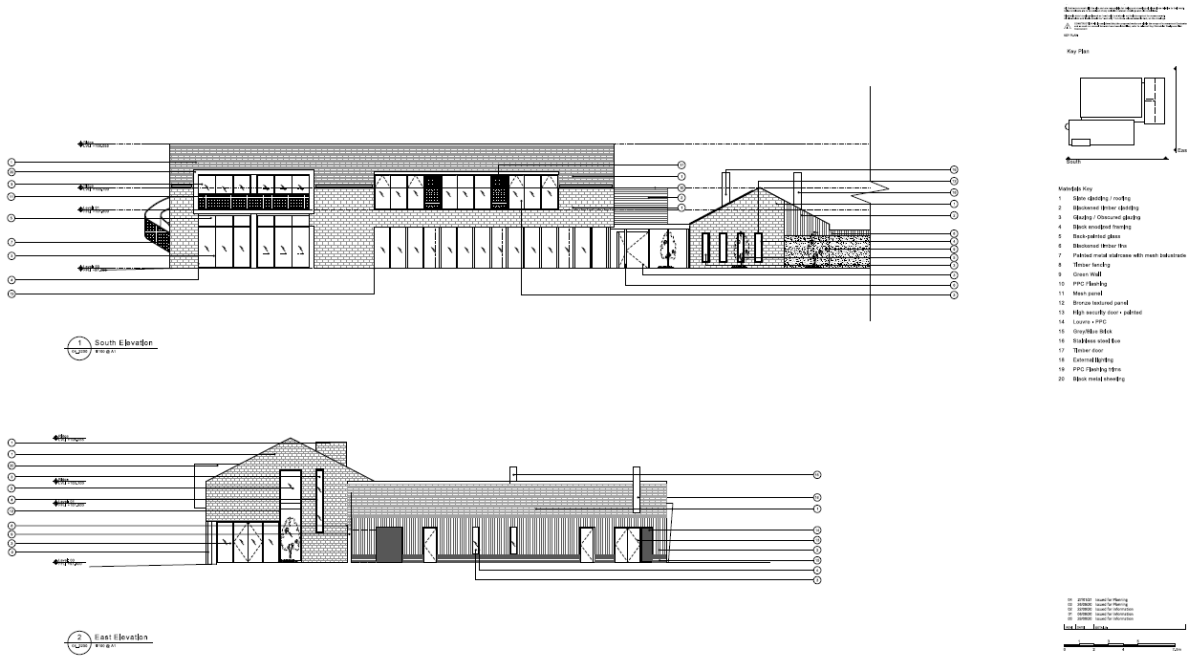
**APPENDIX 2: SITE PLAN**



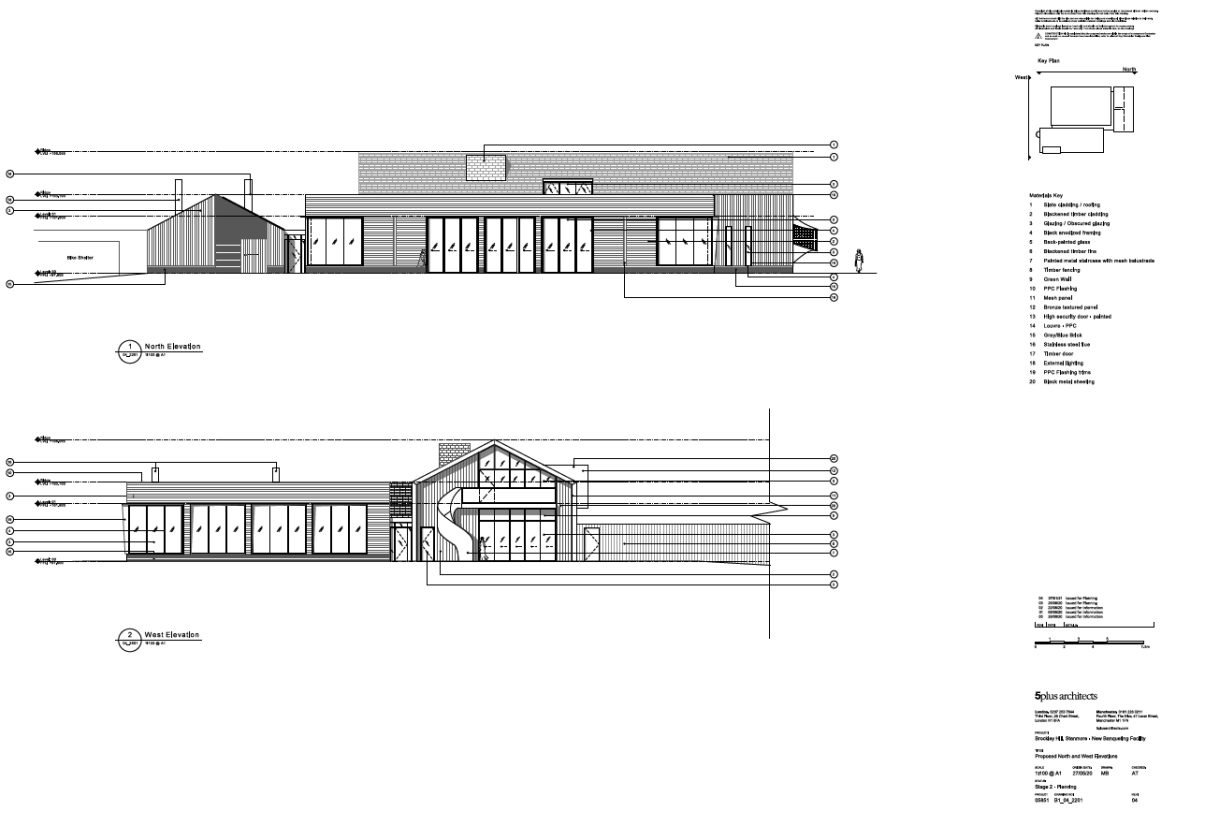








Proposed south and east elevations



Proposed west and north elevations

Proposed North Elevation



Proposed north elevation

Proposed East Elevation



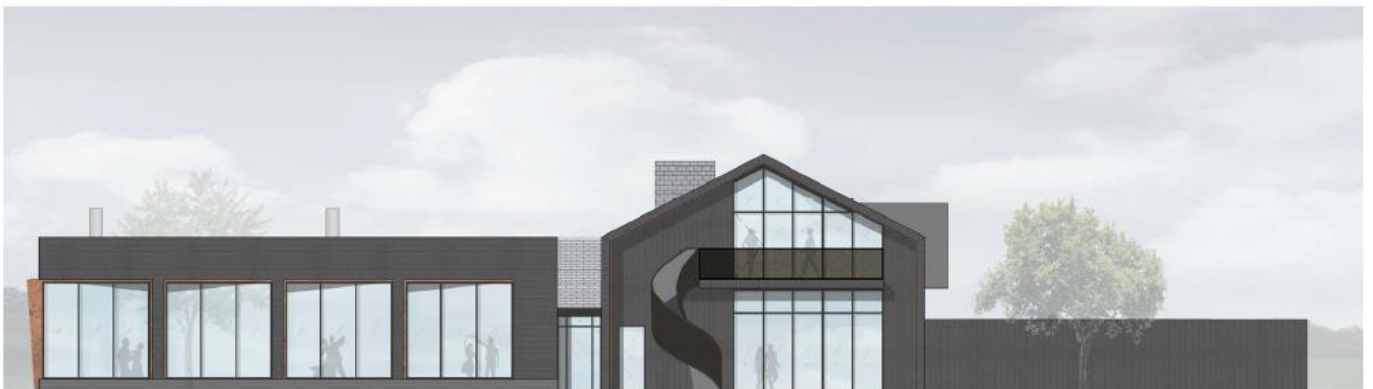
Proposed East Elevation

Proposed South Elevation



Proposed south elevation

Proposed West Elevation

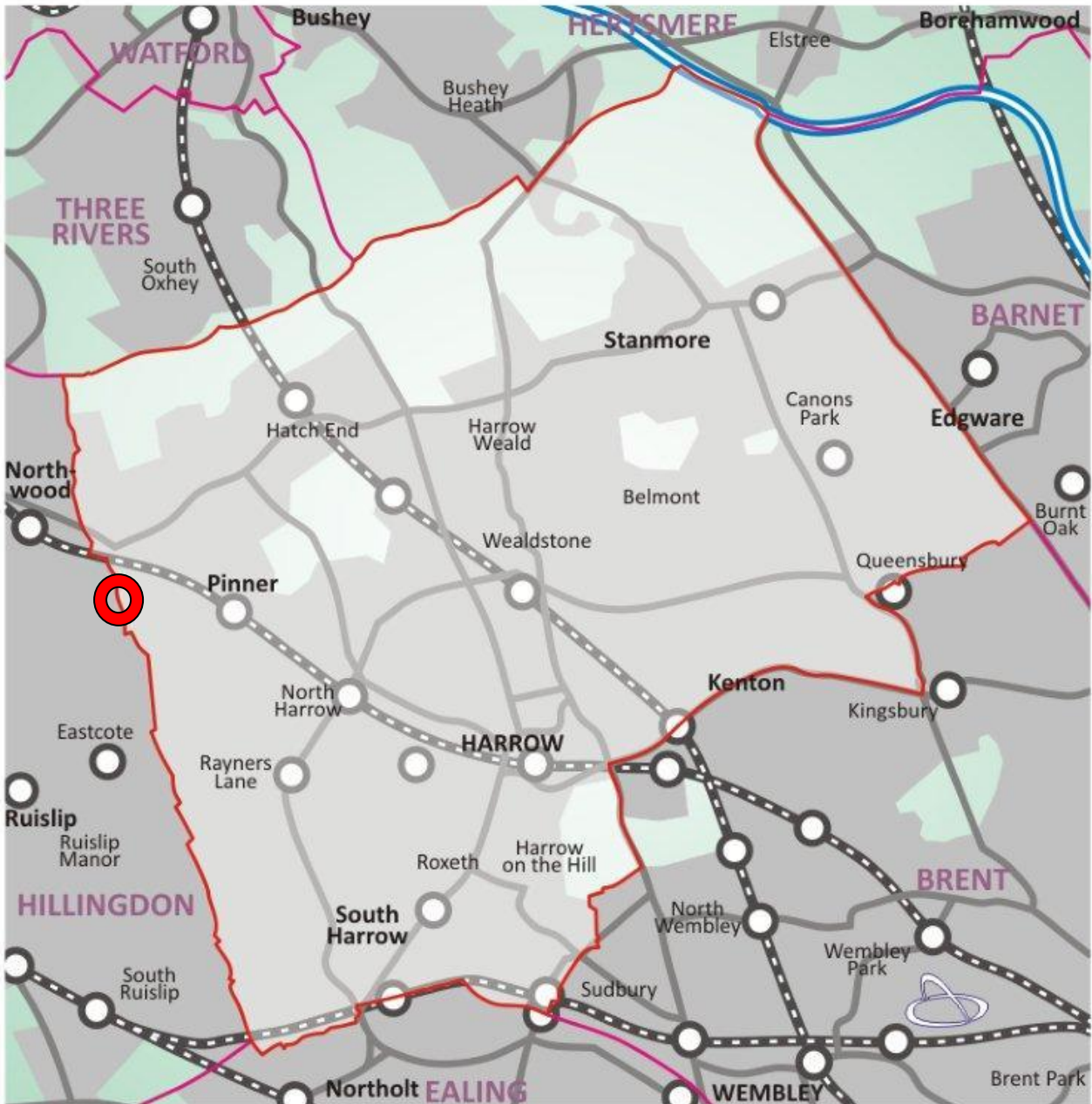


Proposed west elevation

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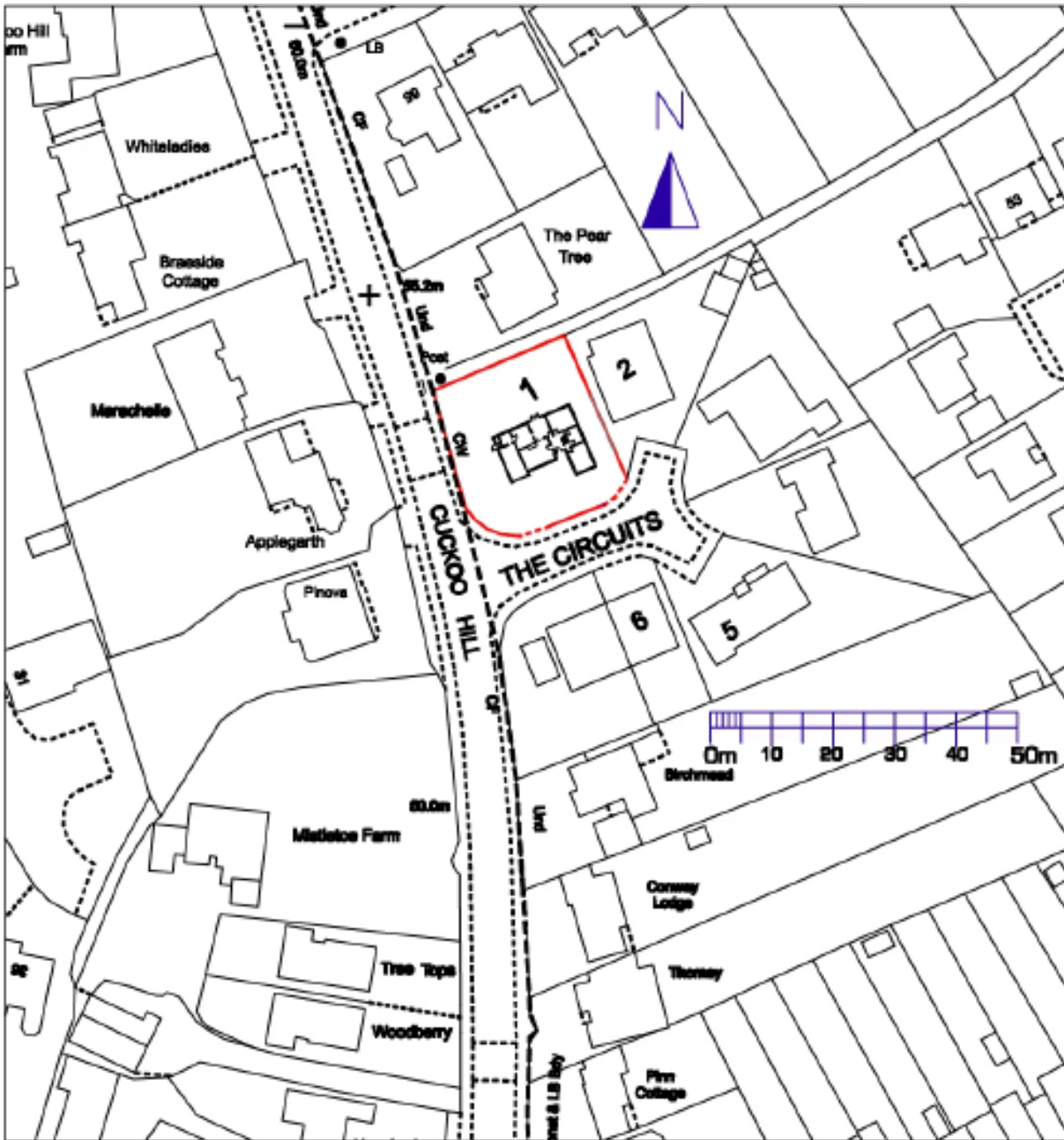
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 = application site



<b>1 The Circuits, Pinner, HA5 2BD</b>	<b>P/3419/21</b>
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# Location Plan



## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>th</sup> November 2021

**APPLICATION NUMBER:** P/3419/21  
**VALID DATE:** 12<sup>th</sup> August 2021  
**LOCATION:** 1 THE CIRCUITS  
**WARD:** PINNER  
**POSTCODE:** HA5 2BD  
**APPLICANT:** REEVES  
**AGENT:** TMC COMMERCIAL LTD  
**CASE OFFICER:** AKSHAY SISODIA  
**EXPIRY DATE:** 07<sup>th</sup> October 2021

### PROPOSAL

Conversion of dwelling into two dwellings (2 x 3 beds); alterations and extension to raise ridge height; front and side dormers; five rooflights in rear roofslope; single storey front infill extension; single storey side to rear extension on both sides; single storey rear extension; conversion of garage into habitable room; external alterations; parking; bin / cycle storage, landscaping; boundary treatment; installation of two vehicle charging points

### 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 not constitute Garden Land Development, it would contribute towards housing stock within the Borough and the quality of accommodation for the future. It would not detract from the character and appearance of the host building, street scene and area in a wider context. It would provide a suitable quality of accommodation for future occupiers without unduly impacting neighbouring residential amenity. It is not considered to result in significantly adverse traffic and parking impacts. The development's proposed cycle parking and refuse storage arrangements are considered to be acceptable. The development is not considered to be susceptible to harmful flooding, and is not considered to exacerbate flood risk elsewhere. Finally, the development is not considered to conflict with relevant sustainability policies. Insufficient detail has been provided on hard and soft landscaping arrangements, proposed boundary treatment works and the development's compliance with fire safety and Secured by Design requirements, additional detail on this can be requested and secured via conditions.



The proposed development would thereby be in accordance with the National Planning Policy Framework (2021), Policies, D3, D6, D7, H1, H10, SI 2, SI 12, SI 13, T5, T6 and T6.1 of the London Plan (2021), Policies CS1.B, CS1.H, CS1.I, CS1.K, CS1.Q, CS1.R, CS1.S, CS1.T, CS1.U and CS1.W of the of the Harrow Core Strategy, Policies DM1, DM2, DM10, DM12, DM14, DM23, DM24, DM26, DM27, DM42 and DM45 of the Harrow Development Management Policies Local Plan, and the guidance set out within the Garden Land Development SPD (2012), the Residential Design Guide SPD (2010) the London Plan Housing Supplementary Planning Guidance (2016), the Technical Housing Standard – Nationally Described Space Standards (2016) the Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008) and finally the Sustainable Building Design SPD (2009).

## **INFORMATION**

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

Statutory Return Type:	13.Minor Dwellings
Council Interest:	None
Net additional Floorspace:	175 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£60 x 175sqm = £10,500
Local CIL requirement:	£110 x 175sqm = £19,250

## **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**

The applicant has failed to provide any detail on the proposed development's resilience to crime. For the avoidance of doubt, a condition has been imposed requiring the applicant to submit evidence of certification of Secure by Design accreditation prior to the occupation of the development.

## **1.0 SITE DESCRIPTION**

- 1.1 The application relates to a detached bungalow located on the corner of The Circuits and Cuckoo Hill.
- 1.2 No. 2 The Circuits (detached) adjoins the property to the east, while the Pear Tree, 20 Cuckoo Hill (detached) is sited to the north, along the rear boundary, across a small public footpath.
- 1.3 Levels fall from north to south along Cuckoo Hill, thus the ground levels fall from the rear to the front of the application site. The area immediately around and to the rear of the house has been made level; the side and front of the garden show a noticeable fall towards the front.
- 1.4 Levels rise up again as one moves further inwards into The Circuits; thus no. 2 The Circuits sits on higher ground than the application property.
- 1.5 The Circuits is predominantly characterised by detached bungalows, with the two storey detached dwellinghouse at No. 2 The Circuits being a notable exception to the established pattern of buildings along the road.
- 1.6 The original dwellinghouse directly opposite the site at No. 6 The Circuits has been comprehensively altered through a single storey side to rear extension with the roof of the extension being integrated and amalgamated with the roof form of the main dwellinghouse, other roof alterations including raising the ridge height of the original building, the creation of a crown roof, the insertion of 3.no front dormers, 1.no side dormer, numerous roof lights to the rear and the incorporation of contemporary external finishes under application P/4462/17. Under this application this dwellinghouse was also converted into two separate dwellinghouses, with associated refuse and recycling storage, car parking, and with altered vehicular access.
- 1.7 No. 5 the Circuits has also been comprehensively altered, with this property incorporating a single storey side to rear extension, front porch, front dormer, front roof lights, hardsurfacing to the front and with contemporary external finishes.
- 1.8 It should be noted that the host dwelling benefits from planning permission (P/1687/21) for a ground floor side to rear extension extending across both sides and with the roof of the extension being integrated and amalgamated with the roof form of the main dwelling. This permission also includes other alterations to the roof form of the main dwellinghouse including raising the dwellinghouse's ridge height, the formation of a crown roof, a conversion of the dwellinghouse's garage into a habitable room and minor external alterations to the main dwellinghouse, including the use of contemporary external materials. This planning permission is a modified version of planning permission granted under application P/4431/20, with the fundamental differences being the proposal for roof level accommodation under application P/4431/20 including the provision of 2.no front dormers, 1.no side dormer and 5.no rear roof lights.

1.9 The site is not a listed building or a locally listed building, nor is it within a Conservation Area.

1.10 The application site is not located within a Flood Zone or a Critical Drainage Area.

## **2.0 PROPOSAL**

2.1 A conversion of the dwellinghouse into two self-contained semi-detached dwelling houses is proposed including the erection of a ground floor side and rear extension extending both sides of the building and with the roof form of the extension being integrated and amalgamated with the roof form of the main building. The erection of a small front infill extension to the front of the dwellinghouse's existing front access door. Other alterations to the roof of the building including raising the ridge height, the formation of a crown roof, installing 2.no front dormers (following the removal of the existing front dormer), 1.no side dormer to the western roof slope, and 5.no roof lights to the rear roof slope. 2.no new entrance doors, associated sidelight windows and associated access steps are to be provided to the front elevation of the building, providing separate access to both of the new units. 4.no small flank windows would be removed on the eastern flank elevation, and replacement fenestration is proposed to all of the building's other openings. The existing garage is to be converted into habitable accommodation, with the insertion of a new window in place of the existing garage door. The external finishes of the building are to be altered, with the incorporation of a white painted render finish in place of the existing brickwork finish, the installation of anthracite grey coloured concrete interlocking tiles in place of the existing plain brown roof tiles, and the installation of anthracite grey coloured aluminium windows and doors in place of the existing white uPVC windows and the existing white uPVC and white aluminium framed doors.

2.2 The building is to be converted to provide one 3-bedroom 6-person dwellinghouse to the western side (Unit A) and one 3-bedroom 5-person dwellinghouse to the eastern side (Unit B). Both units would provide accommodation in the loft, both units would provide associated outdoor amenity space to the side and rear (partially paved, partially lawned), and the front forecourts of the two units are proposed to be hardsurfaced with amended vehicular access. The development would involve the planting of numerous Italian Cypress trees to the front forecourts of the units, furthermore it should be noted that both of the forecourts would accommodate a fast electric vehicle charging point. A refuse enclosure and cycle parking store serving Unit A is provided to the side of this dwellinghouse, and a refuse enclosure and cycle store serving Unit B is provided within the rear garden of this dwellinghouse.

## **3.0 RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
HAR/309/K	Erection of Bungalow and Garage	Granted: 15/10/1957
HAR/309/P	Erection of Bungalow and Garage	Granted: 18/06/1958

HAR/309/W	Erection of Bungalow and Garage (Amended)	Granted: 10/02/1959
P/4462/17 (No.6 The Circuits)	Conversion of dwellinghouse into two dwellinghouses; Single storey side to rear extension; alterations to roof to raise ridge height for habitable roofspace; three front dormers and one side dormer; four rooflights in rear roofslope; Refuse and Cycle storage; Parking; new vehicle access (demolition of garage and outbuilding	Granted: 21/12/2017
P/3850/20	Single storey side to rear extension on both sides; single storey rear extension; alterations and extension to roof to raise ridge height to create first floor; two front dormers; side dormer; rooflights in rear roofslope; conversion of garage to habitable rooms; external alterations	Withdrawn: 22/01/2021
P/4431/20	Single storey side to rear extension on both sides; Single storey rear extension; Alterations and extension to roof to raise ridge height, two front dormers, side dormer and rooflights in rear roofslope; Conversion of garage into habitable room; External alterations; Entrance Steps to front entrance and both sides	Granted: 11/03/2021
P/1687/21	Single storey side to rear extension on both sides; Single storey rear extension; Alterations and extension to roof to raise ridge height; Conversion of garage into habitable room; External alterations (Removal of front dormer)	Granted: 16/06/2021

#### 4.0 **CONSULTATION**

- 4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 17<sup>th</sup> September 2021 and no objections were received.
- 4.3 **Statutory and non-statutory consultation**
- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

## Consultee and Summary of Comments

Affinity Water – We have reviewed the development and do not have any comments to make.

Officer Comment: noted

Highways – The highway authorities view is that this development will not have a significant impact on the public highway and therefore we have no objections to raise.

Car parking is compliant with London Plan standards.

Officer Comment: noted

Landscape Architect – No response.

Waste Management Policy Officer – No response.

Drainage Engineer – No response.

Thames Water Utilities – No response.

## 5.0 **POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 ‘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.’
- 5.3 The Government has issued the National Planning Policy Framework [NPPF 2021] 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.
- 5.4 In this instance, the Development Plan comprises The London Plan 2021 [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]. The relevant policies are 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
- Accessibility
- Traffic, Parking and Refuse
- Development and Flood Risk
- Sustainability
- Fire Safety

### 6.2 **Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: H1 and H10
- Harrow Core Strategy 2012: CS1.B, CS1.H, CS1.I
- Harrow Development Management Policies Local Plan (2013): DM1, DM24

#### *Relevant Supplementary Documents*

- Garden Land Development SPD
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

6.2.2 The National Planning Policy Framework (2021), The London Plan (2021) (Policies H1 and H10), The Harrow Core Strategy (2012) (Policies CS1.H and CS1.I) and the adopted Development Management Policies Local Plan (2013) (Policy DM24) all seek to increase housing supply locally, regionally and nationally, and promote the provision of high quality mix of housing in sustainable and suitable locations.

6.2.3 The proposed development would subdivide the dwellinghouse into two separate dwellinghouses. There would be net increase of one dwelling, this increase in housing contributes positively towards the borough's overall stock of housing in line with strategic housing policies at both London and local levels. The proposed development would provide two family sized units, this is considered appropriate given the site's out of centre suburban setting.

6.2.4 Policy CS1 B of the Harrow Core Strategy (CS) sets out that garden development will be resisted and directs new residential development to the Harrow and Wealdstone Opportunity Area, town centres and to strategic, previously developed sites. This is consistent with Paragraph 70 of the National Planning Policy Framework which sets out that plans should consider the case for setting out policies to resist inappropriate development of residential gardens. The property is not within any of the aforementioned areas identified in the Core Strategy, although not all development in garden areas is to be resisted.

- 6.2.5 The Garden Land SPD defines garden land as “any land within the curtilage of a building the principal use of which is residential” and also makes plain that no distinction is made between front, side and rear gardens. It also states that, for the avoidance of doubt, garden land development excludes the development of an existing dwelling, or group of dwelling to provide multiple dwelling on the same building footprint, plus any appropriate enlargements.
- 6.2.6 The SPD recognises at paragraph 3.7 that it would be perverse to ignore the appropriate enlargement potential of dwellings. To address this matter, the SPD allows for any enlargement in footprint that is equivalent to whichever is the larger of either:
- i) the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or
  - ii) the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.
- 6.2.7 The proposal seeks to extend the building through ground floor and roof level extensions. Aside from the minor infill extension to the front of the dwellinghouse's front entrance door, the ground floor extension would remain identical in its footprint to the ground floor extension approved under application P/1687/21 and P/4431/20, under both applications the extension was determined to be consistent in line with the Council's Residential Design Guide SPD. The front infill extension would be minimal in its size and massing and is considered to form an appropriately subordinate and sympathetic addition in line with the relevant design guidance set out within the Council's Residential Design Guide SPD. In light of all of the above, the proposed enlargements are considered to be consistent with the criteria set out at paragraph 3.7(ii) of the Garden Land Development SPD, and as such officers raised no objection to the principle of development.

### **6.3 Character, Appearance and Design**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1.B
- Harrow Development Management Polices Local Plan (2013):DM1, DM22, DM23, DM26

#### *Relevant Supplementary Documents*

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

6.3.2 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Policy D3.D(11) goes on to states that in terms of quality and character, developments should respond to the existing character of a



place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 6.3.3 Policy DM1 of the Development Management Policies Local Plan states that “all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted”.
- 6.3.4 The Council’s residential design guide SPD provides design guidance for residential conversions and extensions to residential property.

#### Conversion of Single Dwellinghouse in to Two Dwellinghouses and New Entrances

- 6.3.5 The principle of converting the host dwelling into two separate dwellinghouses is not considered to have an adverse impact on the character of the application site, street scene and area in a wider context. The building would remain in a residential use, furthermore it should be noted that No. 6 The Circuits directly opposite the site has already been converted into two self-contained dwellinghouses. Officers recognise that most of the buildings along the road incorporate only a single entrance door to their front elevations, however on the basis that the proposed front entrance arrangements would fundamentally replicate the front entrance arrangements at No. 6 The Circuits, the incorporation of two separate front entrance doors is considered acceptable.
- 6.3.6 The new front access doors would be contemporary in appearance, but are not considered to appear unduly at odds within other front doors along the street scene given that No. 5 and 6 The Circuits incorporate similar front access doors. The sidelight windows associated with the new access doors would not be excessive in their size and prominence, and are consequently considered to be congruous and sympathetic additions. The access steps associated with the new front entrances would not be excessive in their height and footprint and are thereby considered to be low scale additions. The applicant has proposed for the incorporation of approximately 2.5 metre high boundary fencing subdividing the two forecourts and front entrances of the two dwellinghouses. Whilst officers note that boundary treatment towards the front of buildings along The Circuits is predominantly low scale in height, on the basis that it would have a minimal width when viewed directly from the front of the site, and would be partly screened from view by the row of trees to be sited to the front edge of the site, its incorporation is considered on balance to be acceptable. Notwithstanding the above, sufficient details have not been provided on the appearance of development’s proposed fencing, as such additional detail on this has been requested via condition.

#### Ground Floor Extensions, Fenestration Changes and Alterations to External Finishes

- 6.3.7 Aside from the proposed infill extension to the front of the dwellinghouse’s existing front entrance, the proposed ground floor level extensions remain unchanged from those approved under applications P/1687/21 and P/4431/20. In the assessment of these applications, the proposed side and rear extension was not considered to result in undue harm on the character and appearance of the host building, street

scene, and wider locality. Given that the ground floor extension already has approval (3 year implementation period for both applications have not yet expired) it is considered to be acceptable on character and design grounds. As previously referenced within Paragraph 6.2.7 of this committee report the proposed infill extension to the front of the dwellinghouse's existing front entrance would be modest in its overall footprint and massing, and is considered to be an appropriately subordinate, proportionate and sympathetic addition to the host building and street scene.

6.3.8 Likewise, aside from the addition of the two entrance doors to the front of the building, the proposed fenestration changes at ground floor level proposed under this application remain unchanged from those approved under applications P/1687/21 and P/4431/20. Given that the proposed ground floor fenestration changes already have approval, they are considered acceptable. Assessment on the acceptability of the new entrance doors is provided within Paragraph 6.3.4 above.

6.3.9 In addition, the proposed alterations to the external finishes of the main dwellinghouse have already been approved under applications P/1687/21 and P/4431/20, and are consequently considered to be acceptable.

#### Roof Extensions

6.3.10 The proposed raising of the building's ridge by approximately 0.5 metres and the formation of the crown roof already has approval under applications P/1687/21 and P/4431/20. Likewise, the proposed front and side dormers and rear roof lights already have approval under application P/4431/20. Taking the above into account, all of the above roof additions are considered to be acceptable on character grounds.

#### Landscaping and Trees

6.3.11 Policy DM22 of the Development Management Policies Local Plan relates to trees and landscaping. Part B of this policy notes that development proposals will be required to provide hard and soft landscaping that (a) is appropriate to the character of the area; (b) is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours; (c) achieves a suitable visual setting for the building; (d) provides for sufficient space for new or existing trees and planting to grow; and (e) supports biodiversity.

6.3.12 Policy DM23 of the Development Management Policies Local Plan states that proposals for the provision of substantial hard surfacing of forecourts and front gardens should respect the character of the area and, where appropriate, incorporate a scheme of soft landscaping. The council will undertake and encourage new planting of street trees and shrubs by legal agreement if necessary and provide, restore and/or maintain grass verges on public and private streets. Proposals that fail to make appropriate provision for hard and soft landscaping of forecourts, or which fail to contribute to street side greenery where required will be refused.

- 6.3.13 Part (h) of Policy DM26 of the Development Management Policies Local Plan notes that proposals for conversions are required to ensure that the balance of hard and soft landscaping on the forecourt (including forecourts that are already substantially hardsurfaced) does not detract from the appearance of the property or streetscene.
- 6.3.14 The landscaping alterations to the front forecourt of the building would result in the loss of some soft landscaping to the centre and eastern side of the forecourt, however a sizeable amount of soft landscaping would be retained to the western boundary of the site. Given that the existing front forecourt is already substantially hardsurfaced, and a sizeable amount of soft landscaping is to be retained, the development is not considered to conflict with the interests of Policies DM22, DM23 and part (h) of policy DM26. Furthermore, it should be added that the loss of soft landscaping to the front of the site is mitigated through the addition of numerous trees and the retention of the tall hedging located on the western side boundaries. Officers consider the balance of hard and soft landscaping provided to the rear gardens of the dwellinghouses to be acceptable.
- 6.3.15 The proposed hard surfacing materials associated with the development are specified within the applicant's Proposed Site Plan Drawing (Drg. No. 005), however it is not clearly indicated exactly where each form of hardsurfacing is to be located. Furthermore, no images or specification documents have been provided detailing the colouring and appearance of the proposed hardsurfacing materials. In the absence of sufficient information, a condition has been applied requiring the applicant to provide the Council with details on proposed hard and soft landscaping arrangements.

#### Electric Vehicle Charging Points

- 6.3.16 The proposed electric vehicle charging points to the front forecourts of both dwellinghouses would not appear prominent enough to unduly impact on the visual amenity afforded along the street scene and the benefits of securing such provision outweigh any minor harm.

#### Cycle Parking and Bin Storage

- 6.3.17 As stated within Paragraph 2.2 of the committee report, a refuse enclosure and cycle parking store serving Unit A is provided to the side of this dwellinghouse, and a refuse enclosure and cycle store serving Unit B is provided within the rear garden of this dwellinghouse. Both the proposed refuse enclosures and proposed cycle stores are to be clad in timber, and are not considered to be excessive in their size and massing. The siting of the proposed refuse enclosures and cycle parking stores is considered to be appropriate and would not result in these structures appearing unduly prominent when viewed along the street scene.
- 6.3.18 In summary, subject to the provision of further detail to be provided by way of condition, the proposed development would be in keeping with the character and appearance of the host building, street scene and area in a wider context.

## 6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.K
- Harrow Development Management Policies Local Plan (2013): DM1, DM26, DM27
- London Plan Policy: D3, D6

Relevant Supplementary Documents

- Residential Design Guide (2010)
- Technical Housing Standard – Nationally Described Space Standard (2016)
- Mayor of London Housing Supplementary Planning Guidance (2016)

6.4.2 Policy DM1 of the Development Management Policies Local Plan seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

6.4.3 Policy D6 of the London Plan relates to housing quality and standards. The policy sets out standards for high quality design of residential units, including minimum space standards, standards for minimum head heights and standards for appropriate light, outlook and ventilation.

6.4.4 Policy DM26 of the DMP relates to proposals for the conversion of houses and other residential premises to multiple homes. Development proposals are required to meet London Plan minimum space standards, provide dual aspect fenestration where possible, provide practical internal configurations, provide satisfactory levels of privacy, daylight outlook and protection from external noise, provide adequate private amenity space and ensure that levels of external activity would not be harmful to residential amenity.

### Future Occupiers

#### Minimum Space Standards

6.4.5 The Gross Internal Areas of the new dwellings are set out within the table below:

<b>Proposed Size</b>	<b>Proposed GIA</b>	<b>Proposed Storage</b>	<b>Minimum GIA</b>	<b>Minimum Storage</b>
<u>Unit A</u> 3-Bedroom, 6-Person, 2-storey unit	149m <sup>2</sup>	2.98m <sup>2</sup>	102m <sup>2</sup>	2.5m <sup>2</sup>
<u>Unit B</u>	153.7m <sup>2</sup>	3.42m <sup>2</sup>	93m <sup>2</sup>	2.5m <sup>2</sup>

3- Bedroom, 5-Person, 2-storey unit				
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6.4.6 Both of the proposed new dwellinghouses would meet the required GIA set out within the London Plan Space standards. The overall layout and circulation for the units are considered acceptable, all habitable rooms are of sufficient width and square meterage to meet the minimum requirements where applicable. As per London Plan Standards, the minimum floor to ceiling height for new dwellings must be at least 2.5 metres for at least 75% of the GIA of each dwelling, the Nationally Described Space Standards set a requirement of at least 2.3 metres for at least 75% of the GIA of each dwelling. Whilst the proposed new dwellinghouses would not strictly meet the internal head height standard set out within the London Plan, they would meet the standards set within the Nationally Described Space Standards. A degree of consideration should be given to the fact that the units are units are not new build dwellinghouses, and are constrained by the fact that existing building is a bungalow. Taking all of the above into account, the internal head heights of the development are considered on balance to be acceptable.

Future Occupier Amenity - Light, Outlook and Privacy

6.4.7 Both Units A and B would provide dual aspect fenestration, and all habitable rooms would be served by appropriately sized fenestration. Views afforded to habitable rooms would either be of the rear gardens to the north of the site or of the street scene to the south of the site, and in the case of bedroom 2 of Unit A, views would also be provided of the highway along Cuckoo Hill. Nevertheless, all habitable fenestration would be provided with unobstructed and high-quality external views. Overall, officers are satisfied that all habitable rooms would be provided with sufficient levels of light, outlook and ventilation. The rear façade of Unit B would sit parallel to the flank elevation wall of The Pear Tree, 20 Cuckoo Hill, with an approximately 12 metre gap between the two buildings. This neighbouring property does not feature first floor flank fenestration facing towards the application site, furthermore the roof lights to the rear of Unit B would be positioned at an angle limiting harmful views of this neighbouring property. In light of the above, harmful mutual overlooking between Unit B and The Pear Tree, 20 Cuckoo Hill is not anticipated.

Amenity Space

6.4.8 Policy DM27 of the Development Management Policies Local Plan and paragraph 4.64 of the Council’s Residential Design Guide SPD notes that residential development should provide appropriate amenity space.

6.4.9 Both units would be provided with fairly sizable private rear gardens with vertical boundary fencing subdividing the existing garden. The overall size, shape and layout of the gardens is considered to be acceptable. As referenced earlier in the report (Paragraphs 6.3.6 and 6.3.15), a condition is to be applied requiring the

applicant to submit details of hard and soft landscaping, this will require detail of landscaping arrangements for the private gardens and will include indication of the height of the boundary fence subdividing the two gardens, as this is not currently provided.

## **6.5 Adjacent Neighbours**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM26
- London Plan Policy D3

Relevant Supplementary Documents

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

6.5.2 Policy DM1 of the Development Management Policies Local Plan seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

6.5.3 The conversion of the existing dwellinghouse into two self-contained dwellinghouses could result in a degree of intensified noise and disturbance, however this is not anticipated to be significant enough to unduly impact on the residential amenity of surrounding occupants.

6.5.4 On the basis that they would be located to the front of the building and would be sited well away from surrounding neighbouring properties, the insertion of the two new front access doors, associated side light windows and associated access steps are not considered to unduly impact on the residential amenity of any neighbouring occupants.

6.5.5 Likewise, the proposed ground floor infill extension to the front of the existing dwellinghouse's front access door is not considered to unduly prejudice the residential amenity of any neighbouring occupants. The extension is sited to the front of the building, is minimal in its overall footprint and massing, and would sit well away from surrounding residential properties.

6.5.6 The proposed landscaping alterations are not considered to unduly impact on the residential amenities of any neighbouring properties. The proposed electric vehicle charging points to the front forecourts of both dwellinghouses would not appear prominent enough to unduly impact on the visual amenity of any neighbouring properties.

6.5.7 All of the other extensions and alterations to the building have already been approved under applications P/1687/21 and P/4431/20, or application P/4431/20 alone in the case of the proposed front dormers, side dormers and proposed rear

roof lights. In light of this, all of these elements are considered to be acceptable on neighbouring amenity grounds.

6.5.8 In conclusion, the proposed conversion would provide for a satisfactory form of accommodation for future occupiers and would lead to no adverse impacts on neighbouring occupiers.

## **6.6 Accessibility**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012:CS1.K
- Harrow Development Management Policies Local Plan (2013): DM2
- London Plan Policy D7

6.6.2 London Plan policy D7 and associated Housing SPG standards, sets out that 90% of new homes should meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings'.

6.6.3 Policy DM2 of the Development Management Policies Local Plan seeks to ensure that all new housing is built to 'Lifetime Homes' standards. Given that the lifetime homes standards no longer exist, in according with the interests of Policy DM2, the Council would expect any proposals for new residential development to be in accordance with Policy D7 of the London Plan.

6.6.4 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Given that the lifetime homes standards no longer exist, in according with the interests of Policy CS1.K, the Council would expect any proposals for new residential development to be in accordance with Policy D7 of the London Plan.

6.6.5 Within the applicant's submitted Design and Access Statement, it is specified that the proposed dwellinghouses would comply with Building Regulations requirement M4(2) 'accessible and adaptable dwellings' except for the requirement to provide step free access to the dwellings themselves. In failing to achieve this, the proposed development would in reality fail to accord with Building Regulations requirement M4(2) 'accessible and adaptable dwellings'. Notwithstanding this, officers recognise the challenge for meeting this on a site with such varied land levels, and as such non-compliance with this requirement is considered on balance not to warrant a reason for refusal.

## 6.7 Traffic, Parking and Refuse

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM26, DM42, DM45
- London Plan Policy T5, T6, T6.1

### Relevant Supplementary Documents

- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

6.7.2 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.

6.7.3 The application site is located within an area with a PTAL rating of 0 meaning that the site has awful access to public transport. London Plan car parking standards set out within Policy T6.1 require both units to provide a maximum of 1.5 parking spaces. Given that it is not possible provide half a parking space, up to 2 spaces would be appropriate in this instance. As indicated within the applicant's Proposed Site Plan Drawing (Drg. No. 005) each of the proposed dwellinghouse's front forecourts would be sufficiently sized to accommodate 2.no car parking spaces.

6.7.4 Part G of Policy T6 of the London Plan notes that where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-low Emission vehicles in line with Policy T6.1. The proposed development would provide an fast electric vehicle charging point to the front forecourt of both dwellinghouses. Whilst this is not typically required for schemes of such a small scale, their provision is welcomed.

6.7.5 In accordance with Policy T5 of the London Plan (2021), each dwellinghouse would be required to provide storage facilities for 2.no cycles. The proposed cycle stores would be sufficiently sized to accommodate this. The proposed cycle stores appear to be secure and lockable, as such they would be appropriately designed to prevent theft.

6.7.6 Policy DM45 relates to Waste Management. Part A of the policy notes that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting.



6.7.7 The refuse stores proposed as part of the development would be sufficiently sized to accommodate the required three wheelie bins for each dwellinghouse (1x refuse bin, 1x recycling bin and 1x organic waste bin) the proposed development would therefore be in accordance with Policy DM45.

## **6.8 Development and Flood Risk**

6.8.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.U, CS1.W
- Harrow Development Management Policies Local Plan (2013): DM10
- London Plan Policy: SI 12, SI 13

6.8.2 The development would result in an increase in the development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. Sustainable urban drainage [SUDs] is encouraged. An informative is therefore attached to this effect. An informative has also been included with regard to surface and foul water connections and has advised the applicant to contact Council's Drainage Engineers to provide a drainage plan.

## **6.9 Sustainability**

6.9.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.T
- Harrow Development Management Policies Local Plan (2013): DM12, DM14
- London Plan Policy: SI 2

### Relevant Supplementary Documents

- SPD: Sustainable Building Design (2009)

6.9.2 London Plan policy SI 2 Minimising green house gas emission states that major development should be net zero carbon.

6.9.3 Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. Its states that development will need to "utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials"... Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity". Policy DM14 highlights that development proposals should incorporate renewable energy technology where feasible.

6.9.4 Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. Its states that development will need to "utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention

materials”...” Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity”. Policy DM14 highlights that development

- 6.9.5 For minor development proposals, the development plan at this point does not set out energy and sustainability targets greater than those required by Building Regulations. As these standards would be secured through other legislation, the proposal is not considered to conflict with sustainability policies in the development plan.

## **6.10 Fire Safety**

6.10.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: D12

6.10.2 Policy D12 of the London Plan notes that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. The applicant has provided no detail on the development’s compliance with fire safety standards as part of their submission, consequently, a condition has been applied requiring the applicant to demonstrate the development’s compliance with relevant fire safety standards

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

7.1 The proposed scheme would not constitute Garden Land Development, it would make a modest 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 proposed development is not considered to detract from the character and appearance of the host building, street scene and area in a wider context. The uplift in dwellings would not result in significantly adverse traffic and parking impacts. The development’s proposed cycle parking and refuse storage arrangements are considered to be sufficient. The development is not considered to be susceptible to harmful flooding, and is not considered to exacerbate flood risk elsewhere. Finally, the development is not considered to conflict with relevant sustainability policies. Additional detail on hard and soft landscaping, boundary treatment and the development’s compliance with fire safety and Secured by Design requirements is to be provided by way of conditions.

7.2 As such, the proposal would accord with the National Planning Policy Framework (2021), Policies, D3, D6, D7, H1, H10, SI 2, SI 12, SI 13, T5, T6 and T6.1 of the London Plan (2021), Policies CS1.B, CS1.H, CS1.I, CS1.K, CS1.Q, CS1.R, CS1.S, CS1.T, CS1.U and CS1.W of the of the Harrow Core Strategy, Policies DM1, DM2, DM10, DM12, DM14, DM23, DM24, DM26, DM27, DM42 and DM45 of the Harrow Development Management Policies Local Plan, and the guidance set out within the Garden Land Development SPD (2012), the Residential Design Guide SPD (2010) the London Plan Housing Supplementary Planning Guidance (2016), the Technical Housing Standard – Nationally Described Space Standards (2016) the Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008) and finally the Sustainable Building Design SPD (2009).

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### Conditions

1. Timing

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

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

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: Design and Access Statement, Drg. No. 001A, Drg. No. 02, Drg. No. 03, Drg. No. 04, Drg. No. 05, Drg. No. 06, and Drg. No. 007.

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

3. Materials

The external surfaces of the development hereby approved shall be constructed in accordance with the details provided within Drg. No. 02 and the submitted Application Form.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4. Glazing

No window(s)/door(s), other than those shown on the approved plans shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

5. Landscaping and Boundary Treatment

Notwithstanding the details shown on the approved plans, the development hereby approved shall not be first occupied until there has been submitted to, and approved by, the local planning authority:

- a) A scheme of hard and soft landscape works, which shall include: planting plans (at a scale not less than 1:100), and schedules of plants, noting

- species, plant sizes and proposed numbers / densities, written specification of planting and cultivation works to be undertaken, and a landscape implementation programme;
- b) A scheme of hard landscaping works which shall include: material details, if permeable materials are used full construction details of permeable paving and their maintenance plan. If non permeable material is used, details regarding management of surface water run-off from the proposed hardstanding.
  - c) Details of the proposed boundary treatments for the front and rear gardens; including details of their materials, colouring and height.

The proposed details shall be implemented in accordance with the approved plans prior to the first occupation of the site and retained as such thereafter.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development. To ensure that the proposed permeable paving is satisfactory and has drainage facilities, to reduce and mitigate the effects of flood risk and to ensure that landscaping and boundary treatment works would not impact the character and appearance of the development.

#### 6. Landscaping Implementation

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

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

#### 7. 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 in relation to the existing and proposed dwellinghouses which would otherwise fall within Classes A and B of Part 1 of Schedule 2 of that Order and Class L of Schedule 2, Part 3 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 dwellings in relation to the size of the plot and availability of amenity space, and to safeguard the amenity of neighbouring occupants and maintain mixed, balanced, sustainable and inclusive communities in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies (2013), Policy CS1(B) of the Harrow Core Strategy (2012), Policy D3 of the London Plan 2021

and the Core Planning Principles of the National Planning Policy Framework 2021.

8. 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 drawings.

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

9. Cycle Storage

Other than when in use, cycles shall be stored at all times within the designated cycle stores as shown on the approved drawings.

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

10. Fire Safety

No works, other than works relating to partial demolition of the roof hereby approved shall not commence until a Fire Safety Statement has been submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021).

## 11. Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to the Local Planning Authority in writing for approval before any part of the development is occupied or used. The development shall only be completed and operated in accordance with any approval.

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

### **INFORMATIVES:**

#### 1. Policies

The following policies are relevant to this decision:

**The National Planning Policy Framework (2021)**

**London Plan 2021:** D3, D6, D7, H1, H10, SI 2, SI 12, SI 13, T5, T6 and T6.1

**The Harrow Core Strategy 2012:** CS1.B, CS1.H, CS1.I, CS1.K, CS1.Q, CS1.R, CS1.S, CS1.T, CS1.U and CS1.W

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM2, DM10, DM12, DM14, DM23, DM24, DM26, DM27, DM42 and DM45

**Supplementary Planning Documents:** Garden Land Development SPD (2012), Residential Design Guide SPD (2010), London Plan Housing Supplementary Planning Guidance (2016), Technical Housing Standard – Nationally Described Space Standards (2016), Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008) and Sustainable Building Design SPD (2009).

#### 2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

#### 3. 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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

4. Liability For Damage to Highway

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

5. Grant without Pre-App Advice

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

This decision has been taken in accordance with paragraphs 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.

6. Surface and Foul Water Connections

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

7. 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

#### 8. 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.

#### 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](mailto:technicalservices@harrow.gov.uk) or on the following link. [http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)



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 £10,500

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

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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

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

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 £110sqm is £19,250

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

The CIL Liability is payable upon the commencement of development.

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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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

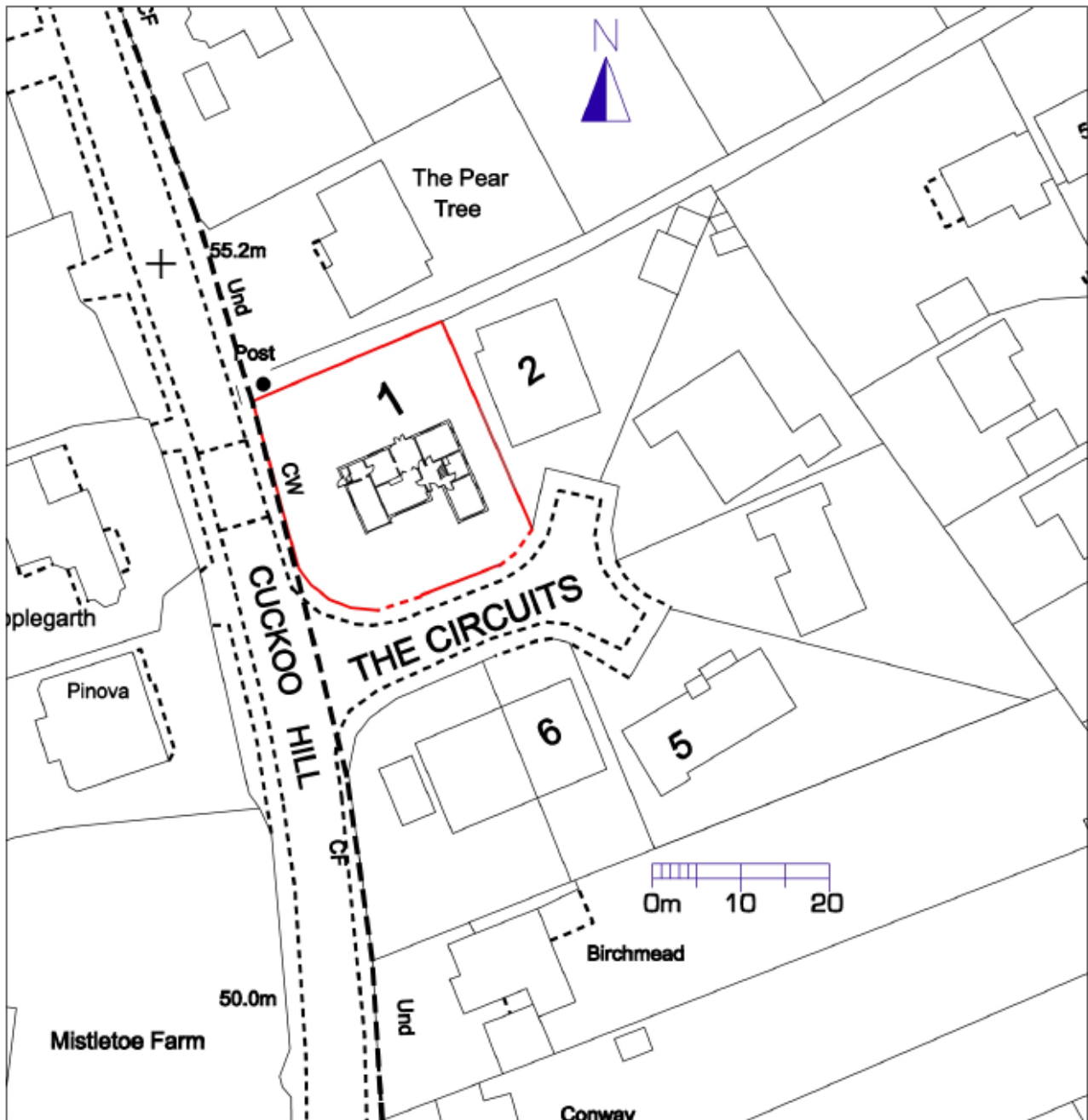
## 12. Thames Water

The applicant can contact Thames Water developer services by email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) or by phone: 0800 009 3921 or on Thames Water website [www.developerservices.co.uk](http://www.developerservices.co.uk) for drainage connections consent.

### Checked

Interim Chief Planning Officer	BK 1/11/2021
Corporate Director	1/11/2021

**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOS**

Front:



Front:





Front/Side:





Side:



Side:





Rear:



Development at No. 6 (Opposite the Site):



Development at No. 5 (Opposite the Site):

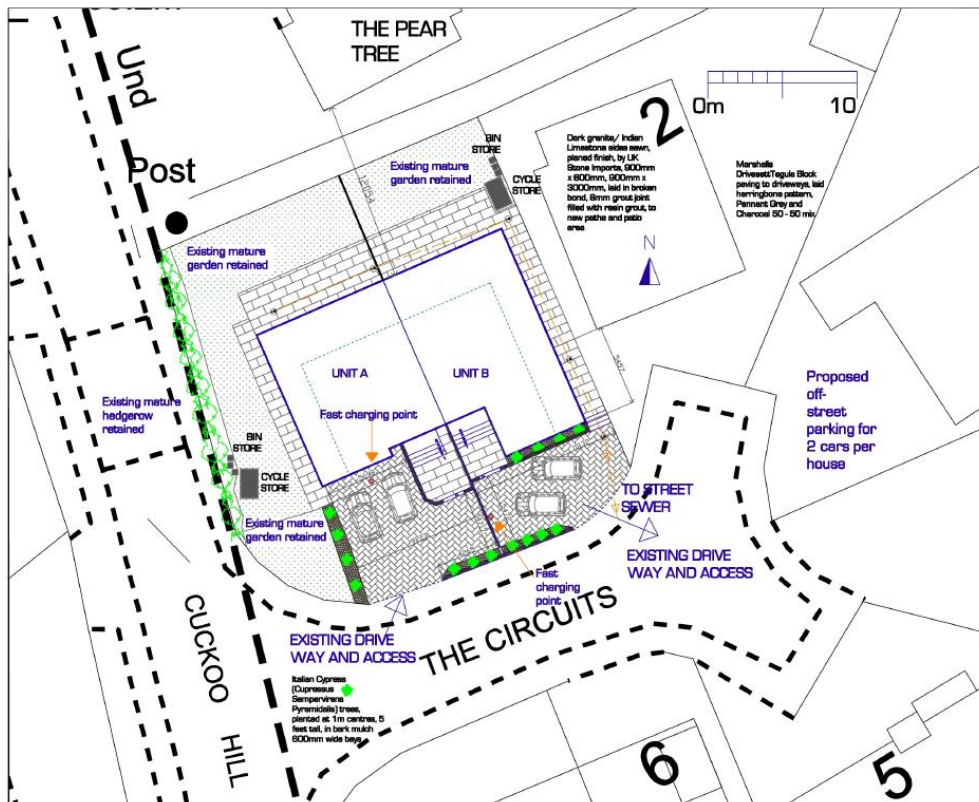
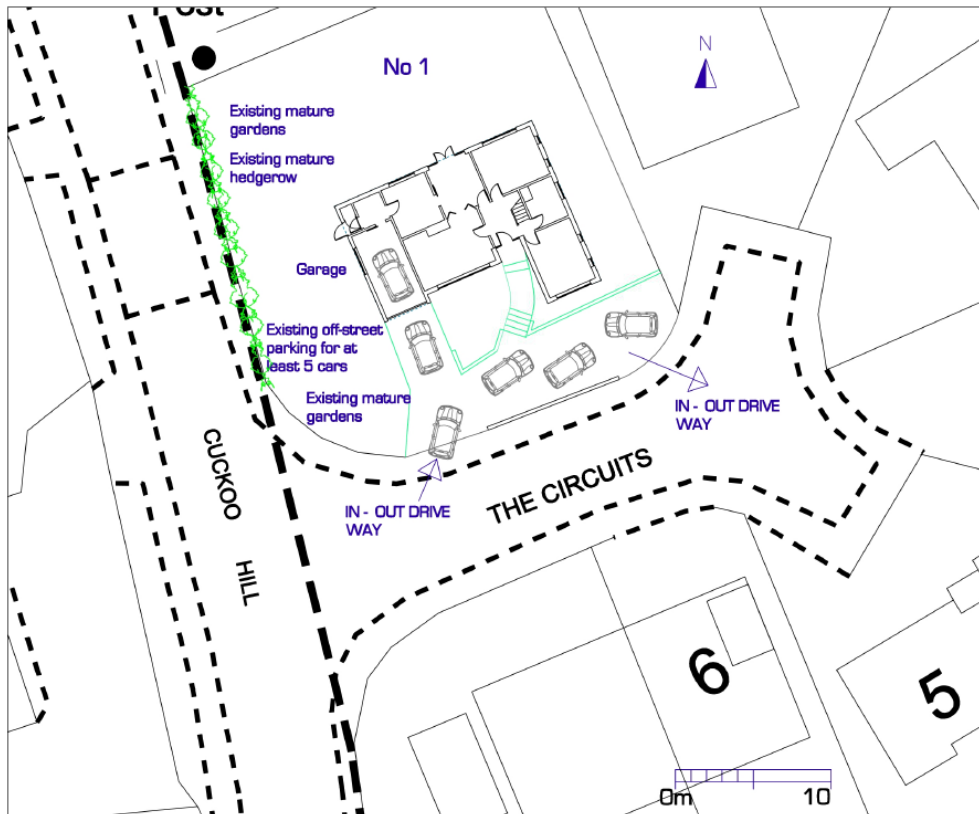




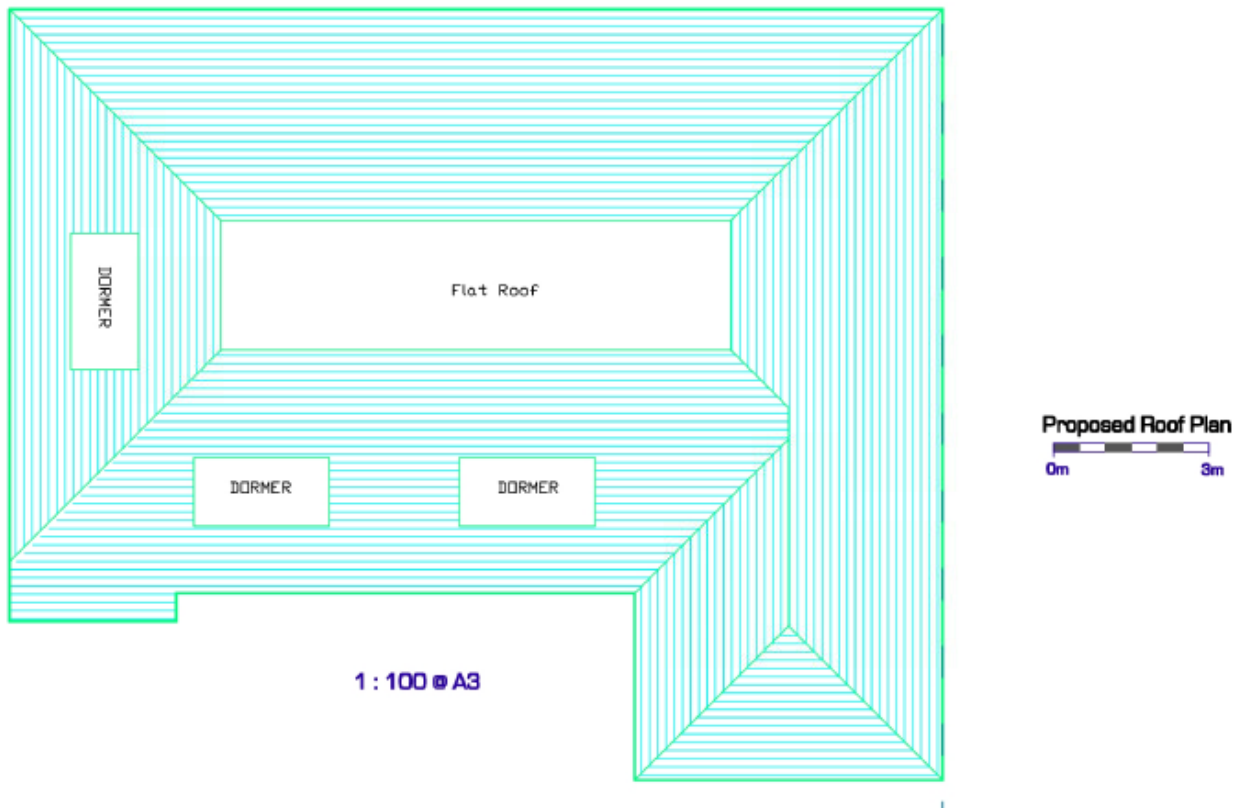




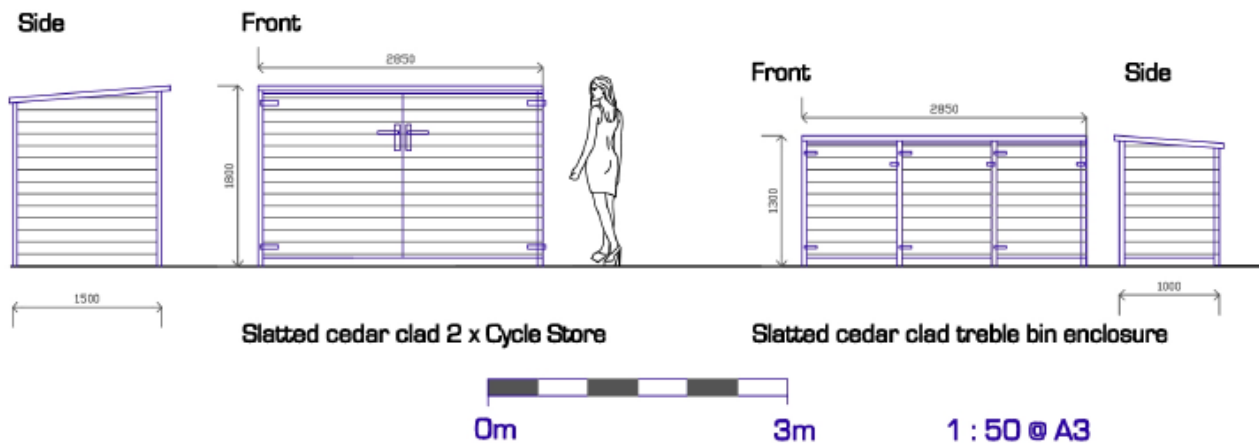
# Existing and Proposed Site Plans



## Proposed Roof Plan



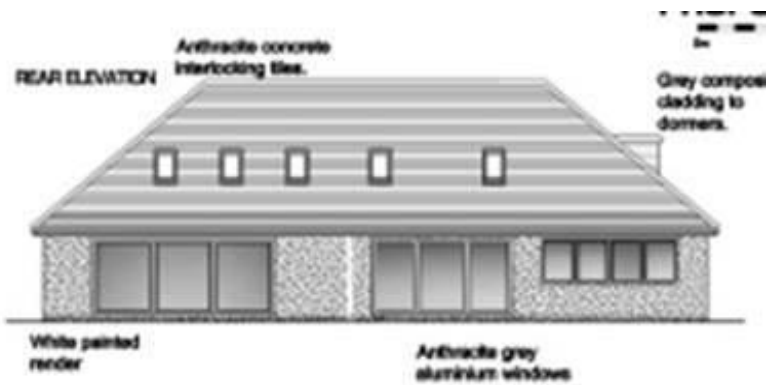
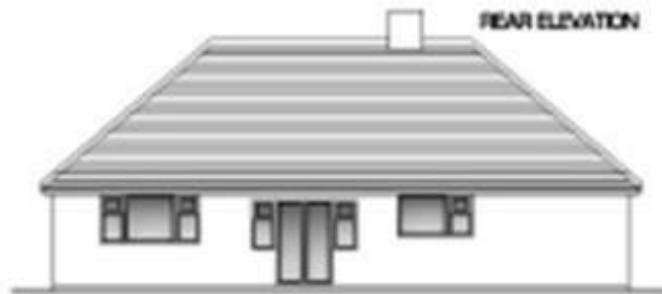
## Proposed Refuse and Cycle Parking Enclosures



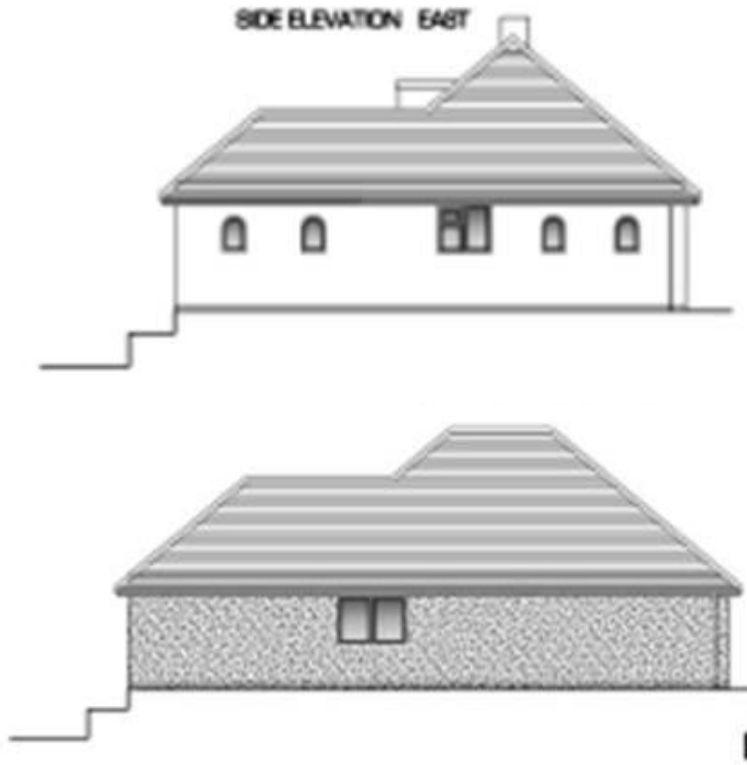
## Existing and Proposed Front Elevations



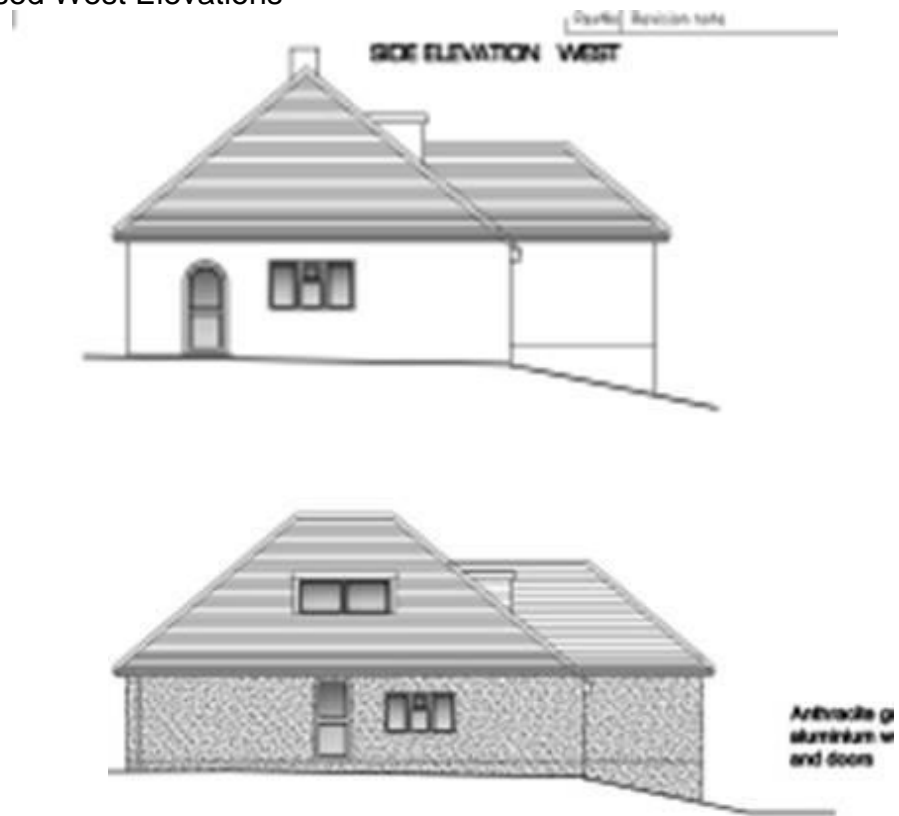
## Existing and Proposed Rear Elevations



Existing and Proposed East Elevations

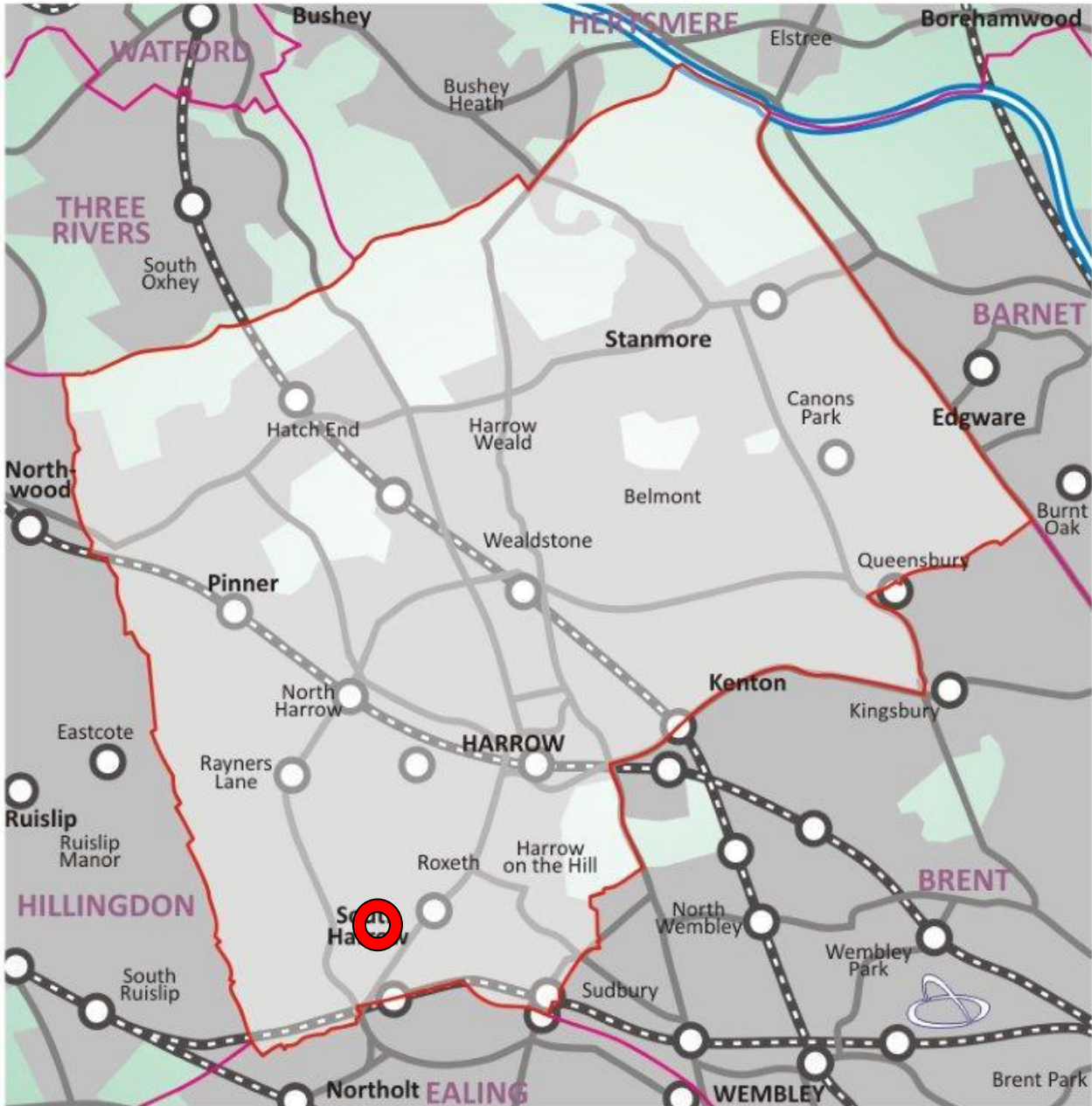


Existing and Proposed West Elevations



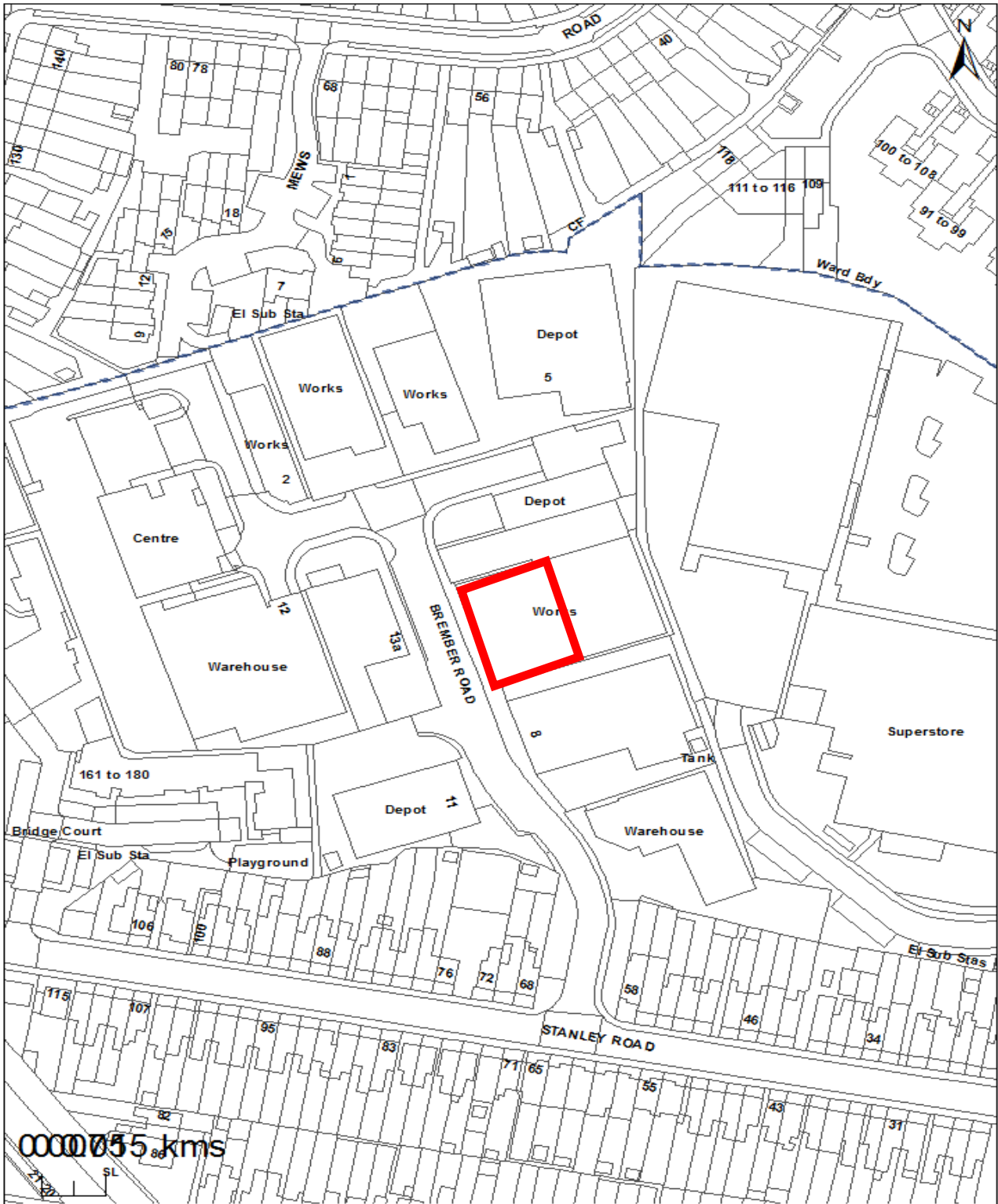
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 = application site



<b>Premier House, Brember Road, South Harrow</b>	<b>P/3474/21</b>
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 DIGITAL MAP DATA (C) COLLINS BAR THOLOMEW LTD (2010)  
 Cities Revealed® aerial photography copyright The GeoInformation® Group, 2010



<b>Premier House, Bember Road, South Harrow</b>	<b>P/3474/21</b>
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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>TH</sup> November 2021

APPLICATION NUMBER: P/3474/21  
VALIDATE DATE: 20/09/2021  
LOCATION: PREMIER HOUSE, BREMBER ROAD, SOUTH HARROW  
WARD: ROXETH  
POSTCODE: HA2 8AX  
APPLICANT: MR HARISH SANGHRAJKA  
AGENT: ARC3 ARCHITECTURE  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 13/10/2021

#### **PROPOSAL**

Creation of second floor and first floor rear extension to create ancillary floorspace to existing use; refuse and cycle storage

The Planning Committee is asked to:

#### **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 Conditions listed in appendix 1 of this report.

#### **REASON FOR THE RECOMMENDATIONS**

The proposed extensions to the existing industrial building would provide additional floorspace for a local business which would maintain the vitality of the area and would have a satisfactory impact upon the surrounding area in terms of character, residential amenity and highways.

#### **INFORMATION**

This application is reported to Planning Committee as the proposal includes over 400sqm of additional floorspace for a commercial premises and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor/Other
Council Interest:	N/A
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£33,300
Local CIL requirement:	N/A

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 Crime & Disorder Act**

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

## **1.0 SITE DESCRIPTION**

- 1.1 The application site is located on the east side of Brember Road.
- 1.2 The application property is a two storey 1960's style industrial unit known as Premier House which is currently used as tile warehouse and showroom.
- 1.3 The neighbouring premises are of a similar design and are used as industrial/commercial units.
- 1.4 The application site and neighbouring units make up the Archdale Business Centre which is designated as industrial and business use.
- 1.5 Brember Road is accessed via Stanley Road to the south which consists of predominately Victorian terraced properties.
- 1.6 The eastern boundary of the premises adjoins the common boundary with retail units which are accessed from Northolt Road.

## **2.0 PROPOSAL**

- 2.1 The proposal seeks to extend the existing first floor and attach a second floor to the existing building
- 2.2 The proposed first floor extension would be attached to the existing east elevation and would be 6.8m in depth and 27m in width.
- 2.3 The proposed second floor would be 14.2m in depth and 27m in width. The addition of the second floor would result in the building being a maximum height of 8.7m from ground level.
- 2.4 The proposed design of the extension would be flat roofed and would consist of brick work and fenestration which would match the existing building.
- 2.5 The proposed extensions would provide an additional 555sqm of floor space which would be used as offices and storage with an extended showroom area.
- 2.6 The application is a resubmission of an expired permission P/4737/16 granted on 23<sup>rd</sup> March 2017.

## **3.0 RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
LBH/8952	Erection of Single Storey Factory with Ancillary Offices and	Granted: 25/04/1973

	Parking	
LBH/15982	Erection of Two Storey Office Block with Single Storey Workshop Building to Rear and Parking to the Front	Granted: 06/12/1979
LBH/20328	Motor Vehicle Workshop and Store	Granted; 07/01/1982
WEST/44408/92/FUL	Provision of Mezzanine Floor and New Roof and Extension to Industrial Building to Provide Storage Space	Granted: 24/06/1992
P/4737/16	First floor extension for use as storage; addition of second floor for use as retail showroom and ancillary offices	Granted: 23/03/2017

#### **4.0 CONSULTATION**

- 4.1 A total of 12 consultation letters were sent to neighbouring properties regarding this application. A site notice was posted on 5<sup>th</sup> October 2021.
- 4.2 The overall public consultation period expired on the 26<sup>th</sup> October 2021
- 4.3 No Objections were received in response to the public consultation.
- 4.4 Statutory and Non-Statutory Consultation
- 4.5 The following consultations have been undertaken:  
LBH Highways – No objection

#### **5.0 POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'

- 5.3 The Government has issued the National Planning Policy Framework [NPPF 2021] 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.
- 5.4 In this instance, the Development Plan comprises The London Plan 2021 [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]. The relevant policies are 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
- Residential Amenity and Accessibility
- Traffic and Parking
- Fire Safety

### 6.2 Principle of Development

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): E5, E7
- Harrow Core Strategy (2012): CS1, CS8
- Development Management Policies (2013): DM31

6.2.1 The proposal is for an intensification of an existing commercial unit within the Archdale Business Centre which is designated as industrial land.

6.2.2 As the site is designated within an industrial and business use area policy DM31: Supporting Economic Activity and Development applies. Part (A) of that policy indicates that the Council will support the intensification, renewal and modernisation of existing industrial and business floorspace, provided the development complies with other relevant policy considerations (i.e. car parking, design quality and impact upon amenity of adjoining uses) and the new floorspace allows for future flexibility, including future subdivision and / or amalgamation.

6.2.3 The proposal represents an intensification of an existing business use, as it involves a first floor extension and addition of second floor for use as a retail showroom and ancillary uses. It is arguable that the retail showroom should be located in a town centre, being more akin to A1 retail use, but given the bulky nature of goods being

displayed (tiles) and the broad range of uses envisaged within an 'Industrial and Business Use Area) and the fact it is an extension / intensification of an existing use, the proposal accords with the intention of Policy DM31.

- 6.2.4 The current units on the ground and first floors are accessed off an internal foyer / internal stairs with lockable doors to each unit (i.e. can function as separate units); whereas the proposed second floor plans indicate that the additional floorspace on that level will be directly accessed off the internal stairs, with no internal / lockable doors to that level. Should it be proposed to subdivide this second floor, this will require internal works to do so but these should be achievable in a practical sense, thereby meeting the policy requirement regarding flexibility.
- 6.2.5 Given the above, the proposal would accord with policy DM31 and would therefore be acceptable in principle. The impacts in terms of character, residential amenity and parking are explored further in the report below.

### 6.3 Character of the Area

6.3.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1

6.3.2 Policy DM1 of the DMP requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This policy broadly reflect policy D3 of The London Plan (2021) and gives effect to policy CS1.B of the Harrow Core Strategy 2012, policies which seek to ensure that development respects local character and provide architecture of proportion, composition and scale that enhances the public realm.

6.3.3 The character of the surrounding area, due to the land use, is made up of typical commercial units of various sizes and styles. The application property is a two storey flat roofed building with a ground floor projection on the western side of the building.

6.3.4 Due to the nature of the building, the proposed extensions sought are considered to be both appropriate and proportionate to the host building. Furthermore, it is considered that the proposed extensions would not appear unduly bulky within the streetscene. As such, the proposal is considered to have a satisfactory impact on the surrounding Archdale Business Park or adjacent retail park which adjoins the western boundary of the site.

6.3.5 In terms of architecture, the host building is a typical 1960's style commercial unit. The proposed extensions would reflect the style of the building and as such would provide a harmonious extension. A condition is attached to the permission requiring the external materials to match the existing finishes of the building.

6.3.6 Subject to the condition mentioned above, it is considered that the resultant development would be appropriate in its context and would comply with policy D3 of The London Plan (2021), Core Policy CS1(B) of the Harrow Core Strategy and policy DM1 of the Council's Development Management Policies Local Plan.

#### 6.4 Residential Amenity

6.4.1 The relevant policies and guidance are:

- The London Plan (2021): D3
- Harrow Development Management Policies (2013): DM1

6.4.2 The application site is within a designated industrial land and as such does not adjoin any residential properties. Due to the nature of the neighbouring buildings it is considered there would be minimal impact in terms of overshadowing, daylight and outlook.

6.4.3 The nearest residential properties are located approximately 76.0m to the south on Stanley Road. It is considered that the separation distances between the application property and properties on Stanley Road would sufficiently mitigate impacts in terms of residential amenity.

6.4.4 Furthermore, the application site is sufficiently screened by other industrial units located to the south of the application site and to the north of properties on Stanley Road.

6.4.5 Accordingly, it is considered that the proposed development would not unacceptably harm the amenities of surrounding occupiers through a loss of light, privacy, overlooking or perception of overlooking and would therefore accord with the aims and objectives of policy D3 of The London Plan (2021), Core Policy CS1B of the Harrow Core Strategy (2012) and policy DM1 of the Harrow Development Management Policies Plan (2013).

#### 6.5 Traffic and Parking

6.5.1 It is considered that the proposal would not result in a substantial increase in the intensity of use of the property resulting in any harmful impacts on local traffic conditions or highway safety.

6.5.2 The Council's Highways officers have commented on the application and have stated that the proposed increase in floorspace is not likely to significantly increase the numbers visiting the store due to the nature of the business not being directly comparable to large retail units.

6.5.3 The proposal provides six secure parking spaces which would comply with Policy T5 of the London Plan (2021)



## 6.6 Fire Safety

6.6.1 The relevant policies and guidance are:

The London Plan 2021: D12A

6.6.2 London Plan Policy D12A requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly point and ensure robust strategies for evacuation are in place. The Fire Statement would require that a full emergency evacuation plan as well as a confirmation of the firefighting water supply would need to be confirmed and a management plan put in place for ongoing maintenance. As such, a condition is recommended to ensure that a fully comprehensive fire strategy is provided prior to the commencement of the development of the building.

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

7.1.1 The proposed extensions to the building would provide extra floorspace for an expanding local business. Furthermore, the proposed extension would not unduly impact on the character, residential amenity or surrounding highway network.

7.1.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

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

### **Conditions**

#### 1 Timing

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

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

#### 2 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Design and Access Statement; BP01; LP01; 101; 102; 103; 104; 111, 112; 113, 114, 115,

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

#### 3 Construction Method Statement

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

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) measures to control the emission of dust and dirt during construction
- v) a scheme for recycling/disposing of waste resulting from demolition and construction works

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

#### 4 Materials to Match Existing

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

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

#### 5 Fire Safety

Prior to the commencement of the development hereby approved, a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development commences on site, this condition is a PRE-COMMENCEMENT condition.

## Informatives

### 1 Policies

The following policies are relevant to this decision:

The London Plan 2021: D1, D3, D12A, E5, E7, T5, T6.

The Harrow Core Strategy 2012: CS1.B, CS8.

Harrow Development Management Policies Local Plan 2013: DM1, DM32, DM42, DM44.

### 2 Pre-application engagement

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

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

### 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 Contractor Code Of Practice

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

#### 5 Party Wall Act:

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 6 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.

7 Liability For Damage To Highway

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

**Checked**

Interim Chief Planning Officer	BK	1/11/2021
Corporate Director		1/11/2021



## APPENDIX 3: SITE PHOTOGRAPHS



Aerial View



Front (west) elevation facing Brember Road





Front Entrance



Looking towards north elevation





Existing North Elevation



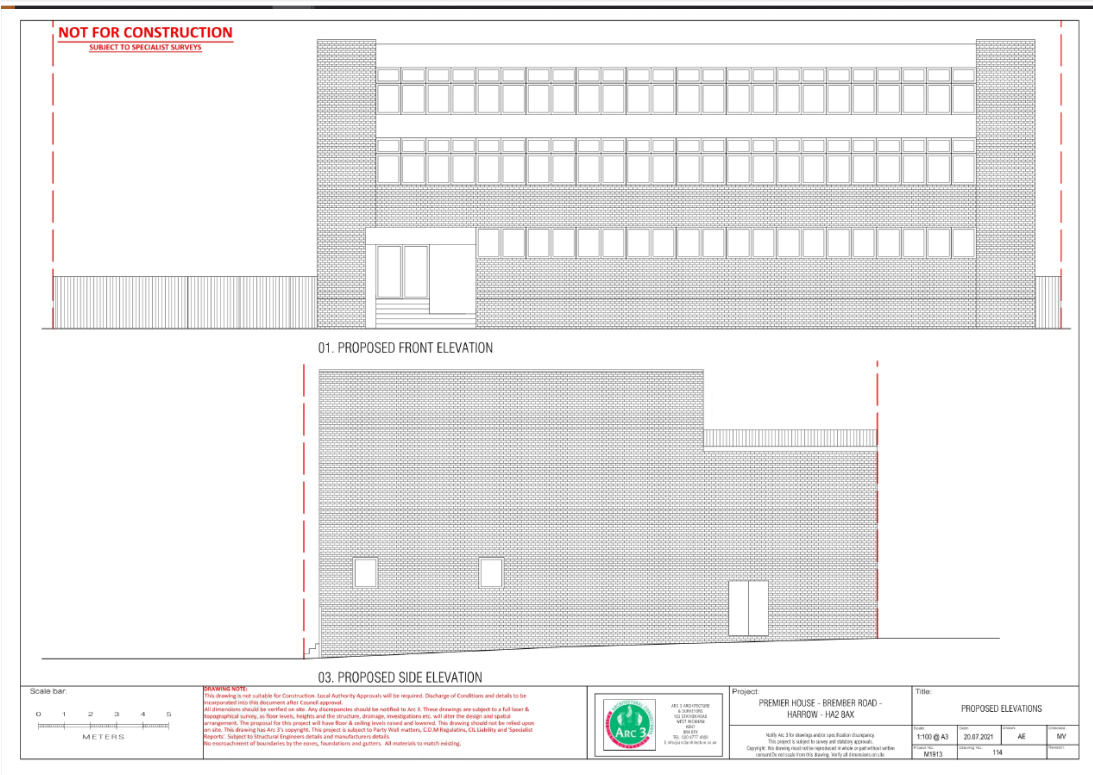
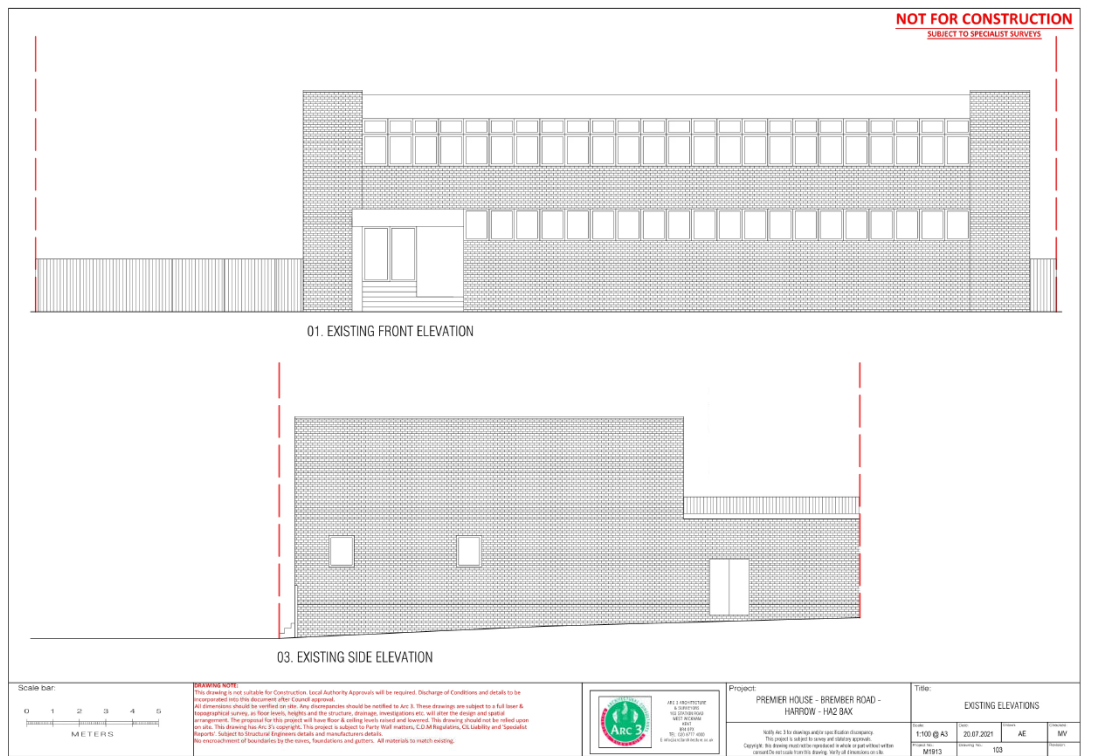
Neighbouring buildings to the north



Looking towards south and west elevations

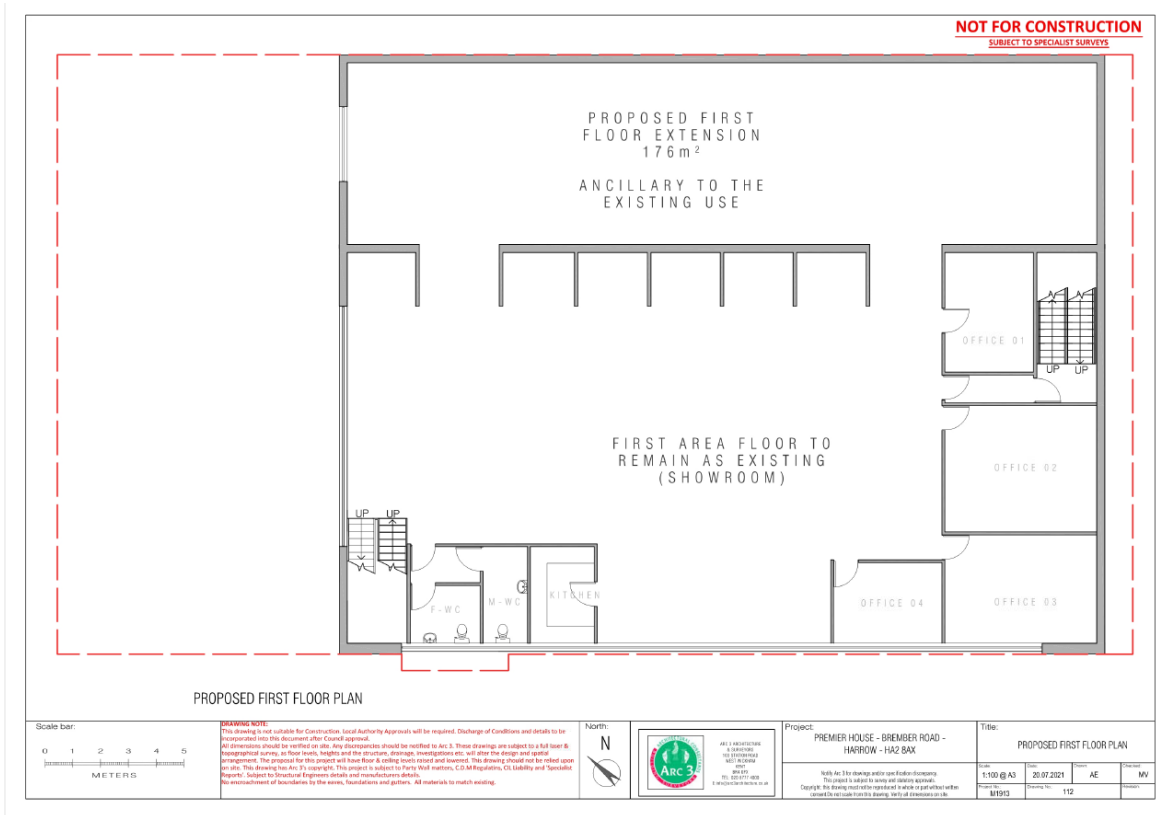
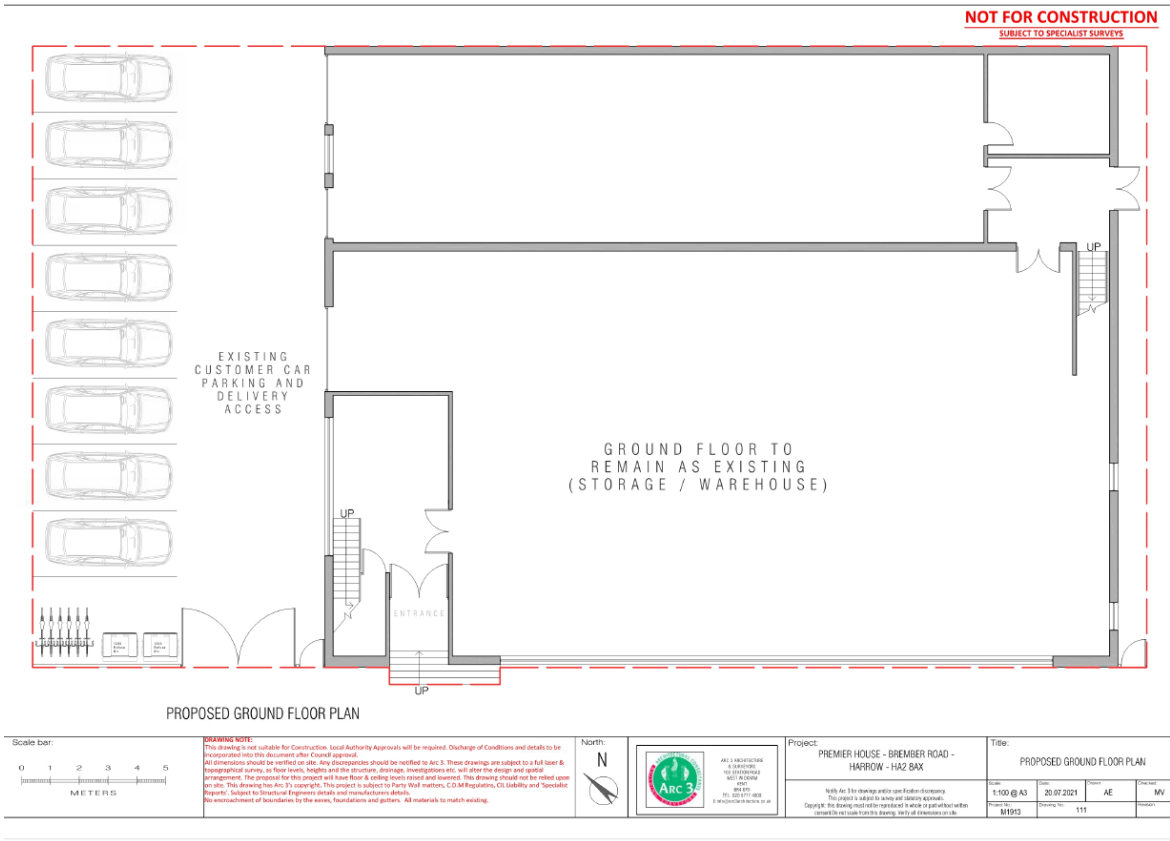


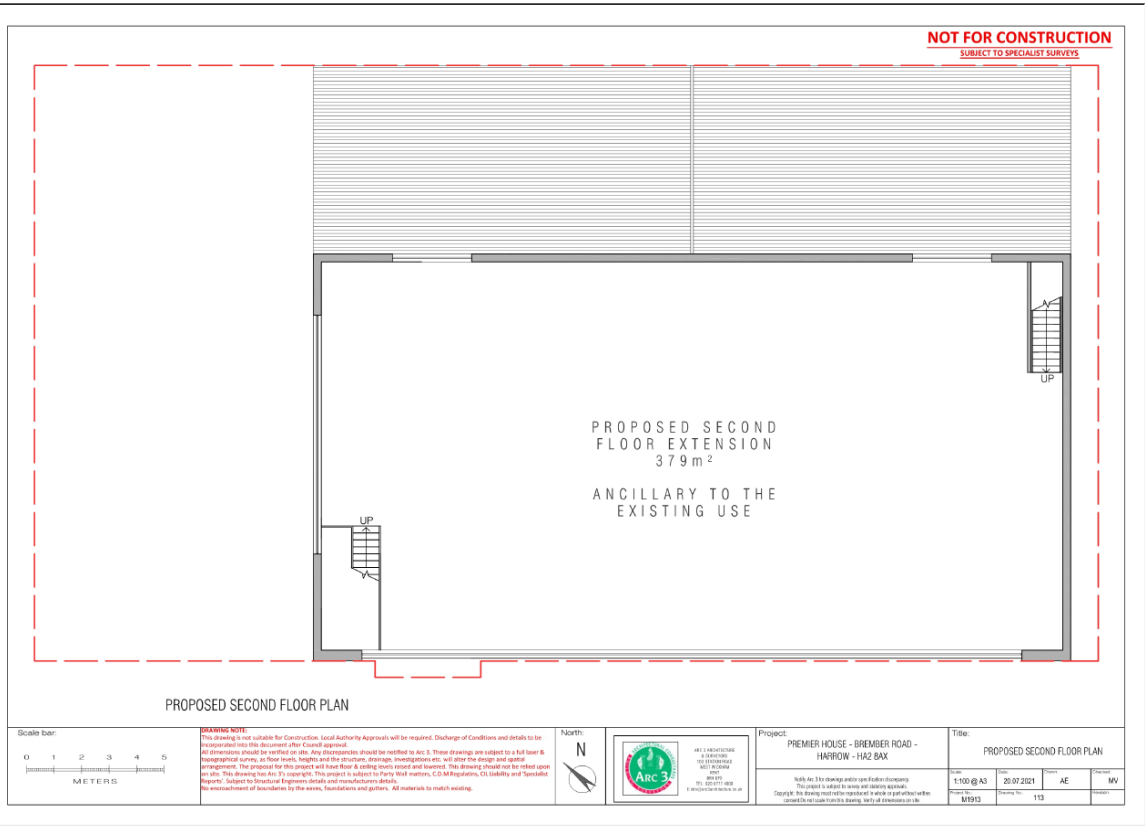
# APPENDIX 4: PLANS AND ELEVATIONS





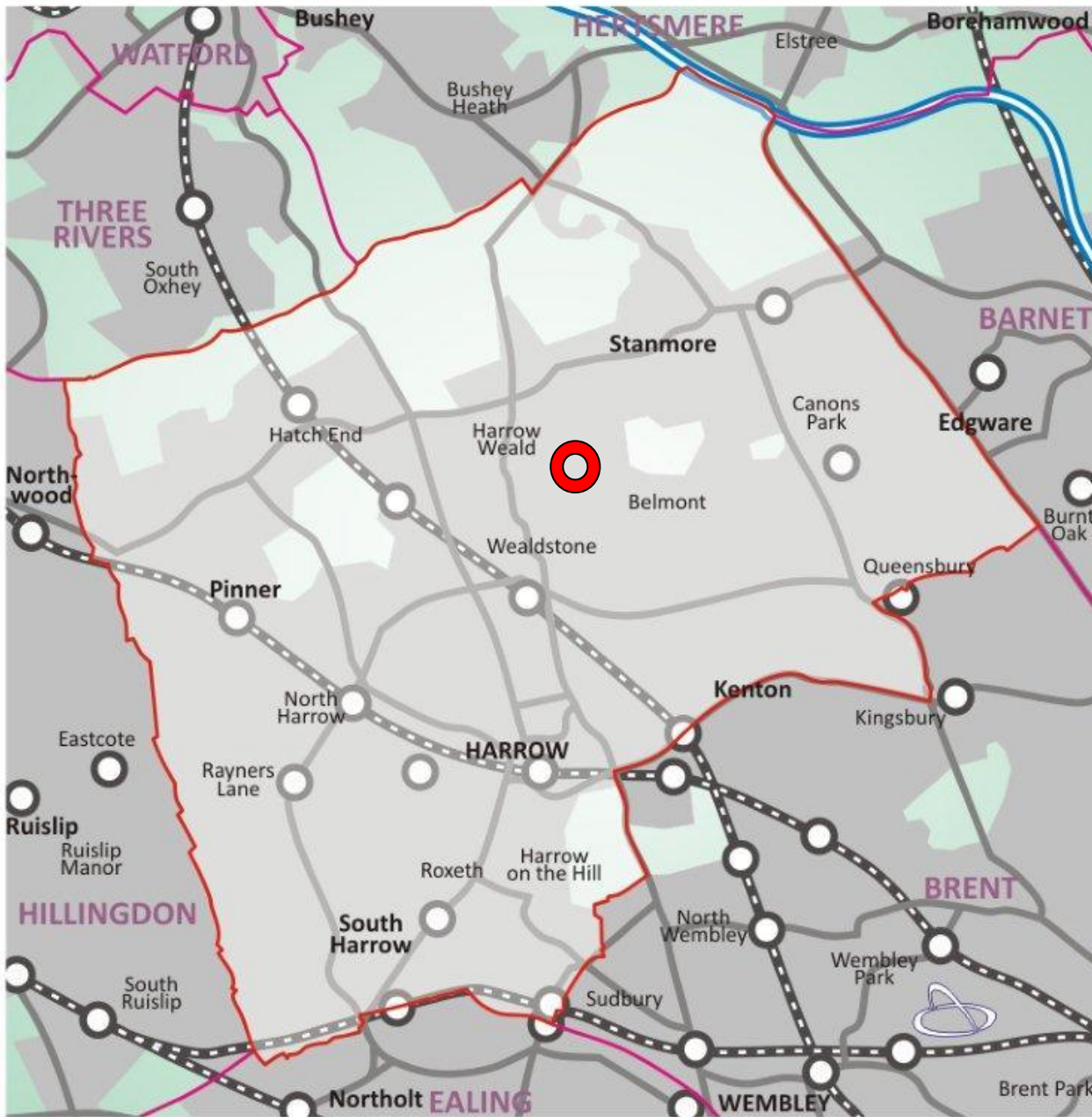






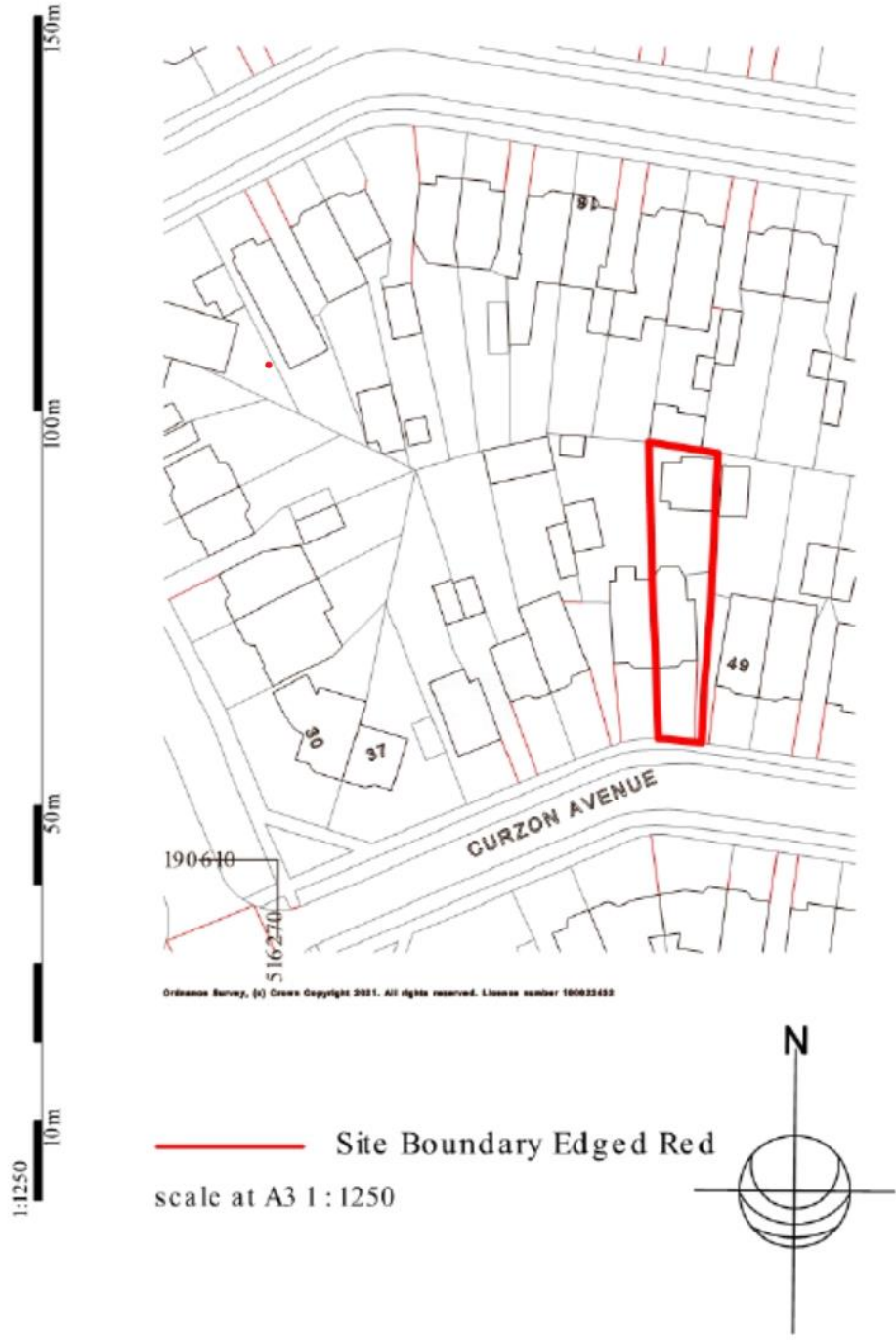
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 = application site



47 Curzon Avenue, Stanmore	P/3022/21
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Location Plan

## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>th</sup> November 2021

**APPLICATION NUMBER:** P/3022/21  
**VALID DATE:** 2/9/2021  
**LOCATION:** 47 CURZON AVENUE  
STANMORE  
**WARD:** BELMONT  
**POSTCODE:** HA7 2AL  
**APPLICANT:** NISTOR  
**AGENT:** W GRIFFITHS  
**CASE OFFICER:** ÁINE GOGGIN  
**EXPIRY DATE:** 28/10/2021 (EXTENDED 25/11/2021)

#### PROPOSAL

Retrospective planning permission is sought for an existing outbuilding at the rear of the dwelling for purposes incidental to the host 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 set out in Appendix 1 of this report.

#### REASON FOR THE RECOMMENDATION

The existing outbuilding is sited at the end corner of the rear garden and there are existing outbuildings in neighbouring gardens. Whilst the outbuilding is 0.2m higher than the Council normally allows, apart from this it does on balance comply with Council policies. The existing 2.8m height is considered not to result in significant harm to the detriment of neighbouring occupiers. No objections were received by neighbours. The existing outbuilding is recommended for approval subject to the use of the outbuilding and materials which will be conditioned.

Accordingly, weighing up the development plan policies and other material considerations including no comments received in response to notification and consultation, officers conclude that the application is worthy of support.

### **INFORMATION**

This application is reported to the planning committee due to being called in by a nominated member.

Statutory Return Type:	(21) Householder
Council Interest:	None
Net floorspace	50.7sqm
GLA Community	
GLA Community Infrastructure Levy (CIL):	N/a
Local CIL requirement:	N/a

### **HUMAN RIGHTS ACT**

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

### **EQUALITIES**

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

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

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

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

## **1.0 SITE DESCRIPTION**

- 1.1. The subject site is made up of a semi-detached dwelling located on the northern side of Curzon Avenue.
- 1.2. The host dwelling benefits from a glass conservatory along the shared boundary with attached no 45. No 45 to the west of the site has a modest sized single storey rear extension.
- 1.3. No 49 to the east has an existing single storey rear extension and outbuilding in the rear garden which is sited adjacent to the existing outbuilding at the subject site.
- 1.4. The subject site is not a listed building or located within a conservation area.
- 1.5. The subject site is sited within a Critical drainage area.

## **2.0 RETROSPECTIVE APPLICATION**

- 2.1 Retrospective permission is sought for an existing outbuilding .
- 2.2 The existing outbuilding extends approx. 6.68m deep x 6.68m wide x 2.8m high incorporating a flat roof. The outbuilding is set in approx. 0.3m from the side boundary with no 45 and approx. 0.7m from the boundary with no 47.
- 2.3 The internal floorspace is approx. 50sqm, which consists of a family room, larder and store and laundry. There are 2 doors and one window which faces south towards the applicant's rear garden.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 No relevant history.

## **4.0 CONSULTATION**

- 4.1 A total of 5 notifications were sent to neighbours of surrounding properties. The overall expiry date was 15.10.2021.
- 4.2 No objections have been received in relation to this retrospective application.
- 4.3 Statutory and Non Statutory Consultation
- 4.4 A summary of the consultation responses received along with the Officer comments are set out in the table below.

Consultee and Summary of Comments
<u>LBH Drainage</u> – N/a

## **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 2021 [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 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1.

## **6.0 ASSESSMENT**

- 6.1 The main issues are;
- Character and Appearance of the Area
  - Residential Amenity
  - Development and Flood Risk
  - Crime and Development
  - Conclusion

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

- 6.1.1 The relevant policies are:
- The National Planning Policy Framework (2021)
  - The London Plan (2021): D3
  - Harrow Development Management Policies (2013): DM1
  - Harrow's Core Strategy (2012): CS1
  - Mayor of London Housing Supplementary Planning Guidance (2016)
- 6.1.2 Policy D3 of the London Plan (2021) requires development to take a design-led approach, which would enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout,

orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

- 6.1.3 Policy DM1 of the Development Management Policies seeks a high standard of layout and design, noting that proposals which are considered detrimental to local character and appearance will be resisted and specifies a requirement to consider appropriate massing, scale and bulk; the appearance and architectural detailing; and the context provided by the local pattern of development.
- 6.1.4 The existing outbuilding is sited at the end of the rear garden adjacent to an existing outbuilding at no 49. There are existing outbuildings sited within neighbouring gardens. With regard had to the surrounding area, it is acknowledged this outbuilding is larger in terms of both footprint and height in comparison to neighbouring outbuildings.
- 6.1.5 Given it is set in from both side boundaries and the 0.2m increase in height is marginally more than the Council normally would allow, it is considered on balance marginal and as such, the building is approvable with the appropriate conditions.
- 6.1.6 It should be noted that there was an outbuilding which albeit smaller than the existing building subject to this application located in this corner of the application site. It is considered that the changes in size between the two structures cause a minor impact on the amenity of the surrounding occupants and that it is commensurate within an urban context. The materials used in this application being uPVC doors and windows with a wood cladding are considered to be appropriate within such a context and the use of the building will be secured via a condition for it to remain incidental to the host dwellinghouse in the same manner as is required under permitted development.
- 6.1.7 Further, it is not considered expedient to pursue enforcement action as the application can be appropriately conditioned and the harm caused is considered to be minimal in this instance. The application is recommended for approval subject to attached conditions.

## **6.2 Residential Amenity**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D6
- Harrow Development Management Policies (2013): DM1
- Harrow's Core Strategy (2012): CS1
- Supplementary Planning Document Residential Design Guide (2010)

### Residential Amenity of Neighbouring Occupiers

6.2.2 Regarding the existing outbuilding there are no openings in the side elevations and this aspect will be conditioned. There are 2 doors and one window in the south facing the applicant's rear garden and as the use is ancillary to the main dwelling, it is considered the existing outbuilding does not harm the amenities of

neighbouring occupiers and the enjoyment of their rear gardens. The existing outbuilding is acceptable in terms of residential amenity.

### **6.3 Development and Flooding**

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.3.2 The existing outbuilding results in an increase in the development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. An informative is therefore attached to this effect.

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

7.1 The existing 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.

7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including no comments and or objections received in response to notification and consultation as set out above, this application is recommended for grant.



## **APPENDIX 1: CONDITIONS**

### 1. PLANLIST

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

P1 1 Rev A, P2 Rev 1A, P2 Rev 2A, P4 Rev 1A.

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

### 2. ANCILLARY USE

The detached outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary (such as storage and ancillary domestic use) to the residential use of the dwellinghouse at 47 Curzon Avenue, Stanmore HA7 2AL and shall not at any time be used for primary living or letting purposes independent to the main dwellinghouse.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013)

### 3. GLAZING2 M

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

REASON: To safeguard the amenity of neighbouring residents in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

## INFORMATIVES

1. **INFORMATIVE:**

The following policies are relevant to this decision:

National Planning Policy Framework (2019)

The London Plan (2021):

D1 London's form, capacity and delivery for growth

D4 Delivering Good Design

Harrow Core Strategy (2012):

Core policy CS1.B

Harrow Development Management Policies Local Plan (2013):

DM1: Achieving a High Standard of Development

DM10: On Site Water Management and Surface Water Attenuation

2 Considerate Contractor Code of Practice

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

3 Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 4 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.

#### 5 Sustainable Drainage Systems

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

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

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

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (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

#### 6 Surface Water Drainage

Thames Water advises that 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.

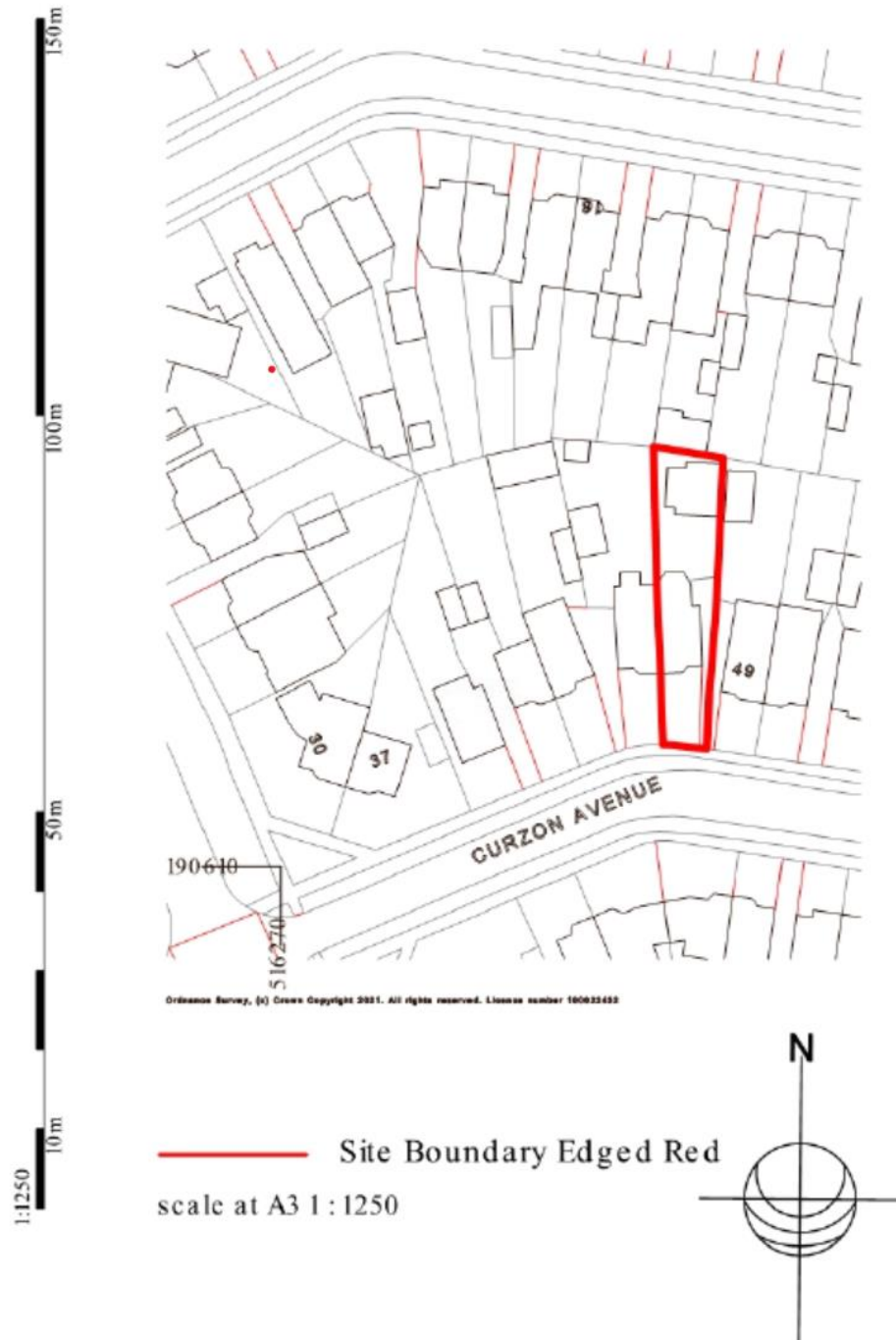
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Checked

Interim Chief Planning Officer	Beverley Kuchar 01/11/2021
Corporate Director	01/11/2021

**Appendix 2 Site Plan**



**Location Plan**

**APPENDIX 3: PHOTOGRAPHS**





*Front Elevation*



*Rear Elevation and attached property no 45*





*Rear elevation of the subject site existing conservatory and no 49 to the east*





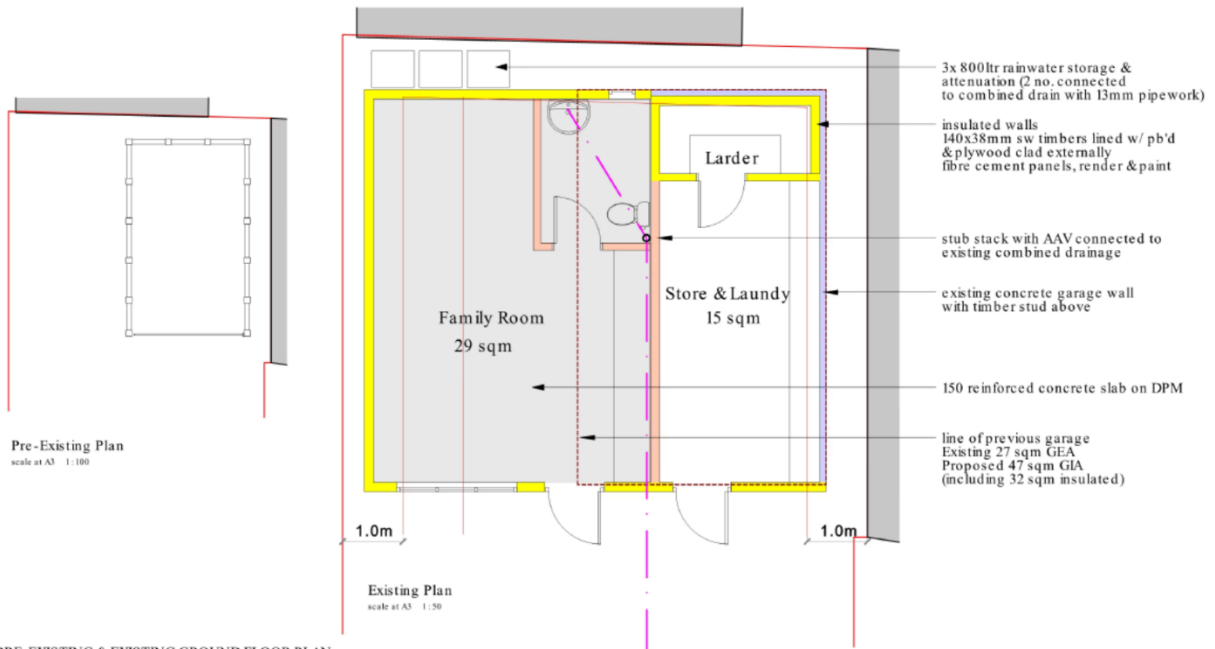
*Existing outbuilding at the end of the rear garden and adjacent outbuilding at neighbouring property no 49*



# Pre-Existing and Existing Plans

KEY

NOTES  
 Plans showing work to be done  
 Do not scale measurements from drawings  
 CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL SERVICES  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS  
 REV. AMENDMENTS DATE CLIENT CHECK  
 A 18/11/2021 2:30:21



PRE\_EXISTING & EXISTING GROUND FLOOR PLAN

**W. GRIFFITHS**  
 ARCHITECTS + INTERIORS  
 47 Curzon Avenue, Seabrook HA7 2AL  
 020 8996 4444  
 www.wgriffiths.co.uk

PROJECT  
 Spinnaker at  
 47 Curzon Avenue, Seabrook HA7 2AL

SCALE 1:25 1:50 1:100 1:200  
 DRAWN BY: [blank] DATE: 18/11/21  
 CHECKED BY: [blank]

DATE	DESCRIPTION	BY	CHECKED
18/11/21	P1	[blank]	[blank]
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EXISTING GROUND FLOOR PLAN

# Pre-Existing elevations

KEY

45

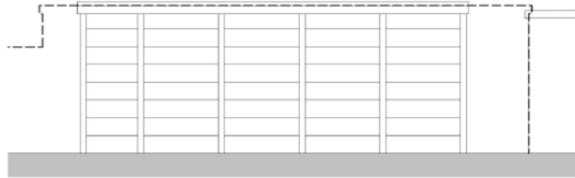
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49

**NOTES**  
 1. Pre-existing elevations are to be shown as they are.  
 2. The client is responsible for the accuracy of the information provided.  
 3. The architect is not responsible for the accuracy of the information provided.  
 4. The architect is not responsible for the accuracy of the information provided.  
 5. The architect is not responsible for the accuracy of the information provided.  
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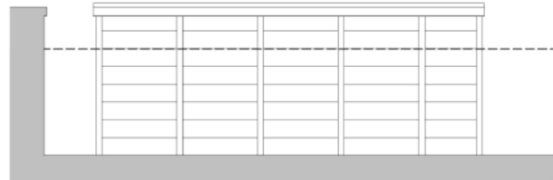
South Elevation Facing Garden



East Elevation Facing No.49



North Elevation Facing Rear of 20 Hermitage Way



West Elevation Facing No.45

**PRE-EXISTING ELEVATIONS**

**W.GRIFFITHS** Architects + Planners  
 47 Curzon Avenue Stanmore NSW 2124  
 Tel: 02 9371 1111 Fax: 02 9371 1112  
 www.wgriffiths.com.au

PROJECT  
 Submission at  
 47 Curzon Avenue Stanmore NSW 2124

SCALE  
 1:50  
 1:100  
 DRAWN  
 CHECKED

DATE  
 DATE

PROJECT TITLE  
 PRE-EXISTING ELEVATIONS  
 1781 P2 2 A

## Existing elevations

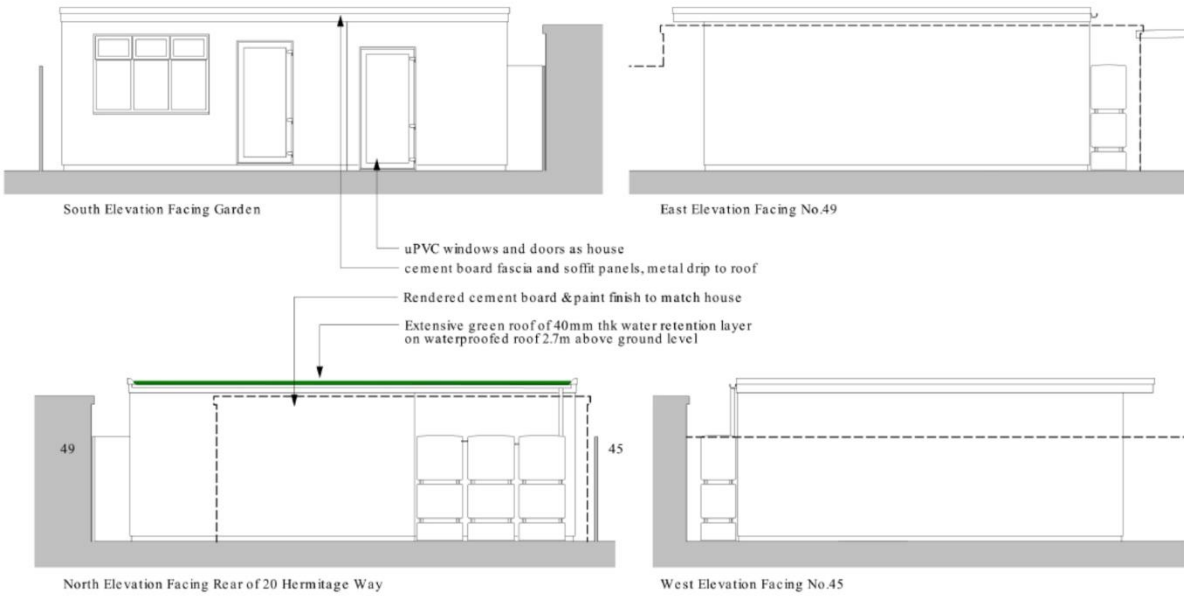
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NOTES  
 Do not scale measurements. ALL EFT & RISE dimensions must be used.  
 Contractor must check all dimensions on site against drawings and notify the architect immediately.  
 The copyright of this drawing is to remain the property of W.GRIFFITHS ARCHITECTS  
 DATE: 08/11/2021  
 CHECK: [Signature]



EXISTING ELEVATIONS

**W.GRIFFITHS**  
 ARCHITECTS - PENZANCE

PROJECT:  
 Summerhouse at  
 47 Curzon Avenue St Austine TR25 1AL

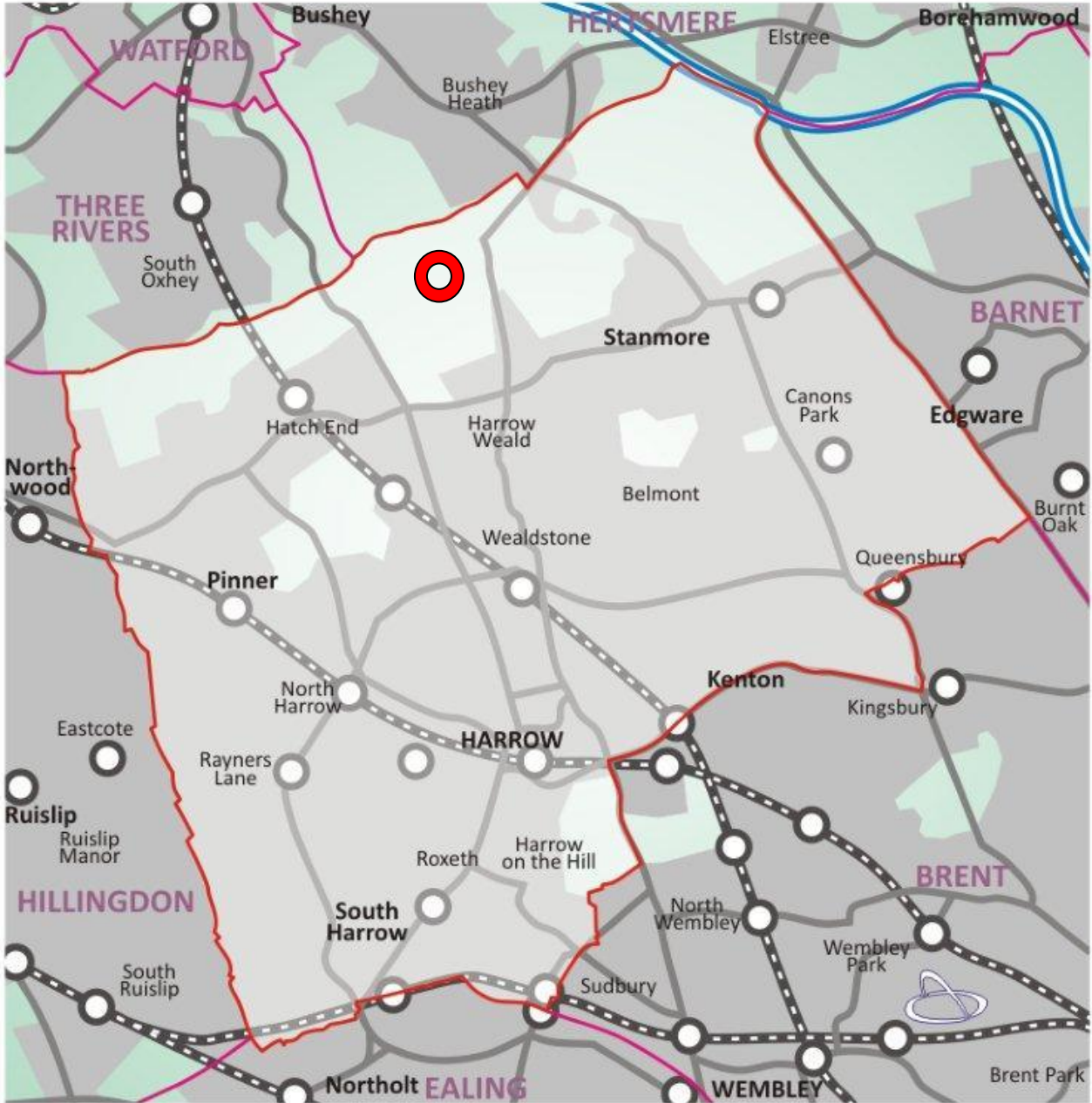
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1781	P2	A
DATE:	AUTHOR:	DRAWING NUMBER:

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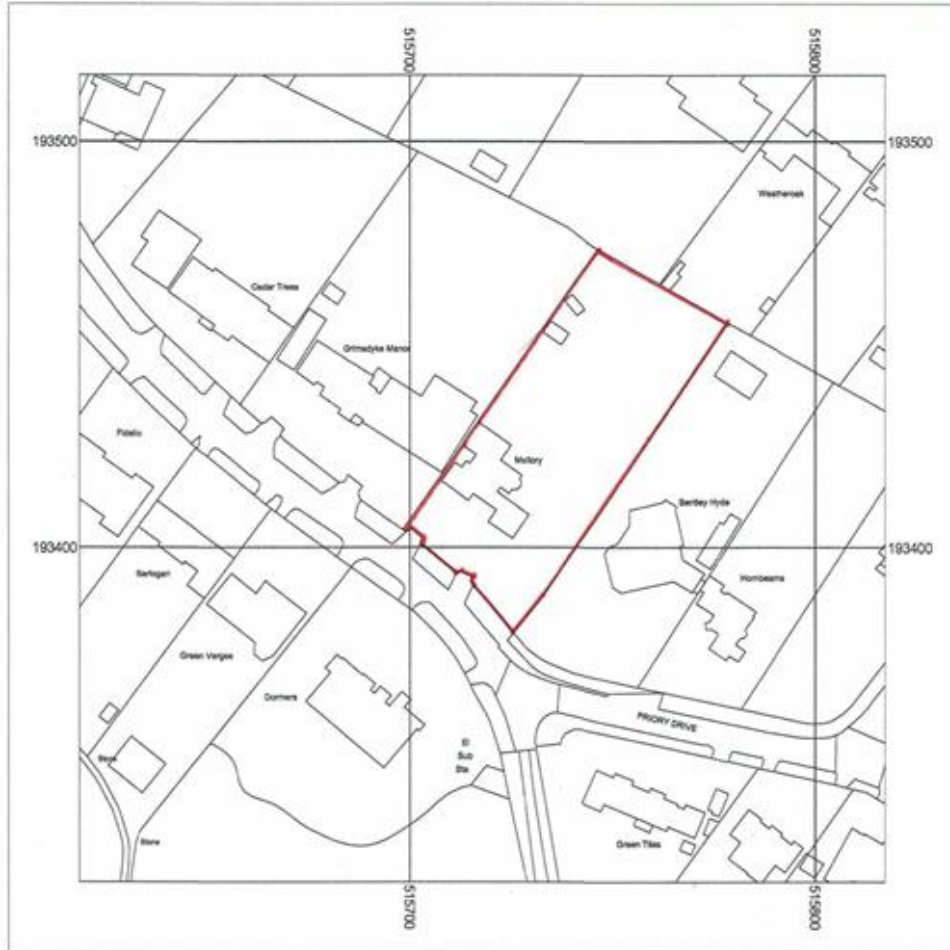


 = application site



<b>Mallory, Priory Drive, Stanmore</b>	<b>P/2185/21</b>
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Scale: 1:1250



Supplied by: National Map Centre  
 License number: 10031951  
 Produced: 01/09/2018  
 Serial number: 2012749

**Mollory  
 Priory Drive  
 Stanmore  
 HA7 3HN**

Plot centre co-ordinates: 515718,193417  
 Download file: drk\_Mollory.zip  
 Project name: drk\_Mollory

© Crown copyright and database rights 2018. OS 100031961

# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

17<sup>th</sup> November 2021

**APPLICATION NUMBER:** P/2185/21  
**VALIDATE DATE:** 24<sup>TH</sup> MAY 2021  
**LOCATION:** MALLORY, PRIORY DRIVE, STANMORE  
**WARD:** STANMORE PARK  
**POSTCODE:** HA7 3HN  
**APPLICANT:** MR VEENAY SHAH  
**AGENT:** STUART CUNLIFFE  
**CASE OFFICER:** MUHAMMAD SALEEM  
**EXTENDED EXPIRY DATE:** None  
22<sup>ND</sup> SEPTEMBER 2021

### PROPOSAL

Variation of condition 2 (approved plans) attached to planning permission p/5568/15 dated 26/01/2016 to allow alterations to basement, single storey extensions to the kitchen and living room, first floor side extension, roof modifications

### RECOMMENDATION

The Planning Committee is asked to:

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

### REASON FOR THE RECOMMENDATIONS

1. The proposal, by reason of the increases in scale, mass, bulk and volume of the replacement dwellinghouse constitutes inappropriate development in the Green Belt and has a harmful impact on the openness and visual amenities of the Green Belt. The applicant has failed to satisfactorily demonstrate that very special circumstances exist to justify inappropriate development and that the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. The development is therefore contrary to the National Planning Policy Framework (2021), Policy G2 of the London Plan (2021), Core Policy CS1(F) of the Harrow Core Strategy (2012) and Policy DM16 of the Harrow Development Management Policies Local Plan (2013).

2. The first-floor side extension, by reason of its reduced ridge height and the variation to the roof profile, by reason of the reduced eaves to ridge height, results in an awkward, squat, incongruous and disjointed roof form that is of poor design and detracts from the character and appearance of the host dwelling and the locality, contrary to the high quality design aspirations of National Planning Policy Framework (2021), Policy D3.D (1 and 11) of the London Plan (2021), Policy CS1B of The Harrow Core Strategy (2012), Policy DM1 of Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

## **INFORMATION**

This application is reported to Planning Committee at the request of a nominated member in the public interest. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) -1(h) of the Scheme of Delegation dated 12<sup>th</sup> December 2018.

Statutory Return Type:	(E)18 Minor
Council Interest:	n/a
Net Additional Floorspace:	55m <sup>2</sup>
GLA Community Infrastructure Levy (CIL):	n/a
Local CIL requirement:	n/a

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 Crime & Disorder Act**

Policy D11 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, had the proposal been considered acceptable a condition would have been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site is located on the northern side of Priory Drive. The site was formerly occupied by a two-storey detached dwellinghouse which has since been demolished. A new replacement dwellinghouse granted planning permission (under planning application reference P/5568/15 is substantially completed on site, with unauthorised enlargements. The external structure of the replacement dwellinghouse has been completed with a subsequent variation of condition application under planning ref: P/1404/18. A further variation has been made to the scheme with a first floor side extension and single storey rear extensions constructed following the refusal of this variation of condition under planning application ref: P/0838/21. The roof of the side extension has been increased in height from the recently refused scheme. A large outbuilding has also been constructed on the site to the south-east of the replacement dwellinghouse.
- 1.2 The site lies within the Green Belt and the Harrow Weald Ridge Area of Special Character. The wider site is covered by TPO 592 Priory Drive (No. 5) Stanmore
- 1.3 Priory Drive is characterised by detached dwellings, number of which have been substantially extended, set within large plots. Although the dwellings are of varying architectural styles, a number of dwellings feature front projecting end gables and feature staggered front and rear elevations.
- 1.4 The adjoining neighbouring dwelling to the west, Grimsdyke Manor has width of 48m and has been significantly extended in the past, including a substantial single storey side extension adjacent to the application site. The neighbouring dwelling to the east, Bentley Hyde is located 29m away from the existing eastern flank elevation of the subject dwelling.

## **2.0 PROPOSAL**

- 2.1 The retrospective application seeks to amend the previously granted scheme through the following revisions which have been constructed on site;
- Amended footprint of basement
  - Single storey rear extensions to the kitchen and living room
  - First-floor side extension incorporating a pitched roof
  - Modification to roof profile of main dwellinghouse with a higher floor to eaves height and lower eaves to ridge height

## **3.0 RELEVANT PLANNING HISTORY**

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
P/5568/15	Redevelopment to provide a two storey replacement dwelling with habitable roofspace & basement; parking and landscaping	Granted: 26/01/2016

P/2313/16	Certificate of lawful development (proposed): single storey outbuilding in rear garden	Granted: 08/07/2016
P/2314/16	Certificate of lawful development (proposed): detached triple garage at side	Granted: 08/07/2016
P/1404/18	Variation of Condition 2 (Approved Plans) Attached To Planning Permission P/5568/15 Dated 26/01/2016 To Allow Amendments To The Internal Layout Revised Fenestration And Rooflight Details Removal Of Balcony Over Front Porch	Granted: 03/08/2018
P/1977/19	Variation of condition 2 (approved plans) attached to planning permission P/1404/18 dated 03/08/2018 to allow amendments to the design with a first floor side extension with roof modifications; front porch; alterations to fenestration to first floor	Refused: 21/06/2019  Appeal: Dismissed
P/5137/19	Variation Of Condition 2 (Approved Plans) Attached To Planning Permission P/1404/18 dated 03.08.2018 for variation of condition 2 (approved plans) attached to planning permission P/5568/15 Dated 26/01/2016 to allow the addition of a front porch with protruding canopy with stone columns and a flats roof and revised fenestration details	Granted: 14/02/2020
P/0444/20	Details pursuant to condition 13 (general permitted development) attached to planning permission p/1404/18 dated 3/8/2018 for variation of condition 2 (approved plans) attached to planning permission p/5568/15 dated 26/01/2016	Withdrawn
P/0443/20	Variation of condition 2 (approved plans) attached to planning permission p/1404/18 dated 03.08.2018 For variation of condition 2 (approved plans) attached to planning permission p/5568/15 dated 26/01/2016 to allow a first floor extension roof modification	Refused: 03/04/2020
P/1463/20	Single storey outbuilding and linked garage in rear garden (retrospective)	Granted: 13/10/2020
P/0848/21	Variation Of Condition 2 (Approved Plans) Attached To Planning	Refused: 07/05/2021

	Permission P/1404/18 dated 03.08.2018 for variation of condition 2 (approved plans) attached to planning permission P/5568/15 Dated 26/01/2016 to allow alterations to footprint of basement, single storey extensions to the kitchen and living room, first floor side extension, roof modifications	Appeal: Under consideration
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#### 4.0 **CONSULTATION**

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 22<sup>nd</sup> September 2021.

4.2 2 supporting comments were submitted following the public consultation.

The wide plot requires the house as built and appears more appropriate in appearance and compliments the surrounding imposing detached houses

The two storey side element as approved appears much too small when compared to the house frontages of Grimsdyke Manor and Bentley Hyde. The extra space at first floor level is a very tiny proportion of the whole property and makes a beneficial impact on the streetscene. A single storey side extension would not make an appropriate contribution. Support to keep the house as built.

##### **Officer Response**

The matters relating to appearance, appropriateness and scale are discussed in the relevant assessment sections below including paragraphs 6.23 and 6.27.

4.3 Statutory and Non Statutory Consultation

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

<b>Consultee and Summary of Comments</b>
N/A

#### 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 2021 [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 A full list of all the policies used in the consideration of this application is provided as Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are;

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

### **6.2 Principle of Development and Material Considerations**

6.3 The previous appeal decision under ref: App/M5450/W/19/3243648 relating to planning application reference P/1977/19 on this subject dwelling was for the variation of condition 2 attached to planning permission P/1404/18 dated 03/08/2018 to allow the provision of a first-floor side extension with roof modifications. This application was refused by the Council on 21/06/2019 due to the harm of the proposal on the Green Belt. The decision was subsequently appealed by the applicant under appeal reference App/M5450/W/19/3243648. That appeal decision was subsequently dismissed by the Planning Inspector on 18/09/2020.

6.4 In assessing whether the proposal was inappropriate development in the green belt, the Planning Inspector noted the following:

*[4] The proposal seeks to enlarge the replacement dwelling which has approval at the site through the provision of additional accommodation at first and ground floor level. The evidence indicates that the floor area associated with this scheme would represent a significant 38% increase of the floor area of the dwelling that the proposal would replace.*

*[5] There is nothing unreasonable in making the assessment in relation to test required by paragraph 145 d) in terms of floor area. Whilst the appellant has questioned the inclusion of the floorspace provided within the basement as part of these calculations, this is a reasonable approach which has previously been supported.*



*[6] With regard to the first main issue I therefore conclude that the appeal proposal would be materially larger than the building it would replace and would therefore constitute inappropriate development within the Green Belt.*

Turning to the assessment on the openness of the Green Belt, The Planning Inspector stated the following:

*[8] The additional floorspace would partly be provided by adding an additional storey to the single storey eastern wing of the dwelling. This addition would add substantial additional bulk to the dwelling which would be notable and prominent when viewed from Priory Drive. The bulk and massing between the dwellings on the street are characteristically broken up through the provision of single storey elements to the side of the main bulk of the dwellings. As a result of the proposal, the dwelling would be closer to Bentley Hyde to the south-east at first-floor level and this would erode the sense of space between these properties*

*[9] Consequently, I conclude on this matter that there would be a minor but harmful loss of openness of the Green Belt. The third assessment of the Planning Inspector was other considerations, in which the following comments were made:*

*[10] My attention has been drawn to other approvals and appeal decisions relating to nearby properties involving the provision of additional floor space. The majority of the examples cited appear relatively aged and it is not therefore certain that these proposals were considered against the exact same policy background. Moreover, none of the circumstances associated with these approves appear the same.*

In conclusion, the Planning Inspector stated the following:

*[14] I have found that the development would constitute inappropriate development within the Green Belt that would result in loss of openness. It therefore should not be approved except in very special circumstances. I must attach substantial weight to the harm to the Green Belt and as such, the harm I have identified is clearly not outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.*

### Development in the Green Belt

- 6.5 In assessing whether the proposal was inappropriate development in the green belt, the Planning Inspector noted the following:
- 6.6 Paragraphs 133 - 147 of the NPPF (2019) 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 G2 of the London Plan supports the aim of the NPPF and states that Green Belt should be protected from inappropriate development and development proposals that would harm the Green Belt should be refused except where very special circumstances exist. 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. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 145 that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. It does however set out six exceptions to this, including the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces (bullet d) of paragraph 145).

- 6.7 As such, a replacement dwellinghouse is acceptable in the Green Belt provided it is not materially larger than the dwellinghouse it replaces.
- 6.8 Planning permission was granted under reference P/5568/15 dated 26/01/2015 for the redevelopment of the site to provide a two storey replacement dwelling with habitable roofspace and basement; parking and landscaping. A section 73 application was thereafter submitted under planning reference P/1404/18 to vary the approved plans (condition 2) to allow amendments to the layout, including a revised footprint of the basement, ground floor and fenestration..
- 6.9 In the original approved planning application for the redevelopment of the site, the officer report acknowledged that the replacement dwellinghouse would be consolidated. This accounted for a reduced footprint but greater floor area, as the former dwellinghouse was largely single storey. The approved planning application P/5568/15 resulted in an increase in the floor area of 16.8% over the pre-existing dwellinghouse which was considered to comply with the relevant parameters for the numerical assessment on proportionality and material increase as set out in Policies.
- 6.10 The variation of condition application P/1404/18 increased the floor area by a further 30m<sup>2</sup> and therefore increased the floor area of the replacement dwellinghouse by a further 9% over the former detached property. The footprint remained approximately the same and the proposal did not materially impact upon the openness of the Greenbelt.



**Figure 1 - Approved amended scheme under planning ref: P/1404/18**

- 6.11 A previous application under planning ref: P/1977/19 was dismissed on appeal for the proposed increase in the floor area of approximately 35m<sup>2</sup> which equated to a 38% increase in floor area between the former dwellinghouse and the replacement dwellinghouse as laid out within the former proposal. As detailed in the above section, this quantum of floorspace increase was considered to result in a materially larger building than the one it would replace and was therefore a reason for refusal of the previous scheme by the Council and also dismissed on appeal by the Planning Inspector on this basis.
- 6.12 In May 2021, the Council refused a subsequent variation of condition application under planning reference: P/0848/21. The proposal however sought planning permission for an even larger dwelling than that which was dismissed by the Planning Inspector, with the construction of additional single storey extensions to the kitchen and living room. In addition to this, a large single storey garage/outbuilding has been constructed to the side of the dwellinghouse and was granted planning permission under application reference P/1463/20. The additional floor area/footprint of this addition (circa 166m<sup>2</sup>) which was a further material consideration in the Green Belt Assessment.

- 6.13 This proposal was refused on the basis of its increase in scale, mass, bulk and volume of the replacement dwellinghouse which constituted inappropriate development in the Green Belt and failed to demonstrate that very special circumstances justified the inappropriate development being outweighed by other considerations. The application was also refused on the basis of the first floor side extension with its reduced ridge height and variation to the roof profile by a reduced eaves to ridge height resulted in an awkward squat, incongruous and disjointed roof form which resulted in a poor design and detracted from the character and appearance of the host building and the locality. There is currently a pending planning appeal for this refused scheme.
- 6.14 The current retrospective development is for the same refused scheme under planning ref: P/0848/21 with an even larger roof form to the first floor side extension to the house.



**Figure 2 - Refused amendments to approved house under planning ref: P/0848/21**



**Figure 3 - Current retrospective scheme**

- 6.15 Dealing with the replacement development, the relevant test is whether the replacement dwelling is materially larger than the one it would replace.. Case law has established the factors that should be considered when assessing what is “materially larger”. The Court of Appeal in R. (oao Heath and Hampstead Society) v Camdent LBC & Others 2008.00 EWCA Civ 193 held that size is the primary test rather than visual impact. Size can be assessed in a number of ways which includes matters of floor space, footprint, height, massing, volume, design and position on the plot. Any or a combination of such factors could contribute towards a dwelling being materially larger than the existing dwelling, but the court in the above decision held that floorspace is an important indicator.
- 6.16 If a replacement dwelling is considered to be materially larger than the dwelling it replaces, then it must be considered as inappropriate development for which there is a presumption against. Inappropriate development should not be permitted, except in very special circumstances. Very special circumstances will only exist if the harm, by reason of inappropriateness, and any additional harm is clearly outweighed by other considerations.
- 6.17 The floorspace increases are shown in the table below:

	Pre-existing	Proposed	% Change between pre-existing and proposed	% change including outbuildings constructed
Floor Area	331m2	491m2	48%	98%

- 6.18 It is evident from the above table that the first-floor side extension and single storey rear extensions that have been constructed on site results in the replacement dwellinghouse having almost double the floor area than the pre-existing dwellinghouse which it has replaced.
- 6.19 When the floor area of the constructed garage/outbuilding is taken into consideration, this amounts to almost doubling the floor area of the pre-existing dwellinghouse. The National Planning Policy states that new buildings in the Green Belt will be inappropriate development except in specified circumstances. New outbuildings (related to the residential use) are not covered by these exceptions. However, case law has established that a domestic outbuilding might be regarded as an extension to a dwelling provided that it forms a 'normal domestic adjunct' (Sevenoaks DC v SSE and Dawes). It is evident that the existing outbuilding, by reason of its proximity and use would have a functional relationship to the host building and therefore could be regarded as forming a normal domestic adjunct. The outbuilding itself has a floor area of approximately 166m<sup>2</sup> .
- 6.20 Consequently, the replacement dwelling including the floor area of the outbuilding would double the floor area of the pre-existing dwellinghouse. Therefore, the increase in the floor area, both in the alterations to the dwellinghouse in its own right and by virtue of the newly constructed outbuilding/garage, results in a materially larger house than the house it has replaced and would thus amounts to inappropriate development in the Green Belt. The proposal therefore conflicts with the relevant policies in this regard.

### **Impact on Openness of Green Belt**

- 6.21 The National Planning Policy Framework (2019) makes it clear that an essential characteristic of Green Belts is their openness. Openness is not defined either within the Framework or in the development plan policies, but is taken to mean an absence of a building or development, and the extent to which a building or development may be seen from the public realm is not a decisive matter. Policy DM16 of Harrow's Development Management Policies Local Plan requires the assessment of Green Belt openness to have regard to
- a. the height of existing buildings on the site;
  - b. the proportion of the site that is already developed;
  - c. the footprint, distribution and character of existing buildings on the site; and
  - d. the relationship of the proposal with any development on the site that is to be retained.
- 6.22 The approved replacement dwellinghouse featured a single storey side element in the part adjacent to Bentley Hyde. This was a specific design intervention which was brought forward to reduce the impact on Greenbelt openness, particularly given the consolidation of the footprint to provide more habitable floorspace within the first and second floors. Notwithstanding the previously dismissed appeal for the first-floor side extension, the applicant has constructed a first-floor extension as part of the replacement dwellinghouse. As detailed paragraph 8 and 9 of the Appeal Decision Notice, the Planning Inspector found that the addition of a first-floor extension would 'add substantial additional bulk to the dwelling which would

be notable and prominent when viewed from Priory Drive' and would erode the sense of space between the host property and Bentley Hyde. The Planning Inspector therefore concluded that there would be a minor but harmful loss of openness of the Green Belt.

- 6.23 Whilst the roof ridgeline of the first floor side extension is set lower than the main roof of the house it has been increased in height by approximately 525mm)from the previous refused first floor side extension under planning ref: P/0848/21 which further increases mass and bulk associated, as a result the first floor addition is further evident. Consequently, the amendment to the approved plans, by virtue of the provision of a first-floor side extension with raised ridgeline in comparison to the previous first floor extension results in an overly bulky, unduly obtrusive and dominant physical presence that is harmful to the visual amenities and the openness of the Green Belt.
- 6.24 The NPPF says that the essential characteristics of Green Belts are their openness and their permanence and as such, substantial weight is attached even to the limited loss of openness in this instance. Consequently, it is considered that the proposed development is harmful to the openness of the Green Belt, thereby failing to comply with the National Planning Policy Framework (2021), Policy G2 of the London Plan (2021), Core policy CS1(F) of the Harrow Core Strategy (2012) and Policy DM16 of the Harrow Development Management Policies (2013)

#### Very Special Circumstances

- 6.25 A Planning Statement has been submitted with the application. This sets out the site coverage is less than adjoining properties, the neighbouring properties have also benefited from greater percentage increases in floor area and that the built frontage of the subject property is less than neighbouring built frontages.
- 6.26 However, as detailed in the officer report for planning application P/0443/20, the submitted planning statement details the percentage increase permitted by the LPA to neighbouring and adjoining dwellinghouses within Priory Drive. While the numerical percentage increases suggest that the neighbouring properties have had increases in footprint and floor area greater than 39%, no further details have been provided on the date at which the various extensions were granted or the circumstances of each particular case. The subject application has however been assessed on its own planning merits with regard to the specific context of the subject property and in line with the current development plan policies, including the NPPF 2021 and the London Plan 2021.
- 6.27 In relation to the above submission, the Planning Inspector in dismissing the previous appeal, addressed this point within the 'other considerations' assessment in the appeal decision. The Planning Inspector noted that 'the majority of examples cited appear relatively aged and it is not therefore certain that these proposals were considered against the same policy background. Moreover, none of the circumstances associated with these approvals appear the same. Cases as Cedar Trees and Green Verges appear to relate to extensions, which will likely have been judged against different criteria'. Furthermore, in the case of Bentley Hyde, the report associated with that proposal appears to identify special circumstances which are not evident in relation to the subject proposal. The Planning Inspector



accepted that various other methods of assessing the impact of the revised proposals including built frontage, site coverage and height were drawn to his attention, but was comfortable that floor space was a reasonable parameter on which to assess the key issue within the appeal.

### Conclusion

- 6.28 For the reasons detailed above, it is considered that the harm caused by the inappropriateness of the development in the Green Belt and its effect on Openness carry substantial weight. The applicant has failed to demonstrate that Very Special Circumstances exist to justify inappropriate development and that the harm, by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. The proposed development would therefore be contrary to The National Planning Policy Framework (2021), Policy G2 of The London Plan (2021), Core Policy CS1.B/F of the Harrow Core Strategy (2012) and Policies DM1 and DM16 of the Harrow Development Management Policies Local Plan (2013).

### Character and Appearance of the Area

- 6.29 The NPPF makes it very clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It goes on to state that ‘it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes’.

- 6.30 Policy D3.D (1) of the London Plan (2021) states that proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D3.D (11) of the London Plan (2021) relating to Quality and character states that proposals should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 6.31 Core Policy CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’

- 6.32 Policy DM1 of the Council’s Development Management Policies Local Plan states that ‘All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted’

- 6.33 The consideration of the layout, design, character and appearance of the development was previously considered under application P/5568/15 and under variation of condition application reference P/1404/18.
- 6.34 As noted in the subsections above, the exterior construction of the dwellinghouse is now substantially completed and it has not been built in accordance with approved plans. Notably, a first-floor side extension has been provided, two single storey rear projections have been constructed and the proportions of the roof has been distorted, with a greater floor to eaves height and a lower eaves to ridge height. In relation to the first-floor side extension, the ridge height of that element has been increased from the previously refused schemes and dismissed scheme, and the proposal under planning ref: P/0848/21, which was refused as well. The incongruity of the ridge height is accentuated by the width of that addition, resulting in a large expanse of roof with a bulky roof form which still appears awkward and squat, and does not sympathetically integrate or relate appropriately with the host dwellinghouse.
- 6.35 In regards to the alterations to the main roof profile, the low eaves to ridge height is uncharacteristic of the locality and further emphasises the incongruity of the overall roof design with the lower ridge height of the first-floor side extension giving the impression of a bulky, squat and awkward roof form, that does not represent a high quality of design. The first-floor side extension and alterations to the roof profile therefore detract from the character and appearance of the host dwellinghouse and the locality, and conflict with the relevant policies in this regard.
- 6.36 The single storey extensions project 1.5m beyond the original rear elevation and have a flat roof profile with a maximum height of 3.3m. Notwithstanding the other considerations detailed in the principle of development subsection, It is considered that the single storey rear extensions do not have a harmful impact on the character or appearance of the host property.

#### Impact on residential amenity of neighbouring occupiers

- 6.37 The impact of the replacement dwellinghouse on the amenities of the adjoining occupiers was considered in detail under application reference P/5568/15. The subject proposal increases the width at first-floor level of the replacement dwellinghouse. The flank wall of the first-floor side extension is sited approximately 20m away from the shared boundary with Bentley Hyde to the east. Given the separation distance, it is considered that the proposal does not have a detrimental impact on the residential amenities of the adjoining occupiers at that property. The additional single storey extensions beyond the kitchen and living room would have a modest depth of 1.5m and do not therefore have a harmful impact on the residential amenities of adjoining occupiers by reason of overshadowing, loss of light or loss of outlook.

## **7.0 CONCLUSION AND REASONS FOR REFUSAL**

- 7.1 The retention of the first floor side extension in conjunction with the new roof form to the main house, by reason of their scale, ridge height, bulk, overall poor design, and incongruous and dominant roofs, constitutes an inappropriate development in the Green Belt and has a harmful impact on the openness and visual amenities of the Green Belt. The applicant has also failed to demonstrate very special circumstances existing to justify the inappropriate development and its harm being outweighed by other considerations.
- 7.2 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for refusal.

## **APPENDIX 1: Informatives**

### 1. Planning Policies

#### **National Planning Policy Framework (2021)**

#### **The London Plan (2021)**

D3, G2, SI13

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

CS1, CS7

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

DM1, DM2, DM6, DM10, DM16, DM23, DM42, DM45

Supplementary Planning Document: Residential Design Guide (2010)

### 2. Refuse without Pre-App

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

### 3 Mayoral Community Infrastructure Levy (provisional)

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £11,220. This amount includes indexation which is 323/323. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planning portal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf) [https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf)

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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

4 Harrow Community Infrastructure Levy (provisional)

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

Harrow's Charges are:

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

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

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

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

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £29,661

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

The CIL Liability is payable upon the commencement of development.

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

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

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

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

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**PLAN NUMBERS**

Planning statement, Site location plan, SH-05, SH-06, SH-08, SH07.200, SH07.201, SH07.202, SH07.203

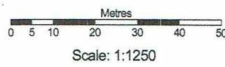
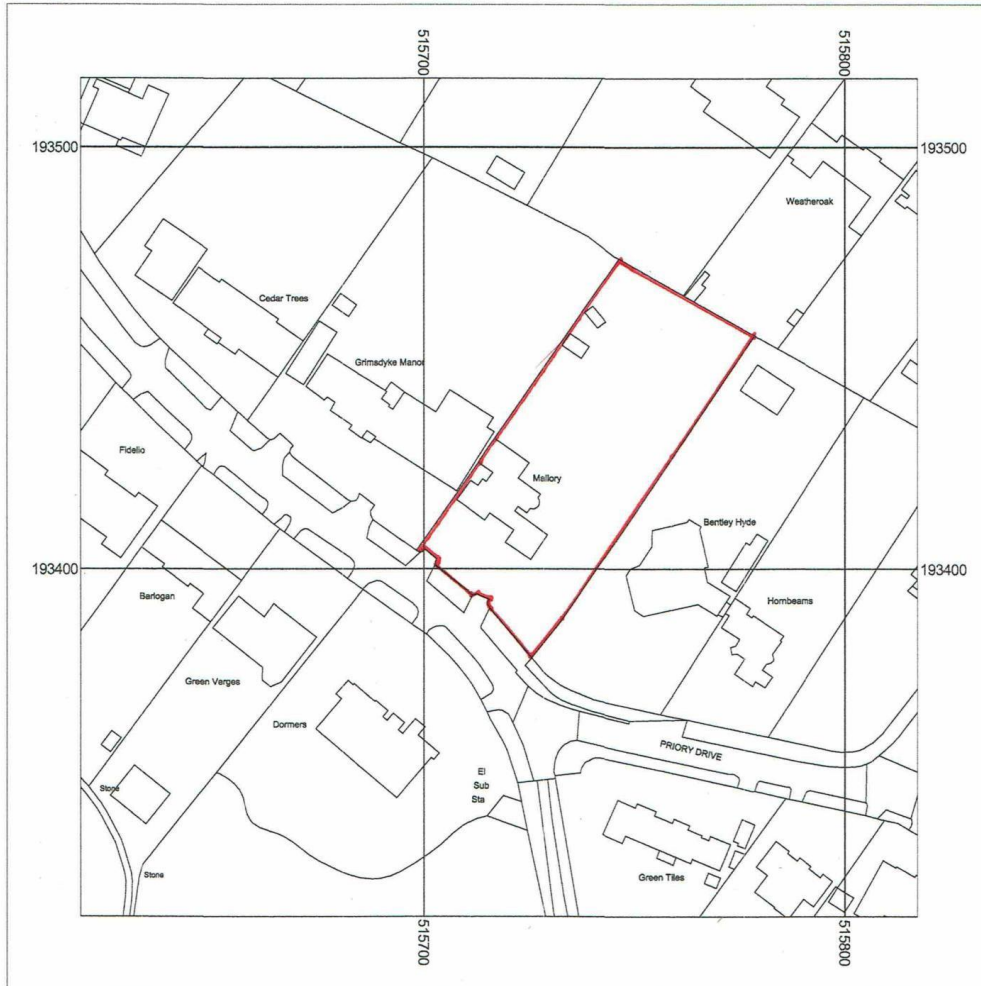
**CHECKED**

Interim Chief Planning Officer	BK	1/11/2021
Corporate Director		1/11/2021

# APPENDIX 2: SITE PLAN



OS Plan B&W



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

**Mallery  
 Priory Drive  
 Stanmore  
 HA7 3HN**

Plot centre co-ordinates: 515718,193417  
 Download file: [dnk\\_Mallery.zip](#)  
 Project name: [dnk\\_Mallery](#)

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**APPENDIX 3: SITE PHOTOGRAPHS**









# APPENDIX 4: PLANS AND ELEVATIONS

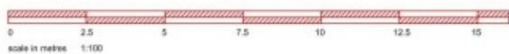


Front Elevation



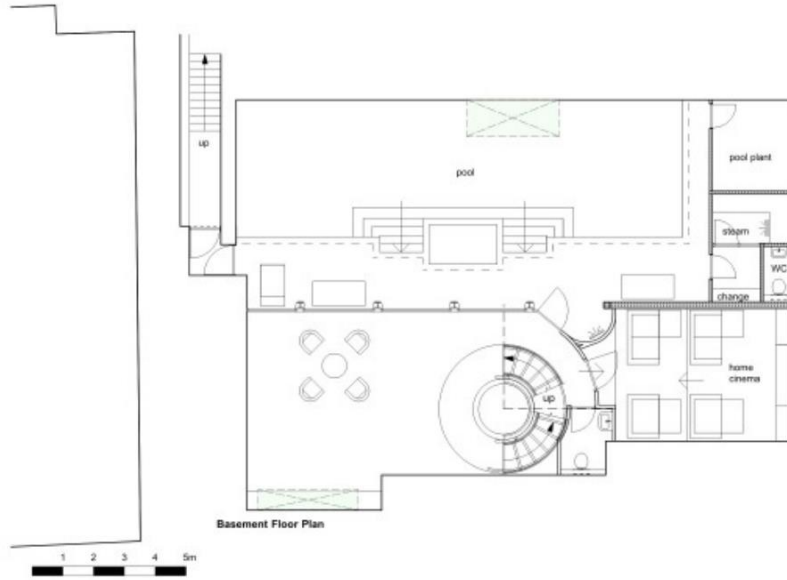
The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy is to be notified with the architect before proceeding with the works. Plans, as such, are exempt from planning in Ireland unless the original scale drawing is to be worked to.  
On-site scale drawing. Planned dimensions to be worked to in all cases.  
COM REGULATIONS 2016. All current drawings and specifications for the project must be read in conjunction with the Designer's Report and Construction Assessment Report.  
All intellectual property rights reserved.

Rev.	Date	Description	Drawn	CHK
<b>Mallory, Priory Drive</b>				
External Elevations				
<b>SH-05</b>				
PLANNING				
Drawn: AA	Checked: EG	Date: May/21	Scale: @A3	

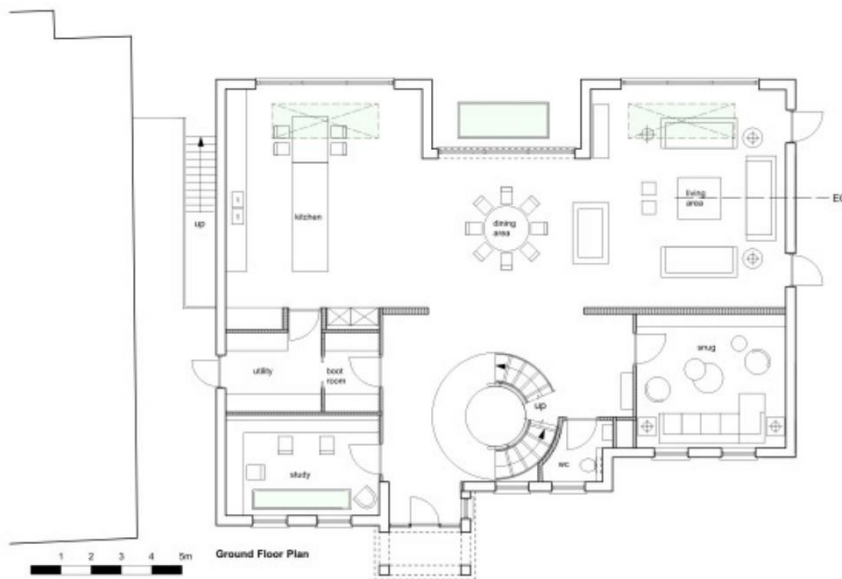


The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy is to be notified with the architect before proceeding with the works. Plans, as such, are exempt from planning in Ireland unless the original scale drawing is to be worked to.  
On-site scale drawing. Planned dimensions to be worked to in all cases.  
COM REGULATIONS 2016. All current drawings and specifications for the project must be read in conjunction with the Designer's Report and Construction Assessment Report.  
All intellectual property rights reserved.

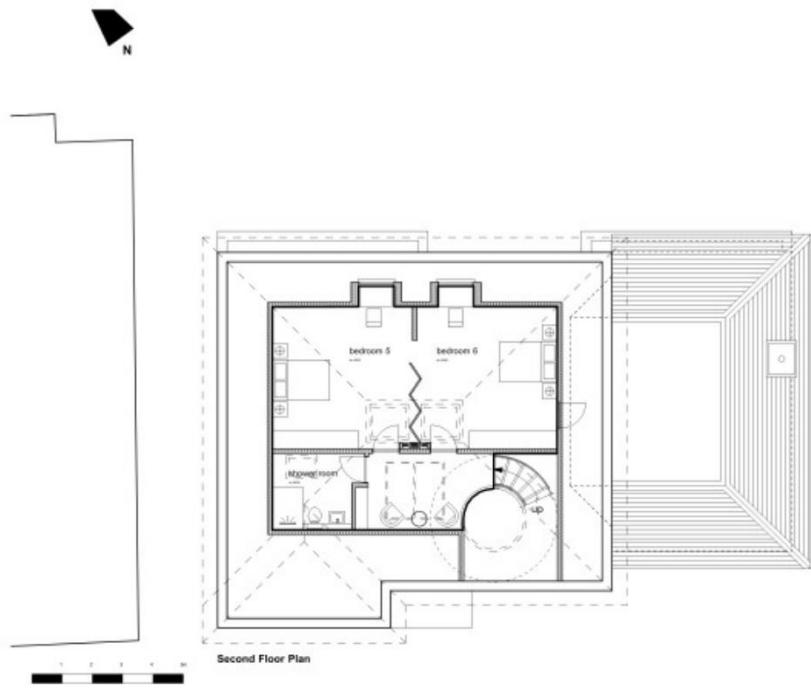
Rev.	Date	Description	Drawn	CHK
<b>Mallory, Priory Drive</b>				
External Elevations				
<b>SH-06</b>				
PLANNING				
Drawn: AA	Checked: EG	Date: May/21	Scale: @A3	



<b>notes</b> use figure dimensions only copyright of design and drawing reserved all dimensions must be confirmed on site prior to any construction work being undertaken setting out to be approved before fabrication * indicates site dimension ** indicates a critical dimension	<b>revisions</b> X.	Mr & Mrs Shah Mallory, Priory Drive, Stanmore, Middx HA7 3HN	client project	<b>dnkdesign</b>  interior architects 18 bounders road london nw6 7db t 020 7813 2945 f 020 7813 9939 e info@dnkdesign.co.uk
		Planning Drawing Basement Plan	title drawing no SH07.200 Nov 19 19m RT 1:100 @ A3	



<b>notes</b> use figure dimensions only copyright of design and drawing reserved all dimensions must be confirmed on site prior to any construction work being undertaken setting out to be approved before fabrication * indicates site dimension ** indicates a critical dimension	<b>revisions</b> X.	Mr & Mrs Shah Mallory, Priory Drive, Stanmore, Middx HA7 3HN	client project	<b>dnkdesign</b>  interior architects 18 bounders road london nw6 7db t 020 7813 2945 f 020 7813 9939 e info@dnkdesign.co.uk
		Planning Drawing Ground Floor	title drawing no SH07.201 Nov 19 19m RT 1:100 @ A3	



<b>notes</b> use figure dimensions only copyright of design and drawing reserved all dimensions must be confirmed on site prior to any construction work being undertaken setting out to be approved before installation * indicates site dimension ** indicates a critical dimension	<b>revisions</b> X.	<b>Mr &amp; Mrs Shah</b> Malory, Priory Drive, Stanmore, Middle HA7 3RN	<b>client</b> project	<b>dnkdesign</b>  interior architects 18 Luntard Road London, E16 1SB t 020 7913 2045 f 020 7915 9000 e info@dnkdesign.co.uk	
		Planning Drawing Second Floor	<b>SH07_203</b> RT		<b>drawing no</b> <b>Rev</b>
		Dec 19 1:100 @ A3	<b>date</b> <b>scale</b>		<b>sheet</b>

The contractor is responsible for checking dimensions, sitework and references. Any discrepancy to be notified with the architect before proceeding with the works. No claim to be made for drawings to reflect existing site work. Drawing is for reference only.  
 Do not scale drawing. Figure dimensions to be used in all cases.  
 CONSTRUCTION 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's report and Environmental Assessment Plan.  
 All intellectual property rights reserved.



Rev	Date	Description	Drawn	Check
<b>Malory, Priory Drive</b> Street View				
<b>SH-08</b> PLANNING				
Drawn	KA	Checked	EO	Scale
				1:100 @ A3

## **APPENDIX 5: APPEAL DECISION FOR P/1977/19**



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### **Appeal Decision**

Site visit made on 11 August 2020

**by T J Burnham BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 September 2020**

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#### **Appeal Ref: APP/M5450/W/19/3243648**

**Mallory, Priory Drive, Stanmore HA7 3HN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Mr V Shah against the decision of the Council of the London Borough of Harrow.
  - The application Ref P/1977/19, dated 26 April 2019, was refused by notice dated 21 June 2019.
  - The application sought planning permission for 'Condition 2 - Variations to approved plans - First floor side extension with roof modifications, new main entrance porch and alterations to fenestration to first floor'.
  - The condition that the proposal seeks to alter states that: This permission shall have the effect of varying condition numbered 2 on full planning permission reference P/5568/15 dated 26 January 2016 as follows: The development hereby permitted shall be carried out in accordance with the following approved plans: SH05.114, SH05.105 Rev A, SH05.106 Rev A, SH05.100 Rev A, SH05 101 Rev A, SH05.102, SH05.103, SH05.104, Site Location Plan.
  - The reason given for the condition is: For the avoidance of doubt and in the interests of proper planning.
- 

#### **Decision**

1. The appeal is dismissed.

#### **Background**

2. The proposal seeks to substitute the previously approved plans agreed in relation to a replacement dwelling within the Green Belt. The amendments sought include the provision of a first floor to the eastern wing, a front porch and alterations to the first-floor fenestration. At the time of my site visit, works on the dwelling were in progress. The description of the proposal varies between the application form and the Council decision notice. The application form clearly describes the proposals and I have determined the appeal on that basis.

#### **Main Issues**

3. The main issues are:
  - i. whether the proposal is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (2019) (The Framework) and any relevant development plan policies;

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



- ii. the effect of the proposal on the openness of the Green Belt; and
- iii. if the proposal is 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 necessary to justify the development.

### **Reasons**

#### *Whether or not the proposal is inappropriate development*

4. The Framework at paragraph 145 establishes that the construction of new buildings within the Green Belt should be regarded as inappropriate unless they are a type of building identified under a list of exceptions. Paragraph d) allows the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The proposal seeks to enlarge the replacement dwelling which has approval at the site through the provision of additional accommodation at first and ground floor level. The evidence indicates that the floor area associated with this scheme would represent a significant 38% increase over the floor area of the dwelling that the proposal would replace.
5. There is nothing unreasonable in making the assessment in relation to test required by paragraph 145 d) in terms of floor area. Whilst the appellant has questioned the inclusion of the floorspace provided within the basement as part of these calculations, this is a reasonable approach which has previously been supported<sup>1</sup>.
6. With regard to the first main issue I therefore conclude that the appeal proposal would be materially larger than the building it would replace and would therefore constitute inappropriate development within the Green Belt. Paragraph 143 of The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy 7.16 of the London Plan (2016) (LP), Policy DM 16 of the Harrow Development Management Policies (2013) (DMP) and Policy CS1 of the Harrow Core Strategy (2012) (HCS) are consistent with the Framework in this regard.

#### *Openness of the Green Belt*

7. A fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The assessment of openness requires a consideration of both spatial and visual aspects.
8. The additional floorspace would partly be provided by adding an additional storey to the single storey eastern wing of the dwelling. This addition would add substantial additional bulk to the dwelling which would be notable and prominent when viewed from Priory Drive. The bulk and massing between the dwellings on the street are characteristically broken up through the provision of single storey elements to the side of the main bulk of the dwellings. As a result of the proposal, the dwelling would be closer to Bentley Hyde to the south-east

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<sup>1</sup> Feather v Cheshire East Borough Council v Mr Christopher Wren and Mrs Susan Wren [2010] EWHC 1420 (Admin).

at first floor level and this would erode the sense of space between these properties.

9. Consequently, I conclude on this matter that there would be a minor but harmful loss of openness of the Green Belt. While the loss would be small in the context of the Green Belt as a whole, the Framework is clear that substantial weight should be given to any harm to the Green Belt. The proposal would therefore conflict with the Green Belt protection aims of The Framework, Policy 7.16 of the LP, Policy CS1 of the HCS and Policy DM16 of the DMP.

*Other considerations*

10. My attention has been drawn to other approvals and appeal decisions relating to nearby properties involving the provision of additional floor space. The majority of the examples cited appear relatively aged and it is not therefore certain that these proposals were considered against the exact same policy background. Moreover, none of the circumstances associated with these approvals appear the same. Cases at Cedar Trees and Green Verges appear to relate to extensions, which will likely have been judged against different criteria.
11. A replacement dwelling has been drawn to my attention at Bentley Hyde. However, the report associated with that proposal appears to identify special circumstances which are not evident in relation to this case.
12. I appreciate that Lawful Development Certificates exist at the appeal site for a swimming pool complex and garage. However, these are low single storey structures which would not have the same effect on Green Belt openness as a result of their limited height. They do not therefore justify the appeal.
13. Various other methods of assessing the impact of the revised proposals including built frontage, site coverage and height have been drawn to my attention. However, while these parameters vary from dwelling to dwelling and in some cases may be greater than the appeal site, I am comfortable that floor space is a reasonable parameter on which to assess the key issue within the appeal.

**Conclusion**

14. I have found that the development would constitute inappropriate development within the Green Belt that would result in loss of openness. It therefore should not be approved except in very special circumstances. I must attach substantial weight to the harm to the Green Belt and as such, the harm I have identified is clearly not outweighed by the other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.
15. For the reasons set out above, the appeal should be dismissed.

*T J Burnham*

INSPECTOR

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