

Planning Committee Agenda

Date: Wednesday 20 July 2022

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)

Chair: Councillor Marilyn Ashton

Conservative Councillors: Christopher Baxter (VC)
Salim Chowdhury
Zak Wagman

Labour Councillors: Ghazanfar Ali
Peymana Assad
Nitin Parekh

Conservative Reserve Members:

1. Anjana Patel
2. Norman Stevenson
3. Ameet Jogia
4. Nicola Blackman

Labour Reserve Members:

1. Simon Brown
2. Kandy Dolor
3. Rashmi Kalu

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

Scan this code for the electronic agenda:



Useful Information

Joining the Meeting virtually

The meeting is open to the public and can be viewed online at www.harrow.gov.uk/virtualmeeting

Attending the Meeting in person

Directions to the Civic Centre can be found at: www.harrow.gov.uk/contact. It is accessible to people with special needs, with accessible toilets and lifts to the meeting rooms. If you have specific requirements, please contact the officer listed on the front page of this agenda.

You will be admitted on a first-come-first basis and directed to seats.

Please:

- (1) Take a Covid 19 test before travelling and do not attend in person if you test positive.
- (2) Wear a face covering and use the provided hand sanitiser.
- (3) Stay seated.
- (4) Access the meeting agenda online at [Browse meetings - Planning Committee – Harrow Council](#)
- (5) Put mobile devices on silent.
- (6) Follow instructions of the Security Officers.
- (7) Advise Security on your arrival if you are a registered speaker.

Filming / recording

This meeting may be recorded or filmed, and if you choose to attend, you will be deemed to have consented to this. Any recording may be published on the Council website.

Agenda publication date: Tuesday 12 July 2022

Agenda - Part I

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

1. Attendance by Reserve Members

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

Reserve Members may attend meetings:-

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

2. Right of Members to Speak

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

3. Declarations of Interest

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

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

4. Minutes (Pages 11 - 18)

That the minutes of the meeting held on 22 June 2022 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, 22 July 2022 Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

6. Petitions

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

7. Deputations

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

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

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

9. **Addendum** (To Follow)

10. **Representations on Planning Applications**

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

Planning Applications Received

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, 59-65 The Heights, Lowlands Road, P/4901/21	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 19 - 76)
(b)	1/02, Albro House, 59 Palmerston Road, P/0842/21	MARLBOROUGH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 77 - 136)
(c)	1/03, Garden House, 5 St Johns Road, P/3066/20	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 137 - 204)

12. Section 2 - Other Applications recommended for Grant

(a)	2/01, Harrow Arts Centre, P/0764/22	HATCH END	GRANT	(Pages 205 - 254)
(b)	2/02, 109 Green Lane, P/1323/22	STANMORE	GRANT	(Pages 255 - 270)
(c)	2/03, 42 Suffolk Road, P/0001/22	HEADSTONE	GRANT	(Pages 271 - 300)
(d)	2/04, 21b & 29-31 Bridge Street, Pinner, P/4965/21	PINNER	GRANT SUBJECT TO LEGAL	(Pages 301 -

			AGREEMENT	344)
(e)	2/05, 19 Malpas Drive, P/1022/22	PINNER	GRANT	(Pages 345 - 386)
(f)	2/06, Shivshakti, 11 Thornton Grove, P/1688/22	HATCH END	GRANT	(Pages 387 - 436)

13. Section 3 - Other Applications recommended for Refusal

(a)	3/01, Mallory, Priory Drive, P/1392/22	STANMORE	REFUSE	(Pages 437 - 464)
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14. **REPORT - Proposed Amendments to the Conservation Area Advisory Committee (CAAC) Constitution** (Pages 465 - 488)
15. **Any Other Urgent Business**
Which cannot otherwise be dealt with.

Agenda - Part II - NIL

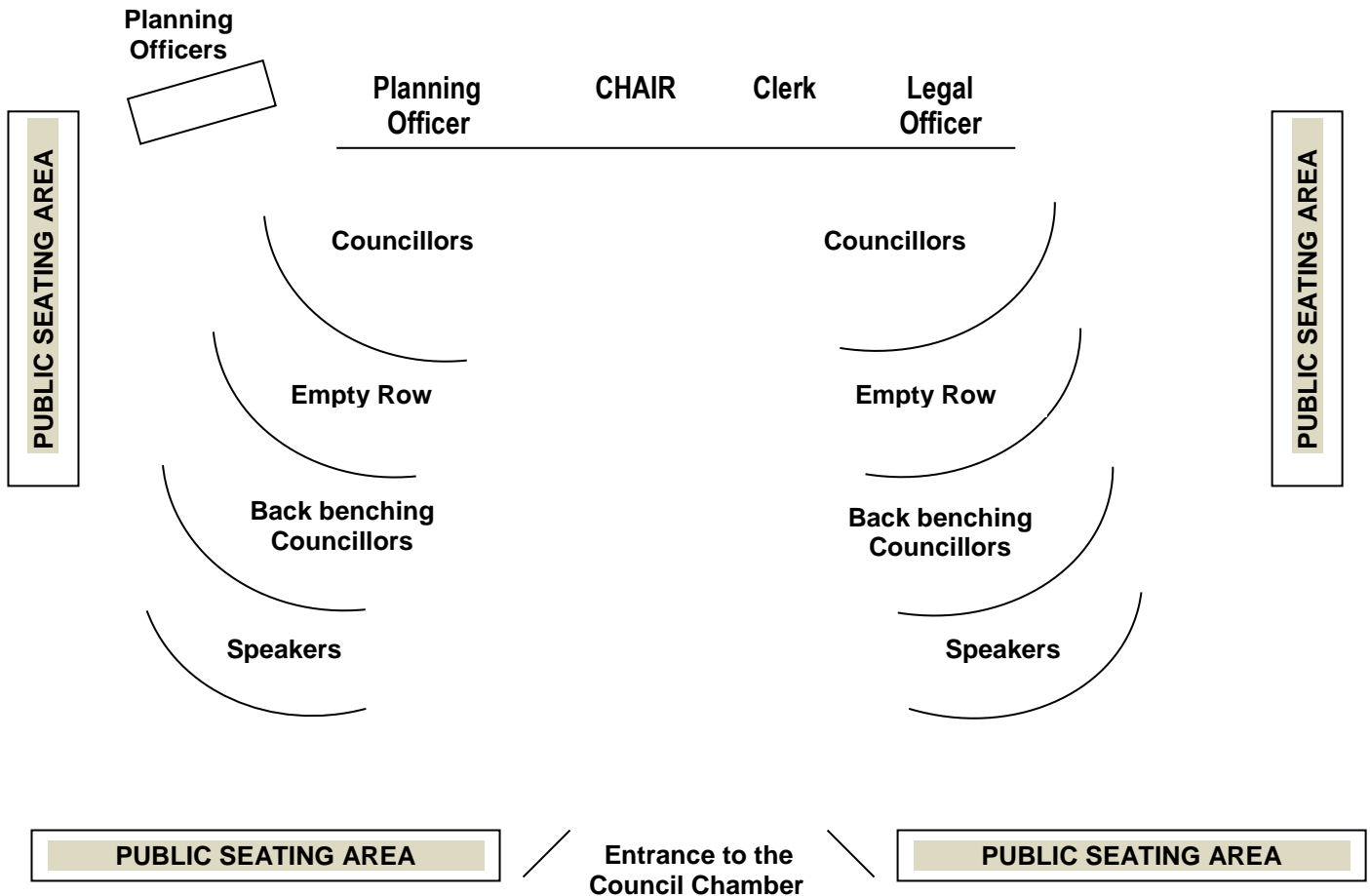
Data Protection Act Notice

The Council will record the meeting and will place the recording on the Council's website.

[Note: The questions and answers will not be reproduced in the minutes.]

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 Meeting

(Moved from 29 June 2022)

Minutes

22 June 2022

Present:

Chair: Councillor Marilyn Ashton

Councillors: Ghazanfar Ali Salim Chowdhury
Peymana Assad Nitin Parekh
Christopher Baxter Zak Wagman

In attendance (Councillors): Nicola Blackman For Minute 37

23. Attendance by Reserve Members

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

24. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillor, who was not a Member of the Committee, be allowed to speak on the agenda item indicated:

Councillor

Planning Application

Nicola Blackman

Kilby's Industrial Estate & Numbers 1-5
Bacon Lane P/0451/22

25. 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, and in addition the following statement was made on the agenda item below:

Agenda Item 12 (g) 2/07 Garages adjacent to 16 Charles Crescent P/0632/22

Councillor Marilyn Ashton stated: "I have a non-pecuniary interest to declare in that I am the Portfolio Holder for Planning and Regeneration, and will not be determining applications whereby Harrow Council is the applicant."

(Councillor Ashton left the meeting whilst the Item was being considered and voted on.)

26. Minutes

RESOLVED: That the minutes of the meeting held on 25 May 2022 be taken as read and signed as a correct record.

27. Public Questions

RESOLVED: To note that no public questions were put.

28. Petitions

RESOLVED: To note that there were none.

29. Deputations

RESOLVED: To note that there were none.

30. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

31. Addendum

RESOLVED: To accept the Addendum, and Supplemental Addendum.

32. 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 2/05 on the list of planning applications.

Resolved Items

33. 1/01, Albro House, 59 Palmerton Road, P/0842/21

PROPOSAL: redevelopment to provide part 8 and part 9 storey connecting buildings comprising of dry cleaners (Use Class B2), and commercial laundry (Use class E(g)) to the ground floor. industrial use (Use Class B2 to the first floor, offices (Use class E(g)(iii)) to the second floor and 32 serviced apartments (C1) on the upper floors; landscaping; bin and cycle stores (demolition of existing building) (as amended by the Addendum).

Councillor Marilyn Ashton proposed deferral to allow for a site visit to understand the impact on the neighbouring Collective development.

The proposal was seconded by Councillor Salim Chowdhury and agreed.

DECISION: DEFER

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

Councillors Ali, Ashton, Baxter, Chowdhury and Wagman voted to defer the application.

Councillors Assad and Parekh abstained from voting.

34. 2/01, 24 Northwick Park Road, P/4075/21

PROPOSAL: conversion of dwelling into five flats (1 x studio, 3 x 1 bed and 1 x 2 bed); single and two storey side and rear extensions; single storey rear extension; rear dormer; external alterations (amended plans received).

The Committee received representation from Godfrey O'Callaghan (objector), who urged the Committee to refuse the application. The applicant (or the agent) did not address the Committee despite being informed to do so.

Councillor Zak Wagman proposed refusal for the following reasons:

- 1) the proposal represents an over intensive use of the site by converting this single-family dwelling house into five self-contained flats, to the detriment of the residential amenities within the locality and by reason of the activity generated by the number of future occupiers and the large number of refuse bins stored in the garden area, which will be subdivided into three sections, contrary to policies CS1 Harrow Core Strategy (2012), DM1, DM26 and DM45 Harrow Development Management Plan (2013) and D1 London Plan (2021); and

- 2) the two-storey rear extension covers the full width of the original house and comprises a crown roof, which is approximately 6.3m deep, which will appear as visually obtrusive and out of keeping within the locality, contrary to CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Plan (2013) and D1 London Plan (2021).

This was seconded by Councillor Salim Chowdhury and agreed.

The Committee resolved to refuse officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) agree the reasons for approval as set out in the report; and
- 2) grant planning permission subject to 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 Ali, Ashton, Baxter, Chowdhury and Wagman voted to refuse the application.

Councillor Parekh voted against refusing the application.

Councillor Assad abstained from voting.

35. 2-02, 26-28 High Street, Wealdstone (P/1523/21)

PROPOSAL: creation of third and fourth floors comprising of five additional flats (5 x 1 bed); second floor side extension; bin and cycle stores.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

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

DECISION: GRANT

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

36. 2/03, Kilby's Industrial Estate & 1-5 Bacon Lane, P/0352/22

PROPOSAL: the application is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11 March 2021) to allow addition of rear dormers to 5 of the houses approved. The application was retrospective (as amended by the Addendum).

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

- 1) grant planning permission for the reason set out in the report, subject to the conditions in Appendix 1, and a variation to the S106 attached to planning permission P/3667/19 (dated 11 March 2021).

DECISION: GRANT

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

Councillors Ali, Ashton, Baxter, Chowdhury and Wagman voted to grant the application.

Councillors Assad and Parekh abstained from voting.

37. 2/04, Kilby's Industrial Estate & 1-5 Bacon Lane, P/0451/22

PROPOSAL: the proposal is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11 March 2021) to allow addition of rear dormers to 5 of the houses approved. The application was retrospective (as amended by the Addendum).

Councillor Nicola Blackman addressed the Committee and urged them to refuse the application.

Councillor Salim Chowdhury proposed refusal for the following reason:

- 1) the additional dormer windows, by reason of their siting, will give rise to undue overlooking and loss of privacy, over and above the approved proposal, to the dwellings and their rear gardens abutting the site and will result in a loss of residential amenity within the locality, contrary to policies CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Plan (2013), D1, D3 London Plan (2021).

The proposal was seconded by Councillor Zak Wagman and agreed.

The Committee resolved to refuse officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

- 1) grant planning permission for the reason set out below, subject to the conditions in Appendix 1, and a variation to the S106 attached to planning permission P/3667/19 (dated 11 March 2021).

DECISION: REFUSE

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

38. 2/05, 21 Ash Close, P/0431/22

PROPOSAL: first floor side extension; two storey rear extension; rooflights in front, side and rear roof slopes; external alterations.

The Committee received representation from Jonathan Perrin (objector), and Sanjiv Chandaria (applicant), who urged the Committee to refuse and approve the application, respectively.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

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

DECISION: GRANT

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

Councillors Ali, Assad and Parekh voted to grant the application.

Councillors Ashton, Baxter, Chowdhury and Wagman abstained from voting.

39. 2/06, 34 Woodlands Road, P/0177/22

PROPOSAL: replacement roof to single storey rear element; replacement of windows and doors to rear elevation.

RECOMMENDATION

The Committee was asked to:

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

DECISION: GRANT

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

40. 2/07, Garages adjacent to 16 Charles Crescent, P/0632/22

PROPOSAL: redevelopment to provide five x two storey dwellings; parking; landscaping (demolition of garages).

Councillor Marilyn Ashton (Chair) left the room, having declared her interest, and Councillor Christopher Baxter (Vice-Chair) chaired the meeting for this item.

The Committee resolved to accept officer recommendations.

RECOMMENDATION

The Committee was asked to:

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

DECISION: GRANT

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

41. Any Other Business - Vote of Thanks Beverley Kuchar

The Chair led Members in paying tribute to the Chief Planning Officer, Beverley Kuchar, for the hard work and professionalism during her time at Harrow Council. She had worked for the Council between 2010 and 2016, as well as from 2018 to 2022. She was leaving to join another local authority. The Committee wished Ms Kuchar all the best in her future endeavours.

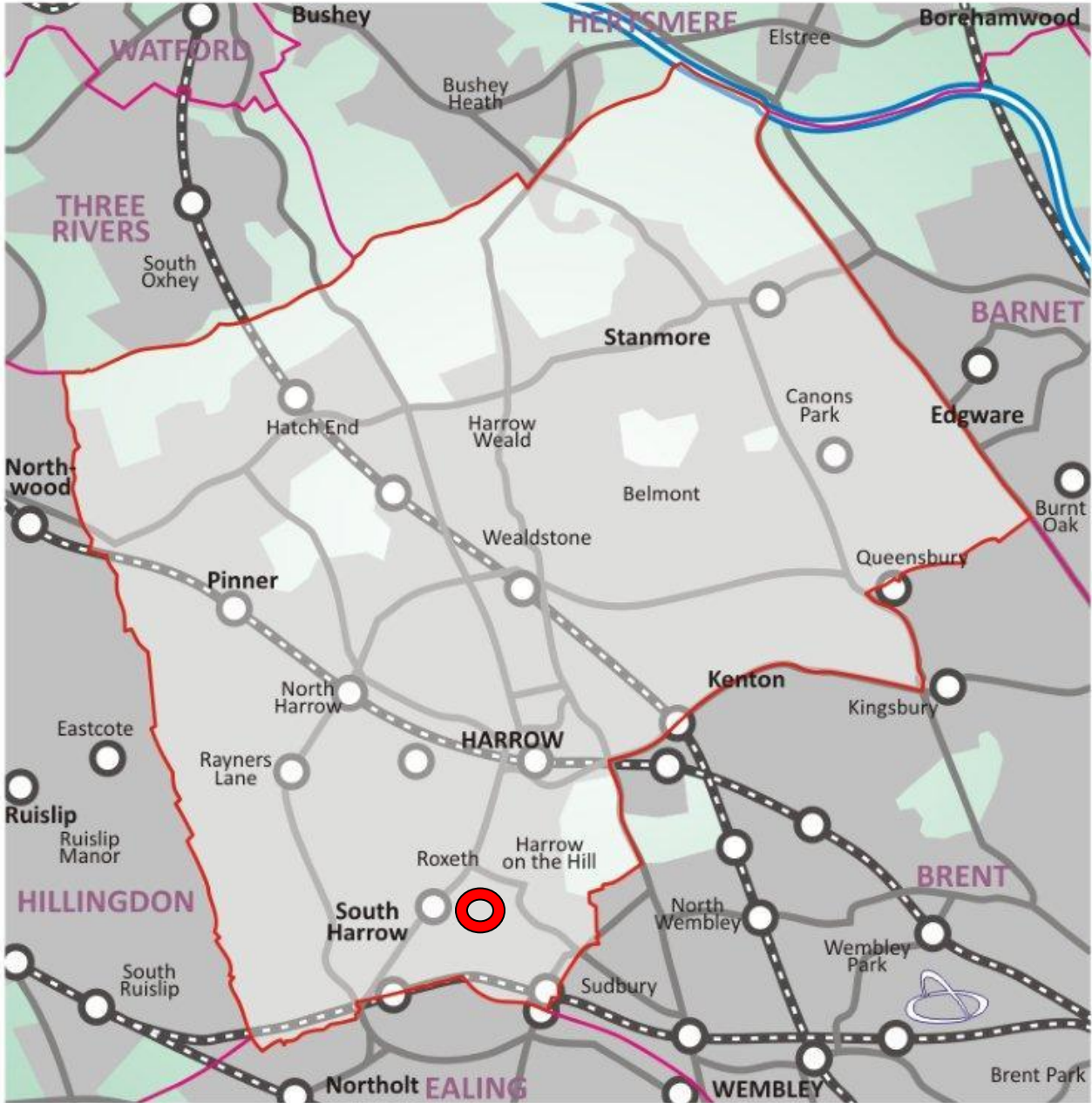
The audio/video recording of this meeting can be found at the following link:

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

(Note: The meeting, having commenced at 6.30 pm, closed at 8.08 pm).

(Signed) Councillor Marilyn Ashton
Chair

 = application site



59-65 The Heights, Lowlands Road	P/4901/21
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LOCATION PLAN



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th JULY 2022

APPLICATION NUMBER: P/4901/21
VALIDATE DATE: 26 JANUARY 2022
LOCATION: 59-65 The Heights, Lowlands Road, Harrow
WARD: GREENHILL
POSTCODE: HA1 3AW
APPLICANT: MS EVA SISKINOVA
AGENT: DANDI LIVING LTD
CASE OFFICER: SELINA HOTWANI
EXPIRY DATE: 27 JULY 2022

PROPOSAL

Five storey front extension comprising of thirty two shared living units (Use Class Sui Generis); replacement of windows to front elevation; landscaping

The Planning Committee is asked to:

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 1. **Tenure and Management**
 - Tenure and Management Strategy.
 2. **Affordable Housing Contribution and Viability Review**
 - Commuted Sum - £160,000
 - To pay the affordable housing contribution prior to the commencement of development
 - Early and Late Stage Review
 3. **Carbon Offset**
 - Requiring payment of the carbon offset contribution ((£22,610)) prior to commencement of development.
 - Post-construction assessment to determine if the proposed carbon reductions have been achieved and whether an additional carbon offset

contribution (residential element) is required to offset any shortfall, calculated at £1,800 per tonne of carbon.

4. Energy Centre

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

5. Highways and Parking Travel Plan Monitoring

- Baseline Survey to be completed prior to commencement of development and surveys to be conducted in year 1, 3 and 5 of the development, following the baseline survey.
- Submission of financial costs associated with the Travel Plan are to be provided by the developer.
- Submission of an updated Travel Plan based on the framework travel plan prior to occupation and to cover an initial monitoring period of 5 years.
- Travel Plan Monitoring fees/bond to be secured with the latter only to be used in the event of the development not meeting targets in year 5.
- Appointment of a travel plan co-ordinator.

Permit Restriction

- Parking permits for the surrounding CPZ
- Contribution of £1500 to amend the relevant traffic management order. This is necessary in order to minimise the possibility of overspill parking onto the surrounding roads and also encourage sustainable travel.

6. Employment and Training - Construction Employment

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

7. Legal Costs and Monitoring Fee

- Legal fees: A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation.
- Planning Administration Fee: Payment of £1580 administration fee for the monitoring and compliance of the legal agreement

RECOMMENDATION B

That if, by **27th October 2022** or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

REASON FOR THE RECOMMENDATIONS

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

INFORMATION

This application is reported to Planning Committee as it would result in a development of more than 400 sqm of non-residential floorspace. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	All other Largescale Major Development
Council Interest:	None
Net Floorspace:	1,602 sqm
GLA Community Infrastructure Levy (CIL) Contribution	£96,120
Local CIL requirement (provisional):	£176,220

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 Five storey building on the northern side of Lowlands Road; and lies within the boundaries of the Harrow town centre. The site is set back from Lowlands Road due to its large forecourt. Vehicle access is via Lowlands Road, with car parking located in the front forecourt and within the existing basement. The site is currently undergoing the conversion of the existing building into 125 residential units.
- 1.2 Immediately south east is 67-71 Lowlands Road, a part 4 part 5 storey office building. On the other site is 5 storey office building known as Grove House. To the rear of the site is the railway line beyond which is Harrow Town Centre. Directly opposite are two storey residential dwelling houses.
- 1.3 The site slopes downwards from front to rear but also upwards from north to south. To the rear of the property is the London Underground & National Rail Lines. The north side of Lowlands Road has an eclectic range of architectural styles, largely postmodern and of limited architectural quality, centred around office typologies.
- 1.4 The site has a public transport accessibility level (PTAL) of 6A. The site is within fluvial flood zone 3a & 3b, and Harrow's critical drainage area. The application site is within the setting of the Roxborough Park and the Grove Conservation Area. In addition, the site is located within a landmark viewing corridor from Old Redding viewpoint and within the wider setting consultation area of other protected views.

2.0 PROPOSAL

- 2.1 The application proposes a five storey front extension linked to the existing building comprising 125 residential units to deliver 32 shared living accommodation units (sui generis).
- 2.2 The basement car park would be replaced with cycle storage, refuse storage and storage for residents. It would also provide for 10 disabled parking spaces for the existing C3 use and proposed co-living use. The proposal is otherwise car-free.
- 2.3 The proposed extension would have a maximum depth of 17m from the recessed part of the front elevation closest to Grove House a 5 storey office building to the north of the site. It would be separated by 6m at its closest point to this property and by over 23m from the property on the other side (67-71 Lowlands Road).
- 2.4 The internal configuration is as follows:
- Basement:
- Waste and Recycling Store
 - Cycle store
 - Car parking for 10 blue badge holders
- Ground Floor:
- Reception Area, Office
 - Parcel Room
 - Communal Lounge / Kitchen

- 6 x co-living units including 1 x DDA

First Floor:

- 8 x co-living units including 1 x DDA unit
- Laundry Room
- Store
- Communal Lounge / Kitchen

Second Floor:

- 8 x co-living units including 1 x DDA unit
- Linen
- Store
- Communal Lounge / Kitchen

Third Floor:

- 8 x co-living units
- Linen
- Store
- Communal Lounge / Kitchen

Fourth Floor:

- 2 x co-living units;
- Lounge

2.5 Short stay and accessible cycle spaces are located adjacent to the main entrance of the building at the front. The front of the site comprises a large communal garden.

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no. Description	Status and date of decision
P/3760/07 Replace two air-conditioning condensers with new units of the same size in the same location.	Granted 04/02/2008
P/2497/17/PRIOR - Conversion of offices (class b1a) to 119 self-contained flats(class c3) (prior approval of transport & highways impacts of the development contamination and flooding risks on the site and impacts of noise from commercial premises on the intended occupiers	Refused: 26/07/2017
<p><i><u>Reasons for Refusal:</u></i> 1. The proposal, by reason of the lack of legal agreement to restrict future occupiers of obtaining a Residential Parking Permit for the surrounding Controlled Parking Zone, and secure a reasonable obligation for the monitoring and remedial measures sum in relation to a revised Travel Plan, would be likely to result in detrimental highways and traffic impacts, and therefore would be contrary to Policies 6.9 & 6.13 of The London Plan (2016), and Policy DM42 of Harrow's Development Management Policies Local Plan (2013) and policies AAP 19</p>	

<p>& 20 of the Harrow & Wealdstone Area Action Plan (2013). The proposal cannot therefore be determined to be in compliance with provision O.2 (a) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.</p> <p>2. The proposal, by reason of the overprovision of car parking, and lack of compliant parking provision for persons with disability, would be likely to result in detrimental highways and traffic impacts, and therefore would be contrary to Policies 6.9 & 6.13 of The London Plan (2016), and Policy DM42 of Harrow's Development Management Policies Local Plan (2013) and policies AAP 19 & 20 of the Harrow & Wealdstone Area Action Plan (2013). The proposal cannot therefore be determined to be in compliance with provision O.2 (a) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.</p> <p>3. In the absence of an adequate Flood Risk Assessment containing Emergency Planning Information, insufficient information exists for the Local Planning Authority to make a determination as to whether the proposal would result in potential unacceptable risks and impact in terms of flood risk on the future occupiers of the site. The proposal cannot therefore be determined to be in compliance with provision O.2 (d) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.</p>	
<p>P/4131/17/PRIOR - Conversion of Offices (Class B1a) to 119 Self-Contained flats (class c3) (prior approval of transport & highways impacts of the development, and of contamination risks and flooding risks on the site, and impacts of noise from commercial premises on the intended occupiers)</p>	<p>Prior Approval Granted subject to conditions and legal agreement</p>
<p>P/1523/20/PRIOR - Change Of Use From Office (Class B1a) to 125 Self-contained Flats (Class C3) (Prior approval of transport & highways impacts of the development, and of contamination risks and flooding risks on the site, and impacts of noise from commercial premises on the intended occupiers)</p>	<p>Refused: 23/06/2020</p>
<p><u>Reasons for Refusal:</u></p> <p>1. In the absence of an adequate Noise Impact Assessment, insufficient information exists for the Local Planning Authority to make a determination as to whether the proposal would result in unacceptable impact in terms of noise on the future occupiers of the site. The proposal cannot therefore be determined to be in compliance with condition O.2(d) of Class O, Part 1, of Schedule 2 of The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended.</p>	
<p>Change Of Use From Office (Class B1a) to 125 Self-contained Flats (Class C3) (Prior approval of transport & highways impacts of the development, and of contamination risks and flooding risks on the site, and impacts of noise from commercial premises on the intended occupiers)</p>	<p>Granted subject to legal agreement: 18/08/2020</p>
<p>P/1618/21 Redevelopment to provide part three and part four storey building with basement level comprising of cafe to ground and basement level (use class E(b)) and forty six shared living units</p>	<p>Refused on 15/12/2021</p>

<p>(HMO) to upper floors (use class Sui Generis); parking; landscaping; bin and cycle stores (demolition of existing building) (Re-consultation: Updated description)</p>	
<ol style="list-style-type: none"> 1. <i>The proposed development, due to excessive scale, poor siting and positioning in relation to the existing building ('The Heights') would result in an incongruous addition that would constitute overdevelopment of the site and represent an over-intensification of residential development on the site. The development would, therefore, not represent an appropriate high quality of design, would not maintain or enhance the character of the surrounding streetscene and the visual interests of its surroundings and fails to appropriately respect and relate to its spacious context, contrary to section 12 of the National Planning Policy Framework (2021), policy D3 (D(1) and D(11)) of The London Plan (2021) and policies AAP1, AAP4, AAP5 and AAP13 of the Harrow and Wealdstone Area Action Plan (2013) and policy DM1 of the Harrow Development Management Policies Document (2013).</i> 2. <i>The applicant has failed to provide a financial viability assessment and supporting information to demonstrate that the maximum reasonable level of affordable housing on the development site is provided. In the absence of this information, the proposed development therefore fails to address strategic housing objectives including the provision of mixed, balanced and sustainable communities, contrary to the National Planning Policy Framework (2021), policies H4 and H6 of The London Plan (2021) and core policies CS1(I) and CS1(J) of The Harrow Core Strategy (2012).</i> 3. <i>The proposed development, due to its failure to provide outside communal amenity space and a sufficient quantum and quality of internal communal space for the shared living occupiers, as well as insufficient information to demonstrate the adequate usability, function and quality of the outdoor communal garden for the residential occupiers (of 'The Heights') and insufficient implementation of 'Secured by Design' principles would fail to provide an acceptable standard of accommodation for future occupants and would fail to achieve the aspirations in the creation of inclusive, lifetime neighbourhoods, contrary to the National Planning Policy Framework (2021), policies H16, D4, D5 and D11 of The Local Plan (2021) and policies DM1, DM2 and DM22 of the Harrow Development Management Policies Local Plan (2013).</i> 4. <i>The submitted Daylight and Sunlight Report, in the absence of accurately assessing the existing site constraints pertaining to the future residents of 'The Heights' directly to the rear of the proposed development would fail to provide sufficient information to assess whether the proposal would result in an acceptable quality of accommodation for future residents with regard to natural light, daylight and overshadowing. The proposed development is therefore contrary to the high quality design aspirations of The National Planning Policy Framework (2021), policy D3(D(7)) and D6(D) of The London Plan (2021), Core Policy CS1 of the Harrow Core Strategy (2012), and policy DM1 of the Harrow Development Management Policies Local Plan (2013).</i> 5. <i>The proposed development by virtue of its limited availability of space within the site would fail to demonstrate that opportunities for the provision of an additional seven per cent of dwellings could be provided with one designated disabled persons parking space in the future should the existing provision be insufficient. Furthermore, the proposal fails to demonstrate that the proposed delivery and servicing arrangements would not cause adverse impact to safety and traffic flow or conflict with users of the basement car park. The proposal would therefore give rise to an unsustainable development which would fail to contribute towards climate change mitigation as well as cause detrimental harm to the safety and traffic flow of future occupiers and the existing highway network, contrary to Chapter 9 of the National Planning Policy Framework (2021), policies T6, T6.1 and T7 of The London Plan (2021) and policies DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013).</i> 6. <i>The proposed development, in the absence of sufficient information within the provided Preliminary Ecological Assessment to demonstrate that the proposal would</i> 	

appropriately secure net biodiversity gain and provide opportunities for local biodiversity mitigation or enhancement within the site or vicinity of the site and substantial shortfall of the recommended urban greening factor as set out in The London Plan, would fail to accord with the aspirations of the National Planning Policy Framework (2021), policies G5 A and B & G6 D of The London Plan (2021), policy CS 1 E of the Harrow Core Strategy (2012) and policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

4.0 **CONSULTATION**

4.1 Two Site Notices were erected on 23 February 2022 expiring on 21 March 2021.

4.2 Press Notice was advertised in the Harrow Times on the 10 March 2022 expiring on 30 March 2022.

4.3 The application was advertised as a major application.

4.4 A total of 150 notification letters were sent to nearby properties regarding this application. The public consultation period expired on 15 March 2022. 23 objections were received, most of which appeared to be from users of Grove House located to the north of the site.

4.5 **Adjoining Properties**

Number of letters Sent	251
Number of Responses Received	23
Number in Support	0
Number of Objections	23
Number of other Representations (neither objecting or supporting)	0

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

<p>Residential Amenity</p> <ul style="list-style-type: none"> • Block of light of 55 Lowlands Road • Blocking of view of Lowlands Road • Over crowding in small congested location • Loss of light and overshadowing of Grove House • Overlooking / loss of privacy • Noise and dust pollution • Disruption from the delivery trucks and general inconvenience of having another building site <p>Officer comments: <i>Please refer to section 6.3 of the report.</i></p>
<p>Traffic and Parking</p> <ul style="list-style-type: none"> • Undue stress on local transport and infrastructure

- Inadequate parking / loading / turning
- Potentially block drive into basement

Officer comments:

Please refer to section 6.4 of the report

4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

LBH Environmental Health

A noise assessment was carried for the building and for its potential occupants/surrounding areas once the development has been completed. Therefore, I have no concerns that if/once completed in accordance to specifications, risk of noise complaints from the occupants is going to be low.

However, I just had a look at the construction method statement and I'm concerned that even though they specify operating hours, they do say that on occasions there may be some work carried out outside normal operating hours- I'd say this ambiguous and contractors or delivery drivers may use it to work outside regular hours causing nuisance to the nearby residents.

Also, the issues associated with air pollution due to construction works have not been addressed in the proposal-the area is surrounded by residential properties and therefore will have an impact on residents' quality of life for the duration of proposed works.

Officer response: A revised construction method statement was provided and deemed to be acceptable.

LBH Heritage Officer

The proposal would preserve the setting of the adjacent Roxborough Park and the Grove Conservation Area and the historic locally listed buildings as there is this clear distinction between this side of Lowlands Road and the other. This side is part of the modern commercial development of the town centre.

LBH Drainage

The FRA and Drainage Strategy submitted are acceptable but full details are still required subject to conditions.

LBH Highways

Highways do not support this proposal as overall this proposal results in a lesser quality provision than was previously approved. An increase in residents and subsequent lack of opportunity to provide additional disabled parking also negatively affect the proposal. It may not result in a severe impact for the Highway network but it may be harmful if deliveries and servicing are not properly managed.

Should the application be granted, conditions for construction logistics plan, car parking design and management plan and delivery and service plan would be required.

Officer response: The plans have been amended to provide for more blue badge spaces with active charging points and included the same number of cycle spaces as previously approved.

LBH Landscape Officer

- No objections to the proposed annex extension, subject to further landscaping details.

LBH Planning Policy

No comments received

LBH Urban Design Officer

A comprehensive redevelopment of the site would have been highly preferable to the proposed extension of the existing The Heights building. The proposal is a compromised solution, not offering a significantly strengthened street frontage to Lowlands Road, providing an unbalanced massing and replicating a building of low architectural value. All three of these concerns could have been fully addressed through a comprehensive redevelopment.

Generally ok on balance however concerns relating to:

- whether residents from The Heights would be able to access the proposed extension and vice versa. This should be clarified.
- There is concern that the building will appear poorly resolved and unbalanced when viewed and approached from its street-facing elevation (Lowlands Road).
- The proposed massing, by virtue of its southern elevation alignment with Grove House, does strengthen the building line of Lowlands Road and broadly aligns with that of other buildings on the street's northern side. However, this strengthening is partial and it is highly regrettable that a comprehensive site redevelopment has not been sought which could provide a continuous, stronger building line.
- The east elevation of Grove House (55 Lowlands Road), which features many window openings, will be impacted by the proposed extension in terms of reduced daylight and sunlight to its eastern elevation and perceived overlooking and overbearing.
- It is unacceptable to provide obscured glazed windows to single aspect west-facing units to the western elevation and this is objected to. The Applicant must address overlooking to the neighbouring building to the west but must also provide a sufficient quality of living accommodation and outlook to these west-facing units.
- There is additional concern regarding reduced daylight and sunlight provision to west-facing units given the proximity to the neighbouring building. This is of significant concern and is not supported.
- The fourth-floor communal lounge is welcome but should be increased in size to offer a more generous shared space to residents. For example, by occupying the entire fourth floor.

- Despite positive moves in the external appearance of the proposed extension, this is still a less successful scheme than if the entire site was redeveloped, which would have created the opportunity for a single and continuous street-facing elevation which followed the prevailing building line. It remains highly regrettable that a comprehensive site redevelopment has not been sought, with the opportunity for a new and higher quality architectural design, as opposed to simply replicating a building of limited architectural value.

Officer response: The above comments were noted and a revised scheme has been provided to address concerns raised.

LBH Landscape Architects

No objection subject to appropriate landscape, boundary +
-
treatment, external lighting conditions.

LBH Waste Officer

The proposal appears to have a bin storage area underneath a kind of plant/garden so it is difficult to see what bins they have made allowances for etc. All appears fine.

Biodiversity

Overall, there are significant inconsistencies and gaps in the supporting information for the application and a lack of detail with regard to points of material considerations. This raises queries about the UGF and biodiversity net gain scores.

Whilst it should be possible to address these provided the relevant details can be provided it isn't presently feasible to determine the application in respect of the information submitted. Whilst it might be possible to address some of this via condition that won't be possible in all cases, e.g. with regard to whatever the applicant's green roof proposals actually vis-a-vis load-bearing tolerances and the provision of built-in shelters for bats, birds and other wildlife.

As such the applicant should resolve these points prior to determination or the application should be refused.

Economic Development Officer

Construction Training

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

This will be secured through:

(i) a training and employment plan that will be agreed between the council and the developer prior to start on site and

(ii) a financial contribution towards the management and delivery of the construction training programme based on the build cost of the development. This is usually charged based on a formula of £2500 per £1m build cost.

Network Management

No changes to access arrangements, no objection.

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

External Consultation

4.12 A summary of the consultation responses received are set out in the table below.

Designing Out Crime Officer

No comments received

Transport for London (TfL)

Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to London Underground infrastructure.

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

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

- provide foundation and construction details on substructure including piling details
- provide details on the use of tall plant
- accommodate ground movement arising from the construction thereof
- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

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

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

We also ask that the following informative is added:
The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; and construction methods

Officer response: This is noted, condition and informative added.

Conservation Area Advisory Committee (CAACs)

We have seen an application recently P/1618/21 for this site which was a much larger new build separate building in front of the office block which was also being converted under permitted development which we objected to strongly. This new application does address some of the points raised but still suffers as follows.

Other than corner units the units have a single aspect which is poor design. The units are not intended for people with the same employer or same college, and we believe that for a sense of real community in the building a mix of unit sizes is preferable. In design code language this would be a sense of place. Such mix of unit sizes would necessitate more amenity space improving the quality of the design. With small single aspect uniform units without a sense of place within a high-density development such as this risks being a future slum.

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 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety & Parking
- Development and Flood Risk

- Trees, Ecology and Biodiversity
- Environmental Considerations – Contamination, Noise, Air Quality
- Land Contamination and Remediation
- Air Quality
- Fire Safety

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The Draft New London Plan (2019); D1, H1, H16
- Harrow Core Strategy (2012): CS1
- Area Action Plan: AAP13
- Harrow Development Management Policies Local Plan (2013): DM1

Acceptability of proposal

6.2.2 The proposed development seeks planning permission for 32 co-living units (sui generis use). To this end, the supporting planning statement states that the proposal would contribute towards the Borough's housing targets, however given that the 32 co-living units do not correlate directly into 32 net additional units it is considered that this notion is not strictly true. Indeed, Policy H1 of the London Plan (2021) states that non self-contained communal accommodation should count towards meeting the housing targets but only based on a 1.8:1 ratio. Therefore, the proposal would have a net contribution towards the borough's housing target of circa 18 net additional units. On this basis, although not strictly C3 use, the co-living units would contribute to the Borough's housing target and would therefore be an appropriate use.

6.2.3 The layout and management of co-living accommodation is unlike conventional housing and therefore does not fall within any Use Class (i.e. sui generis). It is noted that there is no national or local policy in relation to this typology, so all assessment of the acceptability of the proposal therefore falls under the Draft New London Plan (2019) (Intend to Publish Version), specifically by way of policy H16 (Large-scale purpose-built shared living). H16 is a criteria-based policy, which sets out the requirements that any proposed co-living development must comply with. This policy provides support for such a use provided, that it meets the criteria set out within it. The compliance with these criteria in terms of the accommodation and ancillary uses are considered below.

6.2.4 Policy H16 states that large scale purpose built shared living development should meet the following criteria:

- 1) It is of good quality and design;
- 2) It contributes towards mixed and inclusive neighbourhoods;
- 3) It is located in an area well-connected to local services and employment;
- 4) It is under single management;
- 5) Its units are all for rent with minimum tenancy lengths of no less than 3 Months;
- 6) Communal facilities and services are provided that are sufficient to meet the

requirements of the intended number of residents and offer at least:

- Convenient access to a communal kitchen
- Outside communal amenity space
- Internal communal amenity space
- Laundry and drying facilities
- Concierge
- Bedding and linen changing/room cleaning services

7) The private units provide adequate functional living space and layout; and are not self-contained homes or capable of being used as self-contained homes;

8) A Management Plan is provided; and

9) It delivers a cash in lieu contribution towards conventional C3 affordable housing. Boroughs should seek this contribution for the provision of new C3 off-site affordable housing as either an:

- a) upfront cash in lieu payment to the local authority, or
- b) in perpetuity annual payment to the local authority

6.2.5 The applicants have developed a number of co-living schemes including in Wembley for 368 units and 97 units in Hounslow and are currently implementing a co-living scheme in Greenhill Way, Harrow (P/1257/20). As per these developments, they have confirmed that they would be the sole managers of the proposed development. The submission is accompanied by an Operation and Management Statement. This provides further detail on the management of the building including the role of the onsite building management team, tenancy, co-living accesses and facilities.

6.2.6 Officers consider that the proposed development would be a high-quality scheme that would provide wider improvements to the streetscene, particularly given the industrial / commercial building typologies dominating by hard surface. The proposed housing product would contribute towards a mixed community and is located within the Harrow town centre boundary and therefore is in close proximity to sustainable transport modes. Furthermore, the proposed scheme would provide a satisfactory quantum of internal and external amenity space and communal facilities for the future occupiers and the minimum tenancy lengths and management plan are to be secured through the Section 106 agreement. Officers consider that the proposed co-living accommodation would therefore satisfy the requirements as set out in policy H16 of the draft London Plan (2021).

6.2.7 The proposed development would provide housing choice, particularly in the context of the residential scheme currently under construction in a highly sustainable location of Harrow, being within the Harrow Metropolitan Town Centre. Whilst there is no current demonstrable need for this housing typology within the Borough, the proposed co-living accommodation would meet an emerging need as supported within the London Plan and a planning obligation would ensure the development will be managed and maintained in a manner which would ensure the continued quality of the accommodation. The proposal would make a noteworthy contribution towards the wider policy and regeneration objectives for the heart of Harrow, including

housing and employment. Having regard to compliance with these elements of the development plan, together with other considerations in this report with respect to design, amenity, infrastructure, servicing and highways; the principle of the development is supported by officers.

Affordable Housing

- 6.2.8 The London Plan (2021) requires that large-scale purpose built co-living accommodation provide a contribution toward affordable housing. However, given that the proposed accommodation typology is not required to meet national minimum space standards, any contribution would not be made on-site, instead would be by way of a financial contribution through S.106 obligation. BNP Paribas conducted an initial Financial Viability Assessment (FVA) on the scheme and found the scheme to be unviable. The Council appointed Avison Young (AY) to review this FVA and concluded that the main area of contention between the consultants were the build costs. AY concluded that adopting 30% management costs, £280 psf build costs and 15% profit on cost, generated a small surplus of £160,000. The Applicant subsequently agreed to adopt AY's 30% management fee but maintained their position on build costs at £298 psf.
- 6.2.9 The applicant requested that the late stage review mechanism was removed in lieu of a 'without prejudice' offer. However, this was not been accepted by the LPA and the late stage review mechanism was deemed necessary, particularly as its removal had previously been on the basis that the product had been relatively new and the take-up was uncertain. There are now a number of co-living schemes operating in Harrow and London, therefore the inclusion of a late stage review mechanism poses a lower risk. As such, the £160,000 surplus and late stage review mechanism was agreed by both parties.
- 6.2.10 Based on the above, the proposed development complies with the National Planning Policy Framework (2021), policy SD6 and H16 of The London Plan (2021), policies AAP13 of the Harrow and Wealdstone Area Action Plan (2013), policies CS1 of the Core Strategy (2012) and policy DM1 of the Development Management Policies Local Plan (2013).

6.3 Design, Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: D1, D2, D3, D5, D11, HC1
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM7, DM9, DM10, DM22, DM23, DM27, DM42, DM44, and DM45

Relevant Supplementary Documents

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

6.3.2 Lowlands Road is characterised by larger office-typology buildings of four to five storeys to its northern side, with two storey Victorian/Edwardian residential properties to the southern side. Further south of site is Roxborough Park Conservation Area. The proposal will result in a greater massing presence within the street scene and will be taller than Grove House, but of a similar height to No. 67-71, the southern elevation of which abuts the footpath. As such, while there would be impacts to the street scene, these would not be of a significant negative impact to properties to the south or the prevailing character of Lowlands Road.

6.3.3 The site is bound directly to the north by The Heights development, an existing building of five storeys. The current building does not have a strong townscape presence, by virtue of a significant setback from the main building line to accommodate a parking forecourt (17-22m deep). Additionally, the existing The Heights building has an asymmetric frontage, with the western bay set back from the central glazed atrium than the eastern bay. As such, introducing an extension to sit proud of the main elevation and in line with the prevailing building line has a degree of logic. It is noted that Grove House directly adjacent to the proposed development would ensure some visual impact however this is discussed further within the report. Notwithstanding this, it is not considered overall that the proposal would appear at odds with the host property or streetscene.

Site Strategy

6.3.4 Although a comprehensive redevelopment of the site would have been a highly preferable solution to the extension proposed, there are environmental benefits to the retention of a building in apparent good structural condition, principally in providing a development with lower embodied carbon than a demolition and replacement alternative. The replacement of a largely inactive parking forecourt with a shared amenity space, planting and a street elevation featuring habitable room

windows somewhat improves the amount of active frontage to Lowlands Road and would animate this part of the road.

Massing, Scale and Built Form

- 6.3.5 The proposed extension results in an asymmetric street frontage and built form facing Lowlands Road. Features such as roof form and hipped roof elements are continued, which is appropriate and continues a built form language from the existing building. While the existing building features a degree of setback to elements of its street-facing massing, the proposal greatly increases this with a significant south-western extension. Concerns have been raised by the urban design officer that the building would appear poorly resolved and unbalanced when viewed and approached from its street-facing elevation (Lowlands Road). However, CGI images presented demonstrate that the material palette, recessed fifth floor and stepped front and side walls with the retention of a set back from the front boundary would ensure that even when viewed from Lowland's Road the building would appear akin to its surroundings. Further mitigation is presented through the landscape strategy.
- 6.3.6 The Council's Design Officer also notes that the proposed massing, by virtue of its southern elevation alignment with Grove House, does strengthen the building line of Lowlands Road and broadly aligns with that of other buildings on the street's northern side. It is noted that the presence of a five storey building would have some impact to Grove House due to its close proximity to the side boundary. However, there is some visual relief with the minimum separation distance of the service road being just over 6m wide and other walls on this flank being set further away from that side.

Impact to the Conservation Area

- 6.3.7 The application was reviewed by the Council's Conservation Officer. This property is sited in the Roxborough Park and the Grove conservation area and opposite the locally listed numbers 26 to 40 (even). The special character and appearance of this conservation area is outlined by the Roxborough Park and the Grove Conservation Area Appraisal and Management Strategy. This states: 'Roxborough Park and the Grove Conservation Area is an attractive combination of high quality historic architecture and important public green open spaces, including the Grove Open Space and Church Fields, that serve to emphasize its distinction from the surrounding more modern commercial development of Harrow town centre and the other higher density urban sprawl. The area's undulating topography and unusually permeable pedestrian network complement and enhance the area's visual quality, creating attractive views within, into and out of the conservation area'.
- 6.3.8 The Conservation Officer considers the proposal would preserve the setting of the adjacent Roxborough Park and the Grove Conservation Area and the historic locally listed buildings as there is this clear distinction between this side of Lowlands Road and the other. The subject property is situated in the midst of the modern commercial development of the town centre.

Materials & External Appearance

- 6.3.9 The proposed appearance of extension elevations follows a highly similar post-modern design as The Heights appear to match the existing building. This approach, with similar spaced fenestration and window opening sizes to that of the existing is welcomed insofar that it provides continuity and congruity between the proposed extension and the existing building. Although, the urban design officer does note that there is potential for the development to appear as a single development, if material specification and detailing are correctly achieved. This has been demonstrated by the updated Design and Access Statement. A condition to ensure the materials would match that of the existing building is recommended.

Access

- 6.3.10 The proposed development would have a single main entrance into the building from Lowlands Road. It would be identifiable as it includes a canopy and signage which would distinguish the shared living accommodation from the residential which would be accessed by the main central entrance point. Both entrances would be accessed controlled via respective fobs. A designated cycle lane along the service road would be provided to allow for safe access into the basement stores. Cycle stores for the shared living accommodation would be separated from the residential as would the refuse and recycling. This is considered to be an acceptable arrangement.

Landscaping

- 6.3.11 The proposed amenity space to the front elevation would add greenery and activity to an otherwise inactive area of hardscaping. Outdoor seating has been provided for residents and alongside a landscaping strategy. As such, this space appears to sufficiently cater to the number of residents of the development. In line with comments made by the urban design officer defensible space for the ground floor units has resulted in the provision of small garden areas characterised by soft landscaping. The proposed communal roof terrace to fourth floor is welcome and as a result this floor inset, is partially hidden from passers-by at ground level.
- 6.3.12 The Landscape Officer acknowledges that the proposed four seasons landscaping to the front area with multi stemmed evergreen planting, water feature and open sided pavilion with biodiversity roof. Evergreen landscaping and evergreen privacy screening, with private garden space, is proposed for the ground floor units and considers the screening would provide a generous amount of defensible space and the building being well set back from the road would reinforce this sense of localised suburbia. The proposed mature, specimen type planting would provide an instant impact creating a well landscaped garden. Whilst it is noted that the landscape masterplan is well development it would require further development and detail to create a high quality attractive landscape with interesting, useable and intimate spaces including large communal space, separate smaller spaces, focal points, landscape features, footpath networks and seating. The lightwell areas to the rear of the development, adjacent to the railway line are shown as green, implying soft landscape in the basement areas. Details for this area would also be required. A visually attractive outlook and space for the residents in the adjacent rooms would be essential and ongoing and long term management and maintenance, particularly

intensive in the early years to establish the mature planting, would be essential and most important to ensure establishment and the survival of the planted areas.

- 6.3.13 Both the landscape officer and urban design officer welcome the landscape proposals particularly to offset the impact of the additional built form along this road. The soft landscape along the width of the site would help to create a visually attractive soft landscape setting for the existing and new annex building, to comply with Harrow Council's Development Management Policy, DM 22 Trees and Landscaping. Subject to appropriate hard and soft landscaping conditions, including ongoing and long-term management of the spaces it is considered this would be acceptable.

Refuse and Servicing

- 6.3.14 Policy DM45 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'.
- 6.3.15 The development would provide for space for 14 x bins within a dedicated internal store accessed by service vehicles via the shared service road off Lowlands Road. This would allow for appropriate servicing distances. This would provide for 6 x 110l, 6 x 1280l and 2 x 240l bins which is considered to be acceptable in terms of provision for 32 shared living units. The site already benefits from servicing of the existing offices and new residential units. There is sufficient space for service vehicles to turn at the bottom of the ramp and exit the site in forward gear. The Council's Waste Officer has stated that the number of bins, siting and waste strategy is acceptable. A condition ensuring that refuse bins are always stored within the internal refuse area is recommended to safeguard the character and appearance as well as the residential amenity of the area.

Secure by design

- 6.3.16 The Designing Out Crime officer has not provided comments on this scheme. However, the operation and management strategy sets out the means of security which would be in place including CCTV surveillance across the entire premises i.e. communal areas and outdoor spaces, fob access and management of shared equipment. The ground floor units are surrounded by defensible space around the buildings to provide security and privacy for these units. Whilst these measures are in place it would be necessary for secure by design officers to review the scheme once built and therefore certification of achievement of Secured by Design accreditation is required by way of pre-occupation condition.
- 6.3.17 It is therefore considered that the proposed development would not result in a detrimental impact to the of the surrounding area, in accordance with the high quality design character and appearance aspirations of the National Planning Policy Framework (2021), policies D1, D2, D3, D8 and HC1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013) and Area

Action Plan (2013) policies AAP1, AAP4, AAP6 and AAP13 the Supplementary Planning Document: Residential Design Guide (2010).

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021);
- The London Plan: D1, D6, D14, H16
- Harrow Core Strategy: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM27

Relevant Supplementary Documents:

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

6.4.2 There are no specific adopted space standards for this type of housing product within the adopted development plan. Policy H16 of The London Plan states that the private units within large-scale purpose-built shared living development should provide adequate functional layout.

6.4.3 Each of the proposed co-living units would have on average 18-26sqm of internal space and a minimum floor to ceiling height of 3m. The internal layout has been designed to accommodate private shower rooms, built in wardrobes, window blinds and wifi and TV and cable TV (see image below). Some units also benefit from private amenity space at ground floor.



6.4.4 All units would be single aspect with either a north-westerly or south and south-easterly orientation. The Daylight and Sunlight Report provided in support of the application concludes that the majority of units would achieve good levels of daylight and sunlight which would be in excess of the BRE and British Standard targets. Specifically, all units perform well in terms of daylight as all rooms met the BRE standard for daylight levels. Whilst not all met the recommended sunlight levels, the rooms result in a shortfall are those that have no windows within 90 degrees of due south. Whilst not ideal, there are two alternative communal areas that achieve good

levels of sunlight including the fourth floor terrace and ground floor garden. As the co-living facility encourages communal living, it is considered on balance that there are sufficient mitigating factors within the design to overcome the shortfall of the scheme in this regard. The set in of the fifth floor would allow some light infiltration to the communal stair core through the side facing windows.

6.4.5 In terms of stacking, the arrangement would generally be acceptable. Furthermore, compliance with building regulations would need to be sought. Therefore, the proposed development is acceptable in this regard.

6.4.6 Criteria 6 of the London Plan Policy H16 requires that communal facilities are sufficient to meet the requirements of the intended number of residents and offer a range of internal and external communal amenity spaces and facilities. This ensures that the quality of overall residential amenity is acceptable. A schedule of amenity has been provided as part of the application. Based on this, each occupier would benefit from 8.5 sqm of internal amenity space and 2.6 sqm of external amenity space (excluding the ground floor garden and private terraces at fourth floor) which is welcomed. It is also considered that the appropriately sized rooms (including some with private gardens) and private facilities coupled with the range of amenity spaces available would be acceptable. A breakdown of the proposed internal and external amenity spaces is summarised below:

Internal Amenity	Ground Floor	First Floor	Second Floor	Third Floor	Fourth Floor	Amenity Net. (sqm)
Lounge / Kitchen	42	42	42	42	84	252
Laundry		4	4	4		12
Store		3	3	3		9
Sub-Total	42	49	49	49	84	273
External Amenity						82
TOTAL	42	49	49	49	84	357
Private Amenity	No. units	No. units	No. units	No. units	No. units	
	5	0	0	0	2	

6.4.7 As demonstrated above, the proposed development would provide a range of internal and external communal spaces which have been designed to create a sense of community, lower barriers to social interaction and to facilitate engagement between residents. The amenity spaces are large, high quality which encourage their use and community engagement. The provision is therefore considered to be of an appropriate type, location and amount which would be proportionate to the number of studio units within the building.

6.4.8 The site is located within an urban location amongst a mix of residential and commercial uses. Given the transient nature and number of future occupants of the

development, in order to ensure the safety of existing and future residents of the immediate vicinity Secure By Design accreditation should be attained and as such a condition to this effect has been included.

Response to COVID 19

- 6.4.9 Whilst not a policy requirement, the current planning application has been submitted under the context of a global pandemic whereby the health and safety of future occupiers is paramount. Co-living relies upon social interaction and engagement and whilst this is important for mental well-being this needs to be carefully measured against safety guidelines imposed by National Government. The applicant has submitted a document outlining the response to COVID 19 including measures to consistently ensure the level of hygiene in communal areas, installation of air purifiers with filters in each unit, provision of Personal Protective Equipment to name a few. It is therefore considered that the co-living nature of the development would provide a level of flexibility and adaptability during unprecedented times as in the current climate.
- 6.4.10 In conclusion, the proposed development, subject to the imposition of appropriate conditions would achieve a high-quality internal design quality of the proposed development is of an acceptable standard and will ensure a good standard of living environment for future residents.

Impact to neighbouring occupiers

Daylight & Sunlight Report

- 6.4.11 A daylight, sunlight and overshadowing report was prepared by JAW in support of the current application. The nearest residential properties are those at the existing site. However, as these are sited away from the proposed development by sufficient distances the daylight results do not show any adverse impact to these. Furthermore, the front facing windows of these properties would be angled away from the side facing windows of the proposed development which would safeguard privacy of these occupiers.

Grove House (No. 55 Lowlands Road)

- 6.4.12 The Daylight and Sunlight report shows that windows to the office building would be affected by the site, although it should be noted that the requirement for daylight is less important than that in residential buildings. Further analysis was conducted including reduced daylight criteria, No Sky Line assessments and internal daylight calculations using assumed layouts. Given the large windows on this block and separation distance, it indicates that the office is still likely to receive sufficient amounts of daylight. This combined with the recommended flexibility applied to daylight assessments in London and given that these windows serve offices (which are not typically assessed for daylight) mean that the levels would be acceptable.
- 6.4.13 With regards to privacy, there are windows of single aspect units located on the flank wall of facing Grove House. In order to ensure that the proposal would not prejudice development coming forward on this site, privacy screening has been

proposed, however details of these are not provided and therefore will be secured by way of condition.

67-71 Lowlands Road

- 6.4.14 The proposed development is sited away from this property by approximately 24m and therefore it is not considered that it would cause detrimental harm with regards to loss of daylight, sunlight or outlook on that side. Furthermore, the side facing windows would be sufficiently set away so as not to cause any loss of privacy or experience overlooking.

Properties along Lowlands Road on the opposite side

- 6.4.15 To the south of the application site is two-storey residential along Lowlands Road. Whilst the building line would be sited further forward, the resultant building would maintain a distance of approximately 15m (from the front boundary of 'The Heights' and nearest properties on Lowlands Road (66-70)), with an intervening highway. Although the proposed building is higher and closer than the existing building, it is noted that this relationship is representative of the commercial buildings located directly either side and further west along the road. Given the modest height of the proposed building in an urban setting, it is considered that this relationship is acceptable within an urban environment on the edge of a town centre.

6.5 Traffic, Safety and Parking

- 6.5.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6;
- Harrow Core Strategy (2012): CS1;
- Area Action Plan (2013): AAP1, AAP19, AAP20, AAP21
- Harrow Development Management Polices Local Plan (2013):DM1, DM42, DM44

- 6.5.2 This property is within a PTAL 6B location meaning access to public transport is considered to be excellent. Lowlands Road is part of the Transport for London Strategic Road Network. This proposal follows P/2195/20/PRIOR which was granted in August 2020 comprising development for conversion from office to 125 flats, with parking and cycle storage. This is currently being implemented.

Parking Provision

- 6.5.3 This proposal is proposed to be car free in line with Policy T6 E and Table 10.3 based on it being large scale sui-generis residential use within a PTAL 6 location. In line with Highways comments which stated that the parking standards require disabled parking provision for 3% of the total number of dwellings from the outset and a further 7% identified for future conversion, which would result in 11 spaces (9 for the consented scheme and 2 for the current scheme). Accordingly, the scheme has been amended to provide 5 DDA spaces as per the consented scheme, 3 residential spaces for blue badge holders and 2 for the current scheme, totalling 10, all with active electrical charging points. This is considered to be acceptably overcome concerns raised by the highways officer as it would help to mitigate the

impact of the limited on-street options resulting from significant amount of car free development coming forward in this location which could lead to increased demand for on-street disabled parking provision.

- 6.5.4 A legal obligation restricting the issue of parking permits for the surrounding CPZ is also considered to be required to address the aforementioned issue along with a contribution of £1500 to amend the relevant traffic management order. This is necessary in order to minimise the possibility of overspill parking onto the surrounding roads and also encourage sustainable travel.

Car & Cycle Parking

- 6.5.5 The proposal includes 36 long stay and 2 short stay spaces for the HMO units; and 140 cycle spaces are retained as approved for the flats in the existing building. 6 long stay staff cycle parking spaces are also provided within the residential stores. The proposed levels are acceptable and otherwise in line with London Plan requirements.

Delivery and Servicing

- 6.5.6 Information on delivery and servicing trips was not provided as part of application P/2195/20/PRIOR however, it is expected that the combined proposals would result in a higher rate of trips even if some overlap does occur. The revised site layout also means that car parking and servicing trips now use the same area whereas these appeared to be separate in the previously approved layout; this meant less conflict between users and also provided an alternative area for boarding and alighting and deliveries could be made to the main entrance without drivers stopping on-street. The delivery and servicing report does not address potential conflicts between occupiers and deliveries in particular.
- 6.5.7 It is noted that delivery and servicing vehicles would also be encouraged to take place utilising the space at the bottom of the ramp to reduce the number of vehicles stopping along Lowlands Road and the proposed development would be staffed to receive and coordinate delivery activities. It is therefore considered that a final delivery and servicing plan for the entire development would be required prior to occupation by way of condition because although the measures in the report are noted, as this is a predominantly residential development many of these would not apply. Ideally residents should be advised of requirements in relation to arranging deliveries eg. information that they will need to pass on; there should be appropriate signing on-site to advise drivers of where to go. Whilst the proposal may not result in a severe impact for the Highway network, it may be harmful if deliveries and servicing if these are not properly managed and it has not been demonstrated that conflict between the number of users, deliveries and servicing would safeguard the free flow of the highway network.
- 6.5.8 Subject to conditions requiring the submission of a updated delivery and servicing plan, Parking Design and Management Plan, a detailed Construction Logistics Plan in accordance with Transport for London Guidance and legal obligation to restrict parking permits, it is considered that the proposed development would be acceptable in Highway terms and would accord with policies T5, T6, T6.1 of The

London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

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

6.6.2 The rear part of the application site is within surface water flood zone 3a and 3b. The application was accompanied by a Flood Risk Assessment and drainage strategy. The Drainage Officer confirmed that the submitted documents were acceptable subject to conditions relating to foul and surface water disposal and attenuation; permeable paving; green and brown roofs.

6.6.3 Subject to the above, the proposal therefore complies with the National Planning Policy Framework (2021), policies SI12 and SI13 of The Draft London Plan (2019), policy CS1 of the Core Strategy (2012) and policies DM1, DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

6.7 Ecology and Biodiversity

6.7.1 The relevant policies are:

- NPPF: Chapter 15
- The London Plan: G6
- Harrow Development Management Local Policies: DM20 and DM21

6.7.2 The London Plan Policy G6 requires “Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.” Policy DM21 of the Harrow Development Management Policies states that proposal should secure the restoration and re-creation of significant components of the natural environment as part of the design and layout of development. Particular attention will be paid to green corridors/chains, gardens (including planting for wildlife; Green Roofs, Green Walls, Landscaping and Habitat Creation.

6.7.3 The site forms part of the heavily urbanised fringe of Harrow town centre, immediately to the south of the rail line. It is more than 300 metres away from the nearest SINC and within part of the significant area of deficiency in access to nature, although the Lowlands Recreation Ground and, beyond it The Grove are lined to the Harrow on the Hill Borough Grade 1 SINC. The site itself does not contain features of high value however it is considered proposals should take account of the breeding bird potential, presence of invasive species and opportunities for enhancement, particularly in relation to enhancing access to nature and supporting nature’s recovery more widely. The Biodiversity Officer notes that in this situation, it will be necessary for the design to:

1. adequately address the London Urban Greening Factor requirements
2. provide proportionate net gain for biodiversity, and
3. incorporate features to enhance access to nature and people's enjoyment of it

6.7.4 A preliminary ecological report was submitted in support of the application which provides an appropriately thorough summary of the range of species, habitats and features supported by or recorded within the site and its surrounding and of the setting for the site. It also identifies mitigation measures in respect of likely impacts and proposes enhancements in relation to these. These include mention of biodiverse green roof provision. However, the biodiversity officer considered that the impact assessment was not sufficient and an uplift in biodiversity gain had not been quantified. Furthermore, urban greening requirements had not been factored.

6.7.5 An updated biodiversity report was submitted. This provides a net biodiversity gain of 0.28 biodiversity units with area-based habitats from pre-development levels. This results in a net increase of 123.3% in ecological value. A total of 10% uplift in biodiversity units would be provided. The biodiversity officer has not provided comments on the updated biodiversity report however it is considered that further details on habitat enhancement and management to ensure the delivery of the biodiversity net gain can be secured by way of condition requiring the submission of an Ecological Management Plan (EMP) and through detailed landscaping plans.

6.7.6 In terms of Urban Greening Factor, which is a measure of the amount of urban greening for developments requires a target of 0.4 for residential development according to the London Plan (2021). The UGF report has provided a number of proposals for landscaping and surface cover which would meet the target of 0.4. This is considered acceptable and these measures will be reviewed as part of the assessment of the EMP.

6.7.7 Subject to the conditions recommended above, it is considered that the proposal development would meet the aspirations of the policies listed under paragraph 6.7.1 above.

6.8 Energy and Sustainability

6.8.1 The relevant policies are:

- London Plan: SI 1, SI 5, SI 12
- Harrow Core Strategy: CS1 T
- Harrow Development Management Local Policies: DM1, DM12 and DM14

6.8.2 In broad terms, under Policy 5.2 of the current London Plan, all development is expected to achieve at least a 35% reduction in carbon emission through on-site measures. Any remaining residential carbon emissions are to be offset by way of monetary contribution to ensure that the residential element of the development is zero carbon.

6.8.3 Policy SI2 of the London Plan requires major developments to be net-zero carbon. Policy E1 of the Core Strategy aims to reduce carbon emissions firstly by requiring all development to reduce demand for energy through design. Secondly by requiring

all developments with a gross floor area greater than 500 sq. metres to connect to an existing decentralised energy network as well as by supporting the incorporation of renewable energy generation within the development proposal. An Energy Strategy has been submitted which follows the 'fabric first' approach through the Be Lean, Be Clean and Be Green energy hierarchy to maximise reduction in energy through passive design measures in the first instance, before seeking opportunities to deliver energy efficiently, and finally maximising the provision of low and zero carbon technologies. The proposal allows for provision of a safeguarding route to connect to any future wider District Heat Network.

- 6.8.4 The applicant has submitted an Energy & Sustainability Statement (Integration, May 2020). On review, the content has been found to generally accord with the requirements of the current and 'Intend to Publish' London Plan in that a minimum 35% carbon reduction is proposed on site (36.2%) with the balance carbon emissions (residential element at 238 tonnes to be offset through monetary contribution (£22,610) to achieve the required zero carbon residential development.
- 6.8.5 The statement identifies that there are no district heat networks capable of serving the site, but the provision of an on-site communal heating network will enable future connection should a district network become available; this is acceptable. Furthermore, a reduction is achieved through solar PV, which is reasonable given constraints with respect to roof space.
- 6.8.6 It is recommended that planning obligations are secured via Section 106 agreement which safeguard a route for future connection to a district heat network; carbon offset contribution (£22,610) prior to commencement of development and a post-construction assessment to determine if the proposed carbon reductions have been achieved and whether an additional offset contribution (residential element) is required to offset any shortfall, calculated at £1,800 per tonne of carbon. In addition, a condition requiring that the development is constructed and operated generally in accordance with the energy strategy submitted with the application has been added.
- 6.8.7 Subject to the above obligation and condition, the proposed development complies with the National Planning Policy Framework (2021), policies SI1 and SI5 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM12 and DM14 of the Harrow Development Management Policies Local Plan (2013).

6.9 Accessibility

- 6.9.1 The relevant policies are:
- The London Plan (2021): D5
 - Harrow Core Strategy: CS1
 - Harrow Development Management Local Policies: DM1, DM2
- 6.9.2 The proposed scheme would provide 32 co-living units out of which 4 units would be deigned to be wheelchair accessible. These are spread across the development; within the ground, first, second and third floors. This would equate to more than 10% which would accord with the London Plan policy. There would be inclusive levelled access across the site and two disabled parking spaces would be provided for this development.

6.9.3 Officers are satisfied that the proposals meet the development plan objectives in terms of accessibility and inclusive design and would contribute to the creation of a 'lifetime neighbourhood'. On this basis, it is considered that the proposal complies with the high quality design aspirations of the National Planning Policy Framework (2021), policy D5 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would deliver additional housing of a satisfactory layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. The redevelopment of the site would enhance the urban environment in terms of material presence, attractive streetscape, and accessible routes in and out of the site and would make a positive contribution to the local area, in terms of quality and character. The massing and scale proposed would appropriately relate to the wider area and would permit full optimisation of this previously developed land to bring forward much needed housing which would positively add to the Council's housing delivery targets. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: Conditions and Informatives

Conditions

1. **Full Time**

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

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

2. **Approved Plans:**

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the following approved plans:

Plans:

01/01; L(01)010 Rev P01; L(01)011 Rev P01; L(01)002 Rev P01; L(01)003 Rev P01; L(01)004 Rev P01; L(01)005 Rev P01; L(01)006 Rev P01; L(01)007 Rev P01; L(01)008 Rev P01; L(01)09A Rev P01; L(01)09B Rev P01; L(01)09C Rev P01; L(01)011 Rev P01; L(02)010 Rev 4; L(02)011 Rev 4; L(02)012 Rev 4; L(03)013; L(02)014 Rev 4; L(02)015 Rev 4; L(02)016 Rev 4; L(02)200; L(01)201 Rev 01; L(02)202; L(02)203; L(02)600; L(02)601; L(02)602; L(02)603; L(02)640; L(02)641; L(02)642; L(02)620; L(02)621; L(02)622; L(02)623; L(02)624; L(02)625; L(02)626; L(02)627; L(02)628; L(02)629

Documents:

Proposed Schedule of Areas; Design and Access Statement Rev A; Planning Statement (prepared by Dandi); Flood Risk Assessment (prepared by Ambiental); Noise Impact Assessment Report (prepared by KP acoustics, Rev A); Construction Method Statement (prepared by Stace, March 2022); Transport Assessment (dated December 2021); Transport Assessment – traffic safety measures; Transport Travel Plan (prepared by Vectos, December 2021); Waste Management Report; Delivery and Servicing Plan (prepared by Vectors, December 2021); Operation and Management Statement (December 2021); Daylight and Sunlight Assessment Addendum – assessment of impact on neighbouring properties (prepared by JAW, April 2022); Daylight and Sunlight Assessment (prepared by JAW); Energy and Sustainability Statement (prepared by Integration, December 2021); Supplementary Sustainability Report (prepared by Integration, March 2022); Overheating Assessment; Utilities Report; Preliminary Ecological Appraisal (prepared by Greengage); Technical Note - Air Quality (prepared by entran, December 2021); Contamination Report; Contamination Report Environmental Data; Contamination Report Geotechnical data; Contamination Report Appendix; Biodiversity Impact

Assessment (prepared by Greengage, May 2022); Urban Greening Factor, Rev A (prepared by Greengage); Fire Strategy (prepared by BB7); Health Impact Assessment (prepared by Hodkinson, December 2021); Viability Report (prepared by BNP Paribas); CGI – Proposed Front View; CGI – Proposed Street View

3. Construction Logistics Plan

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

- a) Parking of vehicles of site operatives/visitors;
- b) HGV access to site – loading and unloading of plant and materials;
- c) Number of HGV's anticipated;
- d) Storage of plant and materials used in constructing the development;
- e) Programme of work and phasing (in line with the Phasing Strategy to be submitted pursuant to condition 3 attached to this permission);
- f) Site layout plan;
- g) Highway condition (before, during, after);
- h) Measures to control dust and dirt during construction;
- i) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- j) details showing the frontage/ the boundary of the site enclosed by site hording to a minimum height of 2 metres

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

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with Local Plan Policies DM1 and DM43 and Policy D14 of the London Plan (2021) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy T7 of the London Plan (2021), this condition is a PRE-COMMENCEMENT condition.

4. Sewage Disposal

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

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption. This is a PRE-COMMENCEMENT condition.

5. Surface water disposal

The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as agreed and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

6. Surface water attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details as agreed and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

7. Design and Method Statement

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

1. provide foundation and construction details on substructure including piling details provide details on the use of tall plant
2. accommodate ground movement arising from the construction thereof
3. and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

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

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft

8. Green Roof

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

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

9. Permeable Paving

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

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

10. Revised Energy Strategy

No development shall take place until a revised energy strategy has first been submitted to the Local Planning Authority in writing to be agreed. The details of the revised energy strategy will include full Part L calculations based on the version of Part L of the Building Regulations that the scheme will be implemented under.

The approved details shall be installed on site before the occupation of the development and shall be maintained thereafter.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2021), policies S2 of The London Plan (2021) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

11. Site Levels

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

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

12. Materials

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

- a) facing materials for the building, including brickwork bond details;
- b) windows/ doors, including those to all servicing areas and reveals;
- c) balcony screens including balustrade detail, privacy screens and soffits;
- d) boundary treatment including all vehicle and pedestrian/ access gates;
- e) ground surfacing; and
- f) raised planters;
- g) Rainwater disposal systems (including downpipes) and soil stacks; and
- h) details of privacy screens (particularly those facing Grove House

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

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

13. Detailed Ecological Plan

The development hereby approved shall not progress beyond damp proof course level until a detailed Ecological Management Plan has been submitted to, and agreed in writing by the local planning authority. This shall include:

- a) a fully detailed plan, complete with any necessary illustrations, elevations, plans and specifications, for the provision of biodiversity gain within the development, to encompass built structures and soft landscaping elements,

including but not limited to the suggestions within the Ambient Preliminary Ecological Assessment.

- b) Details of all species records (including recorder(s) names, scientific species name, abundance information, date, and full resolution location data etc.) and Phase 1 mapping information collected in support of this application.
- c) Notwithstanding any grant of planning permission, the applicant will ensure the delivery of the measures approved under (a) during the construction phase is in accordance with the agreed time plan this provides.

REASON: For the purposes of proper planning, to provide certainty and to ensure sustainable development in accordance with the requirements of national, regional and local plan policies relating to the protection and enhancement of biodiversity.

14. External Lighting

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

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

15. Hard and Soft Landscaping

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

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating and so on. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme. Planting which may provide benefits in terms of improving air quality are encouraged. The hard-surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the communal garden/open space areas and the adjacent co-living units;

- b) Green roofs, hard and soft landscape details and planting plans, the roof area with PV panels to be incorporated into the green roof areas where feasible, including written specification of the planting and the biodiverse roof details, planting plans, and associated features (e.g. invertebrate shelters), details of the proposed irrigation or any watering system to be installed for regular watering in dry / drought conditions for the landscaped areas maintenance and proposed ongoing plant replacement, for any plant failures, during the lifetime of the built development;
- c) Full scale metric cross sections and elevations for all communal open amenity spaces (at a scale of not less than 1:100) including the proposed details for level changes; and
- d) Details of all furniture, boundary treatment, specification for the proposed supports and fixings for plants, landscape structures and any pergolas and climbing plant frames, including proposed material and source / manufacturer, irrigation for planting and detailed drawings of such; for all communal areas, raised beds and bespoke furniture.
- e) Details of all boundary treatments within and around the site

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

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

16. Landscape Management Plan

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until a Landscape Management Plan and Landscape Maintenance Plan for the site as well as for the ongoing management, monitoring and reporting of onsite biodiversity features, including details of how this will be funded in perpetuity have been submitted to and approved in writing by the Local Planning Authority to ensure the future success of the development, which shall include long term design objectives, management responsibilities and maintenance schedules, including the lower ground level hard and soft landscape, outdoor terraces, green roofs and any biodiverse roofs and landscape structures for plant growth and a programme of maintenance including a calendar of routine physical tasks for all landscape areas / plant replacement for the life time of the development for landscape structures. The Landscape Maintenance Plan shall cover a 5 year period for the whole of the proposed development to ensure the future success of the development including all the hard and soft landscape.

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

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

17. Fire Strategy

Notwithstanding the submitted Fire Statement, the development hereby approved shall not progress beyond damp proof course, until a Fire Safety Strategy produced by a third party suitably qualified assessor 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:

- A) identify suitably positioned unobstructed outside space: a) for fire appliances to
- B) be positioned on appropriate for use as an evacuation assembly point 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
- C) systems and passive and active fire safety measures is constructed in an
- D) appropriate way to minimise the risk of fire spread
- E) provide suitable and convenient means of escape, and associated evacuation strategy for all building users, including the provision of fire evacuation lifts;
- F) provide suitable and convenient means of escape, and associated evacuation strategy for all building users, including the provision of fire evacuation lifts;
- G) 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
- H) 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 D12.B of the London Plan (2021). To ensure appropriate fire safety measures are approved before development commences on site.

18. Access Strategy

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

- a) demonstrate inclusive access within the proposed development including all communal areas;

- b) detail the arrangements for disabled residents' access to the disabled parking spaces and the access, and use of, waste and recycling facilities within the development.

The development shall be carried out in accordance with the approved details prior to the first occupation of the site and shall be retained as such thereafter.

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

19. Communal Aerials

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

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

20. Secure By Design

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

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

21. Car Park, Design and Management Plan

Prior to occupation, a Car Parking Design and Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall set out the following:

- a. Details of spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces. The plan should outline the provision of one active Electric Vehicle Charging Point for at least 20% of spaces from the outset with the remaining 80% passive.
- b. Mechanism for increasing the number of spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.

- c. Details of the allocation and management of the disabled car parking spaces including how an additional seven percent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient.
- d. Details of monitoring, management and enforcement procedures for parking within the site.
- e. Details of future provision of disabled person's parking spaces should demand increase.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 and Policy T6.5 of the London Plan (2021)..

22. Cycle Parking

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

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

23. Delivery and Service Plan

The residential premises hereby approved shall not be first occupied until a Delivery and Servicing Plan has first been submitted to the Local Planning Authority in writing to be agreed. The delivery and service plan shall be carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the transport network impact of deliveries associated with the development is managed in accordance with Policy 7 of the London Plan (2021) and Policy DM 44 of the Harrow Development Management Policies Local Plan (2013).

24. Refuse Stores

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

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

25. Permitted Development Restrictions – Communications

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

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

26. Noise and Vibration

The noise and vibration mitigation measures shall be carried out in accordance with the Noise Impact Assessment hereby approved and shall be retained in that form thereafter.

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

27. Landscape Implementation

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

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

28. Amplification of sound

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

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

Informatives

1. The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

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

Harrow Core Strategy (2012):

CS1

Harrow and Wealdstone Area Action Plan (2013)

AAP1, AAP4, AAP5, AAP6, AAP8, AAP13, AAP19

Harrow Development Management Policies Local Plan (2013):

DM1, DM2, DM9, DM10, DM12, DM13, DM14, DM15, DM20, DM21, DM22, DM23, DM27, DM42, DM43, DM44, DM45, DM50

Supplementary Planning Documents:

Supplementary Planning Document: Residential Design Guide (2010)

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

Technical Housing Standard (2015)

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

Mayors Housing Supplementary Planning Guidance (2016)

2. Grant without Pre-application

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

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

3. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the 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

4. Party Wall Act

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

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

3. excavating near a neighbouring building, and that work falls within the scope of the Act.

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the Portal website:

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

5. Compliance with planning conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

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

6. Mayoral CIL Payment

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 £188,820.

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

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

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

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

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf. The above forms should be emailed to HarrowCIL@Harrow.gov.uk

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

7. Liability for damage to highway

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

8. Street Numbering

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

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

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

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

9. Sustainable Drainage Systems

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

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

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

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

10. Design out crime

The applicant is advised to engage with the Designing Out Crime Officer at an early stage of the detailed design stage in respect of meeting the requirement of Secured by Design condition.

11. Network Management

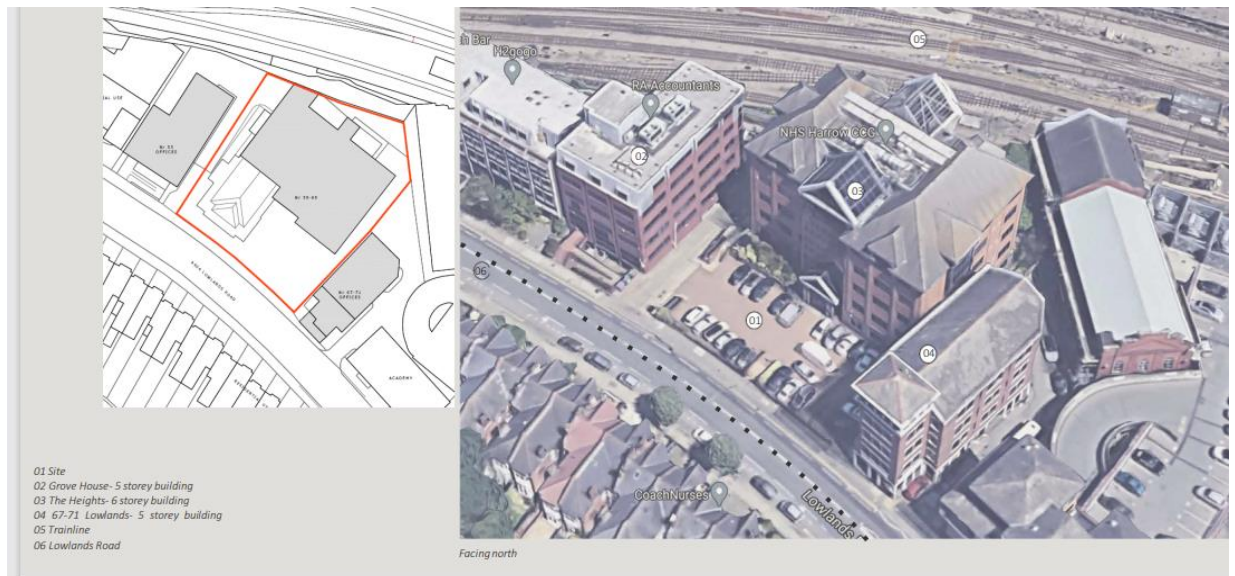
The developer is urged to make early contact with Network Management in order to agree any temporary traffic management measures required; these should then be included in the detailed CLP for submission.

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

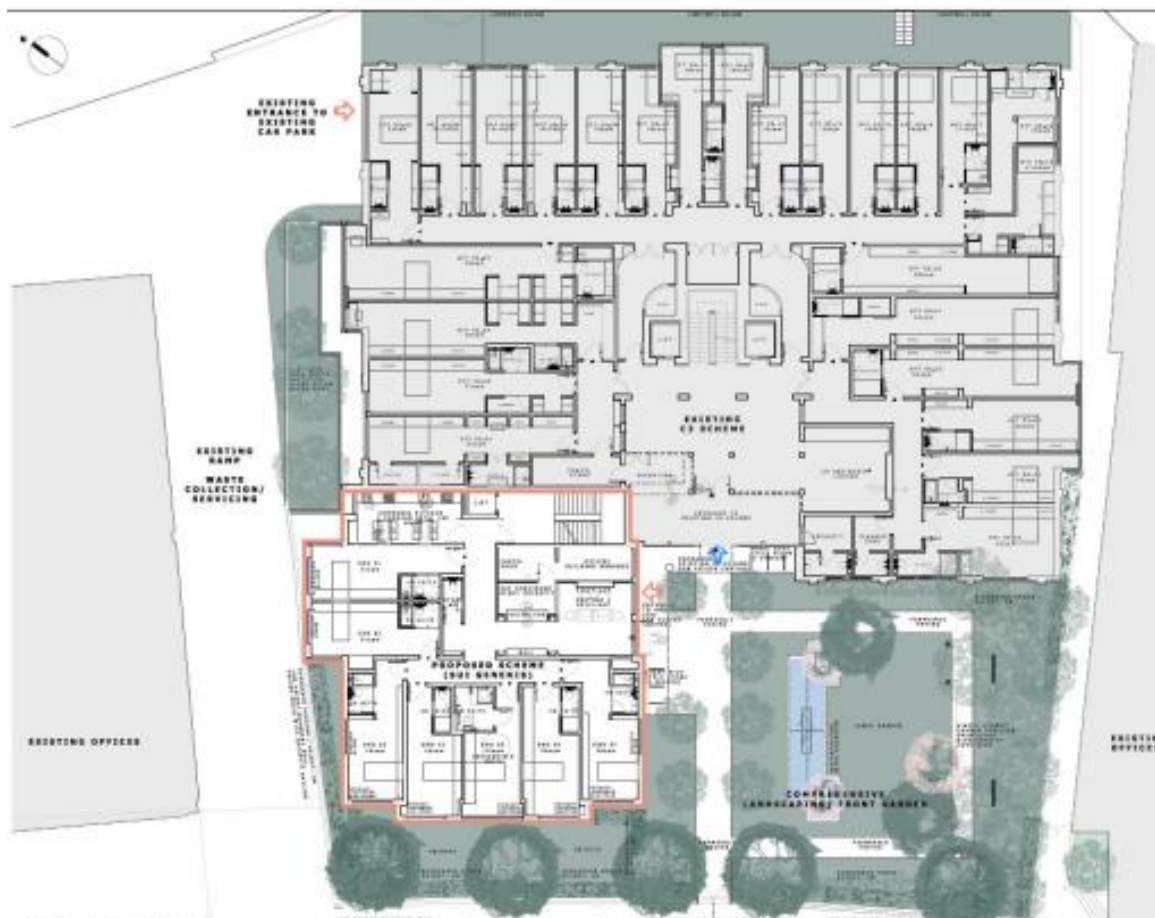
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Interim Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 2: SITE PLAN



Existing Site Plan (above) & Proposed Site Plan (below)



APPENDIX 3: SITE PHOTOS

View of main principle elevation



View of service access and car parking access for Grove House (left) and The Heights (right)



Front car parking for The Heights



View from car park towards two storey houses on Lowlands Road

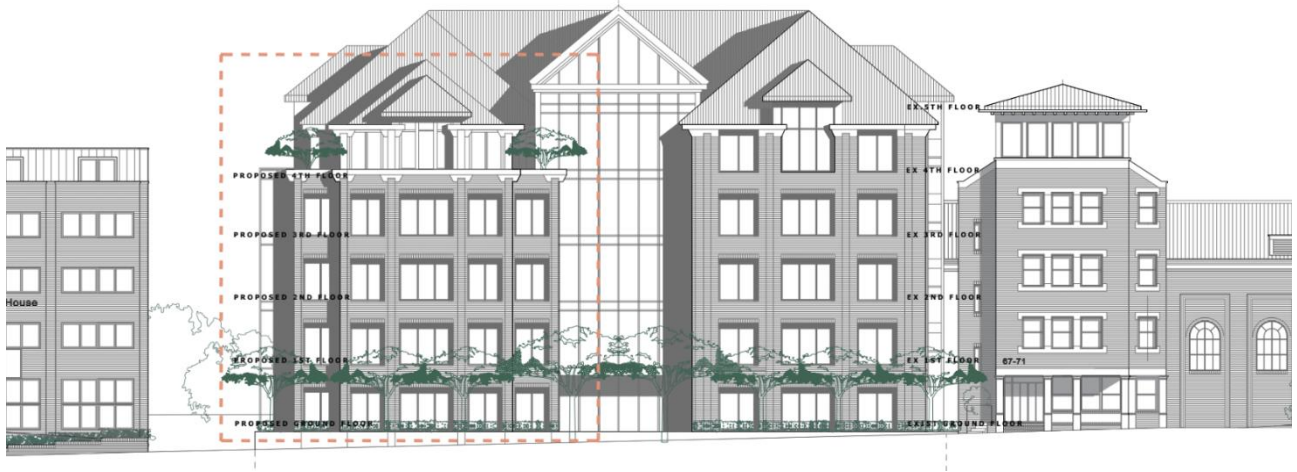


View from car park towards Grove House



APPENDIX 4: PLANS & ELEVATIONS

Proposed Front Elevation



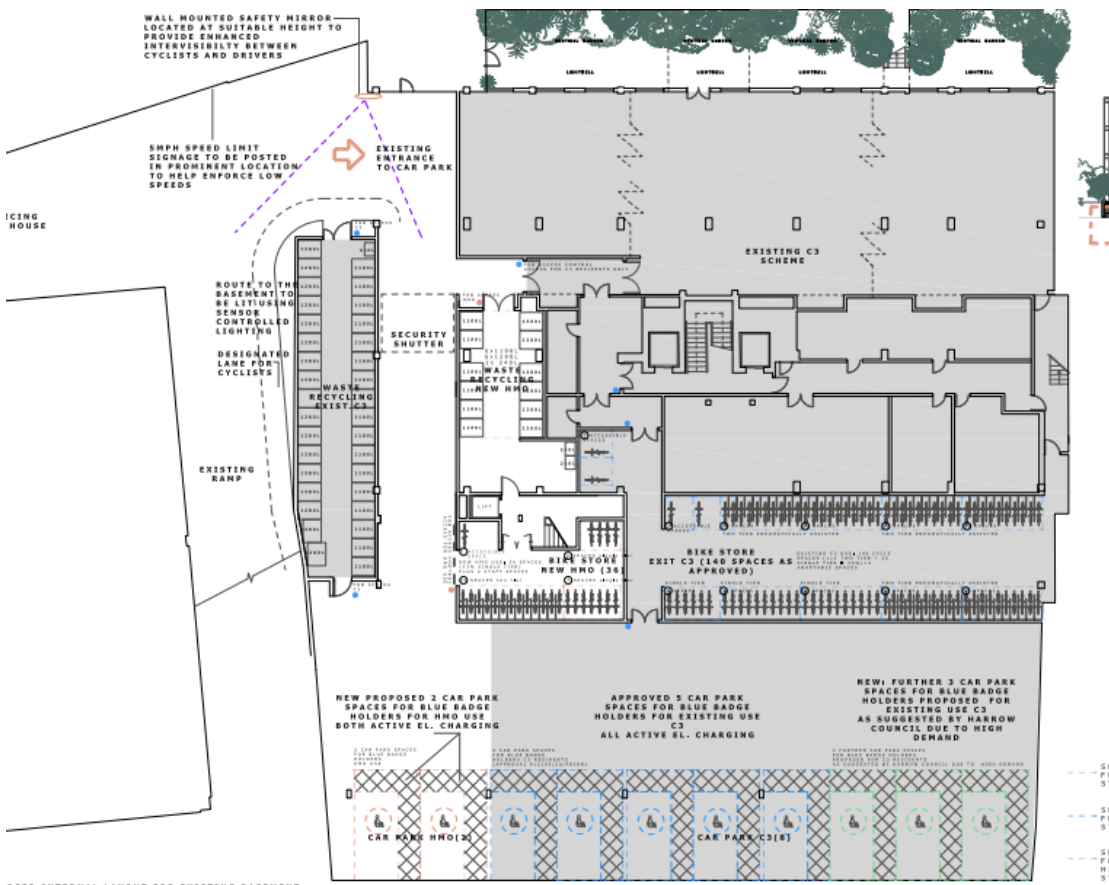
Proposed Rear Elevation



Proposed North West side elevation facing Grove House (privacy screens on windows)

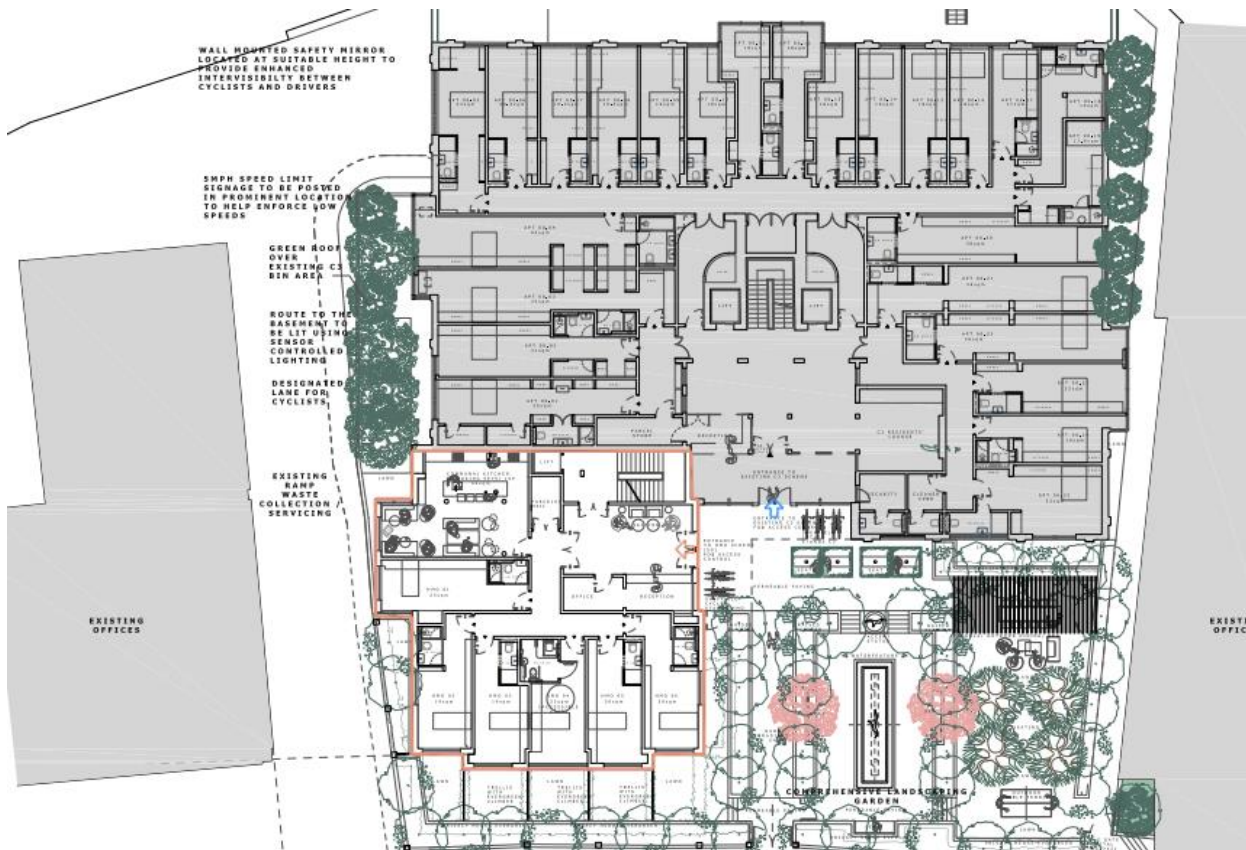


Proposed south east side facing 71 Lowlands Road

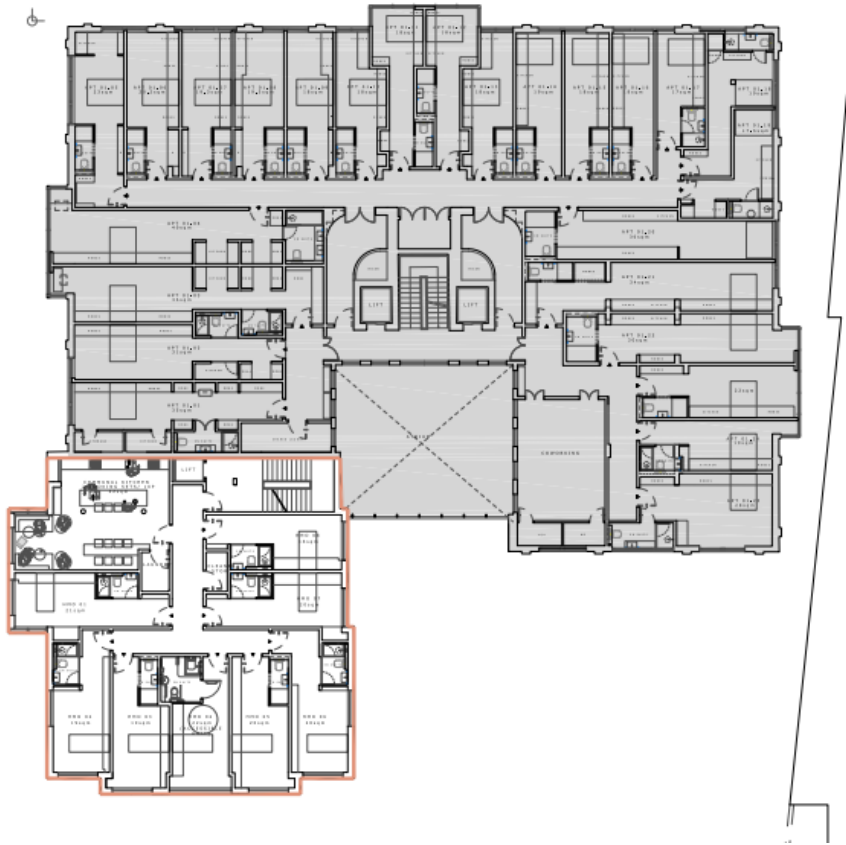


Proposed Basement

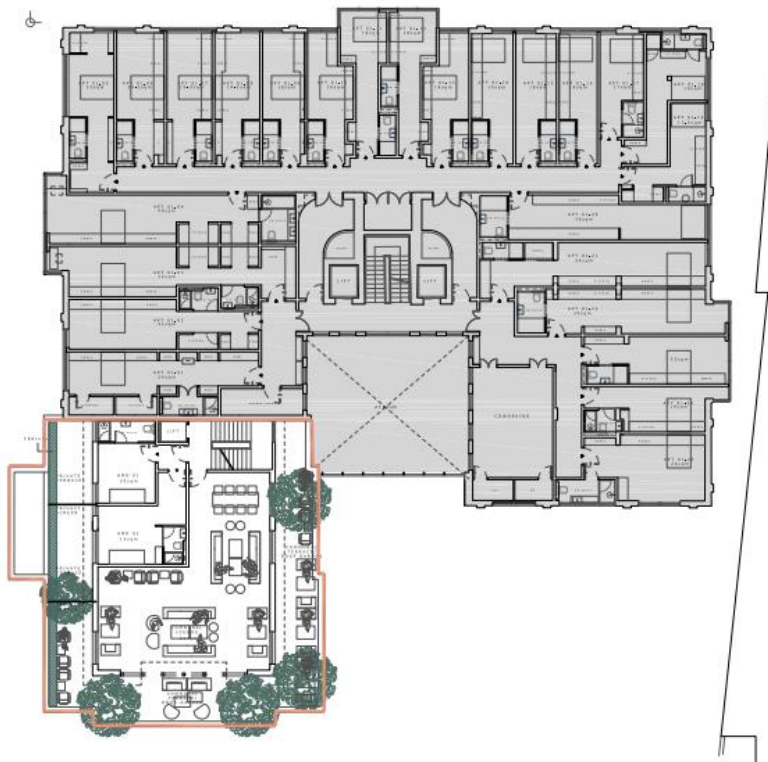
Proposed Ground Floor Plan (Above)



Proposed First and Second Floors



Proposed Third Floor (above) and Proposed Fourth Floor (Below)



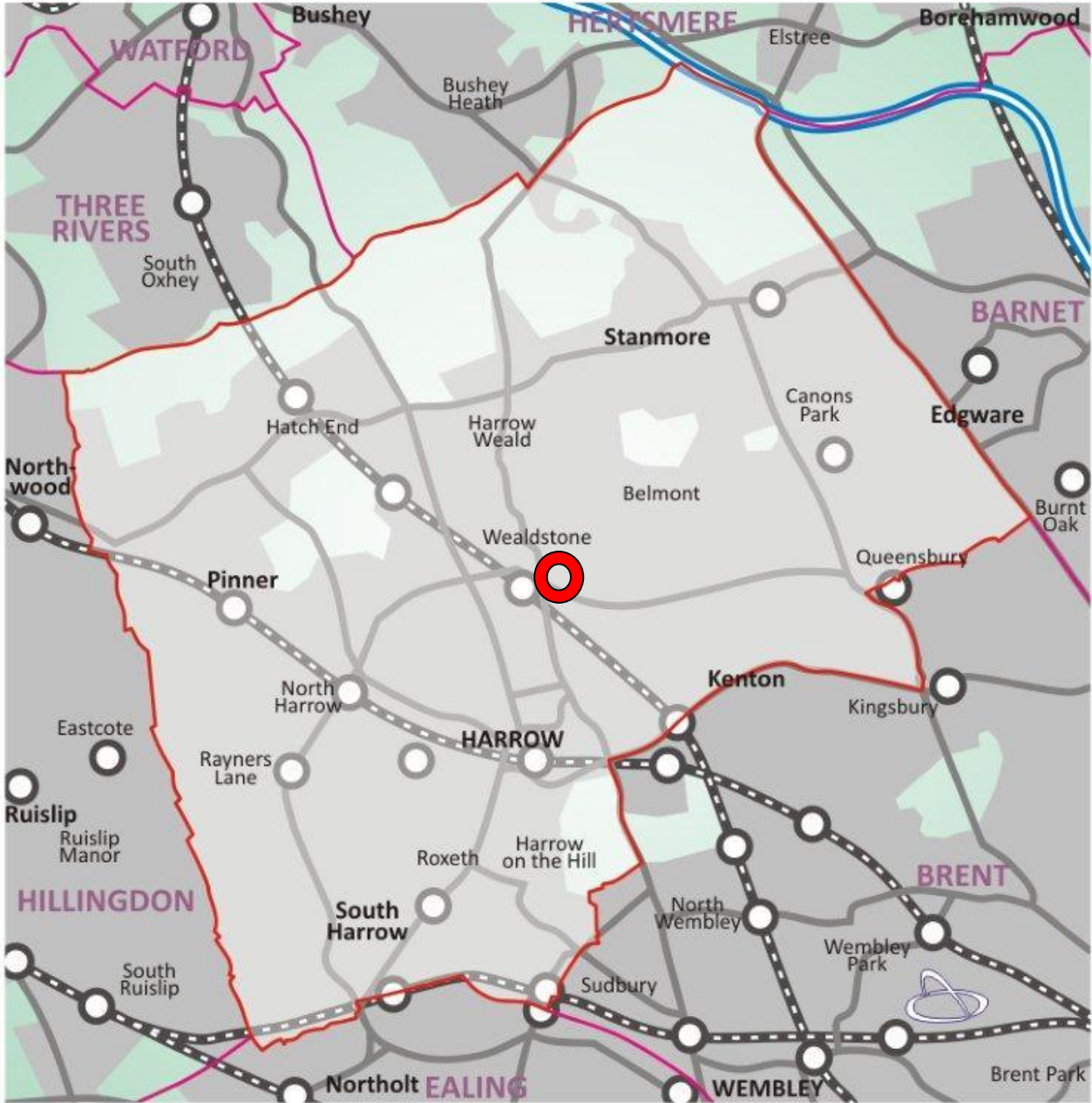
3D Visualisations



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 = application site



Albro House, 59 Palmerston Road, Harrow, HA3 7RR

P/0842/21



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd June 2022

APPLICATION NUMBER: P/0842/21
VALID DATE: 09/04/2021
LOCATION: ALBRO HOUSE, 59 PALMERSTON ROAD, HARROW,
HA3 7RR
WARD: MARLBOROUGH
POSTCODE: HA3 7RR
APPLICANT: REGENCY PROPERTY SERVICES LIMITED
AGENT: PPM PLANNING LIMITED
CASE OFFICER: TOM BLACKMAN
EXPIRY DATE: 29TH JUNE 2022

PROPOSAL

Redevelopment to provide part 8 and part 9 storey connecting buildings comprising of dry cleaners (Use Class B2), and commercial laundry (Use class E(g)) to the ground floor. industrial use (Use Class B2 to the first floor, offices (Use class E(g)(iii)) to the second floor and 32 serviced apartments (C1) on the upper floors; landscaping; bin and cycle stores (demolition of existing building).

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

TENURE AND MANAGEMENT STRATEGY

- (a) A tenure and management strategy.

EMPLOYMENT AND TRAINING

- (a) A contribution to fund local employment and training programmes;
- (b) The use of local suppliers and apprentices during the construction of the development
- (c) A training and recruitment plan
- (d) An employment management plan

DESIGN REVIEW AND DESIGN CODE

- (a) The retention of the existing architect (or one of equivalent standard) until the development is completed; or the submission of a Design Code for approval by the Council that details the quality of the development.

DECENTRALISED ENERGY NETWORK

- (a) Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
- (b) Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
- (c) Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).
- (d) Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.
- (e) Sufficient space and safeguarded route to allow connection to any future district decentralised energy network.

LEGAL COSTS, ADMINISTRATION AND MONITORING

- (a) S106 legal and administrative costs.

RECOMMENDATION B

That if, by 22nd September 2022 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

INFORMATION

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

Statutory Return Type:	All other Largescale Major Development
Council Interest:	None.
Net Floorspace:	1,934 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£146,220
Harrow CIL requirement:	£134,715

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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 application site consists of a detached two-storey rectangular brick warehouse building located on the southern side of Palmerston Road. The subject site is currently being used as a dry cleaning works.
- 1.2 The Palmerston Centre is adjoining the site to the east, which is an industrial estate, and to the west is two recently approved schemes that are currently being constructed. The nearest development adjoining the site being the co-living scheme at 55 Palmerston Road which also adjoins to the rear, and further west, the residential development at 9 – 11 Palmerston Road (Origin Housing). Beyond the rear boundary of the site is the residential properties and rear gardens on the northern side of Masons Avenue.
- 1.3 The application site is located within the Harrow and Wealdstone Opportunity Area and has a PTAL rating of 5. The roads surrounding the site are included within a Controlled Parking Zone (CPZ).
- 1.4 The site is within Flood Zone 2 and 3, and a critical drainage area.
- 1.5 The site is approximately 0.06ha.

2.0 PROPOSAL

- 2.1 The proposed development is a redevelopment of the existing site comprising of dry cleaners (Use Class B2), and commercial laundry (Use Class E(g)) at ground floor. At the first floor an industrial use is provisioned (Use Class B2), and an office use (Use Class E(g)(iii)) on the second floor. On the upper floors is 32 serviced apartments. This is facilitated by a part 8 and part 9 storey building, connected by a three-storey element.
- 2.2 The mix size of aparthotels proposed is 22 x studios, and 10 x 2bedroom.
- 2.3 The ground floor will include cycle stores and refuse stores for occupants and users. The proposed development would be car free with the exception of disabled parking spaces and a servicing space that is accessed via a shared surface from Palmerston Road.
- 2.4 On the roof of all three elements intensive green roofs are proposed.

3.0 RELEVANT PLANNING HISTORY

- 3.1 No recent or relevant planning history to the proposed development.

4.0 CONSULTATION

- 4.1 A total of 299 consultation letters were sent to neighbouring properties regarding this application.

- 4.2 A site notice was posted on the 16th April 2021. A Harrow Times advert was published on the 15th April 2021. The overall public consultation period expired on the 7th May 2021.
- 4.3 2 objections have been received and are summarised below.

<p>Character</p> <ul style="list-style-type: none"> • Too much density in the area as a result of the proposal. <p><i>Officer response: Noted, please refer to section 6.3 below.</i></p> <p>Impact to Residential Amenity</p> <ul style="list-style-type: none"> • Loss of privacy due to overlooking and reduction in light from the proposed development especially in the garden area. <p><i>Officer response: Noted, please refer to section 6.4 below.</i></p>
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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.

Consultation Responses
<p>LBH Principal Urban Design Officer The overall design of the proposal, and specific aspects of the scheme are generally supported subject to conditions.</p> <p><i>Officer response: Noted, conditions included.</i></p>
<p>LBH Highways Officer No objection, subject to requested conditions.</p> <p><i>Officer response: Noted, conditions included.</i></p>
<p>LBH Economic Development Officer No objection, following the additional information received regarding the retention of the dry cleaners as an occupier for the scheme, and the commercial consideration, and lettability, of the industrial uses.</p>
<p>LBH Drainage Engineer No objection subject to conditions.</p> <p><i>Officer response: Noted, conditions included.</i></p>
<p>LBH Principal Landscape Architect No objection to the proposal, subject to relevant conditions.</p>

Officer response: Noted, conditions included.

LBH Biodiversity Officer

Subject to appropriate conditions there appears to be no reasons why the scheme should not proceed on biodiversity grounds. Provision of the mix of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature. A biodiversity condition is required.

Officer response: Noted, condition included.

LBH Environmental Health Officer

Contamination – no objection to the details subject to conditions.

Air Quality – no objection to the details subject to conditions.

Noise – no objection to the details subject to conditions.

Officer response: Noted, conditions included.

LBH Waste Management Officer

No comment received.

LBH Planning Policy

Subject to the relevant condition, s106 clauses relating to energy, and the proposal following the Agent of Change principles, the proposed development in this instance can be supported.

Officer response: Noted, conditions included.

Transport for London

No objection subject to conditions.

Officer response: Noted, conditions included.

NHS Harrow

No comment received.

Designing Out Crime Officer

No objection subject to a condition to ensure the development achieves SBD accreditation.

Officer response: Noted, condition included.

Environment Agency

No objection to the application as submitted. The flood risk assessment uses the flood levels modelled by the neighbouring site 9-11 Palmerston Road, which have been approved by us. The model confirms that the site remains dry during all modelled flood events (using the conservative levels of 35% and 70%). An informative is requested if any permission is given.

Officer response: Noted, informative included.

Ministry of Defence (RAF Northolt)

No objection subject to a condition relating to a Bird Hazard Management Plan.

Officer response: Noted, condition included.

5.0 POLICIES

“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.’

- 5.1 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].
- 5.2 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Design, Townscape, Character, and Appearance
- Residential Amenity
- Traffic, Parking, Access, Servicing and Sustainable Transport
- Environmental Considerations – Contamination, Noise, Air Quality
- Development and Flood Risk
- Biodiversity
- Energy & Sustainability
- Secured by Design
- Fire
- Aviation

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021):
- The London Plan (2021): E4, E7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP9
- Harrow Development Management Policies Local Plan (2013):DM34

Industrial and Business Use Area

- 6.2.2 The application site is located within a designated Local Strategic Industrial Site (LSIS), within the policies map.
- 6.2.3 Part A of Policy E4 of the London Plan (2021) requires a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution (see Policy E7 Industrial intensification, co-location and substitution). The policy specifies the provision for the varied operational requirement of light and general industry (Use Classes B1c and B2).
- 6.2.4 Part C of Policy E4 of the London Plan (2021) states the retention, enhancement and provision of additional industrial capacity within a LSIS should be planned, monitored, and managed.
- 6.2.5 Following on, Policy E7 of the London Plan (2021), Part B, states that development plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SIL or LSIS could be intensified to provide additional industrial capacity. Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. This process must meet the criteria set out in Part D below. This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or master planning process.
- 6.2.6 Part D, of Policy E7 states that the process set out in Part B of Policy E4 must ensure that:
1. the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements.
 2. the intensified industrial, storage and distribution uses are completed in advance of any residential component being occupied.
 3. appropriate design mitigation is provided in any residential element to ensure compliance with 1 above with particular consideration given to:
 - a) safety and security
 - b) the layout, orientation, access, servicing and delivery arrangements of the uses in order to minimise conflict
 - c) design quality, public realm, visual impact and amenity for residents
 - d) agent of change principles

- e) vibration and noise
- f) air quality, including dust, odour and emissions and potential contamination.

6.2.7 It is considered that the retained B2 use in its proposed form can still operate effectively as part of a mixed-use scheme, therefore meeting the requirements of Part B within Policy E7. The applicant has also provided evidence that a strategy is in place to retain the existing occupants during the construction period, officers fully support the retention of the B2 industrial floorspace, and the retention of the industrial dry cleaners on the site, within the designated LSIS.

Proposed Uses – Employment & Serviced Apartments

6.2.8 The proposed development includes E(g)(iii) industrial use on the second floor which is an accepted industrial use as identified in Part A of Policy E4. Therefore, the overall industrial floorspace is intensified on the site increasing from 480m² to 758m², and the proposal facilitates co-location of aparthotels which is a further intensification of the site and is compliant with Part B of Policy E7 of the London Plan (2021).

6.2.9 It was highlighted to the applicant during the pre-application process that multi-storey employment space is not attractive within Harrow, and whilst it would work for the existing use on the site any forthcoming application would need to robustly demonstrate that the layout would be futureproof. The details submitted show a flexibility in the configuration of the E(g)(iii) floorspace, this has been considered acceptable by the economic development officer.

6.2.10 The principle of the E(g)(iii) use is therefore considered acceptable, subject to any acceptable mitigation required to ensure no disturbance between the E(g)(iii) use and the aparthotels located above.

6.2.11 Officers therefore consider the intensification of the existing industrial use on the site within the lower floors, the inclusion of a B(g)(iii) use, and the co-location of the hotel use on the upper floors is supported.

Proposed Serviced Apartments

6.2.12 The proposal would provide 32 serviced apartments (Use Class C1) on the upper floors of the scheme. Notwithstanding the considerations relating to the industrial uses, Policy DM34 of the Harrow Development Management Policies (2013) directs new hotel development to the Harrow & Wealdstone Opportunity area.

6.2.13 A clause will be required within the S106 agreement to provide a tenure and management strategy to confirm the general management of the aparthotels, and to confirm the length of stay for occupants, which would not be beyond 90 days, to ensure the units remain a hotel use, and not fall within residential use.

6.2.14 The location of aparthotels on the upper floors is therefore supported.

EA Flood Zone 2 and 3 – Sequential Test

- 6.2.15 Paragraph 167 of the NPPF states that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 6.2.16 In addition, London Plan Policy SI12 requires development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- 6.2.17 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, as confirmed by paragraph 162 of the NPPF (2021). Paragraph 163 of the NPPF states that where it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may also be applied.
- 6.2.18 Local Plan Policy AAP9 states that with regard to the sequential test, the area of search will be confined to the Heart of Harrow area where the proposal involves the creation of more than 50 jobs, more than 50 net new homes, or contributes significantly to the regeneration of Wealdstone. With regard to the application of the exception test, a high priority will be accorded to the delivery of physical and social regeneration within Wealdstone district centre.
- 6.2.19 The application site is within Flood Zone 2 and 3 therefore a sequential test must be undertaken to confirm whether any other sites have a lower risk of flooding than the application site.
- 6.2.20 The planning application includes a Flood Risk Sequential Test (prepared by Freeths – February 2021). The proposed development has confirmed that it would create 59 jobs, which has been corroborated by the economic development officer. Therefore, in line with Policy AAP9 the sequential test is confined to the Heart of Harrow area only as the scheme will contribute to the local economy of the Wealdstone area.
- 6.2.21 The following sites have been identified as potential sites to accommodate the proposed development:

Identified Sites within the Opportunity Area	Commentary
Site 5a: Wealdstone Infills – Former Public House, High St (Rear of site)	Planning permission for this site was granted in January 2013 (P/2418/12). This has now largely been constructed and as such the site is not considered to be available.
Site 5b: Wealdstone Infills - Vacant land at the junction of Canning Road and George Gange Way	Planning permission for this site was granted in October 2009 (P/1770/09). This has now been constructed and as such not considered to be available.
Site 5c: Wealdstone Infills – Former Public House, High Street (Front Car Park and to rear extending to George Gange Way)	Planning permission for this site was given in August 2013 (P/0960/13). This has now been constructed and as such the site is not considered to be available.
Site 6: Palmerston Road / George Gange Way	Planning permission for this site was given in August 2019 (P/1619/16). Conditions are currently being discharged, and construction is well under way.
Site 12: Greenhill Way Car Park North	<p>The sequential test details states that the western as site has planning permission and has commenced. Officers are aware that the planning permission for this site has actually expired. So this part of the site is available. The hotel in the east portion of the site has been completed and is operating.</p> <p>As a hotel has already been completed on the site, the AAP identifies only a C3 use for the west of the site, and does not refer to use class C1, B1c, or B2, as such the available part of the site is considered to be suitable.</p>
Site 16: Havelock Place	There is no extant permission for redevelopment. However, whilst large enough for the proposed development, it is a constrained site to the rear of existing buildings and the allocation does not allow for C1 or B2 uses, as such the site is not considered to be suitable.
Site 18: Harrow-on-the-Hill car park west	It would appear there are extant or current planning applications for this site, so it is available and of a comparable size to accommodate for the quantum of development proposed. However, the allocation does not allow for C1 or B2 uses, as such the proposed development would be contrary to policy, therefore the site is not suitable.
Site 20 – Harrow-on-the-Hill car park east	As above.

6.2.22 The results demonstrate that the identified sites have either been implemented, are subject to current planning applications, or are not available for a similar type of development in the foreseeable future. As a result, and in accordance with the advice in the NPPF, it is concluded that there are no reasonable available sites of a comparable size or capacity with lower probability of flooding where it would be appropriate to accommodate the proposed development. In this regard, officers are satisfied the sequential test is passed.

Exception Test

6.2.23 In accordance with the NPPF, as it is not possible for development to be located in alternative allocated sites within the Opportunity Area with a lower risk of flooding; the exception test would need to be applied. Paragraph 164 of the NPPF states that for the exception test to be passed it should be demonstrated that:

- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk: and
- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

6.2.24 Furthermore, the Harrow and Wealdstone Area Action Plan affords a high priority to the physical and social regeneration of Wealdstone.

6.2.25 The application site is previously developed land located in a highly accessible location. As detailed more comprehensively in other sections of this report, the proposed development would deliver a wide range of planning benefits for the site and surrounding area. The regeneration of the site would enable the delivery of modern, flexible, and affordable workspace, and increase the quantum of employment within the designated industrial and business use area. Furthermore, the proposal would provide a reprovision of the existing B2 use class on the lower floors, a provision of use class E(g)(iii), and 32 serviced apartments which is supported within the intensification area the site is located in, and contributes to, the physical regeneration of Wealdstone.

6.2.26 Officers therefore consider that the proposal passes the exception test, and the scheme is considered acceptable with regard to its benefits and the flood risk.

6.3 Design, Layout, and Appearance

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D1, D2, D3, D4, D5, D8, D12, D13, G5, G7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP3, AAP4, AAP6
- Harrow Development Management Policies Local Plan (2013): DM1, DM45

6.3.2 The Harrow Core Strategy defines tall buildings within the Opportunity Area as 30m and above. The proposed development is 29.92m at its maximum height and

therefore is not defined as a tall building. An assessment is not required against Policy D9 (Tall Building) of the London Plan (2021).

Site Strategy

- 6.3.3 The retention of the industrial use space in its entirety at ground floor level with the inclusion of a street-fronting commercial element is highly welcome and will serve to retain the industrial use of this wider allocation and activate the frontage of this part of Palmerston Road. The use of a buffer floor of E(g)(iii) use to separate the true B2 industrial use from the aparthotel units is also welcome.
- 6.3.4 The applicant has included a central void to reduce the massing of the development to form two blocks in order to limit overshadowing and daylight and sunlight reductions to the west. The provision of an aparthotel as opposed to residential provision is appropriate given the Opportunity Area location and the immediacy of industrial use to this site.

Massing, Scale & Built Form

- 6.3.5 The setback distance to The Collective development appears as generous as from the Collective to the Deller and Palmerston development, the proposal is also setback from the eastern boundary of the Palmerston Centre to allow space for maintenance of the blank flank wall.
- 6.3.6 A building of part 9 and part 8 storeys is appropriate for this site, subject to the rest of the built form being responsive to its surroundings. The site is well within the opportunity area and close to Wealdstone district centre, providing a strong rationale for a taller building at this location.
- 6.3.7 The proposed central massing void to the development allows for eastern daylight and sunlight to reach the neighbouring The Collective development. There remain concerns regarding perceived overlooking to the east-facing habitable room windows of single aspect units of The Collective from the west elevation. This is primarily driven by the proximity of The Collective's eastern elevation to the site boundary and is addressed by an opaque treatment to west elevation windows.
- 6.3.8 The introduction of GRC-clad columns to the ground floor front elevation provides a material relationship with the neighbouring The Collective development and provide the appearance of a continuous frontage with upper storeys of the proposed development.

Internal Layout, Aspect, Orientation

- 6.3.9 The provision of measures to obscure the glazing to western elevation windows is accepted. This has been proposed to limit the perceived and actual overlooking between aparthotel units and neighbouring single aspect co-living units which form part of The Collective development immediately to the west of site. It is generally acceptable for aparthotel units to have obscured glazing to their secondary aspects, as each unit maintains a large principal window opening and aspect to the north or south, with limited overlooking to these aspects.

- 6.3.10 The communal roof terrace to the central portion of the building, whilst providing necessary break-out space for aparthotel users may result in noise pollution to neighbouring residents at The Collective. A suitable treatment such as a raised parapet for the terrace's western edge as well as planting would mitigate against this, a condition will be attached to any positive recommendation to require further details on the configuration of the communal roof terrace at the western elevation.
- 6.3.11 The location of the goods lift and stair core to the industrial unit entrance is successful in ensuring the efficient use of the floor plate.

Architectural Form, Composition & Materiality

- 6.3.12 The revision of a light render to a natural stone cladding system is highly welcomed in resolving staining and weathering concerns from GRC or light render panels. The proposed natural stone cladding is a high-quality material which is proven to weather successfully and provide visual interest.
- 6.3.13 The proposed zinc cladding is used sparingly for the banding and expressed frame of proposed elevations and has durable weathering properties. Due to its limited use, it is not overbearing on the warmer tones of the natural stone cladding, the principal rainscreen cladding material.
- 6.3.14 Ground and first floor external materials consist of a soft grey brick slip, which delineates the ground floor storey and is a durable material, as well as a GRC expressed frame cladding material to closely match the ground floor treatment of the neighbouring The Collective scheme. This is particularly successful for the street-facing elevation and forms a referential continuation of The Collective's colonnade.
- 6.3.15 A condition will be attached to any recommendation to grant planning permission to confirm the maintenance strategy of the building.
- 6.3.16 Glass balustrading to the shared amenity terrace is not considered appropriate and would raise additional privacy concerns to east-facing habitable room windows of The Collective development. This should be revised to a fully opaque balustrade or raised parapet to limit overlooking. The requirement for this will be combined with the noise mitigation condition required for the terrace, confirmed above.

Agent of Change

- 6.3.17 Policy D13 (Agent of Change) of the London Plan (2021), confirms the agent of change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Boroughs should ensure planning decisions reflect the agent of change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.
- 6.3.18 Part B of Policy D13 states development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them. Part D of

the policy confirms development proposals should manage noise and other potential nuisances by:

1. Ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area.
2. Exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations.
3. Separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, soundproofing, insulation, and other acoustic design measures.

6.3.19 The proposed development adjoins the Palmerston Centre to the east, and so the proposed scheme has to prevent inhibiting the viability, continuation, and growth of the Centre's operation. In line with the guidance, the applicant has engaged at an early stage in the planning application process with officers to understand the Council's views on the design mitigation required to ensure there is no limitation on the operation of the Palmerston Centre as a result of the proposed development.

6.3.20 The east elevation is designed with no fenestration, and the configuration of the proposal has incorporated for a one metre gap between the proposed development and the boundary of the neighbouring Palmerston Centre that allows for ease of maintenance and a notable separation. The noise report has been assessed by the environmental health officer and the operations from the Palmerston Centre has not been raised as a concern. Instead, the interaction between the uses within the development itself has been highlighted.

6.3.21 It should also be noted that the neighbouring development, The Collective, which is a co-living development has fenestration serving living accommodation facing the Palmerston Centre, the subject scheme would now screen this neighbouring development from the Centre.

6.3.22 Officers consider the orientation of the proposed development, and the specific design solutions in consideration of the Palmerston Centre would restrict any possible nuisance or disturbances within the proposed development.

Landscaping

6.3.23 The ground floor area is to be hard surfaced with one tree proposed. The majority of the hard surface is allocated for vehicle access, servicing, disabled parking, and Sheffield cycle stands. It is noted that the hard materials are to be permeable, to match the adjacent development.

6.3.24 With reference to the floor 3 roof terrace, which is the link between the two building blocks, it is noted the proposed intensive green roof will be shaded and this would need to be taken into account when considering any planting. It is noted that the planting is to enhance the biodiversity and contribute to the urban greening and contribute to the adaption to and reduction of the effects of climate change. The proposed green roof is supported.

- 6.3.25 The proposal for extensive biodiverse green roofs on both blocks combining enhancement to biodiversity of the area together with PV bi-solar roof panels on one of the blocks. The proposal for irrigation to establish the green roof and use of irrigation during extended periods of drought is noted.
- 6.3.26 Further details would be required for the intensive green roof at the floor 3 roof, and the extensive green roofs, to explain the substrate, build up layers on the green roof, planting and irrigation, and this can be covered by a planning condition. Access to the roof for maintenance would be essential, the maintenance of both the extensive, and intensive green roof can also be covered by a planning condition.

Refuse and Servicing

- 6.3.27 A refuse store is proposed at ground floor level which is directly accessed from the shared surface area these services both the industrial and residential use.
- 6.3.28 The waste strategy and collection would be undertaken privately and based on the details provided officers have no objections to the proposal.

Summary

- 6.3.29 In conclusion, the proposed development, subject to the imposition of appropriate conditions, would achieve a high standard of design and layout, which would add positively to the built form, providing a high-quality development which would substantially contribute to the character and appearance of the area, subject to any conditions attached to any permission given being met.

6.4 Impact to Residential Amenity

- 6.4.1 The relevant policies are:

- The London Plan (2021): D3, D14
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)
- Housing SPG (2016)

Amenity of Future Occupiers and Accessibility of the Aparthotels

Unit Layout and Size

- 6.4.2 There are no prescriptive space standards for visitor accommodation set out in the Development Plan. It is noted from the proposed floorplans that the rooms would largely consist of a 'studio' layout with a floor area range of 21.5m²- 27.6m². The two-bed units would be provided on the sixth to eighth floor with a floor area range of 45.8m² – 55m². Due to the position of the cores, and the width of the proposed development, this results in an 'L-shaped' design to the proposed units, creating a less efficient layout.

6.4.3 Officers requested that existing comparable accommodation is provided to evidence that the proposed development would be a suitable alternative short term let within the borough. The applicant has referred to the following developments,

- Kap House (Service Apartments) 31 Elm Grove Road, Harrow. Offer studios at 25m², and 1 bedroom at 37m².
- Wild Aparthotels by Staycity. Size of the apartments are 25m².
- The Collective (Co-living – Neighbouring Development) average size room of 19.5m².
- 1 Green Hill, self-contained apartment 21m².
- Travel Lodge Hotel, Green Hill Way (Hotel), approximately 16m².

Based on the comparable alternative's officers consider the room areas proposed are considered acceptable and provide an alternative option within the short term let market within the Harrow and Wealdstone area.

Outlook/Visual Amenities

6.4.4 Whilst there is no outlook from the proposed aparthotels at the side elevations to mitigate any impacts on the neighbouring properties, it is considered the fenestration at the north and south elevations (which consist of two windows for each unit) provide adequate visual amenities from the main areas of the proposed units and are considered acceptable.

Privacy

6.4.5 As the glazing on the west elevation is opaque glazed to 1.7m there is no opportunity of overlooking, or an infringement directly parallel with the proposed aparthotels from the neighbouring Collective development. There is potential from the neighbouring development to view the windows on the north and south elevations that serve the aparthotels that look out onto the communal roof terrace, but this is at an acute angle and is not considered to adversely impact the future occupants of the aparthotels.

6.4.6 There are no windows on the east elevation, and the spatial distances to the north and south of the site mitigate any opportunity of overlooking into the proposed aparthotels.

6.4.7 As highlighted above in paragraph 6.3.20 the proposed development is designed to mitigate any interaction between the Palmerston Centre and the proposed aparthotels as the scheme is orientated and designed with its back to the neighbouring industrial development. It has already been highlighted that a condition will be required in terms of the mitigation needed between the E(g)(iii) use and the lower aparthotels.

Accessibility

6.4.8 Part H of Policy E10 (Visitor Accommodation) London Plan (2021) to ensure sufficient choice for people who require an accessible bedroom, development proposals for serviced accommodation should provide either:

- 1) 10 per cent of new bedrooms to be wheelchair-accessible in accordance with Figure 52121 incorporating either Figure 30122 or 33123 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice; or
- 2) 15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice.

6.4.9 Three of the proposed aparthotel units would be fully accessible for wheelchair users, these being three of the 2 bed aparthotels as identified in drawing 7281/120 Rev N. A condition will be added to any positive recommendation to ensure these wheelchair units are implemented.

Summary

6.4.10 Officers therefore consider the quality of accommodation for future occupants of the proposed aparthotels is acceptable. There is no daylight and sunlight requirement for serviced apartments. Given that the outlook provided from the two windows on the north and south elevations are acceptable for each unit, officers consider the level of amenity within the units is supported.

Amenity Impact on the Neighbouring Occupiers

6.4.11 Part C (Privacy and Amenity Considerations) of Policy DM1 (Design and Layout Considerations) requires all development proposals must achieve a high standard of privacy and amenity. 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 development, will be resisted.

Outlook/Visual Amenities

6.4.12 Given the industrial nature of the Palmerston Centre to the east, and the builders yard to the north, officers consider there is no relevant assessment needed of outlook and visual amenities from these neighbouring locations. Due to the spatial distance from the nearest residential property to the east, No.69A Palmerston Road, there is considered to be no adverse visual impact from this property.

6.4.13 The proposed development is set further north than the neighbouring Collective development, therefore its mass and scale is not as prominent in consideration of the visual impacts from the rear of the properties along the northern side of Masons Avenue than the neighbouring development previously approved. Officers consider the spatial distance from No. 57-61 Masons Avenue allows for acceptable levels of outlook and visual amenity from the rear of these neighbouring properties.

6.4.14 The east elevation of the neighbouring development, The Collective (No.59 Palmerston Road), is approximately 6 to 9 metres from the west elevation of the proposed development. Given the proposed scheme is part 8 and part 9 storeys it is notable that the windows central and the lower floors within the neighbouring

development would be impacted in terms of outlook and visual amenity. The majority of windows serve bedrooms to the neighbouring co-living development, which are deemed less sensitive as these rooms are not the main daytime living areas. It should be noted that the distance between the proposed scheme and the neighbouring development has already been established and accepted on the western elevation of The Collective development with the Origin Housing scheme. As also highlighted in the daylight and sunlight assessment below, officers consider the windows on the eastern elevation of the neighbouring development compromises the development of the application site, and given the neighbouring development is short-let accommodation, on balance, the visual amenity from the neighbouring development is considered appropriate based on the building heights, distances between buildings, and site circumstances.

Overlooking & Privacy

- 6.4.15 The east elevation facing on to the Palmerston Centre does not include any fenestration, and due to the nature of the neighbouring industrial use, the design of the building does not affect the privacy of the neighbouring property to the east. Given the lack of fenestration on the east elevation and the spatial distance there is also considered no overlooking on to No.69A Palmerston Road to the east. Given the spatial buffer of Palmerston Road and the industrial nature of the uses to the north, it is also considered the proposed development would not create a situation of overlooking or infringement of privacy to these uses.
- 6.4.16 As all windows on the west elevation facing the recently constructed co-living scheme are to be opaque (up to 1.7m), officers consider there would be no infringement on privacy from the western elevation of the proposal to this neighbouring development. There are windows on the north and south elevations of the two blocks facing into the terrace area of the proposed development which would have a view of some windows of the eastern elevation of The Collective development. Due to the angle and relationship of these windows officers consider the scenario of overlooking would be limited, and the privacy levels of the neighbouring development would be acceptable in this regard.
- 6.4.17 The rear boundary of No.57 – 61 Masons Avenue rear gardens is approx. 23metres from the rear elevation of the proposed development, and approx. 44metres from the rear elevation of these neighbouring properties. The rear elevation includes fenestration serving the aparthotels from 2nd to the 7th floor. The supporting text of Standard 28 of the London Housing SPG (2016) states a useful yardstick for visual privacy is 18 – 21metres. Given the rear boundary of the neighbouring property is beyond 21metres, and the neighbouring property has a rear garden of over 20metres in length to the rear elevations of these properties, officers consider the overlooking scenario from the proposed development is in line with the London-wide guidance and is considered acceptable.

Daylight, Sunlight & Overshadowing

- 6.4.18 The applicant has submitted a Daylight & Sunlight Assessment Report (Right of Light Consulting February 2021). The assessment confirms that the analysis was undertaken in accordance with the advice and recommendation set out in the BRE

Guidelines 'Site Layout for Daylight and Sunlight: A Guide to Good Practice' (2011). There are three detailed methods for calculating daylight recommended in the BRE Guidelines: Vertical Sky Component (VSC), No Sky Line Contour (NSL) and Average Daylight Factor (ADF). The VSC and NSL are primarily used for the assessment of existing buildings, while the ADF test is generally recommended for proposed rather than existing dwellings. For sunlight, the Annual Probable Sunlight Hours (APSH) method is also provided.

- 6.4.19 There are no nearby gardens or amenity areas directly to the north of the proposed development, therefore no assessment has been undertaken with regards to overshadowing of gardens or open spaces.
- 6.4.20 It is noted that No.52 to 68 Palmerston Road, which are located on the northern side of Palmerston Road are non-domestic buildings, along with unit 5 – 8 in the adjoining Palmerston Centre, therefore there is not a requirement of specific daylight and sunlight level requirements to these buildings. Nevertheless, it should be noted all rooms and windows to these buildings pass the tests if they were to be habitable buildings.
- 6.4.21 It is concluded by the Daylight and Sunlight Assessment that the nearest residential property to the east, 69a Palmerston Road, and the nearest residential properties to the south, 59 and 61 Masons Avenue, all achieve the daylight and sunlight BRE requirements. This is further corroborated by the conclusion of the independent assessment undertaken by Avison Young (February 2022). The property immediately adjacent to the west of the site, 59a Palmerston Road (The Collective Development), is the only neighbouring property that has identified breaches in consideration of the BRE requirements for daylight and sunlight.

59a Palmerston Road (The Collective)

- 6.4.22 The applicant's assessment identifies 80 habitable windows that do not meet the VSC daylight requirements all located on the east elevation of the neighbouring property. The majority of these breaches are moderate to major breaches, with some breaches being as low as a 0.1 ratio of its existing value. These are bedrooms located on the lowest floor of the co-living units within the central area of the eastern elevation facing the proposed development.
- 6.4.23 In consideration of the resultant NSL daylight distribution levels at the neighbouring property, 53 habitable rooms do not meet the BRE guidance. Whilst there are some minor breaches within this total, many of these rooms are moderate to major breaches of the required levels. Again, these are bedrooms on the lower floors centrally within the eastern elevation of the neighbouring property.
- 6.4.24 The applicant's sunlight assessment to windows at No.59a has concluded that 59 habitable rooms do not meet the total annual sunlight hours test and the winter sunlight hours test. As per the failures already noted for the daylight measurements this is due to the location of the windows relative to the proposed scheme. The majority of these breaches are significant, and some bedrooms achieve as low as 0.01 of its former value, receiving no sunlight throughout the year.

- 6.4.25 The independent daylight and sunlight assessment by Avison Young reaffirms these significant adverse impacts to the habitable rooms. It is noted the independent assessment highlights that the living/dining/kitchen rooms appear to be unaffected, and that the majority of the rooms impacted are bedrooms, which are considered with less sensitivity in accordance with the BRE guidance as they are generally occupied at night-time when natural daylight is not being relied upon.
- 6.4.26 To justify the identified harm to the sunlight and daylight levels within the neighbouring development the applicant's consultant have undertaken a mirror massing study as an alternative assessment which is recognised by the BRE as an appropriate tool where you are building close to a boundary, the results of this approach deem the daylight and sunlight levels of the neighbouring development acceptable. Avison Young within their independent assessment confirm that the BRE Guidelines note that in certain situations it may be useful to consider alternative target values in relation to daylight and sunlight. One of the alternative target criteria provided by the BRE Guidelines is a 'mirror image' approach which is used to understand the levels of daylight (VSC) and sunlight (APSH) that would be experienced by an extant neighbouring property if there were a building of the same height and extent opposite.
- 6.4.27 Avison Young further summarise that the mirror massing assessment is quite simplistic as it merely mirrors an existing building across a boundary line, therefore the approach can sometimes be difficult to apply. Whilst Avison Young do support the use of mirror massing to contextualise the results, they conclude the assessment should not be the primary method for benchmarking daylight and sunlight impacts. Whereas Right of Light Consulting have concluded that the results are 'acceptable' on the basis that there will be no impact if you were to apply a hypothetical mirror massing. Avison Young highlight the use of the mirror massing should be used as an alternative target and not the primary target.
- 6.4.28 Officers consider that the design of the 59a (Collective Scheme) with windows on the eastern elevation at lower level has compromised the development potential of the application site to provide a more efficient use of land than what currently exists on-site. Therefore, the mirror massing approach is considered to be a suitable alternative assessment, and the daylight and sunlight impacts to No.59a should be considered acceptable on this basis. This is further justified because the rooms impacted within the neighbouring development are bedrooms to short-term lets rather than typical residential units, and because this type of relationship between buildings has already been granted and established at the western elevation of 59a with the Origin Housing scheme.
- 6.4.29 It should also be noted that Avison Young conclude in their experience working on sites of a similar scale across London and the surrounding counties, planning consent has been achieved where greater impacts to neighbouring daylight and sunlight amenity have occurred. Whilst this is caveated that this is not to apply any less significance to the impacts that may occur to the 59a Palmerston Road development but instead, to contextualise these impacts against other consents of a similar scale, based on the site's relationship with neighbouring development the harm identified is not unusual for this type of development.

6.4.30 With consideration of the submitted details by the applicant, and the independent assessment undertaken, officers consider on balance the daylight and sunlight impacts to neighbouring properties is considered acceptable.

6.5 Traffic, Parking, Access, Servicing and Sustainable Transport

6.5.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

6.5.2 This location has a public transport accessibility level (PTAL) of 5. This means that access to public transport is considered to be very good. Harrow and Wealdstone station is a short walk from the site where there is access to the Bakerloo line Underground, London Overground and national rail services; furthermore, Wealdstone Town Centre is served by various bus routes. Nearby there are shops, supermarkets and open spaces. This is a good location for car free living. It is acknowledged that the intention for the residential use is serviced apartments which are planned to be short term rental accommodation.

6.5.3 This proposal includes car parking for three disabled bays and a loading bay. As this proposal is within a PTAL 5 location, in line with Policy T6.1 it is required to be car free; therefore, the proposed level of parking is considered to be acceptable. It is expected that the development would not result in an adverse parking impact for the surrounding area due to the existing extensive on-street parking controls. At present, visitors to the site can park in the public car parks within Wealdstone town centre.

Cycle Parking

6.5.4 All proposals must include cycle parking provision in line with London Plan 2021 minimum requirements. The level of cycle parking is compliant with London Plan policy T5 however further detail on the type of stands proposed and the access/layout of the stores is required. A minimum of 5% must be accessible stands and ideally lockers should also be provided. This information should be secured by condition.

Trip Generation

6.5.5 The trip generation analysis does not look at the existing site therefore it is not possible to evaluate the change in trips although it is expected that the intensification of uses on the site would result in an increase. As the proposal is for a reduction in floor space of 30sqm for the B2 use which is expected to continue and the shop remains the same, the figures provided for those elements should be fairly representative of the existing situation. This means that the E(g)(iii) use and serviced apartments are the only uses to generate new trips; this equates to around 24 additional trips generated by the site in the AM and PM

peaks however, the majority of these will be undertaken by sustainable modes due to the lack of on-site car parking provision.

Access and Site Layout

- 6.5.6 The site layout is generally acceptable however, there isn't much detail on the final treatment on the shared access road. Ideally there should be some delineation for a pedestrian safety area. Details can be secured within the landscaping condition as this information may be reliant on what is proposed by the adjoining site.

Delivery and Servicing

- 6.5.7 The level of activity likely for delivery and servicing to be generated by this element of the proposal beyond the existing use is considered minimal.
- 6.5.8 The serviced apartments are anticipated to receive two deliveries per day including laundry, of which the on-site facilities could be used thereby reducing trips. The different uses on site should be encouraged to try to consolidate delivery and servicing trips wherever possible; the same commercial waste collection company should be used, ideally, this could be co-ordinated with the adjacent site too in order to minimise trips; where there is an overlap in supplies required by the different uses, opportunities should be identified to combine orders or deliveries. A detailed delivery and servicing plan should be secured by pre-occupation condition.
- 6.5.9 A detailed construction logistics plan should also be secured by pre-occupation condition.
- 6.5.10 It is therefore considered that the proposed development is acceptable in Highway terms and would accord with policies T4, T5, T6, T6.1 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013), on the basis that if planning permission was granted it would be subject to the abovementioned conditions. Furthermore, the Highways Officer and TFL raised no objection to the proposed development.

6.6 Environmental Considerations – Contamination, Noise, Air Quality

- 6.6.1 The relevant policies are:

- The London Plan (2021): S11, D14
- Harrow Core Strategy (2012): CS1.U
- Harrow Development Management Policies Local Plan (2013):DM1, DM12 DM15

Contamination

Policy DM15 (Prevention and Remediation of Contaminated Land) of the Harrow Development Management Policies (2013), specifically Part A, which proposes the redevelopment or re-use of land known or suspected to be contaminated and development or activities that pose a significant new risk of land contamination will be considered having regard to:

- a. the findings of a preliminary land contamination risk assessment;
- b. the compatibility of the intended use with the condition of the land; and
- c. the environmental sensitivity of the site.

Part B of Policy DM15 confirms proposals that fail to demonstrate that intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.

- 6.6.2 The submitted contaminated land survey concludes that a further range of surveys be completed prior to demolition and rebuilding, which has been reviewed and accepted by the environmental health officer. The further assessments include an assessment of volatile vapours, an assessment to confirm the risk of UXO within the site, and a pre-demolition of asbestos survey. All of these details will be conditioned if officers are to recommend the grant of planning permission.

Noise

Paragraph 109 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

- 6.6.3 London Plan policy D14 seeks to reduce, manage and mitigate noise to improve health and quality of life. The policy states that residential development proposals should manage noise by a range of measures which include reflecting the Agent of Change principle as set out in Policy D13, mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses and improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity). The policy advocates separating new noise-sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation and states that where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles.
- 6.6.4 A Noise Impact Assessment has been submitted as part of the planning application, and the environmental health officer has confirmed the assessment appropriately identifies internal and external noise issues and sets out the criteria for deciding between fabrication and mitigation measures to ensure that occupiers are protected from noise intrusion and transmission.
- 6.6.5 The environmental health officer has requested further details with regards to window and floor details to protect occupiers from internal intrusion and external noise intrusion, a ventilation specification, and a construction noise assessment. The noise impact assessment concludes that the noise levels between residential and commercial uses should be a minimum on-site sound insulation performance of 55db. All of these details and requirements can be conditioned if members are minded to grant planning permission.

Air Quality

- 6.6.6 Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

London Plan policy SI 1 (Improving air quality) Part 1 states that:

"Development proposals should not:

- a) lead to further deterioration of existing poor air quality
- b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
- c) create unacceptable risk of high levels of exposure to poor air quality."

Part 2 of the policy sets out requirements to ensure that development proposals meet the above objectives including the requirement for developments to be Air Quality Neutral.

- 6.6.7 The application is accompanied by an Air Quality Assessment and is assessed as low risk. The environmental health officer has acknowledged that site dust is recognised as an issue and a risk assessment is recommended by the consultants prior to the commencement of the development, the assessment should cover the considerations identified in the assessment. This can be added as a pre-commencement condition.

Lighting

- 6.6.8 The application does not include any details of the lighting strategy for the scheme, as such, if members grant planning permission for the scheme, a condition to confirm the security and ambient lighting of the proposal with the on and off-site impacts identified and quantified.

6.7 Development and Flood Risk

- 6.7.1 The relevant policies are:

- The London Plan (2021): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM9, DM10

- 6.7.2 The application site is identified within fluvial flood zone 2 & 3 and is at high risk of flooding. This element of the assessment does not consider the sequential and exception tests, this is considered in section 6.2.

- 6.7.3 The Drainage Department was consulted who confirmed that the flood risk assessment and drainage strategy submitted is acceptable, however further details are required including further details on foul drainage, surface water drainage, permeable paving, the proposed green roofs, and the surface water management

(SUDS). These details can be requested via conditions if officers recommendation to committee is to grant planning permission.

6.7.4 The Environment Agency has also reviewed the submitted details and raise no objection.

6.8 **Biodiversity**

6.8.1 The relevant policies are:

- The London Plan (2021): G5, G6
- Harrow Core Strategy (2012):CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM20, DM21

6.8.2 The application is accompanied by a Preliminary Ecological Report.

6.8.3 The Biodiversity Officer was consulted on the proposal and advised that the application site is of relatively low biodiversity value and is adequately far from sites of importance for nature conservation to conclude that the scheme would have no impact on these.

6.8.4 The scheme is supported by a preliminary ecological appraisal (PEA) which incorporates a preliminary roost assessment (PRA) for bats, and a roost emergence survey proportionate to its findings. The surveys were conducted in May and June 2020 respectively and should be deemed to be out of date. The reports themselves were not updated to reflect changes in the NPPF or the eventual adoption of the new London Plan either. Whilst it would be expected that any application would be supported by adequate assessment based on current surveys, particularly for highly mobile species. However, considering the nature of the site and its surroundings, my view is that there would be little value in requiring survey/report updates. It will, however, be appropriate to require a precautionary approach with regard to the demolition of the existing buildings. This can be addressed via condition.

6.8.5 The PEA notes the Urban Greening Factor requirements and provides worthwhile suggestions with regard to biodiversity enhancement; some of which are reflected in the proposals as submitted.

6.8.6 Despite the PEA recommendations, the proposals lack provision for shelters for bats, birds and invertebrates. These should be provided on a one (single/double shelter) per accommodation unit basis and should have been incorporated within the design from the outset. This is particularly important with regard to shelters that should be integral to the building fabric, and it will be important for the applicant to identify how these will be included within the building. Specialist ecological advise should be sought but provision should incorporate a broad mix of features at low level, in association with the 3rd floor garden area, in the walls rising from this, and towards the building apex, with particular regard to provision for bats and swifts. Provision for invertebrates will be particular important with regard to the green roof areas and their vicinity. Given the height of the building and the fact that it won't be disturbed other than during maintenance, provision of breeding shelter opportunities

for peregrine falcon and kestrel could be considered. Part of the overall provision for bats should include features suitable for over winter hibernation.

- 6.8.7 There appear to be no 'internal' elevations showing the walls adjoining the 3rd floor green roof. It's not clear how this will be accessed for the purpose of maintenance.
- 6.8.8 Additional to such details identified above, there is a need for a plan relating to the installation and establishment of the identified features and for their management in the long term. Therefore, subject to appropriate conditions the biodiversity officer has raised no objection to the proposed development and the provision of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature.

6.9 Energy and Sustainability

6.9.1 The relevant policies are:

- The London Plan (2021): SI1, SI2, SI5
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM12, DM14
- Harrow and Wealdstone Area Action Plan (2013): AAP10

6.9.2 An Energy Statement has been prepared by JAW Sustainability. The development will be served by ASHP for heating and cooling for each of the different types. PV panels are also incorporated. The development will also employ an efficient building fabric, including well insulated walls and highly efficient glazing.

6.9.3 At the be lean stage, the non-residential part of the development demonstrates a 16% reduction in CO₂ emissions over Part L from the implementation of energy efficient systems, fabric, and passive design measures. This is in excess of the 15% requirement. The serviced apartments only achieve a 1% reduction at this stage. However, this is skewed by a high hot water demand for this type of development which cannot be reduced through passive measures. Passive measures incorporated have reduced heating demand, and the hot water is addressed later in the strategy through efficient systems.

6.9.4 At the Be Green stage the overall results are 81.89% improvement for the proposed residential use, and 27% improvement for the non-residential use over Part L. This is in excess of the minimum requirements, which also helps to make up for the shortfalls at the Be Lean stage for the apartments.

6.9.5 The development follows the energy hierarchy, heating hierarchy, and cooling hierarchy. The development will connect to the energy centre at a neighbouring site as soon as it is available, which results in significant carbon reductions. In addition, the PV system is the largest that the roof can accommodate.

6.9.6 Following the energy hierarchy, passive design measures, energy efficient equipment have shown improvement of an 82.63% within the residential element of the proposal and 43% improvement within the non-residential element over Part L.

6.9.7 The Energy Statement includes the calculations for the carbon offset contribution required to achieve zero carbon development (consistent with the London Plan) within section 3.5. At 28.7 tonnes to offset (based on current Building Regulations Part L 2013, as per London Plan) and at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan), the offset contribution is circa £51,683, which should be paid prior to the commencement of development, to be secured via a Section 106 Agreement. The Planning Policy Manager has reviewed the Submitted Energy Assessment and noted that whilst the overall approach is acceptable, the overall reductions relating to the residential element appear particularly high compared to other schemes and that there is limited detailed calculations to support this (i.e. Part L 2013 design stage calculations). He has also noted that it is likely that since the energy strategy was prepared (February 2021) the 2021 version of Part L of the Building Regulations have been published and that the scheme may not meet the transitional timeframes for the development to be implemented under Part L 2013 (the basis of the Energy Assessment). In light of these two considerations, the Planning Policy Manager considers that a revised energy strategy should be submitted and approved prior to the commencement of development. Therefore, should permission be granted, the following requirements should apply:

- Any approval being conditioned to secure submission of a revised Energy Assessment (including full Part L calculations) based on the version of Part L of the Building Regulations that the scheme will be implemented under.
- S106 with the following heads of terms:
 - Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
 - Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
 - Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).
 - Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.

6.9.8 Subject to the above obligations and condition, the proposal therefore complies with the above-mentioned policies.

6.10 Secured by Design

6.10.1 The relevant policies are:

- The London Plan (2021) : D5, D11, E10
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2

6.10.2 Following further details submitted, the Designing Out Crime officer has not raised any objections to the proposed development. A condition is appropriate if this

development was considered to be acceptable in all other respects to ensure that the development would achieve Secured by Design (SBD) certification prior to occupation. On that basis, the proposal therefore complies with the above-mentioned policies.

6.11 **Fire**

6.11.1 The relevant policies are

- The London Plan (2021): D5, D12

6.11.2 Policy D5 'Inclusive Design' and Policy D12 'Fire Safety' of the London Plan (2021) seeks for all developments to meet the highest standards of fire safety and requires all major developments to include the submission of a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

6.11.3 The applicant has submitted a fire strategy report during the determination period of the application, this is subject to HSE review. This application will not be granted planning permission until this review has taken place, and no objection is received from the HSE.

6.12 **Aviation**

6.12.1 The relevant policies are

- National Planning Policy Framework (2021)
- Harrow Development Management Local Policies: DM1
- The London Plan (2021): T8

6.12.2 The Ministry of Defence (MOD) was consulted on the proposed development and confirmed that there are no aerodrome height safeguarding concerns, subject to a condition requesting a Bird Hazard Management Plan to be submitted. On this basis, the proposal therefore complies with the above-mentioned policies.

7.0 **CONCLUSION**

7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.

7.2 In summary the proposals are considered to be in accordance with the objectives of the London Plan (2021), Harrow Core Strategy (2012), and Harrow Development Management Policies (2013), and the National Planning Policy Framework (2021).

7.3 Accordingly, it is recommended that planning permission be granted for application reference P/0842/21, in line with Recommendation A of this report, and subject to the completion of a s.106 agreement, and the conditions listed in Appendix 1.

Interim Head of Development Management	05/07/2022
Corporate Director	07/07/2022

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit

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

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

2. Plan List

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

Approved Plans:

7281-02 Rev E (Existing Plans), 7281-01 Rev E, 7281-02 Rev I (OS Location Plan), 7281-03 Rev E, 7281-04 Rev E, 7281/6.0 Rev I, 7281 Rev O, 7281 1.2 Rev O, 7281 1.3 Rev O, 7281 1.4 Rev O, 7281 1.5 Rev O, 7281 1.7 Rev O, 7281 1.8 Rev O, 7281 1.9 Rev O, 7281 2.0 Rev O, 7281/20 Rev O, 7281/5.0 Rev O, 7281/5.1 Rev O, 7281/5.2 Rev O, 7281/5.3 Rev O, 7281/5.4 Rev O, 7281/5.5 Rev O, 7281 1.1 Rev L, 7281/99 Rev N, 7281/110 Rev N, 7281/120 Rev N, Principal Visualisation,

Approved Documents:

Air Quality Assessment – Rev C, Daylight and Sunlight Study (Neighbouring Properties) 24/02/2021, Draft Delivery and Servicing Plan February 2021, Preliminary Ecological Assessment, Energy Strategy Report (25/02/2021), Flood Risk Assessment and Drainage Strategy Rev C (Vol 1 – 4), Statement of Community Involvement (December 2020), Transport Statement February 2021, Framework Travel Plan February 2021, Noise Impact Assessment (26/06/2020), Design and Access Statement February 2021, Phase 1 Contaminated Land Assessment Rev C, Bat Survey, Covering Letter (26/02/2021), Fire Statement Form, Fire Safety Overview & Fire Statement, Wash Letter (05/02/2022), MacGill UK Ltd Letter (10/12/2021), David Charles Letter – Economic Development Queries (24/02/2022), Comparison Letter – Peaksons Letting (22/03/2022), Right of Light Consulting Letter (25 June 2021).

REASON: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. Secure by Design

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime in accordance with policy D11 of the London Plan (2021) and policy DM1 of the Development Management Policies Local Plan (2013).

4. Levels

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

5. Bird Hazard Management Plan

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

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

6. Foul Drainage

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

REASON: To ensure that there is adequate wastewater infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Development Management Policies Local Plan (2013).

7. Surface Water Drainage

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

REASON: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

8. Surface Water Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF.

For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

9. Permeable Paving

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

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

10. Green Roof

Notwithstanding the approved details and prior to the commencement of development, full details of the Green Roofs (incl. build up layers on the green roof, planting and irrigation) and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

11. Car Park Design and Management Plan

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

- a) Details of spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces. The plan should outline the provision of one active Electric Vehicle Charging Point for at least 20% of spaces from the outset with the remaining 80% passive and the mechanism for converting passive provision to active should demand increase.
- b) Mechanism for increasing the number of spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
- c) Details of the allocation and management of the disabled car parking spaces.
- d) Details of monitoring, management and enforcement procedures for parking within the site.
- e) Details of future provision of disabled person's parking spaces should demand increase.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 and Policy T6.5 of the London Plan (2021).

12. Construction Logistic Plan

No development shall take place until a demolition and construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for (but not limited to):

- the parking of vehicles of site operatives and visitors.
- loading and unloading of plant and materials;
- storage of plant and materials used in construction the development;
- the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;

- wheel washing facilities; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.
- measures for the control and reduction of dust
- measures for the control and reduction of noise and vibration.

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

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

13. Delivery and Servicing Plan

The residential premises hereby approved shall not be first occupied until a detailed Delivery and Servicing Plan has first been submitted to the Local Planning Authority in writing to be agreed. The delivery and service plan shall be carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy T7 of the London Plan (2021) and policy DM44 of the Harrow Development Management Policies Local Plan (2013).

14. Hard and Soft Landscaping

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until a scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, external furniture and structures, tree planting and tree pits and so on has been submitted to, and approved in writing by the Local Planning Authority which shall include:

- a) Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.
- b) The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.
- c) Green roofs, biodiverse intensive and extensive green roofs to include the planting and green roof detail, build-up layers of the material, including the substrate, growing medium, drainage, irrigation and written specification of planting, schedules of plants, noting species, plant sizes, types of vegetation (all at time of planting) proposed numbers / densities. The layout to incorporate biosolar roof with PV panels and planting combined.
- d) Details of all boundary treatment.

The development shall be implemented in accordance with the scheme so agreed and shall be retained as such thereafter. The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation: of habitats and valuable areas for biodiversity; a high quality, accessible, safe, and attractive public realm and to ensure a high standard of design, layout and amenity, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

15. Landscape Management and Maintenance Plan

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all hard and soft landscapes areas, other than privately owned domestic balconies/terraces/gardens. The Landscape Management and Maintenance Plan shall include:

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

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

REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

16. Planting

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

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

the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

17. Appearance of the buildings

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building hereby approved.

The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021), Policy CS1B of the Harrow Core Strategy (2012) and Policies AAP4 and AAP6 of the Harrow and Wealdstone Area Action Plan 2013.

18. External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, specification, elevations, light spillage and lighting levels.

The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of quality in accordance with policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

19. Building Maintenance

The development hereby approved shall not be occupied until a strategy for maintaining the external surfaces of the buildings has first been submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of the regime for cleaning, repainting and repairing the buildings and the logistical arrangements for implementing that regime. Maintenance of the external surfaces of the buildings shall adhere to the strategy so agreed.

REASON: To ensure that maintenance of the development is carried out to preserve the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021) and Policies AAP 4 and AAP 6 of the Harrow and Wealdstone Area Action Plan 2013.

20. Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of television reception (eg. aerials, dishes and other such equipment) shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2016), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

21. Opening Hours

The opening hours of the non-residential uses hereby approved shall be as follows:

- 07:00 hours to 22:00 hours on Mondays to Saturdays (inclusive)
- 10:00 hours to 18:00 hours on Sundays and Bank Holidays

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

22. Wheelchair Units

The three wheelchair aparthotel units shall be implemented as identified within the approved drawings (7281 1.7 Rev O, 7281 1.8 Rev O, 7281 1.9 Rev O, 7281/120 Rev N).

REASON: To ensure sufficient choice for people who require an accessible bedroom within short-term let accommodation provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policies E10 of The London Plan (2021).

23. Blue Badge Parking Spaces

The development hereby permitted shall not be occupied until the three accessible parking spaces of a standard size have been clearly marked out on site, in accordance with the approved ground floor plan (7281 Rev O). Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning

Authority.

REASON: To ensure car parking provision is available for use by the occupants of the site and in accordance with policy T6 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

24. Cycle Parking

The development hereby permitted shall not be occupied until details of shelters, racks, dimensions and location of cycle parking spaces shall be submitted to and approved in writing by the local planning authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the occupation of the residential units and shall thereafter be retained.

REASON: To ensure that cycle storage is available for use by the occupants of the site in accordance with policy T5 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

25. Roof Terrace Screening – Western Elevation

The development hereby approved shall not be occupied until details of the proposed treatment of the west elevation of the communal roof terrace at third floor have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be installed on site before the occupation of the residential units and shall be maintained thereafter.

REASON: To ensure that the development preserves the highest standards of residential amenity in accordance with Policy D3 and D14 of the London Plan (2021), and Policy DM 1 of the Development Management Policies Local Plan 2013.

26. Sound Insulation

Prior to commencement of development, further details of a sound insulation scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to occupation and carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the Council may be satisfied that the development is in compliance with Policy D14 of the London Plan (2021), and Policy DM1 of the Development Management Policies (2013). This is a pre-commencement condition because it necessary for the details to be approved, in order for them to be implemented as the construction of the development commences on site.

27. PD Restrictions

The approved ground and first floor commercial space (Use Class B2 and Use Class E(g)) shall only be used for the purposes as set out in the application and for no

other purposes.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

28. PD Restrictions

The second-floor commercial unit (Use Class E(g)(iii)) shall only be used for the purposes as set out in the application and for no other purposes.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

29. Air Handling & Ventilation Systems

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until full details and specifications of any plant and equipment associated with the air handling and ventilation systems, including details for the control of noise and vibration emanating from such systems has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the air handling and ventilation system shall be implemented and maintained in full compliance with the approved details and shall be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring resident in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

30. Contamination

No demolition or clearance work shall take place on the site until a UXO risk assessment and an assessment of the risk of volatile vapours in the made ground of the site has been undertaken in accordance with the recommendations of the approved Phase 1 Contaminated Land Assessment (Rev C), and has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses. To ensure that measures are agreed and in place to identify and manage potential sources of contamination during the demolition and construction phases of the development.

31. Asbestos

No demolition or clearance work shall take place on the site until a refurbishment and demolition (R&D) asbestos survey has been submitted to and approved in writing by the Local Planning Authority. The R&D survey shall be carried out and then be acted upon by a suitably qualified person in order to deal with any asbestos found on site and shall include a detailed visual and intrusive investigation relating to the removal and disposal of asbestos-based materials. The demolition and disposal of materials from the site shall be carried out in accordance with the approved details.

REASON: In order to safeguard the environment, the surrounding area and prospective end users of the land.

32. Revised Energy Strategy

No development shall take place until a revised energy strategy has first been submitted to the Local Planning Authority in writing to be agreed. The details of the revised energy strategy will include full Part L calculations based on the version of Part L of the Building Regulations that the scheme will be implemented under.

The approved details shall be installed on site before the occupation of the development and shall be maintained thereafter.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2021), policies S2 of The London Plan (2021) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

33. Biodiversity Enhancements

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

- a) A plan outlining full details of greening and biodiversity enhancements (ideally incorporated with other landscaping provision) to then incorporate these at the appropriate stages to ensure their successful inclusion/establishment.
- b) The works to be undertaken under the direction of an Ecological Clerk of Works to ensure that these would have no impact on breeding birds or roosting bats.
- c) Photographs of the greening and other biodiversity features to be provided to the Council for approval of the measures implemented under the approved plan (a).
- d) A plan for the ongoing maintenance of the features important for biodiversity (may be combined with the landscaping maintenance plan) for the next 5 years to be provide to the Council for approval in writing, and thereafter updated at 5 yearly intervals for a period of at least 30 years in order to ensure that the

agreed greening and biodiversity gain will be retained as part of the approved development

REASON: For the protection and enhancement of biodiversity and provision of access to nature in accordance with local plan policies (DM20 and DM21) in support of the Harrow BAP, the London Plan Urban Greening Factor and the National Planning Policy Framework.

Informatives

1. Relevant Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

D1, D2, D3, D4, D5, D8, D11, D12, D13, D14, E4, E7, E10, G5, G6, G7, SI1, SI2, SI12, SI13, SI15, T4, T5, T6.1, T8

Harrow Core Strategy (2012): CS1

Harrow and Wealdstone Area Action Plan (2013):

AAP3, AAP4, AAP6, AAP9, AAP10,

Harrow Development Management Policies Local Plan (2013):

DM1, DM2, DM9, DM10, DM12, DM14, DM15, DM20, DM21, DM22, DM34, DM42, DM45,

Supplementary Planning Documents:

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

Mayors Housing Supplementary Planning Guidance (2016)

2. Pre-application engagement

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

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

3. Mayoral CIL

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 £146,220

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

You are advised to visit the [planningportal](https://www.planningportal.co.uk/) website where you can download the appropriate document templates.

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

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

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

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

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

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

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

4. Harrow CIL

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

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

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

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £134,715

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

The CIL Liability is payable upon the commencement of development.

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

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

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

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

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

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

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

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

5. Considerate Contractor Code of Practice

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

the limitations on hours of working.

6. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7. Compliance with Planning Conditions

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

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

8. Liability for Damage to Highway

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

9. 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.

10. Designing Out Crime

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

11. Network Management

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

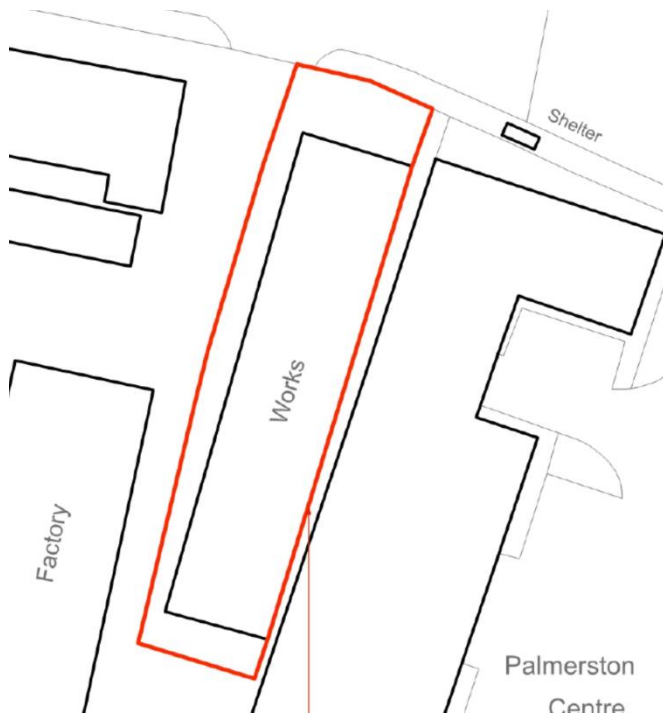
12. Landscape Management and Maintenance

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

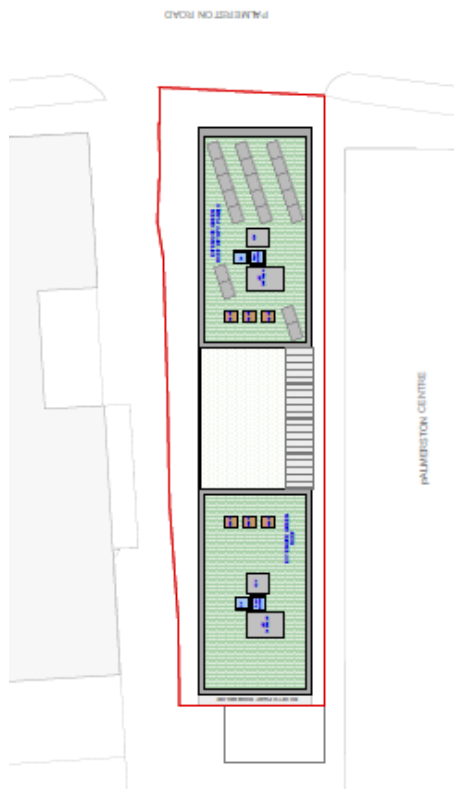
Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation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

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

APPENDIX 2: SITE PLAN



Existing Site Plan



Proposed Site Plan

APPENDIX 3: SITE PHOTOS



View of the existing principal elevation



Existing Western Boundary from Palmerston Road

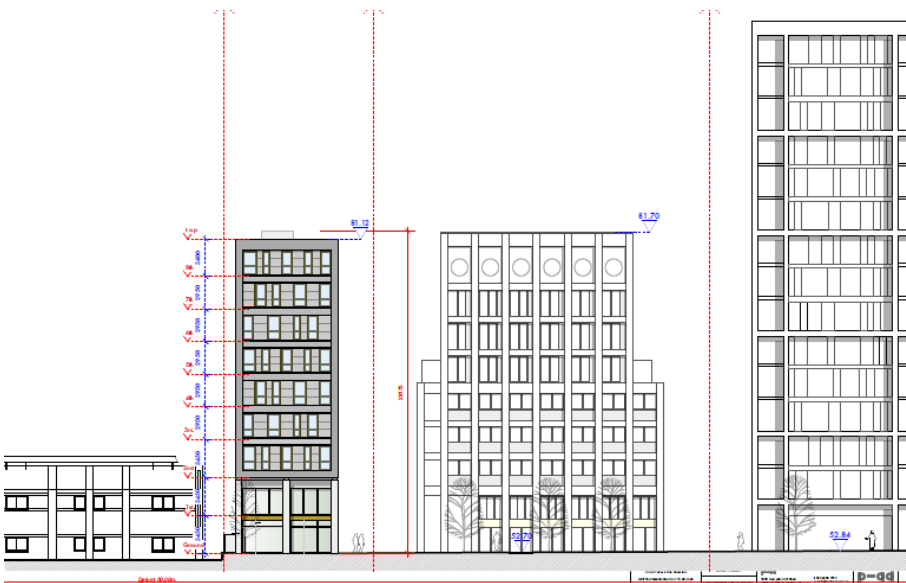


View of existing northern boundary / principal elevation in context of Collective Scheme / Origin Scheme / Palmerston Centre

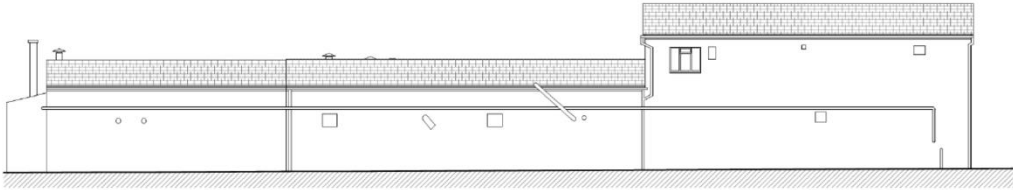
APPENDIX 4: PLANS AND ELEVATIONS



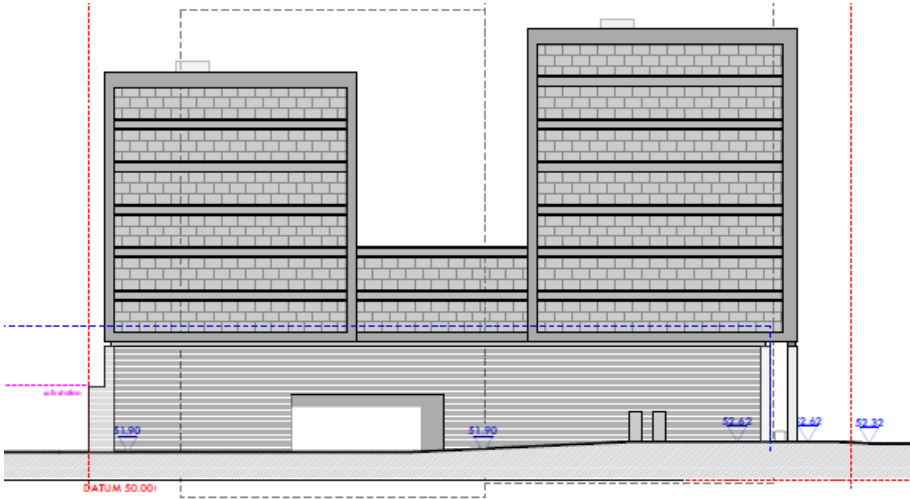
Existing Principal Elevation – Palmerston Road ↑



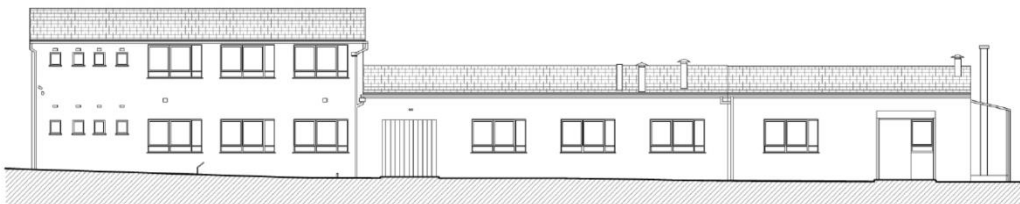
Proposed Principal Elevation – Palmerston Road ↑



Existing East (Side) Elevation ↑



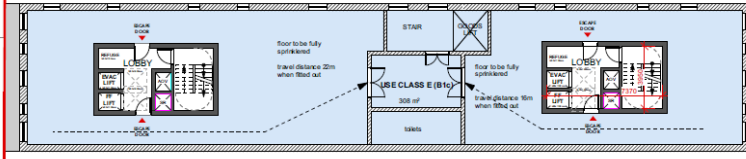
Proposed East (Side) Elevation ↑



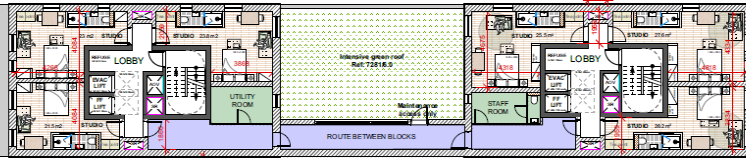
Existing West (Side) Elevation ↑



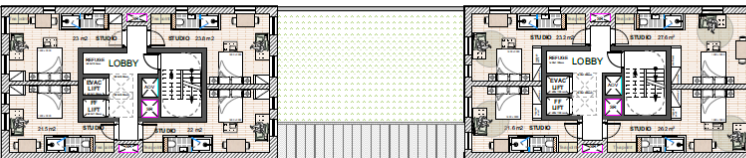
Proposed West (Side) Elevation ↑



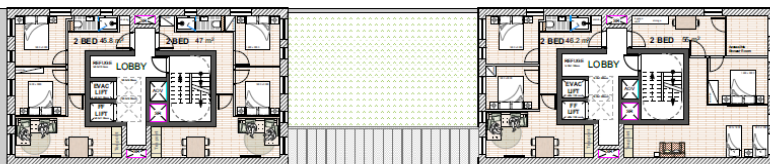
Proposed Second Floor Plan ↑



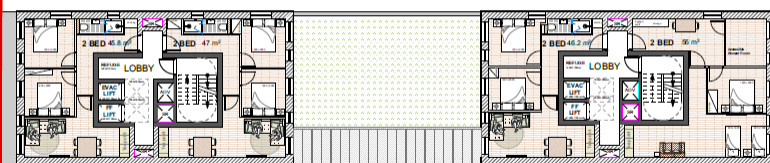
Proposed Third Floor Plan ↑



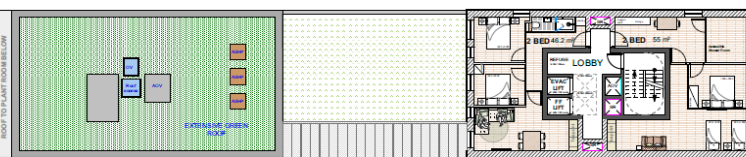
Proposed Fourth & Fifth Floor Plan ↑



Proposed Sixth Floor Plan ↑



Proposed Seventh Floor Plan ↑



Proposed Eighth Floor Plan ↑

Visualisation

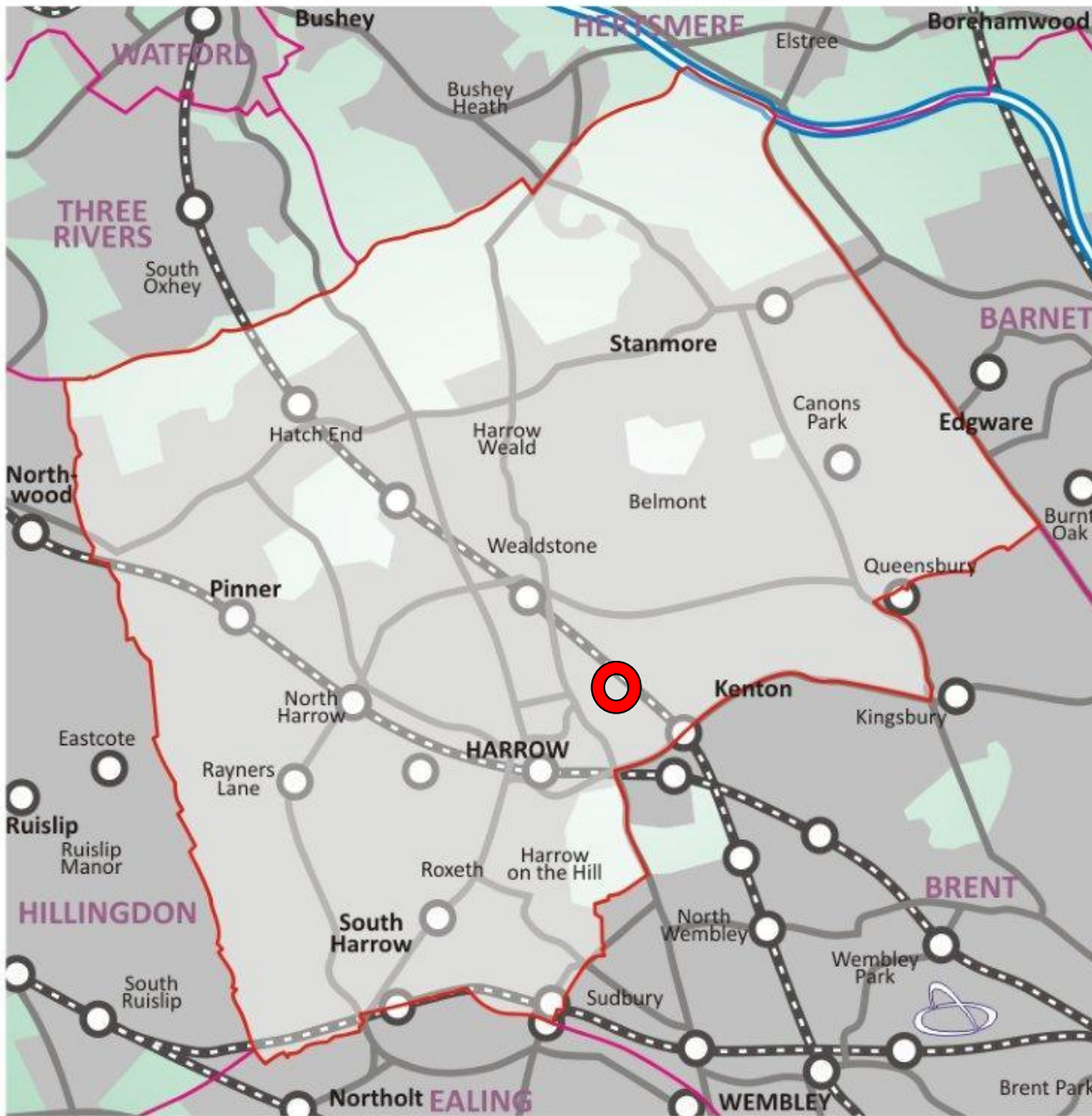
Principal Elevation



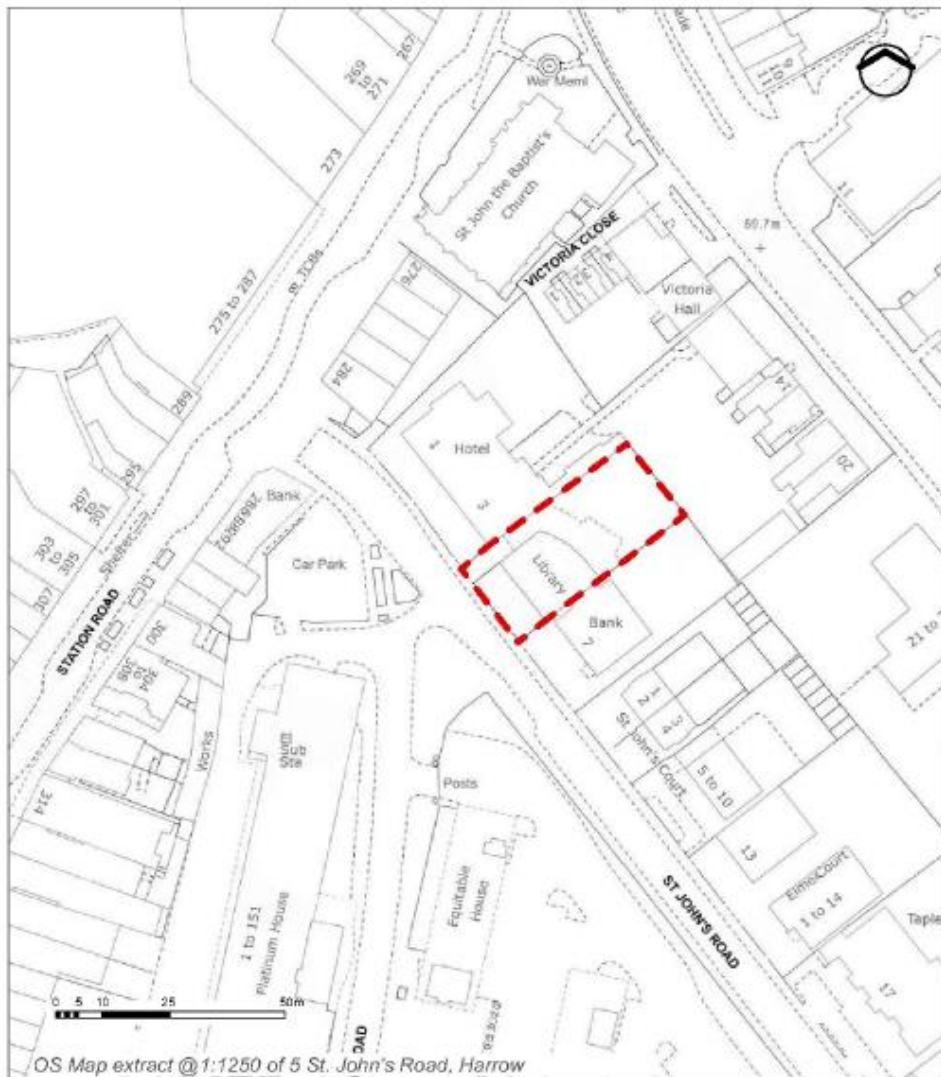
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 = application site



Garden House, 5 St Johns Road	P/3066/20
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/3066/20
VALID DATE: 28/08/2020
LOCATION: GARDEN HOUSE, 5 ST JOHNS ROAD, HARROW
WARD: GREENHILL
POSTCODE: HA1 2EE
APPLICANT: M & P PROPERTY HOLDINGS LTD
AGENT: HGH CONSULTING
CASE OFFICER: SELINA HOTWANI
EXPIRY DATE: 27th JULY 2022

PROPOSAL

Redevelopment to provide hotel accommodation (Use Class C1) and construction of basement level; ancillary restaurant and conference rooms (Use class E); bin store; landscaping; parking (demolition of existing building)

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

1. Carbon Offset

- Payment of a total financial contribution of £498,750 towards carbon offset which should be payable prior to commencement and verified at the completion of development with a top-up payment required for any shortfall in on-site carbon reductions compared to those proposed at application stage.
- Recalculation of the contribution to take into account any revised energy statement approved by the LPA.
- Provision of commitment that the development will be designed to enable post construction monitoring and that the information set out in the 'be seen' guidance is submitted to the GLA's portal at the appropriate reporting stages.

2. Energy Centre

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

3. Highways and Parking

- A revised Guest and Staff Travel Plan to be submitted to the Council prior to the first occupation of the building. A travel plan bond (to be agreed with the Council) will be required to secure the implementation of all measures specified in the revised Travel Plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site. Appointment of Travel Plan Coordinator. Travel Plan monitoring fee of £5,000.
- Section 50 works to include widening of the existing vehicle crossing and the relocation of a loading plate sign and hydrant sign.

4. Employment and Training Plan

- Payment of local Employment Contribution to the Council upon commencement of development and to be used towards employment and training initiatives within the Council's administrative area.
- Submission of an employment, training and recruitment plan to the Council for its approval
- S106 agreement will include penalty clauses for non-compliance with the above. Non-compliance is failure to deliver the obligations in the section 106 Agreement, irrespective of whether
 1. the Agreement states that it will discharge the obligation
 2. the Developer has paid the council (Xcite) to employ a training and employment co-ordinator and beneficiary funds to discharge the obligations, but the developer's contractors fail to work with Xcite to provide skill, apprenticeship and employment opportunities. HB Law has been working on relevant clauses.
- 15% of spend during the construction of the development is with suppliers in the council's administrative area.

5. Legal Costs and Monitoring Fee

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

RECOMMENDATION B

That if, by 27th October 2022 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

INFORMATION

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

Statutory Return Type:	All other Largescale Major Development
Council Interest:	None.
Net Floorspace:	6,303 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£882,420
Harrow CIL requirement:	£346,665

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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 application site consists of a rectangular parcel of land occupied by a part 4, part five storey detached building with car parking and servicing to the rear. The lawful use of the site is office (formerly under use class B1a) which is currently vacant. The site is 0.1 hectare. There is a clear level change from the front to the rear of the site. As such there is a pedestrian ramp up to the main entrance and a vehicular ramp down to the rear parking area.
- 1.2 The site is bound by the Origin development to the north and west which was formerly known as the Cumberland Hotel. These buildings range from 16 storeys (fronting St Johns Road) stepping down to 11 storeys at the rear (fronting Station Road) (Block C); 7 storeys (fronting Sheepcote Road) dropping down to single storey serving the Victoria Hall along the new plaza (fronting Station Road), (Block B); and this would be linked to Block A comprising 8 storeys. To the south of the site is 'Bank House' which is a four storey building, beyond which further south are of similar height.
- 1.3 The wider context comprises St Johns Church which is Grade II Listed church building. Directly opposite is the Lyon Square residential development with a 14 storey block at the junction of Station Road and St Johns Road. Other blocks fronting St Johns Road range between 7 and 8 storeys.
- 1.4 The application site is located within the Harrow Town Centre and within the Harrow and Wealdstone Opportunity Area. The site is located within a high public transport accessibility area (6a). It is in the setting of the protected viewing corridor. A small rear part of the site is within Flood Zone 3a.

2.0 PROPOSAL

- 2.1 Demolition of the existing building and redevelopment of the site to provide a 140-bedroom hotel (Use Class C1) and ancillary restaurant. The building would be 12 storeys high with a basement level to be used for staff and servicing.
- 2.2 The front of the site would be levelled off and would contain one blue badge parking space and outdoor seating associated with the ground floor restaurant.
- 2.3 The ground floor will include cycle stores and refuse stores for users. The proposed development would be car free with the exception of a disabled parking space accessed via a shared surface from Station Road.
- 2.4 On the roof of the rear block intensive green roofs are proposed and 10 x photovoltaic panels on the roof of the front block.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning history is outlined below:

Application No.	Description	Decision
LBH/39852	Five storey office building with parking (revised)	Granted 31 May 1991
P/3797/07	Temporary change of use from office (Class B1) to Library (Class D1) for five years	Granted 17 Jan 2008
P/0439/11	Temporary change of use from office (Class B1) to Library (Class D1) until 2021	Granted 11 Apr 2011

4.0 **CONSULTATION**

- 4.1 A total of 1105 consultation letters were sent to neighbouring properties regarding this application. A Harrow Times advert was published on the 1st October 2020. A total of 30 representations were received.
- 4.2 Following this, amendments were made and 1105 consultation letters as well as letters to those who made initial representations were sent out on 21st January 2022. Three site notices were re-posted on the 20th January 2022.
- 4.3 The overall public consultation period expired on the 11th February 2022.
- 4.4 37 objections and 2 support letters were received after the first consultation and 27 objections were received following the amendments described in the second round of consultation. All comments are summarised below.

Character

- Area cannot sustain too many high buildings and it may result in a fire safety hazard for buildings too close to one another.
- Out of character to have a hotel in a residential area.
- Scale of hotel would have an impact to the environment and landscape.
- Bulky, out of shape compared to other buildings in the area.
- Hotel is far too tall.

Second consultation:

- Hotel does not respect the street pattern and local context or scale and proportion of surrounding buildings and would be entirely out of character with the area.
- Very little space for landscaping.

Officer response: *This is discussed in section 6.3.*

Impact to Residential Amenity

- Overshadowing of neighbouring residential development.
- Loss of privacy to families living in those units.
- Inhibit the amount of daylight received.
- Impact of height on outlook and light to Origin development.
- Loss of light to units which are all south east facing on the neighbouring development.

- Children’s play area would not longer be safe as hotel guests could see into it.
- Daylight / Sunlight report indicates that the garden area of the Cumberland Hotel site would be affected. In neighbouring residential development.
- Internal lighting in communal areas would affect sleep

Second consultation

- Revised plans are an improvement but do not address all of the concerns that have been raised by residents. Loss of privacy with rooms facing Byron Court.
- Scale of the proposal would still result in a loss of light.
- Affordable blocks to the rear of Garden House would be most affected by loss of privacy and overshadowing.
- Block sunlight of units at Master Court, Moore House and Byron Court.
- Revised plans still allow hotel room windows to look through most of Byron Court units.
- The Moore building and Byron Court would be meters away impacting sunlight and views.

Officer response: *This is discussed in section 6.4.*

Noise / Environmental Health

- Noise disturbance from luggage on pavement throughout the day.
- Significant noise, disturbance.
- Restaurant would cause disturbance to residents until late.
- Negatively impact air quality.

We confirm that it is not our preference to see an application being put forward for agreement, without a more representative noise report, and the relevant mitigation proposals etc. (See for example consideration 7. at Annex 2.); however accounting for where Planning is with this application, it’s agreed that the conditions suggested would suffice in this case.

Officer response: *This is discussed in section 6.4.*

Economic Development

- Support generation of employment and improvement to the area as a result of redevelopment.
- Excited that this project would bring life to St Johns Road and hotel would bring value to retail area.
- Greater security would appear as a result.
- Good to see greater competition for only one existing Travelodge Hotel.
- Hotel development would be good for restaurants and businesses in the town centre.

Second consultation:

- No improvement from last proposal and cannot see how it would improve Harrow city community.

- Do not see need for hotel when there is already another in the vicinity.
- Hotel plan has zero commercial value.
- Devaluing of property in Byron Court.

Officer response: Please refer to section 6.3 below.

Highways Impact

- Not enough road access for fire trucks would lead to road congestion and parking altercations.
- Would require additional parking in a currently pedestrian friendly location.

Second consultation:

- No space for further deliveries or cars on this crowded, narrow, one way street which is already saturated with cars and delivery trucks from supermarkets 24/7.

Officer response: This is discussed in section 6.4.

Construction Phase

- Noise and disturbance during the demolition and construction phases whilst working from home.
- Construction phase would result in air pollution, noise and disturbance.

Second consultation

- Air and noise pollution from the build would damage the health of residents.

Officer response: As suggested by the Highways Authority it would be necessary for a Construction Logistics Plan to be submitted to ensure that noise and dust is minimised during the construction and respect the residential amenity of neighbouring occupiers.

Crime

- Increased anti-social behaviour due to hotel guests loitering throughout the day.

Second consultation:

- Unsuitable for a street which is almost all residential and would bring anti-social behaviour into the area.

Officer response: Please refer to section 6.9. Secure by Design officers were consulted and amendments were made in line with their comments.

Notwithstanding this, a condition to ensure secured by design accreditation is attained has been included.

Other Matters

- As there are windows on the south east elevation of the proposed development it would prejudice any forthcoming application on the Bank House site.

Officer comment: Part of the flank wall facing Bank House would not have any windows, the remaining windows would include privacy screening which would ensure these are angled away from the site to avoid any loss of privacy issues should a sensitive development come forward on this site.

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.

Consultation Responses
<p>LBH Principal Urban Design Officer</p> <ol style="list-style-type: none">1) The site has neighbouring constraints principally the Origin Housing Harrow One development (previously Cumberland Hotel site). The units of this scheme facing the proposed site and will be directly impacted in terms of daylight, sunlight and outlook amenity by the proposed development.2) The relationship with New Lyon Square should be fully considered regarding the street-facing building frontage. This street elevation forms a highly visible boundary to a new public space for the town centre and should enhance this setting for local users.3) The proposed development is considered to have limited townscape impacts as the site is largely flanked by the Harrow One development to north and west, both wings of which are of a higher datum than the 12-storey building proposed. <p><i>Officer response: Following these comments further Microclimate and Daylight/Sunlight reviews were undertaken. Please refer to section 6.4.</i></p> <p>LBH Highways Officer</p> <p>Highways have no objection however, we believe that this proposal could be further improved by increasing the disabled parking provision and relocating it away from the servicing access and changing the location of the cycle stands to the front of the building where they can be accessed by visitors (unlikely to be guests) and where they would be away from the servicing route.</p> <p>Construction Logistics Plan and highways works under highways agreement should be secured.</p> <p><i>Officer response: Noted, conditions and heads of terms included.</i></p> <p>LBH Economic Development Officer</p> <p>No objection, provided legal obligation is included which promotes local employment and training.</p> <p><i>Officer response: Noted, obligation included.</i></p>

LBH Drainage Engineer

I can confirm that insufficient FRA is submitted. The site is in sw flood zone and CFS should be provided. Please advise the applicant to purchase our updated flood maps from infrastructure@harrow.gov.uk and revise the document. Also, please refer them to our DM Policies 9-12 with regard to raised FFL and no basements in flood area.

Officer response: Noted, conditions included.

Travel Plan Officer

A revised Travel Plan was submitted to cover the redevelopment of site 5 St John's Road, Harrow.

Travel Plan will be secured by legal agreement, of which the developer will be required to make financial contributions towards monitoring and remedial measures. Please reflect this in the Travel Plan. Full terms to follow after the amendments below has been incorporated in a redrafted Travel Plan.

.4 - Provision should be made to fund cycle training for staff who wish to learn. Please update or if this is not possible, please prepare a response on why this is not achievable.

10.1 - Please specify who will be surveyed and please commit to agreeing the survey structure with Travel Planners at Harrow Council beforehand.

10.1.3 any adjustment of targets must be agreed with Harrow Council before implementation. Please include in the Travel Plan.

10.1.2 - Data should be collected in the 6th month following occupation to allow a clearer understanding of Travel Patterns. Please update the Travel Plan to reflect this.

11.1.3 Targets can be revised following surveys. Some targets seem quite ambitious and may need to be reconsidered. I note this is covered in 11.1.5

Action Plan - Good and comprehensive. TPC should be in place at least 2 months prior to occupation. If staff details change during this time, Harrow Council should be notified in good time by emailing Travelplanning@harrow.gov.uk

Officer response: Noted, obligation included

LBH Principal Landscape Architect

No objection to the proposal, subject to relevant conditions.

Officer response: Noted, conditions included.

LBH Biodiversity Officer

Subject to appropriate conditions there appears to be no reasons why the scheme should not proceed on biodiversity grounds. Provision of the mix of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature. A biodiversity condition is required.

Officer response: Noted, condition included.

LBH Environmental Health Officer

Contamination – no comments received.

Air Quality – no comments received.

Noise – Further information is required.

Officer response: Noted, conditions included.

LBH Waste Management Officer

No comment received.

LBH Planning Policy

In this instance, the principle of development is able to be supported

Energy Officer

- Condition requiring submission and approval of a revised energy statement prior to commencement of the development, with the development to be implemented in accordance with the approved statement and maintained thereafter.
- S106 obligations securing a carbon offset contribution of £498,750, which should be payable prior to commencement and verified at the completion of development with a top-up payment required for any shortfall in on-site carbon reductions compared to those proposed at application stage. As a new energy statement will be conditioned, the S106 should be worded to allow recalculation of the contribution to take into account any revised energy statement approved by the LPA. GLA Be Seen requirements should also be included in any S106 agreement, as well as heat network safeguarding obligations.

Officer response: Noted, obligation and condition included.

Transport for London

No objections

Designing Out Crime Officer

- Restaurant and hotel need to be separated;
- Hotel reception should be separated from the restaurant / bar.

- Redesign of ground floor reception to separated hotel and restaurant responsibilities.

Second Consultation:

A revised ground floor plan shall be submitted to ensure the development would achieve SBD certification.

Officer response: Noted, condition included for revised ground floor layout.

Thames Water

No objection subject to conditions in relation to Foul and Surface Water drainage. A drainage strategy is also required.

Second consultation:

No objection subject to informative for developer to read and understand Thames Water Guidance and appropriate surface and foul water drainage informatives.

Officer response: Noted, informatives included.

Fire Consultant

Escape routes

Both stairs serve both the upper floors and the basement level and are undivided, this appears departure from that which is recommended in ADB and BS 9999:2017.

It is noted that the operation of the evacuation lift “will take account” of the recommendations of section G.2.3 of BS 9999. This does not provide an indication as to whether or not the lift will be operated in accordance with the aforementioned section. This should be clarified.

Officer response: Updated fire strategy requested by way of condition.

Ministry of Defence (RAF Northolt)

No objection.

Greater London Authority (GLA)

Principle of development: The proposed redevelopment of this well-connected town centre and opportunity area site to deliver a 145 bedroom hotel is supported in principle subject to the resolution of other matters identified in this report (Paragraphs 13-23)

Urban Design: Whilst the design of the scheme is broadly supported, this site is not specifically identified as suitable for a tall building and therefore the application does not strictly comply with London Plan Policy D9. Following resolution of the other strategic issues raised in this report, and finalisation of the planning conditions and obligations necessary to mitigate in the impact of the proposal, this issue of non-compliance will be weighed against the secured public benefits of the proposal, and all other

material considerations, at the Mayor's decision making stage.
(Paragraphs 24-37)

Transport: The applicant is required to make submissions in respect to a construction logistics plan. The Council should appropriately secure blue badge parking, cycle parking quantum and standards, healthy streets improvements and delivery and servicing arrangements (Paragraphs 38-43).

Sustainable development: Further information and clarification is required on the energy strategy before compliance with the London Plan and Publication London Plan can be confirmed. Further information is required regarding flood risk and drainage (Paragraphs 44-48).

Recommendation

That Harrow Council be advised that whilst the proposal is supported in principle, the application does not currently comply with the London Plan for the reasons set out in paragraph 52. Where the associated concerns within this report are addressed, the application may become acceptable in strategic planning terms.

5.0 POLICIES

"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.'

5.1 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.2 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Design, Townscape, Character, and Appearance
- Residential Amenity
- Traffic, Parking, Access, Servicing and Sustainable Transport
- Environmental Considerations – Contamination, Noise, Air Quality
- Development and Flood Risk
- Biodiversity
- Energy & Sustainability
- Secured by Design
- Fire

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021):
- The London Plan (2021): SD6, SD7, SD8, SD9, E1, E10, HC6
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP1, AAP16
- Harrow Development Management Policies Local Plan (2013):DM34, DM35

Principle of Hotel Development in the Town Centre

6.2.2 The site is located in the Harrow (Metropolitan) Town Centre. London Plan Policies SD6, SD7, SD8 and SD9 support mixed used development in town centres and seek to enhance their vitality and viability by encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners. These policies support enhancement of the night-time economy (Policy SD6) and redevelopment, change of use and intensification of identified surplus office space to other uses including hotels in town centre locations, especially in outer London. Residential development within the town centre is also acknowledged as playing an important role in town centre vitality however should encourage main town centre uses as part of a town centre first approach. This notion is reinforced by policy DM34 of Harrow's Development Management Policies Document (2013) which directs hotel development in sequential order, town centres being the first preferred location. The provision of hotel floorspace in the Metropolitan Town Centre therefore accords with the policies outlined above.

Loss of employment space

6.2.3 The former use of the site as a temporary library use (Use Class D1) lapsed on 31st March 2021, after which the property reverted to office use (Use Class E). Changes to the Use Class Order means office space no longer affords the same level of protection, specifically through the introduction of Class E within which office use falls in along with other retail type uses. Whilst the principle of the loss of existing employment floorspace within the town centre would not be encouraged, the proposed hotel and restaurant development would replace the office space with an appropriate town centre use which would also be considered as employment floorspace. Whilst there would be a loss of office floorspace of 1,403 sqm, this would be replaced by 6,303sqm of Hotel accommodation providing 140 rooms, a lobby and a restaurant which would result in 40 full time equivalent employees at the site (according to the application form).

6.2.4 As noted, the proposed development seeks to remove all of the existing office floorspace from the site. Policy E1 of the London Plan (2021) provides further policy and guidance in relation to office space across London. As noted above, redevelopment of sites of surplus office space is supported. Within the supporting text to Policy E1, paragraph 6.1.7 states "*Surplus office space includes sites and/or premises where there is no reasonable prospect of these being used for business purposes. Evidence to demonstrate surplus office space should include strategic and local assessments of demand and supply, and evidence of vacancy and*

marketing (at market rates suitable for the type, use and size for at least 12 months, or greater if required by a local Development Plan Document). This evidence should be used to inform viability assessments.”

- 6.2.5 At a local level, Policy AAP16C (Supporting the Service Sector in Harrow Town Centre) of the Harrow & Wealdstone Area Action (2013) sets out that; “*Major mixed-use redevelopment or change of use of existing offices of 1,000 sq m or more of floorspace within Harrow town centre will be supported where the proposal provides viable, new office floorspace at least equivalent in potential employment yield to the existing office floorspace.*” The proposed application by reason of its lack of appropriate marketing of the office use, does not satisfactorily justify that the office space is genuinely surplus.
- 6.2.6 Notwithstanding this given the lessened protection of office space under the new E use classes order (Former B1a), the existing floorspace could now fall within a range of other uses without the requirement to obtain planning permission. By reason of this, it is more difficult to protect the office space use and given the requirement for planning permission, and being located in a town centre location, the proposed replacement use must be considered. In this instance, the proposed use would provide a hotel, which is both an appropriate town centre use and would provide an employment generating use. It is a material consideration to mitigate the loss of office space from the borough even in the absence of appropriate marketing to determine if the office floorspace is genuinely surplus to requirement.

Visitor Accommodation

- 6.2.7 By nature of the hotel use, the proposed development would increase the level of activity on and around the site throughout the whole day, unlike the existing offices which if occupied, would typically only be operational during core office hours and closed at weekends. Whilst alternative (non-office) Class E uses may have the potential to retain similar levels of activity at the site, this is not sufficient grounds for refusal given Class E floorspace is not protected in Local Policy. The proposed hotel use and associated employment would enhance the vitality and vibrancy of the town centre and provide employment at the site.
- 6.2.8 London Plan Policy E10 (Visitor Infrastructure) supports the strengthening of London’s visitor economy and associated employment, particularly in parts of outer London well-connected to public transport. It notes that it is estimated that London would need an additional 58,000 bedrooms of serviced accommodation by 2041. It is also noted that the proposed hotel use would incorporate a restaurant which would be ancillary to the hotel use, but also available for use by the wider public. The provision of a restaurant open to the public would also assist with night time economy, and would therefore find support with Policy HC6 (Supporting the night-time economy) by providing an evening activity / destination.
- 6.2.9 Development Management Policy DM34 (Hotel and Tourism Development) directs new hotel developments to sites within the town centre, and also Policy DM41 supports development which would enhance the evening economy. The proposed hotel use and restaurant would find support from these policies.

- 6.2.10 Harrow & Wealdstone Area Action Plan Policy AAP1 (Development within Harrow town centre) supports a mix of uses to increase the vitality of the Harrow town centre. Policy AAP16 (Supporting the Service Sector in Harrow Town Centre) specifically supports hotel development on sites within Harrow town centre where it is consistent with other AAP policies, contributes to the delivery of objectives of the Core Strategy and is conducive with the residential environment within and surrounding the town centre. One of the Core Strategy objectives is to promote hotel development in Harrow town centre and thereby providing employment.
- 6.2.11 In terms of the principle of the proposed hotel development, it is considered that new visitor infrastructure at this location is supported.

Economic Benefits

- 6.2.12 Harrow Town Centre is within the 'heart of harrow' and is generally known for its vitality and vibrancy. The site is currently vacant and the proposed hotel development would result in a number of economic benefits which would boost local businesses, complement future public realm developments which would in turn benefit the local and visitor economy and generate a number of short and long term employment. Full information is set out in the Economic Statement. The jobs would be secured by way of legal obligation via a training and employment plan. The benefits are outlined below:

Construction Phase:

- £12m investment;
- 35 gross direct jobs;
- 25 net direct jobs;
- 15 net indirect jobs;
- £7.5m productivity boost

Operational Phase:

- 40 on-site jobs (including front of house, restaurant and cleaning staff)
- 30 net direct jobs (including 15 for Harrow residents);
- £2.4m productivity boost (including £14m estimate in Harrow)
- £230,000 business rates
- 93,000 visitors
- £8.9m visitor expenditure
- Up to £390,000 supply chain expenditure

- 6.2.13 It is clear that there are number of short and long-term benefits which span locally across Harrow and are widespread which in turn would enhance and maintain the vitality and vibrancy of Harrow's Town Centre as advocated by the NPPF's town centre first approach to development.

Conclusion

- 6.2.14 Whilst the applicant has not robustly demonstrated that the existing authorised office floor space on site is surplus to requirement, it is acknowledged that the specific office use could be lost to other E use class activities without the need for planning permission. However, the proposed development in this instance would replace this

floorspace with a main town centre use (as per NPPF (2021)) and also ensures that an employment generating use would be re-provided on the town centre site. Furthermore, it is clear that there is a need for hotel rooms as a key element to tourist infrastructure which would provide a meaningful contribution to the estimated rooms required across London. Given the clear economic benefits of the scheme within a preferred town centre location, the principle of development is able to be supported.

6.3 Design, Layout, and Appearance

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D1, D2, D3, D4, D5, D8, D9, D12, D13, G5, G7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP3, AAP4, AAP6
- Harrow Development Management Polices Local Plan (2013): DM1, DM22, DM23, DM45

Context

6.3.2 The proposal for a 140-bed hotel within the Opportunity Area is considered appropriate given its town centre location and high PTAL. The site has constraints regarding the neighbouring Origin Housing scheme (Cumberland Hotel site) to west of site and to north/rear (Sheepcote Road). There are also opportunities to strengthen the relationship with the New Lyon Square residential development regarding the proposed frontage as the subject site benefits from a highly visible boundary to a new public space for the town centre and this should enhance this setting or local users.

6.3.3 The GLA highlighted in their Stage 1 response that the main access point of the proposed development would be maintained from St. Johns Road through a dedicated service entrance which would benefit from generous glazing at the front to provide a large area of active frontage onto the public realm. This layout responds to the existing and emerging streetscape noted above. The impacts to the Origin Housing Scheme are discussed further below.

Tall Buildings, Height and Massing

6.3.4 The London Plan policy D9(A) states that development plans should define what is considered a tall building for specific localities (although not less than 6 storeys or 18 metres) and identify suitable locations; and identify any such locations and appropriate tall building heights on maps in Development Plans. It also sets out requirements for assessing tall buildings including addressing visual impacts, functional impacts and environmental impacts. Harrow Core Strategy includes footnote 23 which sets out the height 30m as the threshold of a tall building within the Harrow and Wealdstone Opportunity Area. Given that the proposed building height is 12 storeys and up to 37.5m high (above the 30m height), the proposal would be subject of London Plan policy D9.

6.3.5 Part (B) of the policy states tall buildings should be directed to areas identified on maps in the Development Plans. The GLA notes that Harrow’s Area Action Plan does not specifically identify the subject site as being suitable for a tall building, and in this respect conflicts with Policy D9. However, Harrow’s Core Strategy does direct taller buildings to the Harrow and Wealdstone Intensification Area within which the site is located. Whilst the AAP and Core Strategy predate this policy, the Inspector on a recent appeal decision at The Ridgeway site (APP/M5450/W/22/3292719) considers these policies to still be relevant and consistent with the London Plan:

“I consider that the definition contained in footnote 23 is locationally specific to the Intensification Area and does not extend to the rest of the borough. Such a view is consistent with the spatial vision for Harrow, and also with a recent appeal decision at Canons Park Station.” This demonstrates that the thrust of the Local Plan is consistent with the objectives of the new London Plan and therefore the LPA consider the scheme acceptable with regards to Part (B). Where a taller building such as this however is not an ‘Allocated site’, AAP 6 (Development Heights) states that building heights for development outside of the identified tall building Allocated sites (Chapter 5 of the AAP) should be consistent with the site’s surroundings, including nearby sites, having regard also to the need to achieve a high standard of development, site context and delivery of the AAP objectives. This and the assessment under part (C) of policy D9 is therefore relevant.

6.3.6 Notwithstanding the comments raised in respect of Policy D9(B) by the GLA, the emerging context of the site and its economic and wider public benefits were acknowledged and therefore the Stage 1 response notes that these should be weighed in the planning balance which are considered to appropriately mitigate any harm caused by the presence of a tall building at this site. Part (C) of policy D9 sets out criteria under which the impact of development proposals should be assessed. This is necessary from the outset to evaluate whether the public benefits of the proposal outweigh any potential harm.

6.3.7 Table 1 below provides an assessment of Policy D9 against the development proposal:

Impact			Justification
Visual Impact	a) Views of buildings from different distances	i) Long range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategy views	The proposed site is not located within the Protected Viewing Corridor. When seen in longer viewpoints it is considered to have a minor impact in the midst of the adjacent Former Cumberland site (16 storeys), and 14 storey tower opposite at the junction of St Johns Road and Station Road, as well as a number of blocks up to 9 storeys in the vicinity, including Platinum House (8 storeys), Congress House (9 storeys approved) and Gayton Road (up to 11 storeys). In this context, the application scheme would be

			consistent with the overall character of these views.
		ii) Mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportion and materiality.	At 12 storeys in height it is considered that the proposal would appear subservient to the taller buildings nearby. The proposal would result in the proportion of the building being more akin to the emerging pattern of development encompassing a tall and slender built form. The distribution of massing to align with that of the neighbouring development and stepped and set back siting of the rear blocks would take account of the surrounding residential development. The high quality materiality provided would slot into the street and townscape ensuring it would not appear visually intrusive, rather architecturally interesting from mid-range views.
		iii) Immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower heights or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity and privacy.	The creation of a levelled surface and active frontage provides clear legibility which would complement the local existing and emerging townscape, particularly the new public square at Greenhill Place. The proposed scheme would contribute positively to the vitality and viability of the town centre through the activation of this site.
	b)	Whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding.	The proposal would enhance the spatial hierarchy in line with the emerging context and is one of a number of higher density developments in the town centre due to its appropriate siting. It would complement the new public realm improvements coming forward as part of the Lyon Road scheme through the ground floor activation and generation of footfall into the

		locality. Together the cluster of taller buildings would reinforce and act as landmarks to mark this new hub.
	c) c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan	The materials palette is considered to successful. The high quality materials would ensure they would be functional as well as attractive and the similar material language across all elevations would ensure cohesiveness with the host property.
	d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area	<p>The site is not in a conservation area, nor does it contain any listed buildings, however a number of heritage assets are in close proximity. These include the Grade II Listed Church of St John the Baptist and the Station Road directly west of the plot, Grade II Listed World War II war memorial located at the northern end of the St John the Baptist churchyard. To the north of the plot beyond Sheepcote Road is the Grade II listed Granada Cinema.</p> <p>The proposed development would be almost entirely concealed by the existing Origin development buildings which sit between the application site and the heritage assets listed above and which would have a maximum of 16-storeys. As such there would be very limited additional visual impact arising from these proposals and the proposals would not harm to the significance of any of the area's heritage assets and deliver a high quality scheme which reflects the existing and emerging context of the site.</p>
	e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it	The building is not located near to a World Heritage Site and will therefore have no impact.
	f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river	The site is not located near the River Thames and will therefore have no impact.

	g) buildings should not cause adverse reflected glare	The building has been appropriately designed with carefully considered materials to ensure that there will be no adverse reflected glare as a result of the proposed development.
Functional Impact	a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants	A Fire Safety strategy has been provided to ensure emergency exit routes and materials are sufficient to accommodate the number of occupiers and to ensure safety in the event of a fire or emergency.
	b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process	The Delivery and Servicing Management Plan sets out the arrangements proposed which was prepared ensure minimal disturbance to the surrounding public realm.
	c) entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas	The proposed internal design and landscaping masterplan ensures that there are no areas that will be limited isolation or overcrowding potential.
	d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building	The Transport Statement and Servicing Strategy has been provided in support of the application which demonstrates appropriate arrangements are in place. The strategy also demonstrates that there is sufficient capacity of the road and transport network to accommodate the current development.
	e) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area	The Economic Statement submitted with the application demonstrates the strong demand for the proposed use in this part of the Borough and sets out the significant economic benefits the scheme will bring in terms of jobs and spending to the local area, both during the construction and operational phases.
	f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental	There is no interference with aviation, navigation or telecommunications anticipated.

	effect on solar energy generation on adjoining buildings	
Environmental Impacts	a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building	The submitted suite of technical documents demonstrate the comfort and enjoyment of open spaces around the building will be improved overall. Where there have been issues raised in relation to daylight and sunlight further studies have been undertaken and advice given to seek appropriate mitigation.
	b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions	
	c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building	
4) cumulative impacts	a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.	<p>The visual, functional and environmental impacts of the scheme are cumulatively positive as identified, particularly in relation to improving the vitality and viability of the town centre and supporting public realm improvements.</p> <p>The proposed development remains subservient to the nearest tall buildings and is not significantly taller than much of the surrounding development. The proposals are therefore highly unlikely to lead to a cumulative visual impact over and above the circumstances of the existing local context.</p>

6.3.8 Part D of Policy D9 requires free to enter publicly-accessible areas to be incorporated into tall buildings where appropriate. The GLA have suggested that this includes making the toilets publicly accessible. To maintain the safety and security of hotel clients it is not considered that this would be appropriate in this circumstance, however users of the restaurant which is publicly accessible would have access to these facilities.

6.3.9 Notwithstanding the above, the proposal offers other wider public benefits. AAP 6(D) states that tall buildings should "...be located to draw attention to locations of civic importance, major public transport interchanges; and areas of important public realm" Greenhill Place directly adjacent to the proposed development is envisaged to be a new public square with high quality public improvements, including food

kiosks and outdoor seating. The hotel development being sited almost opposite this area is considered to provide a complementary use by further stimulating an otherwise underused part of the town centre through the creation of an active frontage characterised by large expanse of ground floor glazing to accommodate the hotel reception and restaurants, drawing both hotel visitors and the general public to the site and wider locality and creating a safer area through increased natural surveillance as well as through appropriate security measures by virtue of the development.

- 6.3.10 On the basis of the above assessment, it is considered that the proposed development would not cause significant impact to the wider or local townscape to the detriment of the character and appearance of the area given the current and emerging context. There are a number of functional and economic benefits which would outweigh harm, particularly in terms of the environment and given its town centre location. On this basis, the principle of a tall building at this site is considered appropriate.
- 6.3.11 The site falls within the 'blue', 'black link' and 'black dotted line' RAF Northolt Safeguarding Zones set out in the Local Plan which requires Consultation required for any building, structure or works exceeding 91.4m in height above ground level. The Ministry of Defence (MOD) were consulted and note that the application site is 6km from the entire of the airfield so would be within the aerodrome and birdstrike safeguarding zones. However, the MOD has confirmed that there are no safeguarding objections to this proposal.

Massing, Scale & Built Form

- 6.3.12 A number of design amendments have been made during the course of the application which will be drawn upon throughout this section. Reductions in height from 14 to 12 storeys over the previous design iteration are significant and highly welcomed, presenting a much more comfortable relationship to the Origin development to north and west of site whilst continuing to provide sufficient density required of a central town centre location. Revising the massing to appear as a single block of a consistent twelve storeys simplifies the built form, with only a small vertical step to the parapet and small step in the footprint to the southern portion of the development, both of which have no impact on the overall massing. The perceived massing from the front elevation appears proportionate in terms of the proposed height and width of the built form and deferential to the adjacent Harrow One scheme to rear and west.
- 6.3.13 Additionally, the revised footprint which increases the separation distance between the principal north elevation and the Origin development is equally welcome and significantly reduces overlooking and overbearing concerns present in the previous design iteration. Such improvements have bettered both access to natural light and aspect for existing units surrounding the site which face south and east which form part of the Origin Housing scheme.
- 6.3.14 Whilst distances from proposed principal elevations and windows to those of neighbouring residential developments are relatively small, given the dense nature of this town centre location such distances are deemed to be acceptable to enable land in the town centre to be effectively utilised. Mitigation measures as requested

by officers such as reductions in height, increased setbacks and screening of windows in elevations are seen as successful measures in reducing harm caused by the proximity of the development to facing habitable room windows within the Harrow One (Origin Housing) scheme. These measures principally reduce overlooking, overbearing, overshadowing and reduced daylight and sunlight impact to adjacent existing residential units.

Public Realm and Landscaping

- 6.3.15 The provision of a ground floor bar/restaurant use facilitates the activation of the public realm in front of the development through the provision of al fresco dining seating and planting. This will serve to animate this part of St Johns Road and the wider Lyon Square area.
- 6.3.16 The location of an accessible parking bay to the frontage and adjacent to the outdoor dining area and main entrance continues to feel incongruous with the pedestrian approach to the hotel entrance. However, it is a positive that this is the nearest point to the hotel entrance and given the site constraints which would make it difficult for this provision to be located elsewhere on the site it is considered the mitigation provided by virtue of the outdoor planting present in the frontage would help to draw attention to the entrance of the hotel as well as the active frontage. The Landscape Officer acknowledges that improvements to hard and soft landscaping could still be made and therefore it is considered necessary to include a condition sets out a scheme which includes landscaping details, green and brown roof details, levels and lighting plans and their management to ensure a high quality public realm.

Wind Microclimate

- 6.3.17 A Microclimate study was prepared by RWDI on behalf of the applicant to assess wind conditions resulting from the development. The updated report following initial review concluded that there would be proposed seating which requires the proposed landscaping scheme to be suitable for amenity use during the summer season. Off-Site, there would be isolated windy locations; however, these would either occur in the baseline / existing scenario or would be expected to be suitable when the proposed landscaping is taken into consideration. As such, no further testing is recommended as necessary. The LPA appointed Wilde Analysis Ltd to review the report. Following the reduction in height and footprint following amendments, the review concluded that the report would appear to follow best practices with regards to the microclimate analysis of tall buildings and therefore it is found to be suitable for the intended purposes. The LPA consultant also notes that pre-existing conditions in the adjacent corner with Harrow One (Origin) are now shown to be improved.
- 6.3.18 The Landscape Officer references the landscape mitigation required to mitigate the summer season impact to the outdoor seating area which is one category windier than suitable for seated occupants and states (on the Lawson Comfort Criteria) during the summer season. To mitigate this the planters at 1.5 metres in height are proposed. In this context and location the planters are considered to be high and could pose a secure by design risk, providing places to hide, as well as appearing overbearing in such a small space. Alternative landscape design solutions to mitigate the wind in the external amenity space fronting St Johns Road would

therefore be necessary, rather than the use of such high planters. This could however be addressed as part of the landscape conditions.

- 6.3.19 In this regard, subject to the landscaping conditions mentioned above, the proposal would meet the requirements of London Plan Policy D8(G) in that consideration has been given to the local microclimate created by buildings, and the impact of service entrances and facades on the public realm.

External Appearance, Composition and Materiality

- 6.3.20 The use of louvred/ perforated panels to west and north elevations to provide additional privacy to Origin flats and hotel suites within the development alike is appropriate and will aid in reducing actual and perceived overlooking between the two developments. The use of similar material language and detailing for both side and rear elevation protruding perforated screens and front elevation infill panels to window openings would assist in providing a cohesiveness to all elevations and helps integrate privacy screens into the architectural design.
- 6.3.21 The addition of the same treatment to the south-east facing elevation is positive as despite not featuring the same overlooking issues as that of the north-west elevation, such treatment of window openings would ensure It would not prejudice future development on the neighbouring site, namely 'Bank House.' Furthermore, the staircase block to the rear now features a false window to ameliorate overlooking concerns. This is discussed further in the next section of the report.
- 6.3.22 The front street-facing elevation is considered to be successful featuring a good gridding and rhythm to fenestration and additional relief in surrounding brickwork to support this. The choice of window unit and associated infill panels work well and do not result in large expanses of brickwork. Additionally, the ground floor elevation is well differentiated, with an alternate brick type and fascia boards and the first floor serves as a successful transition, using elements of upper storey and ground floor facades. West and east flank elevations feature sections without window openings to their southern ends. Recessed brickwork pattern has been used for these sections to provide visual interest, which is positive and successful.
- 6.3.23 The rear elevation features a similar element of feature brickwork and attempts have been made to limit window openings to this elevation due to the proximity to habitable room windows of the adjacent Harrow One development. While overlooking continues to occur, it is noted that the design team have maximised both setback and window opening reductions to this elevation. Gold and champagne tones of glazing units and perforated panels complement the buff colour of brickwork and result in a successful external material palette.
- 6.3.24 A condition will be attached to any recommendation to grant planning permission to confirm the maintenance strategy of the building and to ensure the final building materials are approved by the Local Planning Authority.

Refuse and Servicing

- 6.3.25 A refuse store is proposed at ground floor level which is directly accessed from St Johns Road. All refuse collections would take place on site within the service yard at the north-western edge of the site.
- 6.3.26 The waste strategy and collection would be undertaken privately and based on the details provided officers have no objections to the proposal.

Summary

- 6.3.27 In conclusion, the proposed development, subject to the imposition of appropriate conditions, would achieve a high standard of design and layout, which would add positively to the built form, providing a high-quality development which would substantially contribute to the character and appearance of the area, subject to any conditions attached to any permission given being met.

6.4 Impact to Residential Amenity

- 6.4.1 The relevant policies are:

- The London Plan (2021): D3, D5, D14
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)
- Housing SPG (2016)

Amenity of Future Occupiers and Accessibility of the Hotel

Unit Layout and Size

- 6.4.2 There are no prescriptive space standards for visitor accommodation set out in the Development Plan, although the accommodation will comprise a mixture of double/triple/quad rooms ranging from 16-21 sqm. When compared to other hotel developments in the locality this would appear reasonable. The London Plan Policy D5 requires that all new development achieves the highest standard of accessible and inclusive design and can be used safely, easily and with dignity by all. London Plan Policy E10 requires that 10% of new bedrooms are wheelchair accessible or that 15% of new bedrooms are 15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice. Accordingly, the proposal provides 14 x universal access rooms with 3 x lift access to provide ease of accessibility. A condition will be added to any positive recommendation to ensure these wheelchair units are implemented.
- 6.4.3 The urban design officer also notes that the ground floor arrangement is generally successful, with café/restaurant use to frontage providing activity to the street scene which can extend into the public realm. The general arrangement of hotel suites, access corridors and cores for first to eleventh floors is logical and would maximise aspects to guest suites. Furthermore, the suites have been oriented to reduce west east and north facing units as much as possible, with suites located to the south of

the plan featuring window openings which face south-west. This, by extension results in sections of the west and east flank elevations which do not feature window openings, which is positive.

Outlook/Visual Amenities

- 6.4.4 There is some outlook from the proposed hotel suites at the side elevations to mitigate any impacts on the neighbouring properties, through the use of perforated privacy screens. These allow natural light into the rooms whilst ensuring that it would protect the neighbouring privacy. Their siting in the window direct views towards the front of the site. Due to the appropriate internal layout and short term nature of the proposed development it is considered that the development would provide adequate visual amenities from the main areas of the proposed units and are considered acceptable.

Privacy

- 6.4.5 As noted above, the north and north western window arrangement which would flank the Origin development as well as to the rear would benefit from perforated privacy screens which would mitigate any infringement directly parallel with the proposed hotel from the neighbouring Harrow One (Origin) development. To the rear of the site, one of the two windows would be served by a stairwell which would reduce a perception of overlooking from that side and the large separation distances of approximately 13m as well as the privacy would help to mitigate any impact.
- 6.4.6 There are no windows on the south east elevation facing 'Bank House' offices and the remainder of the building would not face onto the neighbouring building but would incorporate privacy screens to safeguard future opportunities coming forward on that side.

Summary

- 6.4.7 Officers therefore consider the quality of accommodation for future occupants of the proposed hotel acceptable. There is no daylight and sunlight requirement for serviced accommodation. Given that the outlook provided from the windows on the north and south elevations are acceptable for each unit, officers consider the level of amenity within the units is supported.

Amenity Impact on the Neighbouring Occupiers

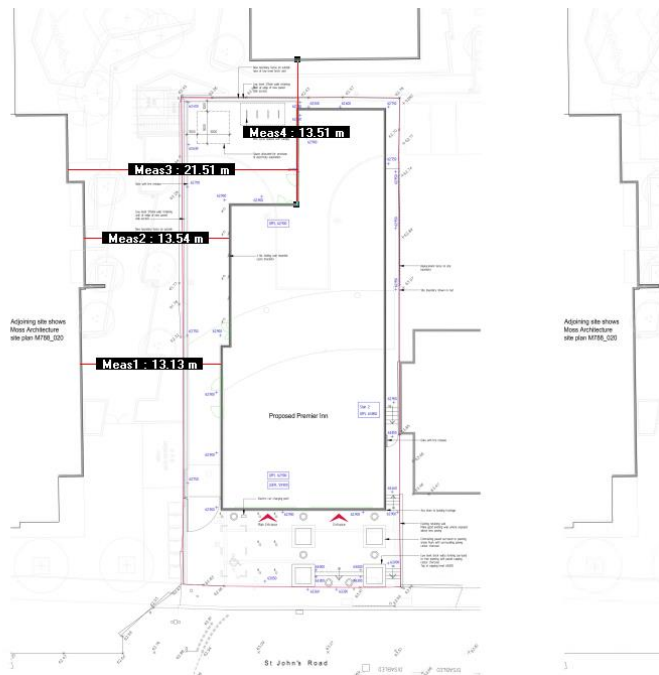
- 6.4.8 Part C (Privacy and Amenity Considerations) of Policy DM1 (Design and Layout Considerations) requires all development proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted.

Outlook/Visual Amenities

- 6.4.9 To the south eastern side of the development is 'Bank House' which is a 4 storey development containing offices. Given the commercial nature of this building,

officers consider there is no relevant assessment needed of outlook and visual amenities from this neighbouring location.

- 6.4.10 With respect to the Origin/Hill development, there are residential properties located to the north east and north west of the site. The scheme has been amended so that the overall height is reduced; the massing is substantially reduced to rear and there are a number of steps to the rear to provide larger separation distances which would reduce the visual impact. The distances are show in the figure below.



- 6.4.11 It is noted that the residential properties of the south eastern facing units in Block C of the Origin/Hill block are single aspect units. The proposed scheme has however been amended to sensitively address the site circumstances of this block by proposing a single storey element to the rear which rises up to 12 storeys with large separation distances. Officers acknowledge that there would be notable visual impact to the outlook of mainly centrally located and lower units in terms of outlook and visual amenity. However, the majority of windows serve bedrooms, which are deemed less sensitive as these rooms are not the main daytime living areas. Where there are single aspect units located centrally there is a separation distance between the buildings of more than 13m at its closest point. The Mayor's Housing SPG (paragraph 2.3.36) states that in achieving visual separation between dwellings historically 18-21m separation has been required. However, it notes that whilst this can be a useful 'yardstick' these cannot be applied rigidly to unnecessarily restrict density. It should also be noted that visitors of the proposed development would not be permanent occupiers so greater flexibility can be applied. Notwithstanding this, these kinds of separation distances are notable between the rear facing units of blocks on Lyon Road and St Johns Road in the Lyon Square development and are common in higher density development within town centres.

- 6.4.12 Block A directly to the rear of the proposed development comprises dual aspect residential units with rear facing recessed balconies. On this side the single storey element housing the refuse area would be close to this boundary. However, the nearest ground floor units would be 4.6m away. The back to back relationship would

be over 13m which is considered to be appropriate given the circumstances set out above.

- 6.4.13 As also highlighted in the daylight and sunlight assessment below, officers consider the windows on the south eastern elevation of the neighbouring development compromises the development of the application site, and given the proposed development is short-let accommodation, on balance, the visual amenity from the proposed development is considered appropriate based on the building heights, distances between buildings, and site circumstances.

Overlooking & Privacy

- 6.4.14 As noted above, the proposal has been designed to ensure that the adjacent neighbouring sites are not compromised both in terms of the existing developments and any future developments coming forward.
- 6.4.15 Due to the angle and relationship of windows on the proposed development the privacy screens direct people to look towards the St Johns Road rather than directly opposite to the Origin/Hill residential units. On this basis, officers consider the scenario of overlooking would be limited, and the privacy levels of the neighbouring development would be acceptable in this regard.
- 6.4.16 Similarly, to the rear of the building, the window to the staircase at the rear is now a false window to avoid any overlooking concerns. Furthermore, the window on the rear elevation of the hotel units would also be false as these would be dual aspect. The continuation of the privacy screens would ensure that the perceived overlooking is also reduced. The flank elevation facing 'Bank House' would also have a part blank façade which would incorporate feature brick work and on the rear block would feature privacy screening to ensure that future development is not compromised on that side.

Daylight, Sunlight & Overshadowing

- 6.4.17 The applicant has submitted a Daylight & Sunlight Assessment Report (prepared by eb7, November 2021). This was updated in line with initial feedback from the LPA's consultant Avison Young. The assessment confirms that the analysis was undertaken in accordance with the advice and recommendation set out in the BRE Guidelines 'Site Layout for Daylight and Sunlight: A Guide to Good Practice' (2011). There are three detailed methods for calculating daylight recommended in the BRE Guidelines: Vertical Sky Component (VSC), No Sky Line Contour (NSL) and Average Daylight Factor (ADF). The VSC and NSL are primarily used for the assessment of existing buildings, while the ADF test is generally recommended for proposed rather than existing dwellings. For sunlight, the Annual Probable Sunlight Hours (APSH) method is also provided.
- 6.4.18 There are also two amenity spaces which form part of the Origin/Hill development therefore these have also been included in the assessment with regards to overshadowing of gardens or open spaces.

Impact to 21-39 Nightingale Court & Lyon Square

6.4.19 Nightingale Court is located 40m east of the proposed development and comprises a four storey residential block. Impacts to daylight and sunlight were negligible. The Lyon Square 12 storey block located to the south west of the site, however due to the angle of this block the nearest units (to the north and east elevations) would face away from the site and would be limited to oblique views of the proposal. This impact would also therefore be negligible. AY concurred with these results.

'Bank House' & Belgrave Court

6.4.20 Bank House has not been assessed as this forms a commercial block. Belgrave Court is a four storey block of flats located beyond 'Bank House'. The primary elevations face away from the site and the secondary windows on the northern façade would be masked by Bank House. Whilst there are 2 deviations from some central rooms, which reduce from 0.8 times to 0.7 times. This is considered to be largely unnoticeable and therefore acceptable. This notion is agreed by the LPA's consultant.

Block C (Origin/Hill Development)

6.4.21 Due to the proximity of the subject site and low density of the building the existing windows of this proposals benefit from high existing daylight levels. In terms of daylight, the target BRE recommendation for Average Daylight Factor (ADF) is 1.5% for a main living space. Of the 11 main living rooms (100 living rooms; 11 studios), 99 would continue to meet the criteria. Where these are not met the deviations are considered to be minor (0.1-0.3% below). Greater deviations are restricted predominantly to bedrooms located beneath balconies or isolated to larger open plan studios where the main living space closest to the windows would remain daylit. The BRE guidance recognises that a degree of flexibility must be applied to ensure development can match the heights and proportions of existing buildings, and that the scale and mass of the current proposals are comparable to the neighbouring and emerging context within the town centre location. The review sites comparable relationships between developments in Harrow including 55-59 Palmerston Road (P/2555/18); Equitable House and Lyon House (P/3118/11); and Sonia Court, Gayton Road (P/0291/16); all of which were granted under similar circumstances and in some instances the proposed development would have more or a positive impact than these developments.

6.4.22 In reviewing the results, AY have stated that: *"it is important to bear in mind that any efficient use of the proposed development site for dense redevelopment of this nature will inevitably involve a degree of effect, especially where the existing/consented neighbours are close to the boundary and are self-obstructed, as predicted by the BRE guidance."* As a result of the amendments the review concludes that there has been a reduction in the number of rooms not meeting the default recommendations, and a general overall improvement in the remaining habitable rooms (predominantly bedrooms) not achieving these. It was therefore concluded that these effects would be consistent with the nature of the proposed development and to an extent inevitable given the proposed change in massing, taking into account the design and location of the adjacent neighbours. A comparison of the initial and revised scheme, taken from AY's final review is shown below:



Sunlight & Overshadowing

- 6.4.23 In relation to the shared open amenity spaces at the Origin/Hill Scheme the eb7 assessment, demonstrated that all areas would continue to meet the BRE target sunlight levels particularly in the summer months when the amenity areas are likely to be heavily used.
- 6.4.24 In summarises their view of the results, Avison Young note that the assessments show in overall terms that there would be insignificant impacts, which are either unnoticeable or remain in excess of the default recommendations post-development. Although AY identified that some additional assessments of the Origin/Hill development would be advisable in order to fully assess the impact to this property. A plan showing the scope of works was provided and found to be acceptable. Whilst a small number of self-obstructed areas of directly adjacent habitable rooms serving Origin/Hill development would experience a greater degree of impact, AY note that this is considered inevitable if making efficient use of the proposed development site, due to their own self-limiting design and location directly adjacent the site boundary. This is predicted by the BRE guidance as inevitable in such situations.
- 6.4.25 To justify the identified harm to the sunlight and daylight levels within the neighbouring development the applicant's consultant have undertaken a mirror massing study as an alternative assessment which is recognised by the BRE as an appropriate tool where you are building close to a boundary, the results of this approach deem the daylight and sunlight levels of the neighbouring development acceptable. Avison Young within their independent assessment confirm that the BRE Guidelines note that in certain situations it may be useful to consider alternative target values in relation to daylight and sunlight. One of the alternative target criteria provided by the BRE Guidelines is a 'mirror image' approach which is used to understand the levels of daylight (VSC) and sunlight (APSH) that would be experienced by an extant neighbouring property if there were a building of the same height and extent opposite. This review was conducted and the results show similar or improved situations if this were the case. The applicants have also provided a comprehensive set of comparative /supplementary assessments which AY consider to robustly demonstrate that the degree of impact is common in comparable situations and further the proposal would meet alternative targets established by the approaches set out in the BRE guidance.

6.4.26 With consideration of the submitted details by the applicant, and the independent assessment undertaken, officers consider on balance the daylight and sunlight impacts to neighbouring properties is considered acceptable.

6.5 Traffic, Parking, Access, Servicing and Sustainable Transport

6.5.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

6.5.2 This site is located in an area of very good public transport accessibility with a rating of 6A (excellent). There is access to Harrow on the Hill station within walking distance where there are Underground and national rail services. Harrow bus station is adjacent offering a wealth of routes serving the local area and beyond enabling connections to other towns and more rail/tube options. The surrounding area has good pedestrian facilities due to the pedestrian priority zone in Station Road and St Ann's Road.

Trip Generation

6.5.3 Concerns have been raised by residents of the Origin development in particular of the impact the hotel development would have on car journeys. TfL note that the development is expected to generate 448 total person trips per day, with 77% of these trips being made by sustainable modes. This is a net reduction compared to the existing land use and is not expected to give rise to strategic public transport issues. This is in line with London Plan policies T1 and T4. The Highways Officer also notes that the ATZ Assessment is accepted and demonstrates that this proposal is not anticipated to be a problem as many journeys would fall outside of the normal highway peak times. The difference between the use of the site as a library and as a hotel is that being in the town centre, it is likely that trips to the library would have been linked to trips to other destinations in the town meaning that some of these journeys would still exist on the network but not associated with this site. This part of Harrow has excellent public transport provision; therefore, it is not considered that the increase would be detrimental as the trips would be spread across the different options available.

6.5.4 An Active Travel Zone Assessment was undertaken and concludes that the main trips attractors in this area are business and tourist destinations. The pedestrian access improvements between the site and St John's Road footway are an improvement compared to the site's current layout. The existing public realm on St John's Road is of good quality, and is stopped up at its northern end, creating a low traffic local environment. This supports the Mayor's Vision Zero agenda. A Healthy Streets Assessment has been prepared in line with Policy T2 of the London Plan. Given the public realm proposals adjacent to the site (public square improvements

at the junction of Lyon Road and St Johns Road); this is supported and will directly benefit the site in line with LP policy T2.

Parking

- 6.5.5 In line with policy T6.4 of The London Plan (2021), the development should only provide parking in relation to its operational needs, disabled persons parking and parking required for taxis, coaches and deliveries/servicing. The Highways Authority considers the proposed single disabled bay to be a low quantum and more should be provided for the 140 rooms and restaurant proposed. The on-street disabled bays in the vicinity of the site (all on St John's Road and Lyon Road) have a maximum period of use of three hours albeit, the signing is incorrect, therefore, will not be suitable for hotel guests. The Transport Assessment suggests that guests could use the Davy House public car park, however, the Council's lease of this car park is due to expire therefore, it is not guaranteed that it would be available publicly in the future. However, it is noted that the policy T6.5 also states that all non-residential development types should provide at least one on or off-street disabled parking bay and given the constraints and compliance with policy it is considered that this quantum is sufficient.
- 6.5.6 Whilst the analysis in the Transport Assessment is welcomed, there is an assumption that blue badge holders would book adapted rooms however, this is not necessarily the case as there are many disabled people who would not require any adaptations and so would use a standard room. In comparison, the Travelodge Hotel in Greenhill Way has two disabled bays for 101 rooms, this site should provide at least the same considering more rooms are proposed. The Premier Inn Wembley Park hotel has at least 4 disabled bays, has 154 rooms and is within a similar PTAL (5 forecast to be 6a). However, due to the constraints of the site, the single disabled bay is considered to be appropriate in this case. The updated Transport Assessment provides evidence to state that only 3.78% of bookings in similar locations (high PTAL in Greater London) were for accessible rooms, which equates to 1 disabled guest when assessed against the proposed quantum of rooms. As such, it is considered that the single space would be acceptable.

Cycle Parking

- 6.5.7 All proposals must include cycle parking provision in line with London Plan 2021 minimum requirements. The level of cycle parking is compliant with London Plan policy T5 however further detail on the type of stands proposed and the access/layout of the stores is required. A minimum of 5% must be accessible stands and ideally lockers should also be provided. This information should be secured by condition.

Delivery and Servicing

- 6.5.8 Policy T7 G does state that provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. This is a busy location where there will be demand for the use of the loading bay by others. It would be necessary to consider alternative options should this facility be in use when a delivery arrives as it will not be possible to wait on-street. A Deliveries and Servicing Plan (DSP) has been submitted and commits to sustainable delivery and servicing of the site. The servicing is off street and on-street, accessed from an existing servicing bay on St John's Road. Waste servicing and hotel deliveries would be undertaken via the on-site servicing bay, coach drop-offs and taxis will utilise the on-street bay this largely meets the objectives London Plan Policy T7.
- 6.5.9 Additionally, although not specifically a highways consideration, the noise generated by deliveries may have an impact on the residents living in Byron Court therefore timings should be carefully considered. A detailed construction logistics plan is therefore recommended to be secured by pre-occupation condition.
- 6.5.10 It is therefore considered that the proposed development is acceptable in Highway terms and would accord with policies T2, T4, T5, T6, T6.4 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013), on the basis that if planning permission was granted it would be subject to the abovementioned conditions. Furthermore, the Highways Officer and TFL raised no objection to the proposed development.

6.6 **Environmental Considerations – Contamination, Noise, Air Quality**

6.6.1 The relevant policies are:

- The London Plan (2021): S11, D14
- Harrow Core Strategy (2012): CS1.U
- Harrow Development Management Policies Local Plan (2013):DM1, DM12 DM15

Contamination

Policy DM15 (Prevention and Remediation of Contaminated Land) of the Harrow Development Management Policies (2013), specifically Part A, which proposes the redevelopment or re-use of land known or suspected to be contaminated and development or activities that pose a significant new risk of land contamination will be considered having regard to:

- a. the findings of a preliminary land contamination risk assessment;
- b. the compatibility of the intended use with the condition of the land; and
- c. the environmental sensitivity of the site.

Part B of Policy DM15 confirms proposals that fail to demonstrate that intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.

- 6.6.2 The submitted sustainability statement confirms that should any discovery of potentially contaminated soils or materials be found this should be reported and any mitigation required would be subject of review by the LPA. Conditions to this effect are therefore recommended.

Noise

- 6.6.3 Paragraph 109 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
- 6.6.4 London Plan policy D14 seeks to reduce, manage and mitigate noise to improve health and quality of life. The policy states that residential development proposals should manage noise by a range of measures which include reflecting the Agent of Change principle as set out in Policy D13, mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses and improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity). The policy advocates separating new noise-sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation and states that where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles.
- 6.6.5 A Noise Impact Assessment has been submitted as part of the planning application, and the environmental health officer and does not consider the information supplied sufficient. This is because the background noise levels were assessed during the construction of the Origin/Hill development and do not reflect noise levels post occupation of these units. Furthermore, noise and odour control assessments and measures have not been accounted for. Whilst such details are usually required prior to determination, it is considered given the passage of time since the submission of this application a revised noise report can be appropriately conditioned. To ensure noise from the conference rooms and ancillary restaurant / bar area are not in considerable excess of background levels, a condition restricting amplified noise from the site is also considered necessary to safeguard the amenity of neighbouring residents.
- 6.6.6 As mentioned above, details of background levels post-construction during the quieter periods has been requested by the EH Officer to ensure appropriate mitigation measures would be in place should they be deemed necessary. However, the applicant states that their noise assessment measures the ‘worst case scenario’ and anything less than this would be an improvement. The LPA does not consider construction period noise to provide a true reflection of normal background levels and therefore further work would be necessary to ensure appropriate mitigation (if necessary) is provided. A condition to this effect will be included. Plant noise details are required once these become available and these should be no more than the

ambient levels at night-time. These details will also be secured by way of condition to ensure they are acceptable.

- 6.6.7 The Delivery and Service Plan sets out the frequency and duration of deliveries which would take place per week. A condition to ensure that deliveries would be limited to 14 per week as set out in figure 3.2 of the plan between 06.30-18:00 for the durations set out would ensure noise levels and disturbance to nearby occupiers would be at acceptable levels.

Air Quality

- 6.6.8 Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

London Plan policy SI 1 (Improving air quality) Part 1 states that:

"Development proposals should not:

- a) lead to further deterioration of existing poor air quality
- b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
- c) create unacceptable risk of high levels of exposure to poor air quality."

Part 2 of the policy sets out requirements to ensure that development proposals meet the above objectives including the requirement for developments to be Air Quality Neutral.

- 6.6.9 The Air Quality Assessment has been updated by XCO2 to reflect the amendments to the proposed development. The conclusions of the assessment remain the same, with the report noting that there would be some insignificant impacts during the construction phase which can be effectively minimised through the implementation of a Dust Management Plan. The report also notes that the development will reduce traffic on the local road network compared to the existing site uses and the impact on local air quality is therefore anticipated to be negligible. There is also a minor improvement over the previously submitted scheme due to the reduction in room numbers.
- 6.6.10 The assessment has also undertaken detailed dispersion modelling to assess the suitability of the site for a hotel use and concluded that the predicted concentrations at the site are well within the short-term quality standards set for the protection of health. The report also states that the proposed development will be Air Quality Neutral in respect of both building and transport-related emissions. The scheme would therefore comply with air quality standards.

Lighting

- 6.6.11 The application does not include any details of the lighting strategy for the scheme, as such, if members grant planning permission for the scheme, a condition to confirm the security and ambient lighting of the proposal with the on and off-site impacts identified and quantified.

6.7 **Development and Flood Risk**

6.7.1 The relevant policies are:

- The London Plan (2021): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM9, DM10

6.7.2 The application site is identified within fluvial flood zone 1 which is not at risk from fluvial flooding and therefore the development is considered to be able be operated safely with no increased level of flood risk.

6.7.3 The Drainage Department was consulted who confirmed that the flood risk assessment and drainage strategy submitted is acceptable, however further details in respect of surface water flooding and compensatory flood storage are required alongside the flood mapping. At the time of writing this report the applicants Drainage Consultant has confirmed that the outstanding information requested by the Council is collated and will be shared by way of addendum. The Drainage Officer has confirmed this approach is appropriate.

6.8 **Biodiversity**

6.8.1 The relevant policies are:

- The London Plan (2021): G5, G6
- Harrow Core Strategy (2012):CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM20, DM21

6.8.2 The Biodiversity Officer was consulted on the proposal and advised the application site is within a significant area of deficiency in access to nature. The large and important Harrow on the Hill site is the closet within 500 metres it is separated from the site by the rail line and significant urban development. Accordingly, the scheme would have no impact on this or other wildlife sites but it would be expected that the development will provide improvements in access to nature and the benefits which this can bring as a measurable gain for biodiversity.

6.8.3 The Council's Biodiversity Officer has reviewed the proposals and considers that whilst there is little opportunity to provide enhancement for biodiversity within urban areas, a sedum-dominated roof (as suggested for the lower roof) will not be acceptable and provision should be made instead for a biodiverse roof with at least 15cm of nutrient poor substrate, water retention and other features to support a diverse flora and the invertebrate species that this would encourage. Although the drainage plan does not appear to mention the indicated green roof section at first floor level, the biodiverse roof provision will need to be designed and delivered to help to mitigate projected climatic change. Specialist living roof consultancies would be able to advise as to what is likely to be suitable in this regard. Consideration of vegetation provision at ground level seems deficient and additional trees and trees within tree pits rather than the indicated planters and or

(simple) green walls or the use of climbers grown over supporting structures may be better suited, including green walls at split roof levels. As no definitive proposals have been put forward nor the requirements to meet Urban Greening Factor a condition setting a full specification of on-site proposals, including provision of wildlife shelters are required by way of pre-commencement condition.

6.8.4 Such details identified above would be required and there is a need for a plan relating to the installation and establishment of the identified features and for their management in the long term. Therefore, subject to appropriate conditions the biodiversity officer has raised no objection to the proposed development and the provision of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature.

6.9 Energy and Sustainability

6.9.1 The relevant policies are:

- The London Plan (2021): SI1, SI2, SI5
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM12, DM14
- Harrow and Wealdstone Area Action Plan (2013): AAP10

6.9.2 An Energy Statement has been prepared by XCO2. The methodology used in the report remains in accordance with the London Plan's four-step Energy Hierarchy of Be Lean, Be Clean, Be Green and Be Seen.

6.9.3 The site is in a Heat Network Priority Area and ambient loop heat networks are not considered readily compatible with future connection to district heating. As part of an addendum the revised Energy Statement states that air source heat pumps will form part of a hybrid system for the supply of heating and hot water, alongside the boilers with an approximate 60% and 40% split. Photovoltaic Panels have also been identified as a suitable technology for the site. The report demonstrates that there is a significant saving of 32.4% using SAP10 at the Be Green stage. This will be further reviewed at Stage 2 by the GLA should this application be granted.

6.9.4 The report notes that there is no district heating system for the proposed development to connect to, meaning there are no savings to be achieved at the Be Clean stage.

6.9.5 The report states the proposed energy efficiency measures at the Be Lean stage include levels of insulation beyond the Building Regulation requirements, low air tightness level, efficient lighting and energy saving controls for space conditioning and lighting. These measures alone reduce the CO2 emissions at the Be Lean stage. By 10.1% using SAP10 and 12.9% using SAP2012. The target for the Be Lean stage is a 15% saving, which the development cannot achieve due to the significant demand for hot water and the associated emissions. Furthermore, any improvement to the building fabric, lighting systems, ventilation systems and building services systems controls will only have a negligible impact on the achievable savings.

- 6.9.6 At the Be Green stage the overall results are 42.5% improvement for the proposed for the non-residential use over Part L using the SAP10 factors in accordance with London Plan policies.
- 6.9.7 The development follows the energy hierarchy, heating hierarchy, and cooling hierarchy. The development will connect to the energy centre at a neighbouring site as soon as it is available, which results in significant carbon reductions. In addition, the PV system is the largest that the roof can accommodate.
- 6.9.8 The planning policy officer has reviewed the proposal and considers that it broadly follows the energy hierarchy and includes supporting Part L Building Regulations calculations in the appendices. Overall carbon reductions savings equivalent to 42.5% of baseline emissions are identified in the statement (based on SAP 10.0 carbon factors); this is in excess of the minimum 35% on site reductions required in London Plan. Within the energy hierarchy, the proposed scheme does not meet the 15% reduction target for the 'Be Lean' stage (i.e. energy efficiency measures) but given the nature of the development (a hotel with a higher proportion of hot water demand) there is a reduced scope for energy efficiency measures; this shortfall is considered acceptable given the overall carbon reductions achieved on-site.
- 6.9.9 The statement also indicates that an on-site heat network (powered by air source heat pumps) will be provided; the ability for such a network to connect to a future district heat network is however not clear in the energy strategy (an issue raised by the GLA in their Stage 1 response). It is also noted that the Building Regulations 2021 have come into force and whilst transitional arrangements are available, the energy strategy should be updated to reflect the new Regulations (where appropriate) and any subsequent guidance issued by the GLA (i.e. GLA Energy Assessment Guidance 2022), as well as providing additional detail regarding future connection of the on-site heat network to any future district network should one become available.
- 6.9.10 The energy statement identifies remaining emissions of 157 tonnes per year that will need to be offset by way of an offset contribution secured by way of a S106 planning obligation in order for the development to achieve zero carbon development required under the London Plan. At the London Plan rate of £95/tonne/year for 30 years (i.e. £2,850 / tonne), the contribution is £498,750. The contribution should be payable prior to commencement of development and verified at the completion of development with a top-up payment required for any shortfall in on-site carbon reductions compared to those proposed at application stage. As a new energy statement will be conditioned, the S106 should be worded to allow recalculation of the contribution to take into account any revised energy statement approved by the LPA. GLA Be Seen requirements should also be included in any S106 agreement, as well as heat network safeguarding obligations.
- 6.9.11 Subject to the above obligations and condition, the proposal therefore complies with the above-mentioned policies.

6.10 **Secured by Design**

6.10.1 The relevant policies are:

- The London Plan (2021): D5, D11, E10
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2

6.10.2 The Designing Out Crime officer had been in discussion with the applicant in relation to the scheme and come to an agreed position. Following the revised scheme, the applicants have however not followed through with the revisions and therefore officers have raised concern with the current ground floor layout. A letter addressing the key concerns was submitted by Whibread, however it is considered necessary to include a condition requiring a revised ground floor layout to ensure all the appropriate secure by design measures are implemented. This would ensure that the development would achieve Secured by Design (SBD) certification prior to occupation. On that basis, the proposal therefore complies with the above-mentioned policies. This position has been agreed with Secure by Design Officers.

6.11 **Fire**

6.11.1 The relevant policies are

- The London Plan (2021): D5, D12

6.11.2 Policy D5 'Inclusive Design' and Policy D12 'Fire Safety' of the London Plan (2021) seeks for all developments to meet the highest standards of fire safety and requires all major developments to include the submission of a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

6.11.3 The Fire Statement submitted has been reviewed by the Council's Fire Consultant. It was considered that the statement is broadly acceptable in principle, however there is insufficient information at this stage to advise that the development should be carried out in accordance with the strategy. The guidance document upon which the statement is based was superseded last month and the relevant document is now ADBvol2 2022. Whilst there is not a large difference between the two documents there are still outstanding comments in relation to the escape routes. An updated Fire Strategy is therefore required by way of pre-commencement condition.

7.0 **CONCLUSION**

7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.

7.2 In summary the proposals are considered to be in accordance with the objectives of the London Plan (2021), Harrow Core Strategy (2012), and Harrow Development Management Policies (2013), and the National Planning Policy Framework (2021).

7.3 Accordingly, it is recommended that planning permission be granted for application reference P/3066/20, in line with Recommendation A of this report, and subject to the completion of a s.106 agreement, and the conditions listed in Appendix 1.

Interim Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 1: Conditions and Informatives

Conditions

1. Time Limit

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

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

2. Plan List

Save where varied by other planning conditions comprising this planning permission or unless otherwise agreed in writing by the local planning authority, the development hereby permitted shall be carried out in accordance with the following approved plans to show the redevelopment to provide a part single part 12 storey hotel accommodation (Use Class C1) comprising 140 rooms and construction of basement level; ancillary restaurant and conference rooms (Use class E); bin store; landscaping; parking (demolition of existing building)

Approved Plans:

Principle elevation visualization; 6240_SITE_2D_R0;
7240_LOWER_GROUND_R0; 7240_GROUND_R0; 7240_FIRST_R0;
7240_SECOND_R0; 7240_THIRD_R0; 7240_FOURTH_R0; 16A; 15C; 14C;
13C; 12B; 11C; 08D; 07D; 06D; 05D; 04D; 03E; 02F; 01D; M788_001.PPL1

Approved Documents:

Flood Risk Assessment & Drainage Strategy (prepared by Simpson) dated November 2021; Fire Statement (Prepared by C.S Todd & Associates Ltd) dated December 2021; Energy Statement (prepared by XCO2 dated November 2021); Delivery and Servicing Management Plan (prepared by RGP, dated November 2021); Healthy Streets Transport Assessment (prepared by RGP, dated November 2021); Travel Plan (prepared by RGP, dated November 2021); Daylight & Sunlight Report (prepared by eb7, dated November 2021); Environmental Noise and Impact Assessment (prepared by XCO2, dated November 2021); Overheating Assessment Addendum (prepared by XCO2); Sustainability Statement Addendum (prepared by XCO2); Air Quality Assessment (prepared by XCO2, November 2021); Pedestrian level wind microclimate assessment (prepared by RWDI, dated November 2021); Supplementary Design and Access Statement (Prepared by SKD Design Ltd); Structural Method Statement (December 2020); Sustainability Statement (December 2020); Drainage Strategy Report (prepared by Simpson); Economic Benefits Statement (July 2020) prepared by Turley; Planning Statement (prepared by HGH Consulting); Design and

Access Statement; GLA Carbon Emission Reporting Spreadsheet; Planning Statement Addendum (December 2021); Travel Plan (prepared by Whitbread dated November 2021).

REASON: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. Construction Logistics Plan

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

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

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

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with Local Plan Policies DM1 and DM43 and Policy D14 of the London Plan (2021) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy T7 of the London Plan (2021), this condition is a PRE-COMMENCEMENT condition.

4. Levels

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and road/highway(s), and any other changes proposed in the level of the site, have been submitted to, and agreed in writing by the local planning authority. The development

shall be carried out in accordance with the details so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

5. Revised Noise Report

The development hereby approved in relation to criterion a), b), c) and d) shall not commence until details noted below have been submitted to and approved in writing by the local planning authority:

- a) Updated Noise Assessment of background noise level;
- b) full details (including specification) of any extraction flues, plant/ ventilation systems, rainwater disposal systems (including downpipes) and any rollershutters, gates and other means of controlling access to the building.
- c) details to demonstrate that all plant/ ventilation systems would meet the plant noise criteria set out in the submitted Noise Assessment.
- d) measures to be incorporated within the design of the buildings to minimise excessive noise breakout from the proposed community hall and commercial floorspace (including details of any mechanical ventilation that would be required); and
- e) a follow up acoustic survey to demonstrate installed plant compliance shall be submitted within six months of the first occupation of the development.

The application shall be implemented in full accordance with such details and be maintained thereafter.

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

6. Noise emanating from the ancillary uses

The development shall not progress beyond damp proof course level until a scheme which specifies the provisions to be made for the control of noise emanating from the ancillary restaurant / bar use has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

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

7. Secure by Design

No development other than demolition works shall commence until a revised ground floor layout which provides measures to maintain a safe and secure environment for users and staff of the development shall be submitted to and approved by the LPA. The development shall be completed in accordance with these details and thereafter maintained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime in accordance with policy D11 of the London Plan (2021) and policy DM1 of the Development Management Policies Local Plan (2013).

8. Urban Green and Ecological Management Plan

No development, other than works of demolition shall commence at the site before an Urban Greening and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority.

- 1) The Urban Greening and Ecological Management Plan shall include:
 - a) Details of the measures to be provided at the site to deliver an Urban Greening Factor of at least 0.4 (or as far as practicable);
 - b) Full details of proposals to incorporate built-in and other shelters for birds, bats and invertebrates at ground to third floor, split root and roof and elevation apex levels at a ratio of one single/dual shelter per two accommodation units. This should include provision of hibernation roosts for bats, including provision of features for peregrine falcon should also be considered and pursued if practicable;
 - c) A timetable for the delivery of the urban greening measures and ecological enhancements at the site;
 - d) A Management and Maintenance Plan for the urban greening measures and ecological enhancements at the site.

- 2) Prior to first use, the applicant will provide to the Council for approval in writing a maintenance and management plan for the features identified with the plan above, as approved, to continue on for a period of ten years from the conclusion of that plan and then to be refreshed at 5- 10 year intervals. The plan should provide clear instructions and clear, 'at a glance', month-by-month and year by calendars of operations and monitoring to guide the implementation of works by those responsible for their delivery or oversight.

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

REASON: To ensure that a satisfactory urban greening factor and onsite ecological enhancements are provided and managed and maintained at the site.

9. Surface Water Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions and for allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

10. Fire Safety

Notwithstanding the submitted Fire Statement, the development hereby approved shall not progress beyond damp proof course, until a Fire Safety Strategy produced by a third party suitably qualified assessor 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 is constructed in an appropriate way to minimise the risk of fire spread
- 3) provide suitable and convenient means of escape, and associated evacuation strategy for all building users, including the provision of fire evacuation lifts;
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users, including the provision of fire evacuation lifts;
- 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 D12.B 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.

11. Contamination

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

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

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

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses, in accordance with policy DM15 of the Harrow Development Management Policies Local Plan (2013).

12. Revised Energy Strategy

No development shall take place until a revised energy strategy has first been submitted to the Local Planning Authority in writing to be agreed. The details of the revised energy strategy will include full Part L calculations based on the version of Part L of the Building Regulations that the scheme will be implemented under.

The approved details shall be installed on site before the occupation of the development and shall be maintained thereafter.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2021), policies S2 of The London Plan (2021) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

13. Materials

Notwithstanding the details shown on the approved drawings, the development hereby approved shall not progress beyond damp proof course level until samples of the materials (or appropriate specification) to be used

in the construction of the external surfaces for each building, noted below have been submitted to, and agreed in writing by, the local planning authority:

- a) facing materials for the building, including brickwork bond details;
- b) windows/ doors, including those to all servicing areas;
- c) privacy screens (including soffits);
- d) boundary treatment including all vehicle and pedestrian/ access gates;
- e) ground surfacing; and
- f) raised planters;
- g) external seating.

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

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

14. Noise, Odour and Ventilation

The development hereby approved in relation to criterion a) and b) below, shall not progress beyond damp proof course level until details noted below have been submitted to and approved in writing by the local planning authority:

- a) full details (including specification) of any extraction flues, plant/ ventilation systems, rainwater disposal systems (including downpipes) and any rollershutters, gates and other means of controlling access to the ancillary / back of house areas within the site;
- b) details to demonstrate that all plant/ ventilation systems would meet the plant noise criteria set out in the submitted Environment Statements;
- c) details to demonstrate that odour control measures would be in place, where it is found necessary; and
- d) a follow up acoustic survey to demonstrate installed plant compliance shall be submitted within six months of the first occupation of the development.

The application shall be implemented in full accordance with such details and be maintained thereafter.

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

15. Hard and Soft Landscaping

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until a scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, external furniture and structures, tree planting and tree pits and so on has been submitted to, and approved in writing by the Local Planning Authority which shall include:

- a) Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.
- b) The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.
- c) Green roofs, biodiverse intensive and extensive green roofs to include the planting and green roof detail, build-up layers of the material, including the substrate, growing medium, drainage, irrigation and written specification of planting, schedules of plants, noting species, plant sizes, types of vegetation (all at time of planting) proposed numbers / densities. The layout of the roof above 14th storey to incorporate a brown roof and blue roof with PV panels combined.
- d) Details of all boundary treatment.
- e) Lighting: details of the lighting of all external areas (including buildings) within the site, including locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels;
- f) Details of suitable planting to provide appropriate mitigation for the worst-affected areas in line with the recommendations of the Wind Microclimate Assessment

The development shall be implemented in accordance with the scheme so agreed and shall be retained as such thereafter. The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation: of habitats and valuable areas for biodiversity; a high quality, accessible, safe, and attractive public realm and to ensure a high standard of design, layout and amenity, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

16. Landscape Management and Maintenance Plan

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all hard and soft landscapes areas, other than privately owned domestic balconies/terraces/gardens. The Landscape Management and Maintenance Plan shall include:

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

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

REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

17. Planting

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

18. Appearance of the buildings

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building hereby approved.

The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021), Policy CS1B of the Harrow Core Strategy (2012) and Policies AAP4 and AAP6 of the Harrow and Wealdstone Area Action Plan 2013.

19. Delivery and Servicing Plan

The hotel and ancillary restaurant premises hereby approved shall not be first occupied until a detailed Delivery and Servicing Plan has first been submitted to the Local Planning Authority in writing to be agreed. The delivery and service plan shall be carried out in accordance with the approved details for the lifetime of the development and details in relation to trip generation and time periods for deliveries as set out in the approved plan shall not be exceeded, unless otherwise approved in writing by the LPA.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy T7 of the London Plan (2021) and policy DM44 of the Harrow Development Management Policies Local Plan (2013).

20. Secure by Design

Prior to the first occupation of the building, the applicant shall apply for a Secured by Design Certification which shall be submitted and approved in writing by the local planning authority. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

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

21. Building Maintenance

The development hereby approved shall not be occupied until a strategy for maintaining the external surfaces of the buildings has first been submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of the regime for cleaning, repainting and repairing the buildings and the logistical arrangements for implementing that regime. Maintenance of the external surfaces of the buildings shall adhere to the strategy so agreed.

REASON: To ensure that maintenance of the development is carried out to preserve the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021) and Policies AAP 4 and AAP 6 of the Harrow and Wealdstone Area Action Plan 2013.

22. Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of television reception (eg. aerials, dishes and other such equipment) shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local

Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2016), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

23. Opening Hours

The opening hours of the ancillary restaurant (use Class E) hereby approved shall be as follows:

- 07:00 hours to 23:00 hours on Mondays to Saturdays (inclusive)
- 08:30 hours to 22:00 hours on Sundays and Bank Holidays

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

24. Delivery Hours

Any deliveries within the development shall take place only between the hours of 06:30 and 23:00 on Mondays to Saturdays and between the hours of 08:30 and 22:00 on Sundays and Bank Holidays, unless otherwise agreed in writing by the local planning authority.

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

25. Wheelchair Units

The 14 wheelchair hotel units shall be implemented as identified within the approved drawings.

REASON: To ensure sufficient choice for people who require an accessible bedroom within short-term let accommodation provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policies E10 of The London Plan (2021).

26. Blue Badge Parking Spaces

The development hereby permitted shall not be occupied until the accessible parking space of a standard size have been clearly marked out on site, in accordance with the approved Site Plan (O1 D). Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure car parking provision is available for use by the occupants of the site and in accordance with policy T6 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

27. Cycle Parking

The development hereby permitted shall not be occupied until details of shelters, racks, dimensions and location of cycle parking spaces shall be submitted to and approved in writing by the local planning authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the occupation of the residential units and shall thereafter be retained.

REASON: To ensure that cycle storage is available for use by the occupants of the site in accordance with policy T5 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

28. PD Restrictions

The approved ground commercial space (Use Class E(b)) shall only be used for the purposes as set out in the application and for no other purposes.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

29. Amplified Noise

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

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

30. Refuse Storage

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

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

INFORMATIVES

1. Relevant Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan (2021):

D1, D2, D3, D4, D5, D8, D9, D11, D12, D13, D14, E1, E10, G5, G6, G7, SI1, SI2, SI12, SI13, SI15, SD6, SD7, SD8, SD9, T2, T4, T5, T6, T6.4 T8

Harrow Core Strategy (2012): CS1

Harrow and Wealdstone Area Action Plan (2013):

AAP1, AAP3, AAP4, AAP6, AAP9, AAP10, AAP16

Harrow Development Management Policies Local Plan (2013):

DM1, DM2, DM9, DM10, DM12, DM14, DM15, DM20, DM21, DM22, DM34, DM35, DM42, DM45

Supplementary Planning Documents:

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

2. Pre-application engagement

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

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

3. Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL. The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £882,420

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

You are advised to visit the [planningportal](http://planningportal.gov.uk) website where you can download the appropriate document templates.

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

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

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

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

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

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

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

4. Harrow CIL

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £346,665

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

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

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

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

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

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

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

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

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

5. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising

any adverse effects arising from building operations, and in particular the limitations on hours of working.

6. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7. Compliance with Planning Conditions

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

8. Liability for Damage to Highway

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

9. 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.

10. Designing Out Crime

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

11. Network Management

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

12. Landscape Management and Maintenance

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

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

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

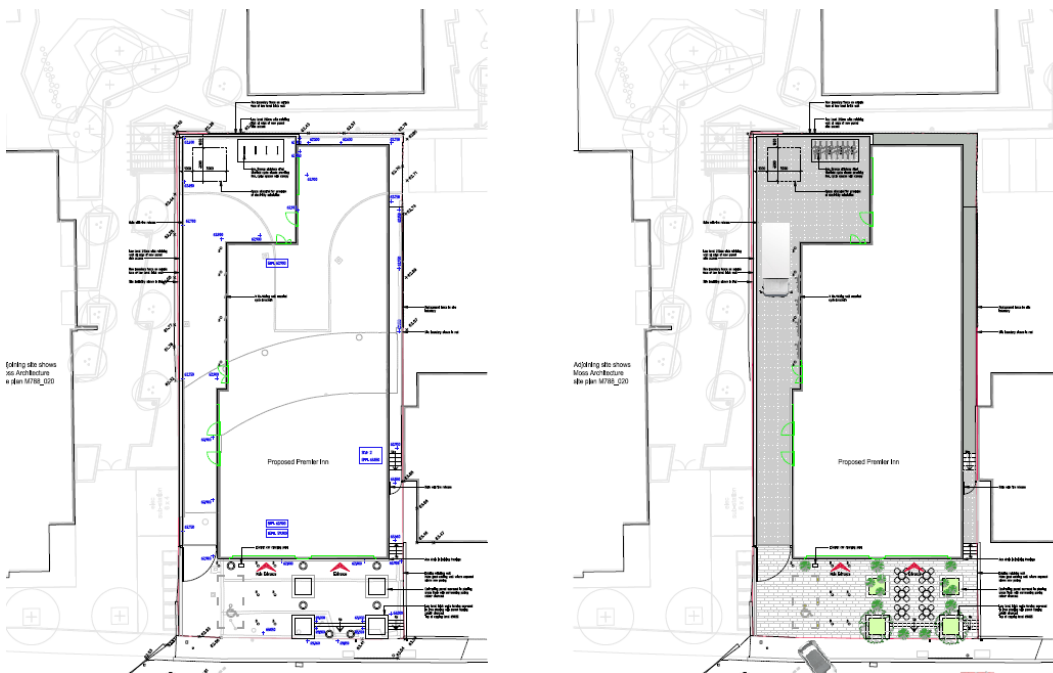
APPENDIX 2: SITE PLAN



Existing Site Plan



Proposed Site Plan



APPENDIX 3: SITE PHOTOS



Front Elevation (Subject site to the left and Bank House to the right)

APPENDIX 4: PLANS AND ELEVATIONS

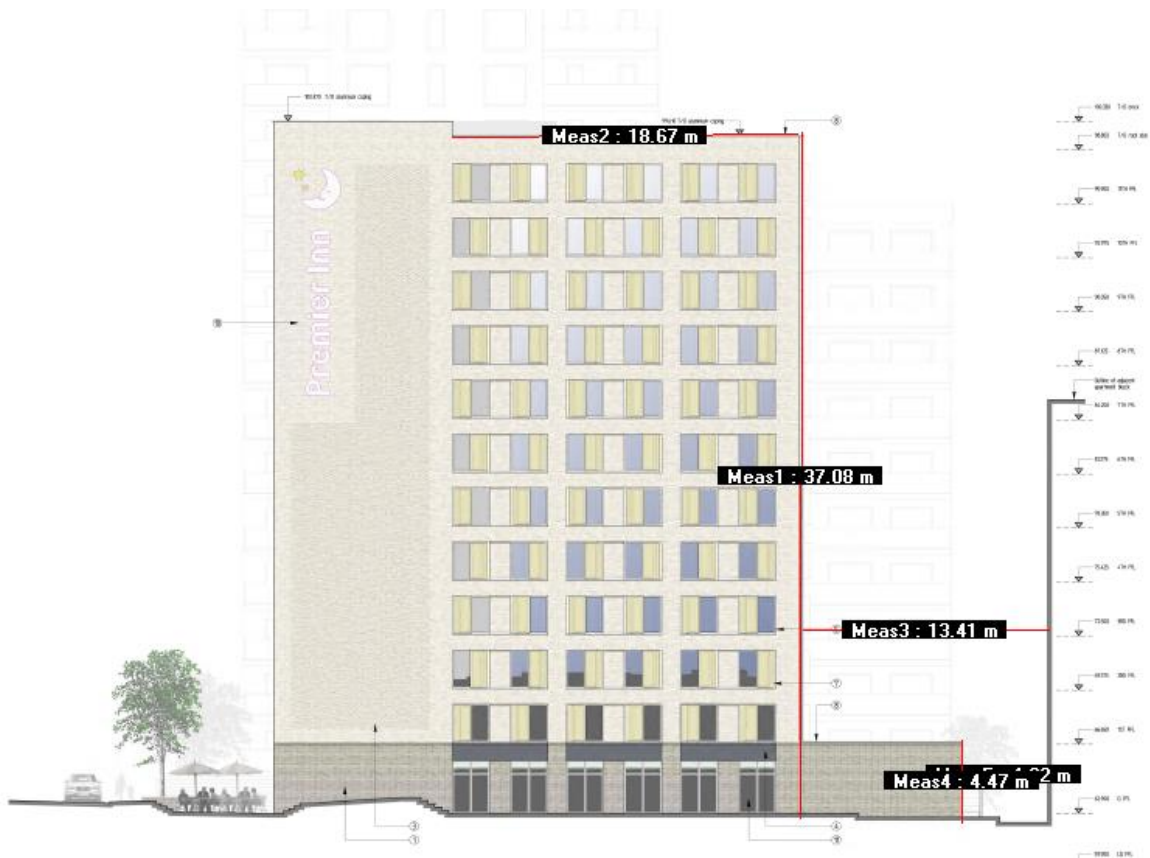




Proposed North West Facing Elevation (Side)



North East Facing Elevation (Rear)



Proposed South East Facing Elevation (Side)



Proposed South West Facing Elevation (Front)



Typical Floor Plan (Upper Floors)

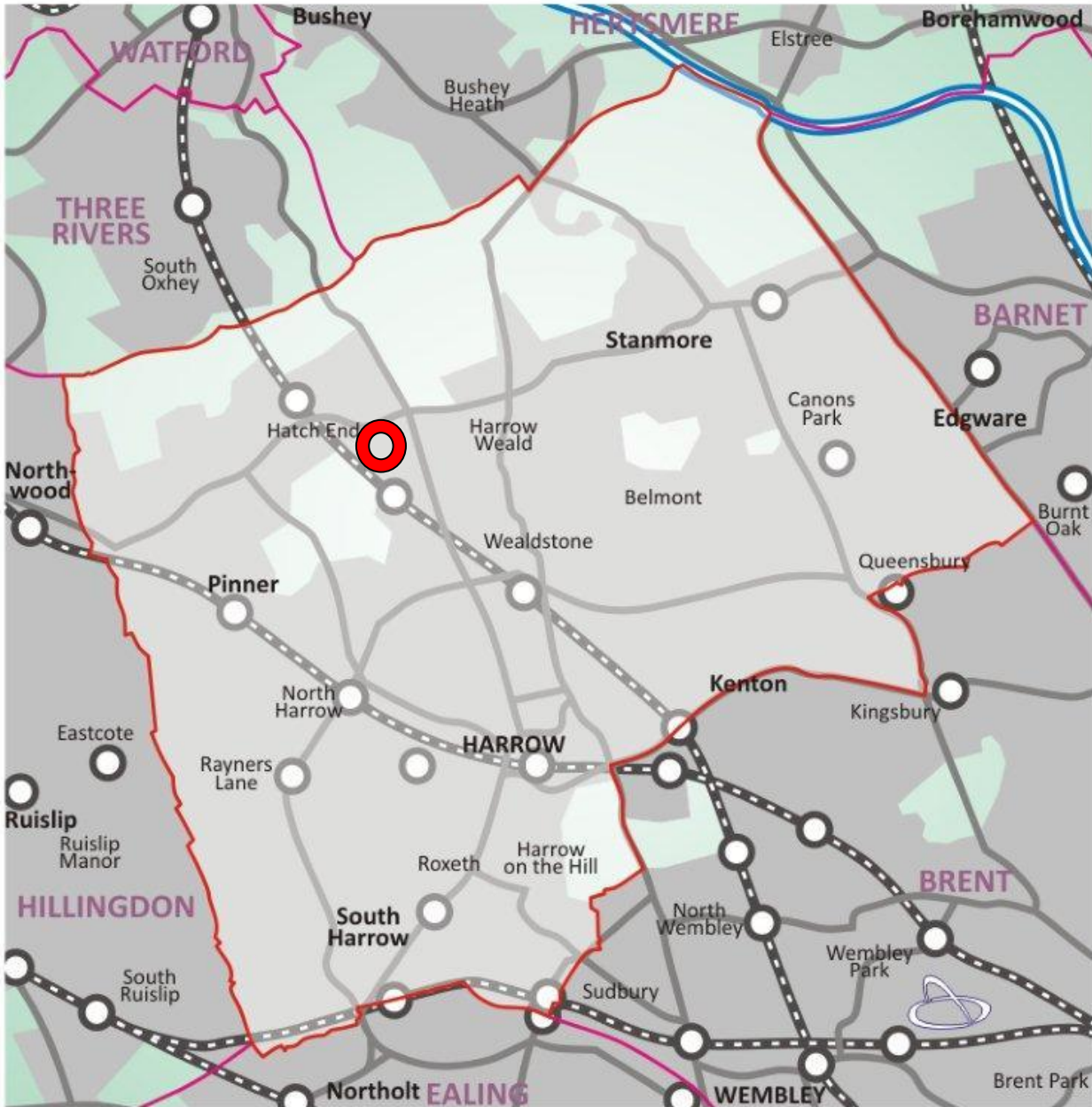


Proposed Roof Plan and Uppermost level

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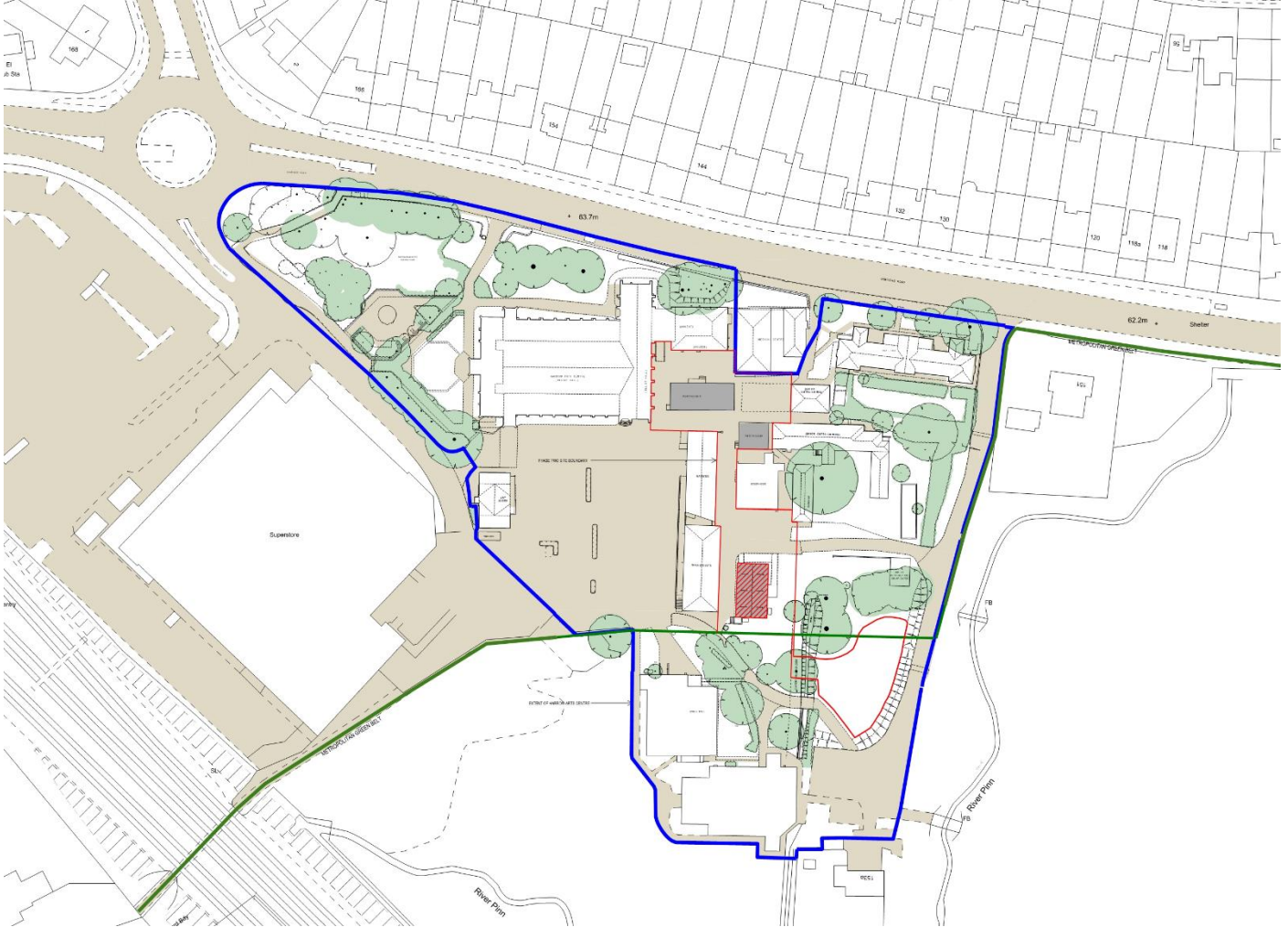
 = application site



**Harrow Arts Centre, 171 Uxbridge Road, Hatch End,
HA5 4EA**

P/0764/22

HARROW ARTS CENTRE



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/0764/20
VALIDATION DATE: 10/06/2022
LOCATION: HARROW ARTS CENTRE, 171 UXBRIDGE ROAD,
WARD: HATCH END
POSTCODE: HA5 4EA
APPLICANT: HARROW COUNCIL
AGENT: CHRIS DYSON ARCHITECTS LLP
CASE OFFICER: SELINA HOTWANI
EXPIRY DATE: 05/08/2022

PROPOSAL

Variation of condition 2 (approved plans) attached to planning permission P/3594/20 dated 04/05/2021 to allow reduction to height and footprint of building; alterations to internal layout; reduction to terrace; alterations to external finish; omission of external staircase, heat pump, photovoltaic panels, brick pavers and external signage; alterations to layout of rooflights; replacement of windows and doors with aluminium and timber composite windows and doors.

The Planning Committee is asked to:

RECOMMENDATION A

- 1) agree the reasons for approval as set out in this report;
- 2) Grant planning permission subject to authority being delegated to the Interim Head of Development Management to issue the decision after the expiration of the site notice on 21st July 2022, subject to addressing any comments and objections that are received being addressed to the satisfaction of the Interim Head of Development Management and subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

The proposal would contribute towards the regeneration and continued operation of the Harrow Arts Centre, allowing for expanded capacity and modern facilities for community use. The proposal would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the surrounding area, or the residential amenities of the neighbouring occupiers. The application falls under Regulation 3 of the Town and Country Planning General Regulations 1992.

INFORMATION

This application is reported to Planning Committee as the development concerns a Council-owned property and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor Development
Council Interest:	Council-owned
Net additional Floorspace:	137.4 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional) (£60p/sqm)(excluding indexation) :	£8,244
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.

1.0 SITE DESCRIPTION

- 1.1 The Harrow Arts Centre (HAC) is located on the southern side of Uxbridge Road. The Arts Centre comprises a collection of buildings, including the grade II listed Elliott Hall, which is the largest and most prominent building on site. Within its grounds are the curtilage listed buildings, locally listed buildings, as well as additional structures with no heritage designation including the existing portacabin building known as the Greenhill building.
- 1.2 The application site is a smaller area within the larger curtilage of the HAC grounds, and comprises the existing Greenhill building the grounds immediately surrounding it sited, a section of the green landscaped area to the south-east of Greenhill, sections of the hardstanding areas to the north of Greenhill, and two portacabins.
- 1.3 The site is within an allocated site in the Harrow Council Site Allocation (2013), which includes the car park and several of the ancillary buildings.
- 1.4 There is an area of Green Belt land approximately 3m to the south of the existing Greenhill building; and the southern section of landscaped area which forms part of the site extends into the Green Belt boundaries. There is a Site of Importance of Nature Conservation, partially overlapping the Green Belt area, the primary section of which is a minimum of 28m from the Greenhill building.
- 1.5 The site is located within a Critical Drainage zone. The wider Arts Centre curtilage includes TPO trees, but these are not located near the site that is the subject of this application.
- 1.6 To the immediate south, west and north of the site are other buildings, land and a parking lot belonging to the arts centre, as well as (to the south) the leisure centre/swimming pool. To the east is mostly open land and an access road leading to the swimming pool, adjoining the green belt. To the north is also located a medical clinic.
- 1.7 Further to the east is the main access to the site, and a large grocery store and associated parking. To the north across Uxbridge Road is a residential area.

2.0 PROPOSAL

Approved Building

- 2.1 Permission has been granted (P/3594/20) for the demolition of the existing Greenhill building and two portacabins and construction of a new replacement building (also called "Greenhill"), with associated works to the hard and soft landscaping and signage on site.
- 2.2 The approved replacement building would be two storeys high and would contain 3 teaching (multipurpose) rooms and 8 artists' studios. The teaching rooms would replace the function and floorspace of the existing Greenhill building and the 2 portacabins which were approved to be demolished.

- 2.3 The approved building would be L-shaped with a semi-enclosed courtyard, and a sawtooth roof design. The ground floor classrooms would have glazed doors opening directing onto the terrace so that the outside space can be used in conjunction with the classrooms as and when needed.
- 2.4 Landscaping around the approved building would include hardsurfacing and seating for the courtyard area, with beds for soft landscaping and a ginko tree at its centre. Additional hard landscaping and improvements to existing paving would be done to the north of the proposed building.
- 2.5 To the south-east of the approved building, a SuDS mitigation would be provided in the form of a swale, which would have soft landscaping around it.

Varied Proposal

- 2.6 Since approval was granted the applicant has been required to make several changes to the scheme due to budgetary constraints. The variations comprise:
- Reduction in the overall height of the building by 300mm.
 - Reduction in the footprint of the building to remove the southernmost bay, this reduces the internal area by approximately 34sqm.
 - Alterations to the internal layout to replace first floor artists studios with teaching rooms.
 - Alterations to the terrace to reduce the extent and align with the southern end of the building. Landscaped steps have been removed and replaced with a balustrade to the west of the terrace. The terrace paving materials have also been changed.
 - Relocation of the air source heat pump
 - Changes to the cladding material from Corten to a corrugated fibre panel, to be a similar colour tone and appearance.
 - Replacement of spiral fire escape stair with a standard straight staircase
 - Replacement of crittal style windows and doors with aluminium and timber composite windows and doors, with an improved thermal performance
 - Rooflights reduced and rationalised.
 - Omission of all external signage.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
P/0922/09	Listed Building Consent: Demolition of Existing Storage Shed and Erection of New Brick Clad Modular Building to Provide Multipurpose Community Learning and Events Facility Within Curtilage Of Elliott Hall	Granted: 24/07/2009
P/0918/09	Demolition of Existing Storage Shed And Erection Of New Brick Clad Modular Building To Provide Multipurpose Community Learning And Events Facility	Granted: 24/07/2009
P/2076/10	New Single Storey Modular Building To Replace Existing Greenhill Building	Granted: 19/10/2010
P/3597/19	Listed Building Consent: Internal and external alterations to three curtilage listed buildings to Elliot Hall at Harrow Arts Centre (the former Laundry, the Boilerhouse and the Workshops), including refurbishment and conversion of these buildings to a dance studio or three hireable spaces, a hireable space and artists' studios. Demolition of a curtilage listed barn/former stable structure.	Granted: 11/10/2019
P/3496/19	External Alterations And Refurbishment Of The Laundry Boiler House And Workshops. Laundry To Be Used As A Dance Studio Classroom & Hireable Space; Boiler House To Be Used As Hireable Space; And Workshops To Be Used As Artists Studios. Associated Landscaping (Demolition of existing glazed extension and stables to the rear of the laundry, building to side and adjoining walls to the Boiler House)	Granted: 24/10/2019
P/5110/19	Submission of details pursuant to conditions 2 (materials), 3 (laundry	Granted: P/5110/19

	and boiler house windows and doors), 4 (workshop windows and doors) and 5 (details) of Listed Building Consent approval application reference P/3597/19 for Listed Building Consent: Internal and external alterations to three curtilage listed buildings to Elliot Hall at Harrow Arts Centre (the former Laundry, the Boilerhouse and the Workshops), including refurbishment and conversion of these buildings to a dance studio or three hireable spaces, a hireable space and artists' studios. Demolition of a curtilage listed barn/former stable structure.	
P/5091/19	Details pursuant to conditions 3 (samples), 4 (windows and doors), 5 (proposed elevations/sections of windows) and 7 (landscaping and tree protection) attached to planning permission P/3496/19 dated 24/10/2019 for external alterations and refurbishment of the laundry, boiler house and workshops. Laundry to be used as a dance studio, classroom & hireable space; Boiler House to be used as hireable space; and Workshops to be used as artists' studios. Associated landscaping. (Demolition of existing glazed extension and stables to the rear of the laundry, building to side and adjoining walls to the Boiler House)"	Granted: 29/07/2020
P/3594/20	Redevelopment to provide two storey building containing multi-purpose teaching rooms and artists studios (Use Class F); demolition of three temporary classroom buildings; hard and soft landscaping including signage; drainage works	Granted 05/05/2021
P/1826/21	Listed Building Consent: Installation of signage on the former boiler house.	Granted 24/06/2021
P/2888/21	Installation of measures to reduce carbon consumption including air source heat pumps, solar panels, building management system and pipe lagging to Elliot Hall and ancillary curtilage listed outbuildings	Granted 01/02/2022

P/2975/21	Listed Building Consent: Installation of measures to reduce carbon consumption including air source heat pumps, solar panels, building management system and pipe lagging to Elliot Hall and ancillary curtilage listed outbuildings (amended plans)	Granted 01/02/2022
P/0526/22	Details pursuant to conditions 3 (demolition and construction logistics plan), 4 (construction Ecological Management Plan), 5 (Fire safety statement), 6 (levels), 7 (disposal of surface water) and 8 (disposal of sewage) attached to planning permission P/3594/20 dated 04/05/2021 for redevelopment to provide two storey building containing multi-purpose teaching rooms and artists studios (Use Class F); demolition of three temporary classroom buildings; hard and soft landscaping including signage; drainage works	Decision pending
P/1946/22	Submission of details pursuant to condition 2 (samples and details for the screening for the Air Source Heat Pumps) attached to Listed Building Consent application reference P/2975/21 for Listed building consent: installation of measures to reduce carbon consumption including air source heat pumps solar panels building management system and pipe lagging to elliot hall and ancillary curtilage listed outbuildings (amended plans)	Decision pending

4.0 **CONSULTATION**

4.1 A total of 14 consultation letters were sent to neighbouring properties regarding this application; and a site notices was erected in the area. The overall public consultation period expires on 21st July 2022. However, this is only due to the site notice consultation period. The date given on letters sent to neighbours expires on the 7th July 2022 and the newspaper advert was placed on the 23rd June and therefore expires on the 14th July.

4.2 No responses have been received to date.

4.3 **Statutory and Non Statutory Consultation**

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

Conservation Officer:

No objection subject to the same conditions as previously approved.

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 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.
- 5.3 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 the Development and Green Belt
- Character, Design, and Conservation
- Neighbouring Residential Amenity
- Traffic, Parking and Servicing
- Trees and Biodiversity
- Drainage and Contamination
- Sustainability

6.2 **Principle of Development and Green Belt**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): G2, H5
- Local Plan Site Allocations (2013): G04
- Harrow's Core Strategy (2012): CS1.F, CS6
- Harrow Development Management Policies (2013): DM16, DM17, DM46, DM47

Planning Policy and Proposed Use

6.2.2 The principle of the development was previously acceptable and it was considered that it would further add to the viability as a performing arts venue and secure its retention. The principle of development was supported by Local Plan Policies CS6, DM46 and DM47, and the Local Plan site allocation G04.

6.2.3 The policy and legislative framework has not materially changed since the original scheme was approved. As such, no additional consideration regarding the principle is necessary and only the proposed variations are assessed.

Green Belt Development: Appropriateness and Openness

6.2.4 A large area of Green Belt land is sited to the south of the proposed building, approximately 3m distant. The impact of the approved building on the setting of the Green Belt was previously considered acceptable. As the varied scheme would be moved further away from the Green Belt there would be no further impact on the openness of the green belt than has been approved.

6.2.5 As such, the proposal would not be considered to result in an undue degree of increased impacts on the setting and openness of the Green Belt.

Summary

6.2.6 For the reasons set out above, it is considered that the principle of this proposed variations meets the above policy requirements.

6.3 Character, Design, and Conservation

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D1, D3, D4, D5, D8, D12, D11, HC1
- Harrow's Core Strategy (2012): CS1, CS6
- Harrow Development Management Policies (2013): DM1, DM2, DM7, DM12, DM22, DM23

Mass, Siting and Design

6.3.2 The principle of the building design and replacement of existing portacabin has been found acceptable previously. As such, only the variations are considered. The varied built form retains a two-storey building with an L-shaped footprint with a semi-enclosed main courtyard area facing south. Additionally, the sawtooth roof form would be retained and include glazing on the north-facing sides light and passive ventilation to the first floor rooms. Glazing on the flanks remains similar in appearance and would be designed to reflect the style and design of windows elsewhere on the site, and to provide additional natural ventilation to both floors.

6.3.3 The proposed footprint of the building is being reduced by effectively removing one of the saw-tooth bays at the southern arm of the 'L' shape plan. The height is also be reduced by 300mm. This has the effect of lessening the massing of the building, given that a larger built form was considered acceptable previously, the reduced built form with no other substantial changes in the form of design, is therefore considered acceptable as it will have a reduced impact.

6.3.4 The proposed cladding material will be revised from a corrugated corten cladding to a corrugated fibre panel system of a similar colour. The windows and doors will be revised from a crittal type system, to an aluminium and timber composite. The Council's Heritage Officer has raised no objection to these revisions and a condition of consent requires further submission of material details which can be assessed in greater detail post-approval.

6.3.5 Other external alterations include replacing an external spiral staircase with a straight staircase and alterations to the external paving. These do not alter the design such that it has an adverse impact on the overall design aesthetic or the wider setting, and they are considered reasonable and acceptable.

Conservation and Impact on Listed Building

6.3.6 The principle of the approved development was supported by the Council's Conservation Officer. They have also revised the revised proposal and raise no concerns subject to the same conditions of consent being imposed.

Accessibility

6.3.7 As the proposal is for public realm and publicly used community buildings, accessibility is an important consideration. The revised proposal does not alter this

aspect and the building would be fully accessible, with a step free main entrance (on the north elevation) and from the classrooms into the main courtyard, and a lift for access to the first floor. Accessible bathrooms are located on each floor. Furthermore, the application will be subject to building control regulations, which will ensure standards for accessibility are incorporated. Full details of the landscaping for public areas including levels will be approved through conditions. Given these factors, the revised proposal would be considered satisfactory in terms of accessibility.

Landscaping

- 6.3.8 The proposed terrace area (or “main yard”) adjacent the new building would connect with the internal space via opening doors, and would allow for the space to be used as an extension of the teaching/ multipurpose rooms. When not in use in this way, the terrace would provide a public area with hard and soft landscaping.
- 6.3.9 Whilst the main yard area is being reduced this is a product of the overall reduction in the footprint of the building. The revised plans will also remove a stepped landscaped area at the south of the open space, to be replaced with a balustrade. These revisions do not substantially alter the landscaping surrounding the built form and conditions of consent are imposed for further details to be submitted post-approval.

Fire Safety

- 6.3.10 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. A condition is recommended to ensure that a fully comprehensive fire strategy is provided prior to the commencement of the development.

Summary

- 6.3.11 In summary, the revised proposal is considered to be of an appropriate scale and design for its context. Its impacts on the listed buildings and curtilage are satisfactorily justified and thus the proposal complies with the National Planning Policy Framework and relevant local plan policies. Accessibility and safety of the public realm would be satisfactory overall, subject to some conditions. Revised materials and hard and soft landscaping details can be dealt with via condition, and these have been requested by the Council’s Conservation Officer,
- 6.3.12 Subject to the above detailed conditions, the development would accord with the relevant policies of the development plan as set out above.

6.4 Neighbouring Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.4.2 The proposal would be sited sufficiently far from residential developments that the structure would not result in any impacts in terms of overshadowing, light, or other visual impacts.

6.4.3 There would be no change of use which would result in different impacts in terms of the activities associated with proposal, as compared to the existing development. In addition, given that the majority of the proposal would be a replacement of existing floorspace, with the uplift associated with uses associated with the centre, the increase in numbers of users associated with the development would not be significant in terms of its potential to result in disturbance to neighbouring residential occupiers.

6.4.4 In conclusion, it is considered that the revised proposal would not result in any undue impacts on residential amenity for neighbouring occupiers, and thus would comply with the relevant policies with regard to residential amenity.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM43, DM44, DM45

6.5.2 The site lies within a PTAL 2-3 area. There are four bus stops on Uxbridge Road at the front of Elliot Hall, and the Hatch End station is approximately 350m distant. Thus, the site has reasonably good access to public transportation. The wider HAC grounds has its own parking area, as well.

6.5.3 The Council's Highways officer raised no concern to the approved development subject to suitably worded conditions of consent. As the overall floorspace is being reduced and the nature of the use continues to relate to the overall HAC use there is not considered to be any material difference with the revised proposal.

6.5.4 The traffic and parking impacts from this additional use/floorspace would be minimal and users would be encouraged to use sustainable transportation modes. This will be managed through the use of a Travel Plan. As with the previously approved development, given the relatively small increase in floorspace for new activities and limited number of users this would support, a Travel Plan can be dealt with by a suitably worded condition, which has been attached.

- 6.5.5 Bicycle racks, providing space for 16 cycle parking spaces are provided along the north side of the proposed building as per approved. These would serve the artists' studio and the teaching rooms. In line with the London Plan policy T5, a minimum of 1 space per 100sqm must be provided, as such, the development exceeds the cycle parking requirements. As the proposal is for a community use, provisions should be made for and accessible and non-standard cycles parking as well. Full details of the storage are to be secured by means of a condition.
- 6.5.6 Construction access is proposed from the slip road, off Uxbridge Road, to the east of the site. This allows for separate access to that used by users and visitors to the Centre. A demolition and construction logistics plan is required prior to commencement, which should follow the guidance and format specified by TfL/CLOCS. This has also been secured by condition, as per the approved application.
- 6.5.7 As per the approved scheme, a dedicated waste storage area is located adjacent one of the portacabins to be demolished. This will be expanded to include additional waste storage for the new building. A new bin enclosure is also proposed. The Council's Waste Management team have no objection to the proposed arrangements. A condition has been attached for full details of the proposed bin enclosure to be submitted and approved and this variation does not seek to alter that arrangement.
- 6.5.8 In summary, the proposal would not be considered to result in a significant increase in traffic and parking impacts, taking into account the replacement floorspace and the nature and use of the net new floorspace. Further information on a Travel Plan and cycle parking details, to support sustainable travel, are required by condition. Waste arrangements are considered satisfactory. It is thereby considered that the proposal would accord with the relevant development plan policies as set out above.

6.6 Trees and Biodiversity

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): G1, G6, G7
- Harrow's Core Strategy (2012): CS1, CS6
- Harrow Development Management Policies (2013): DM1, DM20, DM21, DM22

6.6.2 It is noted that none of the existing trees within the application site area are currently protected as TPOs. An Arboricultural Report was submitted in relation to the original application and was assessed by the Council's Arboricultural Officer.

6.6.3 Overall, the Tree officer concluded that the tree report and suggested tree protection measures and method statement were acceptable and should be implemented in accordance with the details provided. As such, given that the revised proposal is on the same site with a reduced footprint, with no other material

alteration which would affect trees, the proposal would continue to comply with relevant policies with regard to trees.

6.6.4 The Biodiversity Officer previously reviewed Preliminary Ecological Appraisal, Ecological Mitigation and Management Plan and Preliminary Bat Roost Assessment submitted with the original application and the overall conclusions were not objected to. A variety of mitigation measures are proposed to protect and enhance biodiversity on site, which are secured by condition in line with the Biodiversity officer's recommendations. These include a condition for external lighting, bird nesting boxes and bat roosts, mitigation details for construction, and ecological mitigation and management. The revised application will retain these conditions of consent.

6.6.5 Subject to conditions as set out above, the proposal would be acceptable regarding trees and biodiversity.

6.7 Drainage and Contamination

6.7.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): G1, SI 12, SI13
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.7.2 The site is located in a Critical Drainage area, and whilst it is nearby fluvial and surface water flood zones, these do not extend into the boundaries of the development site. There is, however a partially open watercourse (irrigation ditch) which runs from south into the landscaped area to the south-west of the proposed building, near where the proposed swale would be.

6.7.3 A Flood Risk Assessment was submitted under the original application to address potential flood risk and drainage issues which might arise as a result of the development. The part of the existing open watercourse that falls within the site would be refurbished as part of the proposed works; and additional SuDS mitigation would be provided by way of a swale feature. The swale would be dry at times, but would hold overflow storm water when necessary to control and mitigate flooding during heavy rainfall. The swale system would include mechanisms to control the flow of water. Harrow's Drainage Authority have reviewed the proposal and are satisfied with it subject to the submission of full details of the drainage / SuDS system. This has been secured by condition. The revised proposal does not materially alter the potential flooding impact.

6.7.4 A environmental Ground Investigation Report was also submitted under the original application, which indicates that there was no development apparent on the site around the proposed new building and swale until circa. 1980, when the existing temporary structure was added. The site contains made ground over "Lambeth Group" soil. The report notes that no evidence of contamination was found; and the risks of contamination is low. Thus, no remedial works or further investigations were recommended. Harrow's Environmental Health Officers have

reviewed the report and agree with its conclusions. It is noted that the EHO recommends ensuring either Thames Water are consulted for appropriate barrier pipes or these be recommended directly by the Council. As the technical details and provision of infrastructure do not fall within the scope of this application, it is considered that the applicant should pursue discussion with Thames Water regarding appropriate infrastructure requirements for the site conditions. Similarly, it is noted that the details of foundations appropriate to the site and its design would be dealt with by building control regulations rather than regulated under planning.

6.8 Sustainability

6.8.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI 4
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM12, DM14

6.8.2 The proposal includes an Air Source heat pump, in an enclosure, along the southern wall of the proposed building under the external staircase. The south-facing roof slopes of the proposed new building would be installed with solar PV panels. In addition, the proposed construction materials and methodology would contribute to a low carbon development. Glazing and other openings have been designed to provide good natural light and ventilation while helping to control for solar gain to prevent overheating.

6.8.3 The Air Source heat pump and solar panels are acceptable and welcome, however full details will need to be submitted and approved. A condition for this has been attached. The designed-in sustainability measures are welcome and the revised proposal does not alter the provision of these aspects.

6.8.4 Given the scope and scale of the proposal, the above measures are considered satisfactory and proportionate.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The revised scheme would continue to enhance the Harrow Arts Centre and support its viability as a performing arts venue, without unduly impacting neighbouring amenity. The revised proposal would not result in traffic and parking impacts which would be considered significant, and the relevant biodiversity, arboricultural and drainage matters have been satisfactorily address, subject to conditions.

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

APPENDIX 1: Conditions and Informatives

Conditions

1 Time Limit 3 years - Full Permission

The development permitted shall be begun before the expiration of three years from the date of the original permission P/3594/20 Granted 05/05/2021.

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

2 Approved Drawing and Documents

This permission shall have the effect of varying condition 2 on planning permission P/3594/20 (dated 04/05/2021):

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

Approved Plans and Documents:

0438-P-I-0000 Rev 006; 0438-P-I-0010 Rev 009; 0438-P-I-0011 Rev 008; 0438-P-I-0100 Rev 005; 0438-P-I-0101 Rev 005; 0438-P-I-0200 Rev 005; 847_100 Rev 03; 847_101 Rev 02; 847_201 Rev 03; 847_202 Rev 03; 847_203 Rev 03; 847_204 Rev 02; 0438-P-I-1001 Rev 06; 0438-P-I-1000 Rev 10; 0438-P-I-1002 Rev 07; 0438-P-I-1010 Rev 06; 0438-P-I-1011 Rev 00; 0438-P-I-1100 Rev 10; Outline Heritage Statement [3rd July 2020]; 0438 – Harrows Arts Centre Updated Views [March 2021]; Impact of the setting of Elliot Hall [11th March 2021]; Heritage Issues letter [15th April 2021]; Design and Access Statement [0438_HAC_D&A_rev00, 23rd September 2020]; Design and Access Statement – Landscape Chapter [September 2020]; HAC Wayfinding ‘Starting Point’; Untitled document of Structural drawings and SUDs [dated 20.05.20]; Flood Risk Assessment [J4054-C-RP-0010]; J4054-C-GA-0121 Rev 02; J4054-C-SE-0235 Rev 01; Ground Investigation Report [STS5025, May 2020]; Arboricultural Survey, Impact Assessment and Method Statement [AEO777/001 Rev 001, May 2020]; Seeding Schedule and Wildflower Turf Schedule; Preliminary Ecological Appraisal [UCDA101/001 Rev 001, May 2020]; Preliminary Roost Assessment [UCDA101/004 Report no. 1, Rev 002, September 2020]; Further Bat Surveys [UCDA101/005 Rev 001, September 2020]; Ecological Mitigation and Management Plan [UCDA101/004, report no. 2, Rev 002, July 2020]

Revised Plans and documents:

DOC-02 Rev 02; DOC-003 Rev 00; 0438 P I Rev 08; 0438 P I 1001 Rev 06; 0438 P I 1100 Rev 11; 0438 P I 1102 Rev 11; 0438 P I 1000 Rev11; 0438 P I 1002 Rev 08; 0438 P I 1200 Rev 13; 0438 P I 1011 Rev 02; Proposed South Elevation; Proposed North Elevation; Proposed West Elevation; Proposed East Elevation;

J4054-C-GA-0121 Rev 06; J4054-C-GA-0125 Rev 05; Proposed East Elevation;

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

Pre-commencement

3 Demolition and Construction Logistics Plan (Pre-commencement)

This permission shall have the effect of varying condition 3 on planning permission P/3594/20 (dated 04/05/2021):

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

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

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, and to ensure that the transport network impact of demolition and construction work associated with the development is managed. To ensure that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development. This condition is a PRE-COMMENCEMENT condition as the proposed measures must be in place prior to commencement of works.

4 Biodiversity Protection 1 (Pre-commencement)

This permission shall have the effect of varying condition 4 on planning permission P/3594/20 (dated 04/05/2021):

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

- (a) how all contractors and their supervisors will be are aware of the features of biodiversity interest and the procedures to be followed to prevent harm to such features, with particular reference to protected species, and

(b) the measures to be taken to ensure that these plan elements will be implemented.

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

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

5 Fire Safety (Pre-Commencement)

This permission shall have the effect of varying condition 5 on planning permission P/3594/20 (dated 04/05/2021):

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.

Demolition work only

6. Levels

This permission shall have the effect of varying condition 6 on planning permission P/3594/20 (dated 04/05/2021):

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

site, have been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed.

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

7. Drainage and SuDS Details

This permission shall have the effect of varying condition 7 on planning permission P/3594/20 (dated 04/05/2021):

No development shall take place other than works of demolition until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to the Local Planning Authority in writing and agreed. The submitted details shall include:

- Full details of SuDS measures including flood displacement storage levels for existing and lowered areas
- permeable paving details with cross-sections, construction details, and a maintenance plan.
- Full details of drainage layout including details of the outlet and cross section of proposed storage are required.
- Full details of any flow restrictions (hydrobrake, pumping station) that are proposed for this scheme need to be submitted together with the relevant graphs.
- Management Plan for disposal of ground water during construction phase and measures to prevent water pollution.

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

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited. To ensure that measures are agreed and development to manage and reduce surface water run-off.

8. Foul Water Drainage Strategy

This permission shall have the effect of varying condition 8 on planning permission P/3594/20 (dated 04/05/2021):

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

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

measures are agreed and put in place to dispose of foul water arising from the development.

Damp Proof Course

9. Materials

This permission shall have the effect of varying condition 9 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the details shown on the approved drawings, the development, shall not progress beyond damp proof course until samples of the materials to be used in the construction of the external surfaces noted below have been made available to view on site, and approved in writing by, the local planning authority:

- a) facing materials and roof tiles/materials for the buildings;
- b) windows/ doors;
- c) all boundary treatments;
- d) new hard surfacings; and
- e) exterior pipes, metalwork and rain goods.

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

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

10. Window and Door Reveals

This permission shall have the effect of varying condition 10 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

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

11. Proposed Signage

This permission shall have the effect of varying condition 11 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the approved plans and supporting documents, the development hereby approved shall not progress beyond damp-proof course until the following has been submitted to, and agreed in writing by, the local planning authority:

- i. Full details of all signage including all existing and proposed elevations, sections, location, plans and supporting heritage statement for all signs;
- ii. existing and proposed lighting; and
- iii. proposed signage materials.

The development shall be carried out in accordance with the details as so agreed.

REASON: There is currently no information on this to allow an assessment and this is required in order to ensure the special interest and setting of the listed and curtilage listed buildings is provided.

12. Biodiversity 2

This permission shall have the effect of varying condition 12 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the details shown on the approved plans, the development hereby approved shall not commence beyond damp proof course level until revised plans showing the following have been submitted to and approved in writing by the Local Planning Authority:

- i. Full details of mitigation measures incorporated into the fabric of the new building, to consist of nesting features for birds (on the North or North and East aspects) and roosting shelters for bats;
- ii. An Ecological Mitigation and Enhancement Plan (EMEP); and
- iii. An Ecological Management Plan (EMP).

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

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

13. External Lighting

This permission shall have the effect of varying condition 13 on planning permission P/3594/20 (dated 04/05/2021):

The development hereby approved shall not be occupied until details of any lighting for all external areas (including buildings) within the site, including locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels has been submitted to, and approved in writing by the local planning authority. The proposed lighting shall also include details and measures to ensure that overnight internal illumination will not cause impacts on bats and other nocturnal and crepuscular species, including details of lighting hours and control mechanisms and

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

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

14. Air Source Heat Pump and Solar Panels

This permission shall have the effect of varying condition 14 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the approved plans and supporting documents, the development hereby approved shall not progress beyond damp-proof course until full details of the proposed Air Source heat pump and solar panels has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure the proposed sustainable infrastructure is suitable to the site and would not unduly harm the character and appearance of the development of the surrounding area and listed buildings.

15. Landscaping Plan

This permission shall have the effect of varying condition 15 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the details shown on the approved plans, the development hereby approved shall not progress beyond damp-proof course until revised plans showing the following have been submitted to and approved in writing by the Local Planning Authority:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials and external seating, tree planting and tree pits, swale and pond, etc.
- b) Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme;
- c) Details of the tree planting in the courtyard including tree pit, drainage, irrigation, growing medium, any tree protection and tree grille will be required;
- d) Hard landscape material details, which must be permeable paving, with permeable paving details including cross sections;
- e) Details of any boundary treatments;
- f) Bin storage enclosure details; and
- g) A Landscape Management Plan including a Schedule of Maintenance Operations. This should include: the overall functional and aesthetic objectives of the landscape scheme and the steps (e.g. legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.)

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to a high standard of design, layout and amenity and to make appropriate provision for the protection, enhancement, creation and management of biodiversity.

Pre-Occupation

16. Travel Plan

This permission shall have the effect of varying condition 16 on planning permission P/3594/20 (dated 04/05/2021):

The development hereby permitted shall not be occupied until there has been first submitted to, and approved in writing by, the local planning authority a revised full Travel Plan to include targets to promote model shift towards active travel. Details should include:

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

The travel plan shall be implemented as agreed unless otherwise agreed in writing by the local planning authority.

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

17. Cycle Parking Details

This permission shall have the effect of varying condition 17 on planning permission P/3594/20 (dated 04/05/2021):

Notwithstanding the details shown on the approved drawing, the development hereby approved shall not be first occupied until details of the proposed cycle

parking have been submitted to and agreed in writing by the Local Planning Authority in writing to be agreed. The details shall include:

- i. full details of the proposed cycle parking, including the location, type and number of cycle stands, for a minimum of 16 spaces; and
- ii. sheltered spaces for long-stay use, and accessible spaces for non-standard cycles.

The proposed details shall allow for functional use of the cycle spaces in line with London cycle design guidelines, including accessible cycle storage.

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

REASON: To ensure the satisfactory provision of safe cycle storage facilities.

18. Secure by Design Accreditation

This permission shall have the effect of varying condition 18 on planning permission P/3594/20 (dated 04/05/2021):

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

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

Operational

19. Landscaping Maintenance

This permission shall have the effect of varying condition 19 on planning permission P/3594/20 (dated 04/05/2021):

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to a high standard of design, layout and amenity and

to make appropriate provision for the protection, enhancement, creation and management of biodiversity.

20. Trees

This permission shall have the effect of varying condition 20 on planning permission P/3594/20 (dated 04/05/2021):

The proposed development shall be completed in full adherence to the arboricultural details and protection measures submitted to the Local Planning Authority [Arboricultural Method Statement of ref: AEO777/001 Rev 001, May 2020, and Tree Protection Plan (Drawing TPP01 of Thomson report May 2020)], unless first otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the character and amenity of the site and to avoid any irreversible damage to retained trees.

21. Refuse Storage

This permission shall have the effect of varying condition 21 on planning permission P/3594/20 (dated 04/05/2021):

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

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

Informatives

1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2021)

The London Plan (2021):

D1, D3, D4, D5, D8, D11, D12, HC1, H5, G1, G2, G6, G7, SI 4, SI 12, SI13, T4, T5, T6

Harrow Core Strategy (2012):

CS1, CS6

Development Management Policies Local Plan (2013):

DM1, DM2, DM7, DM10, DM12, DM14, DM16, DM17, DM20, DM21, DM22, DM23, DM42, DM43, DM45, DM46, DM47

Adopted Supplementary Planning Documents:

Harrow Local Plan Site Allocations (2013):

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

Locally Listed Buildings SPD

2. Pre-application engagement

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

3. Considerate Contractor Code of Practice

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

4. Compliance with Planning Conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will

not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

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

5. Liability for Damage to Highway

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

6. Surface and foul water connections

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

7. Thames Water

The applicant is advised to note the submitted ground investigation report recommended barrier pipes are used for all underground water supply infrastructure to prevent migration of pollutants. The applicant should consult with Thames Water for appropriate water infrastructure development on site.

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

8. Listed Building Consent

The applicant is advised that the proposed signage granted as part of this application cannot be implemented until separate Listed Building Consent (LBC) has been granted. It is recommended that the LBC be submitted prior to or concurrent with Condition 10, to avoid delays.

Landscaping Details Required

The applicant is advised the following should be included as part of details relating to landscaping conditions:

- A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (e.g. legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.
- Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks.
- A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.
- The hard surfacing details under Condition 8 shall provide samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. Under Condition 6, the hardsurfacing details should show the permeable paving drainage details.
- In addition, the Ecological Mitigation and Enhancement Plan (EMEP) should include measures to be undertaken (incorporating those proposed in the supplied PEA and PRA) to minimise and address impacts and provide net gain for biodiversity, in a form which contactors can easily follow including full details of planting, seed mixes and seasonal management/maintenance works during a 3 year establishment period following any initial or remedial works during which any defects or failures should be remedied. This may be a standalone document or incorporated within any equivalent Landscaping Implementation Plan.
- An Ecological Management Plan (EMP). This should follow on from the EMEP and extend for a period of 5 years. It should clearly set out what the purpose, method, targets, timings and desired outcomes of management and monitoring for the development area will be, within the context of the wider site and provide an 'at a glance' summary of what works will need to be carried out in what years and month as standard or if particular trigger criteria apply (e.g. open water area in the pond falls below an identified percentage). It is anticipated that other developments phases across the site will require similar plans and these could be combined. The EMP might be standalone or form part of a wider Landscape Maintenance and Management Plan. EMPS should be updated (and provided to the Council for approval in writing) at 5 year intervals for a period of 30 years following the EMEP.

9 Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under

s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £8,244

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

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

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

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

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

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

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

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

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

CHECKED

Head of Development Management	06/07/2022
Interim Chief Planning Officer	07/07/2022

APPENDIX 2: SITE PLAN

Existing Site Plan



Approved Site Plan



Proposed Site Plan



APPENDIX 3: SITE PHOTOGRAPHS

The Workshop (Phase 1)

The Boiler House (Phase 1)

The Laundry (Phase 1)



Weald Portacabin
Demolished
(Phase 2)

Grimsdyke Portacabin
Demolished
(Phase 2)

Elliot Hall
No Works

Location of the New Greenhill Building
(Phase 2)



Front/side of Elliot Hall



Rear of Elliot Hall



Car park showing part of rear of Elliot Hall and Grimsdyke building



Car parking looking toward buildings adjacent to the site (Grimsdyke, Hatch End)



Car park showing part of rear of Elliot Hall and the Art Block (locally listed)



Portacabin to be demolished



Portacabins to be demolished



Approach to existing Greenhill Building from north





Pathway between Greenhill and Hatch End buildings



Existing Greenhill building (north side)



Existing Greenhill building (east side)



Existing Greenhill building (eastern side looking south)

Greenhill Portacabin
Demolished (Phase 2)

'Pyrus Communis' Tree
Demolished (Phase 2)



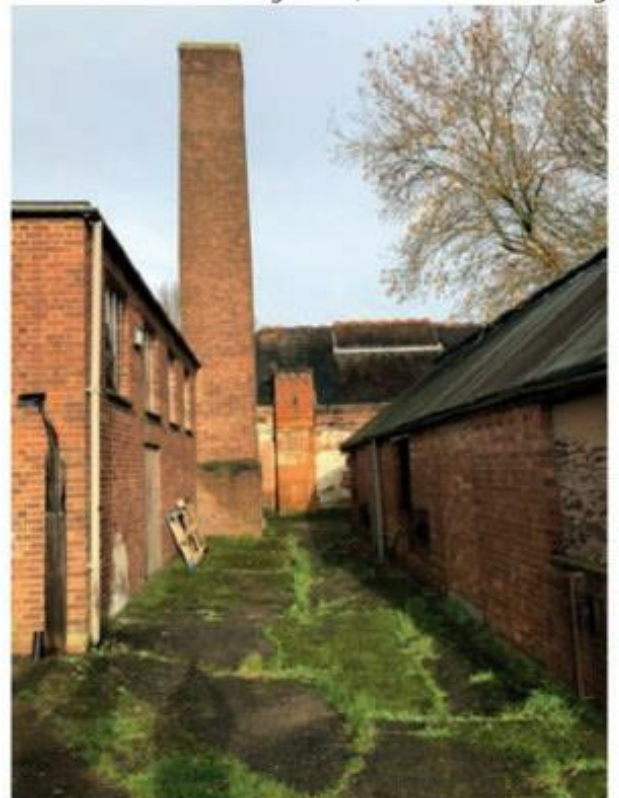
The immediate context of the New Greenhill Building

Top Left - The Laundry, Workshop and Boiler House seen from the south

Top Right - The Boiler House and Workshop with the Laundry in the distance

Bottom Left - The Boiler House and Reyners seen from the north

Bottom Right - Elliott Hall, a much grander, more distant building





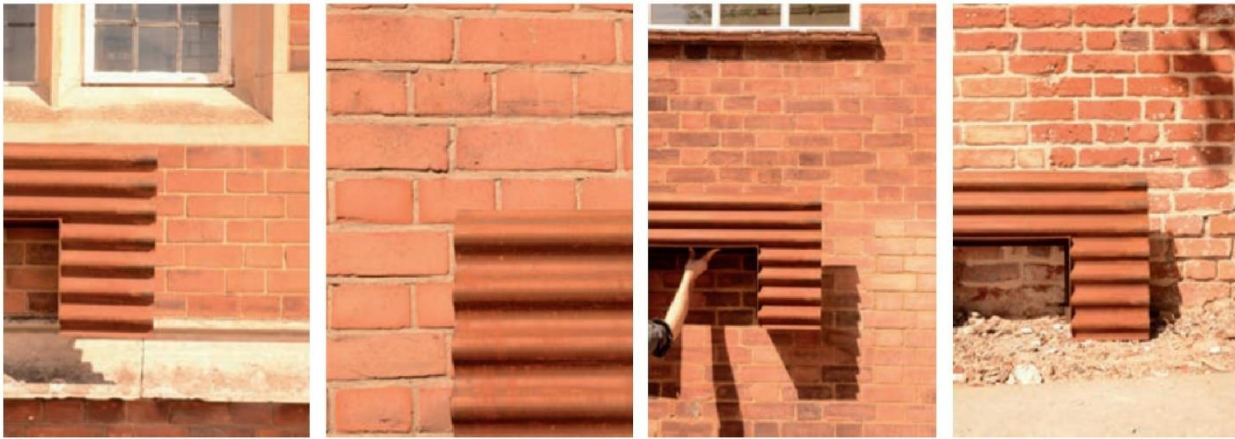
Building opposite to the north (Laundry, Workshop and Boilerhouse)





Access road to the east and leisure/swimming complex to the south

Approved Cladding (Adjacent to existing Brickwork)



Elliott Hall
1904

Rayners
c.1920s

The Boiler House
c.1940s

The Workshop
early 1900s

Proposed cladding (Adjacent to existing brickwork)



Figure 2 Elliott Hall Brick with proposed cladding



Figure 3. Elliott Hall Brick with proposed cladding



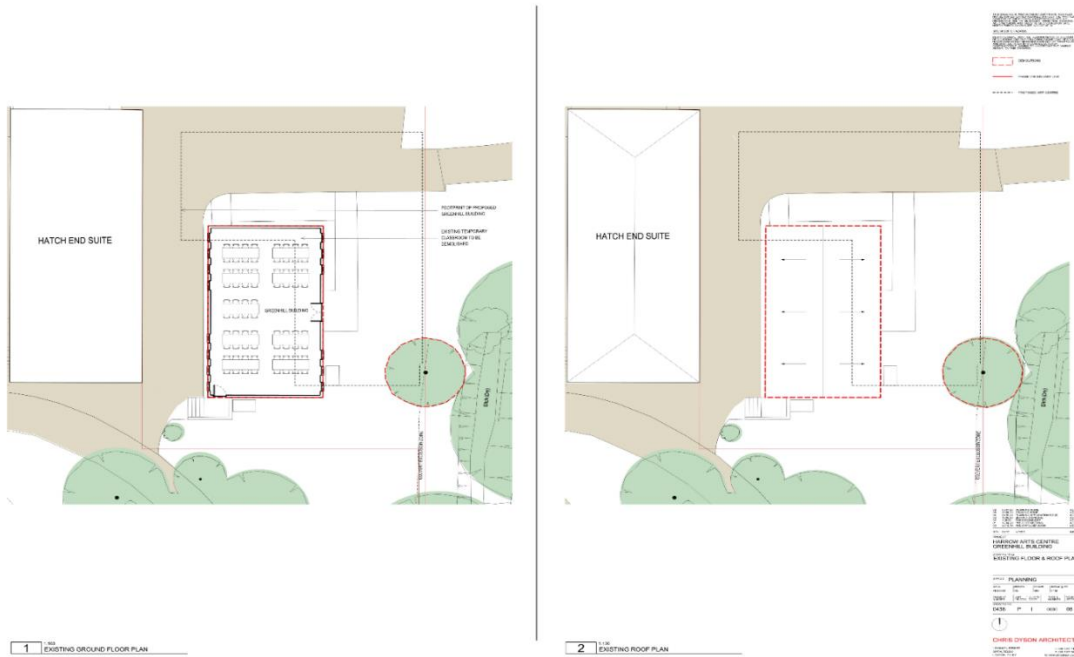
Figure 10 Hatch End Suite with Proposed Cladding



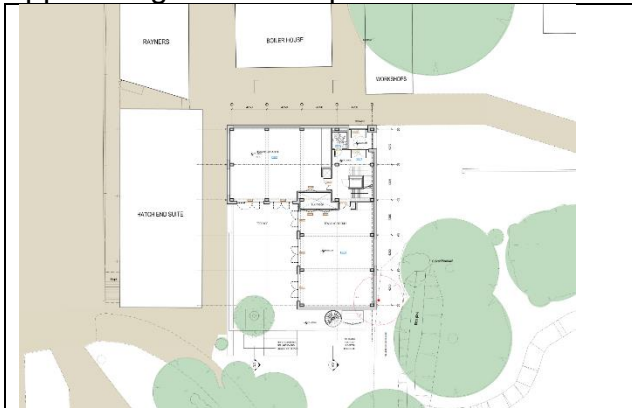
Figure 11 Boiler House with Proposed Cladding

APPENDIX 4: PLANS AND ELEVATIONS

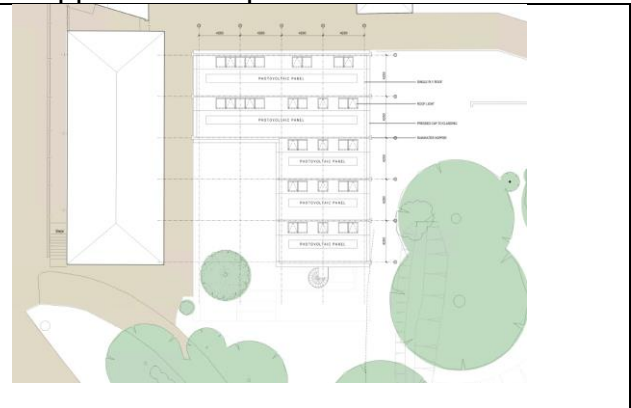
Existing Ground Floor Plan and roof plan



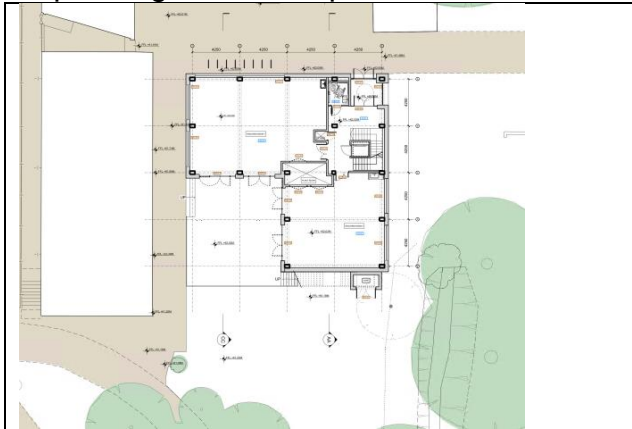
Approved ground floor plan



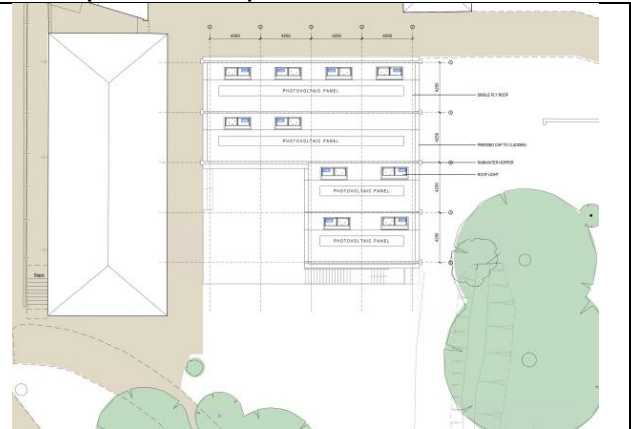
Approved roof plan



Proposed ground floor plan



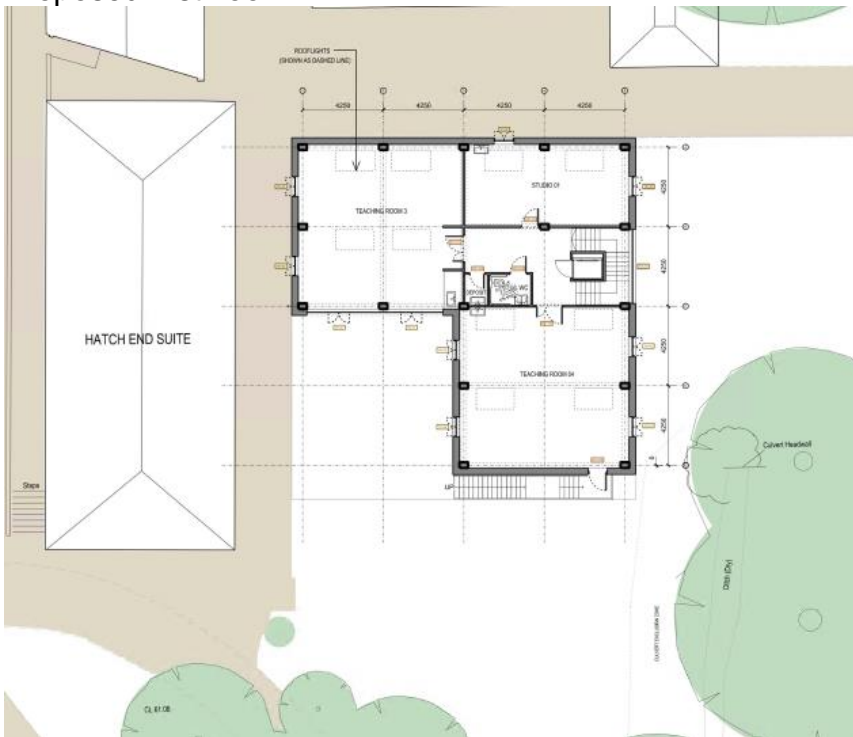
Proposed roof plan



Approved First Floor



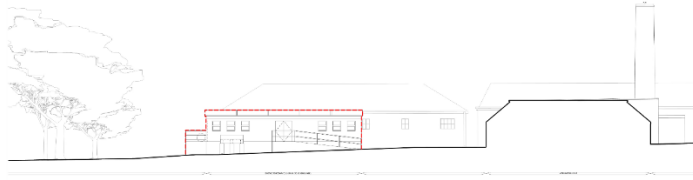
Proposed first floor



Existing Elevations



Scale: 1:100
 1 | EXISTING WEST ELEVATION



Approved elevations



Scale: 1:100
 1 | PROPOSED WEST ELEVATION



Proposed Elevations



Scale: 1:100
 1 | PROPOSED WEST ELEVATION



Approved south elevation



Proposed south elevation

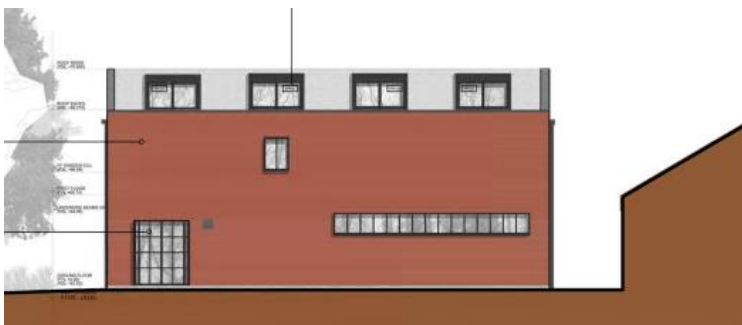


Approved north elevation



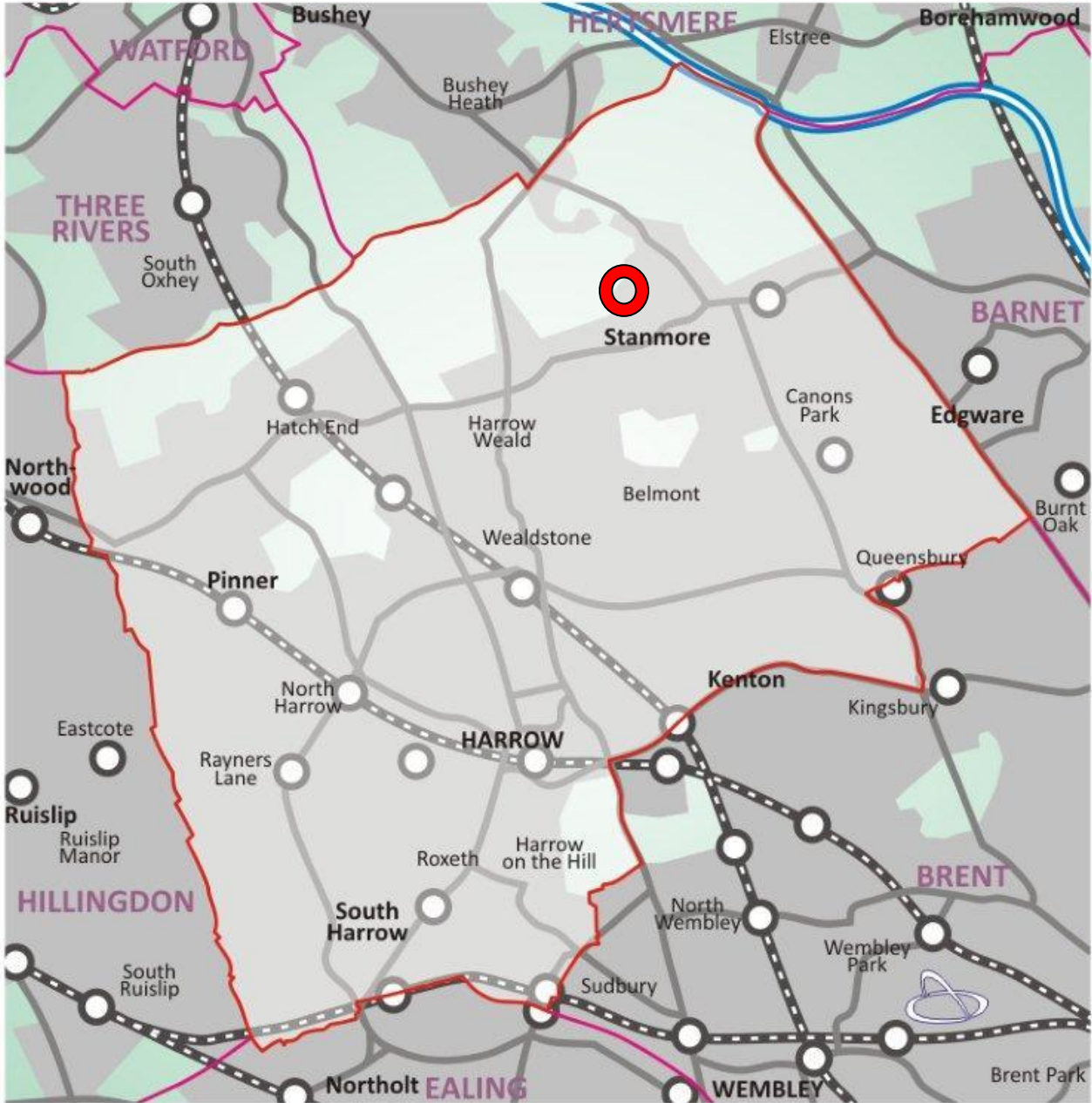
Proposed North Elevation

Proposed north elevation

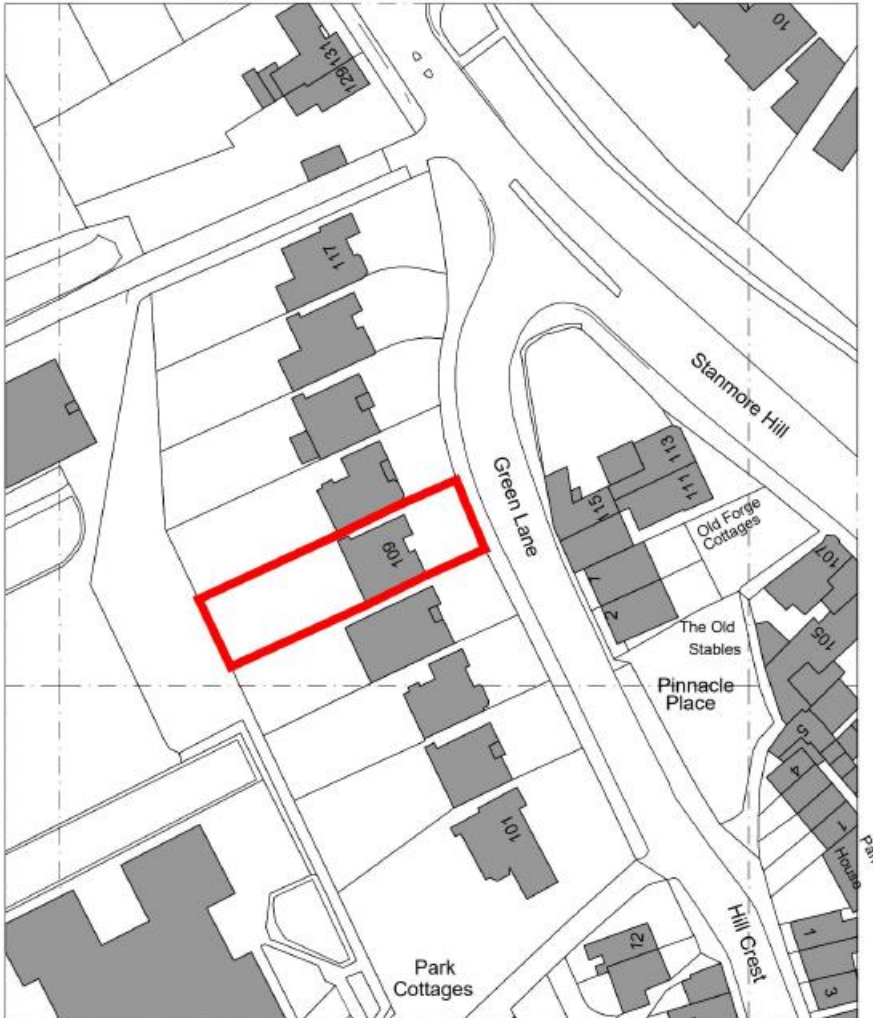


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 = application site



109 Green Lane, Stanmore, HA7 3AD	P/1323/22
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Site Location Plan

1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/1323/22

VALID DATE: 04/04/2022

LOCATION: 109 GREEN LANE, STANMORE

WARD: STANMORE PARK

POSTCODE: HA7 3AD

APPLICANT: MR & MRS NANDAN

AGENT: AREA DESIGN

CASE OFFICER: JOSEPHINE DUTTON

EXPIRY DATE: 9TH JUNE 2022

PROPOSAL

Raised terrace with steps to rear (retrospective); Installation of 1.6m fence to boundary

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 RECOMMENDATION

The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2021), Policy D3 of The London Plan (2021), Policy CS1.B of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Plan, and the adopted Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

This application is reported to Planning Committee on request of a nominated member, owing to public interest, and therefore falls outside the provision A of the Scheme of Delegation.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	N/A
GLA Community	
Infrastructure Levy (CIL):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

1.0 SITE DESCRIPTION

- 1.1 The subject property is a two-storey detached single family dwelling house facing northeast onto Green Lane.
- 1.2 The subject property has been extended by of a single storey side and rear extension and a first-floor rear extension
- 1.3 The rear garden of the property is at a lower level to the rear of the house. This is consistent for the neighbouring dwellings also
- 1.4 The neighbour at no. 107 has been extended by way of a single storey rear extension and two rear roof dormers.
- 1.5 The neighbour at no.111 has been extended by way of a single storey rear extension which is not the full width and has been set away from the application property.
- 1.6 The property is sited adjacent to the Stanmore Hill Conservation Area.

2.0 PROPOSAL

- 2.1 This application seeks retrospective planning permission for a raised terrace/patio area with steps at the rear of the dwelling.
- 2.2 The raised patio has a maximum height of 1m, a depth of 5.3m and spans the full width of the original house.
- 2.3 A new 1.6m boundary fence and vegetation planting is proposed at the boundary with No. 107.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status & date of decision
P/2812/16	Certificate of lawful development (proposed): Single storey side extension; conversion of garage to room with installation of window to front	Granted - 11/08/2016
P/0172/17	Ground and first floor bay windows to front elevation; front porch	Granted - 09/03/2017
P/0107/20	Single and two storey rear extension; installation of three windows in side	Granted - 13/03/2020

	elevation at first floor (demolition of single storey side extension)	
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4.0 **CONSULTATION**

4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 19th July 2022.

4.2 One objection has been received from the public consultation.

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

Character and Appearance and Residential Amenity Impact

- Overlooking and loss of privacy
- Right to light has been impacted due to erection of boundary fence in order to protect privacy
- The development was built without the benefit of planning permission

Officer response:

Amenity impacts have been assessed within the body of the report. In response to the last point, although not recommended, there is no law against completing construction works and seeking planning permission retrospectively. However, this is at one's own risk as enforcement action may be taken should planning permission be refused.

4.4 **Statutory and non-statutory consultation**

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

Conservation officer

This proposal would not affect the nearby Stanmore Hill Conservation Area or the grade II listed 115 Stanmore Hill opposite as it would be set to the rear of the house and so not be visible from the heritage assets.

Conservation Area Advisory Committee

No objections

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 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.

5.3 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:

- Character and Appearance
- Residential Amenity

6.2 Character and Appearance

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM 1
- Residential Design Guide (2010)

6.2.2 The existing rear terrace spans the full width of the property and has a depth of 5.3m, which is enclosed by a 1.3m high retaining wall. The maximum height of the development is 1m and the terrace is on a downward slope, following the natural gradient of the ground. As the majority of the properties along this side of Green Lane have raised patios/terraces due to natural ground level changes at the rear, the development is considered to be in keeping with the character and appearance of the area and the pattern of development.

6.3 Residential Amenity

6.3.1 The relevant policies are:

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

6.3.2 The raised terrace, at a maximum height of 1m would be of similar height to the raised patio at the neighbouring dwelling No. 111. The occupiers of this adjoining property have objected to the development on the grounds of overlooking, loss of privacy and loss of light. The rear patio at No. 111 measures approximately 1.1m, therefore, given the similar height, any overlooking that has occurred from the development is considered to be mutual between the two properties.

6.3.3 In relation to loss of light, the objector has chosen to erect a high boundary fence panel (without the benefit of planning permission) in an attempt to safeguard privacy, which is claimed to have resulted in a loss of light. As stated above, any overlooking that occurs would be mutual, nevertheless, it is noted that the high fence directly faces the flank wall of the host property's single storey rear extension (containing no side window), rather than being positioned immediately adjacent to the raised terrace area. As such, the position of the high fence is considered to do little in restricting views from the raised terrace area. However, much of the view into No. 111's rear garden is limited by the high vegetation screening along the boundary. Therefore, it is not considered necessary to have a section of the fence at the current height. As the boundary fence is not a permanent structure, the height could and should be reduced if it is negatively impacting this property's access to natural light.

6.3.4 With regards to No. 107, this property is slightly more impacted by the development due to being on slightly lower ground and having a raised decking area that does not project as far as raised terrace at the subject site. As part of this submission, the applicant is proposing additional screening in the form of a 1.6m high fence and vegetation planting along the boundary with No. 107 and the existing boundary fence is to be retained. Such measures are considered suitable and would protect the amenity of the occupiers of this property.

6.3.5 For these reasons, it is considered that the existing development is does not have a harmful impact upon the residential amenities of adjoining occupiers in terms of loss of light, privacy or outlook. It is therefore considered to comply with the policies stated above.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The existing development has an acceptable impact on the visual amenities of the house, surrounding area and on the residential amenities of the neighbours. As such, the development is in accordance with the NPPF (2021), Policy D3 of The London Plan (2021), policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Development Management Policies Local Plan (2013), and the adopted Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Approved plans and documents

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

Location Plan, 258:T2 B

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework 2021

**The London Plan 2021
D3**

**The Harrow Core Strategy 2012
CS1.B**

**Harrow Development Management Policies Local Plan 2013
DM1, DM10**

**Relevant Supplementary Planning Document
Supplementary Planning Document: Residential Design Guide (2010)**

2. Per-application engagement

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

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

CHECKED

Interim Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 2: SITE PLAN

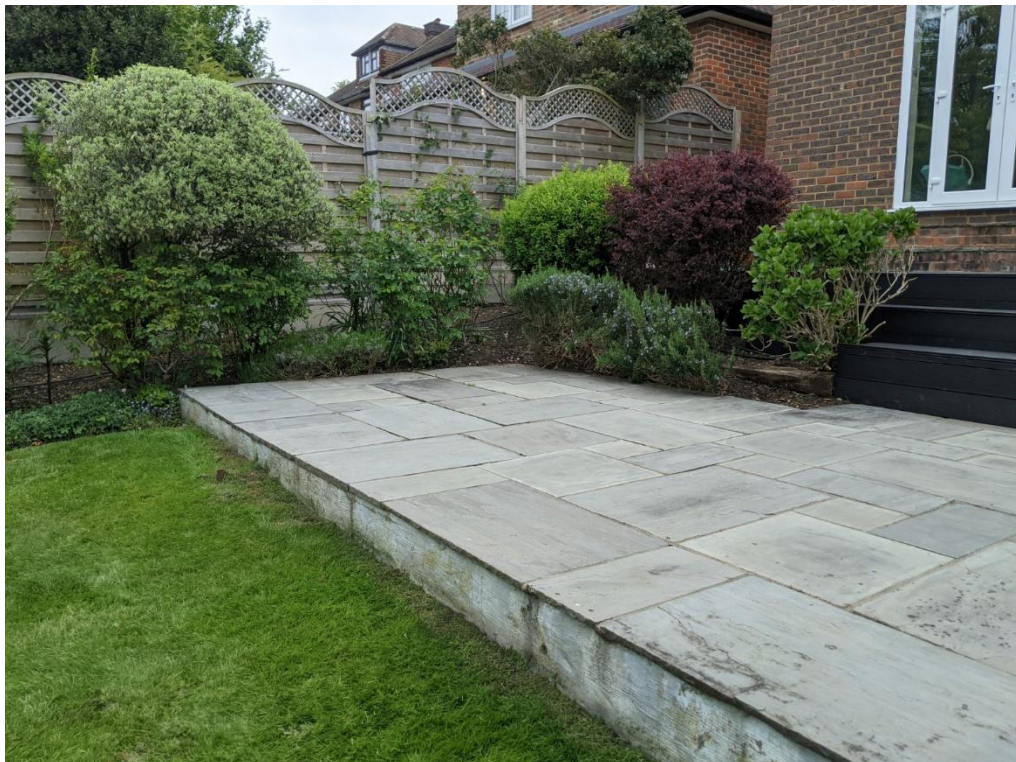


APPENDIX 2: SITE PHOTOGRAPHS





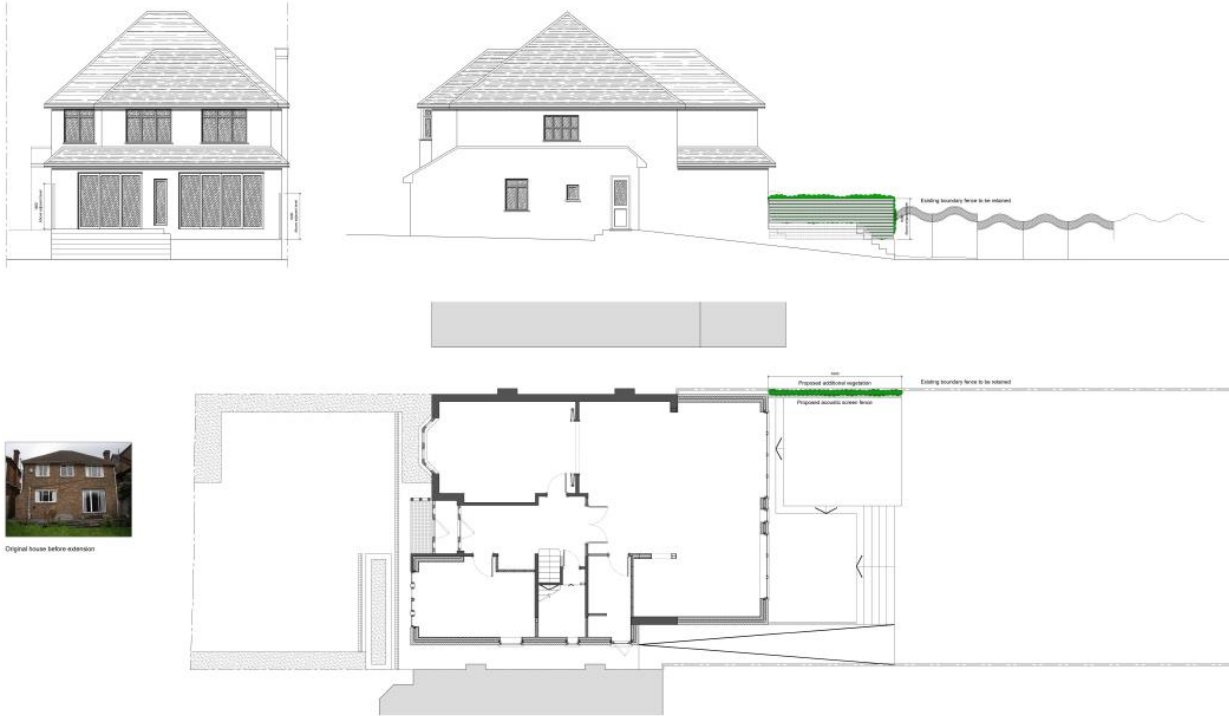
View from the rear garden of No. 107



View from the rear garden of No. 111

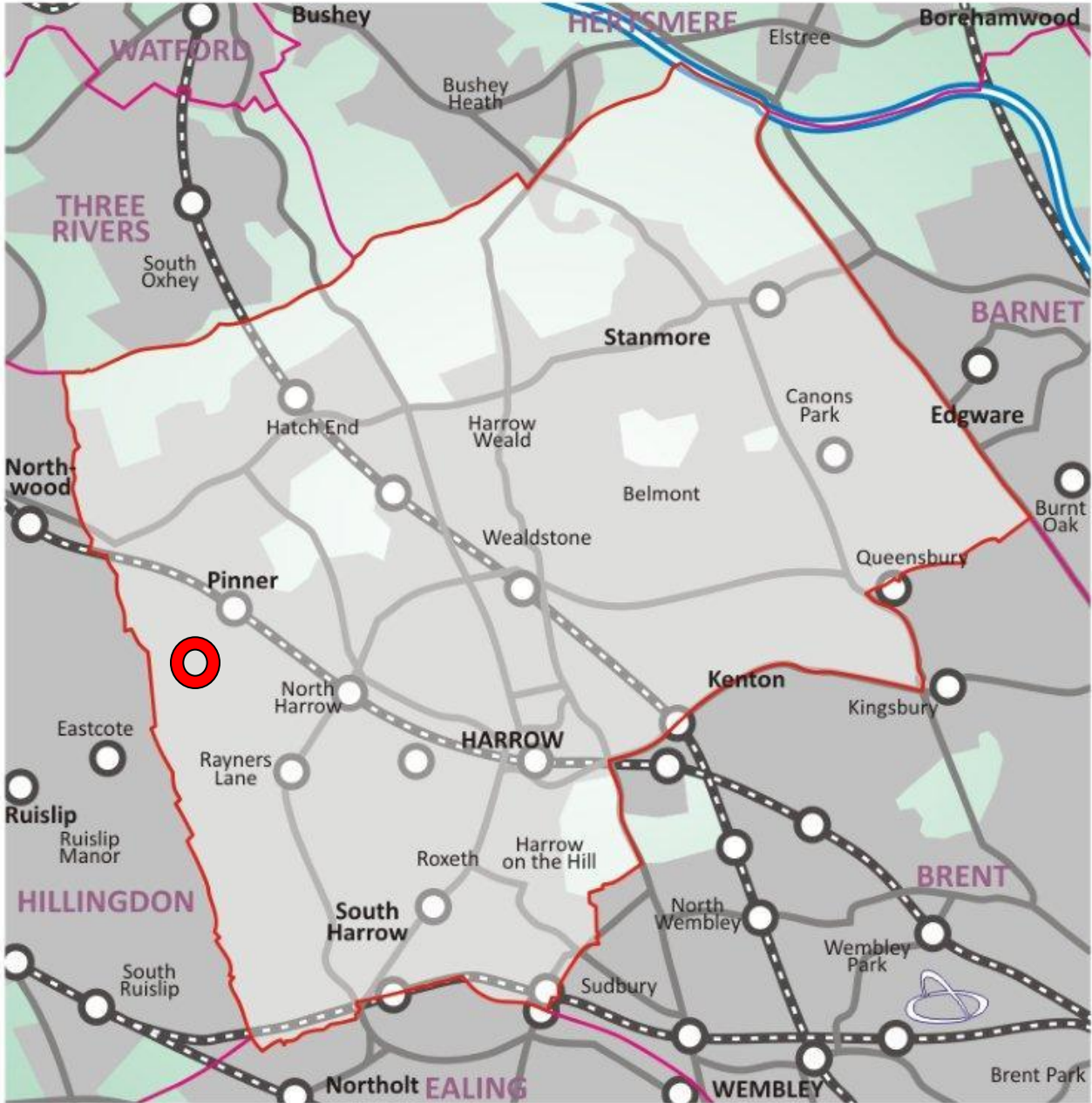


APPENDIX 3: FLOOR PLANS AND ELEVATIONS

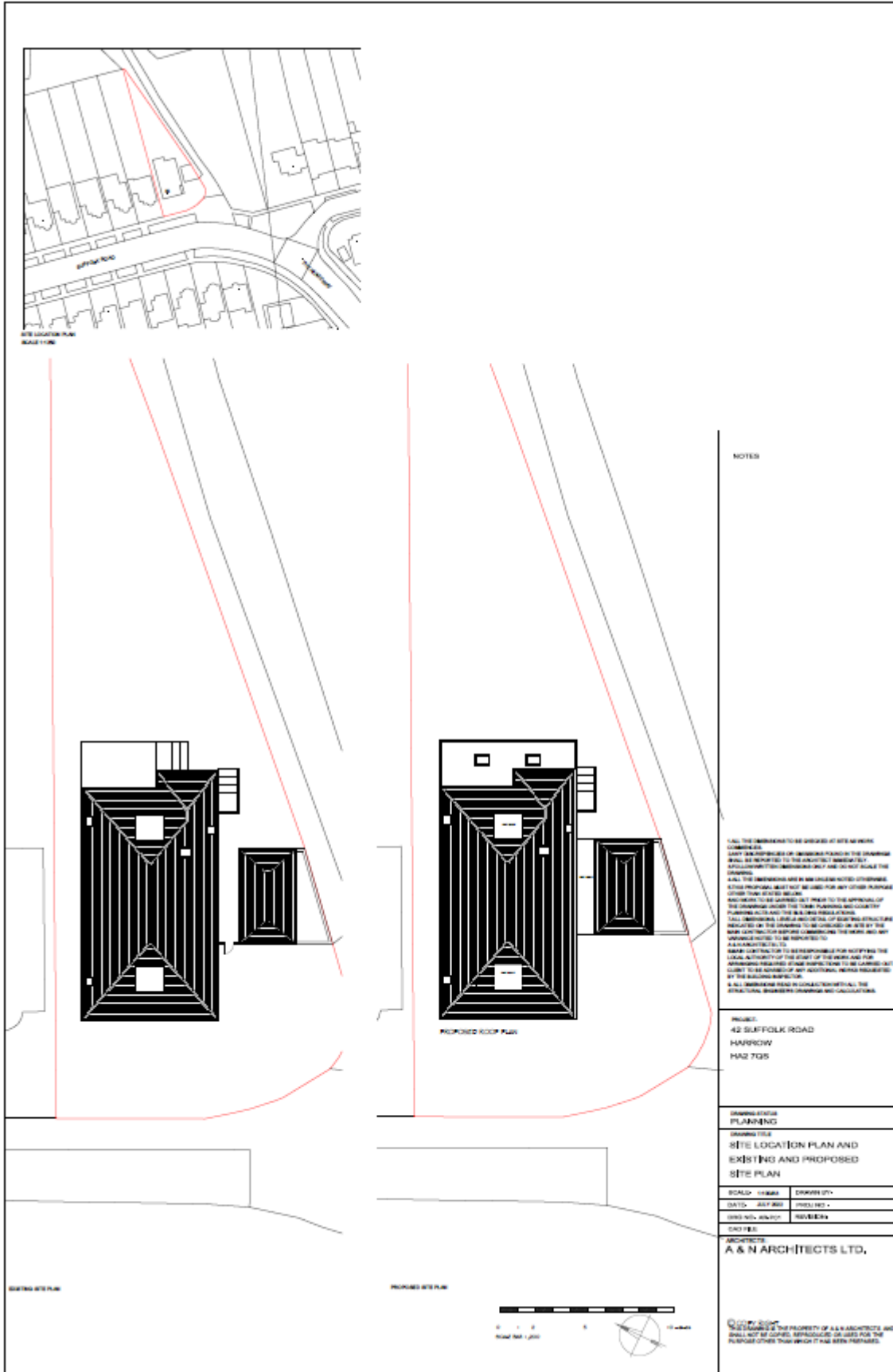


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 = application site



42 Suffolk Road	P/0001/22
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Site Plan

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/0001/22
VALID DATE: 11/01/2022
LOCATION: 42 SUFFOLK ROAD HARROW
WARD: HEADSTONE NORTH
POSTCODE: HA2 7QG
APPLICANT: BORAL
AGENT: A & N ARCHITECTS LIMITED
CASE OFFICER: ABRAR SHARIF
EXPIRY DATE: 28/07/2022 EOT

PROPOSAL

Single Storey Side Extension Linking Dwelling To Detached Garage; Conversion Of Garage Into Habitable Room With Alterations To Front Elevation; Single Storey Rear Extension (Demolition Of Rear Conservatory)

RECOMMENDATION A

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposed development is considered to be a modest and sympathetic addition which would not result in a detrimental impact to the character and appearance of the original building and the surrounding area, nor would it result in a detrimental impact to the residential amenities of neighbouring properties.

Accordingly, weighing up the development plan policies and proposals along with other material considerations including comments received in response to notification and consultation as set out below, Officers consider and conclude that, subject to planning conditions, the proposed development is acceptable and worthy of support. In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to conditions, Officers recommend that the application is granted.

INFORMATION

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

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net Floorspace:	12.53 sqm
GLA CIL Contribution (provisional):	N/A
Local CIL Contribution	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 relates to a detached bungalow located on the northwest side of Suffolk Road near its junction with The Ridgeway.
- 1.2 The bungalow sits in a wedge-shaped plot which narrows and slopes downward in a northwest direction.
- 1.3 No.44 adjoins the property on its southwest side and its ground floor level is approximately 0.9m higher than the property.
- 1.4 The host dwelling benefits from having a detached garage (HAR/18057), a single storey rear conservatory (LBH/3162), single storey rear extensions and a rear dormer roof extension (WEST/298/95/FUL).
- 1.5 The host dwelling is not listed, is not located within a conservation area, nor is it in a critical drainage area or flood zone.

2.0 PROPOSAL

- 2.1 The proposal includes the construction of a single storey side extension to infill the gap between the house and the garage. This would form a direct link and connect the house to the garage.
- 2.2 The single storey side extension would be 1.09m wide, 2.57m high and 5.54m deep.
- 2.3 The garage would be converted to an additional bedroom, which would be accessible internally when entering the hallway from the main entrance.
- 2.4 The external alterations to the front of the property to facilitate the garage conversion would include: the replacement of the existing 1.09m wide, 2.44m high metal gate with a brick wall to match existing; the replacement of the garage door with a window, to make good in brick to match existing any void around the new window, and the infill of the small 0.5m diameter circular window in brick to match existing.
- 2.5 In addition, the proposal includes the construction of a single storey rear extension, following the demolition of the existing rear conservatory. The existing conservatory is 2.66m deep, 2.79m high and 2.27m wide. This would be demolished.
- 2.6 The proposed single storey rear extension would be the same depth and height as the existing conservatory, but would be 7.90m wide, which would be the full width of the existing bungalow.

3.0 RELEVANT PLANNING HISTORY

3.1 WEST/298/95/FUL Granted 12/07/1995

Single storey rear extensions and rear dormer

3.2 LBH/3162 Granted 06/05/1968

Erection of a conservatory

3.3 HAR/18057 Granted 25/04/1961

Erection of garage

4.0 CONSULTATION

Neighbour Notification

4.1 A total of 1 consultation letter was sent to the neighbouring property on 12/01/2022 regarding this application. In addition, a site notice was posted on 13/01/2022. The overall public consultation period expired on the 03/02/2022.

Initial Neighbour Consultation

4.2 1 objection letter was received. The comments are summarised below.

Principle of Development

- The objector states they understand the implications of the housing situation and the need to extend existing properties and does not entirely object to the proposal.

Officer response: The objector acknowledges that the development is acceptable in principle.

Impact to Residential Amenity

- *The objector notes the rear of the site property, and the rear of no.44 are staggered, and that the rear elevation of the site property finishes further northwest into the garden than no.44.*
- *Concern is expressed over the harmful impact on light caused by the massing of the proposed single storey rear extension, which would have resulted from the 4m depth, further rear than the original rear wall of the house.*

- *The objector says they would be happier if the single storey rear extension were 1m less deep.*
- The objector states they have enjoyed a good level of light for an uninterrupted period of many years plus a good view into the park and its greenery to the rear of their property.

Officer response: Noted, please refer to the section on Impact to Residential Amenity.

Neighbour Re-Consultation

- 4.3 Following the submission of amended drawings to reduce the size of the proposed single storey rear extension, a re-consultation took place where a total of 1 consultation letter was sent to the neighbouring property on 29/06/2022 and will expire on 13/07/2022. Any comments or objections received will be reported to the Planning Committee via Addendum.

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.

Consultation Responses
<p>LBH Highway Officer</p> <p>The loss of the garage would not be a problem for this property, as there is a good level of off-street parking. There are no other issues for Highways.</p> <p><i>Officer response: Noted.</i></p>

5.0 POLICIES

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

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

- 5.2 The Government has issued the National Planning Policy Framework [NPPF 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.
- 5.3 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:

- Character and Appearance of the Area
- Impact to Residential Amenity
- Development and Flood Risk
- Fire Safety

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

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

Single Storey Side Extension

6.2.2 The existing gate between the bungalow and garage would be removed. The proposed single storey side extension would infill the 1.09m gap between the bungalow and its detached garage. It would be approximately 2.57m high with a flat roof and extend the 5.54m depth of the existing garage. The proposed single storey side extension has been designed so that its roof would sit below the eaves of the original dwellinghouse and garage. Its height would not exceed 3m in accordance with paragraph 6.41 of the adopted SPD.

- 6.2.3 The proposed single storey side extension would have a subordinate roof in relation to the bungalow and garage and would not project beyond the existing building lines, which would limit its visual impact. The proposed single storey side extension, given its size, scale and siting would therefore retain a satisfactory degree of openness and space as recommended by paragraph 6.52 of the SPD. The proposed single storey side extension would therefore not result in a detrimental impact to the character and appearance of the original dwellinghouse and the surrounding area.

Conversion of the Garage into a Habitable Room and External Alterations

The proposal seeks to convert the garage into a bedroom, which would be accessed from the hallway as you enter the main entrance of the property. The external alterations to facilitate this include replacing the existing garage door with a window of a similar design and style of the existing windows of the main house.

- 6.2.4 An existing 0.51m diameter circular front window near the northeast boundary of the plot would also be infilled in brickwork to match existing.
- 6.2.5 As per the LBH Highway Officer comments, the loss of the garage would not be a problem, since there is a good level of off-street parking provided on the forecourt and there are no other issues regarding Highways.
- 6.2.6 The proposed external alterations are considered to be modest and sympathetic and would not result in a detrimental impact to the character and appearance of the original dwellinghouse and its surroundings.

Single Storey Rear Extension (Demolition of Rear Conservatory)

- 6.2.7 The proposed single storey rear extension would extend the full width of the host dwellinghouse and it would be the same depth as the existing conservatory - 2.66m deep in accordance with paragraph 6.59 of the adopted SPD.
- 6.2.8 The proposed single storey rear extension would be built on top of the existing rear raised platform, which is 0.38m high above the natural ground level.
- 6.2.9 Therefore, the total height of the proposed single storey rear extension above the natural ground level would be 3.35m high, when measured from the rear wall of the proposed extension, The proposed single storey rear extension would be no higher than the existing conservatory and would be a proportionate and subservient addition to the dwellinghouse. Furthermore, sufficient garden space would remain.
- 6.2.10 Summary
- 6.2.11 The proposed development, due to its size, scale and design would be a proportionate addition which would relate well to the original dwellinghouse. It is

therefore considered that the proposal would have an acceptable impact on the character and appearance of the dwellinghouse and the surrounding area.

6.3 Impact to Residential Amenity

6.3.1 The relevant policies are:

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

No.44 Suffolk Road:

6.3.2 The proposed single storey side infill extension would be sited between the main house and the garage and sited away from the shared boundary with No.44. Therefore, given its size and siting it would not have a detrimental impact to the visual and residential amenities of No.44.

6.3.3 Given the nature of the proposed external alterations to facilitate the proposed garage conversion, they would not result in a detrimental impact to the visual and residential amenities of No.44.

6.3.4 In order to reduce the impact of the proposed single storey rear extension on the amenities of No.44, the applicant submitted amended drawings to reduce the depth from 4m to 2.66m. The amendments also include the initially omitted patio, existing raised platform, the existing chimneys and fenestration.

6.3.5 The original rear elevation of the host dwellinghouse extends 3.94m further rear than No.44, but the amended single storey rear extension would now be no deeper or higher than the existing conservatory, while being set away 2.18m from the southwest flank of no.44. This depth at which, according to the neighbour comments received, affords a good level of light and outlook.

6.3.6 The proposed single storey rear extension due to its design, size, scale, siting and its relationship with No.44 would not result in a detrimental impact on the visual and residential amenities of No.44 due to a loss of privacy, outlook or light.

Properties Located to Northeast and to the Rear of the Site

6.3.7 The Yeading Walk is located to the northeast and to the rear of the site. Given the size and scale of the proposed development it would not result in a detrimental visual impact on the visual local area as seen by users of the open space.

Summary

6.3.8 The proposed development, due to its design, size, scale and relationship with neighbouring properties, would not result in a detrimental impact to the visual or residential amenities of neighbouring properties. The proposed development therefore complies with the above mentioned policies and guidance.

6.4 **Development and Flood Risk**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM10

6.4.2 The application site is not located within a critical drainage area or flood zones and therefore the proposed development complies with the above mentioned policies and guidance.

6.5 **Fire Safety**

6.5.1 The relevant policies are:

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

6.5.2 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

6.5.3 The applicant has submitted a Reasonable Exemption Statement to confirm that the development would not adversely affect the appropriate fire safety measures of the site.

Summary

6.5.4 The applicant has submitted a Reasonable Exemption Statement to address fire safety. On that basis, the proposal therefore complies with the above mentioned policies.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.
- 7.2 For all the reasons considered above and weighing up the development plan policies and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant, subject to conditions.

Interim Head of Development Management	DM 05/07/2022
Corporate Director	07/07/2022

APPENDIX 1: Conditions and Informatives

Conditions

1. **Time Limit**

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

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

2. **Plan List**

The development hereby permitted shall be carried out in accordance with the following documents and plans: AR-P01; AR-P02 REV.A; AR-P03; AR-P04; AR-P05 REV.A; AR-P06 REV AR-P06a REV.A; AR-P07 REV.A; AR-P08; AR-P09; AR-P10 REV.A; AR-P11 REV.A.

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

3. **Glazing 1**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), 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).

4. **No Balcony**

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from 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. **Materials**

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

REASON: To safeguard the appearance of the locality.

Informatives

1. Relevant Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D11, D12, SI12, SI13

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

Harrow Development Management Policies Local Plan 2013:
DM1, DM10

Supplementary Planning Documents: Residential Design Guide SPD (2010).

2. 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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3. Considerate Contractor Code of Practice

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

4. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

133214.pdf
Tel: 0870 1226 236 Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: communities@twoten.com

5. Compliance with Planning Conditions

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

6. Liability for Damage to Highway

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

7. Surface and Foul Water Connections

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

8. 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.

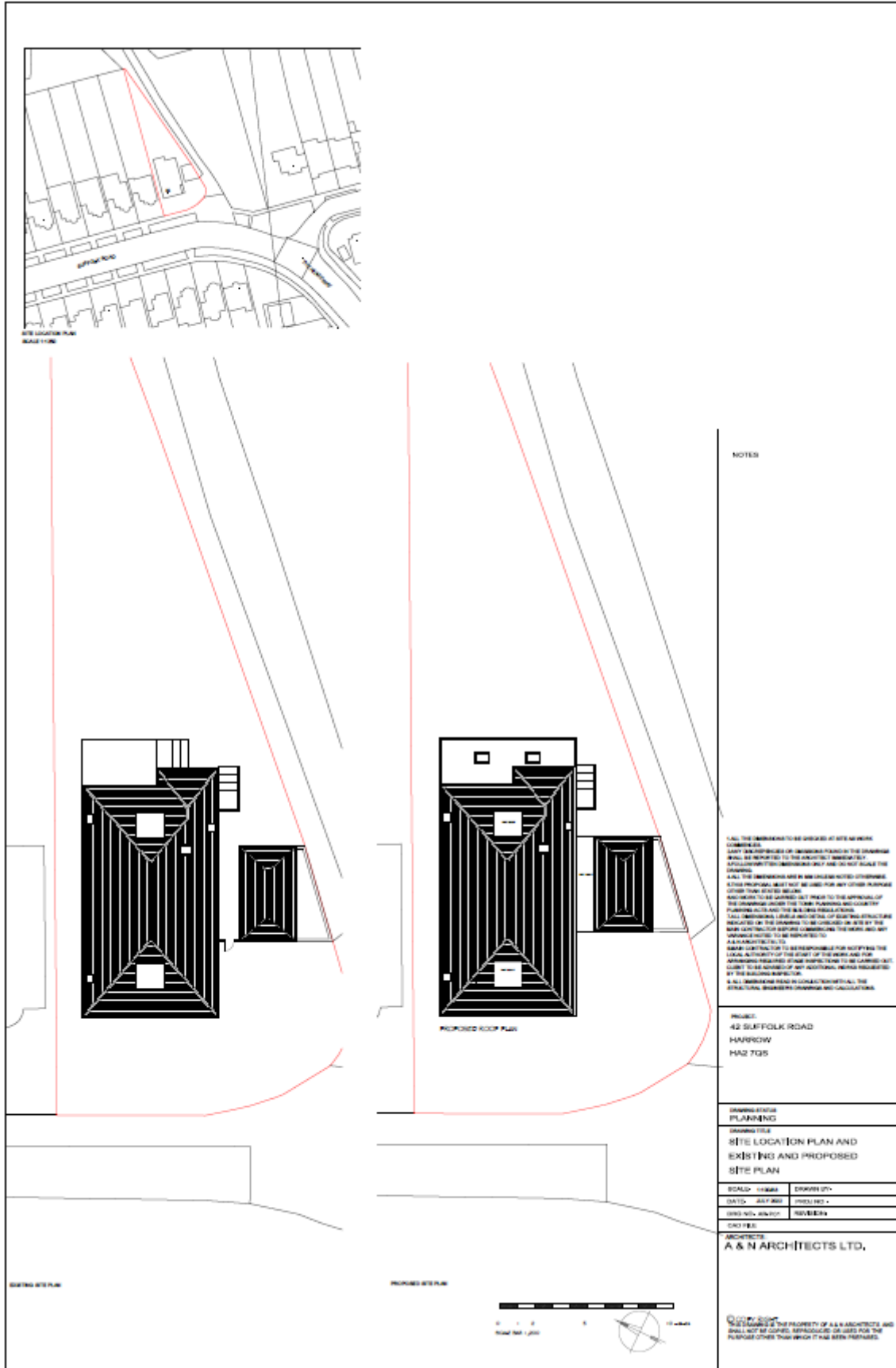
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment

(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.

APPENDIX 2: SITE PLAN



NOTES

1. ALL THE DIMENSIONS TO BE CHECKED AT SITE BEFORE COMMENCEMENT.
 2. ANY UNCORRECTED OR UNDESIGNED ERRORS IN THE DRAWINGS SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY.
 3. DIMENSIONED DIMENSIONS ARE TO BE USED TO SCALE THE DRAWING.
 4. ALL THE DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE STATED.
 5. THIS PROPOSAL MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN STATED BELOW.
 6. NO WORK TO BE CARRIED OUT PRIOR TO THE APPROVAL OF THE DRAWINGS UNDER THE TOWN PLANNING AND COUNTRY PLANNING ACTS AND THE BUILDING REGULATIONS.
 7. ALL DIMENSIONS AND ARCHITECTS OF WORKS STRUCTURES SHOWN IN THE DRAWING TO BE CONSIDERED AS SET BY THE MAIN CONTRACTOR BEFORE COMMENCING THE WORK AND ANY VARIATIONS TO BE REPORTED TO A & N ARCHITECTS LTD.
 8. MAIN CONTRACTOR TO BE RESPONSIBLE FOR NOTIFYING THE LOCAL AUTHORITY OF THE START OF THE WORK AND FOR APPROVING REQUIRED STAMP INSPECTIONS TO BE CARRIED OUT. OBLIGED TO BE AWARE OF ANY ADDITIONAL PERMITS REQUIRED BY THE BUILDING INSPECTOR.
 9. ALL DIMENSIONS MADE IN CONNECTION WITH THE STRUCTURAL DRAWINGS OR OTHER CALCULATIONS.

PROJECT:
 42 SUFFOLK ROAD
 HARROW
 HA2 7QS

DRAWING TITLE:
 SITE LOCATION PLAN AND
 EXISTING AND PROPOSED
 SITE PLAN

SCALE:	1:1000	DRAWN BY:	
DATE:	2022/07/01	PROJECT NO.:	
DESIGN NO.:	2022/07/01	NUMBER:	

DRAWN BY:
 A & N ARCHITECTS LTD.

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APPENDIX 3: SITE PHOTOS



Site property is a corner plot with a detached bungalow. Yeading Walk to the northeast.



No.44 is located to the southwest of the site property.



View of the rear of the site property from Yeading Walk



Rear elevation. Rear of existing garage (left). Existing conservatory (right).



Rear view. Existing conservatory (centre). No.44 (right)



Northeast side access way, granting access from the front to the rear garden. Looking in the direction of the rear garden. No.44 over the fence to the left.



Southwest side access way, granting access from the front to the rear garden between the house and the garage.



Looking over the fence at No.44.



Photo taken from the patio of No.44, looking across to the site property



Photo taken from the kitchen of No.44, looking across to the site property and rear garden towards Yeading Walk to the rear of the property

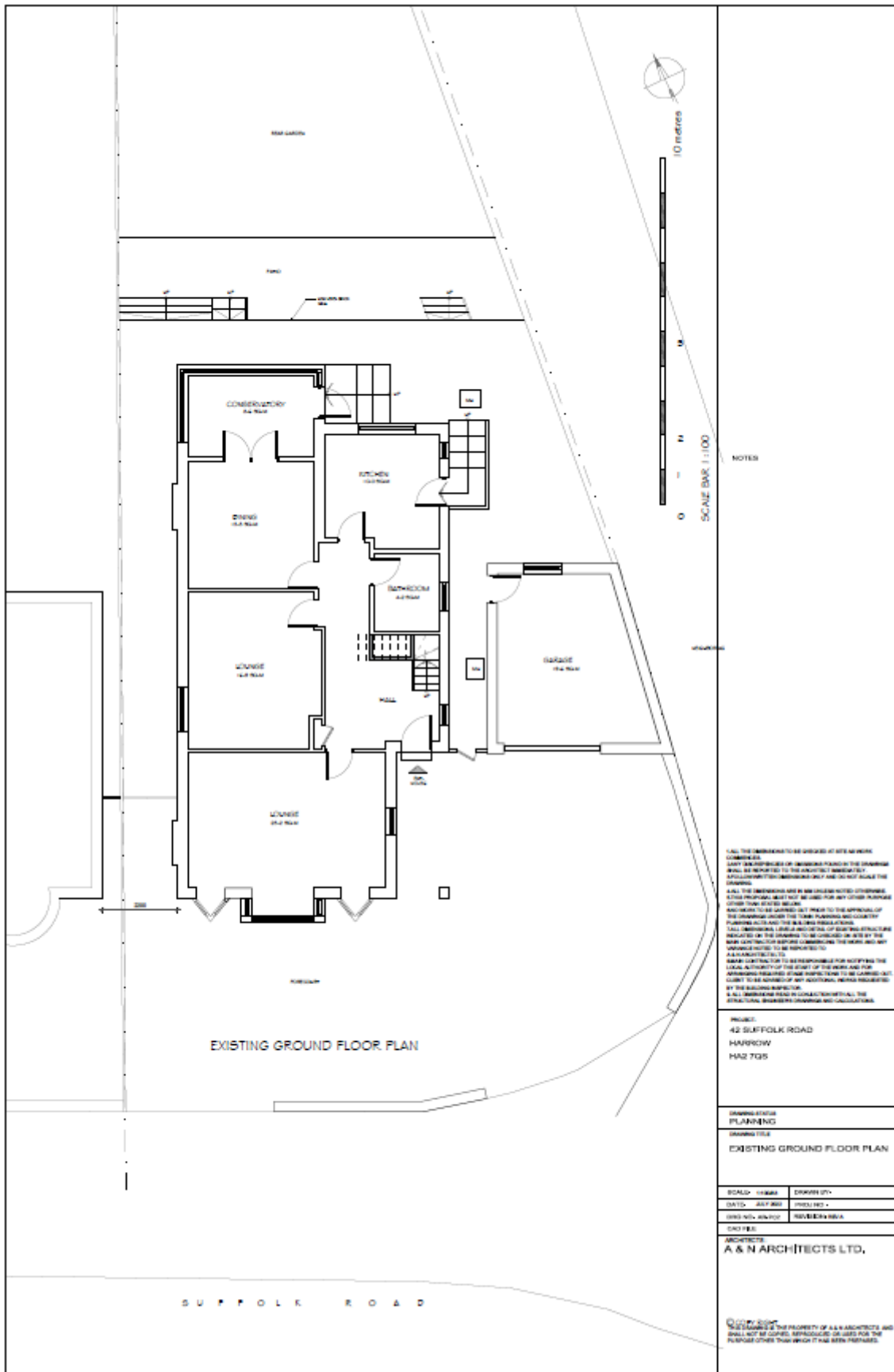


Photo taken from the kitchen of No.44, looking out into the rear garden towards Yeading Walk to the rear of the property

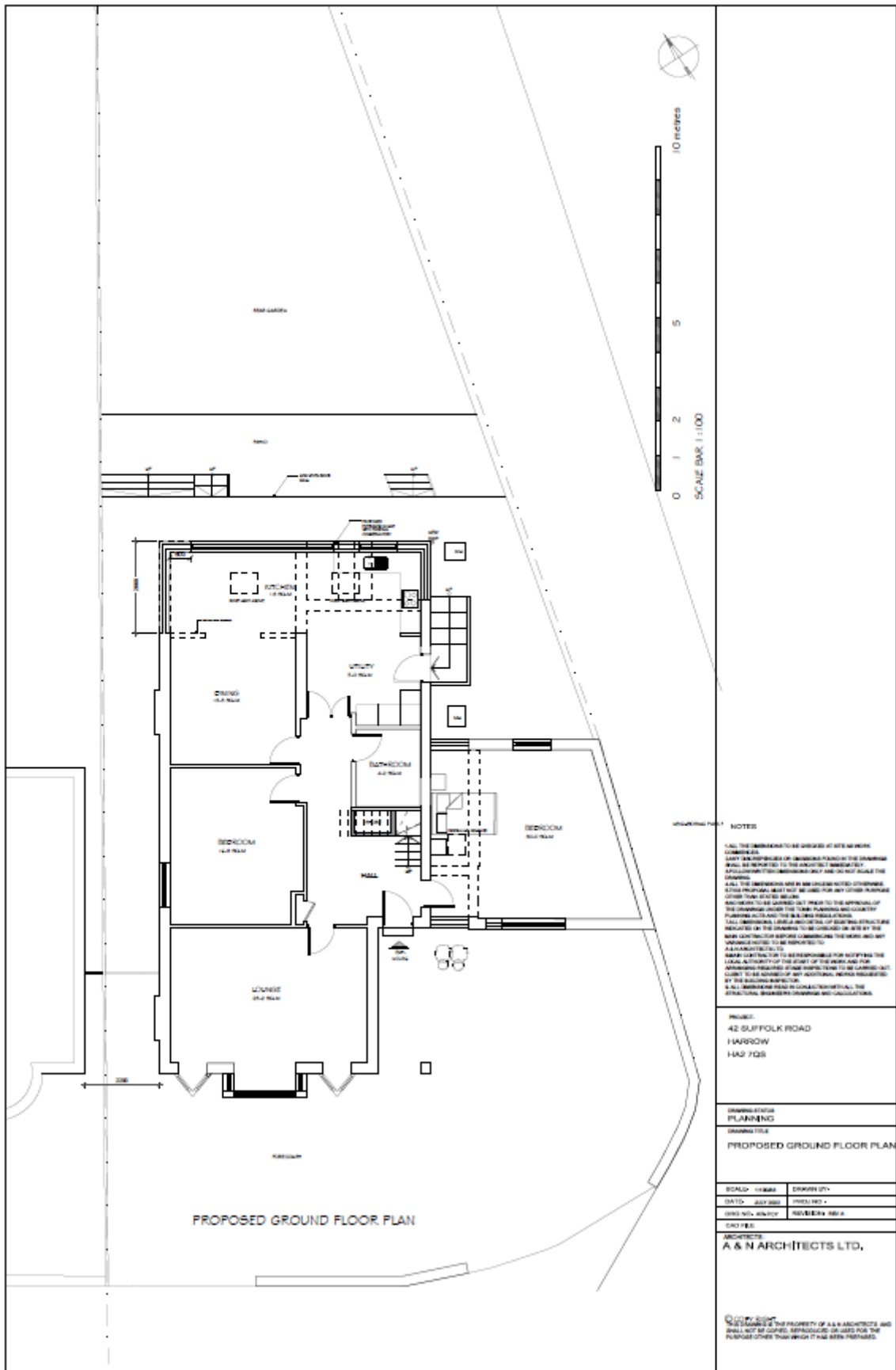


Photo taken from the dining room of No.44, looking across to the site property and rear garden towards Yeading Walk to the rear of the property

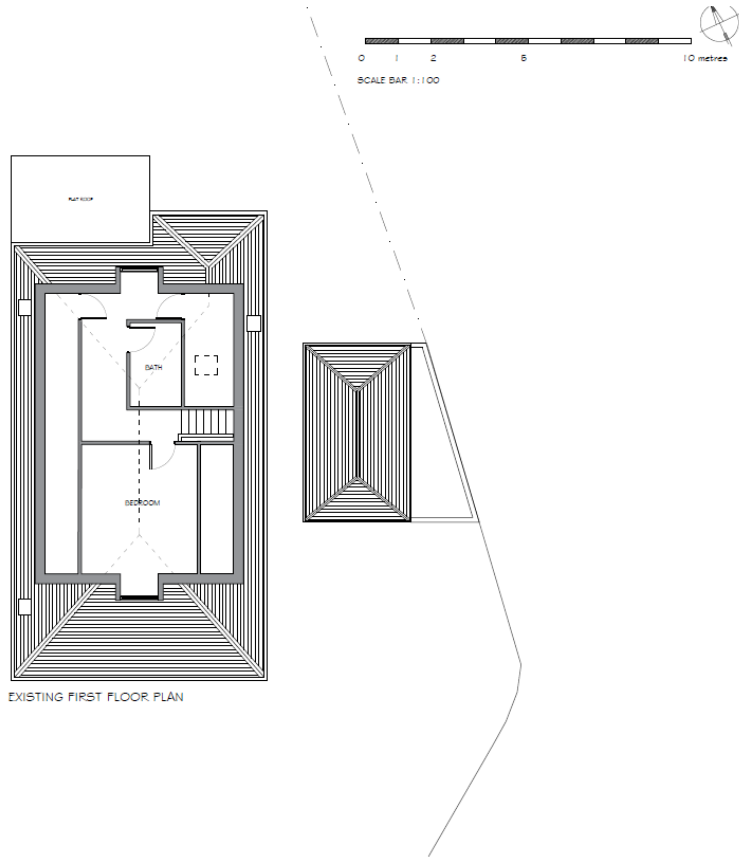
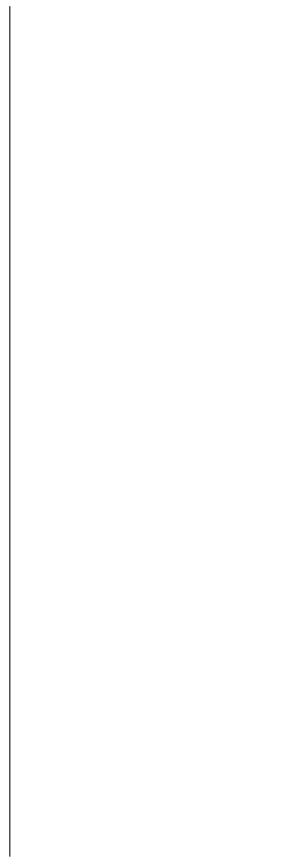
APPENDIX 4: PLANS AND ELEVATIONS



Existing Ground Floor Plan



Proposed Ground Floor Plan



NOTES

1. ALL THE DRAWINGS TO BE CHECKED AT SITE BEFORE COMMENCEMENT OF WORKS.

2. ANY CHANGES OR OMISSIONS TO THE DRAWINGS SHALL BE APPROVED BY THE ARCHITECT IMMEDIATELY UPON THE COMMENCEMENT OF WORKS.

3. ALL THE DRAWINGS ARE TO BE USED AS A GUIDE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY PRIOR TO THE COMMENCEMENT OF WORKS.

4. THE DRAWINGS ARE TO BE USED IN ACCORDANCE WITH THE BUILDING REGULATIONS AND THE LOCAL AUTHORITY'S PLANNING ACTS AND THE BUILDING REGULATIONS.

PROJECT:
42 SUFFOLK ROAD
HARROW
HA2 7GS

DRAWING STATUS:
PLANNING

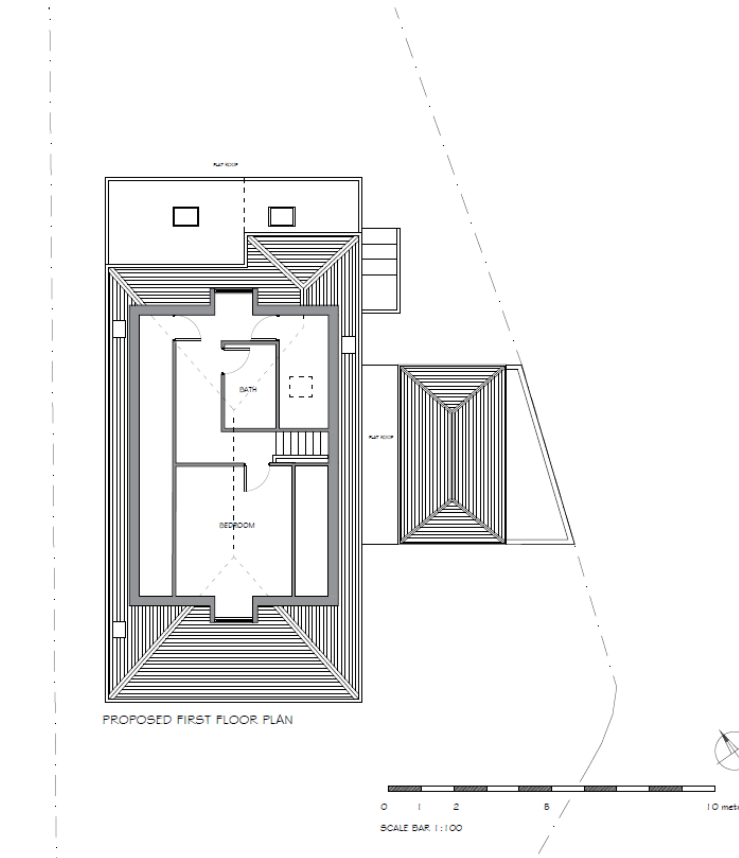
DRAWING TITLE:
EXISTING FIRST FLOOR PLAN

SCALE: 1:100	DRAWN BY:
DATE: JUL 2022	PROJECT:
DRG NO: A/HA2/2022/01	REVISED:

CAD FILE:
ARCHITECTS:
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Existing First Floor Plan



NOTES

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PROJECT:
42 SUFFOLK ROAD
HARROW
HA2 7GS

DRAWING STATUS:
PLANNING

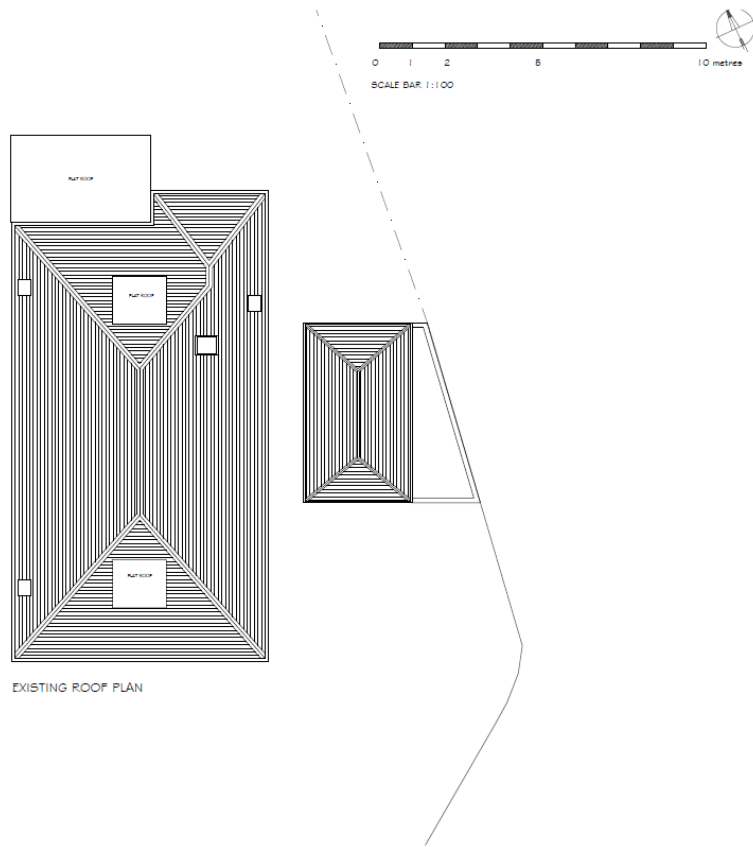
DRAWING TITLE:
PROPOSED FIRST FLOOR PLAN

SCALE: 1:100	DRAWN BY:
DATE: JUL 2022	PROJECT:
DRG NO: A/HA2/2022/01	REVISED:

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Proposed First Floor Plan



EXISTING ROOF PLAN

NOTES
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 2. ANY DIMENSIONS OR DIMENSIONS FOUND IN THE DRAWINGS SHALL BE REFERRED TO THE ARCHITECT IMMEDIATELY.
 3. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.
 4. THIS DRAWING MUST NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.
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PROJECT:
 42 SUFFOLK ROAD
 HARROW
 HA2 7QG

DRAWING STATUS:
 PLANNING

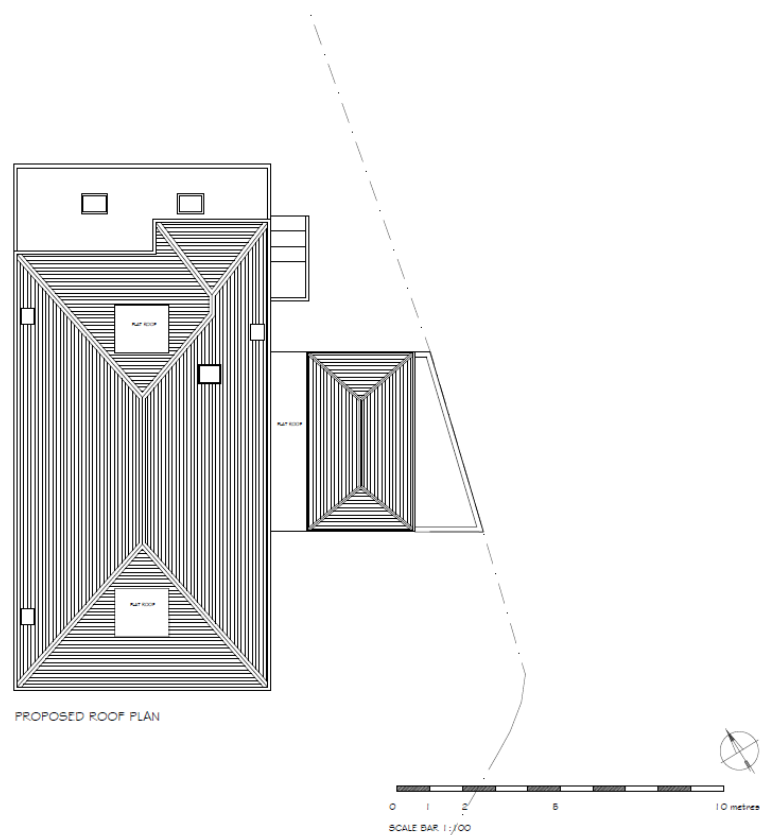
DRAWING TITLE:
 EXISTING ROOF
 FLOOR PLAN

SCALE: 1:100	DRAWN BY:
DATE: JULY 2022	PROJECT NO.:
DRG NO: A&N-702	REVISED:
CAD FILE:	

ARCHITECTS:
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Existing Roof Plan



PROPOSED ROOF PLAN

NOTES
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PROJECT:
 42 SUFFOLK ROAD
 HARROW
 HA2 7QG

DRAWING STATUS:
 PLANNING

DRAWING TITLE:
 PROPOSED ROOF PLAN

SCALE: 1:100	DRAWN BY:
DATE: JULY 2022	PROJECT NO.:
DRG NO: A&N-702	REVISED:
CAD FILE:	

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Proposed Roof Plan



NOTES

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9. THE DRAWING MUST BE APPROVED BY THE ARCHITECT BEFORE ANY WORK COMMENCES

10. THE DRAWING MUST BE APPROVED BY THE ARCHITECT BEFORE ANY WORK COMMENCES

PROJECT:
42 SUFFOLK ROAD
HARROW
HA2 7GG

DESIGNED BY:
PLANNING

DRAWING TITLE:
EXISTING ELEVATIONS

SCALE: 1:100	DRAWN BY:
DATE: APRIL 2022	PROJECT NO.:
CHECKED BY:	REVISION NO.:
CAD FILE:	

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Existing Front and Rear Elevation



NOTES

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PROJECT:
42 SUFFOLK ROAD
HARROW
HA2 7GG

DESIGNED BY:
PLANNING

DRAWING TITLE:
PROPOSED ELEVATIONS

SCALE: 1:100	DRAWN BY:
DATE: APRIL 2022	PROJECT NO.:
CHECKED BY:	REVISION NO.:
CAD FILE:	

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Proposed Front and Rear Elevation



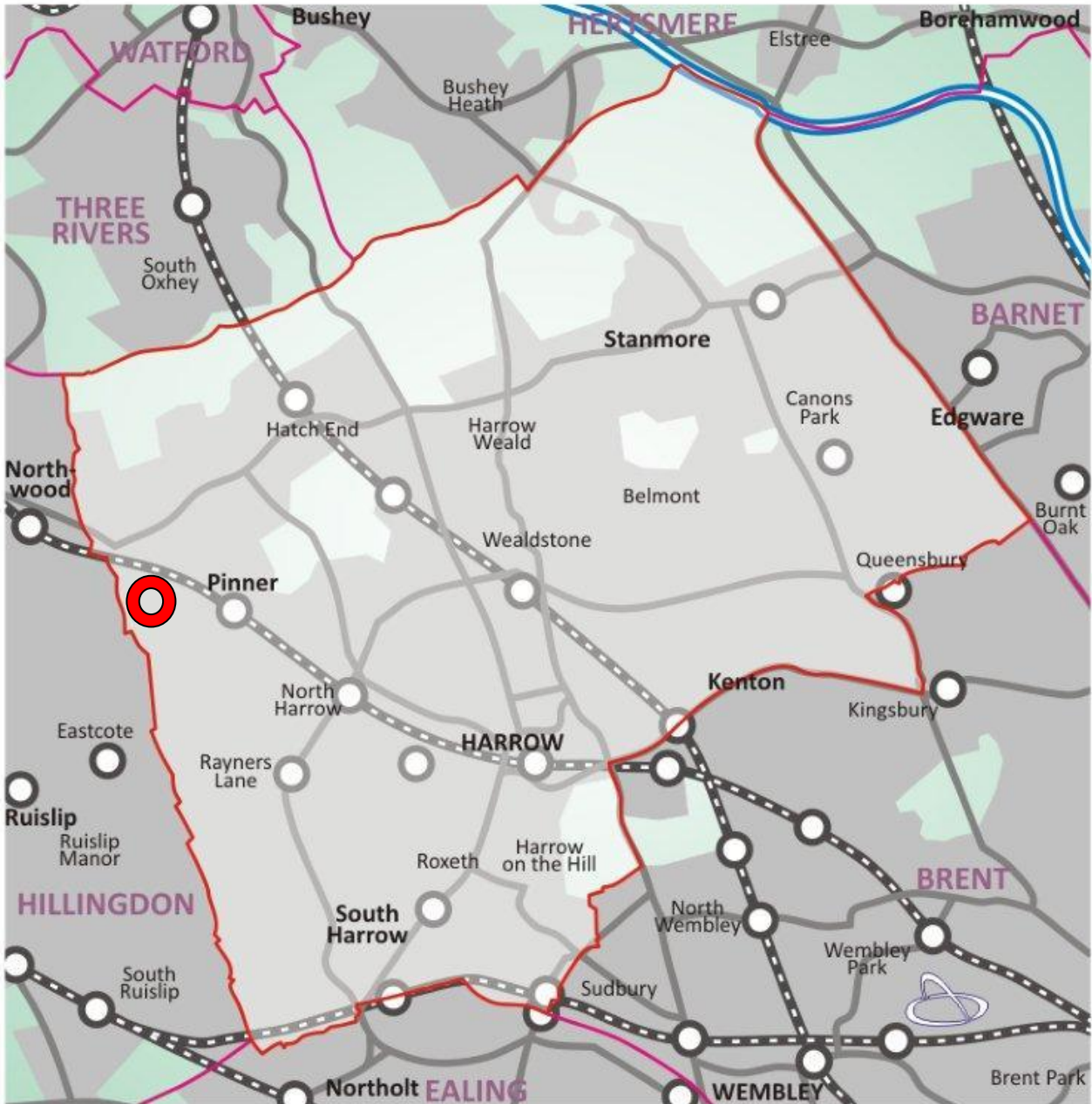
Existing Side Elevations



Proposed Side Elevations

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 = application site



21B, 29-31 & 33-35 Bridge Street, Pinner, HA5 3HR

P/4965/21

SITE PLAN



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th JULY 2022

APPLICATION NUMBER: P/4965/21
VALIDATE DATE: 11/01/2022
LOCATION: 21B & 29-31 BRIDGE STREET, PINNER
WARD: PINNER
POSTCODE: HA5 3HR
APPLICANT: C/P AGENT
AGENT: THE HARRIS PARTNERSHIP
CASE OFFICER: SELINA HOTWANI
EXPIRY DATE: 15/02/2022

PROPOSAL

Creation of third floor comprising of four additional flats (1 x 2 bed and 3 x 1 bed); installation of access staircase at rear; bin and cycle stores; external alterations

RECOMMENDATION

The Planning Committee is asked to:

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit.
 - ii. A contribution of £1,500 in accordance with the adopted fees and charges is required to amend the Traffic Management Order and a monitoring fee of £500.
 - iii. Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 27th October 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is recommended to delegate the decision to **REFUSE** planning permission to the Interim Chief Planning Officer on the grounds that: The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

REASON FOR THE RECOMMENDATIONS

The proposed development would result in a modest extension to the existing building within an area benefiting from excellent transport links, that responds positively to the local context, and would provide appropriate living conditions for future occupiers. The site would continue to provide an active retail function adjacent to the Town Centre, as well as providing for residential accommodation which would increase the vibrancy of the adjoining town centre and housing choice within the borough.

INFORMATION

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

Statutory Return Type:	Minor/Other
Council Interest:	N/A
GLA Community Infrastructure Levy:	£11,802
(CIL) Contribution (provisional):	
Local CIL requirement:	£30,291.80

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. **SITE DESCRIPTION**

- 1.1 The application site consists of ground floor retail units with office and residential units above. These are identified as 21b, 29-31 and 33-35 Bridge Street. Unit 21b is a storage unit to the rear of the site accessed via the service yard off Chapel Lane. There are two ground floor retail units comprising retail unit A (29-31 Bridge Street) and retail unit B (33-35 Bridge Street). Above unit 29 is 29A comprising first and second floor offices. Above units 31-35 are six residential units at first and second floor levels. Flats 1, 3 and 4 are located at first floor and Flats 2, 5 and 6 at second floor.
- 1.2 An underpass off Bridge Street is located adjacent to retail unit A which also forms the entrance to the upper floor office and residential units as well as a refuse area for the existing flats.
- 1.3 The application site is within the Primary Area and Shopping Frontage within Pinner Town Centre. The underpass area and a small corner of Unit 29 is within EA Flood Zone 2. Directly south of the site is the Pinner High Street Conservation Area.
- 1.4 The premises forms part of a parade of three-storey buildings with commercial uses at ground floor level and residential uses on the upper floors. Retail servicing is from the rear service yard and residential servicing is from Bridge Street.
- 1.5 The adjacent neighbour to the east is in A2 use and to the left is Santander, an A2 use.

2. **PROPOSAL**

- 2.1 The proposal seeks to extend the properties upwards to create a third floor to provide four new flats. The scheme seeks to reconfigure and refurbish the existing first and second floor residential units.
- 2.2 A new external staircase accessed from the existing underpass would be created up to the new units in Block B (B5 and B6, above the existing offices at 29a). The new external staircase would lead to the existing first floor entrance to Block A which would be utilised for the proposed new units A5 and A6.
- 2.3 Whilst no external works are proposed in respect of the ground floor retail units, the proposal comprises the internal refurbishment of retail unit A which would reduce the overall retail floor space by 13sqm.
- 2.4 Refuse and cycle stores would also be provided.

3. **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
LBH/8952	Installation of a new shopfront	Granted: 15/06/1973

WEST/879/02/FUL	Single-storey rear extension to shop and external staircase and shopfront	Granted: 08/12/2002
P/2677/12	Use of public highway for placing of moveable tables (6) and chairs (12) in connection with coffee shop (Class A1)	Refused: 11/12/2012
<i>The proposal would fail to leave an adequate area of footway available for use by pedestrians, to the detriment of the free flow of pedestrians and highway safety, contrary to policy 6.10 of The London Plan (2011), saved policies D4 and T6 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Document: Access for All (2006).</i>		
P/1487/18	The application is for a Certificate of Lawfulness for a proposed development to change the use of the ground floor unit from retail (Class A1 - shops) to A2 (Class A2 – financial and professional services).	Granted 25/5/2018
P/1449/19	Change of use of ground floor from Coffee shop (Class A1) to Fitness Studio (Class D2); Installation of shop front	Refused: 12/06/2019
<i>Insufficient information has been provided in terms of fluvial flood risk and surface water flooding and how it will demonstrate suitable on site water management and surface water attenuation. The proposal has therefore failed to demonstrate compliance with the National Planning Policy Framework (2019), policy CS1.U of the Harrow Core Strategy (2012) and policy DM9 of the Harrow Development Management Policies Local Plan (2013).</i>		
29-31 Bridge Street		
P/1064/21	Single storey front infill extension; New shop front	Granted 25/10/2021
P/1079/21	New shopfront glazing, relocation of entrance doors and installation of overhead & hanging signage	Under consideration
29A Bridge Street		
P/1846/22/PRIOR	Change of use from Office (Class E) To 2 Self-Contained Flats (Class C3); (Prior Approval Of Transport & Highways Impacts Of The Development, Contamination Risks And Flooding Risks On The Site, and Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development and provision of	Under consideration

	natural light in all habitable rooms)	
31-35 Bridge Street		
P/669/06/CFU	Demolition and relocation of existing plant room and construction of 3 storey block of 12 self-contained flats with off street parking and amenity space	Refused 09/06/2006
<p>1. <i>The proposal is an unacceptable overdevelopment of a backland site that by reason of poor siting and layout and excessive site coverage by buildings would be an inappropriate form of residential development in this commercial location, resulting in poor living conditions for future occupiers.</i></p> <p>2. <i>The proposed development by reason of excessive height, scale, bulk, massing and siting would result in unacceptable overlooking and loss of privacy to residents of neighbouring properties.</i></p> <p>3. <i>The proposed development by reason of excessive height, scale, bulk, massing and siting would result in unacceptable loss of daylight and sunlight to neighbouring properties.</i></p> <p>4. <i>Car parking cannot satisfactorily provided within the curtilage of the site to meet the Council's requirements in respect of the development, and the likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s).</i></p> <p>5. <i>The proposed development would prejudice the implementation of Service Road proposal 5 of the Harrow Unitary Development Plan 2004.</i></p>		
P/1696/07	Construction of 12 flats with courtyard	Refused 03/09/2007
<p>1. <i>The proposal is an unacceptable overdevelopment of the site that by reason of poor siting and layout and excessive site coverage. The buildings would be an inappropriate form of residential development in this commercial location, resulting in poor living conditions for future occupiers, contrary to policies SD1, D4, and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Designing New Development (March 2003).</i></p> <p>2. <i>The proposed development by reason of excessive height, scale, bulk, massing and siting would result in unacceptable overlooking and loss of privacy, and loss of daylight and sunlight to occupants of neighbouring properties, contrary to policies SD1, D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Designing New Development (March 2003).</i></p> <p>3. <i>The proposed development, by way of poor design, layout and inadequate room size, would fail to meet requirements of LifeTime Homes Standards and Wheelchair Homes Standards, contrary to policy H18 of the Harrow Unitary Development Plan 2004 and the Councils Supplementary Planning Document on Accessible Homes (April 2006).</i></p> <p>4. <i>The proposed development, having no on-site parking provision or turning area, would result in an increase in parking on the neighbouring highway to the detriment to the free flow and safety of traffic on the neighbouring highway contrary to policy T13 of the Harrow Unitary Development Plan 2004.</i></p> <p>5. <i>The proposed development, by way of poor design and layout, would fail to meet the key principles of Secured By Design and Safer Places and would create</i></p>		

opportunities for crime contrary to policy D4 of the Harrow Unitary Development Plan 2004 and Supplementary Planning Guidance: Designing New Development, (March 2003).

4. CONSULTATION

- 4.1 A total of 13 consultation letters were sent to neighbouring properties regarding this application. A site notice was posted on 18 January 2022.
- 4.2 The overall public consultation period expired on the 8th February 2022.
- 4.3 A total of one response has been received to date.
- 4.4 A summary of the response received from the Pinner Association along with the Officer comments are set out below:

- As the application as described in the Design and Access Statement is in a “prominent position on the middle of Pinner on Bridge Street” the frontage may be viewed from distance from the Love Lane junction and it is important that the design of the proposed additional storey is in harmony with and enhance the existing building on the street frontage.
Officer comment: This is noted and expanded upon further in the character and appearance section of the report.
- The proposed design would result in the windows of the additional fourth storey (the proposed “third floor” of flats) of the building being larger in size than those on the lower storeys, which would not be typical of the “Georgian” style of design of the existing frontage, which would require the top floor windows to be smaller than those of the lower floors.
Officer comment: The windows proposed on the third floor have been reduced in size following these comments and are now smaller than those on the lower floors.
- The positioning of the proposed new windows in the fourth storey would not be in line with the fenestration of the existing first and second storey of the Bridge Street frontage. This would give an appearance of a haphazard design to the additional storey and would not harmonise with nor enhance the existing building and would be a detriment to the street scene.
Officer comment: The revised drawings ensure that the windows align with the existing windows below.
- It is impossible from the inadequate drawings provided to determine the angle of the proposed slope back from the street frontage elevation that would contain the new windows on the additional top storey, which we can only assume will be some form of dormers.

Officer comments: A section (AA) from the South East has been provided for clarification showing the angle of the mansard and small dormer windows.

- The guidance in The Draft Small Sites Design Code states that set-backs should be used to minimise the effect of the top storey of a multistorey building and should be at 1.5 metres in depth. These principles should be applied to this application to add an additional storey to an existing building of a distinctive and pleasing traditional style design in a prominent part of the principal shopping area of Pinner. The additional storey should be subservient to the existing street frontage elevation and be as unobtrusive as possible.

Officer comment: The Draft Small Sites Design Code is in draft form and only recently undergone initial rounds of public consultation. The LPA are therefore unable to evaluate the application against this guidance and as such this is not a material consideration in this assessment. However, the revised drawings are considered to be modest in scale and designed as an unobtrusive addition which would appear subservient and congruous with the existing property.

- The current street frontage of the building has regularly spaced fenestration and no “false windows”. The proposed alterations would seek to remove the function of two of the existing second floor windows and brick these in as false windows. This would detract from the original design of the building and would have an adverse effect of the appearance of the building in the street scene.

Officer comment: Although the drawings are labelled as ‘faux windows’ these are in fact considered to be ‘blind windows.’ The Council’s Urban Design officer explains that the blind windows are needed because they relate to the internal layout (e.g. they’re concealing internal walls which are located behind this). The only alternative would be to have actual false windows placed on the façade, but these would be visible as not ‘real’ and would be a less architectural solution than the current option. On this basis, the LPA consider what has been proposed the most appropriate solution.

4.5 Statutory and Non-Statutory Consultees

Planning Policy:

No Comments Made

Conservation Officer:

The building is not identified on the map on page 36 of the CAAMS for ‘Buildings of Townscape Merit Outside of the Conservation Area’.

The existing building is an attractive traditional, neo-Georgian terrace row of shops with flats above.

My view is that the additional height and alterations would be acceptable in principle and preserve the setting of the heritage assets as long as:

- the third floor windows are amended to be in line with the windows below in terms of alignment and their size needs to be reduced so they are shorter than the windows on the levels below in line with the traditional hierarchy of such buildings.

- all details and materials were detailed to match with samples and details to be provided under relevant conditions.

Subject to these amendments, the proposal would be acceptable in my view and preserve the setting of the conservation area.

Urban Design

I think there have been some real improvements over some of the previous street elevation design iterations – but I have some concerns which I think are relatively simple to address.

Massing, Scale & Built Form

1. There is some concern regarding the setback distance of the mansard storey and associated dormer window from the principal street elevation line. Presently there is concern that the setback distance is not of sufficient depth and as such creates an imposing fourth storey massing to the detriment of the existing building frontage character and the character of the wider street scene. Despite the raked mansard roof partially mitigating perceived massing, there is scope to marginally increase this setback distance to further reduce the perception and impact of this additional storey.

External Appearance, Composition & Materiality

2. There have been significant improvements in the proposed street elevation over previous design iterations which is welcome. Specific improvements and ongoing concerns are detailed below.
3. Support for the second floor inset bay elevation amendments including replicating the alignment of sash windows at first floor level and the addition of a blank window centrally to maintain the rhythm of the first floor fenestration at second floor level.
4. Support for protruding brick panels at second floor level, which align with the below fenestration and replicate the existing brick panels which occur on the existing elevation at first floor level below the parapet.
5. Approval of the use of lead cladding to dormer window cheeks at third floor level.
6. The specification of brickwork and clay tiles to match existing use on the street elevation and mansard roof respectively are supported.
7. Confirmation is required as to whether the parapet coping stone specification is to match existing.
8. It is noted and of concern that the vertical distance from second floor windows to parapet coping differs between the southern portion and 33-35 Bridge Street portion of the street elevation. These should be consistent to create a relatively uniform appearance despite the inherent level change as the street elevation progresses northward up Bridge Street.
9. Equally, the vertical distance between the cill of dormer windows and the parapet below, as well as the distance from dormer header to ridge line, should match across the elevation. Currently there are inconsistencies in these setting out distances. It is preferable for these dormer window cills to align with the parapet below, as opposed to being spaced equally within the mansard roof.
10. The three projecting frontages with pediments should continue to slightly project from the two interjacent bays and should not form a continuous elevation as has been shown in drawing 14883-142.

Further comments made to address above comments:

Front elevation

1. Positive changes have been made and there is general support for the street elevation. There is alignment between new and existing window openings.
2. One amendment to be made is that of the vertical step of the front elevation (the point where roof, floor and window level rises to accommodate the gradient of Bridge street.) This step should vertically align with the quoins of the pediment-topped bay.

Rear elevation

1. Balconies must feature a full height privacy panel to the northern side of each to prevent overlooking. This should be visible on drawings prior to submission.
2. Welcome to see that the uppermost flight of stair to the roof has been removed. This reduces overall bulk and visibility of the staircase. Any maintenance access could be achieved via a cat ladder.

Amenity

1. Terrace at roof level removed.
2. Amenity space at first floor level (flat roof) has little detail. While a shared amenity space for first and second floor flats would be welcomed in lieu of private amenity to these units, detail on planting and surfacing should be provided as should adequate defensible space adjacent to bedroom windows.

Historic England

On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

Transport for London (TfL)

Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to railway infrastructure. Therefore, we request that the grant of planning permission be subject to conditions to secure a detailed design and method statement to provide details on the use of tall plant, scaffolding and any other lifting equipment to the rear of the property.

Harrow Conservation Areas Advisory Committee

The application describes the existing building as being of “low to medium significance” but this is undervaluing it as a representative of the “inter-war parades”, built in the “heyday of the shopping parade”. “Shopping parades are specifically understood...to be planned developments incorporating rows of shops (facing onto an outdoor space), with a strong degree of architectural uniformity.” Historic England, Shopping Parades, Introductions to Heritage Assets.

The proposed design would result in the windows of the fourth storey (the proposed “third floor” of flats) of the building being larger in size than those on the lower storeys, which would not be typical of the “Neo-Georgian” style of design of the existing frontage, which would require the top floor windows to be smaller than those of the lower floors.

The positioning of the proposed new windows in the fourth storey would not be in line with the fenestration of the existing second and third storeys of the Bridge Street frontage. This would give an appearance of a haphazard design to the additional storey and would not harmonise with nor enhance the existing building and would be a detriment to the street scene.

Incorrect plans:

There is no section of the roof to show how it relates to the existing facade, how far it will be set back from the parapet. The effect would be important to any street scene, though we do not think it will affect the conservation area.

The drawing of the proposed Bridge Street elevation is incorrect in several respects, compared with the photograph in the Heritage Statement and should surely be resubmitted, viz: the right-hand bay - the pilasters continue above the eaves, but are not shown so; recessed bay to left of right-hand bay - upper windows are incorrectly aligned; there is no blind window between them; they are not shown as slightly set back from the floor below with their lower panes partly hidden; their sashes are incorrectly shown. Second recessed bay - as for first recessed bay except that sashes appear to be correctly shown.

Comment:

The proposed windows are presumably dormers - there is no cross section or elevation front to back; flat depiction like this does not show how they would look when built; each whole window should be smaller; and a balancing window, real or fake, is needed at the left end of the proposed storey. A corrected elevation is needed.

Highways Comments:

The updated Transport Report seems to be acceptable.

Biodiversity Comments:

This scheme also can't be supported without revision.

The present application relies on a Preliminary Roost Assessment from April 2021 as before. This was considered acceptable with regard to a previous application for the same site, with only minor caveats, and is still within date.

The current proposals are unlikely to result in any direct impact on features or species of biodiversity importance given the PRA findings and the distance of the site to nearby SINC-designated Pinner Memorial Gardens parkland.

However, the points of concern raised previously appear not to have been addressed and this application falls down on green infrastructure issues.

Although the Planning Statement refers to London Plan Policy G1, the proposals appear not to have addressed this nor the Mayor's Urban Greening Factor requirements. This will require remedy (as was the case with P/2887/21).

If you would otherwise be minded to recommend approval, one option would be to provide additional supporting information prior to determination.

It is not clear from the proposed roof plan whether the roof over the new storey would be flat or pitched. A biodiverse living roof finish to a flat or shallow pitch roof would provide a way to address UGF requirements and provide other benefits. We have no information to be able to determine whether this would be feasible. Should there be no practicable opportunities for providing the necessary greening and biodiversity enhancements within the red line then some degree of offsetting would be mandated.

As it stands, the submitted scheme neither meets UGF requirements nor provides measurable gain for biodiversity within the site boundary. Nor is any acceptable alternative proposed. The proposals would not represent sustainable development on biodiversity grounds - nor with regard to climate change mitigation - and should not be supported without modification. Subject to satisfying the points above, and there being no overriding objections to the development being allowed, any permission that might be granted should be subject to pre-commencement conditions relating to the submission of a Construction Environment Management Plan and Ecological Mitigation and Enhancement Plan.

Drainage

Updated details acceptable no further comment.

Secure by design

They have now shown control of the fire escapes. If they developer follows all the current SBD guidance I will give them once planning permission is achieved, then it will be fine. Only concern is there is no room for value engineering with this plan.

5. 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. ASSESSMENT

- 6.1 The main issues are;
 - Principle of the Development
 - Character

- Residential Amenity and Accessibility
- Traffic and Parking
- Flood Risk

6.2 Principle of Development

6.2.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H9; H10; SD6; SD7
- Harrow Core Strategy (2012): CS1
- Development Management Policies (2013): DM24, DM35, DM36

6.2.2 The application site is situated within the Pinner Metropolitan Town Centre as outlined in the Harrow Local Plan. Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy which seeks to redirect all new development to the Harrow and Wealdstone Development Opportunity Area, to town centres and to previously developed land in suburban areas. On this basis, the proposal to develop this site for residential purposes is considered to be acceptable in principle.

6.2.3 The London Plan (2021) policy H10 encourages new development to offer a range of housing choices in terms of mix and housing sizes and types. This is reinforced by Core Strategy Policy CS1 which requires new residential development to promote housing choice to meet local needs and to maintain mixed and sustainable communities. Development Management Policy DM24 states that “the appropriate mix of housing will be determined having regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.”

6.2.4 It is noted that the proposed development seeks to deliver 1 x 2 bed, 3 x 1 bed units. Whilst the Local Planning Authority is unable to prescribe a housing mix for market sale dwellings, it does seek to ensure there is an appropriate housing choice delivered within a scheme, which is in part informed by local evidence base. Although the unit mix is weighted towards lower occupancy, given the town centre location and urban quality and constraints above commercial units it is considered that this site is appropriate for these types of units over larger, family units typically suited to more suburban locations. On this basis, it is considered that the housing mix would be acceptable.

6.2.5 Both retail units and their respective shopfronts would be retained as existing, although internal refurbishment works are proposed for retail unit A (29-31 Bridge Street). It is noted that as part of the works there would be a reduction in retail floorspace by 13sqm to enable the existing external staircase to be rationalised and to provide an area to house the gas and electrics. It is considered that the loss of retail floorspace to facilitate the access to ancillary facilities associated with the new units (which in itself provides a planning benefit to the Borough’s housing stock) would be accepted given that the proposal would not adversely affect the

usability or function of space and would maintain an active frontage ensuring the vitality and viability of the shopping frontage. As such, planning policy have raised no objection to this aspect of the development.

- 6.2.6 Having regard to The London Plan and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller housing stock within the Borough as well as maintain the vitality and viability of the Pinner Town Centre, thereby complying with the housing growth objectives and policies of the NPPF, The London Plan, the Harrow Core Strategy, and relevant policies of the 2013 Development Management Policies Local Plan (DMP).

6.3 Character of the Area & Impact to the setting of the Conservation Area

6.3.1 The relevant policies and guidance are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D4, HC1
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1, DM7
- Residential Design Guide SPD (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)
- Pinner High Street Conservation Area Appraisal and Management Strategy
- Historic England Good Practice Advice in Planning Note 3: The setting of heritage assets
- Locally Listed Buildings SPD

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 with varied roof features comprising a mix of hipped roofs with front dormer windows, mansard roofs and front gable features. The application property is a three storey building comprising ground floor retail frontage with two storeys of office and residential units. Architecturally it features three front gables with parapet walls behind. Below these are three windows on first and second floor levels respectively. In between the gables at second floor level, there are mansard roofs with two dormer windows.

6.3.4 The proposed development would result in the existing inset walls at second floor level being built up in matching brickwork to appear flush with the existing front wall and installation of timber sash windows across to replicate the existing. The addition of a central 'blind window' to maintain the rhythm of the first floor fenestration at second floor level would be acceptable. It is noted that concerns have been raised about this appearing as a 'faux window' however the urban

design officer states that this is the most appropriate architectural solution to hide the internal wall behind it.

- 6.3.5 The additional storey of accommodation would comprise a mansard roof consisting of clay roof tiles to match the existing and lead clad dormer window cheeks. The entire third floor level would be set back behind a small parapet wall to reduce its visual impact. The dormer windows proposed have been reduced in size following public consultation and been aligned with the windows below. The roofline steps upwards to accommodate the natural ascension in ground level from south to north.

Impact on setting of the Pinner High Street Conservation Area

- 6.3.6 This proposal is in the setting of the Pinner High Street Conservation Area and opposite the locally listed 36 High Street. The local list description of 13th March: *'A good example of an inter-war bank which were usually built in a Classical to Neo-Georgian manner to create a prominent landmark on high streets, embodying solidity and respectability. Attractive, red-brick three storey with almost symmetrical, classical to neo-Georgian style frontage. Good original timber casement windows at ground floor level with leaded lights and stone surrounds and key stones, and timber sash windows at first and second floor level. First floor windows have original gauged brick arches above them. The roof is steeply sloped framed by short chimney stacks either side. A key feature is the untouched stone canopy porch above the entrance door with decorative, classical supporting brackets.'*
- 6.3.7 The building is not identified on the map on page 36 of the CAAMS for 'Buildings of Townscape Merit Outside of the Conservation Area'. The existing building is an attractive traditional, neo-Georgian terrace row of shops with flats above.
- 6.3.8 The Conservation Officer has been notified of the application and confirms that the additional height and alterations would be acceptable in principle and would preserve the setting of the heritage assets so long as there is a reduction in the size of the windows and alignment of windows below and details would match with samples to be provided under relevant conditions. Similar comments were made by the Conservation Area Advisory Committee (CAACs). As noted above, the necessary amendments were made to overcome heritage concerns raised and the recommended conditions have been attached.
- 6.3.9 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.

External changes to the rear

- 6.3.10 An external staircase is proposed to the rear of the building behind the existing offices at first and second floor level. Fenestration changes to facilitate would involve the blocking up of two office windows currently serving non-habitable rooms which would be acceptable on balance. Use of the existing access to enter the proposed units in Block A would also be acceptable.

Refuse Storage

- 6.3.11 The existing arrangements for refuse for the retail units would be maintained. However, a refuse store for additional two commercial waste bins would be provided at ground floor level for the additional units.

Landscaping and Biodiversity

- 6.3.12 It is noted that there is limited opportunity for soft landscaping due to the site constraints and circumstances. The Council's Biodiversity Officer acknowledges that the current proposals are unlikely to result in any direct impact on features or species of biodiversity importance given the PRA findings and the distance of the site to nearby SINC-designated Pinner Memorial Gardens parkland and acknowledges the acceptability of the Preliminary Roost Assessment provided in support of the application. As this is a minor application it would not trigger the need to comply with Urban Greening Factor requirements. Notwithstanding this, Policy G1 seeks developments to incorporate elements of green infrastructure which are integrated into London's wider green. On this basis the applicants have accepted a pre-commencement condition securing proportionate biodiversity gain.

Fire Safety

- 6.3.13 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. A Fire Safety Statement has not been submitted with this application. As such, a pre commencement condition is attached to this permission which would require the submission of this document in a further application before commencement.
- 6.3.14 Subject to the conditions mentioned above, it is considered that the resultant development would be appropriate in its context and would comply with policy D3 and HC1 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, D6
 - Harrow Core Strategy (2012): CS1
 - Harrow Development Management Policies (2013): DM1, DM2, DM27
 - Residential Design Guide (2010)
 - The London Plan Housing Supplementary Planning Guidance (2016)

Impact on neighbouring properties

- 6.4.2 Policy DM1 of the DMP 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 Given that the changes proposed would relate to internal reconfigurations and an additional storey confined to the existing roof it is not considered that the proposed development would give rise to any undue impact in terms of loss of daylight, sunlight or overshadowing to neighbouring properties.
- 6.4.4 The front facing windows and balconies would face onto the main road on Bridge Street and the rear facing windows would face onto the service yard of the retail units fronting Bridge Street. As such, there would not undue impact with regards to overlooking and loss of privacy to neighbouring properties.
- 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 would 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).

Proposed Quality of accommodation

- 6.4.6 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, ‘housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts’. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD.
- 6.4.7 The proposed development includes the following:

Apartment	Floorspace (GIA)	Beds	Persons
Existing			
A1	35.5 sqm	1	1
A2	56.7 sqm	1	2
B2	42.9 sqm	1	1
A3	45.4 sqm	1	1
A4	51.3 sqm	1	2
B4	60.7 sqm	1	1
Proposed			
A5	37.8 sqm	1	1
A6	45.4 sqm	1	1
B5	62.4 sqm	2	3
B6	51.1 sqm	1	1

- 6.4.8 The proposed dwellings would all meet or exceed the minimum floor space requirements in terms of gross internal floor area, in terms of storage and in terms of minimum bedroom sizes. Three out of the four flats would be dual aspect and all habitable rooms would experience high levels of outlook and daylight. in accordance with policy DM1 and the adopted Residential Design Guide SPD. It is

noted that the balconies are close to one another and therefore it is considered necessary to include a condition requesting privacy screens to protect the residential amenity of future occupiers.

Amenity Space

- 6.4.9 The applicant does propose to provide balconies for all 1 bed units which meet the minimum 5 sqm requirement of the London Plan. It is not that the 2 bedroom unit would include the provision of private amenity space due to the introduction of the external stairwell. Notwithstanding this, having regard to the town centre location and the presence of the existing flats which do not have access to any amenity space, this arrangement is considered to be acceptable in this instance.
- 6.4.10 The stacking arrangements are such that there is some overlapping of kitchen and living spaces over bedrooms. The applicant has been made aware of this and that additional noise transference measures would be required for submission to building control. Building regulations would cover any works to ensure noise transference is kept to a minimum.

Secure by design

- 6.4.11 Proposed Units A5 and A6 would be accessed via the rationalised stairwell at ground floor and through the existing entrance to Block A at first floor level to the rear and via the existing internal staircase, which is compatible with the existing arrangement. The new units within Block B would also be accessed via the common stairway accessed off Bridge Street. Although the commercial units use the staircase to access the offices there will be gated access to the third floor level to the residential floors.
- 6.4.12 The Designing Out Crime Officer has been consulted on the proposals, and following these discussions the plans were amended to ensure SBD fences and gates to restrict access to the first floor at ground and first floor levels; all lockers in the communal area as well as fenced bin storage in the communal area. The cycle hoops have been moved to the rear. A secure by design condition prior to occupation will confirm that all the measures outlined have been built out as per the approved plans.

Accessible Homes

- 6.4.13 Policy DM2 of the DMP seeks to ensure that all new housing is built to 'Lifetime Homes' standards. Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes.
- 6.4.14 The Technical Housing Standards (March 2015) altered the interpretation of the relevant London Plan (2021) policies and associated Housing SPG standards, placing the previous Lifetime Homes Standards under the control of Building Control regime (specifically Part M of the Building Regulations).
- 6.4.15 It is acknowledged that the flats are at upper floor levels and so would not be suitable for wheelchair users. A condition to ensure that the proposed dwellings will meet regulation M4 (1) as far as possible is included within this permission

6.5 Traffic and Parking

6.5.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6
- Harrow Core Strategy: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM42

6.5.2 A transport statement has been provided by Paul Mew Associates Limited on behalf of the applicant. The site is located in Pinner, to the north-west of the borough, in an area with a base Public Transport Accessibility Level (PTAL) of 3 (moderate) which is predicted to rise to 4 (Good). Bridge Street forms the main shopping area of Pinner town centre. The Metropolitan Line runs immediately to the south of the site. In the immediate vicinity are various shops, supermarkets, gym, restaurants and access to four regular bus services and Pinner Underground station (Metropolitan). The site currently consists of ground floor shops, and eight flats across the first and second floors. No dedicated parking is provided.

Access and Parking Provision

6.5.3 The existing service yard is proposed to be used for refuse collections as is the current arrangement. No car parking is proposed and the Transport Statement states that the application will agree to a legal agreement (s106) restricting future residents from obtaining permits for the surrounding Controlled Parking Zone (CPZ). This would also require a contribution of £1500 to amend the relevant Traffic Management Order (TMO). As the proposal site has good access to public transport and amenities, a car-free development is considered to be acceptable. A disabled bay is located to the rear of the site to cater for ambulant disabled visitors to the site.

Cycle Storage

6.5.4 The London Plan 2021 requires a minimum of 7 long stay and 2 short stay spaces for this proposal. It is intended to provide four lockers for residential use and 2 for visitor use behind the stairwell at ground floor level and a further five at the rear. All cycle parking is located at ground floor level for accessibility purposes which would support the car free proposals.

Delivery and Servicing

6.5.5 The proposals for refuse collections do not present any highways concern, however, given that the development would use the existing arrangements in place it is considered to be acceptable in this regard. The Highways Authority notes that the frequency of deliveries that may be generated by a development of this size is not expected to be high therefore, would not have a significant impact on the operations of the highway network. Notwithstanding this, these could be carried out at the rear of the property or alternatively, there is a loading bay on Bridge Street, a short distance from the site.

Trip Generation

6.5.6 The Transport Statement includes a TRICS analysis of potential trip generation of the development. The provided information is limited however, indicates a total of 27 two-way person trips per day would be generated by the site. It is assumed that these trips are mainly made up of walking, cycling and public transport modes as there is no on-site parking and limited options for on-street parking. The Highways Authority did not raise concerns that this would result in any highway impact or safety concerns.

Summary

6.5.7 An additional four flats are unlikely to result in a noticeable impact in terms of highways. Should future residents choose to drive, they would have to find parking away from the site and would be dispersed throughout the local area. This proposal is not considered to bring about any highway safety concerns. Cycle parking arrangements however would need to be revised to ensure these are appropriate and should include short stay provision within the site if possible. Subject to pre-commencement conditions relating to cycle storage facilities, submission of a construction logistics plan and a legal agreement and contribution will be required in relation to the parking permit restriction the application is considered to be acceptable.

6.6 Flood Risk and Drainage

6.6.1 The relevant policies and guidance are:

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

6.6.2 The proposed development is located within Flood Zone 2 according to the Environment Agency Flood Map. A Flood Risk Assessment was provided and the Drainage Engineer at the Council raised no objections. However, the applicant was requested to consider installation of green/blue roof to reduce surface water run-off from the site. Suitable biodiversity measures which may be appropriate to improved drainage will be considered as part of the ecological enhancements subject of pre-commencement conditions. A drainage strategy was also requested and included within an updated Flood Risk Assessment. Accordingly, the proposal would be acceptable and would not give rise to Flood Risk issues.

7. CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal would contribute to the variety of housing stock in the borough. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

7.2 Given the location of the application site, Officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining

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

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

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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

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

2 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 14883-101C Existing Block Plan 14883-102C Existing Site Plan; 14883-103A Existing Floor Plans; 14883-110E Location Plan; 14883-112A Existing Elevations; 14883-131H Proposed Block Plan; 14883-132H Proposed Site Plan; 14883-141U Proposed Floor Plans; 14883-142K Proposed Elevations; 14883-143J Proposed Elevations; 14883-144H Proposed Roof Plan; 14883-145C Proposed Circulation Area; P2004 Bridge Street Transport Statement v8 210222; Bridge Street Preliminary Roost Assessment 08 04 21; 91041 Harris Bridge St V1.0 – 160921 FRA; 20210627 Air Quality Report Bridge Street Pinner_V1Rev B; Bridge Street 29-35 Pinner-Heritage Statement 10.06.20212022.06.30 Planning Statement (Rev A); 14883-DAPA01 - Pinner December 2021_Rev G

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

3 Construction Method Statement

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

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

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

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network and to ensure that the transport network impact of demolition and construction work associated with the development is managed, this condition is a PRE-COMMENCEMENT condition.

4 Cycle Details

Prior to commencement of development, revised details of shelters, racks, dimensions and location of a minimum of seven long stay and two short stay cycle parking spaces shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation and shall be retained thereafter.

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

5 Construction Environment Management Plan

Prior to commencement, the applicant will provide to the Council for approval in writing

1. A proportionate Construction Environment Management Plan that, as well as covering other relevant environmental considerations, will set out how contractors will be made aware and have regard to protected species and the practical and legal situation with regard to development. The CEMP should at least ensure that the procedures set out in the approved Preliminary Roost Assessment report (PEAR) will be implemented in full and give appropriate consideration to breeding birds.
2. A lighting plan detailing measures to be taken to minimise potential impacts on bats and other nocturnal species, with lighting provision to be installed, operated and managed in accordance with current Bat Conservation Trust guidance.
3. An Ecological Mitigation and Enhancement Plan (EMEP) to provide full details, plans and specifications for the onsite and/or offsite measures to be implemented to provide appropriate biodiversity gain and green infrastructure enhancement to meet relevant national, London and local planning policy obligations, with specific regard to achieving London urban greening standards. This should include details of the wildlife shelter provision proposed in the PEAR and/or Planning Statement as well as incorporating.

The plans should provide clear details of what is proposed and their implementation.

REASON: To provide enhancement for biodiversity in accordance with the requirements of the National Planning Policy Framework, the London Plan and local plan policies DM20 and DM21.

6 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.

7 Materials

Notwithstanding the details shown on the approved drawings, prior to any construction at third floor level samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below shall be submitted to, and agreed in writing by, the local planning authority:

- a) facing materials for the buildings;
- b) windows/ doors/glazing; and
- c) balconies (including privacy screens).

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

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

8 Refuse Storage

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

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

9 Part M Dwellings

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (1), Category 1: VISIBLE Dwellings" of the Building Regulations 2013 and thereafter retained in that form.

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

10 Use of flat roof

The flat roof areas of the building beyond any balconies or terraces, hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

11 Restrictions to telecommunication Items

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Schedule 2, Part 16, Class A of that order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.

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

Informatives

1 **Relevant Policies**

The following policies and guidance are relevant to this decision:
National Planning Policy and Guidance:

National Planning Policy Framework (2021)

The London Plan (2021):

GG2 Making the best use of land
GG4 Delivering the homes Londoners need
SD6 Town centres and high streets
HC1 Conservation and heritage
H1 Increasing housing supply
H2 Small Sites
H10 Housing Size mix
D3 Optimising site capacity through the design-led approach
D6 Housing quality and standards
D7 Accessible housing
E9 Retail, markets and hot food takeaways
T4 Assessing and Mitigating transport impacts
T5 Cycling
T6 Car Parking
T6.1 Residential Parking
T7 Deliveries, servicing and construction
SI 12 Flood Risk Management

Harrow Core Strategy (2012):

CS1

Development Management Policies Local Plan (2013):

DM1, DM2, DM7, DM20, DM21, DM22, DM23, DM24, DM27, DM31, DM38, DM42, DM43, DM44, DM45, DM50

Adopted Supplementary Planning Documents:

London Plan Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

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

Pinner High Street Conservation Area Appraisal and Management Strategy

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

Locally Listed Buildings SPD

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

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 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.

8 Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

9 Mayoral CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL. The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £11,802

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/cil_questions.pdf

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

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

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

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

10 Harrow CIL

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £30,291.80

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

The CIL Liability is payable upon the commencement of development.

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

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

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

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

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

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

- 11 INFORM67 - Fire Safety Statement. The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

Checked

Interim Head of Development Management	DM	06/07/2022
Corporate Director	DP	07/07/2022

APPENDIX 2: SITE PLAN

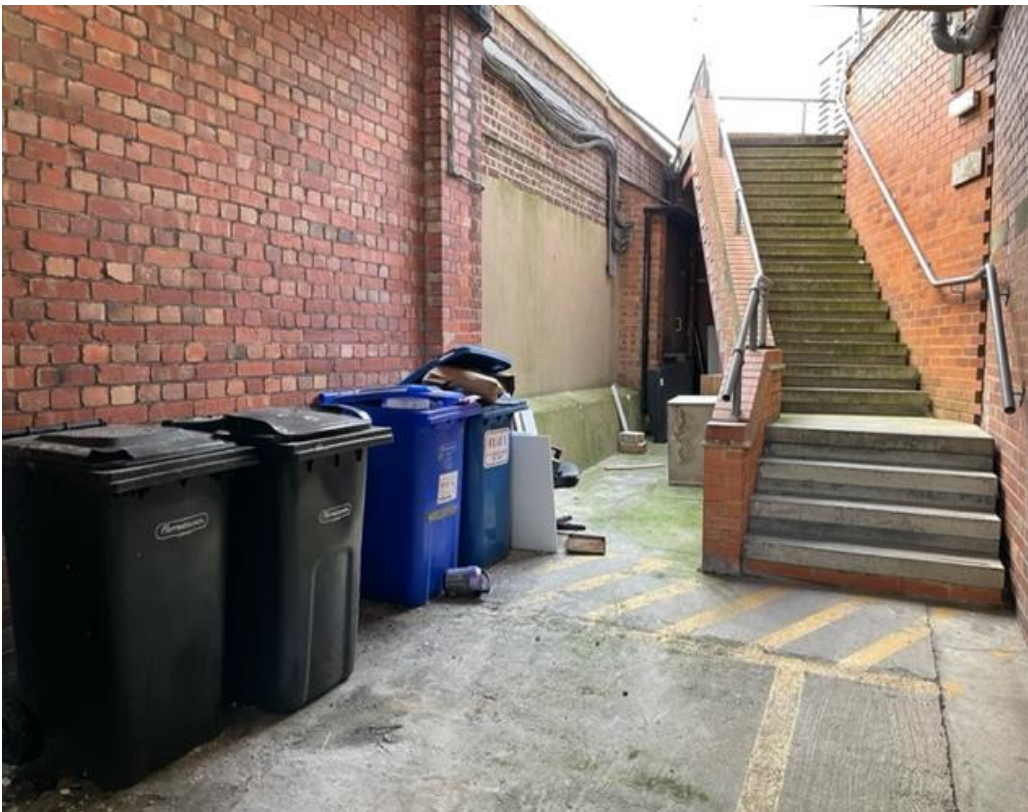


APPENDIX 3: SITE PHOTOGRAPHS

Front Elevation



Existing Staircase to Upper floor flats and offices



Rear of Property



View from inside property to rear service yard



View of rear service yard looking towards the property



View towards 21B in the rear service yard



Service yard access from Chapel Way



Proposed Plans



PROPOSED GROUND FLOOR
scale 1:200



PROPOSED FIRST FLOOR
scale 1:200

1	1:1	1:1	1:1
2	1:1	1:1	1:1
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100	1:1	1:1	1:1

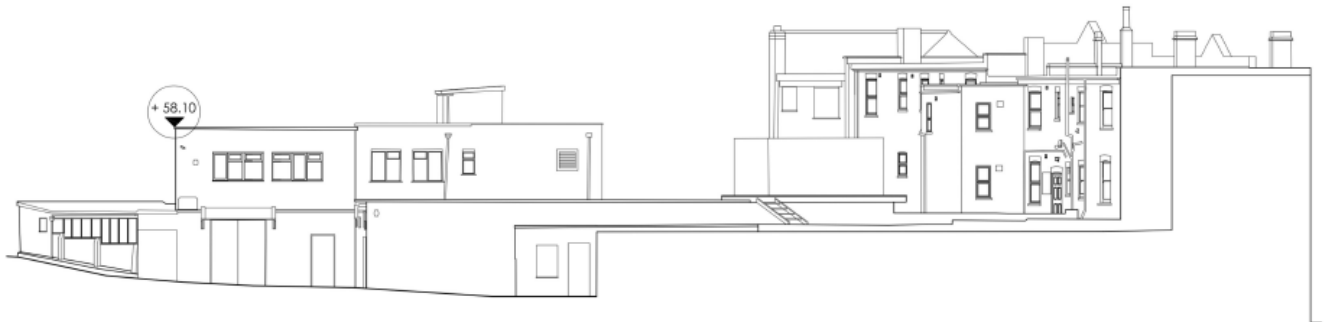


PROPOSED SECOND FLOOR
scale 1:200



PROPOSED THIRD FLOOR
scale 1:200

Existing Elevations



ELEVATION B: SOUTH - EAST ELEVATION
scale 1:200



A
Rev

Rear Elevation (South-west)

Proposed Elevations

Proposed Front elevation

KEY

- 1. BRICKWORK - TO MATCH EXISTING
- 2. DORMERS - LEAD CHIEKS
- 3. ROOF TILES - TO MATCH EXISTING
- 4. WINDOWS - TIMBER TO MATCH EXISTING
- 5. REAR WALL - WHITE RENDER
- 6. STRINGER - PROTRUDING BRICK COURSE
- 7. PANEL - PROTRUDING BRICK
- 8. FAUX WINDOW - INSET BRICK
- 9. GLAZING - OBSCURED

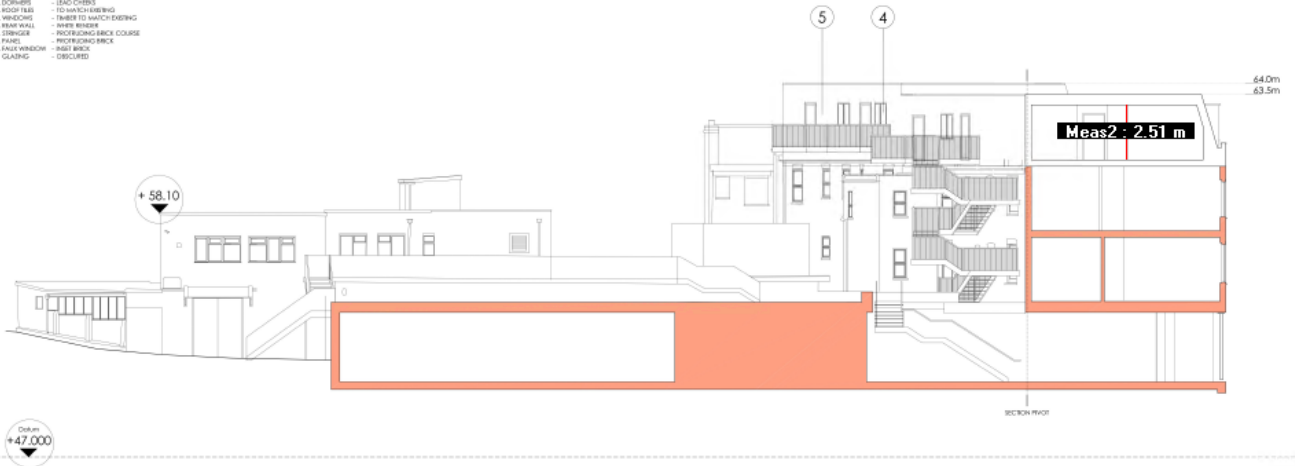


Proposed Rear Elevation

- 3. ROOF TILES - TO MATCH EXISTING
- 4. WINDOWS - TIMBER TO MATCH EXISTING
- 5. REAR WALL - WHITE RENDER
- 6. STRINGER - PROTRUDING BRICK COURSE
- 7. PANEL - PROTRUDING BRICK
- 8. FAUX WINDOW - INSET BRICK
- 9. GLAZING - OBSCURED



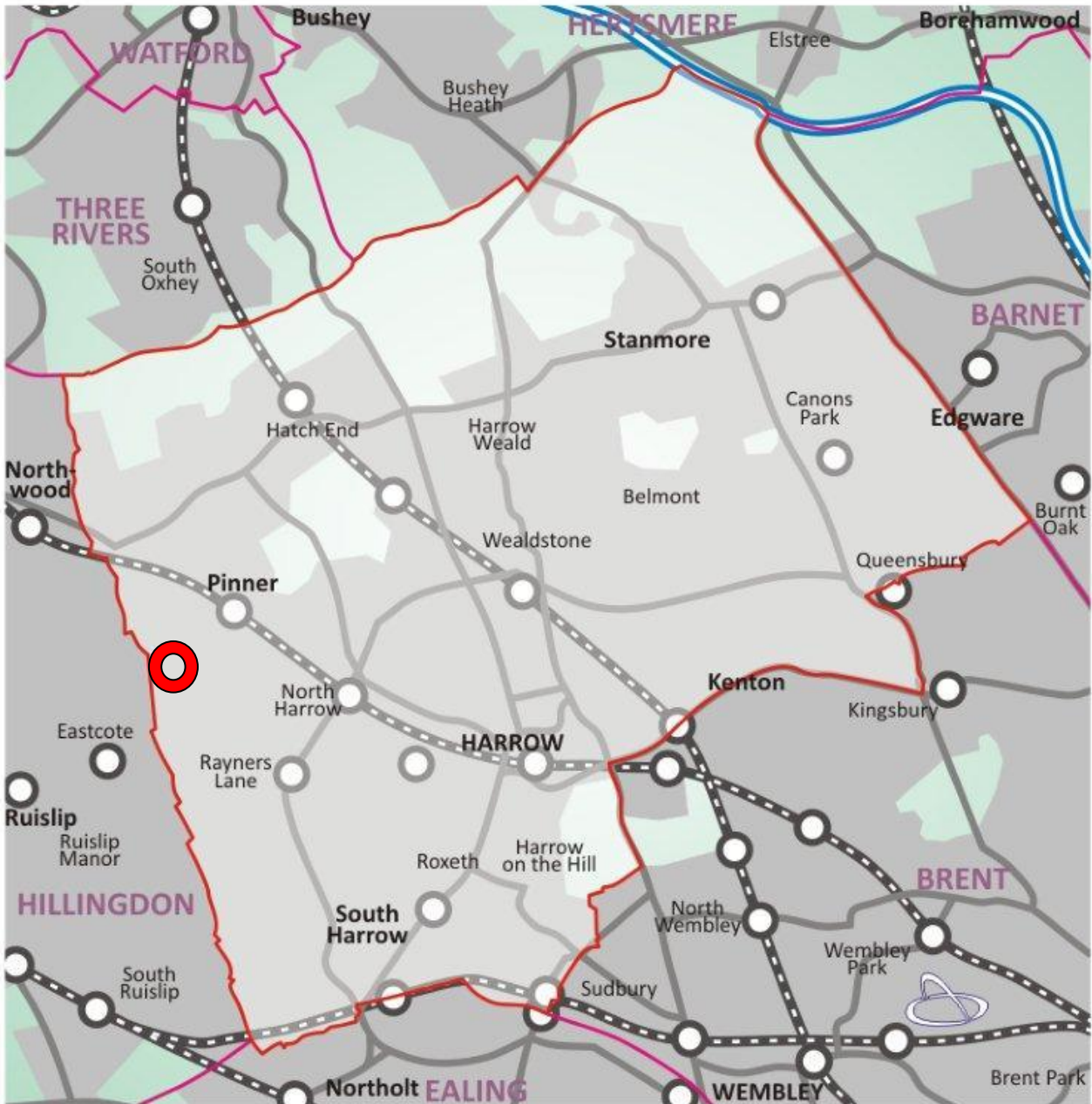
- KEY
- 1. BRICKWORK - TO MATCH EXISTING
- 2. DOORCASE - TO MATCH EXISTING
- 3. ROOF FILL - TO MATCH EXISTING
- 4. WINDOW - TO MATCH EXISTING
- 5. HEAR WALL - TO MATCH EXISTING
- 6. STRINGER - TO MATCH EXISTING
- 7. FLOOR - TO MATCH EXISTING
- 8. GLAZING - TO MATCH EXISTING
- 9. GLAZING - TO MATCH EXISTING



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 = application site



19 Malpas Drive	P/1022/22
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LOCATION PLAN

Scale 1:1250



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/1022/22
VALID DATE: 04/04/2022
LOCATION: 19 MALPAS DRIVE, PINNER
WARD: PINNER
POSTCODE: HA5 1DG
APPLICANT: MR NADIM KHALFEY
AGENT: MKM DESIGN & CONSTRUCTION LTD.
CASE OFFICER: BEN THOMPSON
EXPIRY DATE: 02/05/2022
EXTENSION OF TIME: N/A

PROPOSAL

Two Storey Side Extension; Single And Two Storey Rear Extension; Rooflights In Side Roofslopes; Front Porch With Rooflight; Relocation Of Main Entrance; External Steps Rear; External Alterations (Demolition Of Attached Garage)

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM2 and DM10 of the Harrow Development Management Policies Plan, and the Harrow 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 and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	Approximately 70.8 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£60 x 152sqm = £0
Local CIL requirement:	£110 x 152sqm = £0

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 relates to a two-storey detached dwelling located toward the Eastern side of Malpas Drive.
- 1.2 The host building benefits from a side garage, which projects to leave approximately 0.5 metres of a gap with the common boundary but doesn't extend beyond the front or rear building line.
- 1.3 The adjacent dwellinghouse at No. 21 Malpas Drive benefits from a two storey side extension and a ground floor rear extension and a garage extension.
- 1.4 The adjacent dwellinghouse at No. 17 Malpas Drive has not been extended
- 1.5 There is some element of uniformity in the style and appearance of original dwellinghouses along Malpas Drive, although it is recognised that numerous properties do benefit from extensions.
- 1.6 The application site is not listed, is not located within a Conservation Area, but is located within a Critical Drainage Area.

2.0 PROPOSAL

- 2.1 The erection of a part single part two storey side extension, Part single part two storey rear extension, roof lights, and fenestration, following the removal of the dwellinghouse's existing side garage. The extension can be broken down into the following distinct elements:
- 2.2 A ground floor front extension in the form of a porch measuring 1.37 metres in depth, 3.66 metres in width, 2.7 metres in eaves height with a flat roof and 2.8 metres in maximum height including a singular rooflight in the middle of the flat roof of the proposed porch extension.
- 2.3 A first floor side extension that is set marginally rearward of the dwellinghouse's front building line by 1 metre. This element would extend off the side wall of the main dwellinghouse at a width of approximately 2.3 metres, being set in from the shared boundary with No. 21 Malpas Drive by approximately 1 metre. This element would have a depth of approximately 9 metres (not including the depth of the first floor rear element – described within Paragraph 2.5) and would incorporate a hipped roof form that would be amalgamated with the pitched roof form of the main dwellinghouse. This element of the development would have an eaves height of approximately 4.95 metres (from the highest point of natural ground level) and a ridge height of approximately 8.13 metres (from the highest point of natural ground level). The proposed first floor extension includes two gable extensions, one to the rear and one to the side elevation facing No.21.
- 2.4 A ground floor side extension in place of the existing garage. This element would extend from the side wall of the main dwellinghouse towards the common boundary with No. 21 Malpas Drive (approximately 2.3 metres in width) leaving a 1

metre gap from the common boundary with No.21. This element of the extension would be approximately 10 metres in depth (not including the depth of the ground floor rear element – described in Paragraphs 2.6 respectively). The first floor side element of the extension (described within Paragraph 2.3) would be sited directly above this element meaning that only part of the roof form would be exposed, this would consist of a mono pitched roof form to the front elevation. This element would have a maximum height of approximately 3.3 metres (from the highest point of natural ground level) and an eaves height of 2.9 (from the highest point of natural ground level).

2.5 A first floor rear extension that would extend on top of the proposed rear extension (approximately 5.4 metres wide) and would have a depth of approximately 3.5 metres beyond the main rear façade of the dwellinghouse. The roof form of this element of the extension would be amalgamated and integrated with the roof form of the main dwellinghouse. This element would have an eaves height of approximately 5.77 metres (from the highest point of natural ground level) and a ridge height of approximately 8.36 metres from the highest point of natural ground level).

2.6 A ground floor rear extension that would extend across the full width of the extended dwellinghouse (approximately 9.45 metres), with a depth of approximately 4 metres beyond the main rear façade of the existing dwellinghouse. This element of the extension would feature a mono pitched roof form with a very low gradient. The height from the base of this element to the top of the roof would be approximately 4 metres and from the eaves 3.84 metres. This element would feature a large roof light, and associated access steps to the rear.

2.7 Other associated alterations to the roof form of the dwellinghouse including

- The installation of 4.no flank roof lights, 2 on either flank side.

2.8 Other alterations to the exterior of the existing dwellinghouse including:

- The installation of new fenestration to the North and South flank elevations of the dwellinghouse.

3.0 **RELEVANT PLANNING HISTORY**

P/4841/21	Two storey side extension; single and two storey rear extension; rooflights in rear and both side roofslopes; front porch; relocation of main entrance; external steps to side and rear; external alterations (demolition of attached garage)– withdrawn - 26/07/2021	Withdrawn:
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3.1 **Site History Context**

3.2 This application does not follow any planning history as the only historical application has been withdrawn

4.0 **REVISIONS TO THIS APPLICATION**

4.1 The applicant was required to make amendments which would involve removing the gable end proposed on the first-floor side extension to the front elevation in order for the proposed to be more in keeping with the street scene, wider character of development and reduce the bulk in order to reduce the impact to the existing character of the dwellinghouse. The applicant was also required to reduce the width of the proposed part single and part two storey side extension in order to increase the gap between the flank of the proposed and the common/shared boundary with No.21 Malpas Drive. From 0.5 metres to 1 metre. These amendments were provided

5.0 **CONSULTATION**

5.1 A total of 36.no consultation letters were sent to neighbouring properties regarding this application. A site notice was posted on 20/04/2022, this expired on 11/05/2022. The initial public consultation period expired on 25/04/2022. The secondary consultation period expired on 15/06/2022.

Initial Consultation Period

5.2 33.no objections have been received from 26.no residents which consist of No.21 Malpas Drive, No. 20 Winchester Drive, No.2 St Ursula Grove, No.2 Wells Place and various other residents during the two consultation periods. Matters raised can be summarised as follows:

5.2.1

Character and Design of Development

- *Concern over the scale and massing of the proposal:*

Officers Response: The proposed has been assessed for its bulk and massing in section 7.2. The proposed has been revised to reduce the width of the side extension as well as remove one of the proposed roof elements to the front elevation that was a hip to gable roof extension in order to reduce the bulk and massing.

Officers Response: There are ample examples of large extension along Malpas Drive and the pattern of development along Malpas Drive is mixed.

- *Concern over the proposal forming an overdevelopment of the site.*

Officers Response: The proposed has been assessed and is not considered to be overdevelopment, please see section 7.2.

- *Concern over the proposal being out of character with other development along the road and within the area.*

Officers response:

- *Concern with the terracing affect that is occurring on Malpas Drive.*

Officers Response: The proposed has been revised in order to address terracing concern and involves a set in from the front building line and set in from the common boundary with No.21.

- Concerns over the development adversely impacting upon the well-established architectural and aesthetic form of dwelling houses along the road.

Officers Response: The proposed has been assessed in its potential impact to the character of the existing dwelling house and has not been considered to have a detrimental impact to the existing character of the host dwelling. The proposed would retain the existing Tudor character of the building, please see section 7.2.

- Concern over the two-storey side extension being sited unduly close to the common boundary with No.21 diminishing the gap and appearing out of character in relation to surrounding properties.

Officers Response: This has been revised and the gap from the common boundary has increased from 0.5 metres to 1 metre.

- The proposed does not comply under NPPF, London Plan or Harrow Core Strategy and associated supplementary planning documents specifically NPPF 130. C) and d), London Plan Policy HC1 and Residential Design Guide Policies 6.6, 6.7, 6.8, 6.18 and 6.35.

Officers Response: The proposed has been assessed against the relevant planning policy and is considered to pass them, HC1 is not relevant in this case as it is not situated within a conservation area. The existing character of the building however, has been taken into consideration.

- Concern that the proposed would be overdevelopment on a small plot

Officers response: The subject site is not a small plot, it is a large plot which currently hosts a detached dwellinghouse and is not assessed to be overdevelopment.

- Concern with 0.5 metre gap from common boundary line with No.21.

Officers Response: The revision increases this by 0.5 metres to make a gap of 1 metre.

- Previous application at No.20 has been refused for bulk and design and this should follow as it is very similar.

Officers Response: No.20 is a very different in its context to No.19 and every application should be assessed on its own context and merits.

- Proposed is not respectful of Buckley Estate.

Officers Response: The design of the Metroland 1930'2 Buckland Estate includes an eclectic mix of properties in their shape, size and extensions and is assessed and considered not to have unacceptable impact on the pattern of development in this area, please refer to section 7.2.

Secondary Consultation Period Comments:

- Proposed will result in unsymmetrical development and the objector asks that the department retain the façade. Symmetry is only achievable if a 1.5 metre gap between the flank wall and common boundary with No.21 is achieved. The extension should measure a maximum width on side of 1 metre in line with the period features being retained.

Officers Response: The proposed is assessed to be acceptable in design and bulk and the gap between No. 19 and No.21 is considered to be acceptable in a residential amenity form and in a design form and not considered to create a terracing affect for the previously stated reasons above.

- Increased distance from common boundary in revised plans is negligible.

Officers Response: The increase of the gap from the proposed side extension to the common boundary with No.21. The purpose of this amendment is to reduce the impact to No.21 while also reducing the impact of terracing effect along with the metre set back proposed at first floor level.

Impact to Residential Amenity

- *The two-storey side element would sit parallel to their flank elevation wall and would result in a loss of light to their 3.no flank windows*

Officers Response: The propose dhas been revised in order to increase the gap from the common boundary with No.21 Malpas Drive from 0.5 metres to 1 metre and does not intercept the 45-degree splay from the flank windows in question as shown in plans MKM/21/MAL 19/PL03A.

- *Concern over the two-storey side element appearing unduly overbearing when viewed from No.21 Malpas Drive.*

Officers Response: The proposed has been assessed in relation to the outlook and is not considered to have unacceptable impact to the amenity of No.21. Please see section 7.3.

- *The additional flank window would exacerbate further the impacts to privacy, noise and odours.*

Officers Response: This has been considered not to have unacceptable impacts in relation to residential amenity as the proposed would not have any more impact than any other flank window.

Drainage

- *Concern over flooding and overdevelopment and the potential impacts to the surrounding properties.*

Officers Response: The proposed is not located in a flood zone but is located in a critical drainage area. This has been considered and the relevant informatives will be applied to address this however, there is not concern with flood impacts and the Drainage Officer has not made any objections.

5.3 Statutory and non-statutory consultation

5.4 Drainage Officer: No objection, Standard drainage conditions to be applied.

6.0 POLICIES

6.1 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.'

6.2 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.

6.3 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]. The relevant policies are referenced within the report below and a summary within Informative 1.

7.0 **ASSESSMENT**

7.1 The main issues are:

- Character and Appearance of the Area
- Residential Amenity
- Drainage and Flood Risk
- Fire Safety

7.2 **Character and Appearance of the Area**

7.2.1 The relevant policies are:

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

Relevant Supplementary Documents

- Residential Design Guide (2010)

Ground Floor Front

7.2.2 Paragraph 6.35 of the Council's Residential Design Guide SPD provides guidance on acceptable design for front extensions, it is emphasised that modern front extensions beyond the established building line can disrupt the harmony and architectural coherence of the streetscape.

The proposed porch would be acceptable as it is similar in scale to existing porches at properties for example No.11, No.17, No.26, No.28 and No.30 Malpas Drive. The above examples also have varying designs. The host dwelling doesn't have bay windows and the addition would be subordinate to the existing character of the host dwelling and wider street scene. The materials will be conditioned to match the existing. The proposed would not result in the driveway being less than the required 4.8 metres.

Part single Part Two Storey Side and Rear

7.2.3 Guidance on acceptable design for two storey side extensions to semi-detached and detached dwellinghouses is provided with paragraphs 6.45-6.50 of the Council's Residential Design Guide SPD. The guidance sets out that the primary considerations are the character of the locality and space surrounding the building, noting that a terracing effect should be avoided. It is suggested that extensions will need to be set

back from by at least a metre behind the adjacent front corner of the front elevation at first floor level, and incorporate a subordinate pitched roof.

- 7.2.4 The proposed ground floor single storey side element of the extension is considered to be a congruous, proportionate and sympathetic addition to the host building street scene and area in a wider context. As with the majority of other ground floor side extensions along the street scene (including No. 19 Malpas Drive), it would project in line with the front of the dwellinghouse and therefore would not appear unduly at odds with the established pattern of development along the road. The new windows associated with this element are considered to be appropriately consistent with the dwellinghouse's existing openings. The front forecourt of the site is predominantly hardsurfaced and is considered to be sufficient in accommodating off-street car parking needs in spite of the loss of the garage.
- 7.2.5 Malpas Drive is predominantly characterised by detached dwellinghouse with ground floor side garages and semi-consistent spacious gaps between dwellinghouses at upper floor levels. There is a mix in the style and form of dwellinghouses along the road, with houses incorporating a mix of front gables, dual pitched roofs and hip roofs. In relation to the side of these at first floor level. It should however be acknowledged that there are a few examples of two storey side extensions along Malpas drive, examples of particular note include No. 27 and 15 Malpas Drive. The first-floor element of the side extension at No. 27 Malpas Drive is set along the adjacent side boundary at ground floor level and is set in approximately 0.5 metre from the common boundary with No.25 and the propose two storey side extension is flush with the existing. At No. 15 Malpas Drive, the first-floor element of the side extension is set on the adjacent side boundary and is set back from this property's front building line by 1 metre.
- 7.2.6 Given the context of surrounding development, officers consider a two-storey side extension to be acceptable in principle subject to it incorporating a sympathetic design. In this instance the first-floor side element of the extension is considered to be a congruous, proportionate and sympathetic addition to the host building, it would be set in 1 metre from the adjacent side boundary and would also be set back from the dwellinghouse's front building line as per two storey side extension at No. 15. With the first-floor side element being set back from the front and the entire two storey proposed side extension set in from the side as per development at No. 15 Malpas Drive and with the proposed hipped roof, the two-storey side extension is not considered to result in a harmful terracing effect on the street scene and is not considered to appear at odds with the established pattern of development along the road. Officers raise no objection to the roof form of the first-floor side element being amalgamated and integrated with the roof form of the main dwelling, it would not exceed the ridge height of the existing dwelling, and it is acknowledged that similar approaches were taken with regards to development at No. 15 Malpas Drive.

First Floor Rear Element

- 7.2.7 Paragraph 6.64 and 6.65 of the Council's Residential Design Guide SPD provide guidance on the design of first floor and two storey rear extensions noting that the roof of extensions should reflect the character of the dwellinghouse and any adjoining dwellinghouses. It is also stated that the height of first floor level extensions mustn't exceed the height of the highest part of the roof of the existing dwellinghouse.

7.2.8 Officers raise no objection to the first-floor rear element of the extension on character and design grounds. This element would have a low scale visibility from the site's surroundings and appears to be similar in size to No. 16 and No.24 Malpas Drive extension. As with the roof form of the part single part two storey side extension. Officers raise no objection to the roof form of the first-floor rear element being amalgamated and integrated with the roof form of the main dwelling, the roof of the extension would not exceed the ridge height of the existing dwellinghouse, furthermore, this approach would be consistent with the approach taken with regards to development at No. 16 and 24 Malpas Drive.

Ground Floor Rear Element

7.2.9 Officers consider the ground floor rear element of the extension to be a congruous and proportionate addition to the host dwelling and wider area given then the site context. Whilst officers acknowledge that this element of the extension would have a fairly significant depth and overall massing, it is not visible from the street scene, it would be subordinate in height to the main dwelling, furthermore it is noted that there is not significant uniformity in terms of rearward extensions along the road, with various dwellinghouses incorporating large rearward extensions. Overall, given the site context and its low scale visibility from the site's surroundings, the ground floor rear element of the extension is considered on balance to have an acceptable impact on the character and appearance of the host dwelling and wider area. The extension's associated rear access steps are not considered to be excessive in terms of their height and footprint and are not considered to detract from the character and appearance of the host dwelling and wider area. Officers note that the ground floor rear extension would limit the size of the dwellinghouse's rear garden, however this is not considered to be to such an extent that it would unduly harm the character of the host dwelling and area in a wider context. The Council's policies and design guidance do not set a minimum requirement for the amount of rear garden space that needs to be retained following an extension, this is assessed on a case by case basis with the Council expecting the size of rear garden space to be meaningful, functional and in context with the gardens of surrounding properties. In this instance, there is not complete uniformity in the size of rear gardens along this part of the road with the host site having a deeper garden than either neighbouring property therefore, there is adequate meaningful space.

Roof Lights

7.2.10 The proposed roof lights are not considered to adversely impact upon the character and appearance of the host dwelling, street scene and area in a wider context. They are not considered to be excessive in terms of their size, quantity and would not protrude excessively beyond the plane of their respective roof slopes.

New and Replacement Side Windows

7.2.11 Officers raise no character and design objections to the insertion of new and replacement windows to the western flank elevation of the dwellinghouse. The style and appearance of the fenestration to be applied would not appear unduly at odds with the dwellinghouse's existing fenestration.

Materials

7.2.12 The applicant has stated that the materials to be used in the proposed will be similar to those of the existing dwelling house. The materials will be conditioned to match the existing.

7.2.13 In summary, the overall design of the proposed development is considered to be acceptable. The development remains sympathetic to the main dwelling and does not detract from the overall character and appearance of the host building, street scene and surrounding area.

7.3 Residential Amenity

7.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2020): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

Impact on No. 21 Malpas Drive

7.3.2 The ground floor front extension would project beyond the building line to the front of the existing dwelling house by 1.37 metres, it is noted that this neighbouring property also has a similar scale front extension in the form of a porch. It would be difficult for No.21 Malpas Drive to view this application from an angle from the any primary windows to the front of this neighbouring property and due to its subordinate size, it would not create any impacts to this neighbouring property's amenity.

The ground floor side element would not cause obscured views, overshadowing or additional impacts to privacy to this neighbouring property as the host site and this neighbouring property are in line at the front building line and the proposed side extension will be flush with the front building line of the host site and will therefore not protrude or be visible from the primary windows to the front of this neighbouring property as the main body of this neighbouring property would obstruct any outlook impact.

There are side facing flank windows as part of No.21 Malpas Drive that will face the proposed and would mean the proposed extensions will be visible from this neighbouring property. These windows have been shown in plan *MKM/21/MAL19/PL03A* not to be intercepted on the 45-degree angle from the lowest flank window of No.21 Malpas Drive. The windows on the flank of No.21 are not servicing habitable rooms and therefore these windows are not protected windows, none the less the windows will receive substantial light taking into consideration the 1 metre gap from the common boundary that the proposed will be, the set back from the common boundary of the neighbouring property No.21 Malpas drive being approximately 3.2 metres making a total gap from the proposed and this building flank wall 4.2 metres.

- 7.3.3 Likewise, the first-floor side element of the extension would be obscured from view of No. 21 Malpas Drive by the body of the main dwelling, meaning that it would not adversely impact on the residential amenity afforded to this neighbouring property.
- 7.3.4 Officers do not consider the first-floor rear element of the extension to unduly prejudice the residential amenity of occupants at No. 21 Malpas Drive. This element of the development would accord with the Council's 45 Degree Code in respect to the main rear façade of these neighbouring properties and is consequently considered to have an acceptable impact upon light and outlook afforded.
- 7.3.5 The ground floor rear element of the extension would project approximately 3 metres beyond the rear building line of No. 21 Malpas Drive. This proposed flank would also be set 1 metre away from the common boundary with No.21. Applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, we would expect extensions on detached properties to project no more than 4 metres beyond the neighbouring property (unless site circumstances allow for this) given that a detached dwellinghouse would be allowed to extend 4 metres to the rear under permitted development. In this particular case the proposal would be compliant given the siting of No.21's rear building line. Taking this into account alongside the fact that the proposed extension would not incorporate an excessive overall height, it is not considered to unduly impact on light and outlook afforded to the rear garden and rear facing habitable room fenestration of this neighbouring property.
- 7.3.6 On the basis that the new roof extensions roof would not be raised above the ridge height of the existing dwellinghouse, the formation of the hipped roof is not considered to unduly impact upon the residential amenity of occupants at No.21 Malpas Drive
- 7.3.7 The roof lights associated with the proposed development would not be positioned and orientated in such a way that they would enable harmful overlooking of No. 21 Malpas Drive.
- 7.3.8 the proposed side and rear gable roof forms on the first floor side element would not be unduly expansive in terms of its size and overall massing, the proposed rear gable roof form is not considered to appear as unduly overbearing or visually intrusive when viewed from No. 21 Malpas Drive, and is not considered to give rise to harmful impacts relating to loss of light. Whilst officers note that the rear facing window associated with the gable roof form could enable a degree of overlooking of No. 21 Malpas Drive's rear garden, on the basis that these views would not be too dissimilar to existing views afforded by the dwellinghouse's existing first floor rear fenestration, significant harm is not anticipated.
- 7.3.9 The new and replacement fenestration to the northern flank elevation of the dwellinghouse would face towards the main flank elevation wall of No. Malpas Drive however, is indicated to be obscure glazed. For the avoidance of doubt, in the interests of maintaining privacy for occupants of No. 21 Malpas Drive officers have applied a condition requiring this fenestration to be both obscure glazed and non-openable where it is not set above 1.7 metres above internal floor level.

Impact on No. 17 Malpas Drive

- 7.3.10 The ground floor front extension would project beyond the building line to the front of the existing dwelling house by 1.37 metres, it is noted that this neighbouring property also has a similar scale front extension in the form of a porch. It would be difficult for No.17 Malpas Drive to view this application from an angle from the any primary windows to the front of this neighbouring property and due to its subordinate size, it would not create any impacts to this neighbouring property's amenity.
- 7.3.11 The ground floor side element of the extension would have limited impact upon the residential amenity of occupants at No. 17 Malpas Drive. This element would not be visible from this neighbouring property as it would be site to the northern side of the host site with the existing host site obstructing any view of this element therefore, is not considered to result in significantly worsened impact
- 7.3.12 Officers do not consider the first floor rear element of the extension to unduly prejudice the residential amenity of occupants at No. 17 Malpas Drive. This element of the development would accord with the Council's 45 Degree Code in respect to the extended rear façade of No. 17 Malpas Drive and is consequently considered to have an acceptable impact upon light and outlook afforded.
- 7.3.13 Reiterating points set out above, in applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, we would expect ground floor rear extensions on detached properties to project no more than 4 metres beyond the neighbouring property (unless site circumstances allow for this) given that a detached dwellinghouse would be allowed to extend 4 metres to the rear under permitted development. In this particular instance, the ground floor rear element of the extension is indicated to project approximately 4 metres beyond the rear façade of No. 17 Malpas Drive, furthermore the extension would incorporate a reasonable height on the side bordering this neighbouring property (approximately 4.15 metre high with a gap between the proposed flank wall and the common boundary of 1.7 metres and a gap between the flank wall of the proposed and the flank wall of this neighbouring property of approximately 2.8 metres.given that that the ground floor rear element of the extension would not project excessively rearward of this neighbouring property, incorporates a reasonable height in relation to the spacing that has been provided between the extension and flank wall of No. 17 Malpas Drive, it is considered on balance not to result in an undue loss of outlook to this neighbouring property's rear garden and rear facing kitchen window. With regard to impact on light, officers acknowledge that both the host site and neighbouring property are east facing and therefore with the direction of shadows created by daylight sunlight it is considered that there will be minimal overshadowing to this neighbouring property as a result of the orientation of the properties and this neighbour being south of the host site.
- 7.3.14 The roof lights associated with the proposed development would not be positioned and orientated in such a way that they would enable harmful overlooking of No. 17 Malpas Drive.
- 7.3.15 The proposed side and rear gable roof forms on the first-floor side extension would not be visible from this neighbouring property and are not considered to have any impact on this properties light, outlook or privacy.

7.3.16 The new and replacement fenestration to the southern flank elevation of the dwellinghouse would face towards the main flank elevation wall of No. Malpas Drive however, is indicated to be obscure glazed. For the avoidance of doubt, in the interests of maintaining privacy for occupants of No. 17 Malpas Drive officers have applied a condition requiring this fenestration to be both obscure glazed and non-openable where it is not set above 1.7 metres above internal floor level.

Impacts on Properties to the Rear

7.3.17 The applicant property is sufficiently set back from the properties to the rear and would not unduly affect neighbour amenity. In addition to the depth of the garden and significant set-back it is acknowledged by the officer that the natural ground level slopes at a steep gradient to the rear of the host site garden. There may be anticipated overlooking to any properties to the rear of this site however, officers consider that the proposed will not add additional views into other properties that is not already afforded to them particularly on the first floor rear.

7.3.18 In summary, the proposed development is considered to have an acceptable residential amenity impact in respect to all neighbouring occupants.

7.4 Drainage

7.4.1 The relevant policies are

- National Planning Policy Framework (2021)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM10

7.4.2 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. As the site is located within a Critical Drainage Area, 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.

7.5 Fire Safety

7.5.1 The relevant policies are

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

7.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. The applicant has completed a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.6 Consultation Responses

7.6.1 These have been addressed above in section 5.0 – 5.2

8.0 CONCLUSION AND REASONS FOR APPROVAL

8.1 The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM2 and DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS:

1. Full Time

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 & Country Planning Act 1990.

2. Approved Plans

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

Planning Statement, MKM/21/MAL19/PL03 page 01/04, MKM/21/MAL19/PL03 page 02/04, MKM/21/MAL19/PL03 page 03/04, MKM/21/MAL19/PL03 page 04/04, Reasonable Exemption Statement.

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

3. Glazing 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), 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).

4. Obscure Glazing

The window(s) in the flank elevation(s) of the proposed development shall:

- (a) be of purpose-made obscure glass,
- (b) be permanently fixed closed below a height of 1.7m above finished floor level and shall thereafter be retained in that form.

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

5. No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from 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).

6. Materials

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

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D11, D12, SI 12, SI 13

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

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM10

Supplementary Planning Documents: Residential Design Guide SPD (2010).

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 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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

6. Surface and Foul Water Connections

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

7. Sustainable Drainage Systems

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

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

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

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

The applicant can contact Harrow Drainage Section for further information

CHECKED

Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 2: LOCATION PLAN



LOCATION PLAN

Scale 1:1250



APPENDIX 3: SITE PHOTOGRAPHS

Front of No.19



Front and garage of No.19



Front of No.19 and side of No21



Rear and Side with No.17



Side with No.21



Side of No.19 and No.21



Side of No.19 and No.21



Rear garden of host site and side of garden of No.17



Rear of Host site



Side of No17



Side with No.17



Rear garden of host site



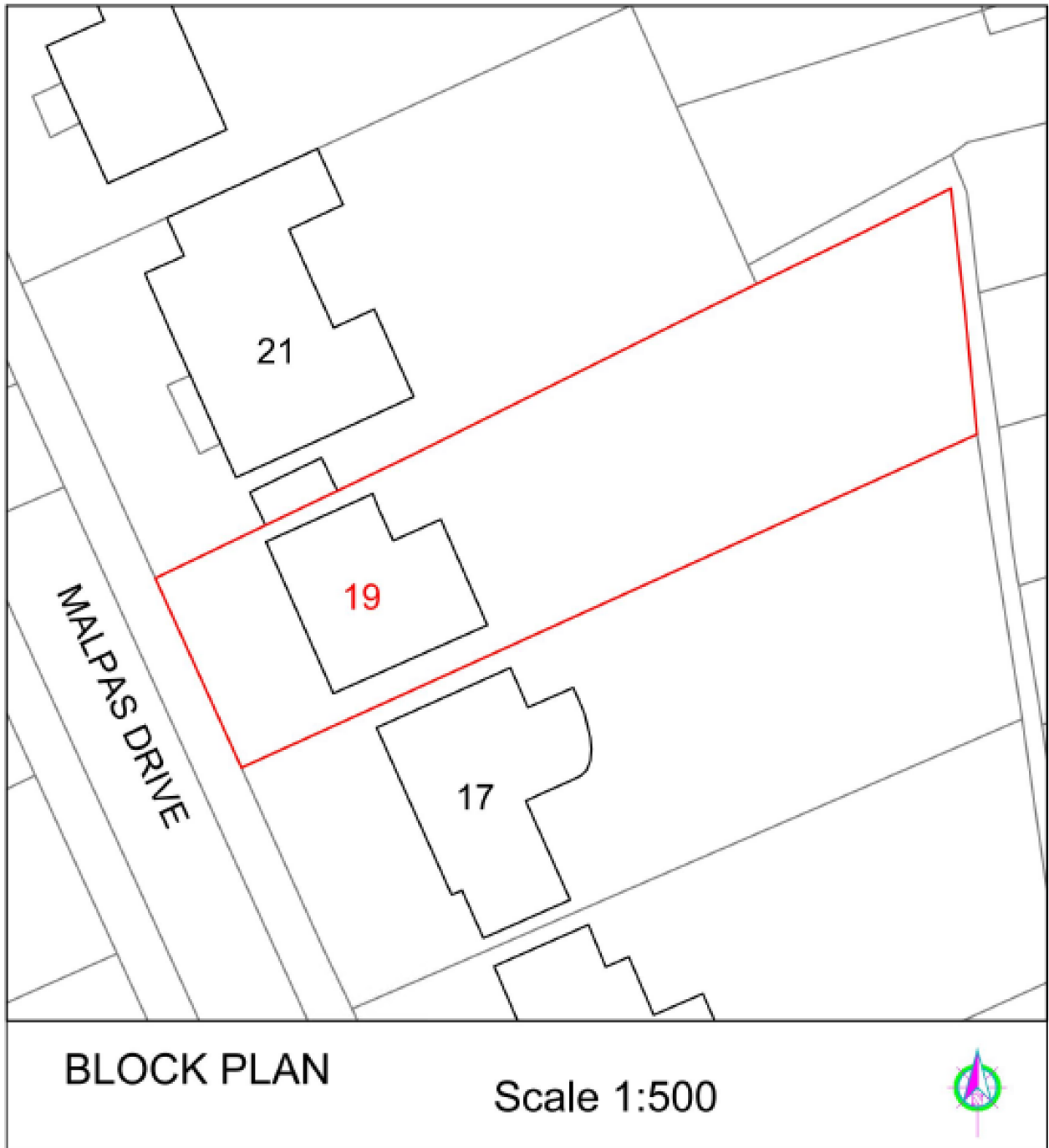
Rea of host site and side with No.21

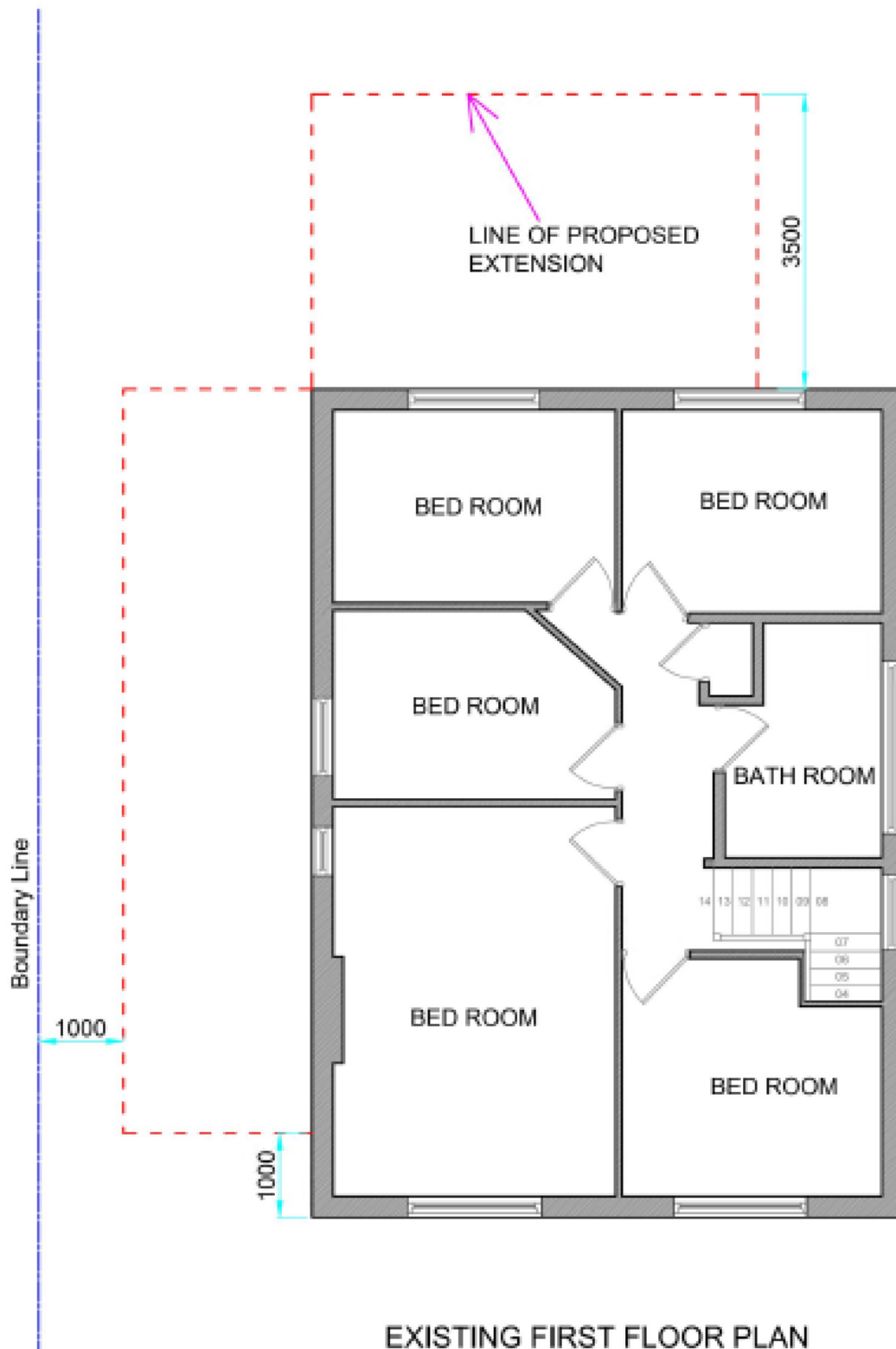


Rear of Host site and Side with No.21

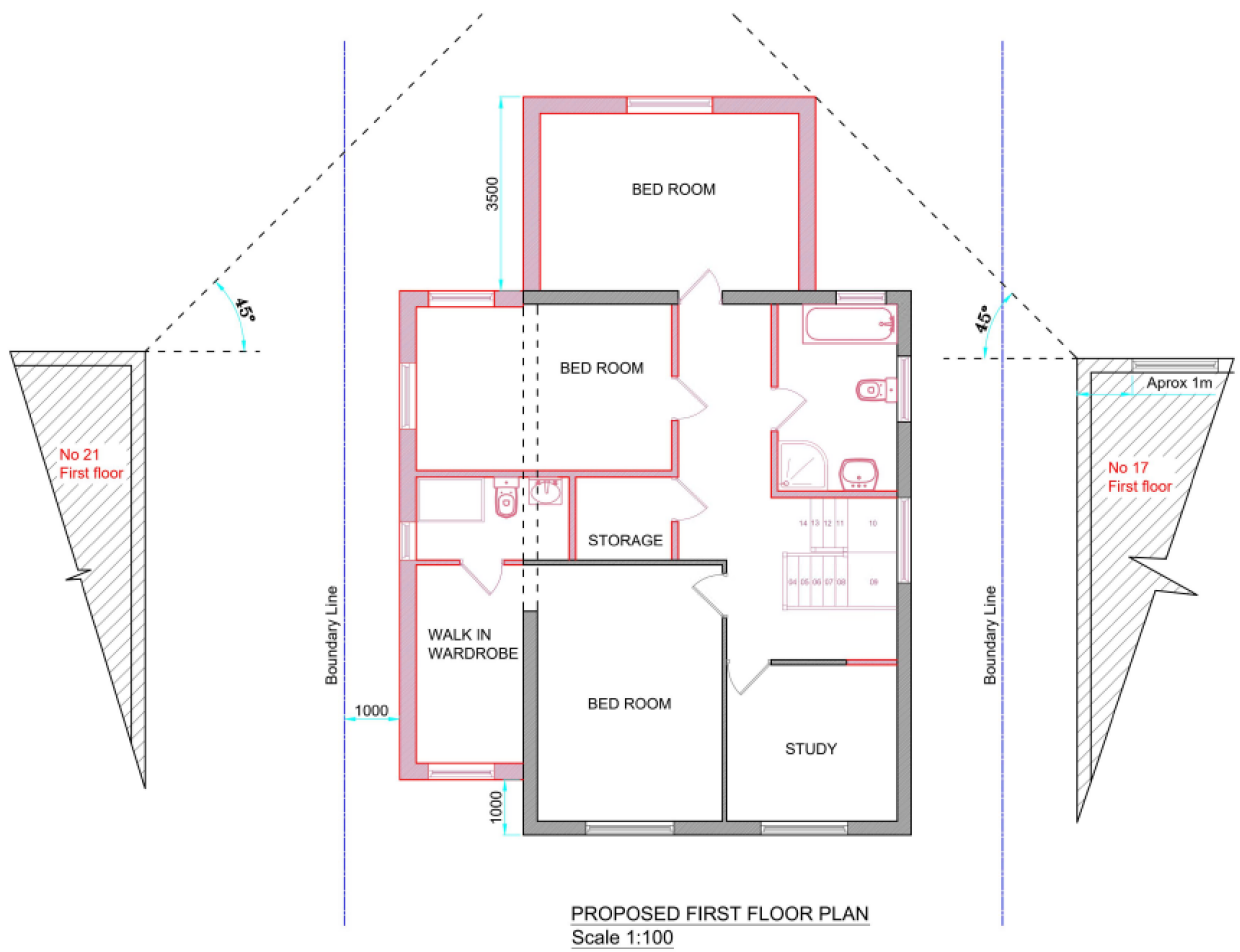


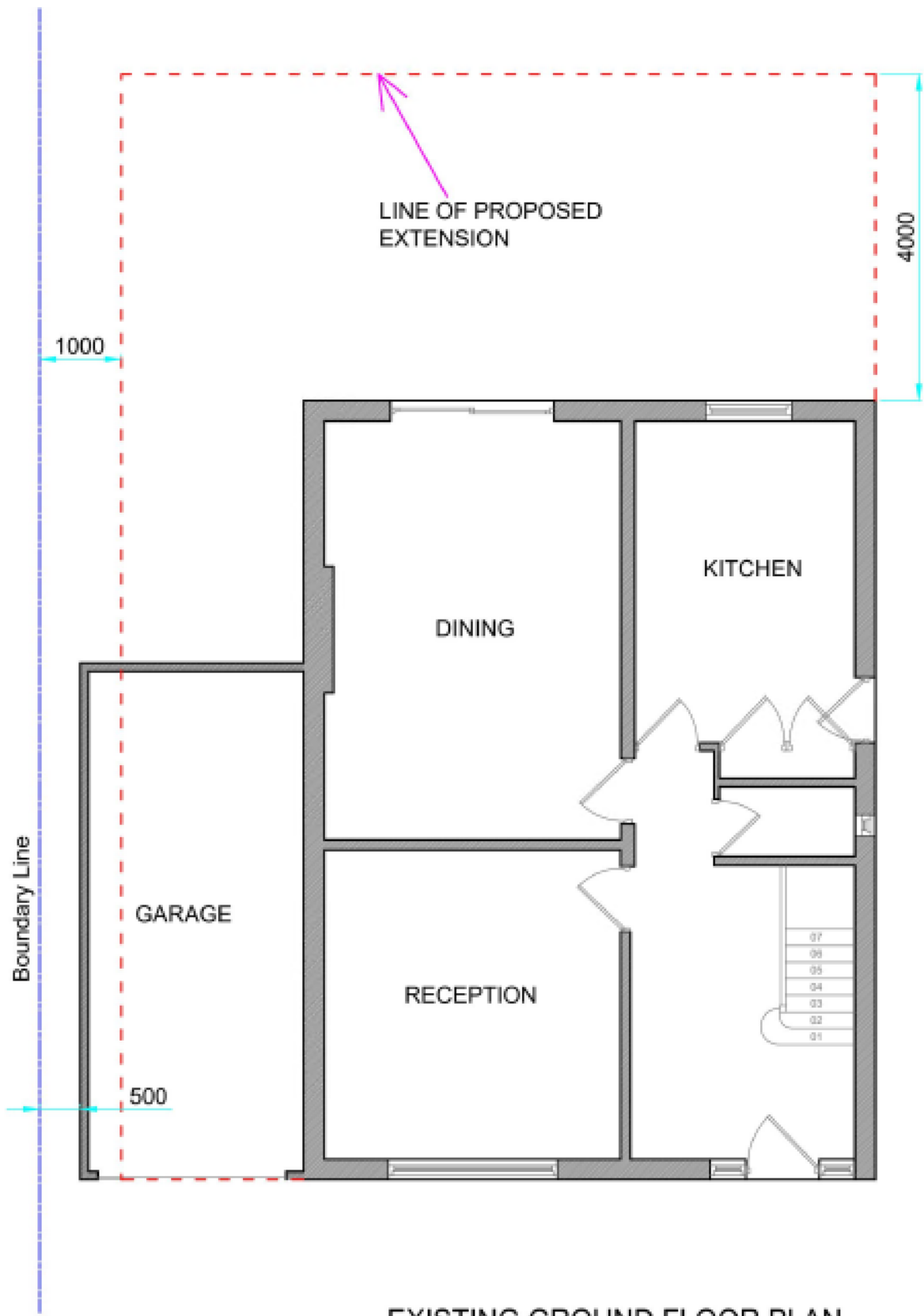
APPENDIX 4: PLANS AND ELEVATIONS



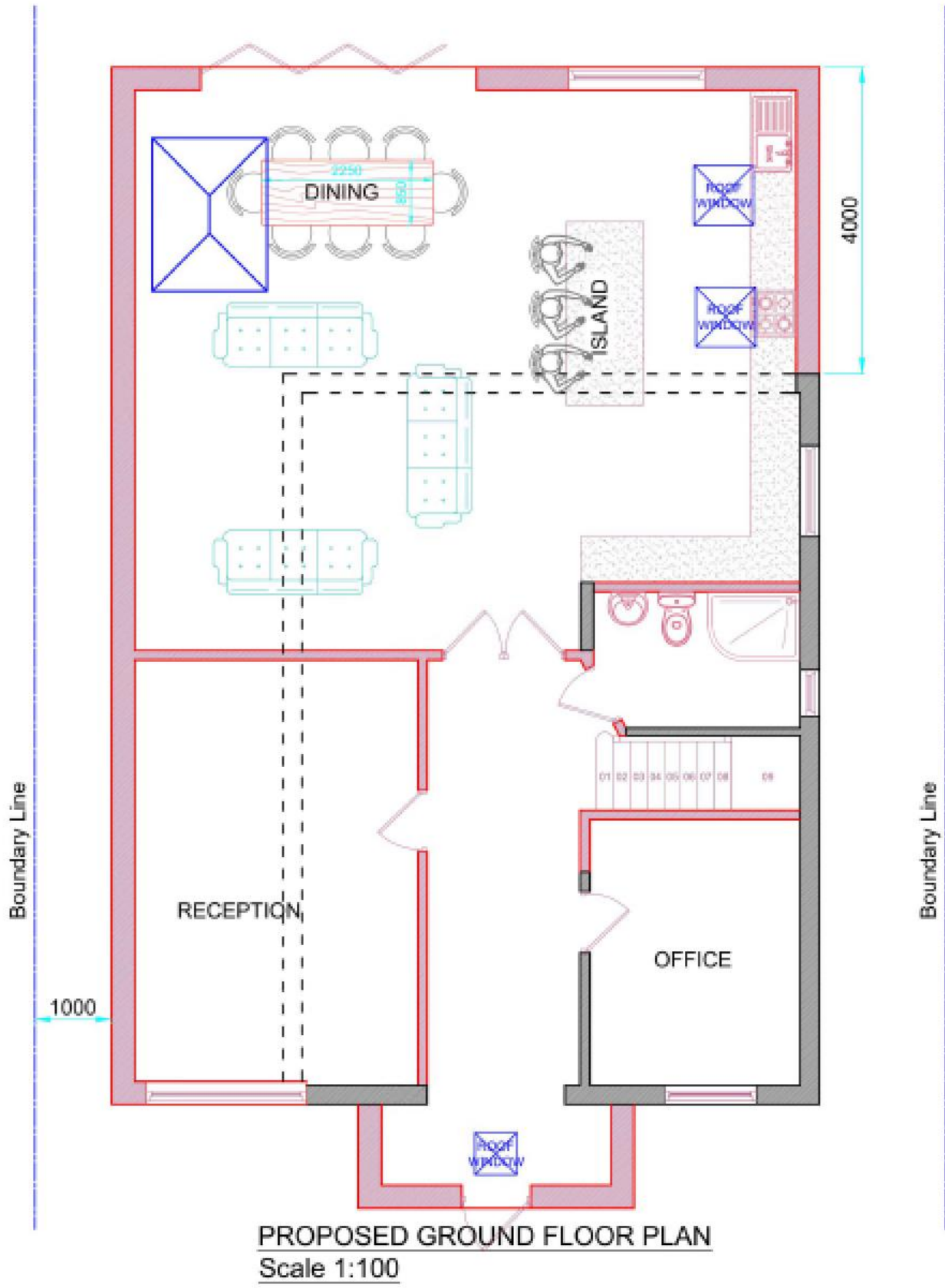


EXISTING FIRST FLOOR PLAN
Scale 1:100





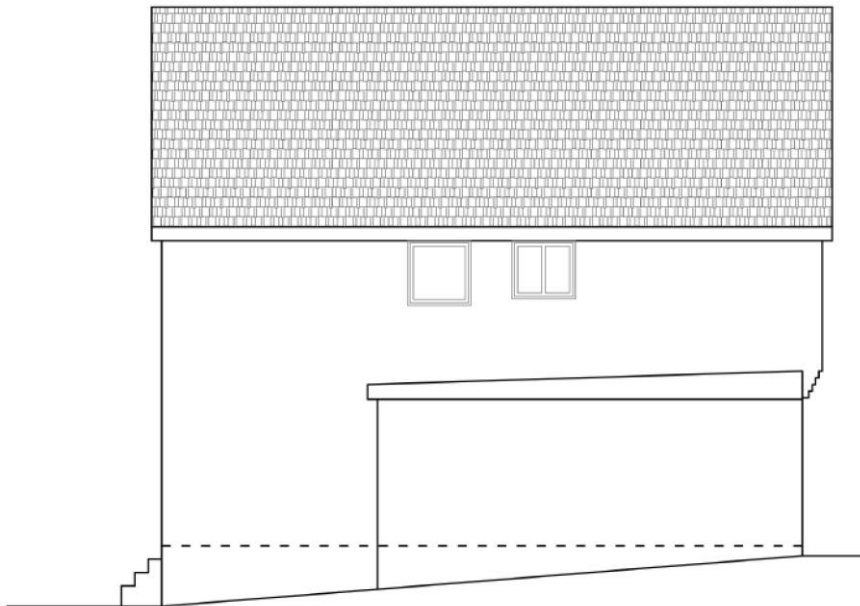
EXISTING GROUND FLOOR PLAN
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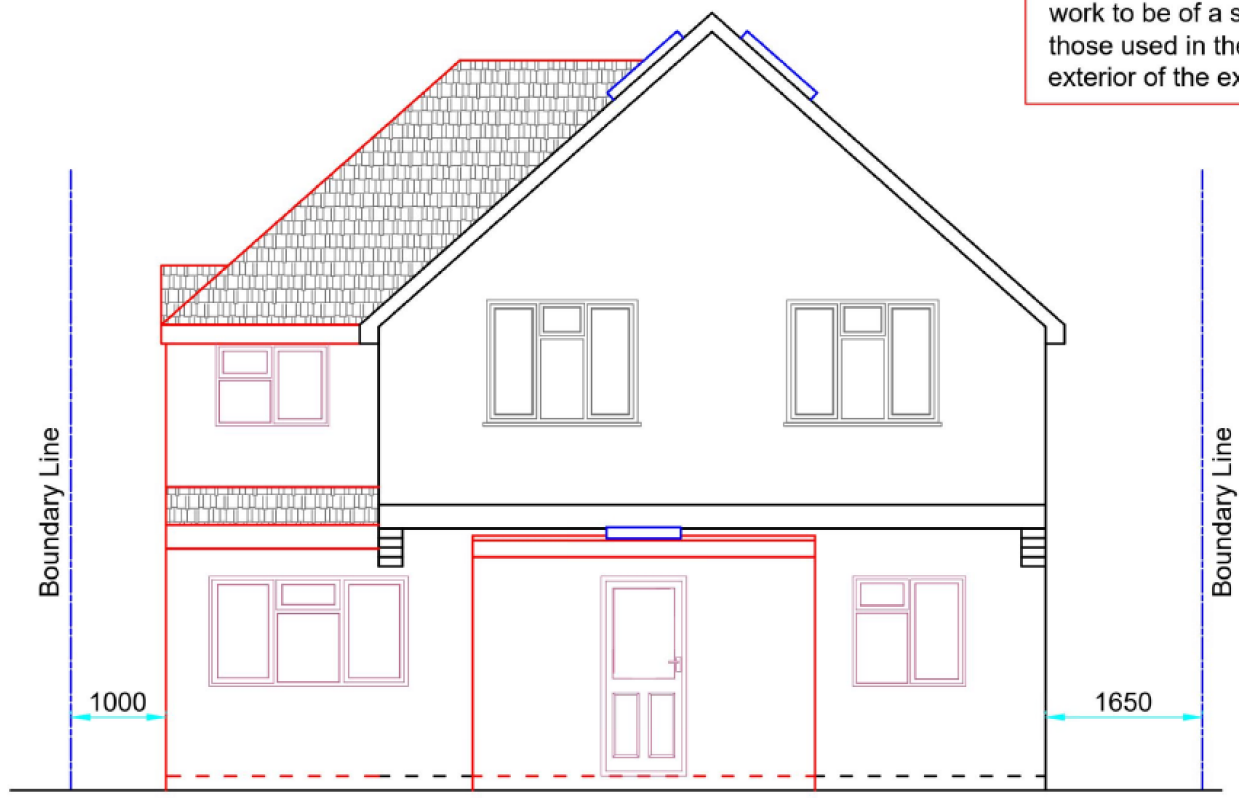
EXISTING FRONT ELEVATION
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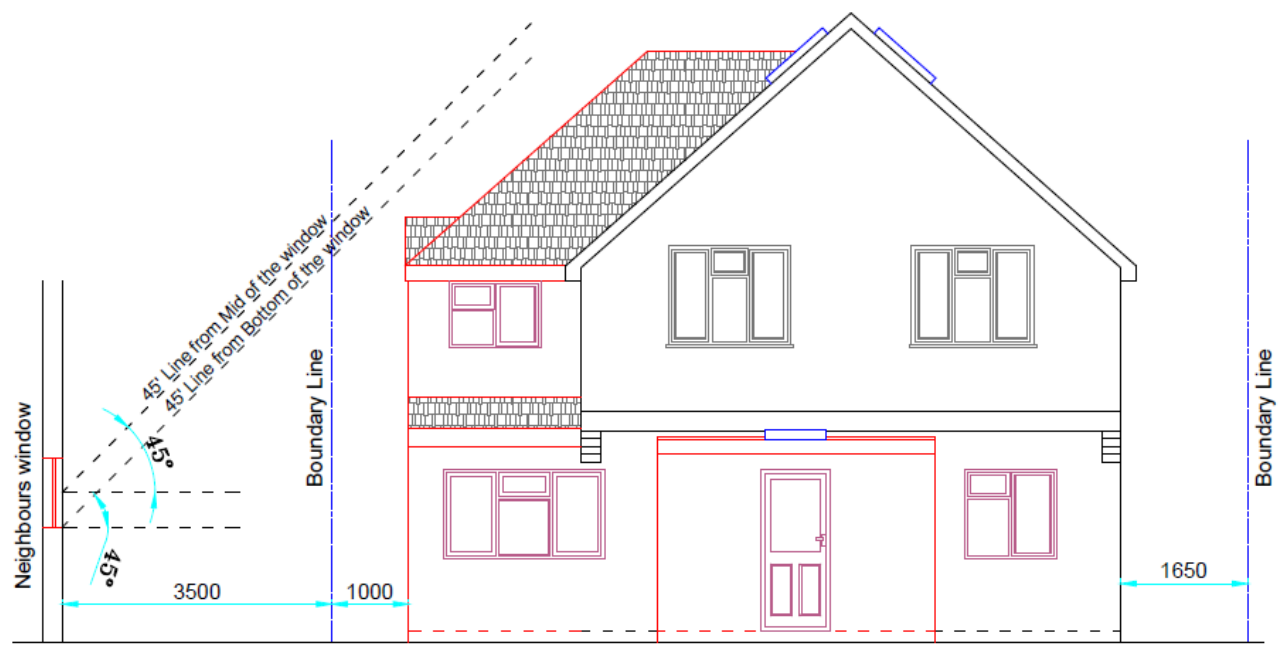


EXISTING SIDE ELEVATION - 02
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The materials used work to be of a similar to those used in the current exterior of the existing building.

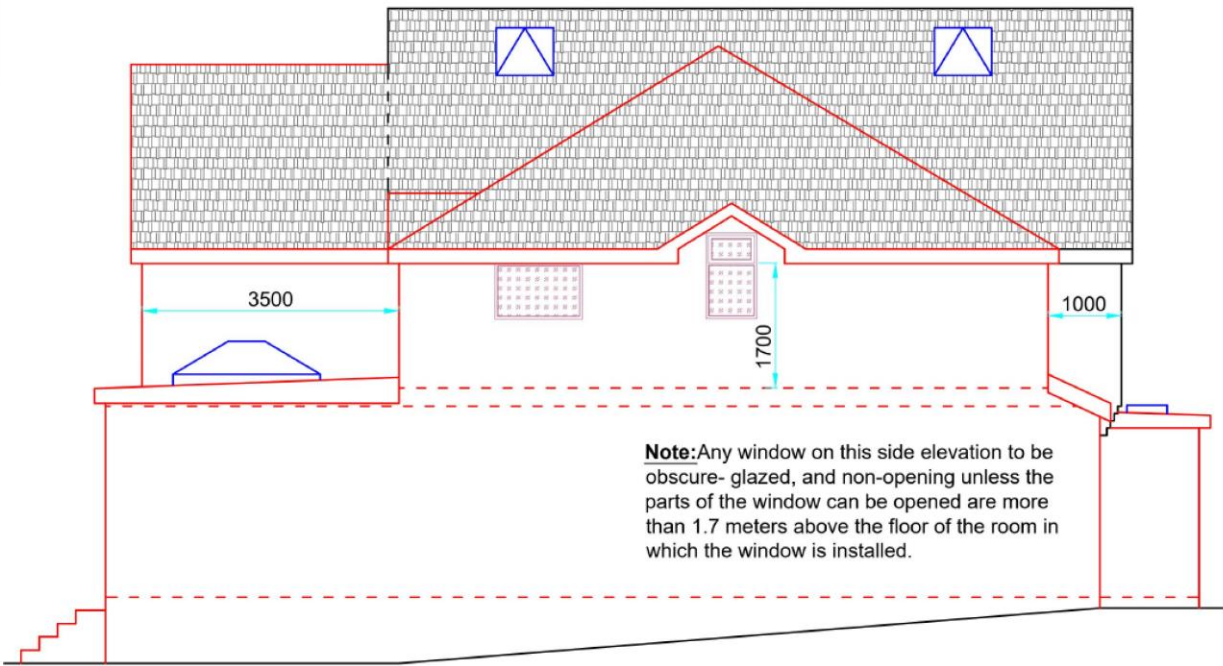


PROPOSED FRONT ELEVATION
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PROPOSED FRONT ELEVATION
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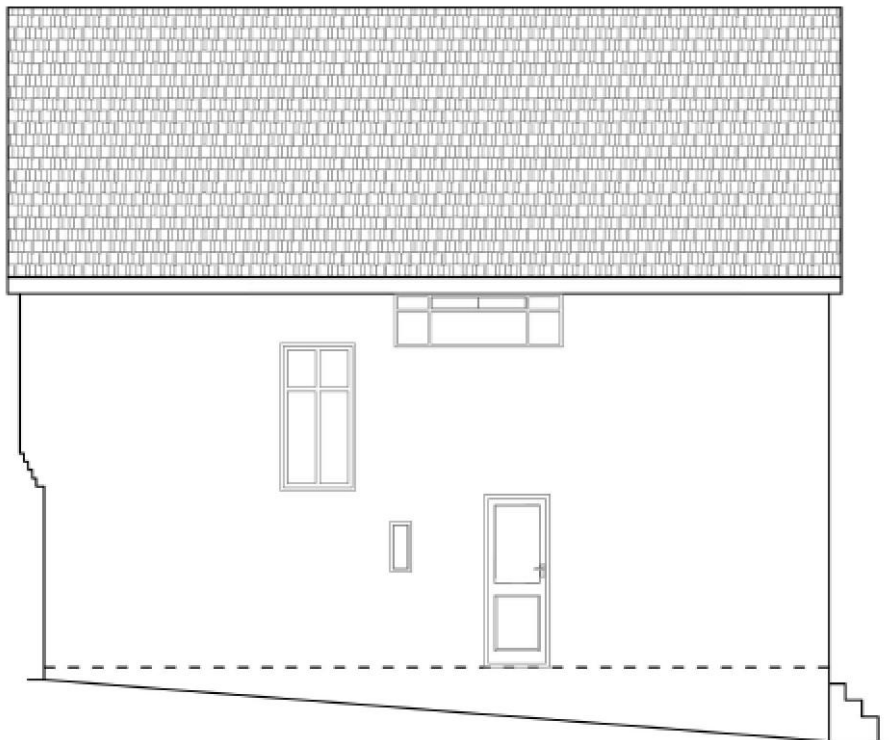
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PROPOSED SIDE ELEVATION - 02
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EXISTING REAR ELEVATION
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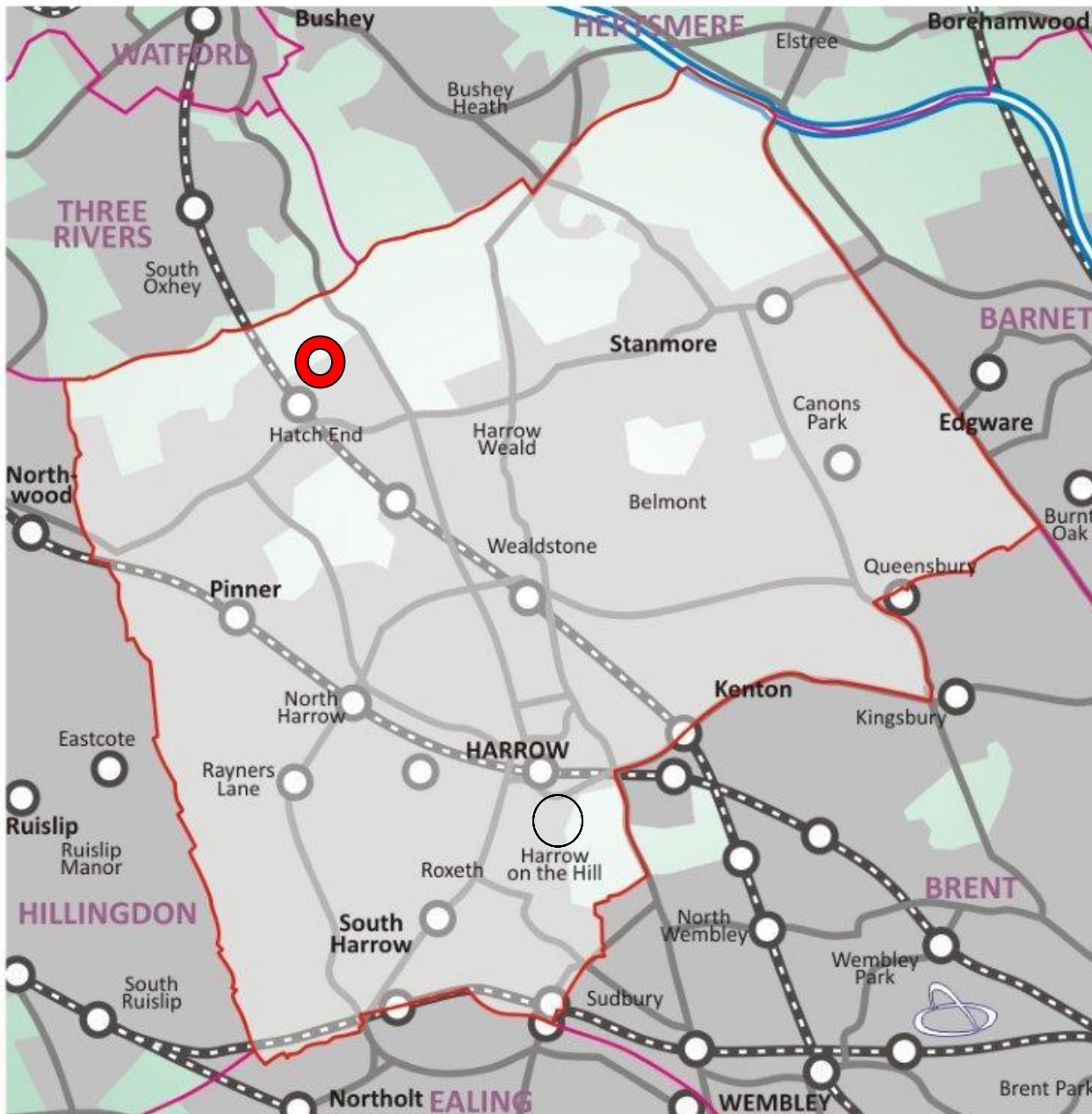


EXISTING SIDE ELEVATION - 01
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 = application site



Shivshakti, 11 Thornton Grove, Pinner, HA5 4HG

P/1688/22

Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/1688/22
VALID DATE: 09/02/2022
LOCATION: SHIVSHAKTI, 11 THORNTON GROVE, PINNER
WARD: HATCH END
POSTCODE: HA5 4HG
APPLICANT: MR AMAN SOOD
AGENT: ACTIVE ARCHITECTURE
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 05/07/2022
EXTENSION OF TIME: TBC

PROPOSAL

Single And Two Storey Rear Extension; Alterations To Roof; Rooflights In Front And Rear Roofslopes; Landscaping; External Alterations; Vehicle Access

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. Officers raise no objection to the new vehicular crossover on highways safety grounds. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Fire Strategy Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13, T4, T6.1 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM10, DM23 and DM42 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

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

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	197 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£11,820
Local CIL requirement:	£21,670

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 relates to a two storey detached dwelling located towards the south western site of Thornton Grove.
- 1.2 The host dwelling appears to have been extended to the front, rear and northern side at ground floor level and to both sides at first floor level.
- 1.3 The adjacent property at No. 9 Thornton Grove has not been extended to the rear but does feature a converted side garage bordering the application site, and a rear dormer roof extension at loft floor level.
- 1.4 The adjacent property at No. 13 Thornton Grove benefits from projections to the side and rear at ground and first floor level.
- 1.5 The host dwelling is not listed, is not within a Conservation Area, is not located within a Flood Zone, but does sit within a Critical Drainage Area.

2.0 PROPOSAL

- 2.1 The erection of a part single part two storey rear extension. The ground floor element of the extension would feature a flat roof form and the first floor element would feature a double hipped roof form with a valley in between. The ground floor element would extend the full width of the dwelling house, projecting rearward at a total depth of 8 metres (approximately 1.358 metres beyond the existing rear projection on the side bordering No. 9 Thornton Grove, and approximately 4.25 metres beyond the rear of the existing ground floor rear projection on the side bordering No. 13 Thornton Grove). The ground floor element would have a height of approximately 4.1 metres to the top of its side parapet walls (measured from the rear). At first floor level, the proposed extension only project beyond the rear of the main dwelling house, and not the first floor side wings (approximately 10.695 metres in width), it would project rearward of the main dwelling house at a depth of approximately 4 metres and would incorporate an eaves height of approximately 5.5 metres (level with eaves of main roof), and a ridge height of approximately 8.3 metres. The ground floor element would feature bi-folding doors to the rear and rear access steps leading up to these doors. The first floor rear element would feature associated rear facing fenestration, and 2.no flank roof light and 2.no rear roof lights to its roof.
- 2.2 External alterations to the main dwelling including; the insertion of 2.no front roof lights, 4.no rear roof lights (including 1.no to the rear of each of the dwelling house's side wings), the installation of replacement fenestration to the front elevation, and the addition of new first floor and ground floor side windows.
- 2.3 The expansion of the dwelling house's front driveway, providing vehicular access towards the northern end of the site. The kerb directly to the front of the driveway is proposed to be dropped to provide a vehicular crossover.

- 2.4 Landscaping alterations to the rear garden involving infilling the rear swimming pool.

3.0 RELEVANT PLANNING HISTORY

HAR/8774	ERECTION OF DETACHED HOUSE AND GARAGE	Granted: 05/02/1954.
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HAR/8774/B	AMENDED SITING AND DRAINAGE TO HOUSE	Granted: 10/08/1954.
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HAR/8774/C	PARKING OF CARAVAN	Granted: 05/11/1954
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HAR/8774/D	EXTENSION AT SIDE FOR USE AS PLAYROOM	Granted: 08/10/1954.
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HAR/8774/F	ERECTION OF COVERED WAY, REAR EXTENSION TO GARAGE	Granted: 13/08/1958.
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LBH/794	REAR EXTENSION TO GARAGE	Granted: 02/12/1965.
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LBH/794/1	ERECTION OF LYCH GATE	Refused: 13/12/1966.
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LBH/794/2	ERECTION OF 1ST FLOOR EXTENSION TO SIDE AND SINGLE STOREY EXTENSION TO FRONT AND REAR OF DWELLING HOUSE	Granted: 24/07/1975.
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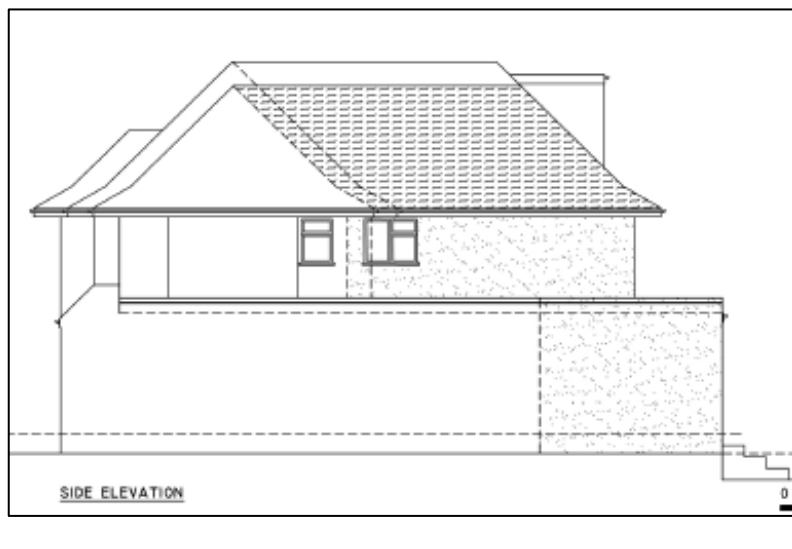
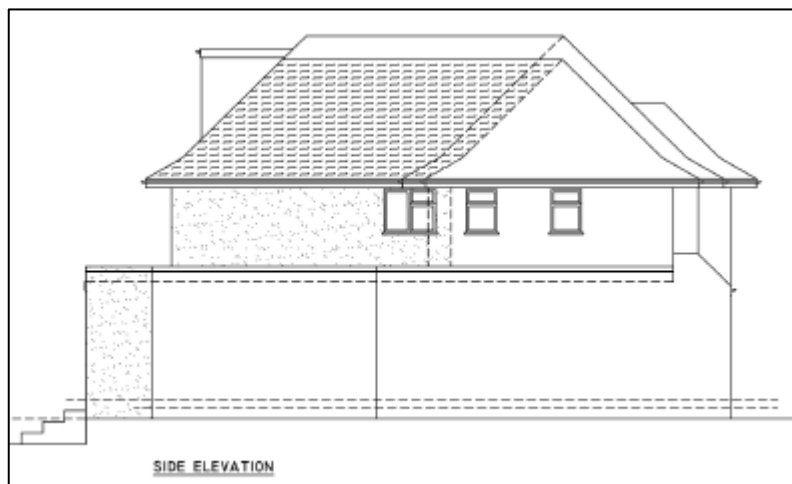
P/0784/21	Single and two storey rear extension; rear dormer; landscaping; external alterations; new vehicle crossover	Refused: 23/06/2021.
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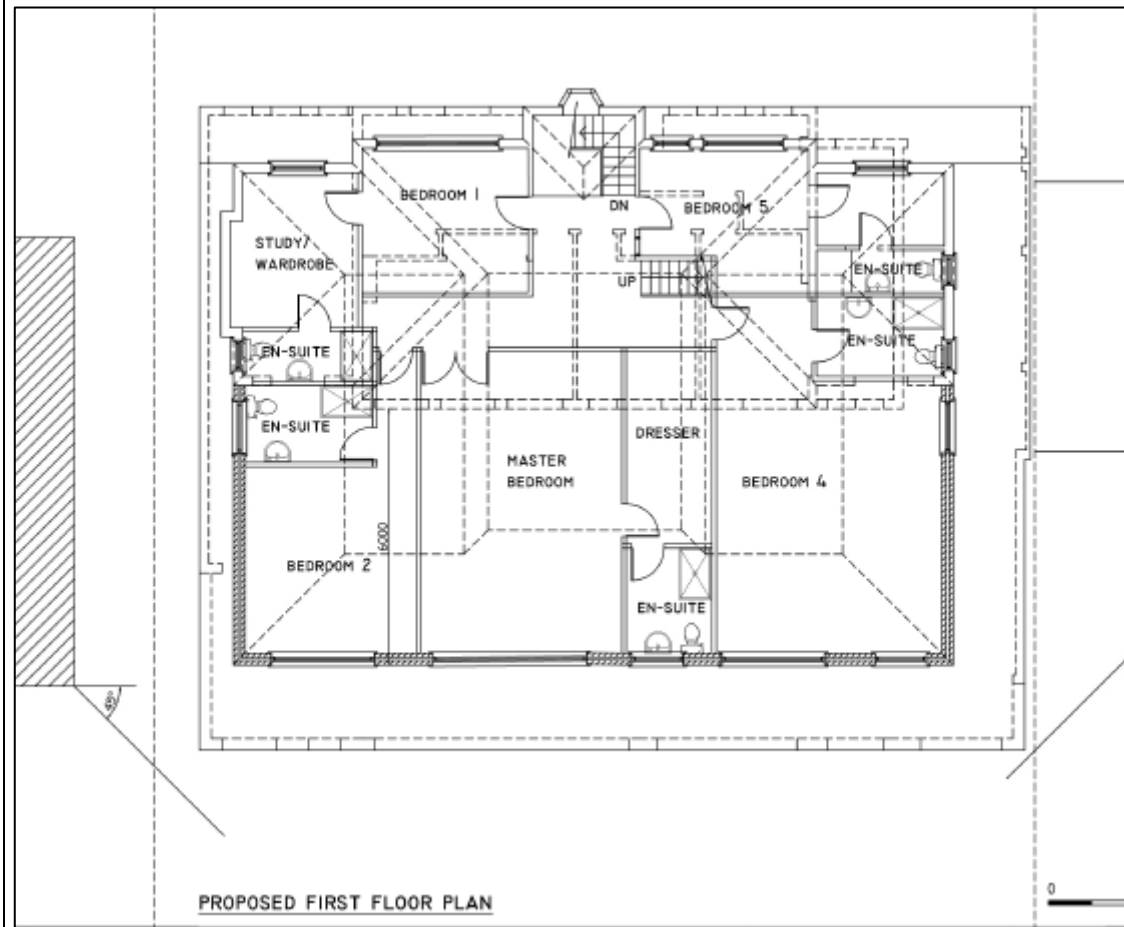
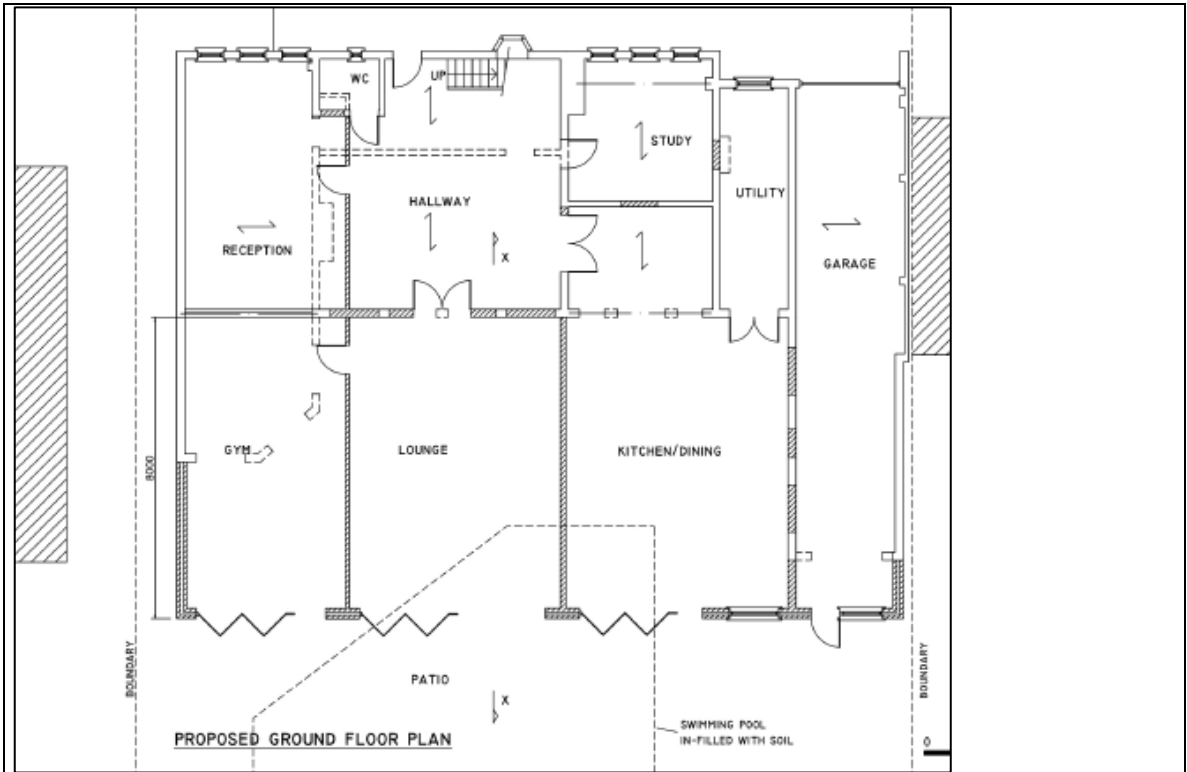
Refusal Reason (1): *The proposed part single part two storey rear extension and associated roof form by reason its excessive combined depth, height, width, bulk, massing footprint, and lack of subservience with the main dwelling would represent an incongruous, insubordinate, contrived and disproportionate addition to the host*

dwelling, that would excessively detract from its original form and appearance, and the character and appearance of the area in a wider sense. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2019), Policy D3.D(1) and D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A. and DM1 B. (a) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (2): The proposed part single part two storey rear extension and associated roof form by reason its excessive combined depth, height, width, bulk, massing footprint, and siting in relation to No. 9 Thornton Grove would give rise to an unneighbourly, unduly dominant and overbearing form of development which would result in an unacceptable loss of outlook to the rear garden of No. 9 Thornton Grove. The proposed development would thereby be contrary to the National Planning Policy Framework (2019), Policy D3(7) of the London Plan (2021), Policy DM1 B. (a), DM1 C., and DM1 D. (e) of the Development Management Policies Local Plan document (2013) and the relevant provisions of the adopted Supplementary Planning Document: Residential Design Guide (2010).





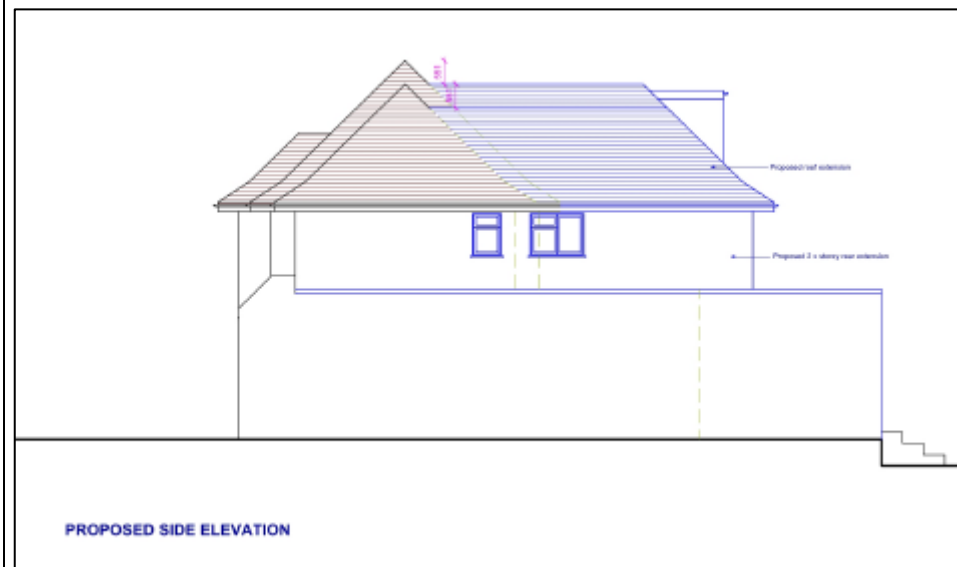
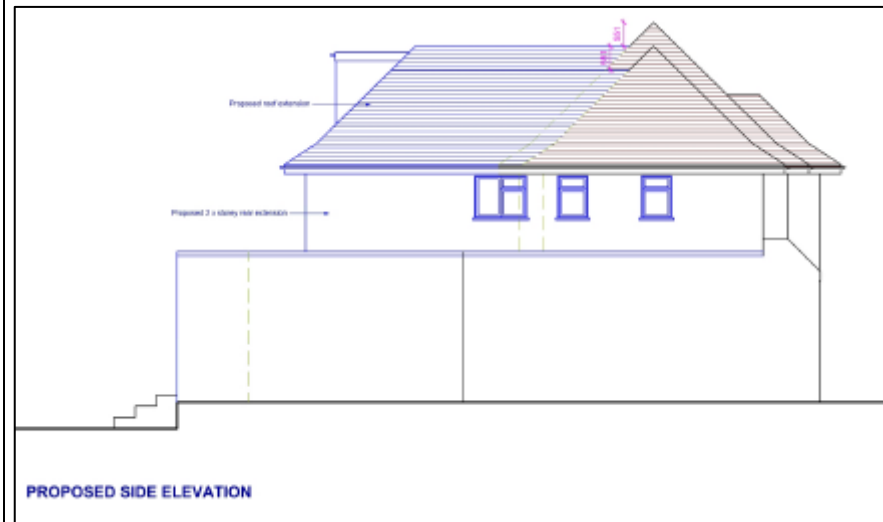


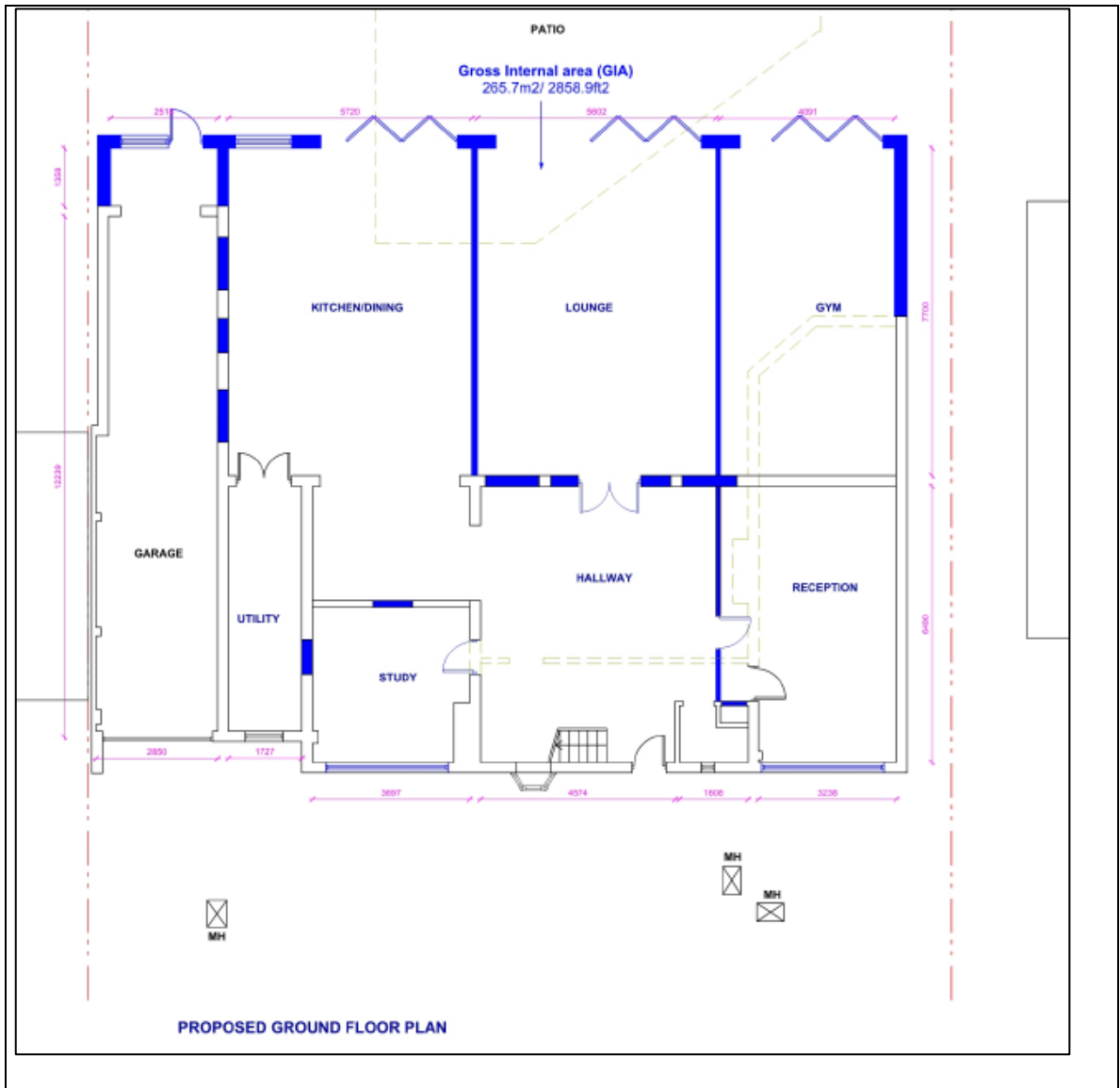
P/3880/21	Single and two storey rear extension; rear dormer; rooflights in front roofslope; landscaping; external alterations; new vehicle crossover	Refused: 15/11/2021 Appeal Dismissed 04/02/2022 (App/M5450/D/21/3288870)
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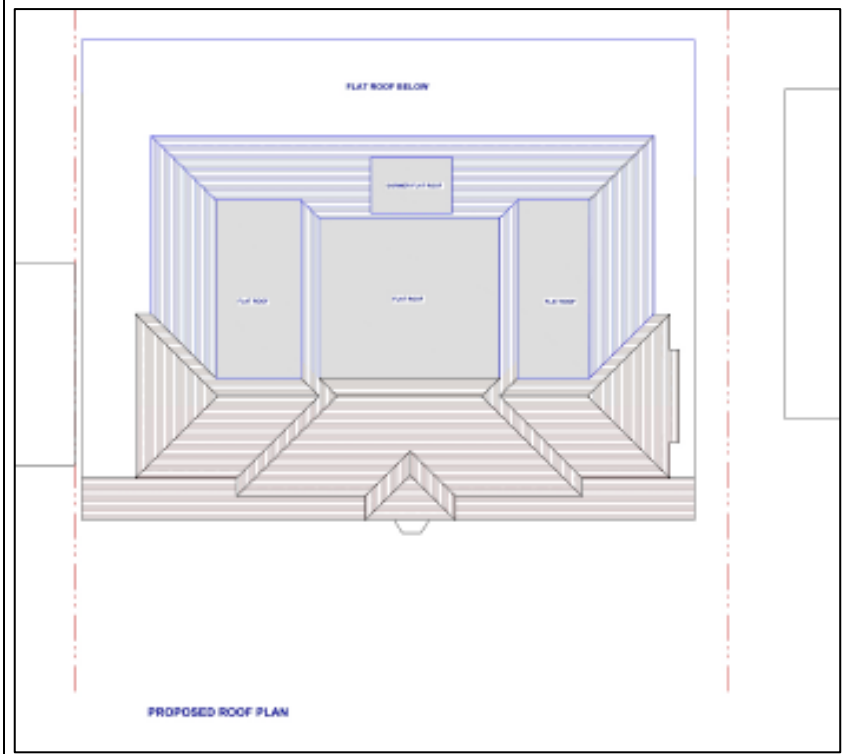
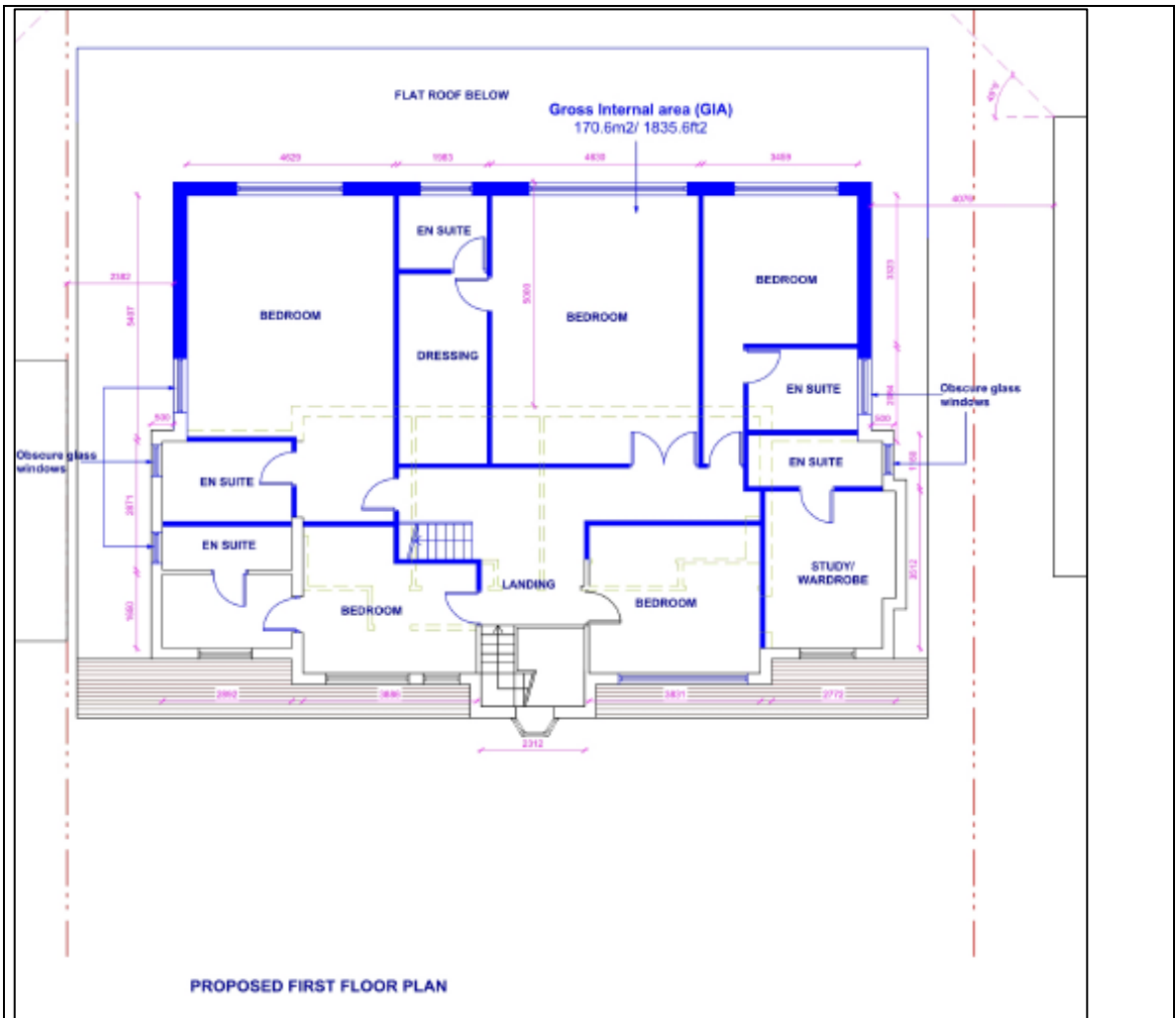
Refusal Reason (1): *The proposed part single part two storey rear extension and associated roof form by reason its excessive combined depth, height, width, bulk, massing footprint, lack of subservience with the main dwelling and unduly expansive crown roof would represent an incongruous, unsympathetic insubordinate, contrived and disproportionate addition to the host dwelling, that would excessively detract from its original form and appearance, and the character and appearance of the area in a wider sense. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (D(1) and D(11)) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1*

Refusal Reason (2): *The proposed part single part two storey rear extension and associated roof form by reason its excessive combined depth, height, width, bulk, massing footprint, and siting in relation to No. 9 Thornton Grove would give rise to an unneighbourly, unduly dominant and overbearing form of development which would result in an unacceptable loss of outlook to the rear garden of No. 9 Thornton Grove. The proposed development would thereby be contrary to the National Planning Policy Framework (2021), Policy D3(7) of the London Plan (2021), Policy DM1 B. (a), DM1 C., and DM1 D. (e) of the Development Management Policies Local Plan document (2013) and the relevant provisions of the adopted Supplementary Planning Document: Residential Design Guide (2010).*









P/4875/21/PREAPP	Single and 2 storey rear extension with associate roof extension, landscaping with external alterations, new vehicle crossover (Refer P/3880/21)	Preapplication Advice Issued: 08/04/2022.
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3.1 Site History Context

3.2 The applicant initially sought a part single part two storey rear extension under application P/0784/21 which was to extend across the full width of the entire extended dwelling house at first floor level at a depth of approximately 6 metres. The roof of this first floor rear extension included a flat roofed dormer to the centre. The ground floor rear element proposed under application P/0784/21 is the same width, depth and height as that proposed under application P/3880/21 and the current application, with the only notable difference being minor alterations to rear access steps under the current application. Within the assessment of application P/0784/21 officers concluded that the proposed extension, by reason of its excessive combined depth, height, bulk, massing and footprint (particularly at first floor and roof levels) would form an insubordinate and disproportionate addition which would fail to appear subservient to the main dwelling, and would excessively alter the host dwelling from its original form to the detriment of the character and appearance and the wider area. It was however emphasised within the delegated report that the ground floor rear extension would have been acceptable if it were considered on its own merits. In addition to the above, the first floor element of the proposed extension was considered to appear as unneighbourly, unduly dominant and overbearing when viewed from No. 9 Thornton Grove's rear garden given its excessive rearward projection and siting in relation to this neighbouring property. The applicant failed to provide a roof plan under application P/0784/21, as such officers were unable to comment on the appropriacy of the proposed extension's roof form.

3.3 Following on from the refusal of application P/0784/21, the applicant submitted a revised application under application P/3880/21, with the ground floor rear element remaining the same, but with a slight reduction in the depth of the first floor rear element (approximately 5.55 metres in depth) and having the first floor element set in a further 500mm from each side. Within the assessment of application P/3880/21 officers concluded that the applicant had not sufficiently reduced the size and scale of the extension, and previous reasons for refusal were carried forward. The applicant did provide a roof plan under application P/3880/21, officers were able to observe that the roof of the extension would incorporate an unduly expansive crown roof which contributed to the reason for refusal relating to character and design.

3.4 The applicant decided to appeal the refusal of application P/3880/21 (APP/M5450/D/21/3288870), however this appeal was ultimately dismissed. Key comments made by the inspector are as follows:

- *'The proposed extension, at first floor level, would double the depth of the existing accommodation and have the consequence of a very significant increase in the volume of an already-prominent roof, more than doubling what currently exists. Although inset from the boundaries and slightly below current ridge heights the*

resultant mass and form would be, to a significant degree, disproportionate to what is currently apparent and significantly harm the original characteristic roof form.'

- *'the roof and first floor additions would extend well beyond the general depth of adjoining properties. The unrelieved bulk of built form thereby created would conspicuously contrast with the smaller scale and generally subordinate extensions to other properties in the area and appear unacceptably dominant by virtue of the height, depth and unrelieved bulk of the upper floor level and roof volume.'*
- *'The main built form of 9 Thornton Grove sits at some distance from the appeal property, such that its relatively modest scale combined with the openness above its garage and side extension would tend to emphasise the height, depth and unrelieved bulk of the proposed first floor extension along the boundary and the prominent roof would be more widely visible. In consequence the development would result in an overbearing and dominant appearance which would unacceptably harm the outlook from, and quiet visual character of, the adjoining amenity spaces of No. 9 Thornton Grove.'*

3.5 Following the dismissal of APP/M5450/D/21/3288870 the applicant engaged in pre-application discussions with the council (P/4875/21/PREAPP). The applicant has taken into account recommendations made within the pre-application discussions and has submitted this application in attempt to respond to previous reasons for refusal.

4.0 CONSULTATION

4.1 A total of 8.no consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 31st May 2022.

4.2 A site notice was posted on 13th June 2022, this expired on 04th July 2022

4.3 7.no comments have been received. Matters raised within these objections have been summarised and responded to in the table below:

Objection	Officer Response
Character	
General concerns over the proposed extension being disproportionate. (Raised by an occupant of No. 2 Walpole Close)	Addressed within the Character and Appearance of the Area Section of this Committee Report (6.2).
The area is characterised by its large gardens and green outlook, they are concerned that the proposed development would detract from this. (Raised by an occupant of No. 13 Thornton Grove).	A general assessment has been provided the within Character and Appearance of the Area Section of this Committee Report (6.2). Whilst the proposed development would result in the loss of some of the site's 'green outlook' a significant amount of soft landscaping would be retained to the front and rear of the site. It should be

	added that trees to the rear of the site are also to be retained.
Concern over the ground floor rear extension being excessive in its size, footprint, and being an insubordinate and disproportionate addition. (Raised by occupants of No. 9 Thornton Grove)	Addressed within the Character and Appearance of the Area Section of this Committee Report (6.2).
If the application is to be approved, a condition should be applied requiring all of the proposed development's materials to match existing. (Raised by occupants of No. 9 Thornton Grove).	A condition has been applied to this effect.
Residential Amenity	
General concern over the extension appearing excessively sized and overly dominant when viewed from their property (Raised by an occupant of No. 13 Thornton Grove).	Addressed within the Residential Amenity Section of this Committee Report (6.3).
There have been no changes to the ground floor extension in terms of its depth, height and scale. (Raised by occupants of No. 9 and 13 Thornton Grove).	In spite of this, the ground floor rear element of the extension is still considered to have an acceptable residential amenity impact. Please see the Residential Amenity Section of this Committee Report (6.3).
Concern over the ground floor rear extension impacting upon the visual amenity of their garden with it projecting 1.358m beyond the rear of an existing ground floor rear projection. (Raised by occupants of No. 9 Thornton Grove)	Addressed within the Residential Amenity Section of this Committee Report (6.3).
Concern over the applicant not correctly indicating compliance with the Council's 45 Degree Code. They have requested for the 45 degree visibility splays to be taken from the closest habitable room window, which in the case of their property sits right next to the side boundary. (Raised by occupants of No. 9 Thornton Grove).	Whilst officers acknowledge that the applicant has not accurately applied the Council's 45 Degree Code on their plan, officers have undertaken a desktop assessment and can confirm that the first floor rear element would accord with the Council's 45 Degree Code in respect to No. 9 Thornton Grove.
Concern over the ground floor rear element of the extension being in breach of the Council's 45 Degree Code. (Raised by occupants of No. 9 Thornton Grove).	In assessing the ground floor rear element of the extension's impact on neighbouring properties, officers have examined the extension's rearward projection beyond the rear façade of

	neighbouring properties at No. 9 and 13 Thornton Grove and have also taken into account the application site's existing rearward projections. It is not typical for officers to utilise the Council's 45 Degree Code in relation to proposed ground floor rear extensions, this is applicable for upper floor level extensions.
Fire Safety	
Within the applicant's Fire Safety Statement it is indicated that emergency vehicles can be parked to northern side of the front forecourt. They have indicated that this would not be possible due to width and height restrictions to the front access points. (Raised by an occupant of No. 3A Thornton Grove)	Officers note that there are clear restrictions preventing access to the front forecourt of the site for emergency vehicles, however given that that the site is only a single dwelling house and is not excessively set back from the street, it would likely be appropriate for vehicles to park along the road in the event of an emergency.
Drainage and Flood Risk	
Concern over the proposed extension resulting in flooding issues in respect to their property. (Raised by occupants of No. 13 Thornton Grove, No. 2 Walpole Close and Oriel House, Royston Grove)	The development relates to a domestic extension and various other external alterations to the site, and the site is not located within a Flood Zone. The scale of the development is not considered to be extensive enough to result in significantly worsened surface water retention and run-off. Nevertheless, it should be noted that surface water drainage would be need be considered separately as per building regulations.
Construction Works	
They note that the construction of the proposed development will require the delivery of large and heavy beams which will need to be lifted over the dwellinghouse and will require large lorries with outriggers on both sides. They are concerned over the delivery of the beams resulting in the closure of the road and resulting in the damage to the grass verge to the front of the site. (Raised by an occupant of No. 3A Thornton Grove)	This does not constitute a material planning consideration.
If planning permission is granted, they request that working hours be restricted to Monday to Friday from 9am-5pm only, and request for mitigation measures to be put in place to limit	This does not constitute a material planning consideration, nevertheless the applicant will be required to carry out works in line with the Council's standard working practices and will be

noise and dust during the demolition and construction period. (Raised by occupants of No. 9 Thornton Grove).	managed by the Council's Environmental Health team.
Trees and Landscaping	
Concern over an oak tree located to the front of their property (No. 13) not being shown on the applicant's plans. (Raised by an occupant of No. 13 Thornton Grove)	Officers acknowledge the existence of this tree and the fact that it is not detailed on the plans, however it is considered that the site is sufficiently set away from this tree, and the development is not considered to result in harm in the health of this tree.
Concern over harm to the health of the boundary beech hedge sited between No. 9 and 11 Thornton Grove. If the application is to be granted, they have requested that a condition be put in place requiring the applicant to replace any part of this hedge that is damaged (Raised by occupants of No. 9 Thornton Grove).	This shrub is not of significant character value to the site, as such its retention/replacement is not considered to be essential.
Other Matters	
Concern over the accuracy of the applicant's proposed plans with the drawings not accurately reflecting their property on the floor plan drawings. (Raised by an occupant of No. 13 Thornton Grove)	Officers have undertaken a site visit and are fully aware of the context of neighbouring sites in spite of any alleged inaccuracies in the drawings.
The applicant's drawings not show the brick built outbuilding/jacuzzi which has been recently constructed at the subject property in place of a small wooden shed without any consultation. They are also concerned that this will be connected to the main house in the future. (Raised by an occupant of No. 13 Thornton Grove)	Whilst the existence of the outbuilding is noted, its construction does not impact upon the development proposed under this application. There is no indication that the proposed extension is to be connected to the outbuilding, as such this cannot be assumed. If this happens to be the case in the future, this will be a matter for the Council's Planning Enforcement team.
A request for a party wall agreement to be put in place due to previous contractors on the site working at unsociable hours. (Raised by an occupant of No. 13 Thornton Grove)	This does not constitute a material planning consideration.

<p>They note that the applicant has already erected a rear outbuilding and painted roof tiles grey without any consent. (Raised by occupants of No. 9 Thornton Grove).</p>	<p>This is acknowledged, however it does not directly relate to the proposed development.</p>
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4.4 Statutory and non-statutory consultation

4.5 Highways: No response

4.6 Vehicle Crossings Officer: I have reviewed this application and for the second crossing the grass cannot be greater than 1 m in depth or it will be refused. However to date we have not received an vehicle crossing application so if it is under 1m in depth it will be approved and if greater it will be refused

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 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.

5.3 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]. The relevant polices are referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Character and Appearance of the Area
- Residential Amenity
- Parking and Highway Impact
- Drainage and Flood Risk
- Fire Safety

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

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

Relevant Supplementary Documents

- Residential Design Guide (2010)

6.2.2 Part Single Part Two Storey Rear Extension

6.2.3 Officers consider the proposed part single part two storey rear extension to be a congruous, proportionate and sympathetic addition to the host dwelling, street scene and area in a wider context. The first floor element would only extend beyond the rear of the main dwelling house and is not considered to be excessive in its depth. It would respect the proportions of the main dwelling house and would not appear as an alien addition to wider the setting given the large size of the plot. The first floor element's double hipped roof form is considered to correspond well with the hipped roof form of the main dwelling house, furthermore it remains subordinate to the roof from of the main dwelling house with it being distinctly set down from the ridge of the main roof. Whilst the first floor rear element may be marginally visible along the street scene at oblique angles its visual prominence is not considered to unduly impact upon the overall visual amenity afforded along the street scene.

6.2.4 The ground floor rear element of the extension would be of the same proportions and a very similar design to the ground floor extension proposed under application P/3880/21 and P/0784/21. As previously set out within this Committee Report the ground floor extension proposed under applications P/3880/21 and P/0784/21 was considered to be acceptable on its own merits if assessed independent to the first floor rear extensions proposed under these previous applications. Within the inspector's assessment of APP/M5450/D/21/3288870, the inspector specifically raised character and design objection to the first floor and roof additions but has not explicitly referenced the ground floor rear extension. Whilst the ground floor rear element of the proposed extension would have an extensive, width, depth and overall footprint, it would only project approximately 1.358 metres further than the dwelling house's existing ground floor rear extension, it would not be excessive in height and would not appear as an alien addition to the site given the excessive size of the plot and taking into account the mixed pattern of scale of developments along Thornton Grove. It should be noted that the ground floor element of the extension would be comparable in scale and footprint to rearward extensions applied to No. 13 Thornton Grove.

6.2.5 As identified on Drawing No. 11TG/AA/015, the materials to be used in the external surfaces of the proposed extension would be consistent with the external finishes applied to the main dwelling house, this is considered to be appropriately sympathetic.

6.2.6 Roof Lights

6.2.7 The proposed roof lights to be applied to both the proposed extension and new dwelling house are considered to be acceptable on character and design grounds. They would not be excessive in their size, quantity and protrusion from their

respective roof slopes, and are thereby considered to be low scale and sympathetic additions to the dwelling house.

6.2.8 Fenestration Changes to Main Dwelling

6.2.9 The replacement windows to the front elevation of the dwelling house would achieve a degree of consistency with the existing first floor front elevation windows. Whilst the loss of the art deco style windows (presumably original) at ground floor level is regrettable, the introduction of conventional rectangular windows at ground floor level is not considered to result in undue harm on the character and appearance of host dwelling, street scene and area in a wider context. The new flank windows would be generally consistent in design with the dwelling house's new front openings and are thereby considered acceptable on character and design grounds.

6.2.10 Expansion of Driveway

6.2.11 The expansion of the driveway is not considered to result in undue harm on the character and appearance of the host dwelling, street scene and area. Whilst it is noted that a significant area of the front garden would be hardsurfaced following the development, given the size of the plot, a large area of soft landscaping would be retained to the centre of the garden. The amount of soft landscaping retained would be comparable to the amount of soft landscaping retained to many surrounding properties within the locality. The new vehicular crossover to the street would result in the loss of part of a grass verge adjacent to the footpath however this is limited in size and the Council's Vehicle Crossings Officer has not recommended for the provision of any mitigation planting or an appropriate contribution towards this by way of legal agreement, as such officers have not made any requests for this.

6.2.12 Landscaping Alterations

6.2.13 Officers raise no objections to proposed landscaping works to the rear of the dwelling house. The swimming pool to the rear makes very little contribution to the overall character value of the host dwelling, consequently officers raise no objection to its infilling

6.2.14 In summary, the overall design of the proposed development is considered to be acceptable. The development remains sympathetic to the main dwelling and does not detract from the overall character and appearance of the host building, street scene and surrounding area.

6.3 Residential Amenity

6.3.1 The relevant policies are:

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

Relevant Supplementary Documents

- Residential Design Guide (2010)

Impact on No. 9 Thornton Grove

- 6.3.2 As emphasised within the assessment of applications P/3880/21 and P/0784/21, the ground floor element of the proposed extension is not considered to result in undue harm on the residential amenity of occupants No.9 Thornton Grove, it would only project slightly beyond the rear of the existing ground floor rear projection bordering this neighbouring property, and would be fairly comparable in terms of its height. The ground floor rear element of the extension is consequently not considered to result in significantly worsened impact in terms of loss of light and outlook to No. 9 Thornton Grove. Within the inspector's assessment of APP/M5450/D/21/3288870, they make specific reference to the first floor extension and roof unduly impacting on outlook provided to occupants of No. 9 Thornton Grove, however it is not explicitly indicated that that the ground floor rear element would have a harmful impact. The ground floor rear facing windows associated with the extension would not be positioned in such a way that they would introduce harmful overlooking looking of this neighbouring property.
- 6.3.3 Likewise, the first floor rear element of the extension is not considered to unduly prejudice the residential amenity of occupants at No. 9 Thornton Grove. The first floor rear element would accord with the Council's 45 Degree Code in respect to this neighbouring property, including No. 9 Thornton Grove's converted side garage which sits directly adjacent to the application site. As a result, the extension is not considered to unduly impact upon light and outlook afforded to the rear facing habitable room windows of this neighbouring property. Given the fact that the first floor rear element of the extension would be well set away from the rear gardens of this neighbouring property and no longer projects excessively rearward of No. 9 Thornton Grove's rear building line, it is not considered to appear as unduly prominent and overbearing when viewed from the rear garden of this neighbouring property, and is not considered to result in harmful loss of light. No 9 Thornton Grove's rear garden is west facing and is located to the south of the application site, so any impacts of overshadowing would be limited to the early morning during the summer months and would not be too significant.
- 6.3.4 The dwelling house's new roof lights would not be positioned and orientated in such a way that they would introduce harmful overlooking of any neighbouring properties.
- 6.3.5 The proposed replacement windows and doors are sited to the front elevation of the building, and therefore would not result in harmful overlooking of any neighbouring properties. In the interest of achieving privacy between the application site and adjacent properties, a condition has been applied requiring new flank windows to be obscure glazed and non-openable where they are not set above 1.7 metres above internal floor level.
- 6.3.6 The expansion of the driveway is located towards the front of the site and is therefore not considered to unduly prejudice the residential amenity of any neighbouring occupants.
- 6.3.7 The infilling of the swimming pool to the rear of the site would not result in an increase to the height of land levels, and therefore they would not enable any harmful overlooking.

Impact on No. 13 Thornton Grove

- 6.3.8 The ground floor rear element would sit adjacent to No. 13 Thornton Grove's side/rear projection and would only project approximately 1.5 metres beyond the rear of this structure. Taking this into account alongside the fact that there would be a sizeable gap (approximately 2.9 metres) between the flank wall of the ground floor element and No. 13 Thornton Grove's side/rear projection, the ground floor element is not considered to unduly restrict light and outlook afforded to this neighbouring property.
- 6.3.9 The first floor rear element of the extension would accord with the 45 Degree Code in respect to No. 13 Thornton Grove. The first floor element of the extension would sit parallel to No. 13 Thornton Grove's adjacent side/rear projection, and would sit behind the rear facade of this adjacent structure. When taking the above into account alongside the sizeable separation gap (approximately 6.3 metres) between the flank wall of the first floor side element and No. 13 Thornton Grove's side/rear projection, the extension is not considered to appear as unduly overbearing and visually intrusive when viewed from the rear garden and rear facing habitable room windows of this neighbouring property, and is not considered to give rise to harmful impacts relating to loss of light.
- 6.3.10 The dwelling house's new roof lights would not be positioned and orientated in such a way that they would introduce harmful overlooking of any neighbouring properties.
- 6.3.11 The proposed replacement windows and doors are sited to the front elevation of the building, and therefore would not result in harmful overlooking of any neighbouring properties. In the interest of achieving privacy between the application site and adjacent properties, a condition has been applied requiring new flank windows to be obscure glazed and non-openable where they are not set above 1.7 metres above internal floor level.
- 6.3.12 The expansion of the driveway is located towards the front of the site and is therefore not considered to unduly prejudice the residential amenity of any neighbouring occupants.
- 6.3.13 The infilling of the swimming pool to the rear of the site would not result in an increase to the height of land levels, and therefore they would not enable any harmful overlooking.

Impacts on properties to the rear

- 6.3.14 The applicant property is sufficiently set back from the properties to the rear and would not unduly affect neighbour amenity.
- 6.3.15 In summary, the proposed development is considered to have an acceptable residential amenity impact in respect to all neighbouring occupants.

6.4 Parking and Highway Impact

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)

- The London Plan (2020): T4, T6.1
- Harrow Development Management Policies (2013): DM42

6.4.2 The expansion of the driveway to the front of the site could facilitate the parking of additional cars and would enable easier vehicular access and egress to and from the site. The development would not result in the loss of any existing parking spaces, and therefore would not result in an increase in existing on-street parking strain. Officers raise no objection to the development on parking and highways grounds. The Council's Vehicle Crossings Officer has reviewed the proposed development and has noted that the new vehicular crossover cannot be supported if the grass verge that it is sited upon is greater than 1 metre in depth. Measuring off the applicant's site plan drawing, officers have observed that this is not the case.

6.5 Drainage

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM10

6.5.2 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. As the site is located within a Critical Drainage Area, 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.

6.6 Fire Safety

6.6.1 The relevant policies are:

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

6.6.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. The applicant has provided a Fire Strategy Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. Officers raise no objection to the new vehicular crossover on highways safety grounds. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Fire Strategy Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D11, D12, SI 12, SI 13, T4, T6.1 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM10, DM23 and DM42 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

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: Fire Strategy Statement, Planning Statement, 11/TG/AA/001, 11/TG/AA/002, 11/TG/AA/003, 11/TG/AA/004, 11/TG/AA/005, 11/TG/AA/006, 11/TG/AA/007, 11/TG/AA/008, 11/TG/AA/009, 11/TG/AA/010, 11/TG/AA/011, 11/TG/AA/012, 11/TG/AA/013, 11/TG/AA/014, 11/TG/AA/015, 11/TG/AA/016.

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

3. Materials

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

REASON: To safeguard the character and appearance of the area 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 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), 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. Obscure Glazing

The window(s) in the flank elevation(s) of the proposed development shall:

- (a) be of purpose-made obscure glass,
- (b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

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

6. No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from 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).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

London Plan 2021: D3, D11, D12, SI 12, SI 13, T4, T6.1

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

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM10, DM23, DM42

Supplementary Planning Documents: Residential Design Guide SPD (2010).

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 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 with 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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

6. Surface and Foul Water Connections

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

7. 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. New Vehicular Crossing

The applicant is advised that separate approval will be required from the Council's Vehicle Crossings Teams for the new vehicular crossover to the front of the site even if planning permission is obtained.

CHECKED

Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 2: LOCATION PLAN



SITE LOCATION PLAN
SCALE 1:1250

APPENDIX 3: SITE PHOTOGRAPHS

Aerial View



Front Elevation



Front Forecourt



Street Elevation 1



Street Elevation 2



Rear Elevation 1



Rear Elevation 2



Rear Elevation 3



Rear Elevation/View of No. 13 Thornton Grove



View of Rear Garden



View of No. 9 Thornton Grove's Converted Garage



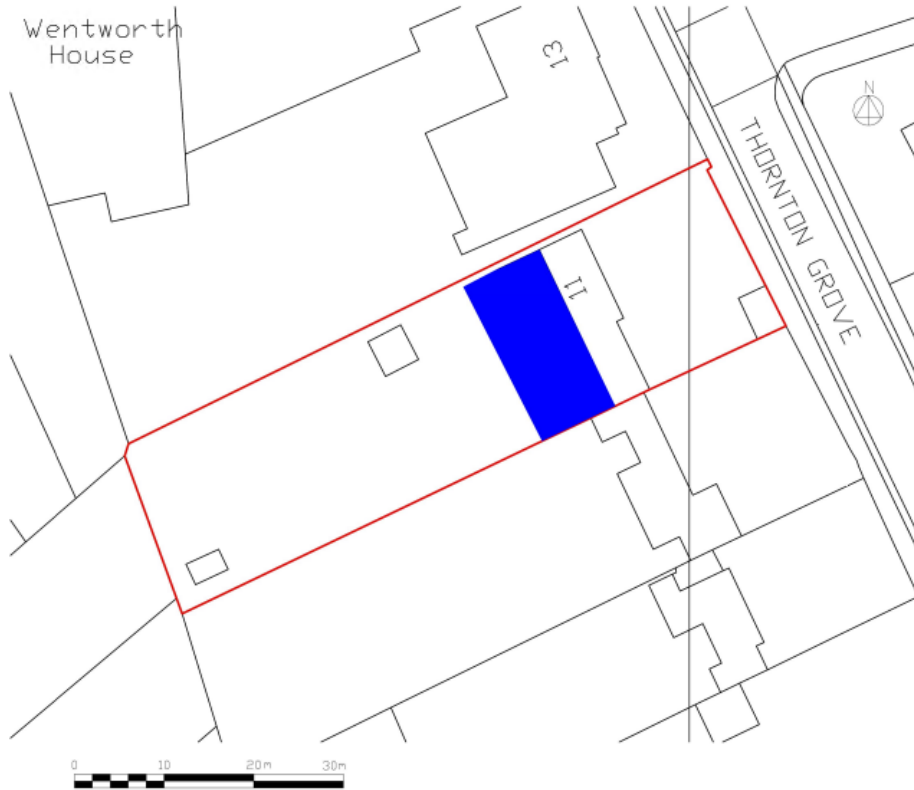
View of No. 9 Thornton Grove's Rear Garden 1



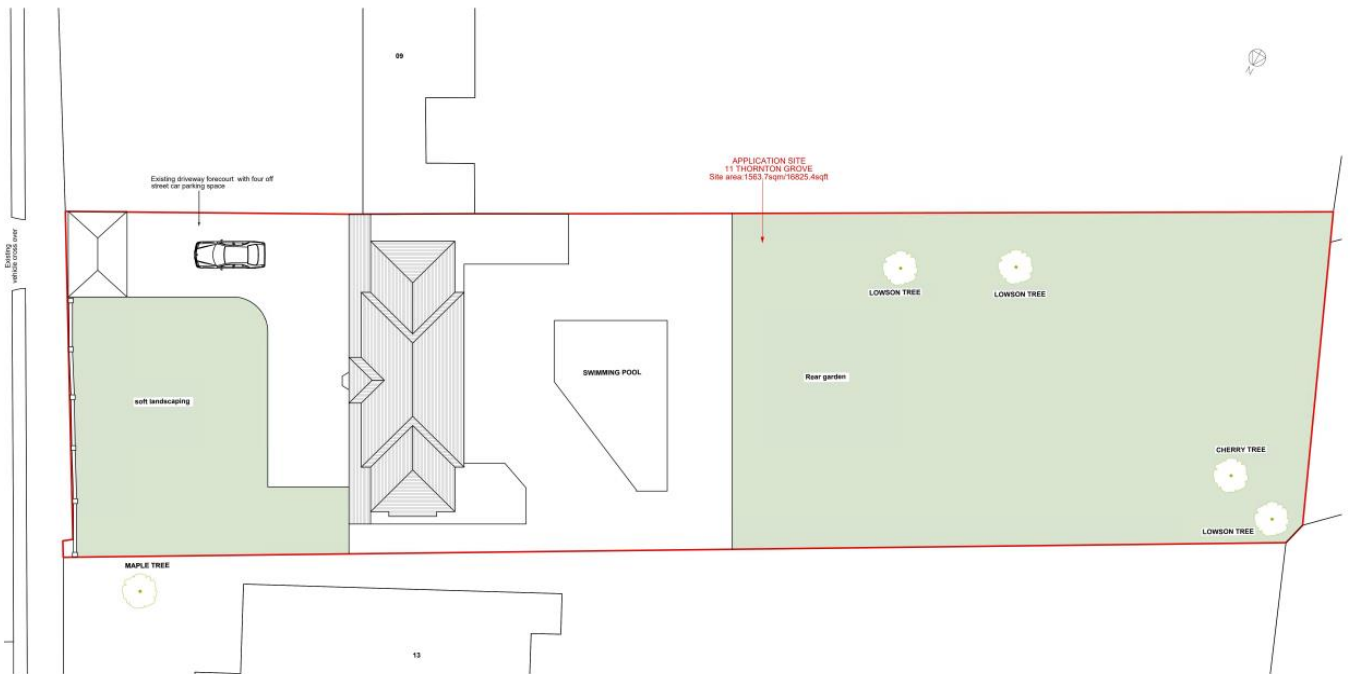
View of No. 9 Thornton Grove's Rear Garden 2



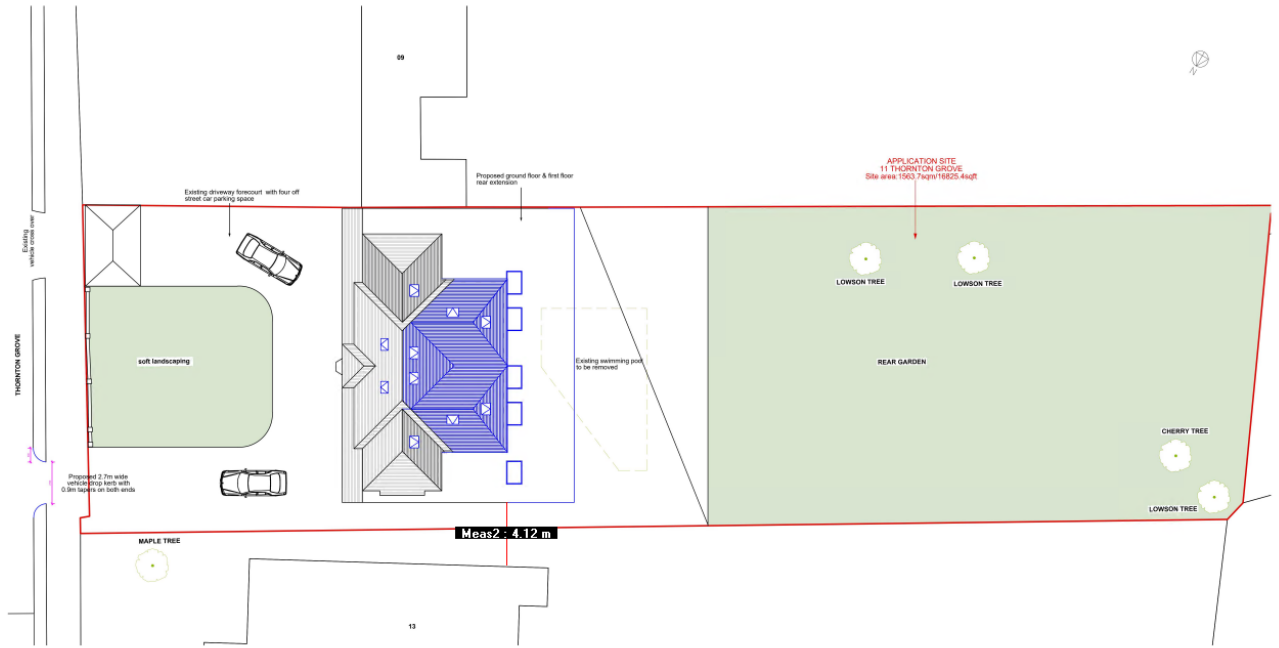
APPENDIX 4: PLANS AND ELEVATIONS



BLOCK PLAN
SCALE 1:500 □ EXISTING ■ PROPOSED

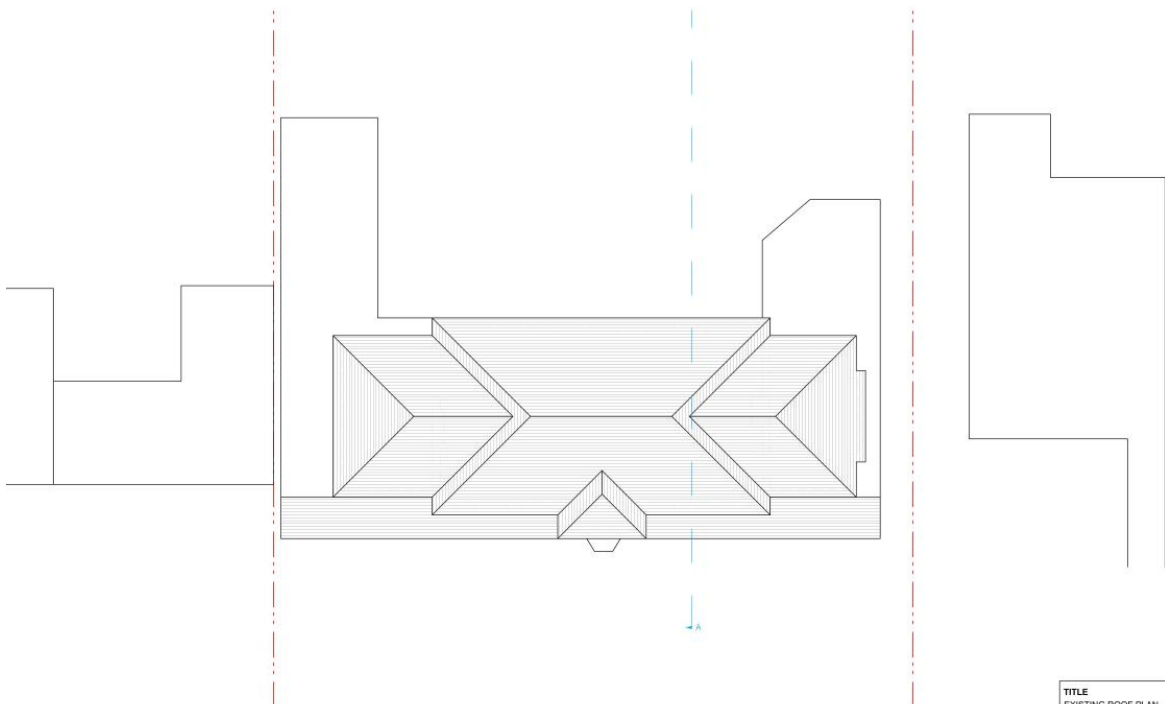


EXISTING SITE PLAN



0 1m 2m 4m 6m 8m
PROPOSED SITE PLAN

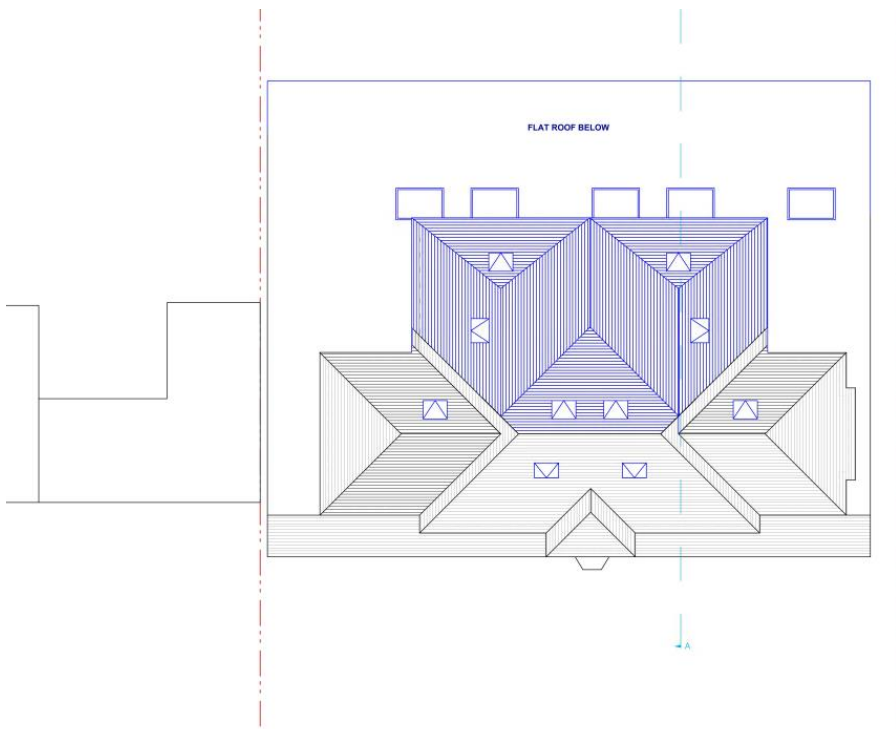
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PROJECT PROPOSED GROUND & FIRST FLOOR EXTENSION		
SITE 11 THORNTON GROVE, HATCH END HA5 4HG		
DATE: MAY - 2022	DRG NO: 11TGAA003	REV:
SCALE: 1:200@A3	DRAWN BY: SM	CHECKED BY: JA
NOTE: All Measurements to be checked on site before any building work commences. Discrepancy amendments should be made. Location of structural components to be confirmed by Structural Engineer. All works carried out according to Building Regulations. For Planning Purposes only.		



EXISTING ROOF PLAN

TITLE EXISTING ROOF PLAN		
PROJECT PROPOSED GROUND & FIRST FLOOR EXTENSION		
SITE 11 THORNTON GROVE, HATCH END HA5 4HG		
DATE: MAY - 2022	DRG NO: 11TGAA007	REV:
SCALE: 1:100@A3	DRAWN BY: SM	CHECKED BY: JA
NOTE: All Measurements to be checked on site before any building work commences. Discrepancy amendments should be made. Location of structural components to be confirmed by Structural Engineer. All works carried out according to Building Regulations. For Planning Purposes only.		

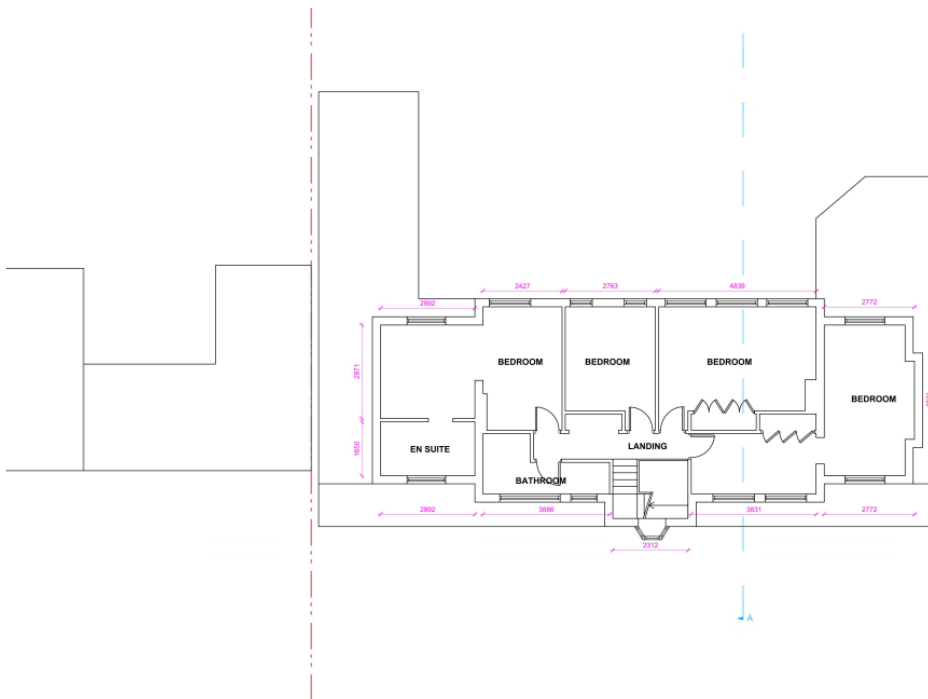
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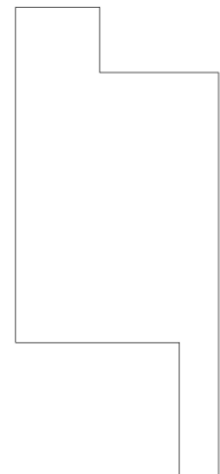
PROPOSED ROOF PLAN



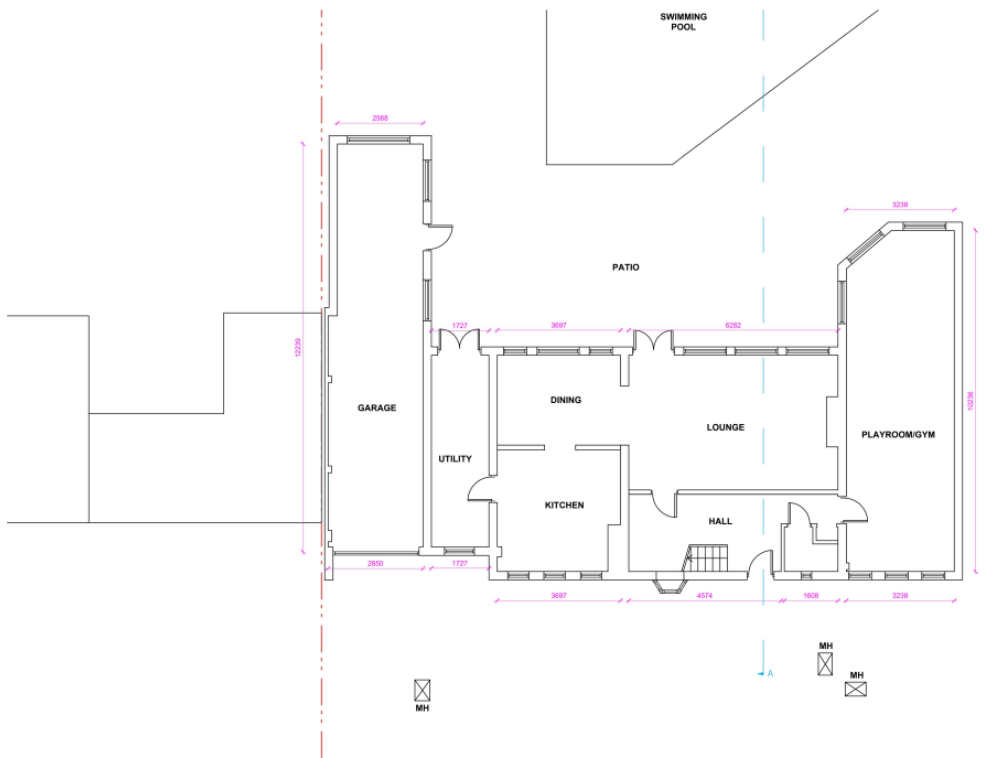
TITLE PROPOSED ROOF PLAN		
PROJECT PROPOSED GROUND & FIRST FLOOR EXTENSION		
SITE 11 THORNTON GROVE, HATCH END HA5 4HG		
DATE: MAY - 2022	DRG NO: 11TGAA014	REV:
SCALE: 1:100@A3	DRAWN BY: SM	CHECKED BY: IA
<small>NOTE: All Measurements to be checked on site before any building work commences. Discrepancy amendments should be made. Location of structural components to be confirmed by Structural Engineer. All works carried out according to Building Regulations. For Planning Purposes only.</small>		



EXISTING FIRST FLOOR PLAN



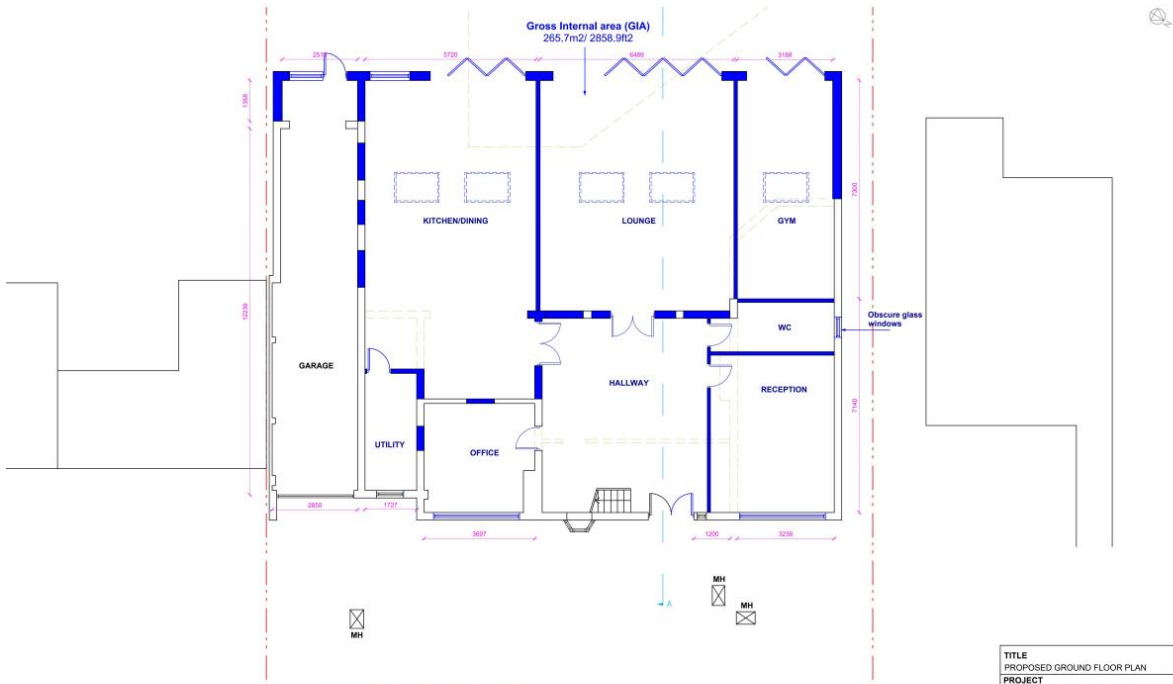
TITLE EXISTING FIRST FLOOR PLAN		
PROJECT PROPOSED GROUND & FIRST FLOOR EXTENSION		
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DATE: MAY - 2022	DRG NO: 11TGAA005	REV:
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<small>NOTE: All Measurements to be checked on site before any building work commences. Discrepancy amendments should be made. Location of structural components to be confirmed by Structural Engineer. All works carried out according to Building Regulations. For Planning Purposes only.</small>		



EXISTING GROUND FLOOR PLAN



TITLE		
EXISTING GROUND FLOOR PLAN		
PROJECT		
PROPOSED GROUND & FIRST FLOOR EXTENSION		
SITE		
11 THORNTON GROVE, HATCH END HA5 4HG		
DATE:	DRG NO:	REV:
MAY - 2022	11TGAA004	
SCALE:	DRAWN BY:	CHECKED BY:
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NOTE:		
All Measurements to be checked on site before any building work commences. Discrepancy amendments should be made. Location of structural components to be confirmed by Structural Engineer. All works carried out according to Building Regulations. For Planning Purposes only.		



PROPOSED GROUND FLOOR PLAN

TITLE PROPOSED GROUND FLOOR PLAN		
PROJECT PROPOSED GROUND & FIRST FLOOR EXTENSION		
SITE 11 THORNTON GROVE, HATCH END HA5 4HG		
DATE: MAY - 2022	GRID NO: 111TGAAD011	REV:
SCALE: 1:100@A3	DRAWN BY: SM	CHECKED BY: IA
NOTE: All measurements to be checked on site before any building work commences. Discrepancy amendments should be made. Location of relevant components to be confirmed by Structural Engineer. As works carried out according to Building Regulations. For Planning Purposes only.		



EXISTING FRONT ELEVATION



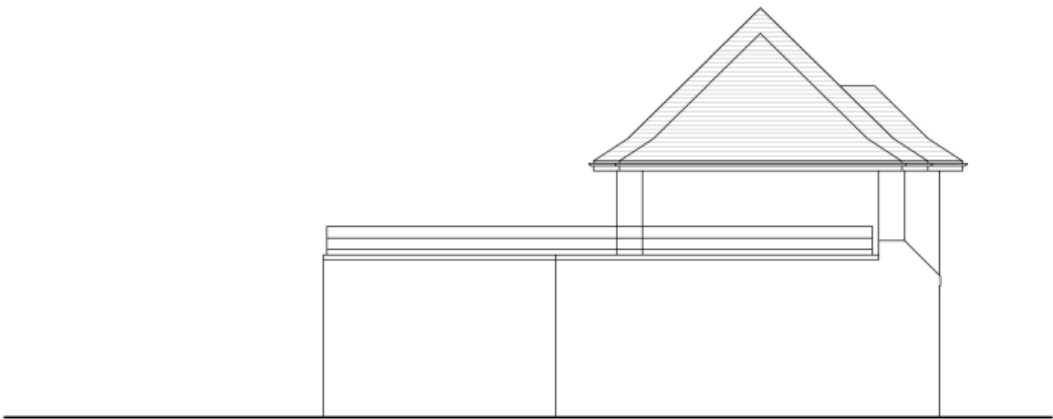
EXISTING REAR ELEVATION



PROPOSED FRONT ELEVATION



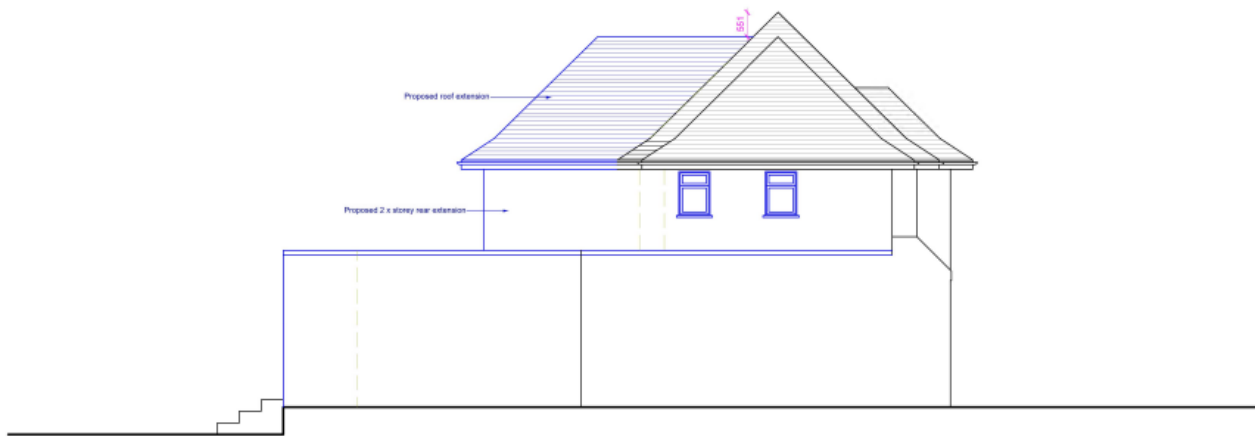
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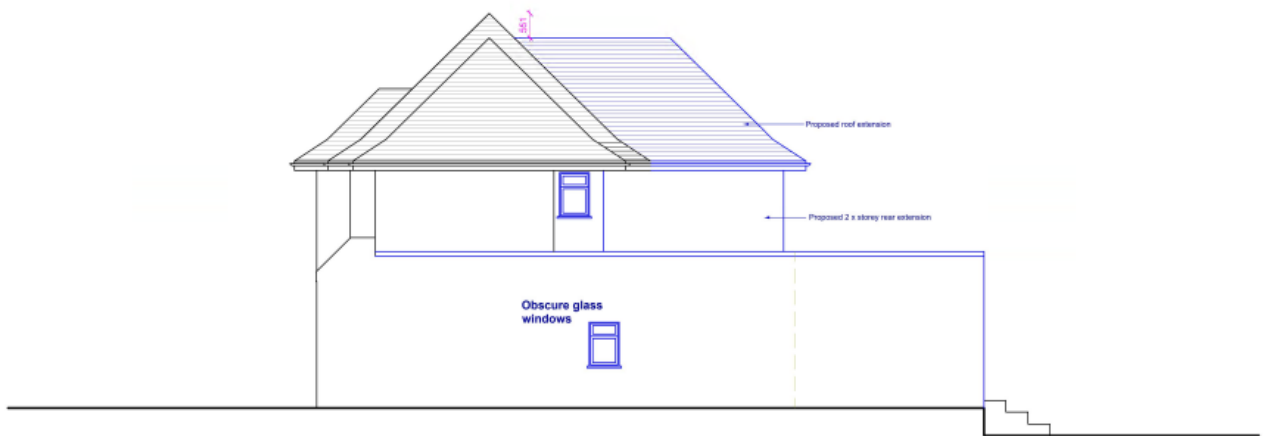
EXISTING SIDE ELEVATION



EXISTING SIDE ELEVATION



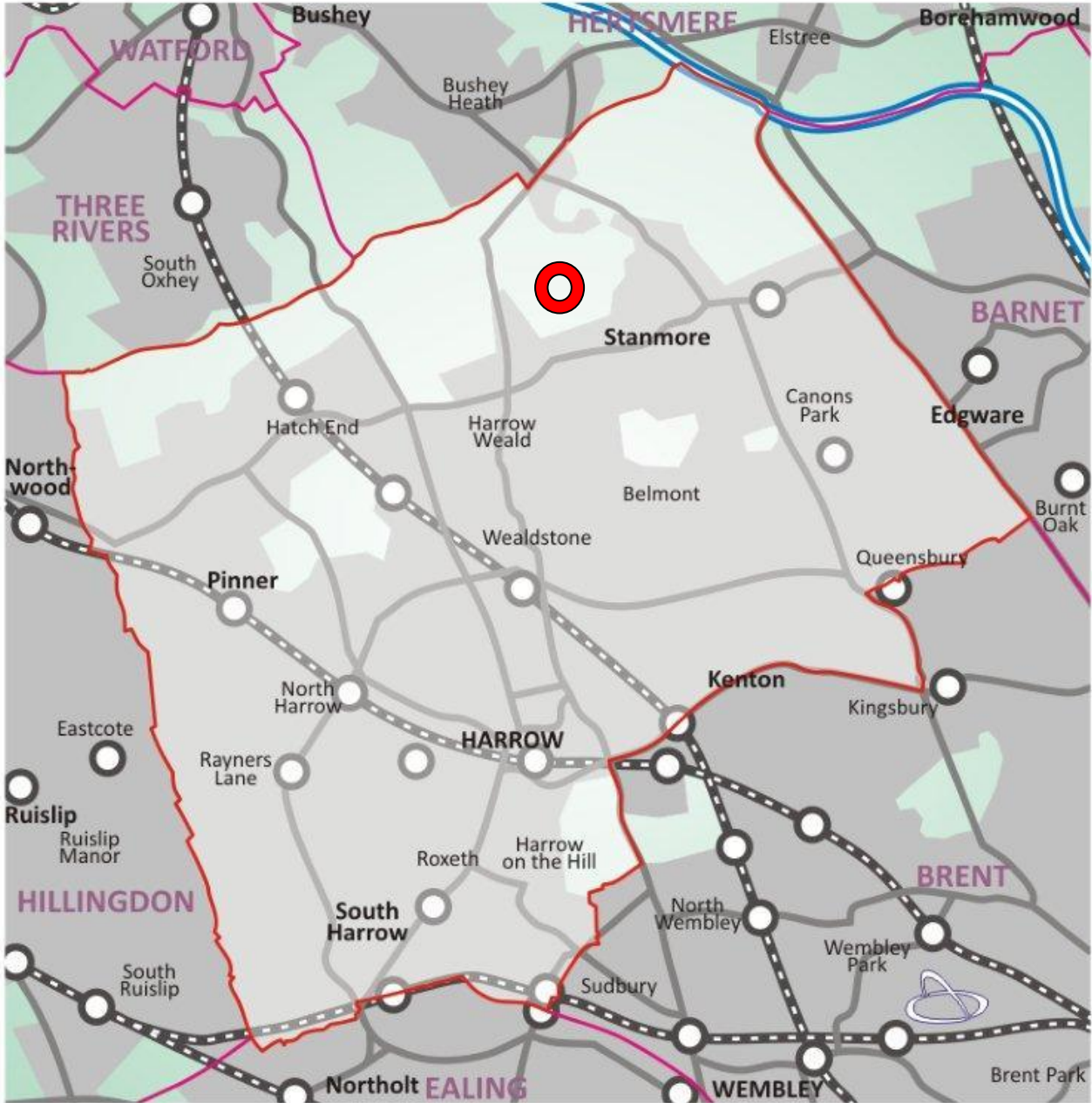
PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

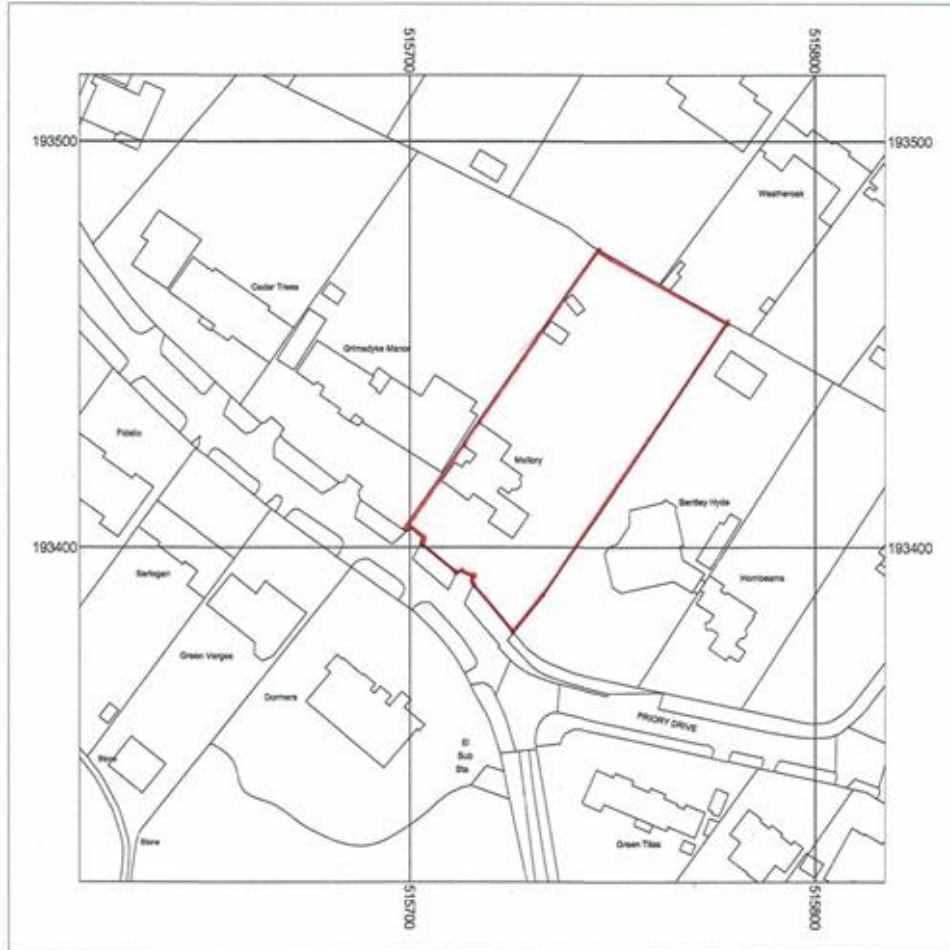
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 = application site



Mallory, Priory Drive, Stanmore

P/1392/22



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

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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

20th July 2022

APPLICATION NUMBER: P/1392/22
VALIDATE DATE: 25TH APRIL 2022
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
6TH JUNE 2022

PROPOSAL

Variation of condition 2 (approved plans) attached to planning permission P/1404/18 dated 03/08/2018 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 design, roof profile and reduced 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. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a)-1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	(E) 18 Minor
Council Interest:	n/a
Net Additional Floorspace:	55m ²
GLA Community Infrastructure Levy (CIL):	£3,300
Local CIL requirement:	£8.967

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 currently being implemented on site. The external structure of the replacement dwellinghouse has almost 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 and P/2185/21. 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 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 This 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 set back from front and rear walls of the house incorporating a hipped roof and pitch roofed front feature.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
P/5568/15	Redevelopment to provide a two storey replacement dwelling with habitable 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: 2/06/2019 Appeal: Dismissed 18/09/2020
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 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	Refused: 07/05/2021 Appeal Dismissed: 11/04/2022
P/2185/21	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	Refused: 17/11/2021
P/5003/21	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	Refused: 16/03/2022

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 16th May 2022

4.2 No comments were received following the public consultation.

4.3 **Statutory and Non Statutory Consultation**

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

Consultee and Summary of Comments
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 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.
- 5.3 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 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 subsequently 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 The most recent appeal under ref: APP/M5450/W/21/3279524 was dismissed by the Inspector on 11/04/2022 which related to planning application ref: P/0848/21 which sought planning permission for the variation of condition 2 (approved plans) attached to planning permission P/5568/15 dated 26/01/2016 to allow amendments to the layout including revised footprint of basement and ground floor, revised internal layout, revised fenestration and rooflight details and removal of balcony over front porch, without complying with a condition attached to planning permission Ref P/1404/18, dated 03/08/2018.
- 6.5 In assessing whether or not 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

- 6.6 In assessing whether or not the proposal was inappropriate development in the green belt, the Planning Inspector noted the following:
- 6.7 Paragraphs 137 - 149 of the NPPF (2021) 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).

- 6.8 As such, a replacement dwellinghouse is acceptable in the Green Belt provided it is not materially larger than the dwellinghouse it replaces.
- 6.9 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.
- 6.10 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. The development is currently being implemented in accordance with this condition.
- 6.11 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.
- 6.12 The variation of condition application P/1404/18 increased the floor area by a further 30m² 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

- 6.13 A previous application under planning ref: P/1977/19 was dismissed on appeal for the proposed increase in the floor area of approximately 35m² 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 by the Planning Inspector on this basis.
- 6.14 In the most recent dismissed appeal decision for the planning application ref: P/0848/21, the Inspector also considered that the development is materially larger than the building it replaced and therefore the Inspector was not convinced that the development falls within the exception d) of paragraph 149 of the NPPF.
- 6.15 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 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 166m²) which was a further material consideration in the Green Belt Assessment.

- 6.16 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 resulted in a poor design which detracted from the character and appearance of the host building and the locality. This was subsequently dismissed by the Planning Inspector on 11/04/2022.
- 6.17 In October 2021, the Council refused planning permission for retrospective development 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 and dismissed at appeal on 11th April 2022



Figure 3 - P/2185/21 retrospective scheme

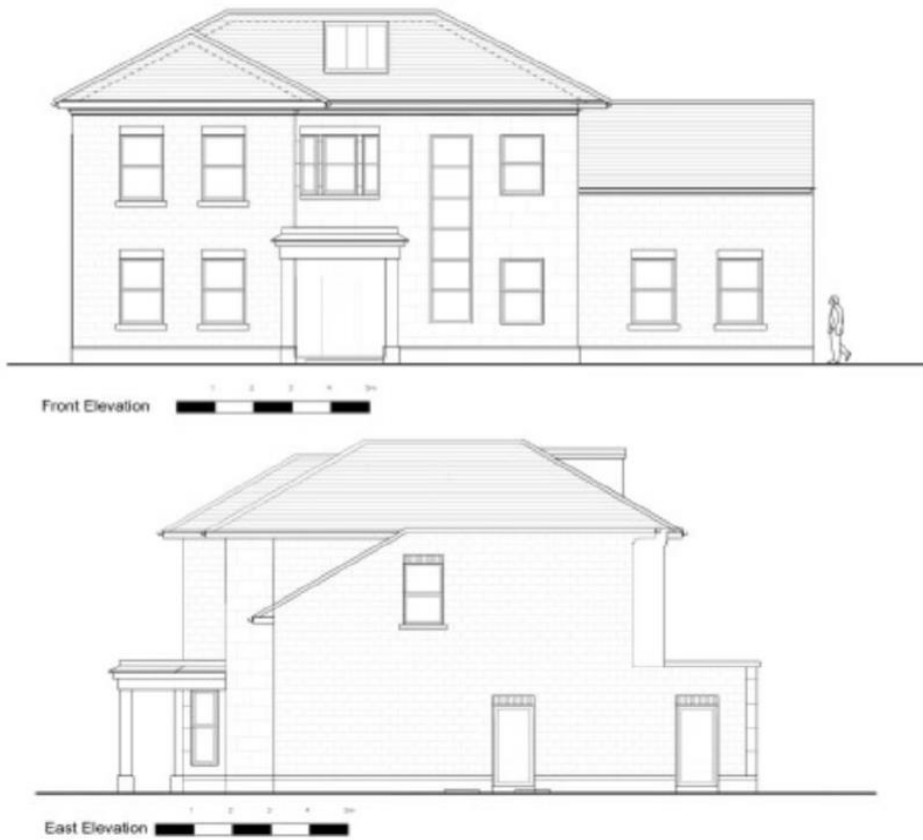


Figure 4-P/5003/21- refused plg permission 16th of March 2022 Planning Committee



Figure 5 - Current proposal

- 6.18 The previous proposal under planning reference: P/5003/21 sought to remove the hipped roof and provide a monopitch roofed feature to the front of the side extension and a flat roofed behind this feature. This was refused at Planning Committee in March 2022 due to the increase in scale, mass, bulk and volume of the replacement dwellinghouse constituting inappropriate development in the Green Belt and that no ‘very special circumstances’ exist to justify inappropriate development and the first floor side extension by reason of its monopitch and flat roofed design results in an awkward, incongruous and disjointed roof form of poor design which detracts from the character and appearance of the host building and the locality.
- 6.19 The proposal now seeks to provide a first floor extension with a hipped roof and pitched roof feature to the front of the extension along with set back of 3.2m from the front wall of those and 0.76m set back from the rear wall of the house.
- 6.20 Dealing with the replacement development, the relevant test is whether the replacement dwelling is materially larger than the one it replacement. 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 Camden 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.

6.21 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.

6.22 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%

6.23 It is evident from the above table that the first-floor side extension and single storey rear extensions that have been constructed on site result in the replacement dwellinghouse having almost double the floor area than the pre-existing dwellinghouse which it has replaced.

6.24 The applicant stipulates in their supporting statement that the percentage of the extension should be considered in relation to the original house which was raised at planning committee in November 2021. However, it is necessary to consider the extensions in conjunction with the new dwellinghouse in terms of its footprint and percentage increase and only viewing the percentage increase of extensions in isolation of the existing dwelling is not a reasonable manner in assessing the footprint increase in comparison to the pre-existing dwelling.

6.25 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 166m2.

6.26 Consequently, the replacement dwelling with a hipped roofed side extension 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

- 6.27 The National Planning Policy Framework (2021) 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.
- 6.28 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.
- 6.29 Whilst the roof ridgeline of the first floor side extension is set lower than the main roof of the house and would be set back from the front wall of the house by 3.2m, it is considered that the proposal would continue to provide a first floor side extension which adds bulk to the overall development.
- 6.30 Consequently, the amendment to the approved plans, by virtue of the provision of a first-floor side extension in comparison to the previous scheme for a monopitch roofed side extension continues to result in an overly bulky, unduly obtrusive and dominant physical presence that is harmful to the visual amenities and the openness of the Green Belt.
- 6.31 The Framework 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 (2019), 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

- 6.32 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.
- 6.33 However, as detailed in the previous 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 current submission provides a brief outline on each of these cases in relation to their percentage increase and its justification for the approvals made. This has been reviewed by Officers and 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. Whilst the roof form has been proposed to be altered the footprint remains the same.
- 6.34 Furthermore, the Planning Inspector as part of the dismissed appeal in September 2020 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.
- 6.35 This has been reiterated in the recent appeal decision in April 2022 by the Inspector stipulating that 'very special circumstances' set out in the Bentley Hyde permission do not apply in this appeal and the appeal had been determined on its own merits. In addition, the personal circumstances raised by the applicant which states that the dwelling and outbuildings provide both permanent accommodation and sporting facilities for the appellant's parents and children, were also shown in the previous applications for the dwelling and outbuilding. The Planning Inspector, in dismissing the appeal, stated "however, the previous planning permissions for the dwelling outbuilding also appear to show significant facilities provided for the family in terms of both living accommodation and sporting facilities. I therefore give very limited weight to the family circumstances advanced by the appellant" On this basis, the officers give very limited weight to the family circumstances, which had been provided for in the previous granted developments on site.
- 6.36 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

- 6.37 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

- 6.38 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'.
- 6.39 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.'
- 6.40 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'
- 6.41 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.
- 6.42 As noted in the subsections above, the exterior construction of the dwellinghouse near complete 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, whilst the proposed set back from the main front wall with a hipped roof and pitch roofed feature would slightly reduce the bulk, it is considered that the extension would continue to appear as a first floor side extension with an awkward and squat roof form with an additional pitch roofed feature. The proposed roof design to the first floor side extension would result in an awkward and poor design in relation to the dwellinghouse, and would continue to maintain a significant part of the bulk in the form of the first floor side extension. It is considered that the proposal would not sympathetically integrate or relate appropriately with the host dwellinghouse.

- 6.43 The previous scheme under planning ref: P/0848/21 which had a similar roof form was refused and dismissed at appeal. The Planning Inspector stated in the Appeal decision dated 11th April 2022, that the proposal resulted in a relatively short and squat roof form which distorts the overall proportions and appearance of the building. It was considered that the development resulted in a roof form that no longer successfully integrates with the host dwelling nor its surroundings. This still applies in this current proposal.
- 6.44 In addition, the large set back of the first floor side extension with a hipped roof and pitch roofed feature is uncharacteristic of the locality and further emphasises the incongruity of the overall roof design of the first-floor side extension, giving the impression of an awkward and contrived 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.
- 6.45 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 and the area.

Impact on residential amenity of neighbouring occupiers

- 6.46 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 first floor side extension, by reason of its scale, ridge height, overall design, and incongruous and dominant roof forms/design, 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. Furthermore, it is harmful to the character and appearance of the host property and the area.
- 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 B and F, 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 £3,300

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

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

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

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

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

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

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

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

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

4 Harrow 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/cil_questions.pdf

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

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

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

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

PLAN NUMBERS

Covering letter dated April 2022, Planning Statement April 2022, Site location plan, SH05.102, SH05.100 Rev A, SH05.101 Rev A, SH05.103, SH05.104, SH05.105 Rev A, SH05.106 Rev A, SH05.102 Rev C, SH.05.100 Rev A, SH.05.102 Rev C, SH.05.105 Rev C, Sh.05.101 Rev A, SH.05.106 Rev C, SH.05.104 Rev C, SH.05.103 Rev C

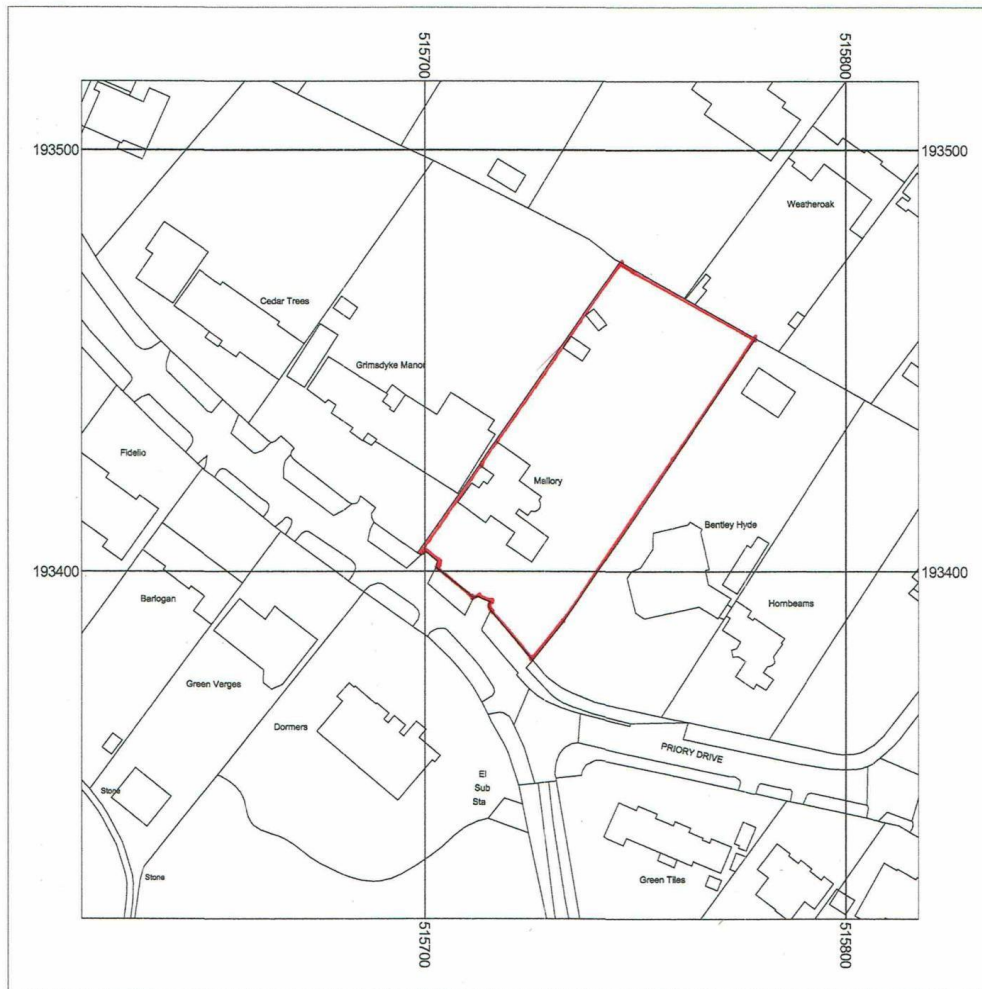
CHECKED

Interim Head of Development Management	06/07/2022
Corporate Director	07/07/2022

APPENDIX 2: SITE PLAN



OS Plan B&W



Supplied by: National Map Centre
License number: 100031961
Produced: 01/09/2018
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



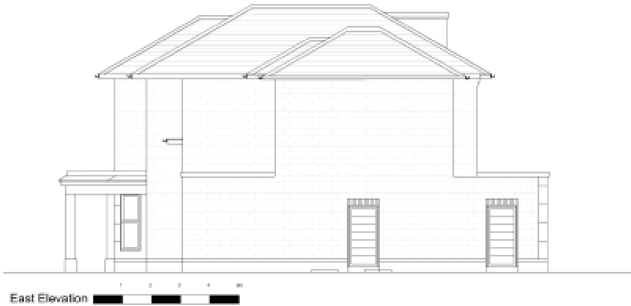


APPENDIX 4: PLANS AND ELEVATIONS

The contractor is responsible for checking dimensions, tolerances and references. Any discrepancies to be notified with the architect before proceeding with the work. All work is to be carried out in accordance with the relevant Building Regulations and all other applicable legislation. It is the contractor's responsibility to ensure that all work is carried out in accordance with the relevant Building Regulations and all other applicable legislation. It is the contractor's responsibility to ensure that all work is carried out in accordance with the relevant Building Regulations and all other applicable legislation. It is the contractor's responsibility to ensure that all work is carried out in accordance with the relevant Building Regulations and all other applicable legislation.



Front Elevation



East Elevation

Plan C 2018/020 Description: External elevations, typical and section
 Plan C 2018/020 Description: External elevations, typical and section
Mallory, Priory Drive
 External Elevations

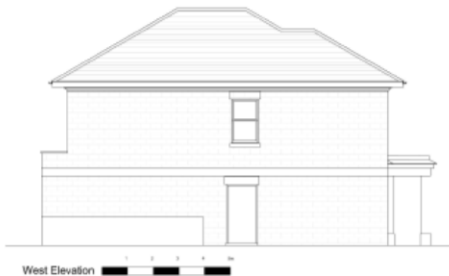
SH 05.106
 PLANNING
 Brown N/A Checked EG Date: March 2022 Scale: 1:100 @ A4

Front and side elevation

The contractor is responsible for checking dimensions, tolerances and references. Any discrepancies to be notified with the architect before proceeding with the work. All work is to be carried out in accordance with the relevant Building Regulations and all other applicable legislation. It is the contractor's responsibility to ensure that all work is carried out in accordance with the relevant Building Regulations and all other applicable legislation. It is the contractor's responsibility to ensure that all work is carried out in accordance with the relevant Building Regulations and all other applicable legislation.



Rear Elevation

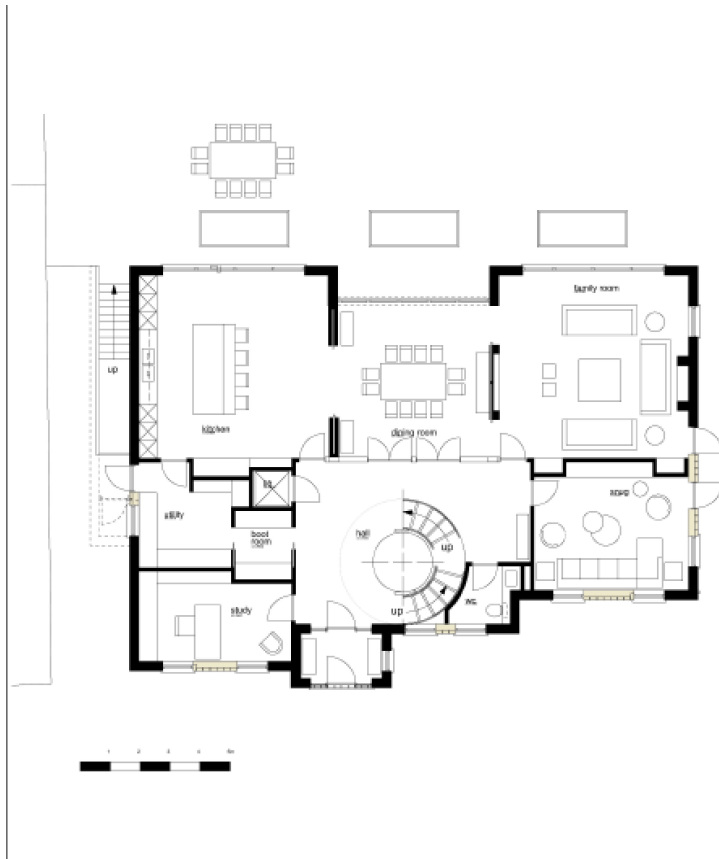


West Elevation

Plan C 2018/020 Description: External elevations, typical and section
 Plan C 2018/020 Description: External elevations, typical and section
Mallory, Priory Drive
 External Elevations

SH 05.106
 PLANNING
 Brown N/A Checked EG Date: March 2022 Scale: 1:100 @ A4

Rear and Side Elevations



The contractor is responsible for verifying dimensions, interests and references. Any discrepancy is to be rectified with the architect before proceeding with the works. Where an item is omitted to drawings or different scales the origin is the drawing at the relevant scale. Figure dimensions to be worked to in all cases. ICM REGULATIONS 2015. All contract drawings and specifications for the project must be kept in accordance with the Designer's Report and Construction Assessment Report. All intellectual property rights reserved.

Rev. A
 Mallory, Priory Drive
 Ground Floor
 SH.05.101
 PLANNING
 Issue No. Checked By Date: March 20 Scale: 1:100 @ A1

Ground Floor Plan



The contractor is responsible for verifying dimensions, interests and references. Any discrepancy is to be rectified with the architect before proceeding with the works. Where an item is omitted to drawings or different scales the origin is the drawing at the relevant scale. Figure dimensions to be worked to in all cases. ICM REGULATIONS 2015. All contract drawings and specifications for the project must be kept in accordance with the Designer's Report and Construction Assessment Report. All intellectual property rights reserved.

Rev. C 2019/02: Doubleton Colbeck area, Nappd roof added
 Rev. B 2017/07: Doubleton Colbeck area
 Mallory, Priory Drive
 First Floor
 SH.05.102
 PLANNING
 Issue No. Checked By Date: March 20 Scale: 1:100 @ A1

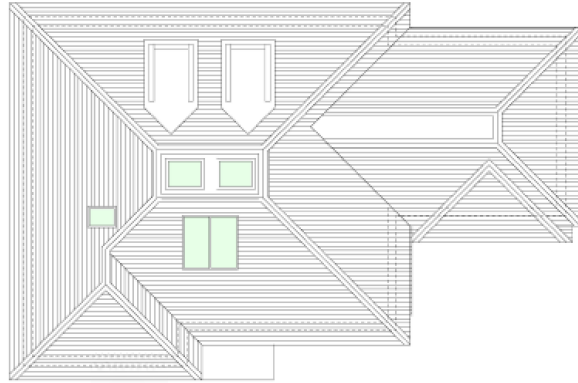
First Floor plan

The contractor is responsible for checking dimensions, tolerances and references. Any dimensions to be verified with the contractor before proceeding with the works. Where an error is corrected by drawings to different scales the larger scale drawing is to prevail.

Structural works drawing. Figure dimensions to be marked in all cases.

CONTRACT REFERENCE: 2019. All contract drawings and specifications for the proposed project in accordance with the Designer's Report and Construction Administration Report.

All intellectual property rights reserved.



Rev 0 20190311 Description: Civil work area. Approx not added. Rev 1 20210111 Description: Landed roof.

Mallory, Priory Drive
Roof Plan

SH.05.104
PLANNING

Drawn: N/A Checked: E.S. Date: March 2022 Scale: 1:500 @ A3

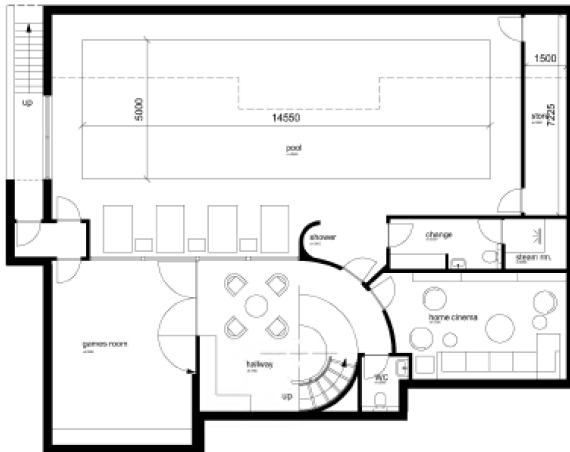
Roof plan

The contractor is responsible for checking dimensions, tolerances and references. Any dimensions to be verified with the contractor before proceeding with the works. Where an error is corrected by drawings to different scales the larger scale drawing is to prevail.

Structural works drawing. Figure dimensions to be marked in all cases.

CONTRACT REFERENCE: 2019. All contract drawings and specifications for the proposed project in accordance with the Designer's Report and Construction Administration Report.

All intellectual property rights reserved.



Rev 0

Mallory, Priory Drive
Basement Plan

SH.05.100
PLANNING

Drawn: N/A Checked: E.S. Date: March 2022 Scale: 1:500 @ A3

Basement level

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Report for: Planning Committee

Date of Meeting:	20 th July 2022
Subject:	Proposed Amendments to the Conservation Area Advisory Committee (CAAC) Constitution.
Responsible Officer:	David Hughes, Planning Policy Manager Lucy Hail, Principal Conservation Officer
Exempt:	No
Wards affected:	All wards
Enclosures:	Appendix 1 – CAAC constitution with recommended amendments Appendix 2 – Harrow Hill Trust’s request to omit Harrow School from CAAC membership Appendix 3 – Original Harrow Hill Trust request Appendix 4 – Harrow School’s response

Section 1 – Summary and Recommendations

This report sets out the recommended response to the Harrow Hill Trust's proposal to omit Harrow School from the Conservation Area Advisory Committee (CAAC), and suggested amendments to the CAAC's Constitution aimed at boosting active membership of the Committee.

Recommendations:

The Planning Committee is requested to consider the following recommendations with regard to the CAAC's Constitution:

- 1) Agree to retaining Harrow School on the list of organisations that can nominate members.
- 2) Change the criteria for membership so that:
 - A) should any of the listed organisations fail to nominate a member of that organisation to be part of the Committee, the Committee can co-opt a member of that organisation to be part of the Committee.
 - B) omit the Stanmore and Harrow Historical Society from the list of organisations that can nominate members (the organisation closed in June 2022 and so no longer exists), add the London Historic Parks and Gardens Trust (known as London Gardens Trust), add the Gardens Trust, add the Open Spaces Society, and change 'Any other organisation – 1000+ members' in the list to 'any other organisation that CAAC deem relevant following any national guidance'.
- 3) Add that the CAAC can provide feedback on Listed Building Consent applications (where works are external and affect a conservation area) and Advertisement Consent applications, not just Planning Applications.
- 4) Change the month for the CAAC AGM to October (usually), but also allow CAAC to change to one month either side as they agree by majority thereafter if required to suit circumstances.
- 5) Omit reference to the 'Department of Environment's Circular 8/97' and replace with reference to 'any relevant current Government guidance'.

The above recommended amendments are shown in Appendix 1.

Section 2 – Report

Background

- 2.1 The Council has a statutory duty under section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Act”) to ‘determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance and shall designate those areas as conservation areas’. There is a further legal duty for the Council to keep any designation under review. Section 72 (1) of the Act deals with the Council’s general duty as respects conservation areas in exercising its planning function that: ‘with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area’.
- 2.2 Conservation Area Advisory Committees (CAACs) are designed to assist the Local Planning Authority with the stated general duty under section 72 of the Act by providing consultation responses on planning applications within conservation areas from those with an interest in local heritage. It should be noted that there is no statutory duty on the Local Planning Authority to operate or facilitate CAACs, nor national adopted government guidance on how these should be organised, operated or on the composition of their membership. CAACs are independent of the Council.
- 2.3 However, Historic England are the Government’s advisors on heritage and statutory consultees. Their website as of 30th June 2022 at this link <https://historicengland.org.uk/advice/hpg/has/conservation-areas/> states that: ‘Local planning authorities may set up conservation area advisory committees which should consist mostly of non-local authority people who represent the interests of residents and businesses and who are able to bring expertise or understanding of the area’s history and amenity.’
- 2.4 Harrow have had a CAAC since at least 7th March 1991 when its Constitution was first agreed by the Development and Planning Committee. This was subsequently updated and agreed again on 7th July 1997 (adding the Hatch End Association to the list of possible organisations represented on CAAC) at the Development and Planning Committee with slight amendment, and most recently in June 2006 with a new slight amendment (allowing new members of CAAC to be co-opted at any meeting throughout the year, not just at the AGM) at the same Committee.
- 2.5 The Committee is a group made up of members of local and national groups that hold regular meetings for the following purposes as defined in the present Constitution (which is attached as appendix 1):
 - i) To advise the Council on applications which would affect the character or appearance of the conservation areas.
 - ii) To assist in the formulation of policies for conservation within the borough by commenting upon draft policy statements.

- iii) To make positive proposals for the enhancement and general care and maintenance of conservation areas.

2.6 Under the present constitution, the committee consists of one nominee from each of the following possible local and national groups, societies or organisations:

National appointments: RIBA
RTPI
Landscape Institute

Historical societies: Georgian Group
Victorian Society
Ancient Monuments Group
20th Century Society
SPAB

Local: Harrow Hill Trust
The Pinner Association
Stanmore Society
Harrow School
Pinner Local History Society
Stanmore and Harrow Historical Society
Hatch End Association
Any other organisation – 1000+ members

2.7 The constitution includes the following declarations: the AGM will be held annually in September each year, notes ‘all is to be in accordance with the Department of Environment’s Circular 8/97’ and that the committee shall comment on planning applications but does not specify Advertisement Consent or Listed Building Consent applications, though allowing for additional subjects to be introduced at the Chair’s discretion.

Current situation - Status of Harrow School on the CAAC:

Request by the Harrow Hill Trust

2.8 On 12th November 2021, the Harrow Hill Trust submitted a formal request for a change to the CAAC Constitution so that Harrow School is no longer a listed as a possible member in the Constitution. The request, and the Trust’s justification for it is in their letter of that date, is included at appendix 2 and references specific examples of their concerns. This followed a similar request by the previous Chairman of the Harrow Hill Trust, Dr Simon Less, in November 2020. This is included at appendix 3.

2.9 In summary the reasons provided relate to the School being unlike other CAAC members:

- 1) Harrow School is a major owner/ developer of property within the Harrow Hill conservation areas so cannot give independent advice. Conversely, there is local knowledge without an interest to declare from other CAAC members. Where that may not be the case, the

- CAAC would point out to the Council any relevant lack of local knowledge by their members in providing their comments.
- 2) As a major landowner, it is unclear when Harrow School should declare an interest and not partake in discussions, so the safeguard of the constitution fails.
 - 3) Harrow School has its own Supplementary Planning Document ('SPD'), and any different approach adopted by the CAAC creates a conflict. The Committee are not party to the future plans of the School so cannot identify a conflict of interest.
 - 4) Harrow School objected to the proposed Harrow on the Hill Neighbourhood plan which would have incorporated conservation area protection policies into Local Plan level as opposed to just at SPD level, thereby strengthening conservation area status. This is despite it having support from 94% of respondents.
 - 5) The School has (in the Trust's opinion) submitted planning applications which harm conservation areas, a view upheld by the Council's Planning Committee, the Mayor of London and by Inspectors at a Public Inquiries.
 - 6) On occasions when considering Harrow School proposals, a verbal representation by the School's attendee at CAAC was not confined to factual information but was opinionated. No other developer is allowed that opportunity.
 - 7) Harrow School has number of S106 legal agreements with the Council so cannot be independent on the CAAC.
 - 8) Harrow School has responsibilities under the Local Plan so cannot be independent on the CAAC.
 - 9) Conclusion: In order to ensure that the CAAC is, and is also seen to be, providing independent advice without conflict of interest, and to uphold good governance, the Constitution needs to be amended as proposed to omit Harrow School.

Harrow School's response

- 2.10 The Council requested the School to respond to the Harrow Hill Trust's letter and this is set out in an email sent on 16th June 2022. This was provided by the present Harrow School representative on CAAC, Wayne Simpson. It is included as appendix 4 and explains why the School believes that it should continue to be represented on the CAAC as follows:

'Clearly membership of the CAAC is decided by Harrow Council and therefore a constitutional change is a matter for the Council to consider and no one else. When considering how it will respond to the letter, we invite the Chair of the Planning Committee to consider:

1. Harrow Council chose Harrow School to be a member of the CAAC. As far as our records show Harrow School have been a member of the CAAC for more than 20-years.
2. We believe Harrow School has made a positive contribution assisting the Council in protecting and preserving heritage assets in the London Borough of Harrow. We respect Harrow Council's decision should they no longer value our contribution.
3. I attended the CAAC meetings that Harrow Hill Trust refer to in their letter. Rather than spending time discrediting Harrow Hill Trust's superstition only then to be labelled I invite the Chair of the Planning

Committee to ask the Chair of the CAAC, you as CAAC Secretary and the CAAC members who attend these meetings whether the claims made in the letter are factually correct and indeed appropriate’.

Conservation Area Advisory Committee’s consideration:

2.11 The CAAC reviewed the Harrow Hill Trust’s request and Harrow School’s response. Representatives of the CAAC then met on Teams at 4pm on Thursday 23rd June to discuss and reach a recommendation as to whether Harrow School should remain on the CAAC.

2.12 Trevor Gray (representative of the Stanmore Society) and John Orchard (representative of the Harrow Heritage Trust) were not present and did not partake in the meeting discussions since the former used to work for Harrow School and the latter rents from Harrow School. In addition, the representatives of the Harrow Hill Trust who made the request and the representative of Harrow School were not present. Those present were the remaining members of CAAC ie Pat Clarke (Pinner Local History Society), Alan Flint (Hatch End Association), Dr Brent Elliot (Victorian Society) and Christine Wallace (Pinner Association).

2.13 The CAAC discussions concluded as follows:

‘The Harrow Hill Trust has objected to Harrow School being represented on the CAAC, on the grounds that it is a landowner within the CA, and therefore has a vested interest in certain applications; that the School’s behaviour over issues affecting the CA has been deleterious in the past (its refusal to engage in the Neighbourhood Plan); and that its status is in many respects problematic and unique.

On the question of principle, we acknowledge that if the CAAC were being created now, we would probably not allow the School to be represented on the Committee, for the reasons above. But it has been represented on the Committee for a long time, and most of that period has been devoid of trouble. The practical advantages of having the School represented outweigh the problems.

The behaviour of the School over issues affecting the CA is a matter that is outside the administration of the CAAC itself. Harrow School would most likely have refused to support the idea of the Neighbourhood Plan regardless of whether it was represented on the CA, and its refusal caused no problems relating to the Committee’s casework agenda. When cases related to the School’s properties arise, the School’s representative leaves the room, or at least does not vote; and if a case arose over a property with which the School shared a boundary, the same requirement could be insisted on. We have not seen any case in which this arrangement has been an insufficient safeguard. There is a clash of personalities on the CAAC, but that should not be an intractable problem.

On this current issue, we can only be concerned with the effect of the School’s membership on the conduct of the Committee’s casework, and on that point we see no necessity for Harrow School to be removed from the CAAC membership list’.

Officer recommendation 1: Maintain Harrow School on CAAC:

- 2.14 There is no statutory guidance on the composition of CAACs. National guidance on the Historic England website states they: 'should consist mostly of non-local authority people who represent the interests of residents and businesses and who are able to bring expertise or understanding of the area's history and amenity.' Harrow School's membership follows this guidance.
- 2.15 Also, Harrow School has been represented on the CAAC since inception with no known complaint raised concerning the principle of this in over 20 years.
- 2.16 The Trust are concerned that the School may not declare an interest where it should do, but given the School is an extensive landowner on the Hill, and has obligations under section 106 agreements and the Local Plan, and their own Supplementary Planning Document, it will be required to do so. The Trust also note that Harrow School have produced plans that they consider will cause harm to the conservation areas on the Hill. But where any CAAC member has an interest they are required to declare it under the constitution and withdraw from the meeting. We are required to trust that they (or any other member) do so appropriately. For example, architects on CAAC may be working on projects anywhere within the borough, and we must trust that they declare an interest appropriately.
- 2.17 The Trust comments that Harrow School once provided biased, rather than neutral, comments to help explain to CAAC one of their planning applications on the agenda. However, even if this did take place, the correct implementation of the constitution going forward would ensure that this would not be repeated i.e. ensuring Harrow School declare an interest and withdraw from discussions when a planning application they have an interest in comes up.
- 2.18 Also, given a quorum in the constitution is five people, it is unlikely that the opinion of one would sway the view of four others where there is objectionable heritage harm to comment on.
- 2.19 Accordingly, taking all representations received and following national guidance from Historic England (the government's advisors on heritage) which leaves membership criteria quite open, the officer recommendation is for Harrow School to remain on CAAC. The school is an organisation that is 'able to bring expertise or understanding of the area's history and amenity' given its long history within the borough and experience in managing a significant number of heritage assets.

Additional Recommended Changes to the CAAC Constitution:

Officer recommendation 2: Change the criteria for membership:

- A) should any of the listed organisations fail to nominate a member of that organisation to be part of the Committee, the**

Committee can co-opt a member of that organisation to be part of the Committee.

2.20 Currently membership is only nominees from groups listed in the constitution. On the 29th June 2022 the CAAC Chair suggested the constitution in relation to membership be modified to make provision for finding members by routes other than membership nomination:

‘The constitution of the CAAC (attached) lists a number of organisations which are invited to nominate representatives; the purpose of this was to ensure that the full range of relevant interests, local and national, is represented on the Committee.

In recent years, however, we have noticed an increasing tendency for organisations (e.g. the RIBA, Georgian Group, Twentieth Century Society) to decline to make nominations. This trend, if continued, will not only make it difficult to maintain the size of the Committee, but will deprive the Committee of some of the different forms of expertise it requires.

Should the constitution therefore be modified to make provision for finding members by other routes than membership nomination?’

2.21 Accordingly, a meeting was held on 4th July 2022 and it was agreed by CAAC that it be requested that the criteria for membership be amended so that the Committee can co-opt a member of that organisation to be part of the Committee if any organisation fails to make a nomination.

2.22 This request is supported by officers and forms a recommendation of this report as it is a practical way forward.

B) Omit the Stanmore and Harrow Historical Society from the list of organisations that can nominate members (the organisation folded in June 2022), add the London Historic Parks and Gardens Trust (known as London Gardens Trust), add the Gardens Trust, add the Open Spaces Society, and change ‘Any other organisation – 1000+ members’ in the list to ‘any other organisation that CAAC deem relevant following any national guidance’

2.23 The officer recommendation to remove the Stanmore and Harrow Historical Society from the list of organisations that can nominate members is due to this organisation folding in June 2022.

2.24 The Gardens Trust are a large heritage landscape organisation who have a statutory role in commenting on planning applications. Naming them in the list of organisations that can nominate members, is therefore prudent as it follows Government guidance and brings additional expertise to the Committee. The London Historic Parks and Gardens Trust (known as London Gardens Trust) are a charitable organisation affiliated with the Gardens Trust so again it is prudent to include them. The Open Spaces Society is a campaign group that works to protect public rights of way and open spaces in the United Kingdom, such as common land and village greens. It is Britain's oldest national conservation body and a registered

charity. The Society's inclusion is relevant and would be beneficial to the Committee.

2.25 The CAAC has concerns over maintaining sufficient membership numbers and have requested that the following is omitted from the constitution's list of organisations that can nominate members: 'Any other organisation – 1000+ members' and it is changed to 'any other organisation that the CAAC deem relevant following any national guidance'. This change would allow greater flexibility in nominations being accepted and the increasing difficulty in getting members nominated for CAAC and CAAC's concerns that local organisations increasingly having fewer members. It would also comply with national guidance on membership as this simply states that 'Local planning authorities may set up conservation area advisory committees which should consist mostly of non-local authority people who represent the interests of residents and businesses and who are able to bring expertise or understanding of the area's history and amenity.'

Officer recommendation 3: Add to the constitution that the CAAC can provide feedback on Listed Building Consent applications (where works are external and affect a conservation area) and Advertisement Consent applications, not just Planning Applications

2.26 The existing constitution allows for this but the change in wording provides clarification. This is prudent since such applications can affect conservation areas in the same way as planning applications.

Officer recommendation 4: Change the date for the CAAC AGM so it is normally held in October, but also allow CAAC to change to one month either side as they agree by majority thereafter if required to suit circumstances.

2.27 CAAC have recognised that it can be difficult to ensure all members can attend some months, so this change would accommodate this possibility.

Officer recommendation 5: Omit reference to the 'Department of Environment's Circular 8/97' and replace with reference to 'any relevant current Government guidance'.

2.28 This circular is no longer relevant and so it is recommended that it be omitted as new relevant Government guidance could be released at any time.

Legal Implications

2.29 There is no statutory requirement to create a CAAC and so the changes proposed to the Constitution would not be subject to any statutory controls. The CAAC has an advisory role to the Council. However, the amendments proposed to the Constitution should be in accordance with the rules and procedure of the CAAC Constitution and relevant

government guidance should be taken into consideration, such as, Historic England.

2.30 While the CAAC is not part of the Council’s formal constitutional structure, its Constitution has previously been considered and endorsed by the previous Development Control Committee. The deliberations and comment on the range of matters within CAAC’s ambit are important considerations for the Council in the context of its position as local planning authority.

2.31 Any decisions by the Council where listed buildings and their settings and conservation areas are a factor must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72 of the Act) as well as applying the relevant policies in the development plan and the National Planning Policy Framework (paragraphs 189 to 208 Conserving and enhancing the historic environment) (with Planning Practice Guidance – Historic Guidance).

Financial Implications

2.32 There are no cost implications. The cost of holding CAAC is contained within existing planning budgets.

Risk Management Implications

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The relevant risks contained in the register are attached/summarised below. **Yes**

Risk Description	Mitigations	RAG Status Column
<p>Not formally agreeing to retain Harrow School within the Constitution (recommendation 1) would put CAAC at risk of further accusations that the CAAC should not have Harrow School as a member on the CAAC for the reasons given by the Harrow Hill Trust. The recommendations ratify and justify the inclusion of a member of Harrow School on CAAC, given this has recently been questioned.</p>	<ul style="list-style-type: none"> The full justification in this report and formal resolution (Recommendation1) is an open, formal and full way to acknowledge and address the Harrow Hill Trust’s comments. Should the Planning Committee concur with the Trust’s concerns and not officers’ recommendation, deletion of Harrow School from the CAAC constitution would also mitigate the risk. 	<p>Amber</p>

Risk Description	Mitigations	RAG Status Column
A risk of not removing Harrow School from the constitution is that the Harrow Hill Trust member withdraws as they are unsatisfied with the outcome of their request.	<ul style="list-style-type: none"> The full justification in this report is an open, formal and full way to acknowledge and address the Harrow Hill Trust's comments. There would still be enough CAAC members to form a quorum and thus a functioning committee. 	Amber
Not agreeing recommendations 2 and 4 would risk the CAAC not having enough members to make a quorum, and therefore CAAC needing to fold. This would undermine the ability of the Local Planning Authority to comply with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states with regards to the planning function that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'. The recommendations enable more flexibility on the criteria for membership.	<ul style="list-style-type: none"> Amending the constitution as set out in the recommendations 	Amber

Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

If no, state why an EqIA was not carried out below:

The report is not a relevant report being presented to Cabinet for a decision requiring an Equality Impact Assessment. The recommendations of this report allow for wider inclusion of members on the CAAC i.e. no longer requiring an organisation to nominate an individual to represent them but instead where an organisation declines to nominate someone, to allow the CAAC to co-opt a member of that organisation to sit on the CAAC. Allowing greater scope for members to join the Committee is considered to have positive impact on all equality groups.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jessie Man

Signed on behalf of the Chief Financial Officer

Date: 5 July 2022

Statutory Officer: Baljit Bhandal

Signed on behalf of the Monitoring Officer

Date: 6 July 2022

Chief Officer: Dipti Patel

Signed by the Corporate Director

Date: 7 July 2022

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards (impacts are indirect)

Section 4 - Contact Details and Background Papers

Contact: Lucy Haile, Principal Conservation Officer, 02087366101
lucy.haile@harrow.gov.uk

Background Papers:

Development Control Committee report 28th June 2006
<https://moderngov.harrow.gov.uk/documents/g3309/Public%20reports%20pack%20Wednesday%2028-Jun-2006%2019.30%20Development%20Control%20Committee.pdf?T=10>

Development Control Committee minutes 28th June 2006
<https://moderngov.harrow.gov.uk/documents/g3309/Public%20minutes%20Wednesday%2028-Jun-2006%2019.30%20Development%20Control%20Committee.pdf?T=11>

Historic England guidance on CAACs:
<https://historicengland.org.uk/advice/hpg/has/conservation-areas/>

Appendix 1: CAAC Constitution, with proposed amendment in italics

Harrow Conservation Area Advisory Committee: Constitution

1. The Committee shall consist of one nominees each from the following:

National appointments: RIBA

RTPI

Landscape Institute

The Open Spaces Society

The Gardens Trust

Historical societies: Georgian Group

Victorian Society

Ancient Monuments Group

20th Century Society

SPAB

Local: *London Historic Parks and Gardens Trust (known as London Gardens Trust)*

Harrow Hill Trust

The Pinner Association

Stanmore Society

Harrow School

Pinner Local History Society

Stanmore and Harrow Historical Society

Hatch End Association*

~~Any other organisation – 1000+ members~~ *Any other organisation that CAAC deems relevant following any relevant national guidance.*

- 2) Appointments shall be made on an annual basis from the Annual General Meeting of the Committee which shall *usually* be held in ~~October~~ *September* (previously ~~December~~ *September*), *but otherwise CAAC may change to the month either side as they agree by majority thereafter if required to suit circumstances.*

2(a) In addition to the election of members at the AGM, nominated individuals from any of the above organisations who were not appointed at the AGM, can also be co-opted onto the Committee at any meeting throughout the year, subject to a majority vote from the existing serving Committee members.**

3. The Committee shall, at its AGM, elect Chairman and Vice-Chairman, which offices shall be subject to re-election annually. The maximum period for either office shall be five years.

4. The Committee shall hold regular meetings for the following purpose:

- (i) To advise the Council on applications which would affect the character or appearance of the conservation areas;
- (ii) To assist in the formulation of policies for conservation within the Borough by commenting upon Draft Policy Statements;
- (iii) To make positive proposals for the enhancement and general care and maintenance of conservation areas;

All in accordance with ~~the Department of Environment's Circular 8/97~~ 'any relevant current Government guidance', The Harrow Borough Local Plan and any approved policy statement appertaining thereto.

- 5. Five shall constitute a quorum
- 6. The Chairman shall have the casting vote
- 7. Meetings shall be open to the public who shall not participate
- 8. Members shall declare and withdraw from the meeting when items in which they have an interest are discussed.
- 9. The Committee, through its officers, shall keep a proper record of its proceedings which shall be available in the Council Offices for public scrutiny.
- 10. The Chairman's report shall be submitted annually to the Council.
- 11. The following subject shall normally be in the Committee's agenda, except that additional subjects may be introduced at the Chairman's discretion:
 - (i) The constitution and procedures of the Committee;
 - (ii) Proposals concerning the designation of conservation areas and the local listing of buildings;
 - (iii) Recommendations to the Council LBH for listing of buildings when appropriate;
 - (iv) Advice with regard to all proposed works within or peripheral to conservation areas and listed buildings:

01: Planning, *Listed Building Consent applications (where the proposals are external and affect a Conservation Area) and Advertisement Consent applications*

02: Public works

03: Enhancement works

04: Enforcement actions

05: Adjustment and improvement of administration procedures

Agreed by Development & Planning Committee on 7 March 1991

Agreed by Development & Planning Committee on 7 July 1997*

Agreed by Development & Planning Committee on 28th June 2006**



THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future

The Chair
Harrow Council Planning Committee
3rd Floor, North Wing
Civic 1, Station Road
Harrow HA1 2UY

Holm Oak,
Mount Park Avenue
Harrow on the Hill
HA1 3JN

12^h November 2021

Via email to:

Cc CAAC committee, Harrow on the Hill Ward Councillors

RE: CAAC Constitution

Dear Councillor Fitzpatrick

The Harrow Hill Trust proposes the following change to the constitution of the Harrow Conservation Area Advisory Committee.

Proposed change

Section 1 to be amended to the following

1 The Committee shall consist of one nominee each from the following:

<i>National Appointments</i>	<i>RIBA RTPI Landscape Institute</i>
<i>Historical Societies</i>	<i>Georgian Group Victorian Society Ancient Monuments Society 20th Century Society SPAB</i>
<i>Local</i>	<i>Harrow Hill Trust The Pinner Association Stanmore Society Pinner Local History Society Stanmore & Harrow Historical Society Hatch End Association Any Other Organisation – 1000+ members</i>

The proposed change is for Harrow School to no longer be written into the constitution as a member.

Reason for the proposed change

Harrow School, unlike the other CAAC members written into the constitution, is a major owner and developer of property within the Harrow Hill conservation areas.

The purpose the CAAC is to give independent advice to the Council about proposed developments. Including among the committee's membership the major developer in the Harrow Hill conservation areas is not consistent with ensuring independence of the committee's advice.

Even though Harrow School is expected to step back from any committee discussions in which it has an interest, we do not consider this an effective safeguard against potential conflicts of interest. This has indeed proved to be the case as evidenced in the appendix. Harrow School has a very large number of properties and land throughout Harrow on the Hill. It is therefore extremely hard for the Harrow School representative on the committee to establish, and for the committee as an entity to monitor, when Harrow School's interests may be affected directly or indirectly by a proposed application near one of its properties. Also more generally, by precedents that CAAC advise on which, although they may appear unrelated to anything in-hand relating to the School, they may well have an impact on the School's role as developers and future plans, which the committee would not be aware of. The potential conflicts from such advice concerning policy or precedents are unique to this member.

To go further, Harrow School is the only member with its own Supplementary Planning Document ('SPD') and any policy or precedent, or different approaches adopted by the CAAC which conflict with that and other Borough-wide policies which could impact on school property or the school's future plans under the SPD or its internal estates master plan creates a conflict. The members of the committee are not party to the future plans of the developer and as such would not be able to identify where input to the committee may actually represent a conflict of interest.

An example would be discussions and views of the CAAC about the policies concerning the retention of retail shops or offices and their loss to residential uses. This would be of relevance to the School and not necessarily in relation to a specific third party application in the vicinity of one of their buildings. Such a conflict arises purely due to their development and estate owning position.

In addition, on two occasions the representative from the school has directly intervened to counter opinion from our representation to the Council on conflict situations, including seeking to stop this detailed submission, which is being presented to you. This hinders the working of the committee. It also creates an unpleasant committee environment which arises directly from the conflict of interest.

A Neighbourhood plan for the area would have incorporated conservation area protection policies into Local Plan level as opposed to just at SPD level, thereby strengthening the conservation area status, but it was deemed to conflict with the objectives of the School and hence they opposed it despite it having support from 94% of respondents.

The school has on many occasions conflicted with planning policy, producing plans which conflict with the purpose of the conservation areas. The assessment of such harm to a conservation area are not just our view but have been upheld by other members of the CAAC, by the Council's Planning Committee, the Mayor of London and by Inspectors at a Public Inquiries.

We understand that the school is likely to be taking a recent application to the Inspectorate again for which substantiated objections relate to harm to a conservation area and listed buildings as agreed by local ward councillors and the Planning Committee.

No other CAAC member has such conflicts.

No other member has proposed developments which harm the conservation areas.

Other members have pointed out that a potential benefit from the experience of the School with regard to their property would be lost. On one occasion, the recent extension to Druries a verbal representation by the School's attendee was not just contained to factual information or confined to answering specific questions but was opinionated and not a neutral balanced opinion. The school should not be present when such matters arise or to be able to embellish an application. No other developer is allowed that opportunity.

Also, the Committee and the Harrow Hill Trust through its membership have extensive knowledge of the history of local buildings and their design merits and faults including those owned by the School. As with all other developments, the documentation should be sufficient for the CAAC committee to exercise their judgement especially as the school is normally very thorough. Where that may not be the case, the CAAC would point out any material deficiency to the Council. Permitting the School to embellish or enhance the information is not what is available to any other developer, nor would it be available to the public for their assessment.

Committee members do not need to be the owners of the property which is subject to an application to be able to provide its independent advice to the Council.

No other member has S106 legal agreements with the Council

No other member has responsibilities under the Local Plan.

The evidence is clear. We call on the School not to seek to defend the indefensible. In order to ensure that the CAAC is, and is also seen to be, providing independent advice without conflicts of interest, and to uphold good governance, the constitution needs to be amended as proposed.

Thank you.
Yours sincerely

Paul Catherall

Paul Catherall
Chair, Harrow Hill Trust Planning Committee
pcatherall@hotmail.com

The minutes of the CAAC of Monday 18th October 2021 record the attendance of a representative of Harrow School. No declarations of interest were made for any of the applications on the published agenda. The representative on behalf of Harrow School submitted written commentary to CAAC members by email earlier that day. This commentary covered 9 of the 18 applications. Then, at the meeting, their comments were presented by their representative with particular emphasis and time spent on application P/3890/21 for the Castle Pub 30 West Street, P/2895/21 West Hill Close and P/3907/21 the mast application. For the mast application a letter was presented to the committee on Harrow School headed paper.

For application P/3890/21 the Castle 30 West Street it is our belief that the school owns two of the three boundaries. Owning the next door property number 28 West Street (and number 26 West Street), and the rear boundary, which is Bradbys.

For application P/2895/21 West Hill Close it is our belief that the School agains owns two of the three boundaries. The properties to the rear being Mount Pleasant and West Acre and the next door property West Road. However, this is not the first time that the Harrow School representative has been present when independent advice was provided concerning this property. A prior application P/3897/19 was discussed at the CAAC meeting of 21st October, 2019 and the Harrow School representative was present and also on that occasion did not disclose an interest.

Just looking at those minutes of 21st October 2019 there was also a discussion under AOB about 25 High Street, and the Harrow School representative was present and did not disclose a conflict of interest, and yet it is believed that it is owned by the School as well as the School owning neighbouring properties.

For application P/3907/21 the mast application, the School wrote extensively on the matter, even having its representative present its letter on headed paper to the CAAC and no conflict of interest announced and yet a neighbouring property is West Acre, owned by the School.

An example of discussions about policy issues which create a conflict would be around conservation area and Metropolitan Open Land boundaries, the attributes of a particular conservation area, and public access to and enjoyment of open spaces.

The School has sought to change the Metropolitan Open Land boundary firstly by way of its own SPD suggesting a swap. Secondly by way of a section 106 agreement. Also, discussion about the attributes of two neighbouring conservation areas can create a conflict such as the replacement building for the current Oldfield House. The public access to a recent proposal for a path which adjoins a public footpath highlights general Local Plan policies about access where the School has been shown to hold opposing views. Other policy conflicts expected to increasingly arise with the focus on climate change could be the pursuit of green planning policies such as green walls and roofs. It would seem that the school has no green roofs and has removed both of its green walls.

Interference with the running of the committee by opposing input from other members on matters relating to the School has occurred. For example, recorded in the CAAC minutes of 15th

July 2019. The Harrow Hill Trust had not been represented at the previous two meetings as our previous liaison representative Andrew Reed had resigned after extensive period of service and our next representative had not joined until that meeting in July. At the May meeting there was an application for the replacement of Oldfield House which had minor comment from other CAAC members and yet it was of considerable importance to many HHT members. As it turned out, those views were supported by the planning committee, and it was refused permission. Hence the application as raised under any other business and recorded in the minutes as follows.

“Paul Catherall – We, The Harrow Hill Trust, have very strong feeling about the John Lyon School proposal. Comment on the heritage statement. Their own statement states it creates harm. Harm and this needs to be weighed against the public benefit. The S106 is location specific. Whilst there is inconvenience about building on the same site it is not really justified in varying the outline. The ridge height is the main concern. Impacts by infilling and impacts on the listed buildings”.

However, the Harrow School representative said the following.

WS asked it be minuted that John Lyon School application reference P/1818/9 was reviewed by the CAAC Committee on 20 May and comments were published. During the CAAC meeting on 15 July 19 and under any other business Paul Catherall expressed a personal view about the John Lyon School proposal however the application was not considered by the Committee at the meeting on 15 July 19.

Firstly, no declaration of interest was recorded, and the representative remained present, however they did not remain silent with a comment made and a request for it to be minuted. The Harrow School representative should not have intervened, not only should he have not commented, but also, he should not have sought to interfere with the other members' comments. It was a legitimate point being raised and the view of the Harrow Hill Trust's planning committee chaired at that time by Dr Simon Less. All members can have their views noted. The Trust have very detailed knowledge of this site and its associated S106 legal agreement between the developer and the local planning authority, having been a party to a recent Public Inquiry concerning that site where its views were upheld by the Inspector.

Another occasion was at the recent AGM and, whilst not in the CAAC minutes it was recorded in a report back to members of the planning committee of the Harrow Hill Trust. On this occasion the Harrow School representative opposed the writing of this letter to the Planning Committee stating that the Trust had already made its views known to the CAAC, thereby seeking to restrict comment from another member of the CAAC on a conflict matter. This was not accepted but it makes it an unpleasant atmosphere for the CAAC committee and shows interference with its workings again seeking the suppression of the views of a member.

Other policy conflicts situations have been provided in the main text of this letter.

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THE HARROW HILL TRUST

Caring for the heritage of the Hill and its future

The Tower Cottage
Harrow Park
Harrow HA1 3JE

13th November 2020

Planning Committee
Harrow Council
Civic Centre, Station Road
Harrow HA1 2UY

Harrow Council Conservation Area Advisory Committee (CAAC) Constitution

Dear Planning Committee Chair

At the previous AGM of the CAAC, the Harrow Hill Trust proposed the following change to the constitution of the Harrow Conservation Area Advisory Committee but it was deemed to be beyond the powers of that committee and required Council deliberation and decision. I am therefore submitting the following request to your committee.

Proposed change

Section 1 of the CAAC constitution to be amended to the following

1 The Committee shall consist of one nominee each from the following:

<i>National Appointments</i>	<i>RIBA RTPI Landscape Institute</i>
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<i>Local</i>	<i>Harrow Hill Trust The Pinner Association</i>

*Stanmore Society
Pinner Local History Society
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The purpose the CAAC is to give independent advice to the Council about proposed developments. Including among the committee's membership the major developer in the Harrow Hill conservation areas does not appear to be consistent with ensuring independence of the committee's advice.

Even though Harrow School is expected to step back from any committee discussions in which it has an interest, we do not consider this an effective safeguard against potential conflicts of interest. Harrow School has a very large number of properties and land throughout Harrow Hill. It is therefore hard to establish and monitor when Harrow School's interests may be affected indirectly by a proposed application near one of its properties or, more generally, by precedents that CAAC advice on apparently unrelated developments may establish.

In order to ensure that the CAAC is, and is seen to be, providing independent advice without conflicts of interest, we consider Harrow School should no longer be a member written in to the constitution.

Kind regards,



Dr Simon Less

Chair, Harrow Hill Trust Planning Committee

16/06/2022 10:09

From: Simpson, W C simpsonwc@harrowschool.org.uk

To: Lucy Haile <Lucy.Haile@harrow.gov.uk>

Cc: David Hughes <David.Hughes@harrow.gov.uk>; Simpson, W C <simpsonwc@harrowschool.org.uk>

Caution: External
email

Dear Lucy,

Thank you for your email inviting Harrow School to respond to a letter written by Harrow Hill Trust and addressed to the Chairperson of Harrow Council Planning Committee (attached).

Clearly membership of the CAAC is decided by Harrow Council and therefore a constitutional change is a matter for the Council to consider and no one else. When considering how it will respond to the letter we invite the Chair of the Planning Committee to consider:

1. Harrow Council chose Harrow School to be a member of the CAAC. As far as our records show Harrow School have been a member of the CAAC for more than 20-years.
2. We believe Harrow School has made a positive contribution assisting the Council in protecting and preserving heritage assets in the London Borough of Harrow. We respect Harrow Council's decision should they no longer value our contribution.
3. I attended the CAAC meetings Harrow Hill Trust refer to in the letter. Rather than spending time discrediting Harrow Hill Trust's superstition only then to be labelled I invite the Chair of the Planning Committee to ask the Chair of the CAAC, you as CAAC Secretary and the CAAC members who attend these meetings whether the claims made in the letter are factually correct and indeed appropriate.

Kind regards

Wayne



Mr Wayne Simpson *Head of Capital Development*

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