

Planning Policy Advisory Panel

Minutes

3 October 2022

Present:

Chair: Councillor Marilyn Ashton

Councillors: Christopher Baxter David Perry
Stephen Hickman Zak Wagman
Asif Hussain

**In attendance
(Virtual):** Norman Stevenson

**In attendance
(Councillors):** Nitin Parekh For Minute 8 & 9

Apologies: Stephen Greek

1. Appointment of Vice-Chair

RESOLVED: That Councillor Stephen Greek be appointed as Vice-Chair for the 2022/2023 Municipal Year.

2. Attendance by Reserve Members

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

Ordinary Member

Councillor Stephen Greek
(apologies)

Reserve Member

Councillor Norman Stevenson

3. Declarations of Interest

RESOLVED: To note that no declarations were made at the meeting.

4. Minutes

RESOLVED: That the minutes of the meeting of the Major Developments Panel held on 1 December 2021 be taken as read and signed as a correct record.

5. Public Questions

RESOLVED: To note that no public questions had been received.

6. Petitions

RESOLVED: To note that no petitions had been received.

7. Deputations

RESOLVED: To note that no deputations had been received.

Resolved Items

8. Tall Buildings Supplementary Planning Document (SPD) - Scoping and Draft Principles and Objectives

Members received a report and presentation on the tall buildings planning supplementary document (SPD) which set out the background, objectives, principles and proposed approach to be taken to prepare specific tall building guidance by way of a Tall Building Supplementary Planning Document (SPD).

In making the presentation, officers reported that:

- 1) An SPD was a context-based document, which did not introduce a new policy but formed part of a wider planning framework, providing further guidance to existing Local Plan policies;
- 2) At the heart of Harrow's proposed Tall Buildings SPD laid three key themes – Addressing Place (provides contextual analysis); Adding Quality (ensures all aspects of good quality design are considered); Delivering Good Growth (development would contribute to places). On that basis, the purpose of the proposed Tall Buildings SPD was to:
 - provide an understanding of the characteristics of Harrow to enable analysis of all areas to be undertaken
 - guidance to assist in determining a definition of a tall building relative to its context
 - ensuring high quality design achieved in tall building development either as per the London Plan definition or what is considered to contextually be a tall building (below the London Plan definition).

- ensure that the council had basis for a material consideration when refusing schemes which were not appropriate in the local context;
 - provide clarity for developers/officers/public on the expectations of the LPA when considering a develop that seeks to increase height above the surrounding context
- 3) Harrow does not currently have a tall building policy at a borough wide level. The Local Plan, which was published in 2013, is currently undergoing review, but could take up to 3 years to adopt. An SPD would act as an interim measure and would supplement existing policies (Harrow's Local Policy DM1 Achieving a High Standard of Development which relates, among other matters, to height).
 - 4) Progress on the Tall Building SPD would be based on the relevant policy framework and contemporary evidence. This included the Harrow Characterisation and Tall Building Study, completed in 2021, which showed that the prevailing heights in Harrow ranged between 2-3 storeys, but these increased in town centres. The study also elucidated how tall buildings should be defined and set out design guidance to help new developments of height to achieve high qual design.
 - 5) The tall buildings SPD was expected to be in place from May/June 2023, subject to relevant consultations and approval from Harrow's Cabinet.

Prior to opening the discussion, the Chair stressed the importance of progressing with the Tall Buildings SPD as it provided the Council with the necessary resilience against inappropriate developments and detail on specific planning issues.

In the discussion which ensued, the Panel raised a number of comments and questions which were responded to as follows:

- 6) In response to an enquiry about how successful tall building SPD's were in other boroughs and the impact on housing targets and future planning applications, officers explained that they held no specific information on the success of SPDs in other boroughs. Most tall building SPDs from other boroughs were relatively few and recently progressed, by reason of the new Tall building policy in the London Plan published in 2021. Although noted some did pre-date this. A Tall Building SPD was not expected to interfere with housing targets but would focus more on securing good quality accommodation and a high quality of design for residents. The Panel was also reminded that whilst the Mayor of London could still call applications which exceeded the threshold of 150 units, there were no specific measurements in place for developments below that threshold and therefore a SPD acted as material consideration when deciding planning applications giving both extra protection to the Council but also a clear steer to applicants on what would likely to be acceptable.

- 7) Current consultation with the Greater London Authority (GLA) was still at an informal level but would move to statutory once the draft SPD has been finalised. Public consultation would also be undertaken and ward members would be invited to have their say.
- 8) The Tall Building SPD was a context-based document, which provided guidance on what was likely to be considered a tall building within Harrow. It provided an extra layer of protection and assertion to the Council against inappropriate developments.
- 9) Defining context can be challenging because of competing / mixed characteristic in some parts of the borough. Guidance and examples would be provided to applicants on how to carry out context analysis.
- 10) In response to a question on whether the formula referred to in Section 6 of the report on what constitutes a tall building would actually result in a definition officers explained that the aim of the Tall Building SPD was to outline what would be considered tall within the context in which it would be located but without being too prescriptive in order to avoid any misinterpretation.
- 11) The SPD would not conflict with the Local Plan, as it would provide guidance to policies within it. It would not conflict with the 30m definition for tall buildings as set out in the Core Strategy (2012), as this only relates to the Harrow & Wealdstone Opportunity Area. There is no Tall Building definition for the suburbs outside of the Opportunity Area.
- 12) The Local Plan, which would eventually be replaced with a new Local Plan and was expected to be completed within the next 3 years – a lengthy timeframe due mainly to previous delays and the rigorous process required it needed to go through before it could be adopted. The SPD would still be relevant to the new Local Plan which would likely have a specific tall building policy.

The Chair thanked the officers for the presentation and responses.

RESOLVED: That the report and presentation be noted.

9. Proposed consideration of three areas for Conservation Area Status

The Panel received a report and presentation which outlined the intent, criteria and proposed timeframes of the Local Planning Authority to consider as possible conservation areas three areas as set out in Appendix 1 to the officer report, namely Butler Avenue (and surrounding roads in W Harrow); West Drive Gardens, Bellfield Avenue and West Drive numbers 1-41 (odd) and 2-36 (even) in Harrow Weald; and Suffolk Road and seek Members' input on the proposals.

Officers explained that detailed assessments would be undertaken, the outcomes of which would be evaluated against national and local criteria and

would subsequently be reported to the next Planning Policy Advisory Panel (PPAP) meeting.

Members were informed that London Borough of Harrow did not currently have a local area designation based on architectural or historic interest of an area. The threshold for achieving a conservation area status is very high. Successful designations reduce properties' permitted developments rights. It was added that an alternative option for any areas which were deemed not to meet the conservation area threshold would be to have a local area designation status instead.

Prior to opening the discussion, the Chair acknowledged the significant historic and architectural interest in some parts of Harrow and the need to preserve its suburban character. She reminded Members of the high threshold required for conservation area status and that there was no guarantee that all assessed areas would qualify, adding that a further classification – “locally listed area of special character” – could be introduced which would not take away permitted development rights but would give areas statutory protection and could be used as grounds for refusal in certain context.

In the discussion which ensued Members raised a number of comments and questions which were responded to as follows:

- 1) The precise boundaries of the areas set out in the report were selected based on officers' rough assessment of their architectural merit, following receipt of proposals for particular streets to be considered for conservation area designation from a Councillor. The areas could be expanded but consideration should be given on how this would affect the area's potential appropriateness for designation as a conservation area.

The Chair stressed that conservation area status would not be imposed on any area if there was insufficient public demand.

- 2) Conservation areas are defined under national legislation as areas of special architectural or historic interest the appearance of which it is desirable to preserve and enhance. There is local designation criteria contained in Harrow's adopted four Supplementary Planning Documents (SPDs) that cover the borough's existing conservation areas. A difference between a conservation area and the suggested locally listed area of special character would relate to permitted developments rights, with residents of the former being limited in making changes to their properties. A locally listed special character area would not restrict residents' development rights but would be a material consideration in planning applications.
- 3) Although requests for conservation area status were currently relatively limited, a process would need to be considered on what qualifies as warranting consideration should the number of requests increase.

- 4) The sphere of influence of conservation areas is not limited to the specific area that is designated. It also affects their setting in that proposals for planning permission in the setting need to preserve whatever it is in the setting helps to preserve or enhance the character and appearance of the conservation area itself.

Additional information on the impact of conservation areas could be included, should the Council decide to proceed with consultation on the areas set out in the officer report.

- 5) In response to a suggestion on providing residents with comprehensive information on differences between a conservation area and the potential locally listed area of special character designation, the Panel was advised that this would need to be given further consideration as the current proposals were still at the early assessment stage.
- 6) In response to a suggestion made on a borough wide assessment of which areas could qualify for conservation, the Panel was advised that this may not be feasible and if done without regard to national and local criteria, would undermine the protected status of currently designated areas.

By way of concluding this item, the Chair thanked officers for their presentation and emphasised that there were no specific proposals to go to consultation on the areas set out in the officer report and, whilst the overall aim was to protect the suburban character of Harrow, new Conservation Areas would not be imposed if there are many objections to them.

RESOLVED: That the report and presentation be noted.

10. Community Infrastructure Levy (CIL) Processes Review - Proposed Scope

The Panel received a report and a presentation which set out the context, tasks and options associated with the proposed review of Community Infrastructure Levy (CIL) processes in the borough and invited Members' input.

The Community Infrastructure Levy (CIL) was a tax on new development that was used to fund the infrastructure required to support development in the borough and ensure that there was no detriment to infrastructure standards caused by intensified use of an area. The levy rates were charged in accordance with the Council's adopted CIL Charging Schedule (Sept 2013) with rates required to be set at levels that did not result in development becoming unviable.

CIL was allocated as part of annual budget setting process and was reflected in the Capital Programme every financial year. Two main types of CIL existed - Neighbourhood CIL (NCIL) and Borough CIL (BCIL) – the former spent a minimum of 15% of available CIL funds on projects that took into account the views of the local area in which development occurred, while under the latter spent the remainder of the funds anywhere in the borough.

The current CIL process was established 5 years ago (December 2017) and it was considered that there was scope for improvement, including:

- making best use of the available resources
- addressing recent boundary ward changes
- revising processes for identifying and agreeing projects focusing particularly on ameliorating current practices around consultations and online engagement tools
- revising allocations criteria
- reviewing responsibilities within the process to improve clarity and efficiency

In the discussion which followed Members raised a number of comments and questions which were addressed as follows:

- 1) In response to a comment on getting balance right between wards with substantial CIL funds and those with less so and whether any of these funds would be lost in the context of any broader, borough-wide approach to the allocation of NCIL, officers explained that the one approach used by other boroughs was to apply a combination approach and a thorough assessment would be undertaken of such an approach.
- 2) Officers were aware of the delay with replacing the bins on Churchfield Road and were working towards a resolution
- 3) In response to a question on what the key improvements would be, officers advised that these were yet to be determined and would be subject to discussions with stakeholders. They emphasised that the purpose of the review was to accurately evaluate the current process and needs of the local communities and make optimal and most equitable use of the funds available, including where wards have not spent available NCIL and those where there is limited NCIL but potentially suitable projects. A member suggested that efforts should be made to help wards to spend their NCIL funds and any potential reallocation / sharing of funds should be within the same area / neighbouring wards.
- 4) With regards to a comment on finding the balance between appropriate allocation of funds and creating a more structured process for engaging with residents, the Panel was informed that the mechanisms for consulting on CIL projects would need to be varied to avoid detriment to residents (i.e. those without access to internet, or less formally organised than resident associations) and mitigate potential in order not to disadvantage residents and to minimise risks of digital exclusion. A member also suggested consideration would need to be given to the timing of projects being submitted, evaluated and allocated so that strong projects did not miss out simply because they came forward later than other projects.

The Panel thanked officers for their presentation.

RESOLVED: That the report and presentation be noted.

(Note: The meeting, having commenced at 6.30 pm, closed at 8.28 pm).

(Signed) Councillor Marilyn Ashton
Chair