

Planning Policy Advisory Panel

Minutes

9 January 2023

Present:

Chair: Councillor Marilyn Ashton

Councillors: Christopher Baxter Nitin Parekh
Stephen Greek David Perry
Asif Hussain Zak Wagman

**In attendance
(Councillors):** Paul Osborn

19. Attendance by Reserve Members

RESOLVED: To note that there were none.

20. Declarations of Interest

RESOLVED: To note that the following interest was declared:

Agenda Item 9 – Harrow Local Plan – Revised Local Development Scheme
Councillor Stephen Greek declared a non-pecuniary interest in that he was an employee of the London Assembly. He would remain in the room whilst the matter was considered and voted upon.

21. Minutes

RESOLVED: That the minutes of the meeting held on 30 November 2022, be taken as read and signed as a correct record.

22. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions, petitions or deputations were received at this meeting.

Recommended Items

23. Draft Tall Buildings (Building Heights) Supplementary Planning Document (SPD)

The Panel received a report of the Corporate Director of Place which provided a progress update to the drafting of a draft Tall Buildings ('Building Heights') Supplementary Planning Document ("SPD") (previously titled 'Tall Buildings SPD'). Members were invited to make comments on the initial draft SPD, which was attached as Appendix 1 to the agenda, prior to the document being considered by Cabinet.

In making their presentation, the officers set out the work undertaken since the presentation to the Panel on 3 October 2022, the next steps post meeting, the timetable and the approach to the drafting of the specific guidance and consultation that had been undertaken to assist in the drafting of the SPD. It was noted that the SPD did not apply within the Harrow and Wealdstone Opportunity Area as Opportunity Areas were designated through the London Plan and were subject to a greater level of change than suburban areas. A number of internal consultations and consultation with external stakeholders had taken place to obtain information to ensure adequate coverage of issues and consistency with relevant requirements with stakeholders. Formal, wider consultation would take place subsequent to consideration and authority to consult by Cabinet.

In opening the discussion, the Chair stated that, whilst the Core strategy encouraged tall buildings in the opportunity area, it did not address suburban areas. The clarity provided by the adoption of the SPD was important as it would be a number of years until the revised local plan was implemented. Policy D9 of the London Plan helped to give it weight.

The view was expressed that the inclusion of a section on long views into the opportunity area from the suburbs was considered useful. Whilst the SPD did not refer directly to the Opportunity Area consideration was given to where it could harm the context of its surrounding areas

The Panel asked a number of questions and the officers responded as follows:

- The proposal was not to adopt the London Plan definition of a tall building but to reflect it as being the trigger for the application of London Plan Policy D9 (as well as the SPD). This was because a SPD was unable to set a definition of what a tall building would be. Would it add weight if the SPD confirmed its adoption? The officer stated that the SPD would be in conformity with the London Plan (and have weight) by not seeking to set an alternative definition of a tall building

because any change in definition would have to be through the Local Plan.

- The summary table of prevailing heights and definitions was very helpful. Would it be communicated to residents? The officer confirmed that there would be liaison with the communications team as part of the formal consultation undertake for the SPD.
- With regard to whether the formula to define contextually tall height within a given area should be greater than twice the prevailing height rather than equal to or greater than, the officer said it would be considered but as it was context based it could be two storeys or more. It was not whether the proposed development was six storeys tall but the prevailing context of the area.
- Have such SPDs in other boroughs discouraged the number of applications for tall buildings? This would be difficult to ascertain. The aim of the SPD was to aid successful applications and it would set out what the Council was aiming to achieve and what it was not looking for from developments.
- How is the feedback from the Harrow Design Review Panel for more guidance/ greater emphasis on family living in terms of appropriate locations for family sized homes, additional guidance on play space dealt with in the SPD? It was difficult to be overly prescriptive as to location of family homes, but would seek an appropriate mix. The SPD did aim to give guidance to the proximity to play space which should meet the space as set out in the London Plan (2021).
- Each application for a tall building would be considered with reference to the SPD and treated on its merits .

The Panel thanked the officers for the work undertaken on the SPD.

Resolved to RECOMMEND: (to Cabinet)

That the draft SPD for Tall Buildings be approved for consultation.

RESOLVED: That the Panel note:

- (1) the change to the title of the draft SPD;
- (2) the contents of the report and the initial draft SPD;
- (3) the proposed timetable headlines; and
- (4) note the outline consultation arrangements should Cabinet agree to consult on the draft document.

24. Neighbourhood Community Infrastructure Levy Review

The Panel received a report and presentation which detailed the outcomes of the review of Neighbourhood Community Infrastructure (NCIL) processes. Members noted that the review covered the reallocation of CIL balances to new Ward Boundaries, future allocations, project identification, project delivery, project approval, NCIL project criteria, unspent sums, and council process management. The Panel was invited to comment on the review and recommendations.

It was noted that NCIL was the allocation of 15% of CIL receipts raised in each Ward back to the respective Ward in which it was generated. For CIL received within the geographical definition of the Harrow and Wealdstone Opportunity Area, NCIL currently involved the allocation of 15% of CIL receipts into a combined fund to be spent on projects across the entire area. During the review the processing of new applications for funding had been on hold as the review could potentially result in changes impacting upon those applications.

The Leader of the Council outlined the reasons for the proposals and responded to questions on the processes.

In response to a question, the officer explained that the annotation for Kenton West in the table in paragraph 5.3 referred to a deficit as the project costed marginally more than was available within the Ward.

During discussion the following views were expressed:

- The proposed cap of £100k on any Ward balance would adversely affect Greenhill, Marlborough, Pinner South and Roxbourne. The proposals should be implemented after the cap was spent.
- Wards within the Opportunity Area benefited from the 85% CIL. Those wards on the edge of the Opportunity Area that were impacted by the development would benefit from the ability to bid into a pooled pot under the new arrangements. The pooled pot would enable projects to proceed rather than balances building up.
- Newly elected Members would not have the opportunity to spend the NCIL in those areas with more than the £100k outstanding.
- Some Wards had built up large balances. The new system would encourage Wards to spend their allocations on projects.
- Not every Borough allocated all CIL to the Ward in which it was raised.
- Residents could be concerned in the budgetary context that individual Wards had in excess of £100k that was not being spent. The new Ward boundaries and the beginning of a four year administration provided the opportunity for revisions to the process.

- All Wards would have the opportunity to bid. Wards affected by the cap could bid into the new NCIL with Ward and community support.
- The new system would result in wards not stockpiling monies but they should be encouraged to use it or lose it before the implementation of the cap. The monies had been frozen since May so a ten month period would enable expenditure prior to implementation of the new system.
- A Member stated that the Leader of the Council could disagree with an application under the delegation for approvals. In response it was stated that the current system included decision making by two Portfolio Holders, having one decision maker would cease split decisions. If the scheme was within the Leader's ward the decision would be taken by the Deputy Leader. His involvement in the decision making as Leader of the Council would only require a declaration of interest if it affected the area in which he lived.
- A scheme of first come first served was not equitable. The introduction of bid rounds (two a year) was suggested to give bids weighting. The Panel agreed that this proposal would be beneficial.

Councillor David Perry moved that the Panel recommend to Cabinet that the proposals be implemented after ten months to enable the cap to be spent. This was seconded by Councillor Parekh. The motion was put to the vote and lost.

Resolved to RECOMMEND: (to Cabinet)

That the proposed recommendation of the Neighbourhood Infrastructure Levy be endorsed with the addition of the introduction of bid rounds during which proposals for funding could be scored against each other.

25. Harrow Local Plan - Revised Local Development Scheme (LDS)

The Panel received a report which provided an update on the review of the Harrow Local Plan, specifically the proposed Local Plan timeline and updated Local Development Scheme (LDS) to reflect this.

In opening the discussion, the Chair referred to the new London Plan published by the Mayor of London in 2021 which carried more weight than the Council's Core Strategy (2012) and Development Management Policies (2013). It was therefore important to update the current Local Plan.

In response to a question regarding consultation with residents, it was stated that the Local Plan was instrumental in shaping the Borough and the Council wanted to fully engage. The formation of the Panel enabled discussions to be held in public and to provide for members of the public to ask questions and make deputations. In addition, consultation was required by the Local Plan Regulations. A Member stated that some new consultation standards would be available shortly and would be applied.

Resolved to RECOMMEND: (to Cabinet)

That the revised Local Development Scheme be approved.

Resolved Items

26. Scoping Report - Residential Conversion Guidance & Residential Extension Guidance Chapters - Draft Small Site Design Code Supplementary Planning Document (SPD)

The Panel received a report and presentation on the proposed approach to be taken to prepare specific design guidance for residential conversions which was proposed to be progressed as a chapter within the draft Small Sites Design Code Supplementary Planning Document. In addition, the report provided further detail required on the householder extension guidance as initially drafted within the draft Small Sites Design Code SPD.

Members noted that, once drafted, the guidance would be submitted to a subsequent meeting of the Panel prior to consideration by Cabinet thereafter seeking adoption as part of the Small Sites Design Code SPD.

In the discussion that ensued, Members raised the following points:

- The approach would provide more guidance and emphasis on achieving higher standards as there was currently insufficient information in local policies. The inappropriateness of previous applications with regard to the prominence of refuse bins, access to amenity space and the need to take care with regard to stacking would be highlighted.
- A Member suggested the inclusion of a requirement for heat source pumps and charging points. It was noted that it would be difficult to introduce new policy and such items would need to be brought in by policies in the new Local Plan.
- The Member further suggested that all applications for conversions be submitted to the Planning Committee. The Chair informed the Panel that she did call some conversions in but each application was treated on its own merits. Some applications met the requirements. It was not agreed to call all residential conversion applications in to be considered by committee.
- In response to a question regarding timetabling, it was stated that, as the work would be subsumed into the existing workload, a timeline could not be given.
- With regard to a question as to the possibility of encouraging the installation of solar panels for existing ground floor flats, it was stated that this would be a civil matter between the landholder and lessee and not a planning matter.

- It was further noted that oversight/ management of frontages was a civil matter, often a management issue agreed amongst tenants of flats. In the case of very untidy frontages, a Section 215 notice could be served.

RESOLVED: That the Panel note:

- (1) the report and the recommended approach to bringing forward residential conversion design guidance, by way of a specific chapter within the draft Small Sites Design Code Supplementary Planning Document;
- (2) the further detail to be provided in relation to householder extension guidance;
- (3) the proposed draft residential conversion design principles contained in Appendix 1;
- (4) the proposed timetable headlines contained within paragraph 4.5.

(Note: The meeting, having commenced at 6.00 pm, closed at 8.35 pm).

(Signed) Councillor Marilyn Ashton
Chair